

Fear and Loathing in Lamanite Territory: Lessons from Canada's Truth and Reconciliation Commission to the Mormon Indian Placement Program and Beyond

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ABSTRACT

In December 2015, Canada completed a 7-year Truth and Reconciliation Commission ("TRC") regarding their Indian Residential Schools program.¹ Established in the dawn of the 1800's, the program removed tens of thousands of native children from their homes and forcibly reeducated them with a "superior" culture, namely white Canadian culture.² The thinking behind this program was that Canadian Indians - now primarily referred to as First Inhabitants, First Nations, Aboriginals, or Original Inhabitants - were ethnically inferior and that reeducating them to be more white would help elevate them socially and economically.³ The results of this program were catastrophic. Wide allegations of sexual and physical abuse have been reported.⁴ An estimated 2,040 to 3,201 children in these schools died as a result of abuse.⁵ The TRC is a first step in a long journey to physical and cultural recovery for these people, as many still lack access to adequate health care for their injuries.⁶ The psychological toll from this cultural genocide is still ongoing.⁷

In the 1940s, the Church of Jesus Christ of Latter-day Saints, whose members are often referred to colloquially as Mormons, enacted a similar pseudo-voluntary program but on a much smaller scale. The core idea behind the Mormons' Indian Placement Program was nearly identical to Canada's Indian Residential Schools, but the results and reactions to the Program could not be more different.⁸ Growing up Mormon myself, I was never told about the Indian Placement Program. I only learned about it one day, while as a teenager, I was going through a church library and encountered a pamphlet that showed a confused and uncomfortable dark-skinned girl sitting in a Mormon church and wearing traditional Mormon clothes. The image to me was haunting and shocking. I have certainly never heard the term "cultural genocide" used in connection with the Indian Placement Program, however ideologically identical it may be to the Indian Residential Schools on the surface.⁹

I am not using the term "cultural genocide" rhetorically; the UN's 1948 Convention on Prevention and Punishment of the Crimes of Genocide states: "In the present Convention, genocide means any of the following committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious groups, such as: . . . (e) Forcibly transferring children of the group to another group."¹⁰ I qualify this act of genocide by adding the term "cultural" to highlight the otherwise invisible effects of the Placement Program on the children who enrolled. While children were not forced into the Placement Program by law, like they were in Canada, it is difficult to argue that the Program was 100% consensual, given the overreach by the Bureau of Indian Affairs and the Federal Bureau of Investigations into the domestic lives of First Nation families at the time.¹¹ The Mormon Placement Program was a way out of this terror from the federal government.

The Mormons' Program stayed around slightly later than Canada's residential schools. However, as recently as 2016, allegations of sexual abuse and subsequent cover-ups by the Mormon church have begun to surface from former foster children in the Program.¹² Other former foster children claim that the Program was beneficial, are active in practicing Mormonism, and remain close to their Mormon foster families.¹³ Some have left the church. One Facebook user in a Facebook group for former foster children describes the "brainwashing" experience as making her feel ashamed about her ethnicity and

culture.¹⁴ Another describes Brigham Young, 2nd president and prophet of the Mormon church, as a white supremacist.¹⁵ Yet another admits that some foster kids were placed in homes where they were “hit, stabbed by a jealous foster sibling.”¹⁶

Admission to the Placement Program was fairly standardized.¹⁷ Students could enroll at age 8, the formal age at which a person may become a member of the Mormon church.¹⁸ Those who were not already baptized received the ordinances from missionaries before entering the program.¹⁹ All of the students left together on an emotional departure date, which one participant described as “coming to a funeral.”²⁰ Another student stated:

“And then it finally hit. I remember giving my natural parents a big hug and not wanting to let them go. To my surprise, my parents were emotionally strong, very supportive, and offered me words of encouragement. While I was still hugging my mother, I looked around the Girswood’s parking lot and saw the other students’ mothers and grandmothers emotionally crying until I saw my classmates...shaking their natural parents’ hands, saying their goodbyes to them, and got into the Greyhound bus.”²¹

Another recalled: “I cried every time when I got in my seat, and, thankfully, all the lights were off, so I just sat there. Another recalls the unforgettable impression left by the sound of crying children:

“As the engine wound into a roar, all outside seemed to silent. The waving people, parked pickup trucks, and buckboards slid past the window where I sat, I gripped the seat as my body braced itself...There was no turning back now. Through the unspeakable darkness of the August evening, the bus drive from Shiprock to Cortez proceeded more like a funeral dirge than anything else. The sobbing children and their sniffing noses made a fog inside the bus. The windows were clouded up. All the whimpering produced more of the same. It seemed that the sobs echoed by a circular route according to seat pattern. With each unintentional outburst, a surge of emotion filled the person either in the seat ahead or behind, depending on who was charged and ready. The sobbing movement was similar to an oval-shaped course set with upended dominoes. All it took was one to fall and one to keep up the momentum.”²²

According to Garrett, the students were brought to an orientation meeting, where they met their parents.²³ The first 4-6 weeks were called “the honeymoon”, after which children tested their parents limits and Priesthood leaders reinforced discipline with religious doctrine.²⁴ Children had to adjust to many new aspects of Mormon life, including the terrain of their new homes, the strict schedule of the Mormon parents, and the disorienting “plastic” smells of Mormon households.²⁵ Enrollment statistics from 1979-1984 estimate about 2,100 children participated in the program.²⁶ This tapered off during the 1980’s, until enrollment was projected to 900 children from 1988-1989.²⁷ By 1993-1994, there were only 260, and by 1998-1999, there were only 5.²⁸ Children also faced the stigma of possibly being ostracized from their tribes on return home. A 1979 study showed that only about half of tribal leaders answered “Definitely No” when asked if returning children were considered outsiders from the tribe.²⁹ The

program was finally dismantled by internal bureaucratic conflict when the one of the Program's biggest advocates, President Spencer W. Kimball, fell ill and the incoming "correlation-minded" leadership sought to dismantle the Church's overreach into domestic affairs.³⁰ Back in 1960, Kimball prophesied about the effects of the Placement Program:

"I had the privilege of going into the mission field in the Southwest Indian Mission...I found evidence of waning superstition and of growing faith in the [Mormon] gospel. I saw people who was for centuries been as chaff before the wind settling down to industry and security and permanence – a people who for more than a millennium have been 'as a vessel...tossed about upon the waves, without sail or anchor, or without anything wherewith to steer her' (Mormon 5:18). I saw them beginning to accept the gospel of Christ. I saw them reclaiming their forfeited blessings which the Lord reserved'...for the gentiles who shall possess the land' (Mormon 5:19). I saw acceleration in their progress and the time is at hand when the Lord will '...remember the covenant which he made with Abraham and unto all the house of Israel' (Mormon 5:20). '...and as the Lord liveth he will remember the covenant which he hath made with them. And he knoweth their prayers'" (Mormon 8:13-24). The work is unfolding, and blinded eyes begin to see, and scattered people begin to gather. I saw a striking contrast in the progress of the Indian people today as against that of only fifteen years ago. Truly the scales of darkness are falling from their eyes, and they are fast becoming a white and delightsome people...The day of the Lamanites is nigh. For years they have been growing delightsome, and they are now becoming white and delightsome, as they were promised (2nd Nephi 30:6)...God bless the Lamanites and hasten the day of their total emancipation from the thralldom of their yesterday."³¹ (The scriptures he references are from the Book of Mormon).

A lawsuit for tuition reimbursement in 2000 may have been the final nail in the coffin for the Program, as Garrett writes: "a Utah lawsuit demanding tuition reimbursement for out-of-state students entering Utah offered the necessary justification to terminate the Placement Program once the last student graduated in 2000."³² However, much of the same anti-Aboriginal rhetoric remain strong in Church doctrine. As late as September of 2017, Elder David Bednar, a prominent Mormon church leader, encouraged the youth of the world to be like "Fred", who abandoned his calling as the chief of his tribe, without warning, in favor of being a Mormon.³³

Aside from allegations of abuse, the foster care children in the Mormons' Program were subject to systemic and particularly scrutinizing indoctrination of the Mormons' peculiar definition of the indigenous identity, as the Mormon Church, through its foster care parents, subverted and undermined notions of self-determination in ways unlike other Christian residential schools. Mormonism's core religious text focuses heavily on a controversial historiographical narrative of Native American history and racial identity. "Lamanites", a term from Mormon history and doctrine, refers to the ancestors of Native Americans, who - as Mormonism teaches - were cursed with dark skin for abandoning Judaic law. The Book of Mormon, Mormonism's central religious text and the book from which its followers received the moniker "Mormons", teaches an alternative history where all indigenous American culture

and traditions are heretical, derivative byproducts of Mormonism specifically.³⁴ This history is unsubstantiated by any anthropological or archeological evidence. One, therefore, does not have to assume that all the foster children in the Mormons' Program were victims of cultural genocide, regardless of whether or not they were physically or sexually abused, because the Mormon doctrine specifically targets indigenous people and was central to the Program's aims.

Assuming these allegations of abuse against the Mormon church are true, this paper will examine and assess possible holistic remedies for the former foster children of the Indian Placement Program in light of what has been learned about Canada's TRC. This paper concludes with the suggestion that Native American tribes affected by the Mormon foster program – and any similar program – should unify to create a forum or program like a TRC within the tribal courts where former foster children may come to address grievances and speak their truths without fear of stigmatization, retribution, or disownment from Mormon family members.

Part 1 of the paper will use critical race theory through personal narratives to contextualize the reasons I wrote this article. Part 2 will briefly discuss significant differences and similarities between Canada's residential schools and the Mormon foster homes. Part 3 will discuss some criticisms of Canada's TRC which might affect a similar TRC in the United States. Part 4 will conclude with the recommendation that the tribal courts unite to circumvent the UN and provide for a TRC-like forum, through their own volitions and under their own independent authorities.

PART 1

I met Abby during the summer of 2014 at a cannabis and music festival in Colorado.³⁵ At the time, I was working under a community service grant for the city of Denver and the National Organization for the Reform of Marijuana Law ("NORML"). I attended the festival to research cannabis use in the state of Colorado, where it was newly legalized. Abby and I struck up a conversation about legal marijuana, and I was delighted to learn that, like me, Abby had once attended law school. She had also worked for the British Crown under the Canadian government during her studies. Feeling she didn't belong in the law student culture, she dropped out in her final year and never attempted to become a solicitor. I was impressed by her intelligence and knowledge of Canadian law, and we immediately started a friendship which has lasted until today.

Abby is a true original. Abandoned by her Jewish father at a very young age, she was raised by her Dakota Sioux mother, who worked for the United Nations. Abby spent most of her early childhood in apartheid South Africa and Uganda, where, as she puts it, "corrective rape was a thing." Still, Abby saw her mother do many heroic things to help end racial inequality while working at the UN. When Abby repatriated to Manitoba in her teens, she says she experienced culture shock in her native homeland. Abby identifies as queer. She is a mother who had two kids before law school with a Rastafarian she met while in Africa. She has never told me what she does for a living; we avoid discussing the issue.

We Skype often, and she enjoys music therapy. Over the years, she introduced me to many incredible First Nation musicians that I would have otherwise never heard of, like the Red Bull Singers (the band and not the drink), the Black Bear Singers, and a young prodigy named Niizhoo.³⁶ During one such Skype session sometime in May of 2016, we were chatting from her sober living community, where she now lives, and talking about Canadian indigenous music. Ironically, she was knocking down beers and rolling her own cigarettes, while I was sipping whisky and taking dabs of butane hash oil. Before stepping

out to smoke a cigarette, she sent me a copy of a YouTube video without any context.³⁷ The video, entitled “Canada apologizes for residential school system”, caught me completely off guard and had me in tears by its end.³⁸ She returned while I was still watching and said, “The first two speakers are former pm Stephen Harper and MP Stephan Dion. I betcha didn’t know Canada had a history of such c—y [*edited for profanity*] and horrific origins.”³⁹

She continued to send me intense and disturbing footage of some of the testimonies that were included in the Commission.⁴⁰ She later stated, “This is how my mother and grandparents grew up. And I suppose a contributing factor towards my atheism. There’s no reason to worry. Our people and children will keep on rockin’ in the free world.”⁴¹

Like Abby, I am also an atheist, but I was raised in a strict Mormon household. As Mormons call it, a “TBM” (or “true-blood Mormon”) household with ancestry dating all the way back to the church’s foundation. I am a direct descendent of Samuel Pearce Snow.⁴² Samuel’s brother was the fifth Mormon prophet and church president Lorenzo Snow. Samuel’s sister Eliza Snow was the president of the first Mormon women’s organization called the Relief Society and sister-wife of Mormonism’s founder Joseph Smith, Jr.⁴³ Unlike Abby, who was raised to admire the U.N. in an environment that encouraged discussing the residential schools with the people who survived them, I have never had a conversation with my family or any Mormon, for that matter, about the Indian Placement Program in any capacity.⁴⁴ This is not merely because I have not had direct access to the former foster children in the Placement Program. From my perspective, it is more than that; discussing the Program’s history and effects are largely taboo in Mormon circles.

With Canada’s TRC fresh on my mind, I came across an article in an ex-Mormon online forum only days later that rehashed my curiosity and suspicion of the Mormon’s Placement Program.⁴⁵ The article stated that several Navajo plaintiffs were suing the Mormon church in tribal court over allegations of sexual abuse in the Program.⁴⁶ The plaintiffs further allege that the Mormon church knew about the abuse and of a subsequent, systematic cover-up of the abuse by church leaders.⁴⁷ As of today, the number of plaintiffs in the case has risen to five, as more victims have chosen to come forward.⁴⁸

These allegations are less widespread than those in Canada’s residential schools, but they are also not entirely different in character than those that lead to the creation Canada’s TRC. I chose to follow this case, and I was not surprised when the Mormon church lead with a strong defense. The Mormon church and its legal team chose to challenge the Navajo court’s jurisdiction just as I began writing this paper. I chose to write this paper because I believe the plaintiffs, and I empathize with the challenges of winning this case, the lack of support or visibility this niche case is receiving in the mainstream media, and the lack of remedies that would be available to them in the traditional US court system. It can all be very discouraging to other potential victims who might not be willing to come forward in a controversial lawsuit.⁴⁹ These things considered, I set out to write an article that would discuss other ways the tribal courts might empower victims of systemic child abuse.

PART 2

A. Historical and Structural Narrative of Canada’s Residential School System

The main purpose of this paper is neither to provide a comprehensive account of the Indian residential schools nor is it to provide a comprehensive comparison between the two programs, but I will

briefly address the complicated, layered, and voluminous narrative behind the schools. The primary purpose of this paper is to provide remedial suggestions to foster children of the Mormon Indian Placement Program while considering criticisms of the TRC, but I do feel it necessary to provide some of the vital history and context surrounding the residential schools for the sake of highlighting some differences between Canadian and US societal influences. I strongly suggest reading the full TRC final report because it will help all readers have a clearer picture of the Indian residential schools that I will not herein provide.

It should be noted, however, that the TRC's official report draws from a restrictive set of data on mortality rates. In reality, the mortality rates were likely much higher than the TRC reports, according to the residential schools' architect DIA Superintendent Duncan Campbell Scott.⁵⁰ In a 1922 report compiled by Dr. Peter Bryce and corroborated by Scott, the reported the mortality rate for residential students was 50%.⁵¹

At first, the First Nation's reaction to Canada's compulsory education varied. The Huron chief Max Gros-Louis, said "my father, although he was illiterate, wanted his children to have a better education... Indians and Eskimos, like any other people, want to learn."⁵² The effect of the residential schools, as Cree Rev. Edward Ahenakew said, had the opposite effect on many students: "For those who do live [through the experience], who survive and who graduate from the school at the age of eighteen, during every day of their training they have acted under orders. They never needed to use their own minds and wills... when suddenly given their freedom they do not know how to use it. Their initiative is lost... [They] sit on the fence between the whites and the Indians, belonging to neither, fitting into neither world."⁵³ Micmac literacy decreased when the English language became compulsory.⁵⁴ In Ontario, Ojibway children were taught how to take English tea and how to play English sports such as cricket and soccer.⁵⁵ In St. Mary's Oblate boarding school, students would spend half days working on the farm or at a bakery or at a flour mill.⁵⁶ The first Indian Manual Labor Boarding Schools were created in New England, the USA, as early as 1804, by Joseph Badger with funding from the Western Missionary Society.⁵⁷

The Mormon Placement Program was not unique in the USA; it was the result of a widespread movement by white Christians to "kill the Indian and save the man", to loosely quote Richard Henry Pratt, founder of the first off-reservation boarding school called Carlisle Indian School.⁵⁸ Pratt's philosophy continued to influence the philosophies of American Indian boarding schools, forming the philosophical base for Canada's residential schools, all the way until the 1960's.⁵⁹ Students at these schools were bathed in kerosene, beaten until their heads busted open, malnourished, and forced into heavy labor.⁶⁰ A plethora of other issues came out of these US schools, including the disproportionate removal of First Nation children from their homes by blind adoptions.⁶¹ This led to the Indian Child Welfare Act of 1978, where the US Congress found that "many of these removals and placements were due to state officials' inability or unwillingness to understand tribal cultures and societies. The impact of the removals and placements was extremely detrimental to the children, their families, and tribes. Broken families, loss of culture, and forced assimilation led to identity problems, incarceration, addictions, and suicide."⁶² Many children went missing or were disappeared during this time in the US, and US tribes have called on the UN to account for these losses.⁶³ In the 1940's, at the dawn of the Mormon Placement Program, Navajos considered the Program a positive alternative to US boarding schools.⁶⁴

While I could find no parallel "positive alternative" in Canada, some have argued that the residential schools were not so bad. The National Post printed a few of these comments from readers in 2014. "At least some of them learned enough English and French to, fluently, play the system and bit the hand that

had fed them,” wrote C. Lutz of Haliburton, Ontario.⁶⁵ Some argue that the role of the residential schools in the spread of tuberculosis is inflated: “It was undoubtedly a terrible thing to be taken from your family, but in the early days, the reserves were impoverished and 90% of First Nations people were infected with tuberculosis...It is hard to say if the students got tuberculosis at the residential schools. And until the 1950s, tuberculosis was the leading cause of death to *all* Canadians. I am aware that some people will feel I am defending the known cases of abuse and cruelty – I do not defend these. My own father was the victim of the same [abuse] at the hands of his own white Anglo-Saxon teachers at his British boarding school. He used to have his left hand beaten black and blue and tied behind his back because he was left-handed,” wrote Michelle Stirling.⁶⁶

But tuberculosis was far from the only problem with the residential schools; suicide has been an affect and legacy of the residential schools until today. Suicide and self-harm is the leading cause of death of First Nation people in Canada up until the age of 44.⁶⁷ At least 5% of the First Nation people in Attawapiskat attempted suicide in 2015-2016.⁶⁸ Elizabeth Joyce Brass attempted suicide at the Dauphin, Manitoba, school at age 12; she overdosed on Aspirin and was immediately sent to class when the nurse said she was faking an illness.⁶⁹ Antonette White and her classmates at the Kuper Island school were forced to look at the corpse of a student, still in the nose with which he hung himself, as a deterrent from suicide.⁷⁰ Helen Harry and her peers played with suicide by asphyxiating themselves with towels.⁷¹

The mere sight of the residential schools was traumatizing to many children. Campbell Papequash, who was apprehended by missionaries and taken to a residential school, said, speaking about the nuns’ habits: “I experienced a foreign way of life that I really didn’t understand. I was taken into this big building that would become the detention of my life and the fear of life. When I was taken...I see these ladies, you know so stoical looking, passionate-less and they wore these robes that I’ve never seen women wear before, they only showed their forehead and their eyes and the bottom of their face and their hands. Now to me that is very fearful because you know there wasn’t any kind of passion and I could see...it in their eyes.”⁷² Verna Kirkness, who attended the Dauphin, Manitoba, residential school described the degrading experience of being stripped and covered in coal oil on first arrival.⁷³

Former student described systemic humiliation as routine punishment for things like bedwetting. Russell Bone, while at the Pine Creek school, had his face rubbed in his soiled sheets.⁷⁴ In some cases, bedwetting was the result of sexual abuse from staff at Blue Quills.⁷⁵ Alfred Nolie was forced to clean until his pants were soaked in blood from kneeling after wetting the bed.⁷⁶ At Qu’Appelle school, students’ beds were flipped over while they were still in them.⁷⁷

Residential schools forced the children into slave labor. Rick Gilbert, while at Williams Lake school, was forced to chop wood at 6 years old and was beaten for losing his work gloves.⁷⁸ Ula Hotonami, while at the Round Lake school in Saskatchewan, spent only half of the day in class and half the day cooking, doing laundry, ironing, washing dishes, cleaning the dormitories, and other so-called “chores.”⁷⁹ Students who did not do the work to the nuns’ expectations were forced to repeat the tasks in futility.⁸⁰ Religion was used as excuse for the clergy to physically abuse the students. Elsie Jenner, while at the Fort Chipewyan school, was stabbed with headpins to “feel what Jesus felt on the cross.”⁸¹ The stories go on for volumes.

Even though I am not attempted to reconstruct a detailed account of all residential students in this article, I hope to paint even a vague picture of how the residential schools operated to keep students silent about the abuse and genocide. I hope this will support the assertion that the Indian Placement Program’s alleged

abuse is a logical outcome of its religiously-based systemic racism and religiously-justified metacognitive manipulation. I thereby assert that the Church's continued dominance has kept former foster children silent about their own cultural genocide and possibly further instances of abuse.

Both societies place a stigma on discussing the history of First Nations' child custody rights. From my understanding, the "code of silence" in the residential schools, as Isabelle Knockwood writes, is the result of more aggressive and more direct psychological abuse than the cultural factors that have created the taboo among Mormons.⁸² Speaking about the code of silence, Knockwood uses an example from her childhood to illustrate the lengths to which nuns would go to psychologically intimidate the children into silence. She recounts one time when her sister Rose was called with twelve other girls to a medicine cabinet by a nun, who then pretended to cut off one girl's tongue for lying.⁸³ The victim was not told that her tongue was not actually being severed from her body, and the girls were not told what lie they had told to warrant this punishment or even what lying is.⁸⁴ In their religious indoctrinations, the girls were also not told what sinning was; lying and sinning were the two things the nuns would not tolerate in Knockwood's school.⁸⁵ At times, Knockwood and her peers were given direct instructions to not talk about the school or what went on there.⁸⁶ Through this, the nuns in Knockwood's school gained the ultimate power to control what information went in and out of the residential schools. Further, they psychologically scarred the children to prevent them from doing anything that would contradict the nuns' narrative.

I contrast this narrative with the narrative of one Mormon Indian foster child. Virgil, a Navajo, was placed in the foster care of a Mormon named Kay Cox.⁸⁷ Virgil struggled to learn in school because the teachers discouraged him from trying, accusing him of being incapable of doing any work.⁸⁸ Even the principal told Kay, "Why are you trying so hard with this kid? Don't you know he's an Indian? He can't learn."⁸⁹ When Kay found out, she "marched into the offending teacher's classroom, took Virgil out, put him in another classroom taught by a friend, and warned her friend of her impending wrath if Virgil did not remain there."⁹⁰ Virgil graduated from high school a Sterling Scholar finalist and even performed a Navajo hoop dance at his graduation.⁹¹ The psychological intimidation in Virgil's narrative is less obviously connected to the Mormon religion. By contrast, the Mormon foster parent was at odds with the systemic racism she witnesses in the school Virgil attended. What affect might this have had on Virgil's attitudes towards Mormonism, the "Lamanite" identity, and his ethnic heritage?

Virgil witnessed a more complex battle for his identity, a battle between opposing colonizing forces, than Knockwood did. Kay did not tolerate psychological intimidation that was prevalent in Virgil's school. The author of Kay's narrative argues that the Coxes never wanted to take away Virgil's Navajo traditions, only the ones that would stand in the way of his education and success like alcohol abuse.⁹² I find this to be highly suspect. The Coxes may not have intended to take away Navajo cultural, but they most certainly did. I'm certain the Coxes selected where he could shop, cooked his meals for him using suburban Mormon recipes, had opinions on what types of music and entertainment he could enjoy, and expected him to learn English. Further, Mormonism, along with Islam, is one of the few religions in the world that absolutely forbids alcohol consumption of any kind. Even as the Coxes say that keeping Virgil away from alcohol was a pragmatic choice, this prohibition cannot exist without a non-Aboriginal, colonial definition of what alcohol is and what alcohol's role is in society. The Mormons believe in a doctrine called the Word of Wisdom, which forbids consuming tea, coffee, alcohol, and tobacco.⁹³ In modern times, mainstream Mormons have aggrandized this doctrine to include substances like peyote.⁹⁴ By this I mean to suggest, the Coxes also kept Virgil away from learning about Navajo peyote ceremonies on the same grounds they used to justify keeping him away from alcohol.

Therein, one colonizing group justifies imposing white-Mormon cultural norms on First Nationers by offering inconclusive data about academic achievement data while the other Canadian colonizing group justifies imposing white-Catholic cultural norms on First Nationers by silencing any dissent or opposition. Under the Mormon system, it seems okay to speak out against the educational system for its failures but not against the invisible religious machine that placed these First Nationers in the white man's education system in the first place. By contrast, in Knockwood's Canadian Catholic system, it would be obviously justifiable to speak out against the Catholic religion, yet it would be less obvious to the First Nation victims to criticize the invisible municipal machine behind the nuns' abuse. Ultimately, they are two sides of the same colonizing coin, but the nuanced differences in ideologies must be understood in order to understand why it is perhaps more difficult for former foster care children to come forward. This, in turn, also makes it difficult for potential plaintiffs to name the Mormon Church as defendants in legal actions.

Unlike Knockwood, the Mormon Indian foster children understood the Mormon religion. So why did victims of abuse, until recently, not rush to blame the Mormon Church for their suffering, as opposed to the individual perpetrators or the states of Utah and Arizona, when the Church has flagrantly sought to undermine tribal sovereignty by teaching First Nation children to be "Lamanites"?

Some narratives that have come out of the residential schools highlight the complex mixture of secular and non-secular powers involved in the systemic abuse and racism, as well as the complexity of the survivors' views on whom is most to blame. Secretary of Interior Carl Schultz enacted vocational schools that did not amount to anything more than forced labor camps, stating "the object was to impart the eurowestern concept of *work* upon every pupil. This, in order to 'wean' them from their traditional ways of life and drive them into the vortex of euroamerica's emerging capital driven wage labor economy."⁹⁵ Randy Fred writes that the majority of the boys' sadistic supervisors, including his own sexual abuser, were ex-military.⁹⁶

In the Mormon foster homes, was there not also outrage at the racist Mormon doctrine? Where was the resistance against the Mormon church's quest to make First Nationers, or Lamanites, literally "white and delightful"?⁹⁷ Even the so-called "Kill the Indian, Save the Man" movement did not actually seek to change the skin color of First Nationers; the Mormons' systemic racism was far more overt and unchallenged. Surprisingly, to further complicate the matter, many foster children would later identify as biracial Mormon-Aboriginal, or Lamanite, after completing the Placement Program during the age of self-determination.⁹⁸ As far as I could find, the forced indoctrination of the "Lamanite" identity was only officially challenged once. Robert E. Leach conducted a formal government investigation, after accusations of foster children being forced into the Mormon church began to surface, which concluded that the parents said their children wanted to be in the program.⁹⁹ This study did not differentiate between the Program and the Church. From sources such as the Former Indian Foster Children Facebook group and the various writings on the Placement Program cited in the essay, we now know these findings do not represent the totality of the circumstances. A deeper look into the historical and theological relationship between Mormons settlers and First Nationers might reveal more regarding why the Mormon-Lamanite relationship elicits more nuanced criticism than the Canadian-First Nation relationship.

B. Historical and Structural Narrative of the Mormons' Indian Placement Program

The Mormons have a long and complex history with the indigenous American people. This relationship began from the inception of Mormonism and the writing of the Book of Mormon. Native Americans

were some of the first people to be subject to the proselytizing of the Mormon founders. Beginning in 1830, Joseph Smith sent founders such as Oliver Cowdery, Parley Pratt, Peter Whitmore, Jr., and Ziba Peterson out to preach to the indigenous populations of Missouri.¹⁰⁰ The efforts of so-called “Lamanite missionaries” continued through much of the 1830’s with little success. However, a “mixed branch [Mormon congregation] of Sac, Fox, and Kickapoo Indians known as ‘Mormon Indians’ lived north of Fort Leavenworth.”¹⁰¹ One primary effect of the early Mormons’ fervent attempts to convert indigenous people was to stir up paranoia and controversy among Missourians.¹⁰² Missourians began reporting and rumoring that the Mormons and the Native Americans were forming a military alliance to take over the state.¹⁰³ People began to refer to the Mormons as “white Indians.”¹⁰⁴ These conspiracy theories were furthered by heightened comments from church leaders about the pivotal role the relationship between Native Americans and Mormons would play in ushering in the Millennium and the end of days.¹⁰⁵

These conspiracies and the resulting public anxieties culminated in an extermination order, issued by Missouri Governor Lilburn W. Boggs, wherein 500 Missouri militia men were placed in between the Mormons and the Native Americans and ordered to kill any Mormon on sight.¹⁰⁶ The expulsion and attempted extermination of the Mormons from Missouri would not extinguish Joseph Smith’s attempts to unite the Mormons with the Native Americans, but it would shift the focus of Smith’s teaching towards settling his followers out west.¹⁰⁷

Following Smith’s assassination and the massive exodus led by Brigham Young into the Salt Lake Valley during the 1850-60’s, the remaining Mormons would have a very different forum in which to make contact with indigenous people, namely the slave trade. Contrary to the outspoken abolitionist Smith, Young considered slavery to be part of the human condition.¹⁰⁸ At least three known African-American slaves accompanied Brigham Young’s handcart company into the Salt Lake Valley alongside black freemen and freewomen.¹⁰⁹ The first record of Mormons acquiring Native American slaves occurred in the late 1840’s when the Mormons encountered slaveowners “who tortured children with knives or hot irons to call attention to their trade and elicit sympathy from potential buyers or threatened to kill any child who went unpurchased.”¹¹⁰ After witnessing the execution of a young indigenous girl, Brigham Young’s son-in-law Charles Decker became the first Mormon on record to purchase an indigenous American slave.¹¹¹ The young girl, renamed “Sally”, met a tragic end when a chief tried to buy her back.¹¹²

At first, the purchasing of indigenous American slaves was rationalized by Mormon doctrine. Young referenced passages in the Book of Mormon that said Native Americans would turn white after converting to Mormonism by saying: “Buy up the Lamanite [Indian] children... and educate them and teach them the gospel, so that many generations would not pass ere they should become a white and delightful people.”¹¹³ While initially cautious about dealing with Native Americans, by 1851, Young had embraced a perspective that the Indian slave trade had divine potential, stating, “The Lord could not have devised a better plan than to have put the saints where they were to help bring about the redemption of the Lamanites and also make them a white and delightful people.”¹¹⁴

By 1852, Young attempted to steer clear of the bloodshed and exploitation that accompanied the Indian slave trade by enacting a bill that allowed Mormons to adopt indigenous minors up to 20 years old.¹¹⁵ While the bill did have the effect of curtailing violence locally and in neighboring states, this outcome is difficult to reconcile with Young’s pseudo-altruism because the Mormons were using the slave trade towards their own religious and ideological benefits, the legalization of adoption rights came with the legalization of indentured servitude rights, and this same bill only required adopting parents to provide

clothes and three months of secular education per year.¹¹⁶ Additionally, interracial marriage remained taboo among Lamanites and Mormons.

On several occasions, Mormons caused First Nation bloodshed and used their close relationship to defame the First Nations in dangerous ways.¹¹⁷ These instances of early integration and, especially, the religious rhetoric behind the integration, as propagated by Smith and Young, in the face of outrage and controversy, would prove central to the rise of the Indian Placement Program. Together, the one-sidedness of this narrative formed the justifications for, the social and religious goals of, and the wide acceptance and support among Mormons – Lamanite and other – of the Indian Placement Program.

While the Mormons colonized Utah, they were concurrently expanding their explorations of the First Nations by deporting a militia into neighboring states. The Mormon Battalion, as they were known, were met with less controversy and hostility in California and Mexico, for examples. Upon arrival in Temecula, California, the Mormon Battalion volunteered to stand guard for the Luiseño tribe in the aftermath of an unrelated massacre.¹¹⁸ Modernly, the commonly held grand narrative of the Mormon Battalion is, during their stay as the standing militia for San Diego, there were no recorded incidents of violence, slavery, or hostility between the Mormons and the First Nations. Today, San Diego is home to several monuments and statues, one state park, and one historic museum, all commemorating the valiancy and diplomacy of the Mormon Battalion. There even is a plaque in San Diego's Presidio Park that commemorates the Mormon Battalion as peaceful, inclusive, and cordial to the native people. To this day, remnants of these early Mormon explorers continue to have an influence on society; descendants of the Mormon Battalion have stayed in Mexico to defend native people against the violence of the drug cartels.¹¹⁹

Other instances of Mormon settlers entering First Nation territories were more violent and less cordial. Quite prominently, federal agents had to intervene in 1900, under Presidential Executive Order, in Moenkopi (also known as Tuba City), where Mormons-Indian tensions lead to the death of a Mormon named Lot Smith.¹²⁰ The narrative of this event is still debated by both Mormon and Hopi-Navajo historians.¹²¹ The Mormons were complicit in the Long Walk of the Navajo, and some accounts even place Mormon volunteers among the soldiers who forced the Navajo out.¹²² Chal Nez, the moderator of the Facebook page for former Mormon foster children, describes the Long Walk and its devastation as one of the reasons First Nations were willing to participate in the Placement Program.¹²³ The Bear River Massacre was the result of Mormon settlers appropriated all the land and water in the Shoshoni's Cache Valley as their own, leading to a "take no prisoners" war that left 250 Shoshoni dead, including 90 women and children.¹²⁴

C. The Racial and Socioethnographical Implications of the Word "Lamanite" in the Mormon Religious Discourse

"The word of the Lord came...unto me, saying, Moreover, thou son of man, take thee one stick, and write upon it, For Judah, and for the children of Israel his companions: then take another stick, and write upon it, for Joseph, the stick of Ephraim, and for all the house of Israel his companions: And join them one to another into one stick; and they shall become one in thine hand." Ezekiel 37:15-17

This passage from the Old Testament of the Bible is interpreted in contemporary Mormon doctrine as being a prophesy that the Bible and the Book of Mormon shall form as one and become the ultimate law

of God in the latter-days, meaning the days following Joseph Smith and prior to Jesus Christ's second coming to Earth. Judah and Ephraim are two of the twelve tribes of Israel, as founded by Moses, giving their descendants royal Israelite ancestry.¹²⁵ Manasseh, Ephraim's brother, and Manasseh's descendants constitute a third, equally royal tribe of Israel.¹²⁶ As told in the Torah's I Chronicles 5, the tribe of Judah assumed leadership over Israel and Judaism after being isolated in the Canaanite strip (present-day Israel) and after the other tribes were dissolved through war and in-fighting.¹²⁷

According to the Mormon version of history, a prophet named of Lehi took his family and traveled from Jerusalem to the Americas around 500 B.C. in order to avoid decimation and slavery from the Babylonians.¹²⁸ Lehi and his family were descendants of Manasseh.¹²⁹ Upon arriving in the Americas, Lehi's family split between his son Nephi – along with those who practiced Judaic law – and his son Laman – with those who chose to worship the polytheistic gods of early Mesoamerican civilizations.¹³⁰ Followers of Judaic law were called Nephites, and followers of polytheistic religions were called Lamanites.¹³¹ As the tribes went to war, the Lamanites were cursed by God with dark skin in order to distinguish them from the Judeo-Christian God's people.¹³² Some Lamanites, eventually tired of the infighting amongst the tribes, settled in what most Mormons consider to be present-day Samoa and Tonga around 55 B.C.¹³³ The Lamanites were not always the bad guys in the book of Mormon, nor were the Nephites always the good guys.¹³⁴ However, ultimately, the Lamanites resorted to cannibalistic infanticide and genocide, in order to kill off all white inhabitants of the Americas.¹³⁵ Mormons believe First Nationers are descendants of these surviving Lamanite cannibals and murders.

Most white Mormons, including the translator of the Book of Mormon Joseph Smith, are considered to be descendants of Ephraim, which is why the Ezekiel scripture quoted earlier is interpreted as prophecy for the clandestine union of white Mormons and Native Americans.¹³⁶ Mormon leaders have waffled over the decades on how much they emphasize the Lamanite identity in Mormon doctrine.¹³⁷ This is due largely to criticisms from Latino communities. The existence of a Lamanite race is discredited by modern DNA research, and this fiction can stigmatize Latinos and First Nationers alike.¹³⁸ This is also due in part to the dismantling of the Indian Placement Program, when leaders began opting instead to use "Sons of Lehi" to refer to Latinos, Polynesians, and Native Americans.¹³⁹ Some argue that the use of Lamanite to refer to Polynesians has almost disappeared.¹⁴⁰ Even so, Polynesia has some of the highest per-capita concentrations of Mormons in the world.¹⁴¹ South America boasts no small population of Mormons either.¹⁴² Some Central Americans Mormons go so far as to use "Lamanite" to establish a unique racial identity entirely distinct from Latino and Native American.¹⁴³ Never in my research on the residential schools did I find such large groups of indigenous people in Canada who are complicit in or willing to - and possibly enthusiastically so - adopt a racial identity separate from their history and culture and defined almost exclusively by their colonizers. This adoption of the Lamanite identity is another unique aspect of the Indian Placement Program that would likely dampen Mormon Native American's support of a tribal TRC I am recommending.

PART 3

A. Positive Critical Responses to Canada's TRC

I am a believer in TRC's, especially in cases where perpetrators are unprosecutable. For brevity's sake, I will only cite one particular author whose critique of Canada's TRC would be particularly supportive of a tribal TRC against the Indian Placement Program. Sue Campbell defends Canada's TRC with a hopeful view that, by tapping into Aboriginal people's deep history of oral tradition, truth-telling

can unite Aboriginal and non-Aboriginal people through sensory experiences towards a greater reconciliation of the past.¹⁴⁴ The total lack of an authentic, authoritative, and respected Native American narrative in the history of the Indian Placement Program allows the Mormon church to fully control the future of Mormon-Aboriginal relations. This control of the narrative leaves people vulnerable without a source from which to vindicate their dissenting grievances. Accepting the Lamanite narrative, with its revisionist and apologist supporters, further obscures understanding and tolerance of differing viewpoints.

B. Negative Critical Responses to Canada's TRC

Despite strong contentions that TRC's can be used as an alternative dispute resolution for crimes against humanity, TRC's are not without criticism. The most glaring question at the root of these criticisms of TRC's and the UN, generally, is "Why has the USA not had a TRC for slavery or the genocide of the indigenous population?" There has been both federal and tribal government support for both.¹⁴⁵ The answer to this question may lie in what is called a *postcolonial critique* of the UN. This critique assumes that the creation of human rights is inseparable from the colonial conquests of the Allied Powers of World War II.¹⁴⁶ As Dembour writes, "mild postcolonial critique of human rights shows human rights, as a child of the Enlightenment, not to have been completely immune to the colonial logic which long governed the world. Deeper critiques go further than this and argue that human rights are, to this day, irretrievably entrenched in a colonial logic."¹⁴⁷ Under this school of belief, one might argue that the five permanent members of the UN Council (the U.S., Russia, China, France, and the UK) have a position within the UN where they cannot be prosecuted. These countries helped define what human rights mean, and persecuting them for violating these human rights would upset the foundation on which the UN rests. This would explain why calls for a TRC in the U.S. for slavery and Native American genocide, or in China for the Cultural Revolution, or in the UK for the Dutch concentration camps during the Second Boer War, or in Russia for the gulag archipelago might all be futile under the realities of postcolonialism and post-WWII politics. A postcolonial critic of the UN would argue that this elitist untouchability is reflected in the first reservation by the USA against the Convention on the Prevention and Punishment of the Crime of Genocide, requiring the International Court of Justice to obtain consent from the U.S. before obtaining jurisdiction in an issue relating to genocide.¹⁴⁸

A second category of critique might be categorized as an *impunity critique*. This critique argues that TRC's place the greater burden of truth-telling on the victims while providing large-scale social impunity for perpetrators, even to those who are not caught or who do not confess.¹⁴⁹ Ronald Niezen applies this theory of criticism to Canada's TRC directly, documenting how the process of the TRC required training on how to deal with triggering and treatment from psychiatric professionals for suicidal thoughts and panic attacks for the victims.¹⁵⁰ "Those few members of the clergy who consent to give public testimony in TRC are subject to the same stresses as those reported by survivors."¹⁵¹ This seems all the more reason for perpetrators not to come forward and to, rather, accept social impunity from the sidelines. The impact of bringing perpetrators and survivors together becomes even more complex when the TRC's definition of "perpetrator" does not match the scope of the survivors'. When a victim unforeseeably encounters such a "non-perpetrating" yet subjectively guilty individual at TRC, the effects can be traumatizing. "Given the range of institutional abuses that took place in those schools that protected sadism and sexual predation and allowed widely ramifying effects of their acts among the students, the category of 'perpetrator' could well be more inclusive than one might initially imagine. And the stress of encounter and triggered memory could have been equally common."¹⁵² Any positive effects that public testimony from victims and perpetrators might have on their long-term mental health remains to be proven.¹⁵³ What Niezen seems to be inferring, but not explicitly stating, is that Canada's TRC might have negative long-

term mental health consequences for the victims. And, even though the few perpetrators who testified might also experience similar trauma, the perpetrators have the added incentive of clearing their names and consciences under the eyes of the law and history. The victims, on the other hand, relive this trauma without direct, explicit legal incentives or moral reparations.

Knockwood took her impunity critique of Canada's TRC to its ultimate conclusion in her address to the TRC. She states, "One issue remains unresolved for me: that in order for truth and reconciliation to happen between First Nations and non-Aboriginal populations, the survivors need to hear the other side of the story. Both victims and perpetrators were operating in residential schools throughout Canada. The victims have spoken. The perpetrators have not spoken. I would like the perpetrators, their supporters, and defenders to tell the world about their experiences in a public forum... I want to know why the code of silence was imposed on the children in residential school and what benefit that silence is to the perpetrators and their defenders."¹⁵⁴ Conflicts between these two accounts about whether or not perpetrators, supporters, and defenders testified should not complicate the meaning of the critique. The feelings of this victim was that the important, most reconciliatory questions were not addressed by the TRC and that many perpetrators - whether or not defined by the scope of the TRC - went unaffected, remained silent, and benefitted from the social impunity.

A third category of critique might be called the *savior critique*. This critique is suspect of any postcolonial attempts at reconciliation on the colonizer's terms, which would include TRC's.¹⁵⁵ Regan writes, "we remain obsessed with solving the Indian problem, even as we deflect attention from the settler problem. In so doing, we ignore our complicity in maintaining the colonial status quo...If we have not explored the myths upon which our identity is based, or fully plumbed the depths for our repressed history, we lack a foundation for living in truth. What we have instead is a foundation of untruths, upon which we have built a discourse of reconciliation that promises to release Indigenous-settler relations from the shackles of colonialism but will actually achieve just the opposite."¹⁵⁶ I am equally fascinated by how Taiaiake Alfred explains this critique in the foreword to Regan's analysis: "I am highly skeptical of the vision of reconciliation that is currently embraced by most Canadians. There is a growing sense, nationally, that we must accept apologies and payments for the crimes of the residential schools... forgiveness is implied... What is this notion of reconciliation doing for Canadian society, and what is it doing for Native people? More than anything else, it is obscuring."¹⁵⁷

C. How Should These Critiques Inform a Potential Tribal-lead TRC in the United States?

It can be easily understood from Canada's TRC that there is no one-size-fits-all remedy that could help victims of abuse and denial of self-determination in the Mormon Indian Placement Program. In fact, the very idea of a need for reconciliation might be offensive and obscuring to those indigenous people who have chosen the Lamanite identity as their path of self-determination. As the descendent of Mormon settlers and a self-proclaimed "Lamanite"-ally, I cannot and will not provide a specific remedy for crimes against self-determination, systematic cultural genocide by my ancestors' religion, and contemporary crimes of sexual abuse against my indigenous brothers and sisters. However, self-determination and the savior critique illuminate great and hopeful possibilities should tribal government bodies - Navajo, Ute, Shoshone, Paiute, Apache, Goshute, Mojave, Hopi, and others - collectively move to determine both a need for a remedy and the remedy, too. While some might not deem this as necessary, the positive critiques of Canada's TRC highlight the power of exerting power over historical narrative, which can ultimately lead to power over resources and identity. The need for this type of influence within and

without the tribal communities is constant among all critiques. Bearing in mind the impunity critique and the postcolonial critique, neither the participation of perpetrators nor the sanctioning of the US government or the UN is fundamental to the efficacy and long-term effects of truth telling about the Mormon Indian Placement Program and other boarding programs.

PART 4

I was pleased to learn, over the course of writing this essay, that the plaintiffs in the sex abuse case against the Mormon church overcame their first major hurdle in seeking justice: a US district judge granted jurisdiction to the Navajo judicial system by denying a request to move the case to Federal court.¹⁵⁸ The plaintiffs still have issues of laches and statute of limitations to overcome, so a long road lies ahead before the case is concluded. Even when the case is closed, this lawsuit will not address silent victims or victims of cultural genocide. These people have nowhere to turn for remedy and risk losing family members and being ostracized if they speak out in their communities.

Maybe this fight is meddlesome. Maybe it's not as big of a deal as Canada's residential schools and urging conflict disrupts the right to self-determination for those who have found comfort and pride in the Lamanite identity. Self-determination in indigenous communities, after all, ought to be an inalienable right for which the descendant of Mormon settlers has no business advocating.¹⁵⁹ I have found it interesting and significant to note that, in spite of contradictory feelings about the positivity or harm caused by the Placement Program, the general consensus is that most of the former foster care children wouldn't dream of or consider placing their own children in the same system.¹⁶⁰ As a non-practicing, atheist, gay ethnic ex-Mormon, who has spent most of his life with the Mormon church trying to define what it means to be me, I cannot accept that a generation who would not wish a program – a supposedly excellent program of theologically-backed education - on their children do not feel unreconciled and unheard in their regrets and injuries. For perspective, Leslie Ellis, a former foster child, wrote that does not consider herself a Lamanite, but that church attendance was mandatory:

“I didn't like the term [Lamanite] when I HAD to go to church... I never really agreed with the way the LDS teaching were/are... The LDS Church is just trying to do what the government has been trying to do since the beginning of time. The LDS Church is trying to get rid of the Indians, and make them like them...Indians that I went to church with are no longer affiliated with the church anymore either.”¹⁶¹

I find that, as an ethnic Mormon, the more narratives I read from former child foster, the more I understand and am able to fight against the ideologies which lead to so much sorrow. I would hope that further support from tribal governments to bring these stories to light would be a blessing to the former foster children, the Mormon community, and the world at-large. Until then, the deceased I would like to conclude by reposting an unedited message from the page administrator for the Facebook group for former Mormon Indian foster children, which has been posted periodically during the last few months.

“In recent months I have been contacted by numerous news media and others interested parties, the desire to embellish these lawsuits has become common place. I told my story numerous times and shared my opinions about abuse. Abuse happened on several levels but in the midst of these stories are human beings who operated the program and who

signed up their children so we or the news media cannot spin these stories that abuse was on a singular plans. The abuse for church membership, missionaries wishing to gloat about the number of baptism they performed, economic reasons, etc. Questions needing to be answered is spiritually, did the program fulfill President Spencer W. Kimball's prophesy? Did the program enhance each student's spiritual growth and church knowledge? Just a thought. What's yours?"¹⁶²

¹ Truth and Reconciliation Commission of Canada, TRC final report (Truth and Reconciliation Commission of Canada, 2015), accessed January 28, 2017, <http://www.trc.ca/websites/trcinstitution/index.php?p=890>.

² Truth and Reconciliation Commission of Canada, Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada at 37-39 (Truth and Reconciliation Commission of Canada, 2015), accessed on January 28, 2017, [http://www.trc.ca/websites/trcinstitution/File/2015/Honouring the Truth Reconciling for the Future July 23 2015.pdf](http://www.trc.ca/websites/trcinstitution/File/2015/Honouring%20the%20Truth%20Reconciling%20for%20the%20Future%20July%2023%202015.pdf), 37-39.

³ Ward Churchill, Kill the Indian, Save the Man: The Genocidal Impact of American Indian Residential Schools (San Francisco: City Lights Publishers, 2004), 12-4.

⁴ Truth and Reconciliation Commission of Canada, TRC final report (Truth and Reconciliation Commission of Canada, 2015), accessed January 28, 2017, <http://www.trc.ca/websites/trcinstitution/index.php?p=890>.

⁵ Truth and Reconciliation Commission of Canada, TRC final report vol. 4: Missing Children and Unmarked Burials (Truth and Reconciliation Commission of Canada, 2015), accessed online January 28, 2017, [http://www.myrobust.com/websites/trcinstitution/File/Reports/Volume 4 Missing Children English Web.pdf](http://www.myrobust.com/websites/trcinstitution/File/Reports/Volume%204%20Missing%20Children%20English%20Web.pdf), 15.

⁶ Truth and Reconciliation Commission of Canada, Calls to Action at 2-3 (Truth and Reconciliation Commission of Canada, 2015), accessed on January 28, 2017, http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls_to_Action_English2.pdf, 2-3. See also Truth and Reconciliation Commission of Canada, TRC final report vol. 5: The Legacy (Truth and Reconciliation Commission of Canada, 2015), accessed online January 28, 2017, http://www.myrobust.com/websites/trcinstitution/File/Reports/Volume_5_Legacy_English_Web.pdf, 139-59

⁷ Ward Churchill, Kill the Indian, Save the man: The Genocidal Impact of American Indian Residential Schools (San Francisco: City Lights Publishers, 2004), 4-7.

⁸ Lynette Riggs, The Church of Jesus Christ of Latter-day Saints' Indian Student Placement Service: A History, (Dissertation, Utah State University, 2008). ("This program, the Indian Student Placement Program, is generally described through LDS perspectives as being generally successful. The children

were baptized into the LDS church, removed from the reservations, and relocated to live with white Mormon families where they attended public schools and were expected to conform to white cultural life ways. Critics charge that the program was a missionary tool used to assimilate children into white Mormon society, often at a great cultural, familial, and psychological costs.”)

⁹ Ward Churchill, *Kill the Indian, Save the man: The Genocidal Impact of American Indian Residential Schools* (San Francisco: City Lights Publishers, 2004), 6. (“Cultural Genocide - which encompasses the schema of denationalization/imposition of alien national pattern Lemkin had described as being the central feature of the [Holocaust] crime of 1944 - including all policies aimed at destroying the specific characteristics by which a target group is defined, or defines itself, thereby forcing them to become something else. Among the acts specified are the ‘forced transfer of children... forced systematic exile of individuals representing the culture of the group...prohibition of the use of the national language...systematic destruction of books printed in the national language, or religious works, or the prohibition of new publications...systematic destruction of national or religious monuments, or their diversion to alien uses [and] destruction or dispersion of objects of historical, artistic, or religious value and of objects used in religious worship.”).

¹⁰ Convention on the Prevention and Punishment of the Crime of Genocide, Article II(e) (1948).

¹¹ See, generally, La Nada Boyer, “Growing up in E’da How – One Idaho Girlhood,” in *The Schooling of Native America*, American Association of Colleges for Teacher Education (1978).

¹² Dennis Romboy, “Federal judge mulling jurisdiction in Navajos’ sexual abuse lawsuit against LDS church,” *Deseret News* (Salt Lake City, UT), Aug. 22, 2016.

¹³ E.g. Cal Nez, et. al. “How many would have preferred to stay on the program until they finished high school and not go home? If so why?,” Former LDS Indian Placement Students Facebook Page, Mar. 2, 2015, https://www.facebook.com/permalink.php?story_fbid=795367593876206&id=150634325016206; Cal Nez, et. al., “Do you openly share that you are a former placement student? If so, do you do it with pride or shame?,” Former LDS Indian Placement Students Facebook Page, Feb. 7, 2015, https://www.facebook.com/permalink.php?story_fbid=783412658405033&id=150634325016206;

¹⁴ Irv Jonez, “Hello former placement students, how is life treating you post placement experience? Are you still active in the LDS church?,” Former LDS Indian Placement Students Facebook Page, Feb. 7, 2015, https://www.facebook.com/permalink.php?story_fbid=782967301782902&id=150634325016206.

¹⁵ Charlie Carle, “MY LATEST PAINTING: Navajo Codetalkers,” Former LDS Indian Placement Students Facebook Page, Sep. 30, 2016, https://www.facebook.com/permalink.php?story_fbid=1014441351968828&id=150634325016206&substory_index=0.

¹⁶ Felicia Rochelle Trebian, “What are the reasons your natural family sent you on the placement program? Was it for the LDS Church and it’s teachings, economics, or other reasons?,” Former LDS

Indian Placement Students Facebook Page, Feb. 7, 2015, https://www.facebook.com/permalink.php?story_fbid=783383148407984&id=150634325016206.

¹⁷ Matthew Garretts. *Making Lamanites*, University of Utah Press (2016) at 93.

¹⁸ Id.

¹⁹ Id.

²⁰ Id. at 94.

²¹ Id.

²² Id. at 95.

²³ Id. at 98.

²⁴ Id.

²⁵ Id. at 102-3.

²⁶ Id. at 226.

²⁷ Id.

²⁸ Id. at 323.

²⁹ Id. at 159.

³⁰ Garrett, *supra*, at 205.

³¹ Spencer Kimball, “The Day of the Lamanites,” LDS Conference Report, Oct. 1960, available at <http://scriptures.byu.edu/gettalk.php?ID=1091&era=yes>.

³² Id.

³³ Worldwide Devotional with Elder Bednar, Sep. 2017, available at <https://www.lds.org/broadcasts/watch/worldwide-devotional-sep/2017/09?lang=eng>.

³⁴ Brandon Morgan, “Educating the Lamanites: A Brief History of the LDS Indian Student Placement Program,” *Journal of Mormon History* 35(4) (2009): 191-217. M. Dallas Burnett, “Lamanites and the Church,” *Ensign*, July 1971.

³⁵ A pseudonym has been used at the request of the interviewee.

³⁶ Turtle Island Music, “Red Bull - When The Sun Is Falling,” YouTube video, Jan. 23, 2012, <https://www.youtube.com/watch?v=mgkRSKMJH0k>; Pow Wow Times, “Black Bear Singers Rock the House - Crow Hop Pala California 2015”, YouTube video, Nov. 3, 2015, https://www.youtube.com/watch?v=Lrja8nOzf_c; Nizhoo Sullivan, “MiKiiDiiz,” YouTube video, Nov. 17, 2015, <https://www.youtube.com/watch?v=fGuVpGm3FTg>.

³⁷ Abby Lee (mother) in interview with the author, May 2016.

³⁸ Canuck Politics, “Canada apologizes for residential school system,” YouTube video, Jun. 12, 2008, <https://www.youtube.com/watch?v=-ryC74bbrEE>.

³⁹ Abby Lee (mother) in interview with the author, May 2016.

⁴⁰ The National, “Truth and Reconciliation Commission final report,” YouTube video, Dec. 15, 2015, <https://www.youtube.com/watch?v=IKKLgwlosaw>.

⁴¹ Abby Lee (mother) in interview with the author, May 2016.

⁴² Ron West, “Find A Grave Memorial #90545415”, May 22, 2012, available at <https://www.findagrave.com/cgi-bin/fg.cgi?page=gr&GRid=90545415>.

⁴³ The Church of Jesus Christ of Latter-day Saints, “Eliza R. Snow,” *Relief Society General President*, Sep. 1, 2016, available at <https://www.lds.org/callings/relief-society/relief-society-presidents/eliza-r-snow?lang=eng>.

⁴⁴ Brandon Morgan, “Educating the Lamanites: A Brief History of the LDS Indian Student Placement Program,” *Journal of Mormon History* 35(4) (2009): 191-217.

⁴⁵ Ben Winslow, “LDS Church seeks restraining order in Navajo sex abuse lawsuit”, *Fox 13 News* (Salt Lake City, UT) June 3, 2016; Lilly Fowler, “Why Several Native Americans Are Suing the Mormon Church”, *The Atlantic* (Washington, DC), Oct. 23, 2016.

⁴⁶ Lilly Fowler, “Why Several Native Americans Are Suing the Mormon Church”, *The Atlantic* (Washington, DC), Oct. 23, 2016.

⁴⁷ *Id.*

⁴⁸ Bill Donovan, “Fifth Navajo files sex abuse lawsuit against the Mormon Church”, *Navajo Times* (Window Rock, AZ), Feb. 2, 2017.

⁴⁹ Fowler, *supra*.

⁵⁰ Jocelyn Wattam, “The Legacy of Duncan Campbell Scott: More than just a Canadian Poet,” *First Nations Child & Family Caring Society of Canada*, Jul. 2016, available at https://fncaringociety.com/sites/default/files/Duncan%20Campbell%20Scott%20Information%20Sheet_FINAL.pdf.

⁵¹ Peter Bryce, “The Story of a National Crime,” 1922, available at http://canadiangenocide.nativeweb.org/mort_rate_index.html.

⁵² Jean Barman, et. al. “The Legacy of the Past: An Overview” in *Indian Education in Canada: Volume 1: The Legacy*. University of British Columbia Press (1986) at 10.

⁵³ Id. at 12.

⁵⁴ Id. at 15-6.

⁵⁵ J. Donald Wilson, “‘No Blanket to be Worn in School’: the Education of Indians in Nineteenth Century Ontario” in *Indian Education in Canada: Volume 1: The Legacy*, University of British Columbia Press (1986) at 10.

⁵⁶ Jaqueline Gresko. “Creating Little Dominions Within the Dominion: Early Catholic Indian Schools in Saskatchewan and British Columbia” in *Indian Education in Canada: Volume 1: The Legacy*, University of British Columbia Press (1986) at 95.

⁵⁷ Jeffrey McDade. *The Birth of the American Indian Manual Labor Boarding Schools: Social Control Through Cultural Destruction 1820-1850*, Edwin Mellen Press (2008) at 89.

⁵⁸ Garrett, *supra*, at 39.

⁵⁹ Charla Bear, “American Indian Boarding Schools Haunt Many.” National Public Radio. May 12, 2008, available at <http://www.npr.org/templates/story/story.php?storyId=16516865>.

⁶⁰ Id.

⁶¹ See, generally, Native American Rights Fund. “Our Work: Promote Native American Human Rights,” available at <https://www.narf.org/our-work/promotion-human-rights/>.

⁶² Id.

⁶³ Native American Rights Fund, “US Tribes call for testimonies on mission Indian and Alaska native boarding schools for submission to the United Nations,” Jun. 28, 2017, available at <https://www.narf.org/missing-boarding-school-children/>.

⁶⁴ Garrett, *supra*, at 37.

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¹⁰⁶ *Id.* at 19.

¹⁰⁷ *Id.* at 21.

¹⁰⁸ Andres Resendez, *The Other Slavery: The Uncovered Story of Indian Enslavement in America* (New York: Houghton Mifflin Harcourt, 2016), 266. Contrasted with Joseph Smith, Jr. “Section 87” in *The Doctrine and Covenants* (Salt Lake City: The Church of Jesus Christ of Latter-day Saints, 1981).

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¹¹² Leonard Arrington and Davis Bitton, *The Mormon Experience: A History of the Latter-day Saints* (New York: Knopf, 1992), 150 (“Sally became famous for her excellent cooking. On one occasion, when she was serving a group of chieftains at Brigham Young’s table, the Pahvant chief, Kanosh, fell in love with her and tried to buy her from Brigham Young. Young would not sell her, but said she was free to accept Kanosh’s offer if she wished. She refused, but Kanosh was persistent, and ultimately she did accept his proposal. He built her a ‘white man’s house’ and allowed her to follow ‘white man’s ways.’ Later Kanosh married another Indian woman, this time a tradition-oriented female, who hated Sally and her white customs. One day when Kanosh was away, she killed Sally and buried her in a shallow grave.”).

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¹¹⁷ Resendez, *supra*, at 274-6. See also Will Bagley, *Blood of the Prophets: Brigham Young and the Mountain Meadows Massacre* (Norman: University of Oklahoma Press, 2002).

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¹³⁰ Joseph Smith, Jr., "1st Book of Nephi" in Book of Mormon (Salt Lake City, The Church of Jesus Christ of Latter-day Saints, 1981).

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¹³³ Joseph Smith, Jr., "Book of Alma Chapter 36" in Book of Mormon (Salt Lake City, The Church of Jesus Christ of Latter-day Saints, 1981).

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