

The *Apologia Canadiana* lessons for an Indian Boarding School *Apologia Americana*

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Introduction

There are over 100 descendants of my grandmother Belva, my mother June and my older sisters Frances, Lynda, and Lillian. Indian residential schools affected all these women's lives. Some descendants made their way in the world. Our family has artists, social activists, professionals and business people. We also have members who are part of the casualty list found in *Statistics Canada 2006* and in the *National Aboriginal Youth Strategy (NAYS 1999)*. So, we also have sick people, people in jail, poor people, and people with addiction problems. Whether my relatives went to residential school and on-reserve schools, we all received an Indian Affairs education that tried to extinguish the Indian in us.

Indian residential schools and on-reserve schools were imbued with assimilation goals. The mission to "kill the Indian in the child" remains the dark proclaimed maxim of Indian extinction called by Canada's superintendent of Indian Affairs in the early 1900s. Indian education manuals issued by the federal Department of Indian Affairs instructed teachers to cultivate "obedience to authority." Sometimes handled with care, Indian children were most often subjected to abuses by teachers of obedience. These abuses were acknowledged by the

Government of Canada in its June 11, 2008 apology along with their pledge for financial redress.

Many of those relatives I describe above have little interest in pursuing Canadian compensation for the effects of the schools. I also feel little need to claim compensation. Like many Indigenous people and many members of my family, we see the need to affirm our heritage and survive as a people. I am reminded of an invocation recited to the Queen by our late clan-mother Kawenonhston. She said:

The children of the Great Spirit are a free and independent people governed by covenants made in very ancient times and handed down to us their children. And these covenants protect our right and freedom to govern over our own affairs in our own way. And we consider these covenants to be a precious inheritance of our children and future generations with which no one can interfere.

Affirming the covenants has more value in the Indigenous world than simple dependence on financial gain. Easily said by descendants of people who got the short end of the stick, but said again nonetheless. In this context, I situate myself as one who is skeptical of the Canadian apology.

The apology for residential schools development has clear origins in socially conscientious individuals. For example, Canada's Prime Minister Steven Harper thanked New Democratic Party leader Jack Layton for his "great conviction on the need for this apology." Yet, there are issues outside the Indian residential school area that touch on the longstanding idea of the Indian problem. This paper:

- describes the context and issues leading to the Canadian apology;
- reviews the apology issued by the Government of Canada;
- examines the American experience;
- critiques the apology as a speech act;
- presents a framework for an American apology.

I argue that there is a need to resist using the apology as a communications device to renew the longstanding policy of Indian termination.

In this paper, I review at the *Apologia Canadiana* of June 2008. I examine the language and diction of the official apology. The apology falls within a Canadian trend to terminate Indian sovereignty, treaties, and assimilate Indian people fully into Canadian society. I describe the context for an *Apologia Americana* through a review of the coeval operation of the schools, but also as a benchmark for a US apology. I describe how the Indian termination plan has considerable weight and targets the huge debt owed Indian people by Canada and the US—the meaning of Indian problem. Within this context, I characterize the apology as an affective speech act. This subtext of political economy remains discreet and has become the fuel for the communications engine that drives public opinion in Canada. The apology reaffirms that Canadian taxpayers pay for the reparations.

In this paper, I also provide a mediation context that resides totally within the Indigenous people's canoe. The basis of the international US-Canada and Indigenous peoples relations derives from the mutual aid, friendship, and defense covenants issued in the Two Row Wampum treaty that depicts the Indian in a canoe and the European in a sailing ship traveling the river

of life together. I propose a framework for an American apology that resists the renewing Indian termination.

Context and Issues

The Canadian experience of Indian residential schools parallels that of US Indian boarding schools. First, mission schools had a large role in the frontier exchange economy of the period from 1650 to 1784. The exchange included mutual acceptance of cultural and social foundational principles for a diverse society. The Indigenous penchant for ‘living in one house’ and ‘eating from one bowl’ extended a conception of the good life that gained acceptance in the outnumbered white population in those years. However, the American Revolution created the domino effect among Indian people that produced forced migration, dispossession, removal, and war. These effects followed the Indian decline into the 1800s, though early in the 1800s residential schools like the Shingwauk School near Sault Ste. Marie Ontario and the Mohawk Institute in Brantford, Ontario Canada were principally initiated by the Indian people. Clearly a departure from the pre-Revolutionary exchange vision, from 1880 to 1930 the schools in Canada and the US became a tool for the advancement of the Indian into total assimilation within Canadian and US society. The era of the *Indian Advancement Act* (1884) in Canada, and the US’s *General Allotment Act* (1887) expressed Indian advancements as competence to hold title to land in exchange for treaty entitlements.

By 1900, Indian Affairs administration reports provide an insight into Canadian and US Indian education. Most often the financial cost related to the treaty obligations for the provision of facilities received the attention of the bureaucrats and not the

quality of the education. For example, partnered with the churches to deliver Canada's Indian education program in over 60 industrial and residential schools, the enrollment neared 3,300 Indian children. Conversely, on-reserve schools had an enrollment of over 6,300 Indian children. In the era from 1870 to 1940 the Indian residential school system in Canada, Indian children faced two visions (Dickason 1992:334). A residential school nurse in Alberta Canada named Jane Megarry, viewed her role as helping the "Indian take their rightful place in their Native land." By contrast the Indian superintendent Duncan Campbell Scott, co-author with US lawyer Arthur J. Luddington of 1912's Indian Termination policy, viewed Indian education as a means to "kill the Indian in the child." By contrast the US desired to "kill the Indian, save the man." To accomplish termination the US boarding schools in the late 1800s drilled students with rote skills that had the effect of the teaching the children obedience to authority. With 25 boarding schools operating from 1879 to the 1990s, curriculum developments from the 1930s onward profited from the 'obedience' taught to Indian children and moved into education for socialization. Similar to the Canadian experience, the US schools also taught home economics, industrial arts, vocational training, and citizenship for socialization.

Throughout the era from the 1880s to the 1990s, a growing catalogue of crimes against humanity began to be compiled. For example, the spread of cholera at the Brantford mission school in 1832 could easily be relegated to the Indian war era, as unconscionable acts in war where atrocities occur to collateral victims. However, tales of sexual abuse, emotional abuse and neglect produce the tragic results of disease and death that is so often associated with the schools by residential

school survivors--eerily similar to stories of holocaust survivors (Milloy 2006; Loft 2007). The macabre aspect of neglect alone seems to be a localized event, except the neglect as a national policy received executive support and direction from the Indian superintendent in Canada—Indian Affairs senior non-elected bureaucrat Duncan Campbell Scott (see Milloy 2006: 95). The collective memory of those times has been transmitted intergenerationally and retold through survivor stories. In both Canada and the US collateral damage was identified by Brave Heart and DeBruyn as historical unresolved grief that resulted in social instability in the aftermath of the US boarding schools, but can also be identified in Canadian residential schools (Brave Heart Yellow Horse, DeBruyn 1998). The documentary evidence that describes the effects of Indian residential and boarding schools as acts of genocide do not result from cries of moral outrage by deranged victims. The claims derive from a long inventory of data and research. The forcible removal of Indian children from their families was designed to “kill the Indian” in schools many of which closed long after the 1948 UN Convention on Genocide became international law.

Yet, the historically significant recognition by the Canadian government of its complicity in ‘forcibly removing’ Indian children from their families begins a serious evaluation of truth-telling by government. The *apologia Canadiana* continues a tradition of word games in Canadian-Indian politics. Apologizing to “aboriginals” effectively kills the “Indian” as a legal entity—a diplomatic assassination that terminates the treaty signatory Indian. Furthermore, the term “aboriginal” denotatively infers the American term “ambiguous Indian” that suggests the US and Canada think some people are Indians but are not sure. Thus, there are those who are treaty Indians, those

who gained Indian status, those mixed-blood aboriginals like the Metis in Canada, plus the subjugated many of Indian ancestry who either don't care or don't know their ancestry and pass for white. The Canadian apology potentially increases divisions by increasing the categories among "aboriginals". Longstanding schisms already exist between traditional confederacies like the Iroquois, Blackfeet, and Innu peoples, for example, and organizations and band councils created under Canadian law. The positioning of national organizations representing band councils, women, urban Natives, and Inuit were the "favored nations" invited to the House of Commons to receive the Government of Canada's official apology in June 2008. "Aboriginal" bodies incorporated under Canadian law received the apology on behalf of all Indigenous people. In the US, incorporation under American law effectively terminates Indigenous international rights as well. This truth remains the hidden intent of the Canadian apology.

Across the continent Indigenous people remain skeptical or compassionate about the apology and what it means to Canadians. There is a sense the apology concerns Canada's national self-interest, telling taxpayers that \$400-million tax dollars is spent on settlements, a national healing fund, and the Truth and Reconciliation Commission (TRC). Despite its content, the apology takes on the appearance of truth-telling used in South Africa and Rwanda. In this case the apology moves sharply from a guilty plea, to an offer of sympathy for how 'aboriginals' must be feeling. Hence, Girma Negash describes the *Apologia politica: states and their apologies by proxy* (2006) as an "affective speech act"—a pretense of emotion and feeling. In this paper I provide a caveat framed analysis and description of the politics at the heart of Canadian

relationships with Indigenous people with this sophistry in mind. However, this analysis does not absolve the US who collaborated with Canada in designing termination policies since the early 1900s. In fact, I pose the Canadian frame of reference for any future US apology. The era of “self-termination” makes it less difficult to admit crimes against non-existent entities such as those Indigenous people who were signatory to international treaties.

Apologia Canadiana

In Canada recognizing longstanding grievances had fruition in the era surrounding the Quinticentenary of the Columbian adventures in the Americas. The media was filled with soul searching through dozens of films like *The Mission* and *Dances with Wolves*. One Canadian film I worked on titled *Where the Spirit Lives (1988)*, recreated residential school life in southern Alberta Canada. Having written parts of the script with residential school survivor Rick Tailfeathers, the movie’s producers were convinced by me to use a real tribe like the *Blackfoot* instead of the invented *Annawaybish* tribe. Following the tale of sexual, emotional, and physical abuse, the story ended with a peaceful exchange between the white teacher and the female student. In this scenario, the teacher recognized her complicity in the abuses and followed the escaping Kainai girl on horseback. The girl gave the teacher her medicine pouch, and the teacher gave the girl some books. The girl turned and disappeared over a hill, and the teacher watched her-- “FADE TO BLACK” end of story.

During script re-writes, and final preparations for shooting the film there remained the problem of the ending described above. I was asked by the film’s producers how I thought the film

should end. Should the girl ride away on the horse without a word? Should they grapple and then embrace? Should the girl pull a knife on the teacher? Clearly, the non-Indian producers were gripped by their inability to know how the Native would react to the overture of regret.

I said that the girl would wait for the teacher to turn away. She would look at the books. She would turn away, and knowing that the books were still meant to socialize her to the dominant cultural hegemony to which she had been exposed for the years of her Indian school incarceration, would toss the books into the weeds and ride away. This answered vexed the producers. Where was the forgiveness? Where was the acceptance of the act of contrition? When would Native people absolve the acts of genocide? So, they finished the film as described above, without resolution, with only an exchange of symbols supposedly valued by either culture.

I bring this movie up, since my experience in broadcasting and documentary production had a significant effect in bringing to public attention what most of us lived with all our lives. I do not know any Indian in Canada or the US that has not been touched by the Indian Schools. So, when documentaries and dramatic enactments appeared in the late 1980s a movement among non-Indian people began to put pressure on the institutions responsible for the residential boarding schools—the churches and the governments. This quickly led to movements in churches like the United, Anglican and Catholic churches to admit their complicity in the schools. These admissions were followed by the federal Canadian government's apology in 1998.

In 1994, the Roman Catholic Church recognized the existence of the schools in an apology in the sense described by Negash.

Was the Church's apology a recognition of the Church's complicity in the schools--or a recognition of abuse suffered in the schools to limit the Church's liability? The Catholic apology of 1994 was followed by an expression of "regret" for the "weaknesses of so many of her sons and daughters who sullied [the Church's] face." The papal regret issued by Pope John Paul II paid homage to the international tradition of apologies as formal justifications, or admissions of error as an excuse for the outcome. Losing face, the church acted in its own self-interest for specific actionable torts such as sexual, physical, and emotional abuses that were facing the Holy See at that time. Corrupted individuals acting on their own weaknesses implied no liability on the part of the Church. In reality the Church apologizes only to God for its agents' weaknesses. Individuals would face secular civil proceedings that did not apply to the Church. Victims would be protected by the state.

In the years leading to the apology from the United Church of Canada in 1998, movement on the national political front included lobbying by national Native lobby groups for the recognition of the schools. For example public attention was brought forward through another Canadian film titled *No Turning Back* (1997). In general in this documentary we focused on findings of the federally funded Royal Commission on Aboriginal Peoples (RCAP). Specifically, the \$50-million fact-finding mission heard repeatedly from Indigenous people about the abuses Indian and Inuit children suffered in the schools. The next year after the RCAP findings were published and communicated, the United Church's moderator Bill Phipps began a more specifically influenced apology specifically

addressing former students of United Church Indian Residential Schools, their families and communities.

As Moderator of The United Church of Canada, I wish to speak the words that many people have wanted to hear for a very long time. On behalf of The United Church of Canada, I apologize for the pain and suffering that our church's involvement in the Indian Residential School system has caused. We are aware of some of the damage that this cruel and ill-conceived system of assimilation has perpetrated on Canada's First Nations peoples. For this we are truly and most humbly sorry
(Philips 1998)

The extension of the suffering from direct victims to collateral victims makes a significant entry into the boarding school narrative. The prelude to Canada's official apology was issued in 1998. At that time the government issued a "statement of reconciliation" that claimed the federal government was deeply sorry for the abuses suffered by Indian children in the Canadian residential school system. The "profound regret" expressed by then Indian and Northern Affairs Canada (INAC) minister Jane Stewart said that:

"The government of Canada acknowledges the role it played in the development and administration of these schools. Particularly to those individuals who experienced the tragedy of physical and sexual abuse at residential schools, and who have carried this burden believing that in some way they must be responsible, we wish to emphasize that what

you experienced was not your fault and should never have happened...For those of you who suffered this tragedy, we are deeply sorry (Stewart, Goodale 1998).

Though the statement evokes a premonition of the Truth and Reconciliation Commission (TRC) to be unveiled in 2006, a \$350-million fund was established for direct victims of the schools primarily disbursed through the Aboriginal Healing Foundation (AHF).

Two years later the Vatican issued a second apology. The “Day of Pardon” prayers of 2000 by Pope John Paul II. The pope included three prayers in his Mass which verged on an apology, however on due reflection do not. The first prayer is most closely related to abuse in Canadian residential schools. However, the Pope asks for the forgiveness of God for the weakness of the church’s agents, not forgiveness of the church's victims. For example, the Pontiff admitted that “...Christians have often denied the Gospel; yielding to a mentality of power, they have violated the rights of ethnic groups and peoples, and shown contempt for their cultures and religious traditions.” Acknowledging the divine origins of human diversity and equality, the papal confession that “Christians have been guilty of attitudes of rejection and exclusion, consenting to acts of discrimination on the basis of racial and ethnic differences” admits complicity.

Although not acknowledging sexual abuse committed by the church’s agent, the pope lamented “acts of injustice by trusting in wealth and power and showing contempt for the 'little ones (John Paul II 2000).” “

By contrast the plea for forgiveness from victims was stated in the 2008 Canadian apology. Of significance is the political

context for the apology. The governing Conservative party's apology preceded statements from the opposition parties—the Liberals, Bloc Québécois, and the New Democratic Party. Particularly important, in this context is that the Liberals were in office more years than the Conservatives in the 20th century. For example, in Canada elected members receive appointments to head government departments based on the ruling party's seat majority in parliament. Thus, the Government did indeed apologize, followed by apologies from opposition party members who do not hold offices in running the country. The devout Prime Minister of Canada Steven Harper's 2008 statement addressed 150,000 residential school direct victims (Hansard 2008: 6849-6851). Also collateral victims who were also affected by the schools received recognition. He asked forgiveness of aboriginals. Mr. Harper used "recognize" in a ratiocinative manner used in world affairs' apologies:

"Today, we recognize that this policy of assimilation was wrong, has caused great harm, and has no place in our country. One hundred and thirty-two federally supported schools were located in every province and territory, except Newfoundland, New Brunswick, and Prince Edward Island...The Government of Canada built an educational system in which very young children were often forcibly removed from their homes and often taken to far from their communities...All were deprived of the care and nurturing of their parents, grandparents, and communities (Hansard 2008:6850)."

Harper admitted the government failed to protect children from this abuse. However, this recognition that the schools were wrong was later contextualized as the Indian parents' "powerlessness to protect your own children from suffering the same experience" of residential schools.

The statement did make remarkable concessions. Four features of the apology have implications for Canada-Indian relations. Firstly, Canada recognizes that collateral victims of residential schools are now admitted to the dialogue about reparations. Medical, social, and mental research provides evidence of the impacts of the transmission of intergenerational trauma and the government recognized "their resilience as individuals." Secondly, the admission that "it was wrong to forcibly remove children from their homes" has international law implications. The 1948 UN Genocide Conventions prohibits such forcible removal. Thirdly, Canada admitted its Indian termination policy. What termination policy? "Our object is to continue," wrote chief architect of Indian termination Duncan Campbell Scott in the early 1900s, "until there is not a single Indian that has not been absorbed into the body politic of Canada and there is no more Indian question. That is the whole purpose of our legislation (Dickason 1992:327)." Mr. Harper said early in Canada's apology that "this policy of assimilation was wrong, has caused great harm, and has no place in our country." Harper clearly states "aboriginal" people and organizations were the cornerstone of a new relationship with Canadians.

The fourth aspect of the apology also should not be ignored. Mr. Harper's benediction returns Canada to foundational principles between the Crown and Indigenous peoples formed in our collective memory. "God bless you all, and God bless our land," he said invoking God and country. This seems

unusual in the profane world of modern nation-states, but it is expected in Indigenous culture. The Canadian social gospel to ameliorate the needy was restated. In the past mutual aid, mutual respect, and mutual defense based on respectful friendship allowed Europeans to prosper in this land. These foundational principles strengthen relationships and are the basis for treaties between Europeans and Indians. Harper advertently re-polished an older covenant that was not made with “aboriginals”—but with Indians and.

The admissions cited here may lead to mediation processes to resolve disputes for longstanding harms to individuals. Considerable emphasis was placed by Harper on the Indian residential schools settlement agreement of 2007. The agreement was negotiated with “aboriginal” organizations and will be enacted through the TRC. This leads to discussions of “who” has the power to decide. The TRC is an arms-length government agency with ties to Indian Affairs whose elected Minister is still considered “interlocutor” to Indian and Inuit peoples. In the end the Government of Canada has the power.

The list of issues beyond the residential schools is lengthy and well-documented. The uninformed sterilization of Native girls up into the 1980s remains a serious intervention. Add to this inventory conditions of life on reserves where disease, drinking water, housing, and intergenerational transmission of trauma create enormous social problems. These problems exist despite the 1986 Indian Affairs’ treaty implementation internal report that said Canada owed Indigenous people \$11.5-trillion for land, resource, and treaty obligations. Across the continent vast tracts like the Great Lakes watershed have underlying title retained by Indigenous people that are treaty-based.

No doubt the Indian debt in the US has similar staggering proportions. Indigenous people sought remedies to this long list of injustices that goes far beyond residential school's direct and collateral victims. Often, as was the case with the Iroquois appeal for justice to The Hague in the 1920s, the US and Canada collaborated in the overthrow of the Indigenous treaty signatories from the Great Law, Sundance, and Potlatch legal systems (Six Nations 1924). The attempt to put closure on the Indian residential school tragedy is only the tip of an underwater volcano of grievances most Indians know about.

The American experience

In 1928 the US government's Indian bureau within the Department of the Interior commissioned a survey of *The Problem of Indian Administration* (Meriam et al, 1928). After the Indian wars of the 1800s total subjugation appeared imminent now that the Indian had been beaten into obedience to US authority. The era from 1879 to 1934 included land allotment and the reform of tribal governments from the Treaty signatory traditional leaders to elected council systems in the 1930s. Other features of the era included grants to universities of Indian lands, and boarding schools like Carlisle that sought to "kill the Indian and save the man." Once obedience to authority seemed assured the Indian land holder had competence for citizenship bestowed on him, though the Indian remained a ward of the US fiduciary with respect to property "like that of a citizen child (754)." In the wake of these changes *The Indian Citizenship Act* (1924) made mandatory US citizenship for all Indians born within US territories— withholding informed consent.

Within the BIA's catalogue of bureaucratic reflection rests the inventory of Indian education. Having awarded Indians citizenship, the new mission of education clearly focused on socializing Indian people to the dominant US cultural and political hegemony. In *The Problem of Indian Administration*, the survey notes that by the 1920s the "Indian is indeed adaptable, more docile, than is good for him." The report ascribed homogenizing generalizations to all Indians the characteristics of a subjugated people--"submissiveness...to boarding school routine", "patience...under difficult conditions", and a "willingness to surrender...their most cherished cultural heritage." Ironically the report says in this era the Indian "is more ordinarily susceptible to the changes the white man offers him under the label *education* (354). The final solution became socialization.

The survey contends that there had been a focus on mathematics, literacy, and science in Indian education. These tools of assimilation created a generation of local change agents to collaborate in introducing the sweeping changes of the 1920s and 1930s. The education mission changed from "reading, writing, and arithmetic." The curriculum changes included new emphasis on mental and physical health, good citizenship, participation in reservation life, and achieving competence by earning a living (373).

By 1900 Indian education featured nearly 150 reservation schools to teach and recruit local change agents and over 80 reservation boarding schools to socialize the young. Of particular relevance are the 25 boarding schools located across the US. Statistically, the survey demonstrates that men were change agents in Indian communities—prior to World I only 14,743 of 82,470 Indian children did not attend school

compared with nearly 23,000 absentees by 1918. The bureau records the astonishing increase to 69,892 of 85,553 Indian children attending schools by 1926. From that total enrollment, it is estimated that boarding school enrollment roughly paralleled the ratio in Canada—one-of-four children were in boarding schools. Also similar to the Canadian experience families were divided by the Indian agent. Arbitrary selection meant picking girls over boys, and alternating between youngest and oldest in the birth order. Countless survivors describe the arbitrary nature of selection (Child 1998; Johnston; 1988).

Even though mission schools had been in existence since earliest contact, the schools up to the American Revolution featured a frontier of cultural exchange. As described earlier on the Canadian side of the medicine line this exchange was often requested by Indian tribes. Indian leadership deliberately sought adaptations and innovations in securing a better quality of life for their people. However after the revolution the demonization of, and suggestion that, Indian people were an inferior race destined for extinction, ushered in the era of social Darwinian agency that sought ameliorations through evolutionary theory. Elevated from a primitive state, changing environments creates fit, competent individuals. By 1900 privatized Indian education through ‘contract’ private schools such as the Carlisle school of 1879, provided basic training in home economics for the girls, and industrial arts education and athletics for the boys. The aspect of this training that often remains overlooked pertains to child labor. Survivors often reported they performed the housekeeping and farm services at the schools, studying in the morning and working in the afternoon. This labor reduced costs to the schools, while

satisfying the curriculum adjustments in the 1900s for socialization.

In the era from 1900 to the 1990s the boarding schools faced educational system advances generally occurring through social and technological change. The reforms of the 1930s created a social safety net for the development of color-blind policies. This meant that formerly domestic dependent nations received protections under religious freedom legislation. Indians who resisted termination can be characterized as “religions” under the *American Indian Religious Freedom Act* (AIRFA) and the *Native American Graves Protection and Repatriation Act* (NAGPRA). Devolution to local control of Indian education allowed local autonomy in language and cultural education but cocooned within the religious terms defined by AIRFA and NAGPRA. Indian people could fall under protections given to other illiberal associations like the Amish (*Yoder v. Wisconsin* provides rights for the Amish to decide religious education for Amish children). An outcome of devolution included the declining need, and even legality, of invasive programs like Indian boarding schools. After World War II, the schools declined to the point that for example Phoenix, Chilocco, and Flandreau existed into the 1990s.

The US and Canada maintained comparable Indian education systems. Both expanded the original treaty obligations to build schools for the clearly stated mission to “kill the Indian.” Distinctly European innovations such as the asylum were extended into the social Darwinian urge to civilize the primitive savage Indian. The environmental change for evolving Indians found fruition in the boarding schools. And even the results across the US-Canada medicine line can be found in narratives and scholarship. For example, Zitkala-Sa’s account in “The

School Days of an Indian Girl” describes learned obedience and socialization in the late 1800s. In the early 1900s Belva Hill hints at sexual abuse in the Mohawk Institute while describing the child labor in the residential school (Doxtater 1988). Brenda Child documents the tuberculosis epidemics that plagued the Indian boarding schools in the first half of the 1900s, while echoing Belva’s assertion that children were often sent to the schools to escape the economic hardships of the Depression and reservation life (Child 1998). In a similar way Basil Johnston’s understated memoir of his Indian School days, portrays Indian boys’ adaptability to the regimented Jesuit life by mid-century (Johnston 1988). Yet the results produced narrative and case study resources for scholarly assessment of the impact of the schools. The Brave Heart and DeBruyn (1998) study of historical unresolved grief poses clinical analysis of US survivors to identify the sheer enormity of the mental health and social implications of abuse—and when the effects become transmitted between generations. The recent study completed by social work specialist Michael Loft, himself a collateral intergenerational victim of the schools, focuses precisely on the similarity between direct victims of the Indian schools and Jewish holocaust survivors (Loft 2007). Simply put, the schools closed after 1948 when the international community created the Conventions for the Prevention and Punishment of the Crime of Genocide. The Convention clearly cites forcibly removing children, but also views complicity in genocide, as criminal.

Why would the US admit to an act of genocide? Conservatives, who sound like the kind of utilitarian liberals who rationalized slavery and child labor in the 1800s, certainly dismiss any liability in the name of personal liberty. “I didn’t do it.” There

are the liberals of invasive government control, who sound like the kind of conservatives that repealed slavery and child labor. Politically the liberals would feel comfortable with the apology, since it offers an opportunity for expending funds to redress actionable torts from direct victims. Liberal governments create projects like the Canadian TRC. All this has been discussed and developed in Canada. Conservative and liberal aspects of the liberal nation state remain focused on self-preservation with controlling the political economy reiterated as the bottom line. Who gets to decide? Who has the power?

The US apology would admit only that a crime against humanity has been committed against Indigenous peoples. The wording that follows the model provided in Canada admits to the forcible removal of children. But a US apology could include features of the apology missing from the Canadian apology. Canada primarily apologized that such acts should have been avoided in the past, while citing the Indian inability to protect the children from the schools. Canada did inventory the effects on Indigenous peoples cultural decline, social decay, and personal pain suffered by 'aboriginal' people. In addition the extension of the apology to direct victims, has now been extended to collateral victims as well. While the application of federal funding promotes the commodification of victim needs, little was made of the resilience of Indigenous people. Absent was the recognition of the overall effect on Canadian civilization of Indigenous people in spite of programs like residential schools.

By contrast the US could absolutely affirm the debt owed to Indian people in more than financial ways. The absolute impact on American life of Indian resources and philosophies was ignored by Canada. The historical record is clear. In addition to

sharing their resources and lands, the Indian people took in settlers, taught them Indigenous knowledge about how to survive in lands reserved for Canadians and the Americans. The admission that the debt is insurmountable can only be measured against what Indian people have said all along. Indian people have the money in the bank somewhere for needed social and public utilities like schools, theatres, medical services, and community development. There US and Canada need not worry that the \$50-trillion debt when paid would merely be divided between 4-million Indians in Canada and the US. This, as far as I know, has never been the case. Mostly, I hear that Indian people just went to be left alone and not terminated anymore.

Affective speech act and the end-game

Though the Canadian government apologized for Indian residential schools, the continuation of Indian termination is still evident. Despite creating neologisms like ‘aboriginal’ and catchy slogans like *First Nations Governance*, Indian termination remains the policy of Canada and the US. By contrast the resistance at Grassy Narrows, Ontario and Caledonia, Ontario in 2006 continues to demonstrate resistance to US and Canadian termination and subjugation. I argue that manufacturing consent (to use the phrase coined by Noam Chomsky that characteristically is known commonly as “spin”) includes a long public communication campaign to convince the majority population that Indians are wards of the state, need to learn to pay taxes, and terminate themselves and any claim to their territories. I also argue that the time for such unethical posturing is over. Indian people know their economic impact far exceeds the economic return and even suggests that in

addition to the vast resource wealth stolen from Indian people, Indian tax dollars continue to subsidize the treasuries of the both the US and Canada.

Finally, the main argument here addresses the political economies of the US and Canada. A Canadian government study identified a staggering \$11.5-trillion debt to Indian people for resources, land use, and treaty obligations (Rudnicki 1986). The amount of debt facing the US because of the resource rich continental territorial base would vastly outdistance the meager \$11.5-trillion Canadian debt. The debt becomes insurmountable and in the context of the fiat currency collapse being experienced as this paper is written, takes on the nature of black humor. Not only does the currency have a problem, so do Indian communities whose existence depends on the imagined value of paper currency—stocks, bonds, and bills. Yet, I argue, the agents of US and Canada reinvented Indians as “ambiguous Indians” or D.C. Scott’s use of “aboriginals” to undermine Indian treaty-based land title. Indian people know the goal. So, an apology that disguises termination then can be described as an affective speech act. The public hears that the Indians want more at a time when there is less. This posturing is unethical and politically motivated.

To demonstrate how manufacturing consent works, a useful analysis by Donald Macedo an education theorist, suggests that governments exploit limited literacy. Macedo describes “professional specialization” as an approach to education used by the powerful (dominant political hegemonies) to lull poor learners into soporifics rather than enlightenment. This process negates the potential for deliberative citizens to dialogically engage with their world to see the reality of their lives. Rather than enlightenment the opposite result of this form of education

Macedo calls “Literacy for stupidification: the pedagogy of big lies” (1993).

Macedo writes that professional specialization “emphasizes the mechanical learning of reading skills while sacrificing the critical analysis of the social and political order that generates the need for reading in the first place (189).” Over the past 30 years Canada’s Native policy continually focused on First Nations and Inuit education. So since the 1970s Canada promoted self-government focusing on professional specialization through the clerical, social service, and education sector training of mostly women. These professions identified by former Canadian Indian Affairs deputy minister Harry Swain are “those quieter gentler voices working for daily improvement to their lives (Doxtater 1991).” These specialists have been setting the Canadian policy.

In 1992 this gender specific sector was chosen to help implement Swain’s Buffalo Jump Strategy of the Government of Canada—the end game for the Indian-termination policy co-designed by Arthur J. Luddington and Duncan Campbell Scott in 1912. And in case you didn’t know, termination meant ending the old treaty relationship and assimilating Indigenous peoples fully into Canadian society. Checkmated by the Canadian money tree, no one says anything—the single moms, the Native politicians, and certainly the Canadian government.

Macedo describes critical illiteracy as an impediment to democracy citing the American public’s apathy toward the first Gulf War and police brutality in the Rodney King affair. Recently, the US and Canada ritually denied United Nations declarations to protect Indigenous people’s international rights, while supporting colonizers worldwide. Regardless of the chronology, the length of time to support political change in

South Africa and the denial of Palestinian sovereignty can be set against the continual support for Israeli sovereignty, and Albanians in Kosovo, and Chinese in Taiwan. Colonizers support colonizers.

Canada's national self-interest was at the heart of the *apologia Canadiana*. Canada constantly flaunts the \$2-billion spent on residential school payouts. The statement of the financial cost of Indians lets Canadians continue to believe they are paying the bill out of their own pockets. For example the same day the Conservative led government was apologizing to aboriginals, Conservative MP Pierre Poilievre told a radio audience in Ottawa that Canada spent a "tremendous amount of money"--\$10-billion in its 2007-2008 budget with another \$4-billion for the apology. He also said Indians needed to learn about "hard work." The burden on the Canadian taxpayer for Native affairs funding in Canada is what the average Canadian heard. So, this residential school apology scenario rests within the context of global economics.

Specifically in terms of Indian people here's how literacy for stupidification works. In one of Canada's major conservative newspapers, the *National Post's* (April 17, 2008) analysis of Native education reiterated Canada's message concerning Indian people. The *National Post* describes aspects of First Nations and Inuit education clearly consistent with the Crown's longstanding goal of terminating Indigenous rights. "The end-game, as former Indian Affairs minister Jim Prentice outlined," writes columnist John Ivison in the *National Post* on April 17, 2008," is to create self-governing, self-sustaining First Nations communities, with their own tax base to pay for services. The Ivison outline never refers to treaty claims and liability for damages incurred by governments against Indigenous people

with a significant history of legal judgments favoring Native rights. Ignoring such claims and invoking municipal status through legislation like the FNGA is called an “end-game.”

Consistent with the columnist’s interpretation, the Indian and Northern Affairs Canada (INAC) minister discounts any recognition of the national debt owing to Indigenous people (Iverson 2008). “We cannot eradicate poverty amongst aboriginal people simply by transferring dollars from the federal treasury,” says Prentice as quoted by Iverson. So the goal is to transfer the dollars from the Native people into the Canadian treasury by introducing taxation, such as mechanisms first proposed in the First Nations Governance Act (FNGA) of the early 1990s. Discreetly, Mr. Prentice announced new appointments to the First Nations Tax Commission (FNTC) that went unreported. “The FNTC’s mandate,” INAC announced, “is to support and regulate First Nation property tax regimes to ensure they are administratively efficient, harmonized with property tax regimes across Canada, and fair to on-reserve taxpayers.” The new FNTC commissioners in April 2007 were Céline Auclai, Leslie Brochu, Lester Lafond, Kenneth Robert Marsh, William McCue, Randy Price, and Ann Shaw. The appointments followed the November 24, 2006 appointment of C.T. (Manny) Jules as Chief Commissioner (INAC 2009).

The solution to Canada’s Indian problem called an “end-game” infers a termination diction that has been at the basis of Canadian Indian policy since the 1800s. Canada subjected Native education funding to misguided public scrutiny that led to cutbacks in 1988 in line with INAC’s ill-fated “Buffalo Jump Report”. First targeted was post-secondary funding that led to hunger strikes and protests across the country. In 1989 a

massive school lookout occurred at the Six Nations Indian Reserve where families protested the condition of on-reserve schools. Ten years later the National Aboriginal Youth Strategy (NAYS) 1999 report viewed successes in education (the most graduates ever) with grim reports on the highest suicide, poverty, and dropout rates in the country. Of an estimated 1.172-million Indian population, 50 per cent are under age 27 years, according to Statistics Canada. This large population in post-Oka Canada has been identified in bleak terms. In INAC teacher manuals in the 1950s, teachers were told to instruct Native students about hygiene, nutrition, and of course rote learning. But one section that was emphasized was to teach Indian children "obedience to authority." Now 10 years after NAYS, INAC hopes that "Civic Education" should teach Native children to be good tax-paying citizens. Assuming that Native people are now obedient to authority, education will now become the agent for socializing Native people to the dominant Canadian political hegemony.

In many instances Indigenous people have resisted termination through specific claims. The admission by the Canadian government of funds owing to the Iroquois people began with the offer of \$26-million (2008) for damages created by the construction of the Welland Canal in the 1800s (related to the Caledonia standoff of 2006). There is also the \$680-billion fee for the entire Grand River valley communicated to the Crown by late-chief Richard Maracle in 1991. In addition there's the estimated \$2.5-trillion debt under the 1701 Nanfan Treaty from Montreal to Windsor that was described by a former Indian Affairs senior policy advisor on Six Nations' radio station CKRZ in 1991. In the past Elders told Canada's and United States' tax departments that their own laws exempt Indians

from taxation. Elders said that “Indians not-taxed” in Canada should be written on Tax forms to recover personal property taken by employers and remitted illegally to the Crown. In the US a letter that says “I did not file a tax return because I do not owe anything” has the same effect. Specifically, Elders refer to the Canadian Indian Act where the “interest of an Indian” or “the personal property of an Indian” is not subject to taxation.” The interpretation of “personal property” referred to money not be taxed on reserve land or surrendered land. When asked to provide documentation for the “surrender” the tax department refers the claimant to Indian Affairs. Of course, Indian Affairs has no such documentation.

In some instances people quietly submitted tax returns and other income statements without signing the Tax Return and have said “please return my personal property that your agents have illegally taken.” In the past Tax Collectors said “we have adjusted your claim” and sent a return without reference to the “Indians not-taxed” claim. Sometimes a claim for taxes owing was written off as an “unrecoverable debt.” In the past 18 years the Canadian government has attempted to put legislation in place to terminate the right of “Indians not-taxed.” Most recently the legislation was called the First Nations Governance Act (FNGA) and like the FNTC is claimed by INAC to be an initiative originating with First Nations. Most of us were never consulted about that.

When told by the INAC special advisor that the land bill from Montreal to Windsor was in the trillions, the Elder said “Indians should never have to pay one cent in taxes.” And the amount owing increases every day with interest. In Canada the search for ways to terminate Indian rights continues. The ballast for Indian termination sits within the sailing ship as an

enormous known, but never admitted, debt. However, the knowledge of Indigenous rights also remains the rudder of the canoe. The transmission of Indigenous knowledge to future generations continues and there seems to be little indication that Indian people will become completely subjugated.

However, the Canadian apology remains an historical fact. As a policy of the Canadian government, Indigenous people could respond by applying for the compensation and settlement offers. Many have. However, the larger view suggests that leaders will review the apology and see how the superior weight of the sailing ship can be transferred into an inertia for the benefit of the Indigenous people. Likely that inertia will be monetary and by consequence iterative of the prevailing notion of 'entitlement' that often prefaces the commodification of need. Victims become the commodity for the professional specialists who lull the Indigenous people back to sleep.

Apologia Americana

Adoption has roots in Indigenous culture and law that existed long before the arrival of Europeans. When the Crow people adopted Barack Obama and gave him the name Black Eagle, they asserted a preemptive right that has a long basis in Indigenous law. The implications at least in the Indian world, pay homage to the practices of Indigenous people since earliest contact. However, the adoption carries more than simply ceremonial or ritual practices. The adoption carries the seemingly widespread notion of "all my relations" used across tribal and territorial lines. Accepting the adoption, and becoming a nephew of the Crow people, the since elected President Obama quite possibly did not know the international law implications of the bestowal.

The renewal of older international relations includes the idea of “all my relations” but also carries the idea of the Two Row Covenant. The pledge of friendship, mutual aid and defense embodied in the Two Row Covenant expresses human decency and compassion as the foundational principles of human relations. Reflecting the foundational principles of American society’s “golden rule” and equal opportunity for prosperity, Indigenous law based on the color-blind application of respect and friendship remains difficult to commodify. In Indigenous terms these ideals have enactment through our practices—everyone has the right to eat, to be healed and to be happy. Certainly, the economic argument of increased prosperity in the era of gaming has to be balanced against the despair in many Indian homes. We do not practice our own foundational principles in many instances have been assimilated into the ideal of comfortable self-preservation. In the case of Indian boarding schools the collateral damage and intergenerational transmission of trauma has implications for Indian people. These are social concerns in an era when Indian people commodify our own people’s needs, and is part of a larger picture of leadership and governance.

In this discussion of apologies and the context of Indian termination there are five points which can be used to guide US Indian boarding school policy. These five points summarize the cause and effect of power exerted over Indian people for total assimilation and by consequence, extinction. Also I suggest more practical measures than a TRC be developed to educate about leadership and governance:

1. The US apology admits government complicity in the development and delivery of Indian education designed to “kill the Indian in the man”;

2. The US apology admits that the purposes of Indian termination was to divest the government of the financial burden for Indian lands expressed as the “Indian problem”;
3. The US apology admits that Indian boarding schools were in existence prior to 1948 and that these acts have been part of US history since 1775;
4. The US admits that the social, economic, political, environmental, and medical barriers to Indian peoples’ quality of life has been created by the Indian boarding schools;
5. The US admits that the debt to Indian people for these wrongs can never be fully paid.

The apology is not about financial compensation. To restate the purpose within the meaning of words written by residential school nurse Jane Megarry in the 1920s, the apology is about accepting Indian people’s rightful place in their native land.

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