

# Special Report

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## Darkness Visible:

### Canada's War Against Indigenous Children

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The World Conference on War-Affected Children (Winnipeg, September, 2000) seemed to promise winners all around. After all, who but the obvious bullies and outlaws of the world could possibly be in favor of the impressments of children as combatants, deadly and disfiguring land mines, waging war on civilian populations, and the like? Not only would the victims of such abuses be provided with a forum allowing them to detail publicly their circumstances, measured steps toward redress, remedy and prevention (like the formation of an International Criminal Court to try offenders) could be promoted or even taken. Groups, governmental and non-governmental alike, already engage in program planning and service delivery to war-affected civilian populations, would get a chance to network and take a much-deserved international bow. And Canada, the Good (if not Great) World Citizen, could award itself another row of gold stars for their variety of jobs well done. Who could complain?

About 100 or so indigenous peoples and their supporters outside the conference, that's who. Though numerically small, they stood in place of thousands more, absent for a variety of reasons which included being defined as outside the terms of reference of the conference. Specifically, by unilaterally declaring indigenous peoples "citizens" in 1960, Canada, like many colonial powers at the time, obviated any move by indigenous peoples to bring grievances under the forthcoming UN Covenant on Civil and Political Rights before the International Court of Justice, since only countries (and not "international minorities") would be recognized. This "enforced citizenship" evasion, touted as an act of humanity by Canadian press and politicians at the time, would itself have been included as an act of genocide had not Canada and the other major colonial powers removed it from the draft UN Genocide Convention during the post-WWII deliberations. "Enforced citizenship", a fundamental denial of the human right to self-determination, is a Canadian "gift that keeps on giving" since among other things, according to this dodge, First Nations are not "really" nations, Indian Treaties are not "really" treaties, and Aboriginal Peoples have no right to expose the injustices done to them in international foray.

Whether the delegates from other countries listened to and heard these protests is not determinable from the press or web coverage; that the Canadian delegates heard nothing can be taken for granted. For in order for Canada to appropriate credit for a World Conference about children and warfare, its appointed representatives must ignore one of the protester's points: that Canada has and does in fact conduct war against children, and probably will for the foreseeable future.

It all hinges on what you're willing or unwilling to call "war". Canada characterizes what it does and has done to indigenous peoples as "building a renewed partnership" at best and "assimilation" at worst. To us, "low intensity warfare" seems an overly complimentary description of Canadian policy and practice; "genocide" is the correct term.<sup>3</sup> However, whatever you wish to call it, Canada has found and continues to find the children of indigenous people easy targets for its machinations.

#### Some Background

The most infamous attack on indigenous children was perhaps the system of residential/boarding schools, operated by Canadian governments in partnership with major churches from Confederation until 1986. <sup>4</sup> Under the guise of fulfilling treaty obligations to educate, and with the Canadian variation of the "White Man's Burden" firmly in mind, untold thousands of indigenous children were removed, under force of law, from their parents, families and communities, and placed under absolute control of church officials, some for as long as 13 years. Many of these officials had no qualifications whatsoever as educators. However, this merely serves to emphasize the fact that "education" was not the mandate of these institutions; rather, "assimilation" was the agenda explicitly agreed upon by church and federal officials. Thus, a *treaty responsibility to educate* indigenous people was metastasized into *an opportunity to eliminate* a federal, moral and financial burden by obliterating those peoples' identities.

Since governments and churches both recognized the difficulty of their task, a great deal of leeway was permitted the churches in carrying out this assault. This lack of accountability gave rise to an enormous number of specific abuses carried out by people in various positions of responsibility, including rape, impregnation and other actions that were nothing short of torture. Incidents of flagrant abuses were either ignored or covered up.<sup>5</sup> During the past few years, it has also been revealed that children in residential schools were used as unwitting experimental subjects, with dental and dietary mistreatment documented (deliberate non-treatment of tooth decay and intentionally supplying non pasteurized milk) and darker deeds being hinted at. <sup>6</sup> Sterilization of native women is also known to have occurred, although a systematic study of the extent of this crime still needs to be done.

While some have argued these abuses may have been infrequent, what is not confronted by such suggestions is that, after November 28, 1949, removal of indigenous children from their families constituted genocide. <sup>7</sup> Thus, for more than 30 years, Canada knowingly operated a genocide machine targeting indigenous children. That Canada did so knowingly is apparent from the fact that, when the federal government incorporated the "crime of genocide" into its criminal code of laws (thus making it a charge which could be brought and decided upon in Canadian courts), it failed to incorporate into the code 60% of the specific actions constituting genocide, including the forced removal of children.

Nor was residential schooling a unique assault on indigenous children. State intrusion into indigenous family life gained strength with the rise of provincial family and children services in the early 20th century. Not only were massive numbers of aboriginal children removed and placed within non-indigenous foster and adoptive placements,<sup>8</sup> thousands of aboriginal children were shipped overseas, where, presumably, the children would never learn of their ways, their families or their rights, or of Canada's legal responsibilities to them. Like the Home Children institutions they developed from, <sup>9</sup> family and children services institutions had no mandate to deal with the economic and legal bases of aboriginal family. Consequently, they regarded then, and they regard now, their incursion into Indian families as unquestionably humanitarian.

### **Here and Now**

While much more could be written in a purely historical vein, the current circumstance of indigenous children in Canada is nothing short of a calamity. The January, 2001, issue of *Windspeaker*<sup>10</sup> documents the range of disasters lining up against Indian children:

- \* Record levels of suicide;<sup>11</sup>
- \* Epidemic levels of gas-sniffing and solvent abuse; <sup>12</sup>
- \* Rampant sexual exploitation;<sup>13</sup>
- \* High rates of AIDS prevalence.<sup>14</sup>

And, as if these circumstances were not enough, readers must bear in mind that they are grafted onto an already existing framework of high infant mortality rates, <sup>15</sup> sudden infant deaths, <sup>16</sup> dropout rates approaching 50% in some locales, <sup>17</sup> over representation of indigenous children in youth correctional systems, <sup>18</sup> and widespread misdiagnosis of "learning deficiencies" accompanied with forced medication, <sup>19</sup> all embedded in a dominant culture of overweening racism. <sup>20</sup>

Canada's willingness to ignore those provisions of international law it finds inconvenient, <sup>21</sup> apparent from their earlier contraventions in residential schooling and social services, manifests itself in present day policies and legislative initiatives affecting both "normal" and "abnormal" indigenous children. For example, Aboriginal children are denied the funding necessary for schooling in indigenous languages, despite the provisions of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;<sup>22</sup> provincial governments introduce legislation for young offenders that violates the Convention on the Rights of the Child;<sup>23</sup> and toxic dump sites, obviously impacting the quality of health of children<sup>24</sup> are mysteriously situated on the borders of First Nations reservations. As these and other mainstream abuses occur, the mainstream shown no hesitancy in blaming the victims for their economic and human rights-based misery.<sup>25</sup>

### **Sad Cure**

Were more space available, we would argue that past and present circumstances noted here (and many other circumstances as well) are manifestations of Canada's enduring war against indigenous peoples, often carried out directly or indirectly on indigenous children. The Canadian initiative on the World Conference

Against Racism, for example, explicitly defines racism as the problem that some Canadians (who are designated "the racists") are not participating in the assimilation of indigenous peoples wholeheartedly enough!<sup>26</sup> Thus, in the near future our daughters and sons can look forward to a renewed battery of programs that will remove impediments to their assimilation. The aim of this prolonged conflict, across years, parties and policies, has been consistent: "to take the Indian out of the Indian", in the words of Duncan Campbell Scott. Whether you wish to call this "assimilation" or "genocide", it still has been, in our opinion, war. If it has not been universally recognized as such, this is due more to who owns and controls the "spin machines" than a matter of incontestable fact.

What alternative "spin" can be placed on this pattern of consequences seen in indigenous children? As hinted just above, mainstream Canada does have a ready explanation, encouraged by politician, media and other arms of economic power, for the degradation all too commonly observable in Aboriginal communities: *something is wrong with those Indians!* Whether one is a hard nosed racist (and attributes these problems to some kind of genetic defect or problem in our "hard-wiring") or a bleeding heart (and attributes these problems to "cultural deprivations", "bad parenting", "dependency", or some similar pattern of experiences), the mainstream tends to propose "cures" on a limited range of themes: change those indigenous people. *Indians* need therapy, or drugs, or confinement, or to be thrown into the deep end of the pool and forced to sink or swim. The difference between a "liberal" and "conservative" approach to the problems of Aboriginal peoples in Canada involves the severity of the program of changing us, and does not involve a fundamental critique of the structure of mainstream Canadian society. <sup>27</sup> The "cures" for programs like residential schooling and incarcerations are *more of the same*.

Outside the mainstream, however, it is considerably easier to relate the misery of Aboriginal children and adults to the material conditions of our existence. For example, the Windspeaker issue mentioned earlier contains article after article identifying the failure of successive Canadian governments to deal squarely with Aboriginal, Status, non-Status, Innu, Inuit and Métis geopolitical grievances as the source of past and present degradations. Similar conclusions apply to nearly every other critical resource we have examined here.

The problem, then, is ultimately the existing power relations in Canada. And, as history knows no instances of the wealthy and powerful voluntarily ceding hegemony, Aboriginal peoples can anticipate a continuation of subtle and blatant attacks on who they are, how they are, and why they are, unless and until people of conscience stand up and understand what is being done in their names to indigenous children.

### End Notes

1. Director of Native Studies, St. Thomas University, Fredericton, New Brunswick.
2. Research Associate with the Praxis Collective, Fredericton, New Brunswick.
3. Chapter 4, R. Chrisjohn & S. Young, *The Circle Game: Shadow and Substance in the Indian Residential School Experience in Canada*. Penticton: Theytus Press, 1997.
4. J. Milloy, *A National Crime: The Canadian Government and the Residential School System, 1897 to 1986*. Winnipeg: University of Manitoba Press, 1998.
5. E. Furniss, *Victims of Benevolence: Discipline and Death at the Williams Lake Residential School*. Toronto: Arsenal Pulp Press, 1995; I. Knockwood, *Out of the Depths: The Experiences of Mi'kmaw Children at the Indian Residential School at Shubenacadie*, Nova Scotia. Lockport: Roseway Publishing, 1992. Canadian Broadcasting Corporations News, Former Nun Says Church Covered Up Labrador Abuse. February 21, 2001.
6. D. Napier, "Ottawa experimented on Native kids: Deliberately denied basic dental care." *Anglican Journal*, May, 2000.
7. United Nations Genocide Convention, Article II e, named "Forcibly transferring children of the group to another group" a specific act of genocide.
8. A. McGillivray, *Therapies of Freedom: The Colonization of Aboriginal Childhood*. Vancouver: UBC Legal History Papers, 1995; Native Children and Family Services of Toronto, Stevenato and Associates, & J. Budgell, *Repatriation of Aboriginal Families: Issues, Models, and a Work plan*. Toronto: 1995.
9. P. Rooke & R. Schnell, *Discarding the Asylum: From Child Rescue to the Welfare State, 1800-1950*. New York: University Press of America, 1983.
10. This special issue of *Windspeaker* is available online at:  
<<http://www.ammsa.com/windspeaker/children/JAN2001ForTheChildren.html>>
11. "Suicides Plague Northern Ontario Reserves," *Winnipeg Free Press*, Sept. 16, 2000; "Aboriginal Girls Taking Their Lives in Record Numbers Across Ontario's North", *Canadian Press*, Dec.6, 2000; "Ottawa

- Wants Labrador Innu to Kill Themselves, Lobby Groups Says", National Post, Nov. 8, 1999; "Suicides Stagger Reserve", Calgary Herald, Dec. 8, 2000.
12. Of numerous print and audiovisual prints, "Innu Urge Tobin to Get Involved in Finding Help for Labrador's Gas Sniffers", Calgary Herald, Dec. 8, 2000; and "Davis Inlet Children Flown to St. John's for Treatment", CBC, Jan. 9, 2001, are typical.
13. C. Kingsley & M. Mark, *Sacred Lives: Canadian Aboriginal Children and Youth Speak Out About Sexual Exploitation*. Toronto: Save the Children, Canada, 2000.
14. "Aids Battle Reaches Natives," Health Canada Fact Sheet, Dec. 1, 2000; C. Kingsley & M. Mark, footnote 12.
15. "Fact Sheet on Infant Mortality", Canadian Perinatal Surveillance System, Health Canada, 1995.
16. "Fact Sheet on SIDS", Canadian Perinatal Surveillance System, Health Canada, 1995.
17. A. Bear-Nicholas, *Canada's Colonial Mission: The Great White Bird*. Brandon University Press, 2001.
18. "Youth Custody and Community Services", The Daily, Sept. 29, 2000; "Aboriginal youth continue to be over-represented in the youth correctional system relative to their population. In the reporting jurisdictions where Aboriginal status was known, Aboriginal admissions accounted for 26% of the total admissions to custody, and 18% of admissions to probation. However, in those jurisdictions Aboriginal youth made up only 5% of the total youth population".
19. R. Chrisjohn, *You Have to be Carefully Taught: Special Needs and First Nations Children*. Assembly of First Nations, 1999. P. Breggin, *Reclaiming Our Children: A Healing Plan for a Nation in Crisis*. Cambridge: Perseus Books, 2000.
20. R. Chrisjohn, Racism as an Institutional Phenomenon: The Canadian Experience. Available on-line at <<http://www.radio4all.net/proginfo.php?id=2362>>.
21. Lloyd Axworthy, then Minister of Foreign Affairs, obviously ignored or was ignorant of Canada's failure to live up to the spirit of international law with regards to indigenous peoples when he stated at the Conference on War-Affected Children: "rights have been violated and vital societies enfeebled. To bring this to an end we must first abide by and enforce the ample law and conventions already on the books". We agree, and call his successor's attention to the issues raised here and by the Aboriginal protestors at the conference.
22. See especially, Article 4.
23. "Statement of Opposition to the Secure Care Act", Vancouver, Justice for Girls, 2000: "Looking at the implementation of the Alberta legislation, it is clearly discriminatory in terms of gender (over 99% of youth apprehended were girls). The Secure Care Act violates young women's rights to equality before and under the law in that it will almost exclusively be used to detain young women, and especially First Nation girls".
24. Greater Boston Physicians for Social Responsibility, *In Harm's Way: Toxic Threats to Child Development*. Cambridge: 2000.
25. "It's Time for Native People to Help Themselves", Ottawa Citizen, Dec. 10, 2000; "Money Won't Help Innu People", Ottawa Citizen, Dec. 3, 2000.
26. From the Draft Discussion Paper, Canada's Consultations for the World Conference Against Racism, September, 2000, p.4: "This broad discussion we hope, will produce consensus on what we need to do at home to ensure that no Canadian is denied the opportunity to contribute fully to society because of intolerance, discrimination, or racism". P.5: "many Canadians remain conspicuously absent from the cultural, social and economic mainstream. Individuals are prevented from reaching their full potential and making their unique contribution to society because of racism and intolerance".
27. R. Chrisjohn & S. Young, *The Circle Game*, footnote 3, above.