



## PRESS RELEASE

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### FOR IMMEDIATE RELEASE

A Proposal for the Full Resolution of the Intergenerational Hurt and Shame of Canada's Residential Schools was presented to the National Residential School Conference in Edmonton, Alberta on February 23, 2001.

This proposal was presented by Phil Lane Jr., the International Coordinator of Four Worlds International Institute of Lethbridge, Alberta. Four Worlds is best known for its culturally based, participatory approach to development and for its articulation of principles and processes guiding sustainable development activities. Four Worlds has initiated a wide variety of projects, programs and prototype models, first in support of Aboriginal human and community healing and development, and later in other communities and nations around the world.

In November 2000 Lane received the Year 2000 Award for Freedom and Human Rights in Berne, Switzerland. The award was in recognition of his unique contributions to improving the lives and future hopes of Native populations. It was primarily based on his most special merits of promoting Freedom and Justice for Indigenous people by building human and spiritual capacity rather than opposing oppression directly and also on his international visionary initiatives among Native populations by healing the root causes of hopelessness and despair.

Lane has been instrumental in helping to resolve the residential school issue for many years. The Four Worlds film "Healing the Hurts" made in 1989 was a primary catalyst in igniting the residential school healing movement. The proposal Lane presented at the National Residential School Conference was based on countless workshops and meetings with residential school survivors across Canada and the United States and was well supported by participants at the conference.

### Proposal for the Full Resolution of the Intergenerational Hurt and Shame of Canada's Residential Schools

Dear Friends and Relatives of the Four Directions,

It is my prayer that you and the loved ones who surround you are in the very best of health and happiness and looking forward with great strength to our long promised springtime of healing and reconciliation.



As we know, the imposition of the residential school system on Canada's Aboriginal people was a grave historical injustice committed by the very Government and Christian Religious Authorities responsible for taking care of our best interests. The goal of the Government and Churches was to literally wipe out our tribal cultures from the face of Mother Earth, making the residential school claims unlike any other Canada has ever seen. They are far from ordinary lawsuits. This Government and Church imposed system caused life long damages to most residential school survivors and deeply ruptured the social and cultural fabric of almost every Aboriginal community in North America. This episode of infamy caused a festering wound on the body politic that is sorely in need of an in-depth national healing process. In this healing process, that needs to involve all Canadians, Aboriginal peoples deserve nothing short of complete public exposure, acknowledgement and reconciliation of this national crime. It is with this background that any Government and Church sponsored program to provide out of court compensation for residential school survivors must be considered.

Given that the underlying intention of the residential school system was to destroy Aboriginal cultures and languages, we must assume that all who attended these institutions were harmed and deserve compensation in any Government or Church compensation program. Any alternative dispute resolution program must compensate all the wrongs inflicted on our people. In its proposals to date, the Government and Churches want to limit any compensation program to "legally recognized" wrongs. As well as being very narrow and unjust, this approach is also, very short sighted, because as these cases go through the courts, "new law" will be made to provide remedies for wrongs not currently on the books, just as "new laws" have been made to govern the internet. This "new law" can be the foundation for addressing similar case issues around the world.

Any attempt in a Government or Church out of court compensation program or by their lawyers in court to restrict compensation to so-called "legally recognised wrongs" must be fiercely resisted by all concerned, especially by any attorneys or concerned organisations serving residential school survivors.

There were many kinds of harm caused to residential school survivors within "legally recognised wrongs". The list includes breach of fiduciary duty, trespass to the person, intentional infliction of emotional shock, physical and emotional trauma, physical assault, sexual assault, assault and battery and wrongful confinement. In any event, the so-called legally recognized wrongs by themselves significantly contributed to the substandard education residential school survivors received, damaging earning capacities for entire lives.

Additionally, the education promised under treaties or certainly expected by any Canadian, was to have been at least equivalent to the education being provided to white children in the public schools. The loss resulting from the Government and the Church's failure to provide the promised education to Aboriginal children was further aggravated by the oppressive and racist fashion in which the schools were run. This caused substantial economic loss to every residential school student that did not receive a decent education.



Therefore, those wrongs that must be compensated in any Government or Church compensation program must also include compensation for breach of the treaties, failure to properly educate, loss of family, cultural abuse and loss of language, as well as the “legally recognized wrongs”. Any compensation program needs to address both individual damages, as well as, the collective damages to our Aboriginal societies as a whole.

The Government and Churches must also acknowledge that it’s residential school program amounted to nothing less than cultural genocide. This genocide resulted from a system, perpetrated by the Government and Churches, which inflicted humiliation, indignity, emotional and mental distress, degradation and injury on defenceless children and parents; all of which was deliberately undertaken and carried out with the stated intent to strip away our cultures and languages and annihilate all Aboriginal peoples as distinct ethnical, racial, cultural, linguistic, spiritual and religious groups. Actions were deliberately taken to inflict conditions of life calculated to bring about our destruction in whole or in part, including causing serious bodily or mental harm to many members of our tribal communities, and by forcibly transferring the children of our communities to the care of another group, i.e. European based Canadian. The primary question is “does the purpose and impact of the residential school system fit the criteria for Cultural Genocide described in International Law?” I strongly believe it does!

Residential school survivors deserve more than just monetary compensation. They must be provided validation and meaning for this heart-rending experience they endured. Any Government and Church compensation program must provide a public forum and process to bring all aspects of residential school abuse to the full light of truth. This includes a comprehensive public relations effort funded by the Government and Churches and guided by Aboriginal peoples that ensures that every Canadian clearly understands what happened to generations of Aboriginal children in residential schools, as well as, what happened to our communities as a whole, as a result of this heart breaking experience. Only then will we be able to change the attitudes of those Canadians who have been so sadly misinformed about what really happened in residential schools and therefore do not understand their devastating impact on our communities and therefore continue to support political positions that “blame the victim.” Until then we will continue to have to endure news articles like the *Alberta Report’s* front page story on January 16, 1998 that stated: “*Canada’s Mythical Holocaust, Ottawa’s \$350 million apology for the ‘horrors’ of Indian Residential Schools is rooted more in fiction than fact.*” Although, it is quite pitiful that there are members of the human family that would believe such a statement and deny the truth of what happened to so many defenceless children and their families, we must also realise that there are still people who deny that the Jewish Holocaust ever occurred.

Some of the procedures used in South Africa’s Truth and Reconciliation hearings may also, help achieve this goal, as well as, the work of the Shoah Foundation in assisting Jewish Holocaust victims. Such public exposure could run the gamut from individual cases of physical, psychological, cultural, emotional and sexual abuse, for those survivors willing to share their stories, right up to the full public exposure of the Government and Church sponsored policy of cultural annihilation. Indeed, this is one of the very strong reasons for not limiting the wrongs that ought to be considered for redress. It is only when all the wrongs and abuses are exposed



that the healing process can be fully successful. This is why we need a massive program to educate all Canadians about this grave historical wrong. For without question, any person or nation is as sick as its secrets and to have a fully healthy Canada, every dimension of the impact of residential schools must be understood, healed and resolved, morally and legally.

Hopefully, a strong Government and Church sponsored and Aboriginal guided public relations process would go some ways toward achieving this goal. This process should also provide the opportunity for other Canadians to bridge the gap of prejudice that exists between us and break down some of the walls of prejudice so prevalent in Canadian society today. Counselling and support services need to be made available through counsellors who can meet the individual needs of the clients with guarantees of absolute confidentiality. Counselling services must be immediately available and be credible to residential school survivors and their families. Financial counselling must also be provided to assist individual survivors in making their financial awards last, as long as possible, for themselves and their children.

If the Churches responsible would agree to support the position that all residential school abuses must be addressed in any Government compensation program, as well as, agree to fully support a comprehensive public information effort to inform every Canadian of the intergenerational impact of Canada's residential schools and gave their full commitment to stand with Aboriginal peoples for as long as it takes for Aboriginal people to fully rebuild their communities, then I believe the Churches should be supported in their attempts to get Government support to help them pay for their share of damages. This support should be based on the Churches willingness to put all their financial assets on the table, so Aboriginal people and the people of Canada can fully trust that the Churches are doing everything in their power, short of bankruptcy, to financially and morally support the rebuilding of our Aboriginal communities. As the self proclaimed Trustee's of Lord Jesus Christ on Earth, nothing short of courageous and heartfelt efforts, both financially and morally, by the Churches to fully resolve all residential school issues will restore the Churches' moral authority and the Church's sacred religious position as a source of spiritual strength, inspiration and leadership. It must be fully understood that when a Christian Church takes on the sacred position of being the Representative of the Spirit of God on Earth, with this position comes the greatest of spiritual and moral responsibilities. Sacred responsibilities that should always transcend any materialistic or temporal considerations.

Because of the moral and spiritual responsibilities that come with their sacred religious positions, some Churches, over the years, have given very positive support to Aboriginal people in regard to treaty rights, land claims and other critical Aboriginal issues. I would pray that with the full resolution of the residential school issues that the Church's spiritual and material support for Aboriginal people would deepen and continue until all Aboriginal issues of injustice are resolved in a positive manner and all our communities are fully restored to good health and spiritual and material prosperity. Then our beloved country of Canada will truly be a world leader in healing, freedom and human rights.

This kind of moral strength and spiritual courage is especially needed at this point in human history when so many of humanity's moral and spiritual "lighthouses" are flickering and going out.



There are some very good and truly dedicated attorneys, that are assisting residential school survivors to address all the forms of the abuse they suffered, whose fees range from 15% - 25% and who are not charging their clients on-going interest charges and other up front costs. These attorneys are doing a good job of standing up for all residential survivors and are not only taking cases of sexual and physical abuse that they know they can easily win and make themselves the most money. These attorneys should be praised for their efforts and supported in every way possible, for without their dedicated assistance we will not be able succeed legally.

On the other hand there are attorneys who are only accepting those cases of physical and sexual abuse cases that will make the most money for themselves, while undermining a comprehensive settlement. Some of these attorneys are charging from 30%-50% in retainer fees and with on-going interest charges and other legal costs their final legal fees could be more than 50% of the final financial settlement. When lawyers have a large number of clients and charge high legal fees of 30% - 50%, they stand to make a very unjust amount of money compared to the suffering of the Aboriginal people they represent. This issue must be strongly addressed so that all Aboriginal people receive just legal fees and representation.

Therefore, I strongly hope and pray that all Aboriginal peoples and organisations will stand together in unity and insure that no more than 15% in legal fees will be paid for out of court settlements and no more than 25% legal fees for in court settlements, whether these cases be past, present or future. I would hope that the Government and Churches would also strongly support this very important and just position. As well, I would also hope that all attorneys, on both sides, would donate a portion of their legal fees to support non -profit Aboriginal-healing projects.

Finally, I would pray that the legal cases of those relatives who were first pushed to settle out of court by the Government would be legally revisited to ensure that their past settlements are at least equal to current settlements and considerations. Under no circumstances, for instance, should any legal settlements be accepted in lieu of unemployment and welfare benefits.

Thank you for your kind consideration and your heartfelt work on behalf of the people of all Tribes and Nations. As I believe both ourselves and the universe is “in draft” please let Four Worlds know your thoughts, feelings, and feedback and support.

With Warm and Respectful Greetings,

Phil Lane Jr.  
International Coordinator