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Stealing Native Children: the Revolting Legacy of Canada's Residential School System



The Sum of Memories by [Joni Sarah White](#).

*Tsi Wá:ton tsi Enskarihwahserón:ni – Tsi Niká:ien Rati'terón:tahkwe ne
Ronnonkwehón:we Tsi Ionteweiénsta Ronwati'terontákhwa*

“... [I]f anything is to be done with the Indian, we must catch him very young. The children must be kept constantly within the circle of civilized conditions.”

-Nicholas Flood Davin, Report on Industrial schools for Indians and Half-Breeds, 1879.

Of late, there's been a rebirth of interest about the notorious residential "school" system contrived and operated largely in Canada. Because it's been my honor, for more than thirty years, to represent indigenous women, men and movements throughout North America on matters of self determination and international law, recently, I was asked by some friends abroad to write an article detailing the residential school system. Although much has been written about it, the narrative is usually a detached academic monologue that fails to put a real face on its true horror.

By now, many are aware of the government sanctioned history of stealing native children, isolating them far from family and communities in cold Christian edifices where the braids of young boys were shorn away to pilfer visual identity; where screams were ritual with victims beaten for the dare to speak their native tongue; where sex abuse was endemic among the dark, seedy hallways of a foreign faith; where thousands died from staggering neglect including starvation and unchecked disease such as tuberculosis and typhoid.

Yet, a practice strewn throughout Canada and parts of the United States was so much more insidious than physical assaults and shaved heads alone. For a calculated sanctioned scheme to erase entire cultures . . . a wretched effort to recast the millennium to suit the colonial needs of the moment . . . cannot be reduced to mere inadvertence or uncertainty. Indeed, if ever cultural genocide had consequential meaning and application it was in the residential school system with its deliberate effort to eradicate all aspects of Aboriginal culture and to sever and thwart its passage from one generation to the next. With ordained regularity, all captive students were belittled, humiliated and scorned no matter how hard their effort to accommodate their personal suffer and sacrifice or how well they acceded to the demands of their proselytizing wardens. As much forced labor camps as classrooms, in Canada, indigenous children were mandated by law to attend these hovels in which administrators became their legal guardians through a perverse partnership between the government and major churches as they conspired to wash away the identity and independence of the age-old Rohsken'ra:kete . . . gatekeepers of the land.

Meanwhile, never one to be out-purged by the "nuanced" cultural cleanse of hundreds of thousands of indigenous youth to its north, the United States expanded its age-old use of "[trails of tears](#)" to build schools of sobs. What began with the [Indian Removal Act of 1830](#) which legislated the military's forcible removal of a hundred thousand natives from east of the Mississippi River to the West leaving thousands dead along the way of disease, hunger and cold moved to the [Compulsorily Attendance Law of 1891](#). Largely a difference without distinction both lawful strategies were the philosophical bastard of a conscious effort to eradicate by assimilate. To compel attendance, this law authorized the Commissioner of Indian Affairs to withhold food, clothing and annuities from those that refused to surrender their young to these early day (original) internment camps. Like their Canadian counterpart, once there in order to "[civilize and Christianize](#)" a generation of indigenous children, students

were forced to abandon their Native-American identities through a crafted, imposed Euro-American culture in which their hair was cut, all indigenous languages banned and traditional names replaced by European ones. Like their Canadian counterpart, these schools were notorious for their cruelty leaving most subject to sexual, manual, physical and mental abuse. Many died. Others, broken beyond repair or return to their communities, spent the rest of their lives in misery, de facto exiles, far from their homes and culture.

In summing up long standing US aspiration—be it by relocation and march or removal and boarding—President Theodore Roosevelt infamously announced: “I don’t go so far as to think that the only good Indians are the dead Indians, but I believe nine out of every ten are. And I shouldn’t like to inquire too closely into the case of the tenth.”

Rather than present an abstract, academic review of its calculated purge of the history, culture and future of North America’s indigenous people, with the permission of a client, I’ve elected to put a personal face on the Canadian residential school system. Submitted as part of a mitigation argument in a U.S. federal criminal case, which can vest the court with enormous sentencing discretion, this narrative and other aspects of our client’s life moved the probation department (which recommends a sentence) and the Government to agree with the one proposed by the defense. Fortunately, the court concurred that under the totality of circumstances incarceration was not called for.



Whisper into the Sky by [Joni Sarah White](#).

What follows is a verbatim^{*}, albeit reduced, and hopefully informative glimpse into the horrific residential school system through the format typically used in federal pre-sentence memoranda. And with this introduction, welcome to the childhood world of Clifford Smoke of Akwesasne, the Mohawk Territory which straddles the borders of the United States and Canada as part of a sovereign Nation that sits between the two. Under Longhouse tradition,

Akwesasne, like all original pre-treaty land, has direct roots to Turtle Island... the centre of creation that began when the Creator seeded the indigenous journey... that survives despite the trials and trepidations imposed upon it by a European colonial project of an earlier time; one that continues to date.

The seeds for Clifford Smoke's PTSD began as a young child when he was subjected to the trauma of the notorious Canadian residential school system which inflicted untold damage on countless Native children in Canada, be they those isolated from their community and families through removal to live-in schools far away, or local ones where they attended classes but returned home each night. Clifford Smoke was one of those traumatized young kids. Subjected to physical and emotional abuse from his teachers and some peers, called "retarded" and humiliated daily, by grade three Cliff had withdrawn emotionally from his class... unable to spell or write his name. As noted in the Pre Sentence Report prepared for Your Honor:

"[Smoke's] early education occurred at a "residential" school. He was among the last of Native children who were forced to attend such schools. Residential schools were operated by the Canadian government and were used largely to remove Indigenous youth from the influence of their culture and assimilate them to the dominate Canadian culture. Residential schools were notorious for a high prevalence of student abuse and neglect and ultimately closed due to such conduct. [Smoke] recalled experiencing significant emotional and verbal abuse from school staff." See, PSR at p.22¶115[i]

In the second half of the 1980s, Clifford Smoke was among the last generation of Native children forced into the government schools for aboriginal peoples in Canada. These schools were closed a decade later, as a result of Native and government revulsion over their conduct.[ii] The experience for Mr. Smoke at the TSI *Snaihne* School in Quebec, from age five to age nine, managed to combine academic failure, physical abuse and humiliating emotional trauma in equal measure. As his mother Sharon notes "[Clifford] was beaten up by other students and hit by teachers for being backwards." The elder Mrs. Smoke notes [iii] her belief that his life-long struggles stemmed from this early experience, and that later schools tracked him as "special needs," when he could not read or write on level with his age cohort. This, she believes, is what caused him to start skipping classes and eventually led to Clifford's quitting school as soon as he could.

While indigenous people in North America suffered centuries of violence at the hands of their European foes, the full dimensions of which will never be understood by non-natives, "the closing of the frontier" in the 1880s[iv] did not bring an end to warfare visited upon native communities. A new cultural and social warfare took its place, as government institutions in the U.S. and Canada sought to "normalize" and assimilate the surviving Indian populations into the structures of conquest. Dispossessed of lands and livelihoods, natives were regarded as a recalcitrant population to be "led," beneficently, into the new century by way of

institutionalization, often justified in “well-meaning,” lofty rhetoric, but bluntly supremacist in its intent. The “white man’s burden”^[v] in Canada would process some 150,000 indigenous children through its national system of native schools, with lasting communal trauma spread across generations.

Founded in 1831,^[vi] revamped after 1885, and ultimately disbanded in 1996,^[vii] Canada’s native school system employed custodial, locked-down schools typically in remote places where First Nations children were forcibly brought, often having been abducted by missionaries or pastors, and separated forever from their parents and even siblings, raised far from homeland or reservation, in brutal institutional settings which had been designed to “civilize” the young men and women. At their best, the schools offered a half-day of standard pedagogy—teaching English and basic math, and a half-day of vocational training—with the express purpose of making young natives into proper “self-sufficient” Canadians, and so that government social dependency welfare programs might one day no longer be needed.

These schools and their leadership explicitly undertook to extinguish in their young, innocent charges, the cultural bases of their identity, through deliberate acts of erasure of their culture and ethnicity.^[viii] Children were beaten for infractions; it is now estimated that over 6,000 indigenous children died in the schools in the period from 1900 to their closing, including those who tried to run away. Yet the forced removal from family and kin proved the worst of all the traumas inflicted—separated from their parents, grandparents, uncles, aunts and tribal elders, the youngsters of the residential schools lost contact with their own bloodlines, or became estranged, returning many years later as adults to discover they could no longer even speak to their own parents, who wore different clothing, and worshiped different gods.

Clifford Smoke had a similar experience in his early childhood, when he found he could not hold conversations with his great-grandparents and other elders, who spoke little English in their later years. He recalls that the linguistic gulf separating them, standing face-to-face, was only bridged by his self-immersion in the Longhouse religion of the Mohawks, in its period of great revival during the early 1990s ferment of *Akwesasne* political life.

The Canadian residential school system is now widely understood^[ix] to be a component of the long, tragic genocide^[x] wrought upon indigenous peoples everywhere in North America, targeting their language, culture, religion and kinship structures in a deliberate attempt to erase those unique communal bonds. Clifford Smoke experienced the final years of that systemic oppression during his grammar school years in *Snye*, and although he counts himself fortunate to have returned to the fold of his community, learned his native language, and kept his identity—he survived with scars that continue to haunt him through this day.

As noted in the forensic examination and therapeutic findings of Drs. Johnson and James, Mr. Smoke’s experience with the Canadian residential school system was to be but the first in a

series of adverse life informing experiences that have left him suffering for years from chronic PTSD and significant bouts of depression. As found by Dr. Johnson, Mr. Smoke: “[s]uffers from clinically significant anxiety, post traumatic symptoms and depression incident to a series of extreme traumas beginning in childhood and extending into his adult life. These traumas have included his experiences of abuse, bullying, and humiliation as a learning disabled student in a racist and highly punitive school environment.” See, Exhibit B at p.7.

In noting that “Mr. [Smoke] has lived with chronic post traumatic symptoms, periods of severe depression, guilt, shame, and anguish and continues to experience very significant psychological symptoms and deficits . . . [exhibiting] chronic Post Traumatic Stress Disorder as well as clinically significant symptoms of generalized anxiety and depression” Dr. Johnson concludes his report stating his “strong recommendation that he remain in treatment with Dr. James.” *Id.*

Clifford Smoke is but one of more than a hundred and fifty thousand indigenous women and men who suffered the deliberate, targeted pain and punishment that was the residential school system. It was by no means aberrant . . . isolated . . . hidden. What began hundreds of years ago with a military and settler assault upon native communities throughout North America soon evolved to the Canadian Indian Act and the U.S. Bureau of Indian Affairs; both ceded control over indigenous people to government agents empowered to forcibly assimilate them into the dominant white culture. The linchpin of these efforts was an insidious, euro/ethnic theological molest of indigenous youth stripped from their communities and culture in a conscious effort to tear away at the guideposts of their unique journey and voice. As noted in the Truth and Reconciliation Commission Canada, Honouring the Truth, Reconciling the Future: Summary of the Final Report of the Truth and reconciliation Commission of Canada, p.3...

The Canadian government pursued this policy of cultural genocide because it wished to divest itself of its legal and financial obligations to Aboriginal people and gain control over their land and resources. If every Aboriginal person had been absorbed into the body politic, there would be no reserves, no Treaties, and no Aboriginal rights.”

Though the doors to residential schools have been shuttered and shamed, their malicious endeavour has not. Today, it persists through the disappearance, rape and murder of thousands of indigenous women and girls and a corrupt system of mass incarceration that selectively imprisons native men in numbers disproportionate to all others often for little more than their political and religious beliefs or community efforts at economic self-determination. No less vile or colonial in its reach stands the brazen corporate loot of indigenous natural resources throughout North America. Once again, what is “theirs” has become ours, as the economic lure of minerals and raw material further relegates fundamental

indigenous rights to little more than a series of cheap and readily transparent government talisman.

While the standoffs at Wounded Knee in the 1970's, *Kanesatake* in 1990 and more recently at Standing Rock and *Wet'suwet'en* were explosive and drew international attention and solidarity with indigenous people, the long-standing pernicious residential school system operated from beyond the shadows, with no concern of consequence to non-natives, for more than a century. The marked, ever-present assault on indigenous rights, aspirations and sovereignty continues unabated, lost to the public at large until a periodic face-off explodes into violence leaving distant spectators stretching for meaning. Like "[badges and incidents of slavery](#)," to non-natives the ugly supremacist define of Aboriginals is, for most, a perpetual stare . . . one veiled from behind the romanticized, exploited myth of "our" indigenous people.

Here a sixty page legal brief moved the court from the 50 plus months of prison Clifford Smoke faced to a sentence of probation. But 600 years of land theft, occupation and terror cannot, and will not, be undone by words or liberal illusion alone. That mirage left long ago.

** The identity of the various participants in this prosecution, including the defendant, has been changed in order to protect their privacy.*

Notes.

[i] See , also, Exhibit B, Report of Dr. Johnson at p. 2 ¶ 2 which, in relevant part, notes "[Smoke] relates that his teachers were insensitive, belittled him and called him "retarded," and he was made fun of and bullied by the other children. He relates that he was traumatized by this experience and as a result learned to hate school. He reports that he was mistreated as a Native American and that his culture and language were completely dismissed and ignored."

[ii] As noted *supra* Cliff is a member of a class-action settlement of a suit brought by surviving students and/or their families against Canada for various damages suffered at residential schools. See, generally, <https://www.nytimes.com/2017/10/06/world/canada/indigenous-forced-adoption-sixties-scoop.html>; <https://www.theglobeandmail.com/canada/article-court-approves-class-action-lawsuit-for-indigenous-students-stripped/>

[iii] Comments attributed to Mr. Smoke's mother about his experiences in school and later life are based upon a series of interviews with her.

[iv] As described by Frederick Jackson Turner in his seminal (and long-controversial) 1893 essay, "The Significance of the Frontier in American History," the US census ceased demarcating a geographic line between settled and "un-settled" areas of the west after 1890; the Canadian west may have arrived at that moment even sooner, with the completion of its own transcontinental railway in 1884.

[v] The phrase comes to us from Rudyard Kipling’s unabashedly imperialist, white-supremacist 1899 poem—urging civilization upon America’s “new-caught, sullen peoples/half-devil and half-child.”

[vi] The earliest schools in the 1830s were formed by French Catholic missionaries for eastern indigenous children, and were mostly at the time voluntary, as the early settlers relied on Iroquois and Six Nations bands for survival, and could not until later force compulsory education on tribes that traded, supplied and went to war with them.

[vii] The last school closed in Saskatchewan that year.

[viii] The schools forced Christian religion upon the children, and forbade under threat of punishment any native religious practice; native languages were forbidden, under pain of beatings. Each child received a Christian name, with his or her Indian name discarded forever; boys had their hair-braids forcibly cut off, and were made to wear western dress, while native clothing and cultural symbols became outlawed; the schools served a diet of food that in some cases indigenous children could not eat.

[ix] See, <http://caid.ca/DTRC.html> Findings of the Truth and Reconciliation Commission, 2007.

[x] Raphael Lemkin, a research member of the American prosecution team at Nuremberg, coined the term “genocide” and proposed it as a working concept to be applied after Nuremberg to foresee other genocides committed on a gradual footing, perhaps employing institutional means slowly, across time: “By ‘genocide’ we mean the destruction of a nation or of an ethnic group. . . . Generally speaking, genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves. Genocide is directed against the national group as an entity, and the actions involved are directed against individuals, not in their individual capacity, but as members of the national group.”

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