

INDIGENOUS JUSTICE

Excerpt from Justice Ministries' Report adopted by the 2021 General Assembly

WHY WORK TO DECOLONIZE? RESPONDING TO THE NATIONAL INQUIRY'S FINAL REPORT ON MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

The 2019 General Assembly agreed by consensus:

That Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls be referred to the Life and Mission Agency and the National Indigenous Ministries Council for study and to report with recommendations to the next Assembly to find the further actions that we can take. (A&P 2019, p. 36)

This section of the report was prepared and written for the 2020 General Assembly in collaboration between the National Indigenous Ministry Council (NIMC) and Justice Ministries of the Life and Mission Agency. It was posted, following the cancellation of the 2020 General Assembly, as an interim report without recommendations and was subsequently made into a study guide, now available for download on the Social Action Hub. It is now being presented to the 2021 General Assembly with the recommendations.

“It’s striking too, all their stories. They show how fragile we are and at the same time, how strong we are. And it still continues today. That’s what strikes me and how resilient we are.”

(Pénélope, one of the Grandmothers guiding the National Inquiry, on the experience of hearing the stories brought to the Inquiry recorded in *Reclaiming Power and Place*.)

“Believe me. Pray for me. Don’t forget me.”

(Cee-Jai, one of the women who testified about her sister’s murder and the violence that shaped her life as well, recorded in *Reclaiming Power and Place*.)

Some Background

In June 2019, the National Inquiry into Missing and Murdered Indigenous Women and Girls released its final report, *Reclaiming Power and Place*. The report contains 231 recommendations, divided into several segments. It worked to determine how the crisis came to be, why it has been allowed to continue, what can be done to stop it and steps Canada needs to take to support healing. In particular, the Inquiry highlighted on page 1 of the Executive Summary the need to recognize and respect the agency of Indigenous women, girls and 2SLGBTQQIA people and the ongoing need for core funding models (rather than project or grant-based models) for centres and programs supporting the rights and lives of Indigenous people.

The Inquiry heard from more than 700 Survivors and family or friends of those missing or murdered either in private or community interviews, as well as from community members, expert witnesses, front-line workers in areas such as health care and social work and police officers or workers in child welfare agencies. In total, more than 2,380 people participated in the Inquiry. It also studied earlier regional, provincial and federal reports on related issues. From the testimony, the stories and the learnings from previous reports, the Inquiry determined several things that can be summarized in three basic points:

- that there are four “pathways” maintaining the violence the Inquiry examined and that supporting four types of rights would disrupt those pathways;
- that the violence was targeted based on gender and that targeting violence in this gendered way has its roots in colonialism and certain interpretations of Christian theology; and
- that the violence as it has unfolded over the years has amounted to a genocide that is still underway.⁴

Genocide

The part of the findings of the National Inquiry that has received perhaps the most attention is this last point – that Canada engaged in (and continues to engage in) genocide against Indigenous people, especially Indigenous women, girls and 2SLGBTQQIA people. *Reclaiming Power and Place*, states in Volume 1a, p. 50 that:

The violence the National Inquiry heard about amounts to a race-based genocide of Indigenous Peoples, including First Nations, Inuit and Métis, which especially targets women, girls and 2SLGBTQQIA people. This genocide has been empowered by colonial structures, evidenced notably by the Indian Act, the Sixties Scoop, residential schools and breaches of human and Indigenous rights, leading directly to the current increased rates of violence, death and suicide in Indigenous populations.

The Inquiry laid out its reasoning for coming to this conclusion in a supplemental report to the final report called “A Legal Analysis of Genocide”. There, they note that:

Genocide is defined in the Genocide Convention as: [...] any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: a) killing members of the group; b) causing serious bodily or mental harm to members of the group; c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; d) imposing measures intended to prevent births within the group; e) forcibly transferring children of the group to another group.⁵

We know from the words of federal bureaucrats such as Duncan Campbell Scott (preserved in Library and Archives Canada, RG10, volume 6810, file 470-2-3, volume 7, Evidence of D.C. Scott to the Special Committee of the House of Commons Investigating the Indian Act amendments of 1920), that the stated goal of governmental policy for many years was assimilation and erasure of identity until there was no longer any “Indian” group. Knowing that assimilation and erasure was the stated goal and setting that goal in the context of actions the government took, in some cases with the help of the church, leaves no room for any conclusion other than genocide by the definition of the 1948 Convention. These actions include:

- forced relocation off ancestral land to unfamiliar or difficult to inhabit land.⁶
- placing Indigenous people on reserves in crowded conditions with inadequate housing and (in some cases) a lack of clean drinking water (As of February 15, 2020, there were 61 long-term drinking water advisories in effect on reserves. An advisory is designated “long term” when it has been in effect for at least one year.)
- forced sterilization of Indigenous women.
- forcibly transferring Indigenous children away from their parents and communities to be raised by non-Indigenous people, whether in residential schools, through the Sixties Scoop or through continued statistically higher rates of apprehension into the foster care system.⁷

All these and other actions make it clear that most if not all of these five acts legally defining genocide through the 1948 Convention have been committed in Canada against Indigenous people. Through the continuation of these policies and practices over generations, serious bodily and mental harm has been and continues to be inflicted on Indigenous people. We continue to see the lethal effects of such harm in the increased rates of death, disappearance and suicide that the National Inquiry's report cites. The devastating reality is that each incident in these "increased rates" is a name; a person with family, friends and community who mourn them, like sixteen year old Delaine Copenace, of Treaty Three Territory, who disappeared one February night five years ago and whose body was discovered about a month later.⁸ Her family and community are still searching for answers.

At a federal level, Prime Minister Trudeau accepted the findings of the National Inquiry and the government has said it will "develop and implement a National Action Plan to address violence against Indigenous women, girls and LGBTQ and two-spirit people". The National Indigenous Ministry Council (NIMC) of The Presbyterian Church in Canada and Justice Ministries spent a year studying the report's findings and reviewing its considerable material. The findings of the Inquiry's report are significant and convincing and the National Indigenous Ministry Council and Justice Ministries have worked in collaboration to produce this report containing recommendations for actions for the church to consider making. Further resources for study are being produced.

Looking the other way: colonialism, racism and life and death

A recurring theme of the report is the systemic callousness that pervaded so many interactions of service, police or health care providers with Indigenous women, girls or 2SLGBTQQIA people in moments of crisis or need. Colonialism shapes precisely this kind of callousness, as in the testimony Robin R. gave the Inquiry about her young daughter's murder and the lack of care shown by the medical professionals who arrived while her daughter still lived.

In her testimony, Robin R. described how, after finding her two-year old daughter badly beaten by her partner, she called an ambulance. However, as Robin described, when the emergency responders arrived, they refused to take her daughter to the hospital until she found her daughter's health card. *'[The] ambulance came into my house and they checked my daughter's vitals. They went to get a stretcher and they asked for her care card. I didn't know the number of her care card off the top of my head and we didn't have a family doctor. But the ambulance insisted that they needed the care card before they drove her to the hospital. And it was like, they refused to leave my house unless I had her care card to go to the hospital. So I went into every drawer in my house and I ripped everything else out of the drawers. I ripped everything off the shelves. I ripped everything open. I was panicked. I was scared. And my house was in disarray after. I ripped apart my house looking for the [] care card because the ambulance said they wouldn't leave unless they had that number.'* Robin's daughter later died of her injuries. In addition, detectives interpreted the disarray caused by her looking for the care card as her house being 'strewn with garbage' – a characterization that Robin believes contributed to her losing custody of her other child.

The genocide described in the final report is not the kind of genocide we are used to hearing about; instead of happening over a few months or years, as with the 1994 Rwandan Genocide or the Holocaust, it has unfolded over centuries as part of the project of colonialism. Colonial genocide happens through millions of acts and inactions that target and traumatize Indigenous people, furthering the conditions for more trauma and more death. The supplement "A Legal Analysis of Genocide" discusses this distinction but notes that a colonial-type genocide is still a

genocide. It cultivates a set of racist attitudes, structures, practices and priorities that are used to justify systemic blindness to injustice while devaluing the knowledge and identity of Indigenous people – and devaluing Indigenous lives.

The Inquiry's interim report noted that colonialism produces "internalized and externalized thought patterns that support this occupation and subjugation" and this insight is echoed throughout the final report. By this, the Inquiry means that colonialism teaches everyone – Indigenous and non-Indigenous alike – that Indigenous people are worth less or should have less rights than non-Indigenous people. Such attitudes are internalized and become the often-unconscious assumptions guiding our actions, whether we are Indigenous or non-Indigenous. To put it another way, colonialism is inherently exploitative and violent, not accidentally so. Its ideological goal is to keep people apathetic or blind to racism, in themselves and in society and blind to or dismissive of the inherent violence that goes with that racism. Colonialism depends on dehumanizing Indigenous people; it creates and maintains the conditions that allow deaths and family separations such as what happened to Robin, her two year old daughter and her other child whom she lost custody of.

Given these goals it should come as no surprise, though it should still be shocking, that one of the effects of colonialism is to enforce social apathy or even tolerance of disappearances and murders of Indigenous women and girls, who are targeted in particular because patriarchal and misogynist values are a primary driving force of colonialism, as we examine later below. The National Inquiry's Final Report makes clear that this crisis of missing and murdered Indigenous women, girls and 2SLGBTQQIA people did not come out of nowhere but instead is the direct result of policies, practices and attitudes that stem from colonialism.

Some of these policies that lead to violence and death can be as mundane as not issuing taxi vouchers, as a matter of course, to those who need them upon release from the hospital. Ensuring that someone who has just been through a medically significant and possibly traumatizing event has safe transportation home is one way of ensuring they arrive home safely. Conversely, leaving people without access to safe transportation creates conditions for violence and death. This is echoed in stories like Melissa's, whose testimony is preserved in Volume 1a of *Reclaiming Power and Place*.

I was visiting a cousin in the northwest area of the city. There was just the two of us and we were watching a hockey game. A woman showed up and she provided me with marijuana that had been laced with something and I didn't know. I overdosed. I stopped breathing. I had a grand mal seizure and I was transported to the [deleted] hospital. Despite the fact that I had no jacket, no shoes, no money, I was asked to leave at 6:30 a.m. on that cold fall...morning. It was dark and it was cold and I was alone. Nobody knew where I was. And I lingered in the entrance because when I went outside, I was so cold and I had no shoes and I didn't know what I was supposed to do or where I was supposed to go. So, I went back and I begged them to help me. And the worker at that time only got annoyed with me but I was persistent, because I didn't want to go walking by myself. I still had the heart monitor stickers attached to me. After a lot of begging and asking, I was granted a taxi slip. The next month, they found a body right where I was, where I was supposed to walk by...And they told me that I had to walk with no shoes and no money.

Other stories heard by members of the National Indigenous Ministry Council and Justice Ministries echo this story in cases where Indigenous youth were brought in not for overdoses but for self-harm and were then released, alone, at night and told to go wait for a bus in a dark secluded area – or, like fourteen year old Azraya Kokopenace – were simply allowed to walk out

of the hospital unaccompanied, despite being under the care of child services at the time of her hospitalization and despite the agency's awareness of her struggle with suicidal ideation. She was found dead of apparent suicide two days later in a wooded lot across the street from the hospital she left.⁹

These kinds of institutional actions and inactions demonstrate the types of policies and practices that contribute to conditions for violence and death and also increase the likelihood that Indigenous women, girls and 2SLGBTQQIA people won't seek help from places like hospitals. It is the responsibility of institutions, in collaboration with governments, to address barriers to seeking and receiving the necessary services they are responsible for.

Once we understand colonialism and how it functions as an exploitative, life-devaluing ideology, it is clear that Christians cannot support such an ideology, since it runs counter to the gospel. And so the answer to the question, "why work to decolonize?" also becomes clear. Christians should work to decolonize because the ideology of colonization has become infused in our own lives as a dominant ideology in the society in which we live but is ultimately incompatible with the Gospel.

Four pathways maintaining violence; four rights to disrupt it

There are four pathways that the National Inquiry identifies that maintain historical and contemporary colonial violence, which must be countered if we wish – as we must – to decolonize. These four pathways are:

- Historical, multigenerational and intergenerational trauma.
- Social and economic marginalization.
- Maintaining the status quo and lack of institutional will.
- Ignoring the agency and expertise of Indigenous women, girls and 2SLGBTQQIA people.

These four pathways can be disrupted by supporting four kinds of rights: the right to culture, the right to health, the right to security and the right to justice. To understand some of the ways these pathways play out in the lives of Indigenous women, girls and 2SLGBTQQIA people, (and conversely, how supporting the four rights named would disrupt that violence and move Canada toward decolonizing) we'll look briefly at the testimony of a woman named Cee-Jai.

One of the women whose testimony weaves throughout the chapter in the final report on the right to security is a witness named Cee-Jai. The report explains, "Like many of the witnesses, Cee-Jai experienced repeated acts of physical, sexual and psychological violence throughout her entire life. From witnessing her father stab her mother when she was very young, to witnessing her mother being physically beaten and abused by men as a young girl, to repeated sexual and physical abuse and neglect in various foster homes, to the sexual assault and physical violence she experienced as a teenager and adult, violence permeates Cee-Jai's life story and her relationships reflect a truth that is unfortunately not uncommon. She shared the following testimony recorded on page 504 in Volume 1a *Reclaiming Power and Place*, 'I feel like my spirit knows violence,' summarizing what many Indigenous women, girls and 2SLGBTQQIA people experience as the almost constant presence of violence that contributes to an overall absence of basic human security."

The Final Report details the damage from devastating experiences that were an intentional part of the process of colonization and how that damage has been passed from one generation to another through intergenerational or multigenerational trauma. Families disrupted and broken by removal of children to residential schools, through the Sixties Scoop or through child welfare agencies are

often unable to form family bonds and unable to give children the tools to thrive. In fact, many witnesses drew parallels between ongoing child apprehension and residential schools.

To better understand what intergenerational trauma is, consider the following: “From our families of origin, we learn foundational life skills and ways of coping, inherit genes and knowledge and much more. In this way, we figuratively stand on their shoulders as we keep building upwards. But what happens when the ‘shoulders’ of one generation have been damaged by devastating experiences? How much does this damage matter to the success of future generations?” Evan Adams and Warren Clarmont discuss these some of these points in their 2016 article, “Intergenerational trauma and Indigenous Healing” in *Visions Journal*, 11, 4. The report shows in detail that it matters a great deal. It also noted that the ongoing impacts of the residential schools – the effects of trauma – are being used as reasons to apprehend children today, which continues to disrupt families, communities and access to culture; further continuing cycles of violence and exploitation.

This cycle is active in so many of the stories and lives the Final Report examined. Later in the report, we learn for example that Cee-Jai’s mother was a residential school Survivor. Cee-Jai speaks about being a child and seeing her mother drinking only to begin talking and crying, about her experiences in the residential school. She identifies that she believes it was the experiences her mother had in the residential school that left her mother prone to exploitative and violent relationships, which were then the context in which Cee-Jai and her sister grew up. It is in the context of the violence that happened to Cee-Jai’s mother when she was a young child that Cee-Jai spoke about the first time she herself internalized the idea that violence was just something she should expect and accept:

I was playing in the playground and I remember this little boy, same age as me, he wanted me to sit on his lap and go down the slide. And I didn’t want to. I wanted to go on the slide by myself. He ended up beating me up. I was in kindergarten. And I got a big, black eye. And I remember crying and running home, running home to try to get the – my parents – my mom or somebody to protect me. And all they said was – all the adults around me said that, ‘Look how cute. Her boyfriend beat her up.’ And they all laughed and thought it was funny or cute. And maybe that was the first time I really believed that it was okay for someone to beat me up and hurt me. So today, I know that’s – was wrong. I would never have my nieces, I would never do that to my nieces today. It was instilled in my – my mind and in my memory, my belief system, that this was okay to – to be hurt. Another way of not giving me my voice. And learning that...the people that I think are going to protect me, are not going to do that.

What Cee-Jai describes as “instilled in my mind and in my memory, my belief system” is a lesson from intergenerational trauma. In truth, Cee-Jai’s life shows the presence of all four of the pathways the National Inquiry identified as pathways of violence, targeting her for physical, sexual and psychological violence. As the daughter of a residential school Survivor, multigenerational and intergenerational trauma shaped her life; when her mother took Cee-Jai and her sister and left the home to escape her violent partner she and her children were left socially and economically marginalized and in that position more violence entered Cee-Jai’s life and she was sexually abused;¹⁰ as they grew, Cee-Jai’s sister was unable to get the help she needed and ended up living on the streets where she was eventually murdered;¹¹ Through all this, Cee-Jai herself identifies “not giving me my voice” – not respecting her agency – as a significant part of the problem, which she works to overcome. She notes that she would not treat her nieces in the way she was treated. She would listen to them.

Despite all these elements, Cee-Jai was eventually able to find help and housing – an important part of meeting her right to security, thus disrupting the paths to violence – and is working to break the patterns of intergenerational trauma and colonial violence that harmed her. She now has a job as an outreach worker, helping women who are going through what she has gone through.

The report also identified at several points that while it is crucial to support Indigenous women, girls and 2SLGBTQQIA people who are the targets of so much violence, Indigenous men and boys have also experienced trauma and violence through colonialism and also need support. This is a truth we have heard as members of the NIMC-Justice Ministries reading group as well. In the words of the report, “Men and boys are important as well; they need programs and support”.

The church and gendered oppression

Cee-Jai identified to the Inquiry that it was a church worker – a pastor – who first helped her and her partner find adequate housing, setting her on a path to recovery and security. But the church has also been a source of trauma in many Indigenous people’s lives and the Inquiry noted that it was Christian missionaries and teachers who helped instill patriarchal and misogynist ideas and practices in Indigenous communities. This is to say that at least part of the roots of the violence experienced by Indigenous women, girls and 2SLGBTQQIA people stems from the missionary work and theological teachings of the Christian church.

The Final Report of the National Inquiry is very clear that Christian missionaries introduced patriarchal ideals and values of what it means to be male or female (and the belief that those are the only two acceptable options) and imposed these beliefs on Indigenous cultures. The report notes that many Indigenous cultures did not have a strict hierarchy of gender, with male persons valued more than female persons and many Indigenous Nations did not confine gender to only male or female.¹² Sexual orientation, in many Indigenous cultures, was also not limited to heterosexuality as the sole acceptable orientation.¹³ However, when Christian missionaries began to evangelize and work among Indigenous peoples, supported through the Doctrine of Discovery, they often taught strict beliefs about gender, sexuality and marriage as core aspects of their mission work. Speaking of Métis experience as one example, the report says,

Christian doctrine was instrumental in forcing Métis women into roles defined by gendered European expectations. Church fathers saw the husband as the head of the family and expected women to adhere to masculine authority. Catholic priests, in particular, related women to biblical Eve and constructed a view of them as naturally sinful. These gendered ideas would have a negative impact on the position of women in Métis society. In this world view, the position of women was domestic: they belonged in the home and in a marriage. Priests often counselled women to remain subservient in a marriage, no matter the conditions of the marriage, including abusive relationships.

Since these teachings were based on understandings that women were of less value than men, they disrupted pre-existing power structures in Indigenous communities. Patriarchal teachings destabilized Indigenous women’s leadership and were aimed at making Indigenous communities easier to dominate. In the report’s words, “The imposition of patriarchal European values meant that exerting control and dominance over Indigenous women was an important aspect of colonization. The freedom and self-determination exercised by Indigenous women was seen as contrary to Christian values and ‘a great obstacle to the faith of Jesus Christ’.”

While these beliefs should no longer characterize the voice of the church today, beliefs such as these did shape the work of many Christian missionaries and helped contribute to the roots of the crisis of violence faced by many Indigenous women, girls and 2SLGBTQQIA people today.

Respecting and supporting rights: moving forward

With the Final Report of the National Inquiry before us, the church and Canadian society, are at a moment of encounter. We need to choose to contradict the destructive values and visions of colonialism and embrace pathways of love and justice instead. In order to support the rights the Final Report outlined and work to disrupt the pathways to violence we have identified, there are several actions the church can take. Presbyterians can also become involved as individuals, through responding to Calls for Justice through their personal or professional life, where there are calls aimed at professions or through building relationships with Indigenous ministries and Indigenous community groups. Relationship building can include actions such as contributing time, money or resources to help meet the needs groups are experiencing which are a direct result of colonialism. All such efforts and relationship building, as the report emphasizes, must recognize and respect the agency, experience and expertise of Indigenous people.

Healing and reconciliation can only happen through substantially transforming social structures and relationships such that genocidal policies and practices end and their effects are redressed. We have drafted the following recommendations to help guide some of the church's next steps. Additionally, we have included the eight calls specifically addressed to all Canadians here that are referenced in one of the recommendations below:

Calls for Justice for All Canadians

As this report has shown and within every encounter, each person has a role to play in order to combat violence against Indigenous women, girls and 2SLGBTQQIA people. Beyond those Calls aimed at governments or at specific industries or service providers, we encourage every Canadian to consider how they can give life to these Calls for Justice. We call on all Canadians to:

15.1 Denounce and speak out against violence against Indigenous women, girls and 2SLGBTQQIA people.

15.2 Decolonize by learning the true history of Canada and Indigenous history in your local area. Learn about and celebrate Indigenous Peoples' history, cultures, pride and diversity, acknowledging the land you live on and its importance to local Indigenous communities, both historically and today.

15.3 Develop knowledge and read the Final Report. Listen to the truths shared and acknowledge the burden of these human and Indigenous rights violations and how they impact Indigenous women, girls and 2SLGBTQQIA people today.

15.4 Using what you have learned and some of the resources suggested, become a strong ally. Being a strong ally involves more than just tolerance; it means actively working to break down barriers and to support others in every relationship and encounter in which you participate.

15.5 Confront and speak out against racism, sexism, ignorance, homophobia and transphobia and teach or encourage others to do the same, wherever it occurs: in your home, in your workplace or in social settings.

15.6 Protect, support and promote the safety of women, girls and 2SLGBTQQA people by acknowledging and respecting the value of every person and every community, as well as the right of Indigenous women, girls and 2SLGBTQQA people to generate their own, self-determined solutions.

15.7 Create time and space for relationships based on respect as human beings, supporting and embracing differences with kindness, love and respect. Learn about Indigenous principles of relationship specific to those Nations or communities in your local area and work and put them into practice in all of your relationships with Indigenous Peoples.

15.8 Help hold all governments accountable to act on the Calls for Justice and to implement them according to the important principles we set out.

The rest of the Calls for Justice can be found at mmiwg-ffada.ca/final-report.

Recommendation LMA-010 (adopted, p. 38)

That the findings of the National Inquiry into Missing and Murdered Indigenous Women and Girls as expressed in its final report, *Reclaiming Power and Place* be accepted by the church.

Recommendation LMA-011 (adopted, p. 38)

That Presbyterians be encouraged to study and respond to the report and learn more about the effects of colonialism and how to decolonize, through such means as congregational or presbytery reading groups, resources or workshops prepared by Justice Ministries or engaging with community events, groups and advocacy focused on the report's findings.

Recommendation LMA-012 (adopted, p. 38)

That Presbyterians be encouraged to familiarize themselves with the National Inquiry's Calls for Justice, particularly those aimed at all Canadians (Calls 15.1–15.8) and those aimed at occupations and industries in which they are employed and respond accordingly.

Recommendation LMA-013 (adopted, p. 38)

That presbyteries be encouraged to create groups that explore and plan opportunities for relationship building between Indigenous and non-Indigenous people.

Recommendation LMA-014 (adopted, p. 38)

That the Moderator write to the Prime Minister affirming the work of the National Inquiry into Missing and Murdered Indigenous Women and Girls and inquiring about the state of the Government of Canada's plans for responding to the Calls for Justice.

REPUDIATING THE DOCTRINE OF DISCOVERY IN PRACTICE

In 2019 the General Assembly voted to “repudiate concepts used to justify European sovereignty over Indigenous lands and peoples, such as the Doctrine of Discovery and *terra nullius*”. (A&P 2019, p. 377, 35) This report outlines some answers to the question of how The Presbyterian Church in Canada can follow our words of repudiation with meaningful actions that redress the legacy of these concepts.

The Doctrine of Discovery refers to concepts enshrined in a series of 15th century decrees from the Pope that provided theological and legal backing to European monarchs to seize non-Christian lands and enslave non-Christian peoples. To support such endeavours, European monarchs relied on the legal concept *terra nullius* – which is Latin for “empty land” – to treat land as available for European occupation and ownership even if it was already occupied by Indigenous peoples on the grounds that they were not putting it to “civilized” use.¹⁴ It is also important to note that with their dispensation to enslave non-Christian people, the decrees framing the Doctrine of Discovery were also used to justify the trans-Atlantic slave trade.

These concepts were underpinned by the notion that all peoples that were not Christian were sub-human and undeserving of the same rights afforded to Euro-Christian peoples. In the centuries following, these attitudes have manifested in different ways including enslavement, disenfranchisement of Indigenous peoples’ lands and resources and attempts at assimilation into the “majority” culture. As described in the 2019 report to General Assembly, both the blatant and casual racism that Indigenous people continue to face – in Canada and around the world – can be traced back to the attitudes that were enshrined in the Doctrine of Discovery. (A&P 2019, p. 368–69) Encountering these same attitudes of both blatant and casual racism is also true of the experiences of many Black people in the Americas, many of whom are descendants of the trans-Atlantic slave trade. Colonialism and its tenants can be traced in so many of the structures and relationships in society today. As we detailed above, in its final report, the National Inquiry into Missing and Murdered Indigenous Women and Girls makes connections that point to the lingering impacts of the Doctrine of Discovery and *terra nullius* in ongoing colonial violence against Indigenous peoples; violence that they found amounts to genocide.¹⁵

There are still many people in the church – and more broadly, many Canadians – who have never been taught the history of the Doctrine of Discovery or its contemporary impacts on the day-to-day lives of Indigenous peoples. To learn about and understand the role that the church has played in colonial systems that were established to violently take the lands of Indigenous peoples is a sobering process. Often, when Justice Ministries talks to Presbyterians about this history, reactions include shame, anger and sorrow. There is a desire for change but a sense of not knowing where to begin. For some who read this report, it may be the first time they have heard about the Doctrine of Discovery and *terra nullius*. It is Justice Ministries’ hope that while emotions that arise from learning about the history of colonialism and the Doctrine of Discovery are difficult to sit with, they can guide us to important questions, to seek more information and to work to repent and transform relationship where relationship has been broken. New social structures are needed. As The Presbyterian Church in Canada continues to repudiate the Doctrine of Discovery, such steps can set the foundation for faithful action towards reconciliation and justice alongside Indigenous peoples. Change is not only necessary; it is possible.

Moving from Words to Actions: What does reconciliation look like?

It is important to ensure that repudiating the Doctrine of Discovery is not treated as a one-time statement. One criticism of terms like “reconciliation” is that they are often given only partial interpretation.¹⁶ For example, while apologies from the federal government or confessional statements from the churches are important in recognizing the wrongs of the past, issuing such statements does not stop ongoing injustices directed at Indigenous peoples. The report presented by the National Indigenous Ministry Council and Justice Ministries about the crisis of missing and murdered Indigenous women and girls names the ongoing state of colonial violence in Canada as a matter of life and death for Indigenous peoples. Without meaningful actions to redress the legacy of the Doctrine of Discovery, Indigenous people will continue to be the targets of both systemic and personal violence.

One pathway towards repudiating the Doctrine of Discovery is advocating for all 94 of the Truth and Reconciliation's Calls to Action to be implemented. However, a report by the Yellowhead Institute in December 2020 found that only eight of the Calls to Action had been completed, despite significant commitments from the federal government to reconciliation. In the 2019 report, the Yellowhead Institute report described the actions of the government as placing the "public interest" in opposition with the implementation of the TRC's Calls to Action and the full recognition of Indigenous rights. The 2020 report was blunter, stating up front, "It is not lost on us that if the Calls to Action had been properly addressed from their inception, the unique crises that Indigenous peoples face arising from the pandemic could have been mitigated."¹⁷

According to the Assembly of First Nations, another important part of repudiating the Doctrine of Discovery is "ensur[ing] that the violation of First Nations' rights to lands, territories and resources that were taken without their free, prior and informed consent are effectively redressed."¹⁸ This applies to Inuit and Métis peoples as well. Max Fineday, Executive Director of Canada Roots Exchange, describes the important place of land in reconciliation by saying: "When I think about what reconciliation means for me, I think of freedom and prosperity and land back. It's the idea that Indigenous people cannot build wealth or wellbeing without gaining back that which was unjustly removed from our care: the land."¹⁹

The Doctrine of Discovery was instrumental in shaping policies that sought to remove land from the care and control of Indigenous peoples in order to benefit the Crown and later the Government of Canada. These policies disregard Indigenous sovereignty and disrupt the distinct relationships of Indigenous peoples to the lands and waters in their territories. Such policies have caused and continue to cause trauma in generations of Indigenous communities, resulting in loss of language and culture and disproportionate rates of poverty, incarceration and experiences of violence. A comprehensive understanding of reconciliation needs to actively address these issues.

What can The Presbyterian Church in Canada do?

Where there is injustice, the church is called to act, particularly in cases where we have misunderstood and misused the word of God and in so doing, caused great harm. In the 1994 Confession regarding Indian Residential Schools, The Presbyterian Church in Canada confessed: "In our cultural arrogance we have been blind to the ways in which our own understanding of the Gospel has been culturally conditioned and because of our insensitivity to Aboriginal cultures, we have demanded more of the Aboriginal people than the Gospel requires and have thus misrepresented Jesus Christ who loves all peoples with compassionate, suffering love that all may come to God through him." At the national level, The Presbyterian Church in Canada has taken steps over the past several years to ensure that its practices are consistent with repudiating the Doctrine of Discovery and related concepts of European superiority. In 2018, a resource that demonstrates how the Doctrine of Discovery influenced The Presbyterian Church in Canada's mission and ministry with Indigenous people between 1866 and 1969 was created. The KAIROS Blanket Exercise – an interactive workshop that outlines over 500 years of the relationship between Indigenous and non-Indigenous people in the lands that make up Canada – has been a helpful resource for Presbyterians across the country. Such training opportunities are provided to help bridge the knowledge gap identified by the Truth and Reconciliation Commission that serves to maintain colonial violence. Bridging this knowledge gap is one of the first steps in acknowledging how these doctrines have had and continue to have devastating consequences for Indigenous peoples. More about this can be read in "Dismantling the Doctrine of Discovery" by the Assembly of First Nations.

The national church has a history of advocacy for the self-determination of Indigenous peoples dating back to its involvement in Project North and the Aboriginal Rights Coalition in the 1970s. This advocacy work has continued through ecumenical organizing around the implementation of the United Nations Declaration on the Rights of Indigenous Peoples. In January 2020, the Moderator wrote a public statement of support for Wet'suwet'en law and peaceful resolution to the ongoing conflict regarding pipeline development. In July of 2020, the church issued a statement regarding violent encounters between Indigenous people and policing agencies. And in January of 2021, the church signed on to an ecumenical letter of support for Bill C-15, on implementing the United Nations Declaration on the Rights of Indigenous Peoples here in Canada. Ecumenically, The Presbyterian Church in Canada is also involved in an ongoing dialogue about the legacy of Christian mission in Indigenous communities, what needs to happen to redress that legacy and how to prevent future harm and trauma.

Throughout 2019 and 2020, the church has also been considering how to respect the self-determination of the Presbyterian Indigenous ministries by exploring the possibility of creating the National Indigenous Ministry Council as a standing committee of the General Assembly and researching an overture about investing in Indigenous businesses. The 2019 General Assembly set aside \$200,000 a year (above current grants from the budget) for leaders of the Presbyterian ministries with Indigenous people to determine how to disburse independent of outside participation. Through The Presbyterian Church in Canada's continued work as one of the parties to the Indian Residential Schools Settlement Agreement, the denomination has also been involved in responding to TRC Call to Action No. 46 regarding the creation of a national Covenant of Reconciliation. The parties of the Settlement Agreement hope that when such a covenant is ready, other groups will sign on and that communities will develop similar covenants on a local basis.

Additionally, the theological colleges are seeking to fulfil TRC Call to Action No. 60 regarding the training of all candidates for ministry on the need to respect Indigenous spirituality in its own right, the history and legacy of residential schools and the roles of the church parties in that system, the history and legacy of religious conflict in Indigenous families and communities and the responsibility that churches have to mitigate such conflicts and prevent spiritual violence. They will report the steps they have taken to the church.

The things named here represent some of the steps The Presbyterian Church in Canada has taken recently to live out its repudiation of the Doctrine of Discovery and *terra nullius*. Additional steps are in process and the following material and recommendation outlines next steps towards living out that repudiation.

What can congregations, presbyteries and synods do?

At the community level, there are many opportunities to repudiate the Doctrine of Discovery in action. The following offers a range of options intended for groups with varying levels of experience in advocating for Indigenous rights and reconciliation:

- Participating in the KAIROS Blanket Exercise is a good place to start.
- Learn more about the Doctrine of Discovery. A list of resources is available at presbyterian.ca/justice/doctrine-of-discovery.
- Arrange for members of your session and/or congregation to participate in anti-racism training. For instance, some friendship centres offer courses in Indigenous history and cultural competency.

- Build relationships with Indigenous communities or organizations near you. KAIROS' resource "Strength for Climbing: Steps on the Journey of Reconciliation" has suggestions for getting started (kairoscanada.org/product/strength-for-climbing-pdf).
- Meet with your elected officials about the importance of repudiating the Doctrine of Discovery and *terra nullius*.

Recommendation LMA-015(adopted, p. 38)

That congregations, presbyteries and synods be encouraged to repudiate concepts used to justify European sovereignty over Indigenous lands and peoples such as the Doctrine of Discovery and *terra nullius* by taking the actions suggested in this report.

The full report is found in The Presbyterian Church in Canada's Acts and Proceedings 2021, pp.407-443.