Church's Face Bankruptcy
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Rampant child abuse in church run schools results in thousands of lawsuits

For more than a century Native Canadians were abused emotionally, physically and sexually in schools run by Christian churches. The goals of the schools, with government support, was to de-Indianize the children, a process which robbed them of their richcultural and linguistic heritage. Christian missionaries in India, Sri Lanka and elsewhere have done--and continue to do--the same thing. In overt and subtle ways both, they teach the Hindu children under their care that their culture and religion is just "superstition," "myths" and a "false religion." Towards the end of the 20th century in Canada, the native population gained power in society, some natives becoming rich from oil and natural gas on reserve land. Educated native youth, some now lawyers, are fighting back in a historic lawsuit that may well bankrupt several of Canada's largest churches. What follows is excerpted from a comprehensive eight-page article by Jane O'Hara which appeared in the June 26, 2000, issue of the respected Canadian magazine, Maclean's. There exists, in addition to the story told here, an even darker version in which some natives assert that the residential school system was nothing less than organized genocide, with 50,000 school children dying in the system, most of infectious disease but some of outright murder. See www.kahtou.com/images/apr_tlkingstck.html.

The story of native residential schools is an ignoble chapter in Canadian history. For more than a century, well over 100,000 aboriginal children attended the institutions, jointly run by the government and four Canadian Christian churches. In all, 20% to 30% of natives, often the poorest from families in crisis, went to the schools. Over the years, politicians and bureaucrats tried to describe the schools in lofty terms; 19th-century documents said the facilities would keep the children "within the circle of civilized conditions" where they would get the "care of a mother." Underlying the lofty rhetoric was one disastrous goal: assimilation by stripping aboriginals of their language and culture.

For generations, the drastically underfunded system subjected defenseless children to emotional, physical and sexual abuse. Among the scarring indignities: children burned with cigarettes and punched in the ear so hard they lost their hearing. Understandably, many victims are now fighting back, demanding compensation for the agonies they endured. What began as a whisper of litigation in the mid-1990s has now become a storm: as of May, 1, 2000, a staggering

6,324 native plaintiffs (not including class-action suits) are suing the federal government and, in many cases, the Roman Catholic, United, Anglican and Presbyterian Christian churches. And that number could double, according to the Federal government. Some are seeking damages for sexual and physical abuse, but 90 percent of plaintiffs also allege cultural loss--a claim as yet untested in the courts. Should these actions be successful, they could cost the government and churches billions of dollars. And potential payouts notwithstanding, legal fees alone, experts say, will almost certainly bankrupt some churches.

Because of the legal complexities, few cases have been tried. One that has actually gone to trial is the Gordon Residential School case. In that case, a former student identified only as D.W. was awarded us$110,000 [all amounts are in US dollars] for being repeatedly sexually abused by William Starr, administrator of the Gordon Student Residence. Another student was awarded $31,200 by the courts. Another 230 former students who were sexually abused while at the Gordon School settled out of court with the federal government for amounts ranging from $16,300 to $97,500

each.

Among the abused is native artist Miles Anderson, 33, who spent eight years at the Gordon School and received a $32,500 settlement because of abuse by Starr. One of 16 children, Anderson lost his mother at the age of 6. A year later, he was sent to Gordon. Anderson and a friend often tried to run away. The man usually sent to bring them back, Anderson says, was brutal. Once, he recalls, he picked Anderson up by the hair and threw him against a wall. Anderson remembers another beating by the same worker, administered when he was 11: "He banged our heads together so hard he knocked us both out cold. Then he beat us after we were out."

Another man, who refused to be named, told Maclean's that this same supervisor, who often came to work late smelling of alcohol, repeatedly assaulted him where he slept in dormitory room 209. "The thing about abuse is that it keeps coming back," he said, growing agitated as he recalled his experiences. "Now I'm trembling. I get anxiety attacks. I don't feel like going out anywhere."

Canada's largest Christian churches--Catholic, United, Anglican and Presbyterian--are being swamped by thousands of residential-school lawsuits. For more than a century, these religious denominations ran and managed the residential schools for the federal government, which paid for them. In many cases, the suits now threatening the economic viability of the churches

have been filed by former students.

Recently, officials of the Anglican Church, Canada's third-largest religious organization with 2.2-million members, announced that the general synod--the Christian church's national head office in Toronto--will be bankrupted by next year should the legal battles continue. Those settlements could reach into the billions; the general synod, which is fielding about 350 suits by 1,600 plaintiffs, has assets totalling about $6.5 million. "It's out of control," says Jim Cruickshank, the Anglican bishop of the Cariboo diocese in the British Columbia interior, which has run through its own cash reserves and is all but legally bankrupt. How far out of control? In an ongoing case involving the St. George's school in Lytton, B.C., Cruickshank says his diocese can no

longer afford to send a lawyer to court every day.

In his spartan Regina office, the Right Rev. Duncan Wallace, Anglican bishop of the Saskatchewan diocese of Qu'Appelle, is on the front lines of residential-school litigation. When asked how many lawsuits there are against his diocese, he smiles and says they are so numerous the lawyer doesn't bother sending him full copies of the statements of claim anymore. But he acknowledges there are up to 350 lawsuits, and says the justice department is behind most of them, bringing third-party actions against the diocese. "Once you get into those numbers, it's all meaningless," Wallace says. "We only have funds to deal with the first 50 or so." He fears that church donations could start dropping off if

people think their contributions are going into a pit of litigation.

On the government's part, it issued an official apology in a ceremony on January 7, 2000. The apology acknowledged the government's roll in the development and administration of the schools and said, "We wish to emphasize that what you experienced was not your fault and should never have happened. For those of you who suffered this tragedy, we are deeply sorry." Along with the apology, the government committed $228 million to healing initiatives.

The Christian churches have formed an alliance to extricate themselves from the morass of lawsuits--with government help. One option would be for the

government to pay the churches' legal costs. Under another plan now being explored, the churches would contribute a predetermined amount of money to a larger federal fund. It would then be distributed to former residential-schools students. But getting the government on their side is only part of the battle. Convincing natives still embittered by what they endured in residential schools to go along with the scheme may prove to be an even greater challenge.

At a Glance

*Living graduates of residential schools, as of 1991 census: 105,000.

*Residential school graduates who have launched lawsuits: 6,324--not including class-action suits.

*Proportion of native population who attended residential schools: 20-30 percent.

*Paid out in legal settlements by federal government: $18 million (including legal costs).

*Individual claims settled: 290

*Range of settlements to date: $16,300-$130,000

*Largest claim yet: $1.24 billion, in a class-action suit launched against the federal government, the Anglican Church of Canada and the Anglican diocese of

Huron by about 1,000 former students of the Mohawk Residential School, in Brantford, Ontario.