

# Global Peace Services USA

*...an idea whose time has come*

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*Greetings from John Eriksson, President, GPS USA.*

*This issue of the GPS Newsletter includes two articles that are related to ongoing GPS themes: cultural destruction and international efforts to hold aggressors accountable, and the role of official apology in peacebuilding. The GPS Board is particularly grateful to our formatting editor, Bill Hurlbut, who volunteered considerable time and expertise for this Newsletter edition.*

*In the first article, “Putin Attacks Ukraine’s Culture,” GPS Board Member, Dr. Robert Muscat, explores the subject of cultural destruction, an instrument widely employed by aggressors. Cultural destruction has typically involved deliberate destruction of religious edifices and other secular structures regarded as central to the identity of the population under attack. The author provides examples from ancient to recent times, including a timely reference to many structures of cultural value destroyed during the ongoing brutal Russian attack on Ukraine. Dr. Muscat notes that ironically this strategy could backfire on the aggressor. He also notes international efforts to document cultural destruction and to identify and hold the aggressors accountable.*

*The second article by John Eriksson, “Indigenous Residential Schools in Canada and the United States: Uncovering the Truth and Pursuing Healing and Reconciliation,” begins with a comparison of the 19<sup>th</sup> and 20<sup>th</sup> century experiences of Canada and the United States in implementing a strategy designed to forcibly separate Indigenous children from their families and to relocate them in distant Indigenous residential or boarding schools in order to expunge their traditional languages and values and coercively assimilate them with European languages (English or French) and values. The strategy was often reinforced by harsh and abusive punishment for any deviation by students or parents from the decreed approach. The physical, mental, and emotional impacts of the strategy on Indigenous children and their families have been severe, long-lasting and intergenerational.*

*The 21<sup>st</sup> century has been marked by efforts in both countries to uncover the truth, as well as actions to reverse the former strategy by closing residential schools and supporting education at the community level, including Indigenous language instruction and recognition of other aspects of Indigenous culture. A first step toward healing and reconciliation has been official apology from heads of government and leaders of religious bodies who operated the schools. Official public apology has figured prominently in Canada, from prime ministers to other national and provincial leaders. Other relevant measures include implementation of the “94 Calls to Action” in the report of the 2015 Canadian Truth and Reconciliation Commission addressing the treatment of Canada’s Indigenous people, and completion of the U.S. Department of Interior’s Federal Boarding School Initiative. Passage of a proposed act by the U.S. Congress, reintroduced in the*

*Senate in May 2023, to establish a “Truth and Healing Commission on Indian Boarding School Policies,” would reinforce accountability and nurture reconciliation.*

*In order to continue and expand our current work, such as the GPS Newsletter, so that we can continue putting out our newsletter, with essays and articles readers are unlikely to find elsewhere and hold special events, such as GPS Forums, we do need greater resources. Please consider making as generous a tax-deductible contribution as you can to GPS. This may be done through our website [www.globalpeaceservices.org](http://www.globalpeaceservices.org). or by mailing a check to the following postal address. (Please note that our postal address has changed.)*

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## **Putin Attacks Ukraine’s Culture**

The international wheels of justice are grinding. The International Criminal Court (ICC), located in The Hague, has issued an arrest warrant for President Putin, citing war crimes committed by Russian forces in Ukraine. The crimes involve rape of women, kidnapping and forced deportation of children, bombing of civilian infrastructure, and other violations of international law, all well documented. A special tribunal may have to be created because Russia is not a member of the ICC. Steps are underway in both the US and the European Union to establish the necessary legal machinery.

While the gross violations of human rights must be given priority, Putin’s destruction of much of Ukraine’s material culture also has violated international conventions and should be held to account.

No matter what form violent conflicts have taken—genocide, ethnic cleansing, wars of conquest, wars of ideology or religion—destruction of the enemy’s cultural embodiments has long been a form of aggression. To cite a few recent examples, we have seen the dynamiting of the 6<sup>th</sup> century Bamiyan rock Buddha statues in Afghanistan by the Taliban in 2001; the 1993 downing of the 16<sup>th</sup> century Mostar bridge in Bosnia by Croatian forces; the Nazi burning of Poland’s historic wooden synagogues during World War II; the destruction of mosques in Bosnia by Serb irregulars in 1992–94; and the fire-bombing of historic cities, like Dresden (by the Allies) and

Coventry (by the Germans) in World War II. In the early 2000s, Armenians destroyed Azeri mosques while Azeris destroyed Armenian churches. In the 1966–76 Chinese “Cultural Revolution,” and under the Khmer Rouge regime (1975–79) in Cambodia, temples and religious objects were destroyed as part of official campaigns to extirpate religion and create a revolutionary new culture.

And now, we are witnessing large-scale cultural destruction by Russian forces in the war against Ukraine. By the end of 2022, three hundred thirty-nine sites in Ukraine had been substantially damaged by Russian gunfire and looting. The list of targets included universities, libraries, churches, museums, archeological sites, monasteries, monuments, graveyards, and concert halls. The destruction is continuing. Putin has repeatedly claimed that Ukraine has no separate identity, no separate culture. If Putin, and his armed forces, believe this assertion, the culture objects they are destroying are, ironically, their own, embodying their own civilization, their own traditions.

In a reaction to the Russian onslaught, Ukrainian authorities and organized groups have been removing or covering up statues, markers and murals extolling notable Russian and Soviet-era figures and symbols. This is in no way comparable to the Russian cultural aggression. The removals are within Ukraine’s sovereign territory. They are akin to the removals of statues, placenames, etc. honoring Confederate

figures in the United States, removals carried out in many cases by authorities of jurisdictions that were part of the Confederacy, in recognition of the nation's disavowal of the slavery represented by these memorials. In both Ukraine and the United States, the removals are a voluntary rejection of memorials to past figures or events no longer judged worthy of honoring. And most important, of course, is the fact that the Ukrainian removals involve no military means that also entail human casualties.

Deliberate cultural destruction goes far back in time. The Bible condones Hebrew destruction of pagan religious sites. The Babylonians destroyed the First Temple in Jerusalem in 586 BCE; the Romans destroyed the Second Temple in 70 CE. Christians desecrated and destroyed pagan temples in the mid-300s. In the sixteenth century, Protestant mobs in Germany destroyed Catholic church art deemed to be idolatrous. Martin Luther urged Christians to burn synagogues. During the Balkan conflicts before the First World War, there was widespread destruction of churches and mosques. (For an enumeration covering many countries and struggles, along with earthquakes and other natural causes, scan the "List of Destroyed Heritage" on Wikipedia.)

While each case of cultural destruction as a deliberate tactic in a violent conflict is different, the large literature on this subject cites seven motivations:

- Perpetrators of ethnic cleansing may believe that destruction of cultural and historic structures and objects will discourage the victims from wanting to return to the "cleansed" communities.
- The destruction may facilitate cleansing or genocide by making the victims feel ashamed and powerless because they were unable to protect their cherished symbols of identity.
- Cultural destruction serves as propagandistic reinforcement and incitement for rank-and-file aggressors.
- The destruction justifies the feelings of fear and aggression aroused by the conviction that the victims constitute an existential threat.

- Where there is competition between rival parties for the adherence of supporters who share hostility toward a common Other, one of the parties may make spectacular destructive gestures to outbid its rivals or to signal impunity and challenge to the external enemies (in what has been called "performative iconoclasm").
- Mass targeted cultural destruction has been employed (often without success) to break the morale of the opposing population.
- Destruction may be driven by religious intolerance and zealotry for its own sake.

In a further desecration, demolition is often followed by opportunistic looting of cultural objects. The post-conflict recovery and restoration of damaged or destroyed cultural structures and objects has become a major international concern. While the technologies continue to improve, the scholarly journals and international conclaves focusing on this subject have been marked by debates over both technique and philosophy. Should damaged structures and monuments be restored to their pre-damaged condition or to the condition when they were originally built? Should modern (presumably more resilient and durable) materials be used or should reconstruction be "true" to the original, using only the same materials as originally employed? Should the original surface coloration be restored or should surfaces be made to appear as they did just before the deliberate destruction, even if long faded? There are comparable differences of view about how to restore paintings, books and manuscripts, and how to restore damaged archeological sites. (Many of these questions also address problems of deterioration caused by atmospheric pollution and sea-rise threats from climate change.)

A number of international conventions have been promulgated over the years under the auspices of UNESCO and of the International Council of Monuments and Sites (ICOMUS). The World Heritage Fund, established in 1977, provides financial support for restoration in countries or communities that have sparse resources for repair. (ICOMUS maintains an open archive website that lists these conventions and resolutions for anyone

looking to dig deeply into the international framework for problems of preservation and restoration.)

Most important is the question of prevention. How can cultural violence and destruction be discouraged or prevented? The main answer, of course, is to try to prevent or stop the violent conflicts that entail this destruction as a tactic or a byproduct. But some more pinpointed efforts have been developed to provide cultural structures and objects—as the heritage of all humanity—with specific protection. The principal instrument, promulgated under UNESCO sponsorship, has been the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. More than one hundred thirty countries (including the US and Russia) have ratified the convention. The 1954 convention built on various precursor agreements on the rules of war, dating back to 1899.

Many cultural sites have been designated by UNESCO as having World Heritage status. This international profile, and the international concern and potential prosecution under the Protocols may serve to restrain deliberate destructiveness. Such restraint may become more effective as violations are prosecuted under the Protocols. In a case involving the 2011 destruction of Muslim tomb shrines in Timbuktu, Mali, the perpetrator was prosecuted by an international criminal court and sentenced to nine years in prison. In 2001, three leaders of the 1991 Serbian destruction in Dubrovnik (during the Yugoslav break-up war) were tried and convicted. In

the case of the Mostar bridge, six defendants were convicted in 2006.

Since 1996, an international network of organizations has emerged to help implement the cultural destruction laws. Local committees in 36 countries, and their umbrella organization, the Blue Shield (which was given formal oversight responsibility) have provided protection or repair in various ways to assets threatened in numbers of ongoing conflicts. Besides giving training to military personnel on asset protection, for example, the network has removed museum and other assets at risk for safekeeping in other countries. While the creation of this international law and its multi-country implementation machinery is highly commendable, it also attests to what deplorable lengths humans can go when engaged in violent conflict. Unfortunately, the world still seems to have far to go before the Convention and the threat of legal liability will begin to have significant deterrent effect.

The Convention is obviously having no restraining effect on Putin's regime or the Russian armed forces. If his successors wish to restore Russia's standing as a member of the law-based international community, and as a respecter of culture, they will need to pay a heavy price in reparations to the people of Ukraine. And Russian political and military authorities responsible for the ongoing cultural destruction should be held accountable and punished accordingly under established international law.

\* Robert Muscat

# Indigenous Residential Schools in Canada and the United States:<sup>1</sup> Uncovering the Truth and Pursuing Healing and Reconciliation

The residential school systems for Indigenous children established by the governments of the United States and Canada were oppressive, powerful, and little-known mechanisms employed to diminish and destroy the heritage of Indigenous people in both countries. This article then traces the history and impact of the policies that supported the Indigenous Residential School (IRS) systems in Canada and in the United States and the measures taken to dismantle the systems. In keeping with the attention by Global Peace Services to apology and reconciliation, we will then consider the steps taken so far to promote healing and reconciliation.<sup>2</sup>

## Background

Europeans exploring and settling in North America from the 17<sup>th</sup> to the 19<sup>th</sup> Centuries were motivated by a mix of economic and social objectives. Indigenous peoples encountered by settlers were seen as potential threats to achieving their objectives, as well as potential allies. To counter this threat, government-mandated relocation of Indigenous tribes in both countries had by the mid-19<sup>th</sup> century become a frequently employed instrument to ensure access by nonindigenous people to land they desired for agriculture and other purposes.<sup>3</sup>

About the same time another instrument was identified for neutralizing the perceived threat to settlers: employment of education as a means for assimilating indigenous children into European culture. In fact, by the last two decades of the 19<sup>th</sup> century, it had become official policy of the

governments of Canada and the U.S. to implement virtually identical strategies to forcibly separate Indigenous children from their families and coercively assimilate them into the European cultures of settler populations. Assimilation occurred by placing children in a system of distant IR schools marked by strict discipline and abusive punishment.<sup>4</sup>

While the terrain covered is vast, this article for the most part touches only on the most salient highlights of a complicated history. It is meant to be an overview and not a highly detailed analysis of the many nuances and stops-and-starts in US and Canadian government policies vis-à-vis the countries' Indigenous Peoples. With respect to the continuing processes of healing and reconciliation, the article deals with only a part of a larger set of interrelated policies and issues that ultimately are all involved with these processes.

## Demographic and Social Context

*Demographic and Social Context.* Scholarly estimates of population size in pre-colonial (pre-1492) North America differ widely, ranging from 900,000 to 18 million, but even the lowest estimate suggests significant presence of Indigenous populations over a period of 20,000 years. Estimates of the number of spoken languages, a generally accepted proxy for cultures, indicate that in 1492, North America was home to more than 50 language families comprising between 300 and 500 languages,

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<sup>1</sup> This article uses the term “Indigenous” rather than “Native” or “Indian” unless referring to a document that uses one of the latter two terms. “Residential” and “Boarding” are taken to have the same meaning.

<sup>2</sup> The author is grateful for helpful comments from GPS Board members and particularly from Professor Emeritus of Political Science Stephen M. Sachs of Indiana University. Any remaining deficiencies are the responsibility of the author.

<sup>3</sup> The 1830 Indian Removal Act authorized the president to grant unsettled lands west of the Mississippi in “Indian Territory” (in current Oklahoma) in exchange for traditional tribal lands within existing state borders, mainly in the Southeastern U.S. A few tribes went peacefully, but most of the larger tribes resisted and consequently underwent forced relocation, resulting in months-long marches under brutal conditions. For example, of the 16,000 Cherokee forced to relocate, 5,000 were estimated to have died from illness and starvation along the way. These forced marches were called the “Trail of Tears” by the Cherokee. Sources: Wikipedia, Center for Disease Control and current tribal websites (Cherokee, Chickasaw, Choctaw, Muscogee, and Seminole).

<sup>4</sup> Schools tended to be deliberately built far from Indigenous communities to minimize contact and increase children’s sense of alienation from their families and cultures. The title of a thorough examination of the IR system in the U.S. by David Wallace Adams, succinctly conveys the IR approach, *Education for Extinction* (Lawrence: University Press of Kansas, 2<sup>nd</sup> Ed. 2020).

suggesting a substantial mix of rich, complex cultures.<sup>5</sup>

Diversity has continued to the present era. While in 2020, the Native American population of the U.S. at 8.8 million was considerably larger than the 2021 Indigenous population of Canada at 1.8 million, the proportion of the Canadian Indigenous population to total population of 4.7 percent was almost 75 percent higher than the proportion of U.S. Indigenous population to the total of 2.7 percent<sup>6</sup>

Substantial cultural diversity is reflected in ethnic/tribal groupings and languages. In Canada, the largest of the three major Indigenous ethnic groups, the *First Nations* group, with a 2021 population of 1.048 million, consists of 630 tribes or bands.<sup>7</sup> In the U.S. there were 574 “federally recognized” Native American tribes in 2020.<sup>8</sup> There were more than 70 distinct Indigenous languages spoken in Canada in 2021<sup>9</sup> and an estimated 175 distinct Indigenous languages spoken in the United States in 2020.<sup>10</sup>

### **Legal Foundations for Indigenous Residential Schools**

In 1845, the Government of the Province of Canada released the Bagot Commission Report, *Affairs of the Indians in Canada*, which proposed separating Indigenous children from their families to more

successfully assimilate them into European culture.<sup>11</sup> The *Indian Act*, passed by the new Dominion of Canada in 1876, provided a legal framework for IR schools. Its purpose was to “assimilate Indigenous peoples into mainstream society” with policies that would “terminate [their] cultural, social, economic, and political distinctiveness.”<sup>12</sup>

A dual U.S. rationale for (1) acquiring desirable land for settlers and (2) assimilation of Euro-American culture by Indigenous children was formulated in the early 19<sup>th</sup> century by the Senate as follows:

...beginning with President Washington, the stated policy of the Federal Government was to replace the Indian’s culture with our own. This was considered “advisable” as the cheapest and safest way of subduing the Indians, of providing a safe habitat for the country’s white inhabitants, of helping the whites acquire desirable land, and of changing the Indian’s economy so that he would be content with less land. Education was a weapon by which these goals were to be accomplished.<sup>13</sup>

The *1819 Civilization Fund Act* provided a statutory framework for policy and budgetary support of IR schools. Approximately fifty percent of boarding schools would receive budgetary support from the Federal Government, and management and teaching

<sup>5</sup> Pre-colonial population and language estimates from Britannica, “Native American History.” North America is defined as the territory of current Canada and the continental U.S.

<sup>6</sup> 2020 U.S. Census. Respondents were asked to self-identify as fully or partially Native American. Partial Native American was defined as 25 percent or more Native American blood. Also see Chris Gilligan, “Facts and Figures: The Native American Population at a Glance,” U.S. News & World Report, November 22, 2022; and *Statistics Canada*.

<sup>7</sup> The second largest group is the Métis at 624,220 in 2021 and the third, *Inuit*, at 70,545. The three groups, including *First Nations*, are recognized in the *Constitution Act* of Canada. The delineations among units within these two groups differ from one another, as well as from the *First Nations* group, which makes it difficult to make quantitative comparisons among the structures of the three groups.

<sup>8</sup> “Recognition” is a legal term meaning that the United States recognizes a government-to-government relationship with a tribe and that a tribe exists politically in a “domestic dependent nation” status. Federally-recognized tribes possess certain inherent powers of self-government and entitlement to certain federal benefits, services, and protections because of the special trust relationship. Source: Departments of Justice and Interior (Bureau of Indian Affairs).

<sup>9</sup> *Statistics Canada*. Including First Nations, Métis and Inuit peoples.

<sup>10</sup> *Acutrans19 Interpretation Services*, “Indigenous Languages of the United States,” November 18, 2020.

<sup>11</sup> From *Reconciliation Education.ca* at <https://www.reconciliationeducation.ca/what-are-truth-and-reconciliation-commission-94-calls-to-action#7>

<sup>12</sup> Zach Parrott, “Indian Act, 1876,” *Canadian Encyclopedia* (September 2022).

<sup>13</sup> From the Department of Interior 2022 *Investigative Report of the Indian Boarding Schools Initiative* (pp.21-22). The Initiative was ordered by Department of Interior Secretary Debra Haaland in June 2021. An Investigative Report was submitted to the Interior Secretary in May 2022 by Bryan Newland, Assistant Secretary for Indian Affairs. See section below for more information on the *Initiative* and the *Investigative Report*.

staff would for the most part be supplied by a religious body or organization. The Senate recognized that funds from the Civilization Fund “were apportioned among those societies and individuals—usually missionary organizations—that had been prominent in the effort to ‘civilize’ the Indians.”

### **Growth of Indigenous Residential Schools during the 19<sup>th</sup> and 20<sup>th</sup> Centuries**

From the opening of the first Canadian IR school in 1828, the number of such schools grew rapidly as a government-mandated system after the 1867 formation of the Canadian Confederation, reaching as many as 139 federally-run schools.<sup>14</sup> The schools were administered predominantly by the Roman Catholic Church (67 percent), and the remaining 33 percent by the Anglican and Presbyterian churches and the United Church of Canada. The final report of the Canadian Truth and Reconciliation Commission (described on pp. 8–9 below) notes that an “estimated 150,000 children (about 30 percent of all Indigenous children) attended residential schools during the system’s 120-year history and that an estimated 3,200 of those children died in the residential schools.”<sup>15</sup>

From 1879 to 2000, it is estimated that hundreds of thousands of children of ages 3 to 18 attended U.S. Indian Boarding schools. The system grew to 408 schools across 37 states or territories, including 21 schools in Alaska and 7 schools in Hawaii. Attendance increased from the latter 19<sup>th</sup> century to a peak in 1973 with an estimated enrollment of 60,000.<sup>16</sup> The U.S. Bureau Indian Affairs (BIA) authorized and funded the schools, and religious bodies operated at least 156 or 43 percent of the

documented Native American Boarding Schools.<sup>17</sup> Eighty-four schools were affiliated with the Catholic Church or its religious orders. The other 72 were affiliated with Protestant bodies, including Episcopalian, Presbyterian, Quaker and Methodist.<sup>18</sup>

### **“Kill the Indian to save the man!”<sup>19</sup> The Era of Separation, Assimilation and its Proponents**

Canadian Prime Minister John Macdonald believed it was necessary to separate Indigenous children from their parents in residential schools. In 1883 he told the House of Commons: “When the school is on the reserve, the child lives with his parents who are savages; he is surrounded by savages, and though he may learn to read and write, his habits and training and mode of thought are Indian. He is simply a savage who can read and write.”

Public Works Minister Hector Langevin told the House of Commons (1883), “In order to educate the children properly we must separate them from their families. Some people may say that this is hard but if we want to civilize them, we must do that.”<sup>20</sup>

U.S. Army General Richard Pratt, a champion of the IR system, argued:

Native Americans need to renounce their tribal way of life, convert to Christianity, abandon their reservations, and seek education and employment among the ‘best classes’ of Americans. To realize these objectives the government must *kill the Indian...to save the man*. The main way to do this is removal of children from their families and placing them

<sup>14</sup> According to the 2007 Indian Residential Schools Settlement Agreement (IRSSA), “If schools supported exclusively by religious institutions and provincial governments were added, the number would be significantly higher.”

<sup>15</sup> The TRC identifies 1876 as the date when the first Canadian school was established as part of a designated IR system (p.8). See the section on the TRC below for additional background.

<sup>16</sup> *Investigative Report*, p. 9; *Wikipedia*, “American Indian Boarding Schools” Data on numbers of schools in the system vary considerably. The proposed U.S. Senate bill for a “Truth and Healing Commission on Indian Boarding School Policies Act” cites “at least 367 known Indian boarding schools, of which 73 remain open today, across 30 States.”

<sup>17</sup> Source: National Native American Boarding School Healing Coalition.

<sup>18</sup> Peter Smith, Associated Press, “US churches reckon with traumatic legacy of Native residential schools,” July 22, 2021.

<sup>19</sup> Attributed to U.S. General Richard Pratt (*Wikipedia*), a widely disseminated quotation that embodies the IR strategy of forcible family separation and coerced assimilation of Euro-American culture.

<sup>20</sup> TRC, p. 5, for the Macdonald and Langevin quotations.

in Federally-funded off-reservation, boarding schools.<sup>21</sup>

Many of the U.S. IR schools, whether run by the BIA or by religious bodies, were characterized by extensive physical, mental and sexual abuses of Native American children.<sup>22</sup> Resulting lawsuits by Native American organizations against IR schools were filed in the latter 20<sup>th</sup> century and first decade of the 21<sup>st</sup> century.<sup>23</sup>

The “*Carlisle Indian Industrial School*” was founded in 1879 by General Pratt in Carlisle, PA. He promulgated it as a model, which was adopted elsewhere in the U.S. and Canada. In addition to the basic elements of forcible removal of children from families and education that stressed inculcation of Anglo-European culture, the model incorporated vocational training focused on a mix of trades oriented toward agricultural and home-based skills rather than the growing off-farm industrial economy.<sup>24</sup>

### **Key Documents of the Era of Truth-Telling in the 21<sup>st</sup> Century**

Survivors of the IR system in Canada in the 20<sup>th</sup> century advocated for recognition and reparations and demanded accountability for the intergenerational impacts of harms caused.<sup>25</sup> Their efforts culminated in the following commissions and key reports:

*Royal Commission on Aboriginal Peoples Report 1996 (RCAP)*. An extensive record (4,000 pages) of late 19<sup>th</sup> and early 20<sup>th</sup> century documents and interviews, including a chapter on “Residential

Schools” that details instances of harsh discipline and abuse.

*Gathering Strength—Canada’s Aboriginal Action Plan 1998*. Government’s response to the RCAP Report, acknowledging the detrimental effects of the treatment of Aboriginal people in Canada, especially under the residential school system. The report includes a commitment of CDN 350 million to support community-based healing.

The *Indian Residential Schools Settlement Agreement 2007 (IRSSA)* represented the largest class action settlement in Canadian history. It recognized the damage inflicted on Indigenous peoples by residential schools and established a multi-billion-dollar fund to help former students. The Agreement has five components:

- 1) Common Experience Payment;<sup>26</sup>
- 2) Independent Assessment Process;<sup>27</sup>
- 3) Truth and Reconciliation Commission;
- 4) Commemoration Projects;
- 5) Health and Healing Services.

The total paid or set-aside for these components by end 2012 was CDN 3.8 billion and was expected to reach CDN10 billion by 2017.

### ***Truth and Reconciliation Commission (TRC) Report 2015***

The TRC, as set out in the IRSSA and mandated by the Canadian Parliament, ran from 2008 to 2015. The TRC provided those directly or indirectly affected by the IRS school system with an opportunity to share their stories and experiences. It spent six years

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<sup>21</sup> *Wikipedia*, “U.S Army General Richard Henry Pratt.”

<sup>22</sup> Investigative Report, Chapter 9; op. cit.

<sup>23</sup> Voice of America, “Native Americans File Lawsuit Against Boarding School Abuses,” October 30, 2009.

<sup>24</sup> *Wikipedia*, op. cit., Pratt’s statements have been decried by Native American leaders who have called the system he championed as a form of [cultural genocide](#) that adversely affected children and families.”

<sup>25</sup> See Reconciliation Education.ca for more detail: <https://www.reconciliationeducation.ca/what-are-truth-and-reconciliation-commission-94-calls-to-action#7>

<sup>26</sup> An annual payment of CDN 10,000 for the first year for every former residential school student, plus CDN 3,000 a year for every subsequent year. By December 2012, 80,000 former students had received payments totaling CDN 1.6 billion.

<sup>27</sup> For resolving claims of sexual abuse and serious physical and psychological abuse. As of 31 December 2012, over CDN 1.7 billion had been issued for payment.



traveling to all parts of Canada, heard from more than 6,500 witnesses, and hosted seven national events to inform the Canadian public about the history and legacy of the school system. The TRC created a historical record of more than a million documents, subsequently housed at the National Centre for Truth and Reconciliation at the University of Manitoba. CDN 72 million was allocated to support the TRC's work.

The final version of the TRC Report was issued in December 2015 as *Honouring the Truth, Reconciling for the Future*. The first paragraph of the report encapsulates its findings:

For over a century, generations of Aboriginal children were separated from their parents and raised in over-crowded, underfunded, and often unhealthy residential schools across Canada. They were commonly denied the right to speak their language and told their cultural beliefs were sinful. Some students did not see their parents for years. Others—the victims of scandalously high death rates—never made it back home. Even by the standards of the day, discipline often was excessive. Lack of supervision left students prey to sexual predators. To put it simply: the needs of tens of thousands of Aboriginal children were neglected routinely. Far too many children were abused far too often. (TRC, p.1)

The final report set out 94 recommendations or “Calls to Action” (CTAs) Among these was a call for a “*National Day for Truth and Reconciliation*,” established as a Federal Statutory Holiday, first observed on September 30, 2015.<sup>28</sup> The day is intended to honor the children who never returned home and survivors of residential schools, their

families and communities. It is seen as a vital component of the reconciliation process.

Although the TRC Report has been criticized on methodological grounds, it has been widely publicized and read by government and Indigenous leaders, with largely positive reactions. It provided a marker for assessing progress toward reconciliation.

### ***Precursors to the U.S. Federal Boarding School Initiative of 2022***

A major conclusion of the *Meriam Report of 1928*, commissioned by the Secretary of Interior, was that “the long-continued policy of educating children in boarding schools far from their homes and taking them from their parents when small had resulted in ...parents and children becoming strangers to each other.” The report also concluded: “frankly and unequivocally that the provisions for the care of the Indian children in boarding schools are grossly inadequate.”<sup>29</sup> Given these findings, after 1928 the U.S. government moved away from boarding schools to on-reservation day schools and placing Indians in nearby public schools through a major expansion of state welfare programs and federal-state contracts.<sup>30</sup>

The *Kennedy Report of 1969*, responsive to a long-standing interest in Indian affairs and welfare by Senator Edward Kennedy, found a lack of Indian participation or control of boarding schools; coursework that rarely recognizes Indian history, culture, or language; and anti-Indian attitudes on the part of school administrators and teachers. Evidence is cited of rampant physical, sexual, and emotional abuse; disease; malnourishment; overcrowding (e.g., 2 to 3 children per bed); and lack of health care.<sup>31</sup>

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<sup>28</sup> In 2018 the Canadian Broadcasting Corporation established “*Beyond 94*,” a website to track the status of each CTA. As of June 2022, the site had been updated to mark 13 CTAs completed, 21 in-progress with projects underway, 37 in-progress with projects proposed, and 26 “not yet started.”

<sup>29</sup> “The Problem of Indian Administration,” p.11. The report was prepared by the Brookings Institution, led by Lewis Meriam. Its mandate was to study “the economic and social conditions of American Indians.”

<sup>30</sup> Stephen M. Sachs, *Defending the Circle: Countering the Attack on the Indian Child Welfare Act*, presented at the World Social Science Association Meeting, Tempe, AZ, April 12-15, 2023. According to Sachs, these actions led directly to a “huge removal” of Indigenous American children from their families. It was also driven by state government financial concerns, “it being less expensive to place children in middle class foster homes than to provide direct services to Native families.” (pp.26-27).

<sup>31</sup> “Indian Education: A National Tragedy--A National Challenge,” known as the “Kennedy Report,” a 1969 Report of the U.S. Senate Committee on Labor and Public Welfare, pp. 10-13. Also see Meriam Report, pp. 189-195.

The *Indian Child Welfare Act of 1978 (ICWA)*<sup>32</sup> gave Native American parents the legal right to refuse their child’s placement in an off-reservation boarding school.<sup>33</sup> The ICWA thus effectively countered the growth over the last 50 years of forcible removal of Indian children from their families. The resulting drop in students available for placement in schools, led to the closure of many large boarding schools in the late 1980s and early 1990s. By 2007, the number of American Indian children living in Indian boarding school dormitories had declined to an estimated 9,500.<sup>34</sup>

### ***U.S. Federal Indian Boarding School Initiative***

Interior Secretary Debra Haaland, the first Native American to serve as a U.S. Cabinet Secretary, announced the Federal Indian Boarding School Initiative at the White House in April 2021. Haaland had cogent reasons for her action, including her own origin as a member of the Laguna Pueblo in New Mexico, the experience of her family members as survivors of Federal Indian Boarding Schools and her reaction to the recent discovery of 215 graves of children at a boarding school in British Columbia. “My grandparents were stolen from their families as children. We must learn about this history.”<sup>35</sup>

To be carried out by the Interior Department under Assistant Secretary for Indian Affairs, Bryan Newland, the Initiative was to marshal evidence on the loss of human life and the lasting consequences of Federal Indian boarding schools. Specific objectives included identification of boarding school

facilities and sites; identification of known and possible student burial sites located at or near school facilities; as well as the identities and tribal affiliations of children interred at these locations.<sup>36</sup>

### ***May 2022 Investigative Report of Federal Indian Boarding School Initiative***<sup>37</sup>

Just over a year from the first announcement of the Initiative, an Investigative Report was submitted by Assistant Secretary Newland in May 2022 to Secretary Haaland. An overall finding is that the boarding school system “deployed systematic militarized and identity-alteration methodologies to attempt to assimilate American Indian, Alaska Native, and Native Hawaiian children through education, including but not limited to the following: (1) renaming Indian children from Indian to English names; (2) cutting hair of Indian children; (3) discouraging or preventing the use of American Indian, Alaska Native, and Native Hawaiian languages, religions, and cultural practices; and (4) organizing Indian and Native Hawaiian children into units to perform military drills.”

The Investigative Report finds that Federal Indian boarding school rules were often enforced through punishment, including corporal punishment such as solitary confinement; flogging; withholding food; whipping; slapping; and cuffing. It finds that the system at times made older Indian children punish younger children. The investigation identified marked or unmarked burial sites at approximately 53

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<sup>32</sup> Although the [Civilization Fund Act of 1819](#) required parental consent for children to be sent to off-reservation boarding schools, in practice children were regularly forcibly removed. The denial of native parental rights was legalized in 1891 and led to the mass forced removal of native children. Parents who refused were punished, including by incarceration. The ICWA reversed the law and practice of forcible separation.

<sup>33</sup> In a thorough review of the ICWA, its antecedents and its critics, Stephen Sachs concludes that the Act has been “extremely important for a great many Indian children, and for Native nations, with significant benefits for neighboring communities and the United States as a whole, ... while empowering Indigenous Americans to take increasing leadership in the discussion of public issues. “See Sachs, *op. cit.*”

However, a suit filed against the ICWA has made it to the U.S. Supreme Court, where a decision is expected in June 2023. Issues related to applicability of affirmative action, the weight of precedent and constitutionality are involved. The likely decision of the Court is not clear. Sachs analyses both sides of the case (*Bracken vs. Haaland*) and concludes with a strong defense of the ICWA in the context of the case before the Supreme Court. The following link is to a 2022/23 article by Sachs that assesses arguments for and against the ICWA. <http://www.indigenouspolicy.org/index.php/ipj/article/view/878>.

<sup>34</sup> [Charla Bear, “American Indian Boarding Schools Haunt Many”](#), Part 1, National Public Radio, May 12, 2008.

<sup>35</sup> From reflections by Secretary Haaland speaking at the White House on April 23, 2021, and published in the *Washington Post*, June 11, 2021.

<sup>36</sup> From a Memo of April 22, 2021, by Secretary Haaland to senior staff of the Department of Interior.

<sup>37</sup> [https://www.bia.gov/sites/default/files/dup/inline-files/bsi\\_investigative\\_report\\_may\\_2022\\_508.pdf](https://www.bia.gov/sites/default/files/dup/inline-files/bsi_investigative_report_may_2022_508.pdf)

different schools. As the investigation continues, the number of recorded deaths is expected to increase.

The report makes eight recommendations, including further documentation of federal funding that supported the boarding school system and a list of marked and unmarked burial sites. As requested by a group of tribal leaders, “a platform [or means] will be developed for now-adult federal Indian boarding school attendees and their descendants to formally document their historical accounts and experiences and understand current impacts such as health status, including substance abuse and violence.” This platform will include reports of interviews around the country during the summer of 2023.

### **The Challenging Road to Healing and Reconciliation<sup>38</sup>**

This section briefly describes several categories of healing and reconciliation efforts, including official apologies, legislative actions, reparations, and other measures. They are only part of a larger set of interrelated policies and issues that ultimately are all involved in a reconciliation process. A concluding section assesses the record of achieving healing and reconciliation, and challenges remaining.

#### ***Official Apologies***

*Government apologies* were clearly forthcoming from the Canadian Government, but the U.S. record is relatively weak. Church bodies and organizations in both countries tendered apologies or were considering them.

The reports of the Royal Commission on Aboriginal People, the Indian Residential School Settlement

Agreement and the TRC triggered many official Canadian apologies, beginning with an apology in June 2008 by then Prime Minister Stephen Harper on behalf of the Government of Canada, and all Canadians, for the forcible removal of Aboriginal children from their homes and communities to attend Indian residential schools recognizing “that there is no room in Canada for the attitudes that created the residential school system to prevail.”

Reception of the apology was generally well-received by First Nations leaders as a symbolic first step. Some said it helped them feel a sense of healing, but others said it lacked a meaningful commitment to foster positive change.<sup>39</sup> Similar apologies were tendered by key Cabinet Ministers and province and territory leaders, as well as by a succeeding PM, Justin Trudeau. Canadian apologies were followed by substantial funding under the previously mentioned *Indian Residential Schools Settlement Agreement 2007* expected to reach CDN \$10 billion by 2017, and specific actions called for by the 94 “Calls to Action” of the 2015 Report of the Canadian Truth and Reconciliation Commission.<sup>40</sup>

There are reports of just two official apologies from U.S. senior-level officials: (1) Kevin Gover, Assistant Secretary for Indian Affairs, Department of Interior, September 8, 2000; and (2) President Barack Obama, December 19, 2009. Gover’s remarks, the earliest reported official apology for support of the IR system from either Canada or the U.S., are direct and moving. He apologized to the Indian people on behalf

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<sup>38</sup> The difference in titles between that of the Canadian Truth and *Reconciliation* Commission and that of the proposed U.S. Truth and *Healing* Commission on Indian Boarding Schools Act is obvious. The terms “healing” and “reconciliation” imply similar and yet different processes, results and nuances. The article does not explore the rationales for choosing each (or both) of these terms, but will adopt the term(s) used by the document, action or event being discussed.

<sup>39</sup> For a full statement of the Harper apology, see: <https://www.rcaanc-cirnac.gc.ca/eng/1100100015644/1571589171655>

For a critical review of the Harper apology, see <https://www.facinghistory.org/en-ca/resource-library/are-apologies-enough>

<sup>40</sup> For example, Nos. 43 and 44 called for adoption and implementation by Canada of the 2007 UN Declaration on the Rights of Indigenous Peoples (UNDRIP). Among the 46 rights specified in the Declaration, a key right is Self Determination. Four countries at first opposed UNDRIP, including Canada and the U.S., as well as Australia and New Zealand, with questions about its consistency with their respective constitutions. Subsequently, all four countries decided to support UNDRIP, reportedly due to the advocacy of their Indigenous peoples. Sources: <https://www.rcaanc-cirnac.gc.ca/eng/1524502914394/1557512757504> and <https://heritagebc.ca/wp-content/uploads/2020/07/UNDRIP-for-indigenous-adolescents.pdf>

of the BIA for its support of boarding school forcible separation and assimilation policies and practices.<sup>41</sup>

The language of the Obama apology was also explicit, stating that the Government condemned the “forcible removal of Native children from their families to faraway boarding schools where their Native practices and languages were degraded and forbidden.” But the apology document was almost invisible, appearing as part of a Joint Congressional Resolution, which in turn was appended to a Defense Department spending bill. Moreover, the White House did not publicize the apology. Several Native American leaders expressed disappointment, one exclaiming that “I have had my doubts on whether this is a true or meaningful apology, and this silence seems to speak very loudly on that point.”<sup>42</sup>

*Apologies by Church Bodies.* Four “Calls to Action” in the 2015 TRC Report called for apologies and reconciliation measures by the church bodies that operated IRS in Canada. One call (no.58) asks for an apology by Pope Francis to survivors, families, and communities for the impact of IRS operated by the Catholic Church, a request also made by successive Prime Ministers (Harper and Trudeau). While the visit of the Pope to Canada in July 2022 was historic for its focus on IR schools, geographic scope, and expressions of sorrow and pleas for forgiveness, an apology for the role of the Catholic Church was not forthcoming. Reactions of Canadians, including Indigenous leaders, were mixed, ranging from

gratitude for the Pope’s visit and his statements to lamenting the absence of an institutional apology.<sup>43</sup>

The earliest reported apology from a Canadian church body was the United Church of Canada in 1986 with the Anglican, Presbyterian, and Missionary Oblates of Mary Immaculate following over the next two decades.<sup>44</sup> Prompted in part by the discoveries in 2022 of mass burials at IRS sites in Canada, U.S. religious bodies that supported IR schools have either issued apologies (Presbyterian and some Catholic orders) or are considering doing so (Episcopal).<sup>45</sup>

### ***Legislative Actions: U.S. Truth and Healing Commission on Indian Boarding School Policies Act***

On September 30, 2021, Rep. Sharice Davids and 12 co-sponsors introduced a bill in the U.S. House of Representatives to establish a *Truth and Healing Commission on Indian Boarding School Policies in the United States* and Sen. Elizabeth Warren and 13 co-sponsors introduced the same bill in the Senate. The 117<sup>th</sup> Congress closed in December 2022, neither bill had been passed by its respective chamber. On May 18, 2023, Senator Warren reintroduced the bill (S. 1723) in the Senate of the 118<sup>th</sup> Congress<sup>46</sup> Efforts have been underway to reintroduce the bill in the House.<sup>47</sup>

<sup>41</sup> The full text of the apology is at <https://www.bia.gov/sites/default/files/dup/assets/as-ia/opa/pdf/idc1-032248.pdf> A member of the Pawnee Nation of Oklahoma, Kevin Gover is Under Secretary for Museums and Culture at the Smithsonian Institution. He is also on the faculty of the College of Law at Arizona State University. From 2007 to 2021 he was director of the [National Museum of the American Indian](#) and previously served as Assistant Secretary of the Interior for Indian Affairs from 1997 to 2001. He has a B.A. from Princeton University and a J.D. from the University of New Mexico. Source: Wikipedia.

<sup>42</sup> Robert Coulter, Executive Director of the Indian Law Resource Center However, some tribes had already planned to bring the Resolution and their tribal histories to share with state and local leaders, in order to “remind and educate them on their tribes’ presence and sovereign status.” Rob Capriccioso, January 13, 2010; Indian Law Resource Center, *Indian Country Today*.

<sup>43</sup> Elisabetta Povoledo and Ian Austen, “*I Feel Shame*”: *Pope Apologizes to Indigenous People of Canada*, New York Times, Apr. 1, 2022, and *BBC News* May 29, 2017.

<sup>44</sup> From Wikipedia and CBC.

<sup>45</sup> Peter Smith, AP, “US churches reckon with traumatic legacy of Native residential schools,” July 22, 2021.

<sup>46</sup> For more information, including statements of support from leaders of Native American organizations and Senate co-sponsors, see link below to an announcement from Senator Warren’s office of May 24, 2023, which also includes the complete language of S. 1723. <https://www.warren.senate.gov/newsroom/press-releases/warren-leads-26-senators-to-reintroduce-bill-seeking-healing-for-stolen-native-children-and-their-communities>

<sup>47</sup> As reported in a phone conversation with a staff member of the *Native American Boarding School Healing Coalition* (NABS). This Minneapolis-based NGO has worked closely with relevant staffs in the Interior Department and the House and Senate to support the DOI Federal Boarding School Initiative and the bills in the House and Senate.

The scope of the proposed act is sweeping. After laying out the history of forcible separation and assimilation policies and practices under the Federal Native Boarding School system, the bill calls for an independent Commission to be established with the mandate to produce an interim report in three years and a final report in five years. The work of the commission would build on and expand the work of the Department of Interior Federal Boarding School Initiative. The language of the Senate bill makes no reference to apologies or to restitution or reparations.

*Reparations.* The Indian Residential Schools Settlement Act in Canada comes the closest to reparations with its provisions for a multi-CDN billion negotiated and funded “Common Experience Payments” and “Independent Assessment Process” payments.<sup>48</sup>

### **Nurturing Reconciliation**

Canadian experience suggests several policy and institutional approaches for nurturing and sustaining reconciliation. The year after the TRC Report was issued, Prime Minister Trudeau pledged to hold annual meetings with the three apex groups of Indigenous leaders (First Nations, Métis, Inuit) to monitor progress toward healing and reconciliation and propose measures to overcome hurdles. Relevant Cabinet Members would hold at least two such meetings a year. In support of these efforts, the PM said he would establish a National Council for Reconciliation to address the remaining TRC recommendations. He also announced that the government will provide CDN 10 million to support the National Centre for Truth and Reconciliation at the University of Manitoba, established to ensure that the history and legacy of Canada’s residential school system is remembered. These steps were largely hailed by leaders of Indigenous groups.<sup>49</sup>

Recognizing that the task of recovering the truth about missing children and burial sites is far from completed but is essential for healing and reconciliation, the Government of Canada had by 2022 allocated a total of CDN 252 million over the next five years to implement Calls to Action 71 to 76 of the Truth and Reconciliation Commission 2015 Report that call for thorough documentation and recognition of missing children and burial sites in collaboration with impacted Indigenous families and communities.<sup>50</sup>

Completion of the Department of Interior Federal Boarding School Initiative and Congressional passage and Implementation of the *Truth and Healing Commission on Indian Boarding School Policies Act* would clearly nurture reconciliation.

### ***Collaboration between Government Agencies and Indigenous Organizations***

The *National Native American Boarding School Healing Coalition* (NABS), in partnership via a Memorandum of Understanding with the Interior Department, shared substantial information and records pertinent to development of a first comprehensive list of Federal Indian boarding schools.<sup>51</sup> NABS active support of the proposed *Truth and Healing Commission on Indian Boarding School Policies Act* is cited above under Legislative Actions. Other complementary Indigenous organizations include the *Native American Rights Fund* and the *Native Organizers Alliance*.

### ***Indigenous Voices***

There are debates within and without the Indigenous communities as to what needs to be done and what current Indian policy should be. The voices and participation of a wide range of Indigenous peoples on the design and implementation of policies are essential inputs to the healing and reconciliation

<sup>48</sup> See footnotes 26 and 27 above for payment amounts and other provisions of the CEP and IAP.

<sup>49</sup> [Gloria Galloway](#), *Ottawa Globe and Mail*, December 15, 2016

<sup>50</sup> See Government of Canada, “Missing children and burial information” at: <https://www.rcaanc-cirmac.gc.ca/eng/1524504992259/1557512149981>

<sup>51</sup> Department of Interior, *Investigative Report*, p. 82. NABS was established in 2012 and is comprised of over 700 Native and Non-Native members and organizations committed to boarding school healing.

processes. The Canadian Truth and Reconciliation Commission sought to elicit these views, although subject to the criticism that their incorporation in the 2015 TRC Report was not based on an adequately representative sample. The U.S. Federal Boarding School Initiative plans to elicit a wide sample of views.<sup>52</sup>

## Conclusion

The IRS systems implemented in Canada and the U.S. during the latter 19<sup>th</sup> and early 20<sup>th</sup> Centuries rested on two interrelated pillars: forceable separation and coerced assimilation. The traumatic impacts of these systems on the survivors and their families have been intergenerational, as revealed by comprehensive reports mandated by the respective governments.

While progress has been slow and uneven, on balance Canada and the U.S. have moved in a positive direction toward healing and reconciliation. The following accomplishments apply in varying degree to both countries, unless noted otherwise:

- 1) The harsh and inhumane policies and practices of the IRS system prevailing over the last two centuries have been disavowed.
- 2) Comprehensive efforts, launched by executive or legislative measures, to document IRS systems and their impacts, and to recommend measures to support healing and reconciliation, have been completed, ongoing or proposed.
- 3) Official apologies have been made by a wide range of government officials and by the leaders of some of the church bodies that operated IR schools.
- 4) Support has been provided to heal the continuing intergenerational mental and emotional impacts of the former IRS system, as well as to strengthen the capacity and quality of local public and private tribal schools.
- 5) Teaching and use of Indigenous languages and cultures have been encouraged and supported.
- 6) Indigenous leaders and organizations have increased in size and influence, including in local and national governance.
- 7) Measures to ensure the memory of the system and its impact have been enacted, such as a National Day of Commemoration.
- 8) Reparations from class action claims under the Canadian Indian Residential Schools Settlement Agreement have been paid, approaching CDN 10 billion.
- 9) Periodic meetings of Canadian government and indigenous leaders are being held to monitor progress in implementing recommendations.
- 10) A Canadian Institution has been established to provide an ongoing center for documentation and research on the IRS system and its impact.

However, several challenges remain to be met before it can be concluded that adequate healing and reconciliation have been achieved.

- a) While the recent reintroduction in the U.S. Senate by Senator Elizabeth Warren of the proposed *U.S. Truth and Healing Commission on Indian Boarding School Policies Act* is an encouraging development, a consistent bill must be reintroduced and approved in the House of Representatives, where the political dynamics differ from those in the Senate, before a joint bill can be enacted.
- b) Depending on what spending reductions are mandated by resolution of the Debt Ceiling Crisis, U.S. budgetary support for critical healing programs at the local tribal level could be in jeopardy.
- c) As noted above, the essential task of recovering the truth about missing children and burial sites is far from completed. Both countries give priority to thorough documentation, but only Canada has

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<sup>52</sup> For example, in the Canadian case, Indigenous voices are illuminated by Russel Diabo, an Indigenous Canadian whose critical reports and commentaries are carried in the *Journal of Indigenous Policy* and other sources.

allocated dedicated budgetary support for this purpose.<sup>53</sup>

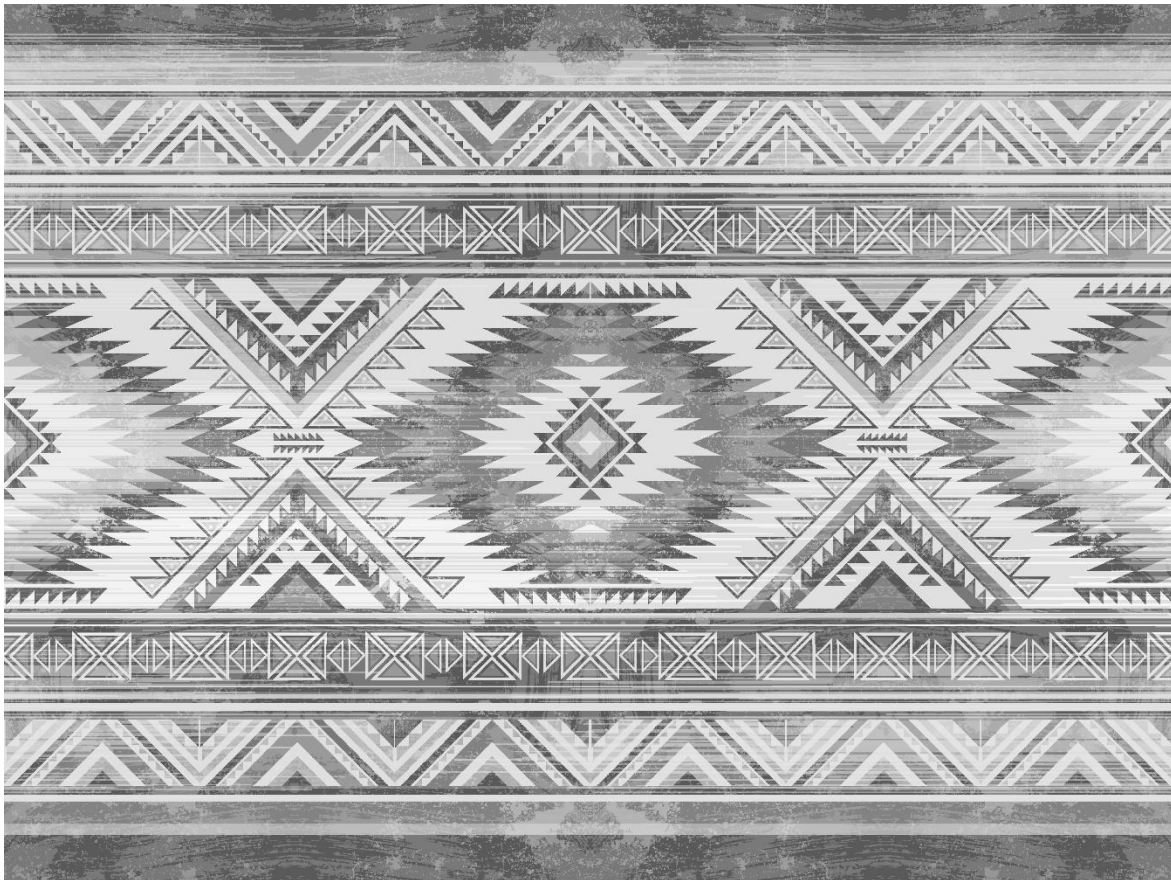
- d) A decision by the Supreme Court related to the ICWA is expected in June. The decision could have a serious adverse impact on the ICWA and the right of Indigenous families and tribal communities to refuse forced removal of children from families, a right protected by the ICWA.
- e) As noted in the introduction, this article deals with only a part of a larger set of interrelated policies and issues affecting the relations between government and Indigenous peoples. Without a relationship of mutual trust across these issues, healing and reconciliation efforts

sufficient to overcome the tragic history of the IRS system is not likely to be achieved.

#### **A Note on Experience of Other Countries**

Australia, Denmark/Greenland and New Zealand share similar experiences with IRS to those of Canada and the U.S. They have disavowed their support of forcible Indigenous family separation and placement of children in distant IRS for coercive assimilation of European culture.<sup>54</sup>

\* John Eriksson



Source: Vecteezy.com

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<sup>53</sup> Indigenous leaders have expressed uncertainty as to whether church organizations that ran boarding schools would adequately open their records to support a thorough documentation effort. Under the proposed Truth and Healing Commission Act (S.1723), the Commission would be empowered to serve subpoenas.

<sup>54</sup> See Stephen M. Sachs, *op. cit.*, for a review of the Australian, Canadian, Danish/Greenland and New Zealand experiences.

## **Global Peace Services USA**

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