

Quaker Concern

A Milestone for Indigenous Rights and Reconciliation

By Jennifer Preston



Senator Christmas votes in favour of the UN Declaration Implementation Act, June 16, 2021.

For many years CFSC has called on Canada to fully implement the UN Declaration on the Rights of Indigenous Peoples. We are absolutely thrilled that an important piece of legislation toward this end, Bill C-15, received Royal Assent on June 21, National Indigenous Peoples Day. This is such a tremendous victory! We joined with our partners in the Coalition for the Human Rights of Indigenous Peoples (<https://DeclarationCoalition.ca>) in releasing a public statement to celebrate when the Bill passed. The statement is reprinted below. It was edited and condensed for space.

Our Nations and organizations are celebrating the fact that long awaited and hard-fought national legislation to implement the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) has successfully passed the final vote in the Senate.

Bill C-15 *An Act Respecting the United Nations Declaration on the Rights of Indigenous Peoples*, establishes a clear and ongoing legal commitment for the federal government to ensure that its laws, policies, and programs are consistent with the global human rights standards affirmed in the 2007 UN Declaration.

Cheryl Casimer, First Nations Summit political executive said, “The implementation Act is a welcome and much needed opportunity to finally make a decisive break with Canada’s long history of ignoring and denying the human rights of Indigenous peoples. The Act does not create new rights. What it requires is

concrete, meaningful, and timely action to ensure that Canada finally lives up to its obligations under Treaties, the Constitution, and international law.”

“This is such a tremendous victory!”

The implementation Act requires the federal government to “take all measures necessary” to ensure that the laws of Canada are consistent with the provisions of the *UN Declaration*. The Act also requires that a National Action Plan to implement the *Declaration* through law, policy, and programs be developed and adopted within two years.

BC Regional Chief Terry Teegee emphasized, “There is a lot of hard work ahead to fulfill the promise of this legislation. Passing this Act is an important victory for the human rights of Indigenous peoples. Our ultimate goal, however, is to see our inherent rights recognized, respected, protected, and fulfilled.”

The implementation measures required by the implementation Act must all be taken “in consultation and cooperation” with Indigenous peoples. The Act also requires regular public reporting on the progress, as well as accountability measures developed in collaboration with Indigenous peoples.

Romeo Saganash said, “The *UN Declaration* is a powerful

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Our favourite Indigenous films

We're often asked a question along the lines of, "Which Indigenous films does CFSC recommend I watch if I want to learn about Indigenous cultures?" To help answer this, we decided to create an easy-to-share one-page handout with our top picks:

<https://quakerservice.ca/IndigenousFilms>

Get to Know Thee, Friend

On the last Thursday of every month this year in honour of CFSC's 90th anniversary, we're hosting a popular event series. If you'd like to hear behind-the-scenes stories from some of the people who make CFSC what it is, you can find videos of the seven sessions that have taken place so far, and a schedule of upcoming sessions and how to join, at:

<https://quakerservice.ca/GetToKnowThee>

CFSC joins in renewed calls to end prolonged solitary confinement

CFSC was among dozens of groups invited to a "consultation" convened by the Correctional Service of Canada to discuss issues within Structured Intervention Units (highly restrictive prison units that continue to subject individuals to prolonged, indefinite solitary confinement). A number of the invited organizations signed an open letter criticizing the "consultation" and calling on the federal government to take immediate action to end torture in Canada's federal prisons: <https://quakerservice.ca/solitary>

Call to stop targeting Muslim charities

CFSC was one of 131 organizations from across the country that signed a joint letter about Canada Revenue Agency (CRA) audits apparently disproportionately singling out Muslim charities. A new report found that between 2008 and 2015, 75% of all charities revoked by CRA's Review and Analysis Division were Muslim, despite Muslim charities representing just 0.47% of registered charities in 2015. The letter offers five specific calls for reforms: <https://quakerservice.ca/CRALetter>

Unmarked graves at Residential Schools

In response to the discovery of unmarked graves we

are grieving alongside all Indigenous peoples whose children never made it home from residential school, and with all residential school survivors and their families, who have carried this trauma for so long.

Residential schools were instrumental to Canada's genocide of Indigenous peoples. Even knowing this and reading the TRC's final report that devoted an entire volume to *Canada's Residential Schools, Missing Children, and Unmarked Burials*, we are still greatly disturbed as we continue to learn of these horrific discoveries.

We recognize that what has been discovered thus far are not isolated and we expect that there will be similar discoveries of children's remains at other residential school sites.

CFSC has refrained from making a longer statement on this issue as we think it is most useful to listen to Indigenous peoples and to amplify their voices.

One voice worth hearing is that of Wanda Gabriel, a professor of social work at McGill University and a citizen of Kanehsata'ke, Kaniekeh'ha:ke nation. Wanda provided The Coalition for the Human Rights of Indigenous Peoples with a short video discussing intergenerational trauma, its impacts for Indigenous peoples, and the *UN Declaration on the Rights of Indigenous Peoples*:

<https://quakerservice.ca/WandaGabriel>

Quaker Concern

Quaker Concern is the newsletter of Canadian Friends Service Committee, the peace and social justice agency of the Religious Society of Friends (Quakers) in Canada. Since 1931, CFSC has been a small team but has achieved a great deal.

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Canadian Friends Service Committee

60 Lowther Ave, Toronto, ON M5R 1C7

☎ (416) 920-5213

✉ info@quakerservice.ca

🌐 quakerservice.ca

📱 @CFSCQuakers

Charitable Number: 13214 6549 RR0001

40th Anniversary of Minute on Prison Abolition

By John Samson-Fellows

ALTERNATIVES TO PRISON: What Would a World Without Prisons Look like?

We already have many examples of what an alternative to prisons would look like. Here are some that are already working in our society to reduce crime, increase community safety, rehabilitate people, and address the conditions that result in people going to prisons.

COMMUNITY BASED SENTENCES



CFSC's *handout Alternatives to Prison* (download it at <https://quakerservice.ca/Alternatives>)

RESTORATIVE JUSTICE



What do you believe? can be a challenging question for an unprogrammed Quaker like me, but the minutes of our business meetings contain collective wisdom, innovation, Spirit, and Light that might provide some answers. Reading one of those minutes nearly a decade ago helped lead me to membership in the Religious Society of Friends: Minute 93 of the 1981 Canadian Yearly Meeting, also known as “the minute on prison abolition.” The fact that Canadian Quakers could approve such a far-reaching, self-aware, radical, yet deeply loving statement made me want to know more about Friends’ ways. As we arrive at its 40th anniversary, I’d like to take the opportunity to revisit this remarkable piece of collaborative writing that made Canadian Yearly Meeting “the first religious body to call for the abolishment of prison,” and which lies at the heart of CFSC’s criminal justice work.

The minute begins by situating us within the history of Quaker responses to crime.

“Friends, partly through their own experiences in the prisons of the seventeenth century, became concerned about the treatment of the accused or convicted. Friends witnessed to their concern for the Divine Spirit in humans by seeing prisons as an alternative to corporal or capital punishment. Subsequently, they worked for reform of these prisons.”

This gives us a long view of the development of the Quaker understanding of criminal justice, the enormous influence it had on the world, and the unforeseen problems it contained. Quakers were among the first to promote the idea that incarceration was preferable to physical torture or death and believed that punishment and penance for crime could be accomplished via contemplation. Many early

penitentiaries enforced both isolation and silence, setting up the disastrous and inhumane conditions of the modern prison. Many Friends then recognized that their original theories of incarceration were being used as methods of torture, and so set about attempting to reform the prisons they had helped create. This work brought us to the late 20th century and the moment Canadian Friends began to realize that their efforts at prison reform were no longer feasible.

“Prisons are a destructive and expensive failure.”

“Today, Friends are becoming aware that prisons are a destructive and expensive failure as a response to crime. We are, therefore, turning our efforts to reform prisons to efforts to replace them with non-punitive, life-affirming, and reconciling responses.”

For the 1981 Canadian Yearly Meeting in session, the abolition of prisons was the logical next step in the long progression of Quaker thought. They not only recognized the need to physically dismantle an evil system, but also saw that they would have to rewire our responses to crime, removing the impulse to punish and replacing it with ways to reconcile.

“The prison system is both a cause and a result of violence and social injustice. Throughout history, the majority of prisoners have been the powerless and the oppressed. We are increasingly clear that the imprisonment of human beings, like their enslavement, is inherently immoral and is as destructive to the cagers as the caged.”

Statistics continue to bear this out—it is no coincidence that most prisoners currently in jail in

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Minute on Prison Abolition continued

Canada are “the powerless and the oppressed.” This paragraph also makes an evocative allusion to Quaker history—Quakers of the 18th century were led to look clearly at their sins and begin to work for the abolition of slavery. The concern for the spiritual wellbeing of those who run prisons echoes the work of past Friends like Benjamin Lay and John Woolman, who warned their fellow Quakers of the evil and soul-destroying nature of slaveholding. Friends here are reminding us that once we understand that something is wrong, we need to do something about it.

“The challenge before us is to use alternatives based on economic and social justice and on the fulfillment of human needs. Some alternatives to prisons have already been developed and more are needed to bring about reconciliation and healing within the community. Friends need to seek out, develop, and support such programs. At the same time, we need to foster awareness in ourselves and others of the roots of crime and violence in society to ensure that our lives do not unintentionally reinforce these evils.”

“The challenge before us is to use alternatives... based on the fulfillment of human needs.”

Here Friends make the case that prison abolition is a “world building” project and connected to the construction of the other great social and economic justice struggles of our time. We are encouraged to both generate our own programs to make abolition a reality, and to support those of others. We are also reminded that the roots of crime and violence are injustice, and that injustice may be perpetuated in our own lives and ways of being.

“Prison abolition is both a process and a long-term goal. In the interim, there is a great need for Friends to reach out to and to support all those affected: guards, prisoners, victims, and families.”

Abolition is not just a theory but is made instead of concrete actions we must take every day. I hear echoes of George Fox’s assertion that Christianity is “not a notion but a way.” Again, the assertion is that abolition is more than a political movement, it is a process of community healing and personal reconciliation.

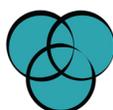
“We recognize a need for restraint of those few who are

exhibiting dangerous behaviour. The kind of restraint used and the help offered during this time must reflect our concern for that of God in every person.”

What seems like an afterthought or concession—that we will still need to use restraint on some people—turns out to be the most radical statement of the minute. Our concern for that of God in everyone means absolutely everyone, even those who Friend Ruth Morris called “the dangerous few”, who she guessed made up 1 or 2 percent of prison populations. As she later put it, “persons who have committed a series of dangerous, violent acts need to be protected from their own impulses as much as we need to be protected from them. Such a separation must be in an environment completely different from our prisons, which are incubators of violence.” Building this environment will depend on the structures of support and care we create in our communities and the accountability we build into our relationships with one another.

There is so much more wisdom and inspiration to be found in our Prison Abolition minute than I have space for here. I encourage readers to spend some time with the text and to be open to what it says to us today: <https://quakerservice.ca/PrisonAbolition>. If the minute shows us progressing from building prisons to reforming them and then working for their abolition, what might be next? I personally find direction in the work of many social movements for racial and economic justice, including Justice for Black Lives Winnipeg in my hometown. This group seeks to get the funding that currently goes to policing shifted to investments in communities, seeing the abolition of police as the best path to the abolition of prisons and the establishment of true reconciliation and peace. As Canadian Friends, finding and supporting these new expressions of abolition may connect us to the work of our elders and ancestors, and to the communities most affected by the criminal justice system.

I’m grateful that 40 years after it was approved, CYM minute 1981.08.93 abides in the work of the Canadian Friends Service Committee, and continues to provide me with one answer to the query, “What do you believe?”



John Samson-Fellows, Winnipeg Meeting, is a member of CFSC’s criminal justice program committee.

My Journey to Understand the Sources of My Income

By Sara avMaat



Knowing that the Canada Pension Plan would someday be (and now is), a substantial part of my income, I have long been troubled that my pension may depend on investments I cannot in conscience support. I tried to learn more about CPP but found it very challenging to understand the language related to economics and investment, and to come across the details I wanted to know.

However, in the fall of 2020 way seemed to open. I was invited to represent CFSC at a Zoom meeting (which has become a series of meetings) organized by the social justice group Just Peace Advocates. It brought together labour unions, peace, environmental, and human rights groups to discuss the issue of CPP investments. I also found out through CFSC that the biennial public meetings of CPPIB (the investment board of Canada pension) were taking place online and I could register. I would like to share what I have learned.

CPP started as a pay as you go plan with a small reserve fund that was loaned to provinces, i.e. the returns were small but the risk was low. In 1997, the plan was transformed. A board was created (Canada Pension Plan Investment Board, CPPIB) to manage the reserve fund. The board started investing contributions, and the CPP grew, eventually becoming the largest pool of public capital in Canada and one of the largest pension funds in the world. According to the most recent annual results it is now valued at \$497.2 billion.

CPPIB is not directly accountable to contributors and beneficiaries, though it is required to manage in their best interests. It is excluded from freedom of information laws. It operates independently of government but is accountable to federal and provincial governments. The mission of CPPIB is to

“maximize returns without undue risk of loss.” This was repeated multiple times in multiple ways in the public meeting I attended. However, they did mention a new focus on “conduct and culture” as well, and stated that their investment criteria include environmental, social, and governance (ESG) factors, in particular: water, human rights, board effectiveness, gender composition, and climate change.

How is the CPPIB doing with these criteria?

With respect to climate change, in the public meeting they highlighted the \$6 billion they have invested in green initiatives. However, they did not draw to our attention that this was actually less than 1.5% of their investments at the time. In answer to a direct question from a participant, they stated that they do not plan to divest from oil and gas companies but will help them reorient. They did not elaborate on how they would do this. According to James Rowe, Associate Professor of Environmental Studies at the University of Victoria, the major international oil companies spent only 1% of their combined budget on green energy in 2018. Of the Canadian companies, only Enbridge has invested in alternative energy (7%). Other Canadian energy companies have no transition plan at all.¹

“I have long been troubled that my pension may depend on investments I cannot in conscience support.”

As far as human rights are concerned, CPPIB has invested in multiple companies with chilling track records. Palantir is a US based high tech surveillance company that designed systems for the US Immigration Authority. Those systems are used to conduct mass surveillance on immigrant communities and to facilitate workplace raids.

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Sources of My Income continued

Palantir's predictive policing tools are used by law enforcement agencies and militaries. *The Toronto Star* reported that in September 2020, CPPIB had become Palantir's second largest institutional shareholder and that some Canadian politicians were publicly calling for divestment.² Since then, it appears that CPPIB has decreased the number of shares it holds in Palantir, but still has a substantial investment.

According to World Beyond War, CPPIB is also invested in 10 of the top 20 global weapons dealers and 15 more from the top 100.³ One example is Northrop Grumman, which develops missile systems used by the Israeli air force against Palestinian civilians and provides drones and radars to monitor the US-Mexico border. Another example is Raytheon Technologies, which makes missile systems and munitions used against civilians in the occupied Palestinian territories and Yemen. Its equipment is also used to monitor the US-Mexico border.

What can be done?

One place to start is in screening your own pensions and investments. This can be easier said than done. Luckily, there are some good tools available. In using them, it may be best to focus on key companies to avoid, so as not to get overwhelmed.

CodePink offers this list of top arms manufacturers to ensure that you're not invested in:

https://www.DivestFromWarMachine.org/Divest_List.

This joint letter signed by CFSC and many others cites the key companies in Canada that are involved in sending light armoured vehicles to Saudi Arabia:

<https://QuakerService.ca/StopArmingSaudi>. American

Friends Service Committee has a helpful online tool called Investigate: <https://investigate.afsc.org> that screens for a number of human rights issues. If you have any difficulty figuring out how to use it, they will respond to your email for help.

For those wanting to go further, there are additional screens that cost money but can be used by your investment manager (for instance the Forum for Sustainable and Responsible Investment offers company research and screens to its members). CFSC uses ethical investment screens. CFSC was also instrumental in founding SHARE: <https://share.ca>, which publishes investor briefs and resources and engages shareholders to influence companies.

There is also the possibility of doing your own research into corporations using <https://StrategicCorporateResearch.org>. The site is free, encouraging concerned citizens to use it in holding corporations to account for their business practices. For US companies there is also <https://GoodJobsFirst.org>. It is worth knowing before you get started that doing this research can get very complicated, especially for large corporations with many subsidiaries.

Returning to the topic that is most pressing to me—the Canada Pension Plan's investments—in the fall Just Peace Advocates is planning to hold an educational webinar on CPPIB and its holdings. Join CFSC's email list or follow on social media to be alerted when this event is scheduled.

Influencing the CPPIB may be a little like altering the course of a container ship: a major change can't be accomplished quickly. It is apparently easier to amend the constitution of Canada than to change the rules governing the CPPIB! This is because the latter requires the approval of the federal government and at least seven provinces. On the other hand, there are examples of divestment. In 2019, CPPIB quietly divested from two companies that owned migrant prisons in the US, following some bad publicity it got for these holdings and a campaign that saw many Canadians calling on it to divest. It is impossible to know if CPPIB's decision was a purely financial one or if it was influenced by the public pressure. Perhaps it indicates that, as with the course of a large ship, change can happen in increments.



Sara avMaat, Antigonish Worship Group, is a member of CFSC's peace program committee.

1. Lisa Johnson, "Big finance considers climate change a major investment risk. Is your pension prepared?," *CBC*, April 17, 2021, <https://bit.ly/371Rc5J>

2. Alex Boutilier and Kieran Leavitt, "NDP call on Canada Pension Plan to dump shares of controversial surveillance company Palantir," *The Toronto Star*, December 7, 2020, <https://bit.ly/3y2bisp>

3. World Beyond War, "Weapons investments by various countries and states," <https://worldbeyondwar.org/weapons-investments-by-various-countries-and-states>

Milestone for Indigenous Rights continued from pg 1

human rights instrument precisely because Indigenous peoples were full partners in its development. The new implementation Act brings this same spirit of cooperation to the vital work of turning the *Declaration's* provisions into action.”

Since the global adoption of the *UN Declaration*, Canadian courts and tribunals have increasingly turned to its provisions to help guide the interpretation and application of federal, provincial, and territorial laws and regulations. The Act affirms the reality that the *Declaration* already has legal effect in Canada. However, instead of leaving interpretation solely in the hands of the courts, the Act requires the federal government to take active measures, in consultation and cooperation with Indigenous peoples, to reform its laws.

Ellen Gabriel said, “Indigenous peoples have been forced to go to Canada’s courts over and over again because our rights have been denied and the exercise of our rights has been criminalized. All governments have the obligation to uphold the highest standard of human rights protection, without discrimination. The new Act is an opportunity to create an open dialogue with all rights holders, including traditional governments, something that is sorely lacking in the lopsided relationship Canada has with Indigenous peoples today.”

Professor Brenda Gunn noted, “Indigenous peoples have won many important victories in the courts. This Bill is not about making a choice between this existing jurisprudence and international law. The two must work together. The point is to adopt a more cooperative, proactive and coordinated approach so that Indigenous peoples don’t need to rely on the courts to uphold rights that should be recognized and respected in the first place.”

The *UN Declaration* affirms Indigenous peoples’ inherent right to self-determination, including the right of Indigenous peoples to make their own decisions about how their lands will be used and protected and how their cultures and traditions will be maintained. The *Declaration* prohibits racial discrimination, requiring special measures to address the needs and safety of those at greatest risk of human rights violations, and calls on states to respect and enforce the Treaties and other agreements they have entered into with Indigenous peoples.

The implementation Act explicitly rejects colonialism and the doctrines of racial superiority, including *Terra Nullius* and the doctrine of discovery, long used to deny Indigenous peoples’ fundamental rights [Editor’s note: see <https://quakerservice.ca/DoctrineofDiscovery>]. The Act states that “all relations with Indigenous peoples must be based on the recognition and implementation of the inherent right to self-determination.”

Chief Wilton Littlechild said, “The implementation Act was adopted with the support of the vast majority of Parliamentarians, across party lines. It will be crucial to maintain this momentum and the political will to embrace change as we move ahead with the vital work of reforming laws and developing a National Action Plan.”

“The *UN Declaration* affirms Indigenous peoples’ inherent right to self-determination.”

The Truth and Reconciliation Commission called for implementation of the *UN Declaration*, as well as for government officials, lawyers, corporations and others to educate themselves on provisions.

Laurie Buffalo, Councilwoman Samson Cree Nation, declared, “Treaty Nations across Turtle Island played a crucial role in creation and global adoption of the *UN Declaration*. Their hard work and perseverance lead to the first global human rights instrument to truly protect our Treaty rights and uphold their original spirit and intent of mutual respect and peaceful co-existence. Now, through national implementation, we have the chance to bring this vision to life in really concrete ways that will benefit our communities and future generations.”

The *UN Declaration* was adopted by the *UN General Assembly* more than 13 years ago, on September 13, 2007, as the global minimum standards for the “survival, dignity and well-being” of Indigenous peoples.

Dr. Sheryl Lightfoot concluded, “From an international perspective, Canada’s implementation legislation is a landmark achievement.”



Jennifer Preston, Hamilton Meeting, is CFSC’s Indigenous Rights Program Coordinator.

Friends on the Move



CFSC staff Nancy Russell facilitated a presentation for Hamilton Monthly Meeting on lived experience in prison during COVID-19 and alternatives to punitive approaches. The session featured guest speakers.

Northern Spirit Radio, based out of Wisconsin, hosted CFSC staff Matthew Legge for a wide-ranging conversation on spreading peace: <https://quakerservice.ca/NorthernSpiritRadio>. Matt also presented at Atlantic Friends Gathering, to a first year university

class in South Carolina, and continued to blog for *Psychology Today*, sharing research and practical information from experts on peace and conflict issues: <https://quakerservice.ca/PsychologyToday>.

CFSC participated this year in virtual sessions of the UN where we supported a joint statement with the Coalition for the Human Rights of Indigenous Peoples and hosted a side event on *Achieving Legislation to Implement the UN Declaration*. Jennifer Preston moderated

a discussion between the commissioners of Canada's Truth and Reconciliation Commission about the importance of Bill C-15 for reconciliation: <https://quakerservice.ca/TRCCommissioners>.

Jennifer and associate member Paul Joffe presented to Directors at the Cree Nation Government and to staff at the Assembly of First Nations. Jennifer also presented to Friends at Western Half Yearly Meeting on the subject of reparations.

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