

Tom Flanagan

The Martyrdom of the Oblates

A missionary order has gone bankrupt by way of government policy

THE BANKRUPTCY OF THE OBLATES OF MARY IMMACULATE, announced in Winnipeg last week, is the vandalism of a Canadian treasure. Ottawa is recklessly allowing churches to be pushed into bankruptcy by legal fees that only the government has the power to control.

The dedicated priests of the Oblate order are virtually synonymous with the history of western and northern Canada. The most famous and beloved Oblate was Father Albert Lacombe, himself a métis, who helped negotiate Treaty 8, which covers parts of Alberta, British Columbia, Saskatchewan and the Northwest Territories. Lacombe died in 1916. But many other Oblates also set up mission churches, taught in schools, compiled grammars and dictionaries of Indian languages and developed special scripts so that the Natives could learn to read and write their own languages.

Their bankruptcy constitutes collateral damage from the tidal wave of litigation over residential schools that has rocked religious institutions across Canada, especially in the west. Nearly 10,000 lawsuits have alleged damage to Native peoples on account of everything from sexual abuse (in only a few cases) to so-called cultural abuse—i.e., loss of language, parenting skills and knowledge of how to live off the land. Mentioned in 2,500 actions, the Oblate order has not lost any cases, but with only \$7 million in assets, it cannot go on paying almost \$1 million a year in legal-defense fees.

In the 19th century, Christian missionaries were the main intermediaries between Native and white societies. The general Canadian understanding was that Native peoples needed to learn the arts of civilization. It was the missionaries' task to teach them literacy, Christianity, agriculture and other ways of making a living in the white man's world. For a few decades in the 20th century, anthropologists replaced missionaries as mediators, but then the lawyers moved in and set out to right the real and imagined wrongs of centuries past.

Underpinning this development was a revolution in thinking. The word civilization was banished from polite discourse. Native cultures were said to be as advanced as Western civilization, and any attempt at "civilizing" Native peoples seemed like cultural imperialism. In this tableau, lawsuits over residential schools are a kind of morality play, from which aboriginal cultures are supposed to emerge vindicated and reha-

bilited as authentic alternatives to Western civilization.

But the Oblates have also been undone by federal strategy. The government of Canada is a defendant in all residential school litigation, because it was federal policy to send Native children to the schools and pay for their education. As the number of lawsuits rose, the government wanted churches to assume a substantial part of the litigation costs and of any exposure to damages. The problem is that the two main denominations involved, the Anglicans and the Roman Catholics, are legally organized as dioceses (the Catholics also have separate religious orders, such as the Oblates). A church as such has no legal personality, and diocesan boundaries are firewalls against the spread of financial liability—normally, that is. But to comply with government wishes, the churches would have to pool their potential liabilities across all dioceses and orders, eliminating the protection against wholesale bankruptcy. The government is refusing to assume costs for the churches unless they comply.

Remember that the government writes all the rules of the legal game. It sets up the courts and legislates their procedures. It promoted the climate of judicial activism in which residential school litigation thrives. It has been cross-filing against the churches to ensure that they become defendants even when Native claimants would prefer not to sue them.

The government has been dragging out the lawsuits for years, and cynics say Ottawa is waiting for all the claimants to die before their cases are heard. Be that as it may, the weaker and more exposed religious organizations are bound to die before this morality play is over. The Anglican diocese of Caribou in British Columbia has already declared bankruptcy, and now it is the Oblates' turn. The national office of the Anglican church teeters on the brink.

Politicians love to preserve historic buildings, but they seem indifferent or even hostile to the historic organizations that have given the nation its identity. Father Lacombe and his colleagues had cause to fear martyrdom as they pursued their civilizing mission, but who ever dreamed of the political martyrdom of the entire Oblate order? ■



Father Lacombe in 1913: Beloved

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