

SOVEREIGNTY SYMPOSIUM 2011 KEYNOTE

The Right Honorable Emma Baroness Nicholson of Winterbourne and the
Royal County of Berkshire

Your Excellences; Members of the Judiciary; Tribal Leaders; Eminent Guests. Thank you for the invitation for myself to join you today, it both an honour and privilege, and a tremendous inspiration to witness what you are doing together in Oklahoma.

May I first and immediately pay tribute to the vision and leadership of Justice Yvonne Kauger, a truly wonderful figure whose ideas formed this Symposium and over the years has developed it to the great strength and position that it occupies today. Thank you for inspiring not just people here, but as the word spreads more widely: people everywhere. President Alison Cave: tireless worker, and all the volunteers and the other organizers who have put this enormous event together. Can I pay very special thanks to President Robert Henry, who is, himself, a truly inspiring figure. His introduction of myself to Oklahoma was first as an Honorary Member of the American Bar Association, whom he persuaded to set-up an all-important a Middle Eastern/North Africa Council of just five people at a time when that was foresight long before the Arab Spring was ever stirring in the wind. That was just a few years ago, and then he and his university bestowed on me a great honour late last year with an honorary doctorate. That of course made me, in my terms, a member of your entire and growing family: the awesome ‘wider’ family, to which all Oklahoma citizens belong. The Oklahoma family that I have already got to know a little has known tragedy—I’ve been to your great memorial—and many triumphs. That

you give the model of thoughtfulness to others: of bravery in times of danger, of strength in adversity, of support to each other. And these are qualities that you demonstrate to which all families and all communities aspire. Thank you Robert for bringing me into this wonderful family of Oklahoma—for giving me the chance to share in the lives of Oklahoma citizens who all now have a firm friend in me. As a member of you family I am committed to you futures and to the continuing success and happiness of all of you. Just tell me how I can serve you and I am ready to do so.

Of course, we meet to celebrate: to celebrate your work, your achievements, and your dialogue. This dialogue that through the Symposiums you have been carrying on based on the law and the differences of the law, the commonalities of the law, and ways in which you are using the law to work together. Essentially though we meet to celebrate the continuing success story of what we in the United Kingdom know as the ‘Very First People’. And there is so much to celebrate: your history reaches back in times to our earliest human roots not only in the entire Americas but in other parts of the world as well. And to us the story of the First Peoples stirs our imagination and warms our hearts. One huge achievement, but by no means the only one by which the First Peoples are known globally and certainly to us in Britain and Europe, is the creative arts world carried on through the generations, year after year, these wonderful paintings, sculptures, dances, music, acting. They give continued joy to millions, and more than that they deepen our understanding of natural and human life that thrives around us. Thank you Red Earth for that gift to the rest of us. And thank you for all those that will be participating in that excitement later on this week.

I would suggest that the core cultural values that those cultural strengths reflect are all of ours; they are the common essential bridge that brings humanity together. Last week we had your President, President Obama, in Westminster Hall addressing both our Houses of Parliament and he talked about, not the ‘special’ relationship—a much overused hyped word for the media—he talked about the ‘essential’ relationship based on the common values that we all share. What are those common values that you’ve exemplified here; I suggest that they are your success in building a future for everyone based on tolerance, on cooperation, on partnership, on diversity welcoming, exploring, enhancing, and supporting diversity, not being frightened of it or running away. And then of course independence, that core search that all humanity has inside itself. Independence, but within a common framework. And you’ve managed a gradual creation of methods, such as mediation, which have enabled these positive developments to happen. They haven’t just happened because politicians make nice words. They’ve happened because steadily, carefully, and I am sure not without many bumps in the road, you’ve been developing techniques, expertise, research, knowledge, and sharing which have enabled developments to happen. And of course you’ve grounded your dialogue in laws which harmonize you all. In other words, you are succeeding in overcoming human, environmental, and historical challenges that others in like situations have difficulty in conquering. What is the secret of your success? That is what I have been pondering. What are the pointers that your experiences identify that may be followed by the rest of us? Indeed, is yours a replicable model or solely unique to the special circumstances of Oklahoma and to the special properties that Oklahoma family members share. Just as a recall of why your experience is of high value to other societies as I perceive it, perhaps it is amongst these steady days and celebrations that year on year at the Symposium there is tragedy entwined in your memories too. Tragedies that when they occurred were so

profound and so devastating that the sheer weight of the awful, destructive, and terrifying actions upon your forbearers endured and challenged, almost wiped out the very existence of the tribal First Peoples and individuals. But you survived—shaken as trees in the hurricane, but not broken. Harmed in all manner of ways, but not destroyed. And that lesson of survival ‘plus’, not just surviving, but picking up the threads that have led so successfully to regeneration and beyond—regrowth, forgiveness, and mutual understanding, those are the points that we need to think about because they are needed now elsewhere.

Since your success, your growth, and your development gives the lie to one of the most basic human fears—perhaps correctly our deepest and best founded fear—that differences between us, whatever they are, whether they’re inborn or acquired, will lead inevitably for the powerful to define the weak, to reclassify the ‘other’ as beyond the pale, subhuman, with terrifying consequences. Those consequences, as we know well, lead directly to loss of identity, loss of family, loss of tribe, loss of land, animals, complete evaporation of prosperity. It leads on to the destruction of the products of the mind—an early recollection of the destruction of the Library of Alexandria. In different societies, the planned destruction of family records, and of course, the complete ignorance and despoliation of the law. Too often today around the world we see on a daily basis these things leading to the absolute collapse of civilized, organized, and fair society and its extinction into chaos. For myself as a politician, the heart of the matter lies in the law, its implementation; but you must also have the support of the wider world, the trust of the people, the fundamental freedoms, and democracy to keep society alive and functioning.

I think that the lessons that you teach us here today can be applied in many areas of the world. Take that single statement I've made about the loss of identity. You've conquered that; look at your identity here today and around the Americas. Simple identity loss, which I've perceived and unpicked in a number of places in Central and Eastern Europe, I will not name the countries, is the absolute loss of identity you can achieve immediately if you do not give a baby a birth certificate. And if you remove that child with no birth certificate and you put it somewhere else in a different part of the country—the child has no identity. That then enables you—I have seen—to sell that baby, to use that child in any way you wish; which is why today child trafficking is the fastest growing crime in the modern world. It is the fastest growing crime of international organized crime. Loss of identity lies at the heart of it. If you take away a baby's identity at birth, it's quite easy to do that—you bully the mother, you manage to corrupt the medical profession perhaps or at least one in the birth ward. That's where the beginning of loss of identity lies.

Of course if you don't get the laws straight, and here with children the reliance on the rather voluminous and not necessarily fully applicable but nonetheless a good pointer-piece of legislation The United Nations Convention of the Rights of the Child. If at least that you can get inside a society and get it ratified, incorporated, and brought into law, then you have something to hold on to. Which is why part of my work for the last few years has been in Central and Eastern Europe working with governments, with parliaments, with communities, with mothers and fathers most particularly—because they are the ultimate sufferers apart from the child—to try to get proper legislation in that will protect the family. It isn't easy in a corrupt society. You have your tribal leaders; we're all brought up to look for the person nearer the top who will help.

The despair I felt when climbing up that ladder—politically—in one of the Eastern European post-communist countries was to discover the inevitable: that it was the top that was selling the children. So, where did the strength lie in that society? It has to lie in the family with the people and so to persuade them to strengthen the family to help the family to survive.

Another great freedom that is being dismantled, that you have managed to hold onto here, is the freedom of worship. I see the freedom of worship as the touchstone of all the other freedoms.

I've been working in Kashmir, a very complicated, sad, traumatized place. A beautiful past split into fragments today. In fact, running under no less than four different nations: a part has been taken away by China some time ago that was sold by Pakistan in 1972; a part that is India it, is an independent state—it is the most independent state in the Federal Republic of India—it's the one with the highest sets of individual freedoms, but still not enough for satisfaction of the peoples there; and then there's another part called HAK/Azad Jammu & Kashmir, which is a part of Pakistan, it is supposed to have an independent government but in fact the majority is appointed by the Cabinet in Islamabad; and then there's a very sad corner called Gilgit-Baltistan under military rule since 1947 with no votes, with no freedom of association, not more than five people have been able to meet together without being arrested by the police since 1947. None of the fundamental freedoms that you and I enjoy. And those are tribes like you. Very difficult to get there because their situation is so appalling. Few schools for a couple of million people almost nothing. Certainly one hospital for two million people—I don't know how it functions. No university of course. And of course—no vote. No representation. Nobody in the Islamabad Parliament. No parliament of their own. I think we can learn lessons that might help them from

you. You've managed all those things together—all sides working around the table. But it isn't easy, because in the Constitution of Pakistan, it is a Constitution that has set its face against freedom to worship—against freedom to worship. So if you worship in a special way, worship Islam in a special way, if you worship another religion you'll be excluded. You cannot vote in some instances; we found 35 million people who were excluded constitutionally from voting recently. And if you worship, as some do, a completely different kind of faith, on the slightest whim—because of the Constitution—you risk execution or imprisonment for life.

So I see freedom to worship as one of the most core fundamental freedoms of all. You got over that problem a long time ago—if you ever had it. We need to learn from you. The Constitution of Pakistan, I pray, that I can be amended. It is one of the most frightening constitutions that I have ever read, in terms of ordinary people.

Lately, I've been working hard on helping to develop some parts of legislation and giving evidence in trials in Iraq. I was so excited to see that some of your veterans who came today must have had their medals from Iraq, or so I gather from others who know more than I do, from that first effort in 1991. I've been working in Iraq since then myself. And Iraq is a fascinating wonderful place. Full of exciting people: yes it's volatile, but no it's just not bombs. And one of the most exciting parts of Iraq is tribal.

Another huge number of tribal peoples who came under terrible assaults from the previous government under Sadaam Hussein whose goal was to wipe them out. In modern terminology: to commit genocide against them. And the methods used against them will be all too familiar to

you: land destruction; water—and they were fishermen—first poisoned and then removed—he spent two billion dollars removing the water—because it was a massive marshland the size of the State of Ohio, now it’s down to about fifteen percent of what it was so there’s precious little fishing that you can do and the core animal husbandry was water buffalo, probably half a million then may be just a few thousand now—they cannot survive without water; health care taken away and education too, so ninety-two percent of everyone is functionally illiterate and non-numerate. That makes life very difficult indeed, because as you can guess you can be cheated hand-over-fist by wicked companies who promise to do something to the Ministry, you can’t read the contract—you don’t know that a contract even exists because you don’t know what a contract is because you never learned to read or write. So those are one of the fundamental requirements, and we’re talking about something nearly half a million people, that are known. Starvation; torture; killings; destruction of fish, birds, animals; collapse of farms, villages, fishing; and then the deliberate destruction of homes and all family and tribal records. I’ve been working with these people for twenty years and we’re nowhere near recovering a fraction of these huge losses. I’ve been working first through health and education, because if you’re so ill, so illiterate that you can do nothing then you can’t get involved at all. One of the most important projects that we’ve managed to put in, I and my friends, we’ve called the Heritage Project. And the Heritage Project is simply designed to enable tribal people to recover their tribal heritage. I know the wonderful records that some of your tribes have managed to retain. There the destruction was total. So the difficulty in bringing tribal memories to life, we’ve been relying upon the grandmothers and recording all their records, all their histories, and putting those down in print. We’re trying to work out every family to have a book. More tribal peoples in Yemen, of course, and Kazakhstan, where I was the other day, because the tribe is of course the most

important part of society. The fundamental unit of society is always the family, but the earliest and most lasting human structure to protect the family and to allow the individual to flourish has always been the tribe, and is it possible therefore that my reasoning leads me to the *absolute* key to your success: the reason for your success is that you've retained your tribal structure and your tribal strengths. Indeed, the reason for tribal destruction, which is a key goal for modern dictators, must surely be that the underlying tenacity of the tribal structure endures continually. One of the most important pieces of legislation on which I was brought up is the Genocide Convention of 1947, which as you know came swiftly after, I believe, the Declaration of Human Rights. And I would suggest that the reason for genocide tackling tribes is simply because as you've prove so clearly: it is the tribal structure that keeps humanity alive.

Well, you show in your work that what mankind destroys, mankind can also rebuild. And although as time passes things are different, meaning that later solutions cannot bring back the precise past, here in America, in the United States, your vast and enduring strengths, your holding onto freedom, gives every opportunity not just for yourselves to succeed again, but for you to share the lessons that you've won here so slowly and so strenuously. You can share those with the wider world. I urge you to do so. And I suggest that the high value and high eminence of those experts who were leading and speaking on the panel sessions here would ensure your growth and development over the wide range of topics that you are discussing. I feel confident that in these sessions and in the next Symposium you will find the further answers that you are seeking. As I see it, your Symposium, your celebrations this week, please don't just hold them for yourselves. They should be a beacon.

I've touched on just two or three areas where tribes, communities, families, and nations are suffering in a way that some of you suffered or your forbearers. They haven't yet found solutions. Might it be possible for you to share your answers with them to.

Thank you so much for everything that you are doing and I look forward immensely to being your vehicle for any messages you want to give.