

John Dieffenbacher-Krall Remarks on Recognition of His Service to MITSC January 27, 2021

Thank you for recognizing my service to MITSC today. In college, I spent a considerable amount of time reflecting on what type of work I wanted to do in my life. I was highly influenced by my mother, a smart woman who was somewhat of a trailblazer becoming one of the first female computer programmers at a large Fortune 500 company. Though many people admired my mother for what she had achieved, she was extremely unhappy in her work because it did not fulfill her. She did it out of necessity as it was fairly lucrative work for a woman working in the seventies and eighties who did not hold a college degree. She did eventually earn her bachelor's degree in her late fifties.

I concluded I was going to do work that not only provided me with an income but also offered personal satisfaction and meaning. That has largely meant work connected to social change. For me, my work must align with my values. My faith is important to me. I was baptized in the Catholic Church as an infant. During Baptism, a child's parents and godparents pledge "to bring ... up (the child) to keep God's commandments as Christ taught us, by loving God and our neighbor." I view devoting oneself to social change as fulfilling God's charge to us to love our neighbor.

As an adult, I was received in the Episcopal Church. In the Episcopal Baptism liturgy, the people present for the sacrament service are asked if they will "strive for justice and peace among all people, and respect the dignity of every human being?" I take that pledge very seriously, and it guides me in my life's decisions.

I view the work of the Maine Indian Tribal-State Commission as consistent with that pledge to "strive for justice and peace among all people, and respect the dignity of every human being."

Maine Attorney General Richard Cohen effectively captured the significance of the Maine Indian Claims Settlement in his testimony offered to the US Senate Select Committee on Indian Affairs in July 1980:

I cannot promise you that the adoption of this settlement will usher in a period of uninterrupted harmony between Indians and non-Indians in Maine. But I can tell you, however, that because we sat down at a conference table as equals and jointly determined our future relationship, in my view there exists between the State and the tribes a far greater mutual respect and understanding than has ever existed in the past in the State of Maine. I can also tell you that if this matter is litigated over a period of years, the atmosphere in Maine certainly will be quite different. I cannot put a price tag on human relationships, nor am I suggesting that this factor alone justifies enactment of the legislation before you. I am asking only that you give appropriate consideration to the historical significance not only of the settlement itself, but also of the manner in which it was reached. *AG Cohen p. 164.*

Sadly, Attorney General Cohen's words have proven prophetic. Numerous court cases have ensued between the Wabanaki and Maine State Government. The Wabanaki-Maine relationship has been characterized far more during the last 40 and a half years since President Carter signed the Settlement Act by strain and disagreement instead of mutual respect and understanding.

We know that many civic and public relationships in our lives right now are described as strained, fraught, even broken. People opine every day about the need for dialog and truly hearing people who hold different points of view than ones the listener may hold. The Maine Indian Tribal-State Commission has tremendous potential to enhance, perhaps even heal the Wabanaki-Maine relationship. What AG Cohen said about the manner in which the Settlement agreement was reached is so important, "we sat down at a conference table as equals and jointly determined our future relationship." For 155 years, the State of Maine dominated the relationship with the Wabanaki. That dramatically changed when the First Circuit Court of Appeals affirmed Judge Gignoux's decision in *Passamaquoddy v Morton*. To the detriment of the Wabanaki-Maine relationship, the State of Maine prioritized restoration of its jurisdictional control during the Settlement Act negotiations. Settler court decisions have strengthened that control.

Every day I held the MITSC Executive Director position I strove to restore justice to the Wabanaki-Maine relationship. Without a just relationship, tension, conflict, acrimony, and dispute will characterize the relationship. The people who lose the most from that conflict are the poorest settlers and Wabanaki individuals. So much can be gained from mutual respect and prosperity. MITSC can provide a tremendous service to the Wabanaki-Maine relationship as being a respected, authoritative place equally represented by Wabanaki and State representatives to fashion potential policy solutions that are mutually beneficial for the Tribes and the State. That vision inspired me. I hope it will inspire you. I appreciated the opportunity to serve.