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Guest Editors' Introduction to the Special Issue

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Guest Editors' Introduction to the Special Issue

Indigenous peoples, sometimes known collectively as the fourth world, have often undergone profound hardship during centuries of western colonialism, and have displayed resilience and renaissance in the face of difficult odds. Currently, forty percent of the world's countries contain Indigenous nations, who collectively comprise 370 million people or 5% of the world's population, divided among over 70 states.¹ Many Indigenous peoples are united by their marginalization on their traditional lands by dominant colonizing states and societies.² Many also struggle to overcome unequal conditions in terms of access to safe drinking water, adequate housing, food, clothing, medical care, and education. Continued colonization is also manifest in a high level of settler racism against indigenous peoples, exemplified by sedimented structural inequalities which have been normalized. Indigenous peoples, due to the ongoing legacies of colonialism, are often blamed for problems which have their origins in settler government policies and institutionalized racism.³ While Canada is consistently rated as one of the top countries in the UN Human Development Index, Aboriginal peoples rank alongside citizens of Panama, Belarus, and Malaysia in terms of *their* social and economic prospects, and these gaps are not narrowing.⁴ James Anaya, United Nations Special Rapporteur on the rights of indigenous peoples, concluded in October 2013: "Canada faces a crisis when it comes to the situation of indigenous peoples of the country."⁵

Invoking genocide (the "crime of crimes"⁶) has particular salience in changing how historical relationships between Indigenous peoples and settlers are interpreted. In Canada, accusations of genocide may work to undermine the country's traditional view of being "a nation of peacemakers," while similarly questioning what Paulette Regan has called the "myth of innocence" over how and why an Aboriginal presence has been virtually erased from mainstream history and society.⁷ Genocide claims have also been seen as an affront to American exceptionalist narratives of being both a chosen and benign nation,⁸ with Australian conservatives similarly threatened by such discussions. Genocide claims often take years if not decades to develop. State governments have a vested interest in preventing debate over these issues from taking place. Similarly, access to information, either written or oral is often difficult to obtain when the state feels its hegemony and sovereignty are under threat. This is especially so in cases where indigenous peoples who never ceded control of their lands have been subjected to genocidal colonizing processes.

Recognition and study of genocides against Indigenous peoples is growing. Indigenous nations have been pointing at these realities of colonial atrocities and genocide for centuries. To nation-states that owe much of their creation to colonial appropriation of Indigenous lands, the examination of colonial genocide hits a nerve at the centre of the histories of their national origins. Voices that empires sought to silence are being amplified and are creating new narratives inside old, accepted histories. Additionally, Indigenous nations have demonstrated agency and resistance against ongoing series of colonial schemes, systems and assaults. Indigenous peoples are partially defined by struggle, by their desire to "reclaim and regenerate one's relational place-based existence by challenging the ongoing destructive forces of colonization."⁹ They might also be seen as constituting an "emerging international indigenous rights regime," embodying "politics of resistance and counter-resistance".¹⁰ Central to the struggles many Indigenous peoples face is genocide. Studies of genocide and Indigenous peoples involve these complex interactions between colonialism and the colonized. The inherent connections between genocide and colonialism are continually pushed and redefined in order for us to study and to understand how Indigenous peoples, lives and lands have been drastically changed, over time.

Old historical tropes such as "vanishing" are no longer relevant.¹¹ The romantic ideal of "vanishing" or "melting away" suggests that the "disappearance" of indigenous peoples, while sad, was really no one's fault. One might abstractly blame historical inevitability and a Darwinian belief in evolution and "progress."¹² These days have largely passed. Narratives of these genocides also directly question the intent and legitimacy of colonial settlement. Were systems like Indian residential schools, forced removals, land appropriation and legislation suppressing on identity and rights of Indigenous peoples created to "save" a "dying race" in order to proceed with a plan of a benevolent empire? Or, were colonial systems created to assimilate, Christianize and

“civilize” the “savage” conducted in the primary interest of the nation-state to remove Indigenous peoples from the land or resource base earmarked for settlement and resource extraction? Were aspects of colonial expansion, racism and domination each playing simultaneously while acts and events diminished the physical and political presence of Indigenous nations? The narrative of uplift and systems “for their own good” is steadily dissolving under the evidence of colonial-colonized relations.

We present this collection of research, “Time, Movement and Space: Genocide Studies and Indigenous Peoples” in two special issues of the *Journal of Genocide Studies and Prevention* to contribute to the growing dialogue and turn discussion to an increasingly decolonized vision of genocide studies. These two issues include and also transcend the discussion of definitional debates. The range of topics included in the special issues help to demonstrate how seemingly diverse cases of genocide compliment a unified narrative of how colonialism/colonization disintegrated Indigenous life, worldwide.

In July 2014 the International Association of Genocide Scholars (IAGS) held its annual international conference in Winnipeg, Manitoba, Canada. These two special issues of the *Journal of Genocide Studies and Prevention* were intended to contribute to the conference theme of “Time, Movement and Space: Genocide Studies and Indigenous Peoples.” In this issue, lead organizer of the IAGS conference Andrew Woolford has contributed his impressions and summary of the conference. Woolford explains how the IAGS drew focus to Indigenous and colonial genocide research and why the Winnipeg conference was so well timed for both genocide scholars, for Canada and for Winnipeg. In his remarks he also records some reflections on the conference and notes a few debates and moments of tension that arose. His reflections re-emphasized the importance of the timing of the conference and the location where the conference was held, in the centre of North America.

We have also included the keynote address presented at the 2014 IAGS conference in delivered by historian Tony Barta. In his address, Barta bridged the diverse group of scholars that attended the Winnipeg conference. It was clear that the conference gave a rare opportunity for genocide scholars and Indigenous scholars to explore intersections and contribute to emerging trends in genocide research. Dr. Barta includes several poignant reflections on his work during the 1980s on colonial genocide in Australia and the terrain of genocide studies at that time. The child of Holocaust survivors, Barta was forging new ground in genocide studies at a time when it was virtually unheard of to do so. At the very least, it was an unpopular question to raise and his reflections served as a valued reminder to scholars on the changing terrain of genocide studies.

In November 2014 the symposium entitled “Killing California Indians: Genocide in the Gold Rush Era” was held in Riverside, California, USA. Robert Przeklasa attended the symposium and has contributed a summary of the event, entitled “And then the Elders and Scholars Cried”. It is important to note in Przeklasa’s commentary on the symposium the prevalence of emotion and the contribution of the local community, to the gathering. Przeklasa describes these forged and fostered relationships between the scholarly discussion and the broader connections to Indigenous communities in California. As Przeklasa points out, this symposium took place following a series of conferences on similar topics. As a result, a number of scholars are noted as sharing personal thoughts or reflections alongside their prepared papers. These reflections on the California symposium are a reminder of the contemporary nature of trauma in Indigenous communities. Przeklasa describes the tone of the event as “spiritual heaviness” and how it serves to demonstrate the close or inseparable relationship between the Indigenous community and discussion of these topics related to Indigenous genocides.

As guest editors, we hope that this collection re-emphasizes the important link between centuries of colonial legacies and the contemporary tensions between non-Indigenous and Indigenous communities. Indigenous communities are leading movements fighting the centuries of genocidal legacies to which they have been subjected by states and empires. As genocide studies expands and changes it not only broadens our understanding of colonialism, but it expands what we know about genocide. An old adage still exists in academic study that Indigenous knowledge and the transfer of Indigenous peoples’ epistemologies must be made to fit to Western academic standards or to be “separated out.” It should be noted that decolonization involves among many things, a

nation-to-nation partnership on re-examinations of ontology or epistemology. Creating space for Indigenous peoples' narratives and pedagogy means continued adaptations to Western academic convention/style. These may not be drastic changes but decolonization means creating new rules and bending old rules to find space where Indigenous peoples can present their understandings of these ancient relationships given the best ways to translate the knowledge. Scholarship on the legal frameworks and histories of genocide including the work of Raphael Lemkin originate from a primarily European-Western tradition. As the contributors to this issue have each discussed in their articles, there are ways to re-frame and re-examine the primarily Euro-Western understanding of genocide in order to support study of colonial or Indigenous peoples' genocides.

In his article, "Colonialism and Cold Genocides: The Case of West Papua", Kjell Anderson examines the case of the disappearance of Indigenous Papuans as both an "autonomous political and ethnic identity" in West Papua. Along with the other contributors, he is investigating these often-debated boundaries of definitions and genocide studies. In his article, Anderson uses the case of West Papua to present his analytical framework of these types of genocides, which he describes as "hot or cold" genocides. He posits the "genocide question" to the case and events of West Papua using the UNGC and the fundamental understandings of the crime of genocide. Indigenous peoples were rarely seen as humans or as agents in these cases and rather than facing genocidal intent, as Anderson describes, colonizers were facing what they believed to be inevitability, instead.

Jerimiah Garsha has contributed a detailed history of the 1850 Bloody Island Massacre of Bono-po-ti, in Lake County, California, USA. The contextualized events that Garsha describes are not only presented as a series of events but as a portion of a broader narrative in American-Indigenous relations. Garsha follows a constructed hierarchy of historical narrative through examination of memory and memorialization of the Bloody Island site in California. With use of media portrayals of the "Bloody Island" massacre, Garsha provides an additional player to this already troubled and traumatic relationship; the public via the media. Narrative of these massacres in California and the issue of a public memory are cleverly interwoven with a broader survey of American history. These are the contextualizations that are so essential to broadening study and understanding of colonial genocides, overall. Through the words of the "dual massacre markers", the two separate historical plaques from 1942 and 2005 commemorating the Bloody Island site and the struggling narrative in California public history Garsha demonstrates how public interpretation continues to shape our relations between Indigenous and non-Indigenous histories.

Examining and extending this growing interest in the rhetoric of genocide, Jeff Benvenuto enters into this discussion with his contribution "The Semantic Field of Genocide". It is the "close conceptual pairing" of cultural genocide, ethnocide and genocide and how these terms have political use and influence that Benvenuto uses with particular focus on Indigenous rights movements. In his article, Benvenuto illuminates a large and longer discourse around the rhetoric of genocide and cultural genocide and its efficacy in international Indigenous human rights movements. Pointing to the Indigenous global politics movements of the 1970s and highlighting the precursor events leading to the 2007 United Nations Declaration on the Rights of Indigenous Peoples, Benvenuto examines the "imposition of structural and discursive boundaries in the development of Indigenous rights". Benvenuto encourages genocide scholars to embrace the discourse of Indigenous rights. In doing so, scholars can approach and re-approach decolonization of genocide studies and the integration of Indigenous peoples' narratives. As he reminds us in his timely contribution, there is an ongoing focus or concern in genocide studies regarding the balances between activism and scholarship. These are the balances and relationships that require renewed, decolonized study.

International Indigenous political movements and especially the "doctrinal and procedural obstacles" to the UNGC, forced child transfers (FTC) and international law are the focus of Ruth Amir's article "Killing them Softly: Forcible Transfers of Indigenous Children". Amir traces the origins of the integration of forced child transfers into international law and in particular the cases of Canada, the United States and Australia and the removal of Indigenous children. Points of tension between assimilation, genocide and forced child transfers are examined by Amir and she provides an analysis of forced child transfer and the reception that the international community has given the laws and law-making on forced child transfer. Regardless of the specific case or how one defines genocide the forced removal of children *en masse* from their parents remains with clear

intent and as Amir reminds us, "intentions can be construed from action, inaction and words". Indigenous communities have faced these actions and inactions for several decades as generations of parents have had their children forcibly taken from their homes. As we consider this collection of research we can see the broader intent and malice that extends far beyond the "benevolence" of state and church.

Natalia Ilyniak has included the voices and language of Anishnaabe residential school Survivors to describe what colonial genocide looks like in terms of culture and destruction of language in her article "To rob the world of a people: Language Removal as an instance of Colonial Genocide in the Fort Alexander Indian Residential School". Inside the broad and often complex discussion of colonial genocide, Ilyniak presents this "micro-instance" of language removal and cultural destruction which helps to unravel the complex interactions of colonialism. This article provides both details and a decolonized perspective on how these assaults on culture are inseparable from the assaults on the body, mind and religion. Each contributor has discussed on some level this definitional inseparability between cultural genocide and genocide and along the same lines, Ilyniak continues with this discussion sharing the distinct voices of the Anishnaabe in Canada.

We will also feature two book reviews by Ami Fagin and Mark Meuwese. American history and popular culture appears to be well versed in the history of the United States and their interactions with Native Americans. A different kind of debate arises through the U.S. compared with other countries over the applicability of the term genocide as it applies to Native American history. The two book reviews are on topics of American-Indigenous relations. Ami Fagin has contributed a review of Alex Alvarez's *Native America and the Question of Genocide*. Fagin enters this American "stand off" on the applicability of the term genocide. Alongside a critical summary of the book, she describes Alvarez's work and how it deserves to fit into these discussions and this discourse on genocide.

Mark Meuwese has reviewed Gary Clayton Anderson's *Ethnic Cleansing and the Indian: The Crime That Should Haunt America* for this issue. As Meuwese outlines in his review, Anderson has taken a different route through Native American history than other scholars, like Alvarez. Anderson is clear to present this version of Native American history as ethnic cleansing and provides an argument against the use of the term "genocide" as it applies to the United States. In his review, Meuwese offers several details on US-Indigenous history to consider alongside Anderson's historical narrative. Meuwese proposes that these details can counter the argument of Anderson's volume on the applicability of the term genocide. Both Fagin's and Meuwese's reviews reflect the current state of genocide studies and Indigenous-genocide studies.

As we bring the first of our two special issues to press, we are aware that Canada is changing. Following the June 2015 release of Canada's Truth and Reconciliation Commission executive summary and recommendations, public and media attention has been drawn to the use of the terms "cultural genocide" and "genocide". The end of the TRC's six-year mandate will hopefully generate discussion, debate, and action on the legacies of genocide in the Indian Residential Schools, and also in the wider process of colonizing Turtle Island. The Commissioners concluded in a public closing event that the federal government had committed "cultural genocide" against Aboriginal peoples through the operation of the schools system. Earlier, Justice Murray Sinclair, the chief commissioner had been clear that genocide as defined under the UN Convention had been committed. The summary report (the final report is due at the end of 2015) made 94 recommendations in order to achieve reconciliation and achieve self-determination for Aboriginal peoples. At the time of writing, it is by no means clear which federal political party will form the next government in the October federal elections. Political willingness to implement the recommendations and to move forward in partnership and respect with Aboriginal peoples will depend on which party can form the government and how much political capital and political will they have to make changes.

Canada's IRS system was established in the mid-1880s. The federal government worked closely with mainline Canadian churches, who were together responsible for running most schools until the 1950s. From 1920 until the 1950s, attendance for children aged five to sixteen was compulsory.¹³ At least 150,000 children passed through the schools, the last of which closed only in 1996.¹⁴ There are approximately 75,000 Survivors alive today, and many face a myriad of social, economic, and

other problems as a result of their experiences. Problems of intergenerational trauma remain serious, since Survivors learned few parenting skills, and were deracinated from their languages, territories, and cultures. Many Survivors demonstrated an amazing level of resilience and cultural continuity, and their positive legacies are an example to others.

Public discussion of abuse began in 1990 when then Assembly of Manitoba Chiefs leader Phil Fontaine openly declared his history of physical and sexual abuse and encouraged others to come forward.¹⁵ In 1991, the Royal Commission on Aboriginal Peoples, helped build public knowledge of the IRS system.¹⁶ RCAP's *Report* in 1996 highlighted four main types of harms committed during the colonization process, the first of which concerned the physical and sexual abuse in Residential Schools (as well as their goals of assimilation and cultural destruction).¹⁷

RCAP recommended the establishment of a public inquiry into the IRS system to listen to Survivors, collect evidence, and recommend forms of compensation, with the ultimate goal of issuing a formal apology, helping rebuild damaged lives and communities, while promoting public knowledge of the abuses in the system through education.¹⁸ Eventually the government and the churches were forced to comply, although this was in reaction to widespread litigation on the part of IRS Survivors. By early 2005, some 13,400 individual suits had been filed, with large class action suits as well, such as the "Baxter National Class Action," where 90,000 Survivors sought \$12 billion from the federal government.¹⁹

In the wake of some church bankruptcies, the government stepped in and in 2006, the IRS Settlement Agreement was signed between legal representatives of IRS Survivors and government and church plaintiffs. The Agreement set out a variety of compensatory mechanisms, including Common Experience Payments (CEP) for all Survivors, an Independent Assessment Process (IAP) for more serious abuses, a commemoration fund, and funds to promote healing and health support.²⁰ These covered only certain categories of Survivor however, and schools run by provincial governments were not part of the Agreement, nor were day schools, although demonstrable forms of abuse took place there as well.²¹ In 2008, the federal government formally apologized, regretting that "mistakes" had been made, although Prime Minister Harper failed to reflect on the wider colonial social and institutional context which made the IRS possible.

Under Schedule N of the Agreement, a Truth and Reconciliation Commission was established, which has had important ramifications for the discussion of genocide in Canada. With a budget of \$60 million, the TRC began its mandate in 2009, and held a wide range of public meetings, gatherings, and events, including numerous regional and seven National Events, where statements from Survivors and their families are taken, either in public or private settings. Another aspect of its mandate is the creation of a national centre on truth and reconciliation to house documents related to the IRS system.²² Unlike the South African TRC, or the Australian Human Rights Commission (which found Australian states guilty of genocide against Aboriginal peoples in its 1997 *Bringing Them Home* Report), the Canadian TRC had no legal powers.

Schedule N, Article 2 (c) laid out that the Commission "shall not hold formal hearings, nor act as a public inquiry, nor conduct a formal legal process;" (d) states that the Commission "shall not possess subpoena powers, and do not have powers to compel attendance or participation in any of its activities or events."²³ For this reason primarily, the TRC has not been able to go beyond academic terms such as cultural genocide, and while Justice Sinclair has said repeatedly that the UNGC was violated, particularly the prohibition against the forced removal of children, the Commission has been officially silent on this matter. It has also not had the ability to accuse previous governments of crimes against humanity, which would also seem to be an easy accusation to prove.

At the time of writing the commission has completed a collection of 7,500 statements from Survivors, compiled a death total of 6,000 children who died in or soon after leaving residential school, while it has also increased public knowledge of the IRS system from 30 to 60 percent over the course of the TRC's mandate.²⁴ A core mandate of the TRC has been education, and its new National Research Centre for Truth and Reconciliation is tasked with documenting the history, the crimes, and the aftermath of the IRS system. The NCTR will house a massive oral history archive with nearly 7,000 audio and video interviews, and some 4 million digitized records.²⁵

Canadian settlers and Aboriginal peoples have tentatively begun a process of reconciliation, framed by the acknowledgement that at least cultural genocide was committed against Aboriginal

peoples in the course of colonization. There is also some acknowledgement that the legacies continue still and have had intergenerational impacts. The work of the TRC as well as genocide scholars has effectively unsettled Canada making us raise seminal questions about the foundation of the country, and what its future should look like.

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Endnotes

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