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‘Genocide, culture and Indigenous Peoples’

Outline

- Popular view V Lemkin's concept
- Indigenous peoples' use of genocide
- Unpacking the concept and contemporary importance
- One example of contemporary use

Popular view of genocide

- The genocides perpetrated by the Nazis during the Second World War
- and the genocide in Rwandan 1994
- Helped create a popular view of genocide as synonymous with mass killing
- Prominent sociological definitions have reflected this understanding

Indigenous Peoples and Genocide

‘indigenous peoples in their more extreme moments have a weakness for dramatising their sufferings by invoking the idea of genocide – a prefabricated emotional charge’

Kenneth Minogue

Indigenous Peoples and Direct Physical Destruction

- the main problems with popular understanding and Indigenous peoples' use of the term genocide today are:
 - Direct physical killing for many IPs stopped long ago
 - Physical destruction today is largely indirect
 - 'conditions of life',
 - environmental destruction and pollution,
 - lack of access to life sustaining resources such as clean water etc
 - Many IPs argue that genocide is occurring through destruction of their cultural identity
 - They have an understanding of genocide as inherently colonial
 - — and not occurring in a neat compacted timeframe e.g. Rwanda 1994

Indigenous Peoples and Genocide

Use of the term 'genocide' to describe the colonial experience has been met with scepticism from some quarters . . .

Yet the political posturing and semantic debates do nothing to dispel the feeling Indigenous people have that this is the word that adequately describes our experience as colonised peoples.

(Larissa Behrendt)

Lemkin's concept: inherently linked to colonisation

Lemkin (Axis Rule in Occupied Europe) envisaged the crime consisting of the destruction of a nation or ethnic group via two broad methods: -

1) By killing its individual members, i.e.-physical genocide.

2) By undermining its way of life, i.e.-cultural genocide.

Genocide has two phases: one, destruction of the national pattern of the oppressed group; the other, the imposition of the national pattern of the oppressor. This imposition, in turn, may be made upon the oppressed population which is allowed to remain, or upon the territory alone, after removal of the population and the colonization of the area by the oppressor's own nationals.

Lemkin's Unpublished Work

- Following *Axis Rule* Lemkin set about researching for his intended magnum opus,
- a comprehensive multivolume 'History of Genocide', covering ancient, medieval, and modern time periods.
- The notes are particularly instructive on the “**methods** and techniques of genocide”, which include:
 - Physical—massacre and mutilation, deprivation of livelihood (starvation, exposure, etc. often by deportation), slavery—exposure to death; biological—separation of families, sterilization, destruction of foetus;
 - Cultural—desecration and destruction of cultural symbols (books, objects of art, loot, religious relics, etc.), destruction of cultural leadership, destruction of cultural centres (cities, churches, monasteries, schools, libraries), prohibition of cultural activities or codes of behaviour, forceful conversion, demoralization.

Lemkin on Culture

- Lemkin's ontological assertion was that culture integrates human societies
- and in that sense is a necessary pre-condition for the realization of individual material needs.
- For Lemkin, culture is as vital to group life as individual physical well-being.

So-called derived needs, are just as necessary to their existence as the basic physiological needs... These needs find expression in social institutions or, to use an anthropological term, the culture ethos. If the culture of a group is violently undermined, the group itself disintegrates and its members must either become absorbed in other cultures which is a wasteful and painful process or succumb to personal disorganization and, perhaps, physical destruction.... (Thus) the destruction of cultural symbols is genocide... (It) menaces the existence of the social group which exists by virtue of its common culture

Lemkin: More concerned with loss of culture

- That quotation gives us insights into Lemkin's conception of genocide.
- 'He was more concerned with the loss of culture than the loss of life'.
- Lemkin - culture is the unit of collective memory, whereby the legacies of the dead can be kept alive...
- ...each cultural group has its own unique distinctive 'genius' deserving of protection.
- Furthermore, Lemkin suggested that national culture is an essential element of world culture.
- Nations have a life of their own comparable to the life of individual

Loss of future contributions

As Lemkin writes:

'Our whole cultural heritage is a product of the contributions of all peoples.'

“The world represents only so much culture and intellectual vigour as are created by its component national groups.

The destruction of a nation, therefore, results in the loss of its future contributions to the world.

Moreover, such a destruction offends our feelings of morality and justice in much the same way as does the criminal killing of a human being.”

Destruction of a nation

- Even if the national group did not possess recognized (by states) sovereignty
- Lemkin thought it had an inherent right to exist just like the sovereign individual –
- and such groups provided the essential basis of human culture as a whole –
- such that the concept of “genocide” was designed specifically to protect that life.
- Thus, Lemkin defined genocide in terms of the violation of a nation’s right to its collective existence
- genocide in this sense is quite simply the destruction of a nation.

Most important part of the Convention

■ Lemkin on the Draft Convention “Cultural Genocide is the most important part of the Convention”

■ but reluctantly approved its eventual omission to ensure the passage of Convention.

■ In his 1958 autobiography "Totally Unofficial Man" Lemkin subsequently wrote:

‘I defended it successfully through two drafts.

‘It meant the destruction of the cultural pattern of a group, such as the language, the traditions, the monuments, archives, libraries, churches. In brief: the shrines of the soul of a nation. But there was not enough support for this idea in the Committee...So with a heavy heart I decided not to press for it’.

■ Lemkin had to drop an idea that, in his words, ‘was very dear to me’.

Focus on mass killing misses the point

- Lemkin's emphasis on culture is missed or ignored by many authors and lawyers
- who insist on the centrality of physical killing to the concept of genocide.
- As Dirk Moses suggests, the extraordinary implication here is

'that Lemkin did not properly understand genocide, despite the fact that he invented the term and went to great trouble to explain its meaning.

Instead, most scholars presume to instruct Lemkin, retrospectively, about his concept, although they are in fact proposing a different concept, usually mass murder'.

Genocide or a Crimes Against Humanity?

- *social death* and not mass killing allows us to distinguish the peculiar evil of genocide from crimes against humanity and mass murder.
- genocidal murders are but an extreme means to achieve social death.
- Moreover, such social death could be produced of course without specific ‘intent to destroy’
- but could occur through sporadic and uncoordinated action or be a by-product of an incompatible expansionist economic system.
- They might even result from attempts to do good: to enlighten, to modernize, to evangelize.

Genos as social figuration

- ‘a genos’ - a continuous changing and transforming social figuration
- Christopher Powell argues *‘the effect of genocide is to disrupt that process’*.

‘A living, breathing social figuration (as it were) decays and grows at the same time, producing new ideas, new institutions, new practices, from which emerge the ‘future contributions to the world’ that Lemkin wrote of. Genocide violently interrupts this process. We may count among the means by which genocide may be committed the measures that interrupt the reproduction of the figuration over time, the passing on of culture to children, the renewal of social institutions, and also the measures that prevent change, through the silencing of innovation in thought, art, technology, everyday practice, or through forcible confinement to a fossilized ‘tradition’ that is not allowed to be transformed.’

Cultural Change or Cultural Genocide?

■ But if 'a genos, like all social institutions, is itself a process of change and transformation and adaptation...

■ **how can we adequately distinguish 'cultural change' from 'cultural genocide'?**

Lemkin's unpublished works are illuminating,

■ cultural genocide 'must not be confused with the gradual changes a culture may undergo'.

■ 'the continuous and slow adaptation of the culture to new situations', outside influences and the 'assimilation of certain foreign culture traits' and the like,

■ Lemkin preferred to call this a 'process of cultural diffusion'.

■ Cultural genocide for Lemkin involved **forcible**, non-consensual, change

■ in his studies of colonial behavior '**forcible assimilation is tantamount to genocide**'

Lemkin: Colonialism was inherently genocidal

Unpublished 'history of genocide'.

Chapters on

Spanish colonization of the Americas

British in Tasmania

A Logic of Elimination

- The genocidal ‘logic of elimination’ that informed frontier massacres in places like Australia and North America,
- and the assimilationist agendas that emerged once it was clear that the natives would not ‘die out’,
- can in more recent times be found underpinning settler colonial expansionist land grabs driven by global capitalism.

Davis and Zannis

- after 1945 traditional colonial terror was transformed into a ‘genocide machine’
- ‘the nature of capitalist domination became less overtly racist and more attuned to corporate imperatives’.

Industrial ‘Externalities’ as Genocide

- Driven by corporate agendas governments frequently dispossess indigenous groups through industrial mining and farming,
- but also through military operations and even national park schemes – all of which routinely take no account of core indigenous rights.
- But of all such activities it is industrial extractive industries which pose perhaps the biggest threat to many indigenous peoples,
- it is not just the accompanying dispossession which they bring but also the ‘externalities’ of
 - Pollution
 - and environmental degradation leading to cultural erosion.
- A particularly acute example of such is the Tar Sands mining project in Northern Alberta, Canada

Alberta Tar Sands

- **Second largest oil reserve** in the world after Saudi Arabia: covers an area larger than the size of **England**.
- it is a “**dirty oil**” - **bitumen** – mixed up so closely with sand, water, clay (and a good dose of toxins) – that it has to be melted out with vast quantities of hot water/steam –
- heated by burning natural gas at a rate per day (currently) the same as would heat **3.2 million** Canadian homes and uses 3-5X more CO₂ than conventional oil production.
- The energy-related cost to produce a tar sands barrel usually exceeds the market price per barrel
- **Yet they** are rapidly being converted (**with UK help**) from pristine Boreal Forest and peatlands (a globally important carbon sink)
- to a greyish expanse of lifeless opencast strip mines and huge “tailings ponds” of toxic waste-water and sludge – visible from space.
- It is the most hugely environmentally destructive industrial project on earth.





Brant Ward / The Chronicle







Alberta Tar Sands

© Garth Lenz

‘Tailing Ponds’



Tar Sands: Physical and Cultural Destruction

- Tar Sands - producing horrendous environmental destruction with quite predictable consequences for human health.
- Environmental pollution from the tar sands has been linked
- to high levels of deadly diseases in downstream indigenous communities such as leukaemia, lymphoma, and colon cancer
- A huge reduction in wildlife such that hunting is becoming increasingly pointless
- Mutations in fish populations
- And high levels of carcinogens in river systems on which downstream indigenous communities rely for drinking water

Intent: Knowledge and Foresight

- Downstream indigenous communities argue that a kind of ‘biological warfare’
- is *knowingly* being perpetrated against the indigenous peoples of Fort Chipewyan for example.
- A recent health study commissioned by *Nunee Health Board Society of Fort Chipewyan*
- has demonstrated evidence that the governments of Alberta and Canada
- ‘have been ignoring evidence of toxic contamination on downstream indigenous communities’.

Tar Sands V Mikisew Cree: a Battle for Survival?

- The battle with industrial mining over land and resources in many places comes down to the fundamental right to exist:

... if we don't have land and we don't have anywhere to carry out our traditional lifestyle, we lose who we are as a people. So if there's no land, then it's equivalent in our estimation to genocide of a people.

George Poitras, Mikisew Cree First Nation, Fort Chipewyan Alberta

"We're facing another form of biological warfare and it's killing us off...It's genocide. They know it's there but they're denying it."

Mike Mercredi Mikisew Cree Fort Chipewyan:

"Our message to both levels of government, to Albertans, to Canadians and to the world who may depend on oil sands for their energy solutions, is that we can no longer be sacrificed"

Chief Roxanne Marcel, Mikisew Cree First Nation

Conclusion: Why Genocide

- 1) Not a matter of simply labeling certain behaviors and effects - genocide concept is an analytical tool
- 2) Just because the legal definition was politically narrowed does not mean we should avoid using the concept when the method is primarily cultural
- 3) Genocide as an inherently colonial process is a growing field of study – see Moses, Zimmerer, Schaller, Docker etc
- 4) It emphasises what is at stake for Ips – survival as distinct peoples
- 5) Ips themselves use the term as an accurate expression of their experience as colonized peoples

Bartolome Clavero Salvador (SR-PF 10th session report): 'new crime of genocide against Ips'.

- 1) UNDRIP Art 7:2 Ips ...'shall not be subjected to **any** act of genocide'. NB no restriction on methods.
- 2) However, right not to suffer cultural genocide was deleted from final version with the clear intention to weaken criminal protection
- 3) And yet, the rights which must be protected are set out in the Declaration itself – forced assimilation or destruction of culture Art 8: 1
- 4) They have not disappeared simply because the reference to a method of genocide was removed.

Conclusion

Arguably the unrestricted use of 'genocide' in DRIPS allows us to invoke its original meaning with culture at its heart

Indeed we ignore Lemkin's definition of genocide, as wide ranging and as inherently linked with colonialism, at our peril.

In his autobiography, Lemkin wrote:

After a war is lost, a nation may rebuild its technical and financial resources, and may start a new life. But those who have been destroyed in genocide have been lost for ever. While the losses of war can be repaired, the losses of genocide are irreparable.