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Cultural Genocide

On the expansion of terminology

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Abstract:

This thesis creates an ideal type model for the concept of cultural genocide and uses this model to analyze the relevance of the concept to the field of peace- and conflict studies. It does so through analysis of three cases; the destruction of Yuanmingyuan during the British-French North Shina Campaign of 1860, the destruction of the Buddha statues of Bamiyan by the Taliban in 2001 and the Canadian Residential School system of the 19th and 20th centuries, as well as through comparison to the concept of genocide. Instances of cultural genocide and genocide are identified in the cases and further discussed. The concepts of genocide and cultural genocide in peace- and conflict studies research is discussed, and the conclusion drawn that it has a warranted place in the discipline.

Key words: Cultural genocide, genocide, Yuanmingyuan, Buddha statues of Bamiyan, Canadian Residential Schools

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Chapter 1. Introduction

1.1 Purpose

The purpose of this study is to closer examine the term and concept of cultural genocide, both in its own right and in relation to differing historical events and the already established concept of genocide. In doing so, the intention is to come to a conclusion regarding whether the term has any relevance for the field today, or whether the concept is already fully covered by the already established concept of genocide. This will be done by first examining and discussing the terms themselves separately to then move on to analysis of three different case studies and finally returning back to a discussion of the terms, their relation, and relevance.

I hope to contribute both to a greater understanding of the term in relation to the world we live in today and to the ongoing debate about its relevance, both in academia and international relations and -law. Such a discussion can be useful not only for future research in the field and related professions but also for the concerned public at large. In extension, this study can add further perspective and material to a debate central to the extension and development of peace- and conflict studies as well as political science, international relations theory, and international law and legal framework.

1.2 Research question

The investigation in this thesis will be guided by the following main research question:

"-What relevance, if any, does the term cultural genocide have for our understanding of modern era conflicts?"

Or, in other words:

"-What relevance, if any, does the term cultural genocide have for peace- and conflict studies research of today?"

Due to the very broad nature of this question it will be further operationalized as:

"-Is cultural genocide a distinctly different enough concept to genocide to warrant its introduction?"

In other words, is there a distinctive difference between genocide and cultural genocide? Can we have one without the other, do they describe different things and are they applicable to different situations?

1.3 Disposition / Thesis structure

This thesis follows a structure of three main parts with a number of respective chapters and sub-chapters.

The first part will serve as a larger introduction laying the groundwork for the study itself and consist of the first three chapters. Chapter one has provided a short introduction, stated the purpose of the study, and provided the research question. Chapter two will continue to discuss methodology, including research methods, the selection of the case studies and the material to be used. Following this, chapter three will continue to discuss the main theoretical framework of genocide and cultural genocide respectively, as well as to summarize the two into condensed enough form to be used later in this thesis.

The second part will consist solely of the case studies and comprise chapters four through six. These chapters will focus on the British-French destruction of Yuanmingyuan, the destruction of the Buddha statues of Bamiyan by the Taliban and the practice of placing Canadas First Nation peoples in special residential schools, respectively.

The third and final part of the thesis contains the analysis and results of the study and consists of the final two chapters. Chapter seven will contain the analysis as well as discussion thereof and is where the three cases will be compared and analyzed against the theoretical framework. The final chapter, chapter eight, will contain the conclusions of the study.

Chapter 2. Methodology

2.1. Research method and design

In order to investigate the relevance of the term cultural genocide, this thesis will use a methodological framework drawn from the discipline of idea- and ideology analysis as outlined by Bergström and Boréus (2012). Bergstöm and Boréus categorize this method as one linked to text analysis (Bergström & Boréus, 2012, p. 139) and suggest it be used to study the driving ideas or ideology expressed in a text. However, as this thesis will focus on examining the viability of the term and idea of cultural genocide for a field where genocide is already an accepted concept, and since this will be done through text based case studies, the method should be easily transferable to fit this purpose as well. Here, as traditionally, the ideal types will be constructed as a sorting mechanism to be able to categorize aspects of the different cases (Bergström and Boréus, 2012, p. 150), but differently to the traditional approach of applying them to categorize ideas or tendencies in a text they will be used to classify events. Additionally, the study will incorporate an element of comparative case study as the results of the three cases will again be put against each other to discern differences and similarities, and, there through, to evaluate the relevance of the ideal type for cultural genocide (Esaiasson et al., 2012, p. 108-110).

For the purpose of this study, cultural genocide and genocide will be regarded and constructed as two separate ideas, hence rendering them as two separate and distinguishable concepts. By doing this, both their similarities and differences will be made clearly evident in that the two ideas can be placed side by side and easily compared and contrasted. In order to do this, the two will be constructed as ideal types of each idea. These ideal types are to comprise the essence of each idea and will have the advantage of being short and clear, and at the same time extensive enough to facilitate a meaningful comparison.

Once the ideal types have been created the next step will be putting them to use in analysis of a group of case studies. This study will contain three different cases, more on the selection of these in the following sub-chapter, which will highlight different possible aspects of the ideas compared, cultural genocide and genocide. What will be done is that these cases will be compared against the criteria of the ideal types to investigate how well they match each of the two ideas. The results of the case analyses will then be summarized and compared to each other. When this is done it will become evident not only how different, or similar, they are but also, through that, how relevant it is to use both terms side by side in discussion. Should there turn out to be a small or non-existent difference this will hint that it might not be relevant to use both ideas next to each other and that the currently used terminology, limited to genocide, is sufficient. Should there, on the other hand, turn out to be a large to complete difference, or in other words small to non-existent overlap, we will instead be pointed to draw the conclusion that both ideas do indeed have a warranted place in peace- and conflict studies research and international law. Of course, the third possibility also exists that the three cases studies may turn out not to be sufficient ground to draw any conclusion from, and that thus more research needs to be conducted. This would be the case were the overlap and the difference of roughly equal proportions, as such a situation cannot be considered to provide sufficient evidence in either direction.

2.2 Selection of cases

Three cases have been chosen for this study, the British-French assault on Yuanmingyuan, or the Old Summer Palace, the destruction of the Buddha statues in Bamiyan, Afghanistan, and the forced placement of Canadian First Nation children in residential schools. The cases have primarily been chosen to enable a meaningful comparison by being different enough to warrant comparison, while at the same time being tied together by the possibility to fit within the definition of cultural genocide.

First of all, the cases have been selected as to all fit within a relatively limited time span of less than 200 years. The British-French assault on Yuanmingyuan took place during the North China Campaign of 1860, the destruction of the Buddha statues in Bamiyan took place in 2001 and the occurrence of Canadian residential schools for the indigenous population stretches from the 19th century until late 20th century, 1996. Hence, the three cases span a significant enough period of time to be more than historical parenthesis, while at the same time all belonging in a limited enough time span to be easily grasped.

Secondly, the cases have a relevant geographical spread both in terms of venues and perpetrators. By studying cases which took place in the Far East, China, Central Asia, Afghanistan, and North America, Canada, a large enough geographical spread is accomplished to ensure that what is studied is not an isolated regional phenomenon. This is further enhanced when the layer of perpetrators is added bringing the spread from European, in China, to Central Asian, in Afghanistan, to North American, in Canada. This ensures that the study does not focus on something which can be linked to a specific origin of perpetrators either.

Furthermore, the cases exhibit diversity in context. One, the destruction of Yuanmingyuan, represents the actions of a hostile army on foreign soil. The other, the destruction of the Buddha statues of Bamiyan, the actions of an authoritarian government during an internal conflict. Finally, the third case examines the actions of a government not at war against a significant minority of its population over an extended period of time. This variety ensures that an explanation linked to certain conditions, e.g. hostile invasion or internal unrest, can be excluded.

Finally, cases have been purposefully selected to exclude such cases as have already been deemed to comprise genocide by the international community or the majority of scholarship. In doing so, the hope is to avoid the risk of unnecessarily blurring the line between genocide and cultural genocide and to instead be able to properly investigate whether the concept of cultural genocide has a justified place in the scholarly disciplines of peace- and conflict studies and international law.

2.3 Materials

As all three cases can now be classified as historical events the material used for the study will be limited to written sources. Primarily, these will be second hand scholarly sources with the exception of a firsthand account of the North China Campaign by Robert Swinhoe. However, due to their nature as published literature all sources may be considered secondary sources. This is a natural limitation to the study but one which cannot be overcome due to the nature of the case studies and my geographical limitations.

The material can be divided into four categories; books, scholarly articles, reports and treaties, and web based resources. Among the books are found both academic texts and the firsthand account of the North China Campaign by Robert Swinhoe, and the treaties and reports encompasses the United Nations Convention on the Prevention and Punishment of the Crime of Genocide and the final report of the Canadian Truth and Reconciliation Commission.

Almost all scholarly material used is published in relatively recent time as the subject of cultural genocide has seen a recent return to attention with the publishing of the Truth and Reconciliation Commission's report and two out of three cases studied are linked to recent time.

Chapter 3. Theoretical framework: genocide and cultural genocide

This chapter will serve to define the two parts of the theoretical framework of this thesis, genocide and cultural genocide. The chapter has two main sub-chapters, one for each concept, and each sub-chapter will also include the constructed ideal type to be used in the analysis of the cases in later chapters.

3.1 Genocide

While the concept of genocide is indeed wide and complex enough to warrant its own fields of study, genocide studies, comparative genocide studies, Holocaust studies etc., this thesis will take a more narrow approach to it for the purpose of making comparison and distinction towards cultural genocide possible.

3.1.1 Background and concept

The word genocide itself can be traced back to a combination of a Greek and a Latin root. The Greek word genos, race or tribe, is combined with the Latin word cide, killing, to form the word genocide, "the intentional destruction of national groups on the basis of their collective identity" (Jones, 2006, p. 10). While many will think of the Holocaust, the mass killings of the Jewish populations in the areas occupied by Nazi Germany during and before the Second World War, as the first true genocide it can be traced much further back in human history. According to Jones, the act of genocide can be traced to the earliest parts of recorded human history. Both the ancient Greeks and Romans carried out genocide on their enemies and even passages of the Bible can be read as chronicling the act (Jones, 2006, p. 3-5). This underlines that genocide is indeed not a new occurrence, but rather a dark component ever present in our history as a species.

In spite of this, genocide was not to be named or defined until the 20th century when Raphael Lemkin put a name to what had been "a crime without a name" and became the first to demand intervention. A Polish Jew, living through the horrors of the Second World War fleeing from country to country and finally ending up in the United States, the ratification of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide became his life's work (Jones, 2006, p. 8-12).

The convention, ratified in 1948, defines genocide in articles I-III. Article I stipulates "that genocide, whether committed in time of peace or in time of war, is a crime under international law", hence establishing it as the crime against humanity it is seen as today. Article II specifies it as "acts committed with intent to destroy, in

whole or part, a national, ethnical, racial or religious group" and specifies which acts are included. Finally, article III further stipulates that, aside from actual genocide, incitement, attempt, complacency in and conspiracy to commit genocide shall also be punishable (United Nations, Treaty Series, vol. 78, p. 277).

3.1.2 Ideal type

As genocide has already been concisely defined in the United Nations Convention on the Prevention and Punishment of the Crime of Genocide constructing it as an ideal type is a simple process. For the purpose of clarity, and as there is already an established definition, the definition established by the convention is also the one which will be used. Quoting the convention, this means that these and only these will be seen as comprising acts of genocide:

"(a) Killing members of the group;

(b) Causing serious bodily or mental harm to members of the group;

(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

(d) Imposing measures intended to prevent births within the group;

(e) Forcibly transferring children of the group to another group. " (i.b.i.d.)

3.2 Cultural genocide

Whereas genocide, thanks to its clear definition and established position in international relations and –law, can be condensed to a fairly straight forward concept, cultural genocide is far more complicated. The following sub-chapter will provide background as well as establish a model to be used for the purpose of this study.

3.2.1 Background and concept

While cultural genocide, unlike genocide, does not enjoy an established definition and place in international law or academia (Kingston, 2015, p. 63), the concepts can be traced equally far back and to the same roots. In his work, Raphael Lemkin dealt with genocide as a broader concept not limited to the physical destruction of a group but also including deliberate destruction of the group on a cultural level through "the destruction of essential foundations of group life". As such, the initial concept of genocide included what is today discussed as cultural genocide, something which was also reflected in drafts of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide. To Lemkin, the destruction of a group's cultural identity was comparable to its physical destruction, and genocidal acts could be targeted towards either. Despite this, however, the version finally adapted by the General Assembly saw this dropped. In part, this can be explained by great power politics and an unwillingness by the member states to pass a convention which would incriminate their own actions, and in part by the ambiguity of what would constitute such destruction of a group's cultural identity as to comprise cultural genocide (Kingston, 2015, p. 65-66).

In more recent times, post the drafting of the genocide convention, cultural genocide has come to be associated more closely with indigenous rights movements and related discourse. Here, it has arguably become a tool for these movements and organizations to put a word to the actions of colonial and post-colonial governments to portions of their own population in order to assimilate groups into the majority population and create a degree of cultural heterogeneity. The introduction of this terminology in the indigenous rights discourse has arguably enabled a more normative debate about these actions, as well as a new way of describing these near genocidal experiences without being tied down by the strict limitations of the concept of genocide in international law (Benvenuto, 2015, p. 27-28). This has come to play a central role in advocacy, as will be exemplified through the case study of the Canadian residential school system.

In present day discourse, it could be argued that a difference should be made not only between the concepts of genocide and cultural genocide, as is the legacy created by the exclusion of the latter from the UN convention, but also between cultural genocide and ethnocide. Ethnocide, in this, being used in regards rather to describe the destruction of a group's ethnic and cultural distinctive character and assimilation into a forced homogenous majority culture than physical destruction. In this vein, cultural genocide would signify the destruction of physical aspects, such as cultural artifacts or symbols (Benvenuto, 2015, p. 30-33). On the other hand, the two would appear to be closely tied and it is hard to imagine ethnocide taking place without a degree of cultural genocide, or cultural genocide taking place in a context completely devoid of ethnocidal tendencies. For this reason, and for the purpose of this study, the two will be regarded as fundamentally linked, and as one, under the today more common term of cultural genocide.

3.2.2 Ideal type

As has been illustrated through the brief background above, the concept of cultural genocide is not as straight forward as that of genocide. Despite this, and despite the lack of a generally agreed upon definition, the following paragraph will set up a framework to be used for analysis in this study.

First of all, as mentioned above, the concepts of ethnocide and cultural genocide will be regarded as one, and cultural genocide used as the umbrella term. From this we can conclude that both efforts to destroy a group's distinctive character and the destruction of physical aspects of a culture, such as cultural artifacts, are to be considered forms of cultural genocide if done systematically. Secondly, as demonstrated by Berster (2015), clear connections can be drawn between the established language of the genocide convention and concepts of cultural genocide. As discussed above, the initial drafts of the convention did include cultural genocide, and in his critique of the ICJ judgement between Croatia and Serbia Berster highlights how this can still be seen in the language of article II. Specifically, the fact that forcible transfer of children and causing of mental harm were still included in the passed version support the possibility of an interpretation where acts understood as cultural genocide are still prohibited. However, as this was not deemed to be so by the court's interpretation of the convention, a need for a separate concept of cultural genocide still exists (Berster, 2015, 679-681). Despite this, the model of cultural genocide will purposefully attempt to avoid overlap where aspects of what could be considered cultural genocide are already covered by the United Nations Convention on the Prevention and Punishment of the Crime of Genocide. Thus, the forceful removal of children from a group will not be included in both ideal types, and the ideal type for cultural genocide will rather focus on the effects of this. This choice can be explained by the inherent connection between genocide and cultural genocide as brought up by Benvenuto (2015, p. 35).

This can be summarized in a similar list format to that used for genocide. Cultural genocide is:

- (a) Systematic efforts to destroy a group's distinctive character (e.g. through forced assimilation);
- (b) Systematic destruction of physical aspects of a culture (e.g. artifacts, shrines, etc.);
- (c) Systematic oppression of cultural expression (e.g. language, arts, tradition, etc.).

For the concept of cultural genocide, the relevant group is also to be understood in a broader context than that used when discussing genocide. This is based off of the dominant understanding of the time when the concept was included in the draft resolution and a racial group was understood not merely as referring to ethnicity but rather in reference also to cultural, religious and national groups (Berster, 2015, p. 684-696). With this understanding, cultural genocide can be carried out against groups which may not have qualified as racial groups for the purpose of genocide. Finally, just as is the case with genocide, it shall be understood that cultural genocide requires intent and organization.

Chapter 4. Liberal Barbarism: The destruction of Yuanmingyuan

The Summer Palace of the Chinese Emperor, as Yuanmingyuan was referred to by the Europeans, despite being much more than merely a summer palace (Ringmar, 2014, p. 3) must have been a truly magnificent structure if the accounts of Robert Swinhoe (1861) and those recounted by Erik Ringmar (2014) are to be believed. Yet, it saw complete destruction by the British and French armies who came upon it during the North China Campaign of 1860. Despite the campaign being a joint venture between the Kingdom of Great Britain and the French Empire there was little trust between the two armies as they were still rivals at home and both saw themselves as superior to the other (Ringmar, 2014, p. 56-57).

The French army, accompanied by British cavalry, was the first come upon the palace in the afternoon of October 7th 1860 (Ringmar, 2014, p. 69) and found it already deserted by the Chinese prince. Left behind for the defense were a mere 300 Chinese eunuchs who were easily defeated (Swinhoe, 1861, p. 289-290). Despite initial French efforts to stop looting and keep the palace intact, at least until the arrival of the rest of the British army, (Ringmar, 2014, p. 70) discipline broke down, and by the time the two armies left Yuanmingyan on October 19th, after multiple days of looting and destruction labeled by Ringmar as barbarism, the site was completely burnt to the ground (Ringmar, 2014, p. 81).

4.1 Looting gone out of control?

One possible explanation for the destruction of Yuanmingyuan is looting gone completely out of control and a complete breakdown of discipline in the two armies. The joint campaign had already seen multiple instances of heavy looting during the two armies' advance through China (Ringmar, 2014, p. 76-77), and maybe this tremendous act of destruction was only the logical conclusion of something which had been brewing for a long time already. In a way, Swinhoe's account of the campaign can almost be read as foreshadowing the event as he describes the French army coming across a party of Chinese travelers transporting a coffin on some mules before reaching the palace. As he accounts, the travelers promised that they were merely a burial party, the one traveler transporting his father's coffin home, and were promised safe passage by the French command. Despite this promise, and despite being given clear orders, he accounts of how the French cavalry officers proceeded to attack the party anyway, confiscating the mules and throwing the coffin on the side of the road (Swinhoe, 1861, p. 285). Whether this is seen as a foreshadowing event or not, it illustrates the fact that discipline already appears to have begun to break down and that not even officers could be trusted to follow direct orders to refrain from plundering.

When the army reached Yuanmingyuan the French command ordered their troops to refrain from looting as the spoils of the palace were to be divided equally between the two armies. When recounting this, however, Swinhoe also notes that "the French troops were almost uncontrollable [...], and would not listen to the calls of their officers" (Swinhoe, 1861, p. 294), further supporting the notion of the destruction of Yuanmingyuan being an unfortunate result of a breakdown of discipline among the troops as despite these orders looting soon broke out anyway. He recounts how, to his astonishment, as he was walking through the palace "the French officers began to arracher everything they took a fancy too", despite this being explicitly forbidden by their generals and also notes a French officer as stating that "[t]he general says you must not loot, and yet he allows it to take place before his own eyes". This breakdown does not appear to have been universal though, and some attempts seem to have been made to keep up appearances by punishing a local man found to be trying to leave with a pair of shoes, all the while ignoring the looting of the soldiers. Additionally, a British general is quoted as having said that while there were things he wanted from the palace he was not a thief and therefore would not loot. Yet Yuanmingyuan was thoroughly looted and the camps soon filled with the treasures of the palace (Swinhoe, 1861, p. 298-300).

Eventually, there appears to have been a complete breakdown of discipline as looting took place without any regard for rank or order right under the seemingly resigned commands eyes who "now made no objection". This far, the behavior is still not entirely surprising for an army of the time reveling in the spoils of war. However, what makes it remarkable is Swinhoes account that "what they [the soldiers] could not carry away they smashed to atoms", and description of French soldiers armed with clubs systematically breaking things, firing their pistols at chandeliers etc. (Swinhoe, 2014, p. 305-308).

4.2 Purposeful destruction of the palace

While initial destruction of Yuanmingyuan may have been explained as a result of a breakdown of discipline and command and looting gone wrong, its final and complete destruction was wholly purposeful. Swinhoe accounts that "[w]hen the French had finished their work of destruction in the interior of the palace, they set the Emperor's private residence on fire" (Swinhoe, 1861, p. 309). This could be viewed as a natural continuation of the destruction and looting described above, yet put together is indicative of more purposeful vandalism. The combined efforts of breaking objects, damaging fixtures and decorations and finally burning a building down altogether can hardly be seen as accidental, but ought instead to be regarded as a determined destructive effort. Yet this was only to be the beginning as after multiple days of looting and destruction an explicit decision was made to burn the palace to the ground, and an order given to that account. Why this order was given is debated, however, it was justified by Lord Elgin, one of the highest ranking

Englishmen present, as punishment of the Chinese Emperor for the mistreatment of some Frenchmen and Britons previously taken as prisoners (Swinhoe, 1861, p. 326-329). Ironically, the same French army previously involved in burning down parts of Yuanmingyuan now refused to participate in its final destruction as they claimed to regard it as "barbarism" (Swinhoe, 1861, p. 329-330). Whatever the sentiments towards the destruction, and however one choses to understand its initial phases, it stands clear that the final razing was a sober decision and systematically carried out as it took multiple days and coordinated and carefully directed efforts (Swinhoe, 1861, p. 336).

4.3 A case of cultural genocide?

In attempting to understand the destruction of Yuanmingyuan we can draw some clues from the same account by Robert Swinhoe cited above, but this time, the words will be his own rather than that of others present or descriptions of events. First, though, let us examine the applicability of the theoretical ideal types established in chapter three. It can easily be determined that the destruction cannot be understood as an act of genocide. This is the case since, even though the Chinese people most certainly qualify as a group as understood even under the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, the convention limits its understanding of acts of genocide to actions carried out against members of the group (3.1.2 (a)-(e)). As such, the razing of a building complex, however unique, wonderful and significant, can never be understood as an act of genocide under the convention.

Thus, let us move on to the idea of cultural genocide. As has been established in its ideal type (3.2.2), the understanding of a group for this purpose shall be wider. This, however, needs no further discussion in this case as we have already determined that the qualification for a group would already have been met under the stricter definition of genocide, and, as such, we can draw the logical conclusion that the widened criteria are also met. Having determined this, we can move on to the different acts of cultural genocide established for this thesis. The first act, "systematic efforts to destroy a group's distinctive character" (3.2.2 (a)) can immediately be ruled out. The reason for this is simple, destruction of a distinctive character cannot be seen as having taken place as the actions which are the focus of this case study where not carried out against any individuals, but rather against an architectural structure. Neither can the third act of "systematic oppression of cultural expression" (3.2.2 (c)) come into question. The reason for this is equally clear, while Yuanmingyuan could possibly be argued to be a form of cultural expression, its destruction does not signify a "systematic oppression" of such. Remains then the second act, "systematic destruction of physical aspects of a culture" (3.2.2 (b)). On a first inspection it could be seen as a given that this is a case of such. While initial destruction can be argued to have been wonton and a result of a loss of discipline and control, the final destruction, as shown above, was coordinated and purposeful. The notion of this being an act of violence against culture is also supported by Swinhoe's own words written with regards to the act: "for there is time yet for China to regenerate herself, and by cultivating friendly relations with foreign empires, learn from the how in the present emergency of her case she may maintain order among her people, and keep peace with the march of progress." (Swinhoe, 1861, p. 331) This choice of phrasing can be understood as a direct indication that the destruction of Yuanmingyuan was not only considered a form of punishment, but also a violent push of the Chinese into a British-French understanding of modernity and a signal that such a push would be accomplished through violent assimilation if necessary. He further describes how his companions and he "watched with mournful pleasure" (Swinhoe, 1861, p. 337). This choice of wording, "gratification" and "pleasure", points not only towards the deliberateness of the act, but also towards an idea that the perpetrators were doing something which deep inside was good.

However, there is another argument to be made against considering this an act of cultural genocide. Remembering the definition established earlier in this thesis, cultural genocide is an act carried out against a group's culture. But was Yuanmingyuan truly a part of a greater group's culture? Ringmar writes that "Yuanmingyuan was the Emperor's secluded world" (Ringmar, 2014, p. 37), taking this into account it can seriously be questioned whether it was truly a part of Chinese culture. The argument can be made in both directions from here. Yuanmingyuan can both be understood to have signified an important part of Chinese culture through historical, cultural and architectural values, but it can also be argued that it did not as it was in fact kept hidden and secret from all but a very select few. Because of this, it becomes difficult to categorize its destruction as cultural genocide or not, but rather the destruction of Yuanmingyuan must be noted as an ambiguous case.

Chapter 5. The Taliban and the Buddha: The destruction of the Buddha statues of Bamiyan

On March 1st 2001 Afghanistan's Taliban government began the destruction of the over 1500 year old Buddha statues of the valley of Bamiyan. Less than a week later, on March 6th, the statues were completely destroyed. The action was explained by the Taliban as following a policy implemented in March 2001, following a declaration from their supreme religious leader Mullah Mohammed Omar and a verdict from the Afghan Supreme Court that all idols or statues in Afghanistan were to be torn down as they represented false foreign gods and were thus a violation of their strict interpretation of Sunni Islam. The destruction of the statues was hence not an isolated incident but rather the most publicized event, as well as the culmination of, a campaign of cultural cleansing (Francioni & Lenzerini, 2003, p. 625-627).

5.1 World heritage

In western reporting of the event, the dominant narrative has been that of the destruction of a world heritage and thus a crime with all of humanity as its victim. At the center of this narrative is a focus on Afghanistan's rich history as a cultural melting pot at the center of the Silk Road, and the idea that the statues, representing a Buddhist past, represented a part of a common global heritage and were as such global domain. The statues were painted as representing a past rather than a present, and as this past was mostly not connected to any group in present day Afghanistan, it became the past, the history, and the cultural heritage of the world at large. This notion was also supported by statements from Taliban spokespeople talking about the eradication of pre-Islamic history as well as by the international community, including the United Nations Security Council and UNESCO (Kerr Chiovenda, 2014, p. 417-419). In fact, UNESCO had voiced concerns over the statues being in danger as early as 1972 (Francioni & Lenzerini, 2003, p. 625). The notion of the statues being common world heritage rather than linked to the history of any one group found in present day Afghanistan was also further strengthened and underscored by the religious appeals made. Rather than focus on a local connection or the people of Bamiyan, the international community instead mostly set its focus on the connection to Buddhist communities in other countries. As such, the statues became more closely linked to the Buddhist communities in India, including the exile Tibetan community, than to the people who actually lived in their shadow. In a way, Kerr Chiovenda argues, this might have helped seal their fate. It is possible that the destruction of the statues was initially intended more as a threat than anything else, aiming to have some of the sanctions imposed by the international community lifted. These sanctions did not only hurt the Taliban government, but also caused the

population to starve, and seeing the international community more outraged over ancient stone carvings than a starving people may have strengthened the Taliban in their conviction to erase them from the face of the Earth. After all, not only were the Taliban already seen as others and enemies by most of the world, but the statues, located in their territory, were not even viewed as truly belonging to them or to the Afghan people of the present day (Kerr Chiovenda, 2014, p. 419).

5.2 Hazara cultural heritage?

While the dominant current of media coverage of the time painted a picture of the Buddha statues of Bamiyan lacking a significant connection to and role for any group in modern day Afghanistan and made them up to be mainly, and little more, than an archaeological heritage, there is a second, and rather different narrative. While it is undisputed that there was no major Buddhist community in Bamiyan at the time, a distinct group still perceived a strong connection to them.

It is commonly accepted that Buddhism has a connection to Afghanistan dating back as far as the third century BC. However, with the shifting allegiances, territorial control and population influx of the land it never gained a steady foothold. Despite this, during a period of rule by the Kushan Empire, whose ruler Kanishka I was himself a Buddhist, and a large degree of mixed outside influences through the trade along the Silk Road, the Buddha came to be depicted as a man and the statues were erected. After the death of Kanishka I, Buddhism lost hold, but the statues remained (Kerr Chiovenda, 2014, p. 411-412). However, the statues acquired significance for another group inhabiting the Bamiyan valley, the Hazaras. There are different stories as to the origin of this group. Some claim they were descendants of the Mongol armies who came through the region while others maintain different origin stories. What is undisputed, however, is that they do not have strong ties to Buddhism as such (Kerr Chiovenda, 2014, p. 413-414). Regardless of this though, the Hazara have come to develop their own connection to, and myths surrounding, the statues. The most prominent of these myths is that the statues depict the son of an ancient ruler of the valley and his bride. It is also worth noting that not all inhabitants appear to have been aware of the statues' connection to Buddhism. Regardless of this though, the statues came to have their own significance to the inhabitants of the valley, (Kerr Chiovenda, 2014, p. 415-417) and as Kerr Chiovenda puts it: "To the current inhabitants it might seem obvious that they are in fact stakeholders in the cultural heritage of the region, no matter their historical origins." (Kerr Chiovenda, 2014, p. 413)

5.3 A case of cultural genocide?

In their article on the destruction of the Buddha statues on Bamiyan, Francioni and Lenzerini have chosen to look at the act through the lens of established international law. In doing so, they come to the conclusion that the destruction does constitute a crime according to the ICTY statutes and stands in conflict with the UNESCO Universal Declaration on Cultural Diversity (Francioni & Lenzzerini, 2003, p. 650-651). However, they approach the subject from a rather different angle than that of this thesis, and, as such, an evaluation against the standards and theoretical framework set up in chapter 3 is still relevant. This is the case as the authors appear to have adopted the approach that the statues belonged to the global community as a whole ignoring the possible ties they could be argued to have to a specific given group, in this case the Hazara.

It is immediately clear that the traditional and legally established definition and criteria for genocide are not applicable in this case as there is no direct or indirect physical or severe mental harm imposed on the Hazara. Neither can the destruction of the statues be understood to have "the intent to destroy" them as understood in article II of the United Nations Declaration on the Prevention and Punishment of the Crime of Genocide. Thus, having ruled out genocide, we move on to the concept of cultural genocide.

Looking at the definition of a group as settled on for this thesis, based on the ideas of Raphael Lemkin, as discussed in the ideal type for cultural genocide in chapter 3.2.2, the Hazara appear to meet the decided standard of a group. First of all, as a Shi'ite minority in a Sunni majority nation (Kerr Chiovenda, 2014, p. 411) they constitute a distinct religious group. Furthermore, their different origin to the Pashtu majority population separates them as their own racial, or the very least ethnic, group. In addition, the myths surrounding the statues make it clear that, for the purposes of this thesis, they also constitute a separate cultural group. Thus, using the broader definition settled on, they clearly identify as a specific enough group to fit within the established definition. This concluded, we can move on to the decided criteria for cultural genocide. The first act of "systematic efforts to destroy a group's distinctive character" (3.2.2 (a)) can arguably not be regarded as having been committed here, because it was established in reference to acts such as forced assimilation, and no clear targeting of individuals or groups for this purpose can be identified. The argument could of course be made that the destruction of what was considered by the Taliban to be representations of false foreign gods could constitute a step in a process of forced assimilation but, as will be shown, a much clearer case can be made for one of the other criteria, and therefore this will be left at that. An even clearer case can be made to state that the third act of "systematic oppression of cultural expression" (3.2.2 (c)) has not been committed, because it has already been established that the statues were not an act of cultural expression, neither did the Hazara build (more of) them, nor are they a Buddhist community. Remains the second act of "systematic destruction of physical aspects of a culture" (3.2.2 (b)). For this, however, the case is rather clear for its applicability to the situation. Following Kerr Chiovendas argument that it would seem obvious to the Hazara that they were "in fact stakeholders in the cultural heritage of the region" (Kerr Chiovenda, 2014, p. 413), and the statues did have a cultural significance to the group, as pointed out previously, the destruction of the statues did indeed constitute "destruction of physical aspects of a culture". That this destruction was "systematic" is also easily proven by two factors. One; the destruction was deliberate and carefully orchestrated, the Taliban forces took the time and means they needed to tear down the statues, as evidenced by the fact that the process took multiple days, and two; the act was a part of a larger, clergy and government ordered, campaign and hence a part of systematic cultural cleansing.

Thus, it is clear that, according to the framework established previously in this thesis, the destruction of the Buddha statues of Bamiyan constitutes an act of cultural genocide, committed by the Taliban against the Hazara.

Chapter 6. Residential Schools: Cultural genocide of the Canadian First Nations?

From 1879 to 1986 the Canadian government ran a system of forced residential or boarding schooling for a large part of its population, its First Nation, Inuit and Métis citizens (Hutchins, 2016, p. 306). A program which is far from uncontroversial today, and seen as representing a dark spot in Canadian history, as evidenced by the establishing of the Truth and Reconciliation Commission. The program encompassed as many as 139 schools and the Canadian federal government has afterwards estimated that as many as 150 000 students passed through the system (Truth and Reconciliation Commission, 2015, p. 3). It was intended to bring this sizeable minority of the population into the majority group of the population and to "civilize" them through a process of forceful assimilation. However, it also tore families apart and one former pupil is quoted referring to the train ride and the train that brought him to one of these schools as "that train of tears" (Truth and Reconciliation Commission, 2015, p. 38)

6.1 History

The roots of the program can be traced as far back as to the beginning of the 19th century and the notion among European colonial administrators in North America that the native populations of the continent had to be assimilated into Anglo-European culture in order to be "civilized" and brought into what they regarded as their superior culture. To do so, they believed, the children of the native population had to be removed from their parents ((Hutchkins, 2016, p. 303). This has infamously been described as the idea that the governments of the colonizers had to "kill the Indian in the child" (Hanson, 2009). In Canada, the first government linked residential schools for the native population were created through an 1884 amendment to the 1876 Indian Act (Union of Ontario Indians, 2016), though such schools had existed on the North American continent, including in Canada, prior to that year ran by various Christian faith dominations (Truth and Reconciliation Commission, 2015, p. 50-51). Even after this decision by the Canadian government to institutionalize and involve itself in the schooling, the institutions continued to be ran primarily through faith communities as advised by Nicholas Davin's study of their U.S. American counterparts (Truth and Reconciliation Commission, 2015, p. 55-56). Despite this religious connection residential school attendance was made all but mandatory for Canada's indigenous children through a further amendment of the Indian Act in 1920. While not explicitly making attendance mandatory for all, the act now enabled the Canadian federal government to order any First Nation child to attend one of the schools (Truth and Reconciliation Commission, 2015, p. 62). The residential school system continued to see expansion into the 1950's when the project of assimilation increasingly came to be regarded as a failure. Instead, the system was

gradually changed to one focused on integration of aboriginal students in the regular education system which led to the gradual dismantling of the system, and in 1969 the Canadian federal government took over control of all schools, ending the long tradition of church involvement (Hanson, 2009). Finally, the last school was closed in 1986 (Hutchkins, 2016, p. 306) and the last residence saw closure in 1997 (Truth and Reconciliation Commission, 2015, p. 70).

6.2 Really a school?

During its history, the Canadian residential school system signified much more than merely a system of schools. As mentioned above, the schools were a part of a process of forced assimilation of Canada's indigenous population into a new majority culture and Christian faith. This is particularly highlighted through the passage of an act in 1933 which forcibly transferred the legal guardianship of the students attending the schools from their parents to the schools' principals (Union of Ontario Indians, 2016). Additionally, the idea of forced Christianization of the students was present in the idea that one of the main functions of the school was to do away with aboriginal spirituality, or the original religions of the indigenous populations, and replace it with what was regarded as a better faith in Christianity (Truth and Reconciliation Commission, 2015, p. 55). Furthermore, the schools also engaged in active suppression of indigenous culture through measures such as prohibition of the use of the students' native languages and forced use of only either English or French. This was not only carried out through teaching almost exclusively in these languages throughout the schools, to the extent that new students would sometimes not understand instructions provided as they did not speak the language, but also through punishing the students for use of their native tongues. Such punishment would range from disciplinary action to outright physical abuse and would not be doled out only for use of the languages in classroom settings but also for use in social contexts or writing. Suppression of language was not limited to that, but also took the form of outright cultural suppression where students were punished or threatened with punishment for carrying out or taking part in cultural rites and ceremonies, and destruction of personal artifacts linked to the students' aboriginal cultures (Truth and Reconciliation Commission, 2015, p. 80-83). Multiple former students also recount how, on arrival to the schools, they were stripped of their own traditional clothing which was not only confiscated, but in multiple instances destroyed (Truth and Reconciliation Commission, 2015, p. 39-40). This was far from the only forms of abuse students of the residential school system faced, and the report of the Truth and Reconciliation Commission (2015), as well as the Union of Ontario Indians (2016) and Hanson (2009) present a long list of many more, unthinkable in any school today and ranging from violent physical punishment to sexual assault. Rather than dive into a lengthy account of these crimes, the residential school experience can be summarized in the words of a former student: "There was no love, there was no feelings, it was just supervisory" and the harsh judgement of the report of the

Commission that "it was, at best, institutionalized child neglect" (Truth and Reconciliation Commission, 2015, p. 42; 43).

6.3 A case of cultural genocide?

The case of Canada's residential schools might well be the most complicated one to be examined in this thesis, as shall be shown below. It is commonly agreed today that the system was inhumane in its very nature, as illustrated by former Canadian Prime Minister Stephen Harper's 2008 apology (Harper, 2008), and would be unthinkable in any country considering itself modern today. Yet, for the analytical purposes of this thesis it holds great complexity.

If we first approach the case from the angle of genocide we will soon see why. There is no doubt that the different indigenous groups of Canada fulfill the requirements of groups as seen by the United Nations Declaration on the Prevention and Punishment of the Crime of Genocide (3.1.2) as they possess all necessary attributes and analogies can also be drawn to other groups previously deemed to fulfill these requirements. As for the genocidal acts defined by the convention, (a), (c) and (d) (3.1.2) can immediately be ruled out as they focus on physical targeting. It is true that students of the residential schools faced physical abuse, but that was not the schools' main purpose and as such these are not applicable to this case. A case can, however, be made for the applicability of (b) and (e). (b), "[c]ausing serious bodily or mental harm to members of the group", specifically includes both physical and mental harm. While we have already ruled out physical harm as being inapplicable in this situation, there is still the specified provision of mental harm. The case could be made that the general living situation, treatment and deprivation of students' rights to exercise their culture, language and religion, while not amounting to mental torture, could fulfill this provision. Additionally, there is (e) "[f]orcibly transferring children of the group to another group". The applicability of this to the situation should be clear, children were, often forcibly, taken from their communities, one group, and placed in another. Should this need further reinforcement, we can always remind ourselves of the 1933 act forcibly stripping parents of the guardianship of their children when they were placed in residential schools (Union of Ontario Indians, 2016).

Beside this, there is also the concept of cultural genocide to consider. As the indigenous groups of Canada fulfill the requirements for a group for the concept of genocide they certainly also do so for cultural genocide. Even if they should not, they exhibit the racial, ethnic, cultural and religious requirements for cultural genocide (3.2.2). As for the acts of cultural genocide, the forced enrollment in the residential school system was most certainly a systematic effort to destroy their distinctive character as a group as its very purpose was to do so through elimination of language, cultural and religious distinction, as discussed above, and as such the requirements for (a) are met. Similarly, "[s]ystematic oppression of cultural

expression", (c), took place in the system. This also as one of its distinct purposes, and directly linked to the greater effort towards (a). The only truly debatable act is (b), "[s]ystematic destruction of physical aspects of a culture". While staff at the schools did systematically destroy such aspects, e.g. clothing and personal artifacts as were brought to the schools, this was never their main purpose. Rather, the efforts towards (a) and (c) made this obsolete. It is true that the Canadian federal government did engage in efforts towards such destruction, but these efforts were not directly linked to the residential school system.

Thus, we are left with a somewhat complicated picture in this case as the case could be made both for this as genocide and cultural genocide. This must, however, not be a problem. Rather, it provides a strong case for Canada's indigenous groups against the acts of the Canadian federal government as should the residential school system not be regarded as a pure act of genocide it most certainly falls under the definition of cultural genocide and a strong case can therefore still be made.

Chapter 7. Analysis and discussion

In previous chapters, a two part theoretical framework has been laid down, and ideal types for genocide and cultural genocide, respectively, created. These ideal types have then been used in examination and analysis of three different case studies, the destruction of the Buddha statues of Bamiyan by the Taliban in 2001, the destruction of Yuanmingyuan by the British and French armies during their North China Campaign of 1860 and the Canadian residential school system for the country's indigenous population in the 19th to late 20th century. Now, in order to return to the initial research question regarding the relevance of the term cultural genocide for peace- and conflict studies and our understanding of modern era conflicts, the three cases will be compared to each other and conclusions drawn to the topic of said questions.

When examining the cases side by side both differences and similarities become evident. First of all, all three cases could be argued to fit at least one of the criteria in at least one way. As has been shown in chapter four, the destruction of Yuanmingyuan can be argued to fit the criteria of "[s]ystematic destruction of physical aspects of a culture" (3.2.2 (b)) as it represented a systematic and coordinated effort to completely wipe out an important cultural landmark and heritage site also understood to be so by the perpetrators. Chapter five has further shown how the destruction of the Buddha statues of Bamiyan can be linked to the same criteria for the very same reason. Finally, chapter six has demonstrated how the Canadian residential school system fits criteria (a) and (c), of "[s]ystematic efforts to destroy a group's distinctive character" and "[s]ystematic oppression of cultural expression" respectively, in its efforts to suppress the culture, language and religion of, and forcefully assimilate, the country's indigenous population. As such, all three cases meet at least one of the established criteria.

In spite of this, only one of the cases, the destruction of the Buddha statues of Bamiyan, is a clear cut case. Both the two other cases can be argued, but for different reasons. The destruction of Yuanmingyuan for its applicability, and the Canadian residential school system as being more than merely cultural genocide. In the case of Yuaningyuan the argument that could be made is that it did not live up to the high standards that should be set for a crime that should be considered as grave as the connotations of the wording of cultural genocide indicate. After all, if something was not accessible to more than a tiny elite minority of a population, can it then be considered a strong enough part of a culture that its destruction amounts to a genocide of said culture? Of course, it can be assumed with good likelihood that had it not been destroyed it might have come to gain a similar cultural significance to that which the Forbidden City holds today. But, on the other hand, does making such

assumptions not undermine the gravity of the crime? This seems to me like a reasonable approach to take and thus questioning the classification seems highly legitimate. With the Canadian case the situation is almost the opposite. As the analysis of the case showed, some criteria for genocide can well be argued to have been met. If that is the case, is it not unsuitable to merely label it cultural genocide? As that crime must still be regarded as less severe than the actual crime of genocide, the crime of crimes, does that not downplay its severity? This is also a very reasonable argument. However, the residential school system has already retrospectively been thoroughly examined by the Canadian federal government, which has chosen not to label it as such. Neither has any major international organization or international legal body. While colonial North American governments did commit genocide on their indigenous populations, this does not exclude the possibility that they also engaged in acts of cultural genocide towards the same groups, and did so for a far longer period of time.

These two cases offer up some legitimate grounds for criticism of the term, and, by extension, of its relevance and legitimacy. On the other hand, we should recall in this the historical roots of the concept of genocide, and the context of its introduction. As discussed in the first sub-sections of chapter three, the concepts of genocide and cultural genocide have strong historical ties. If we recall, Raphael Lemkin initially defined genocide in much broader terms, and it is only with its introduction in the international diplomatic and legal systems, through the United Nations Declaration on the Prevention and Punishment of the Crime of Genocide, that it came to be limited to physical acts of genocide. As discussed in that chapter, some traces of these broader roots still remain in article II points (b) and (e) of the convention. Thus, an overlap between the concepts of genocide and cultural genocide should be fully understandable, and even expected, in some cases. The fact that such an overlap only appeared in one out of the three cases examined should be enough to calm that criticism and rather indicate a need to further study and specify the idea of cultural genocide. In the same spirit, that the classification of the destruction of Yuanmingyuan can be argued should not warrant discrediting of the concept of cultural genocide as a whole. Rather, the fact that it does not necessarily fall neatly within the definition points to its validity in that it will not instantly lead to the classification of any crime committed in destruction of culture as cultural genocide. Furthermore, that it can neither be easily included nor excluded points towards a need to further develop and sharpen the criteria.

Taken together, this limited selection of case studies points towards the concept of cultural genocide having a relevant place in our understanding of modern day conflicts, and hence, by extension, in the fields of peace- and conflict studies, international law and related fields. Of course, the fact that two out of the three cases

showed some degree of ambiguity, one in its possible non-applicability and one in its possible overlap with the already established concept of genocide, also points to a need for it to be further developed before reaching true usefulness. This should, however, be expected as it has faced an existence in obscurity since its non-inclusion in the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, and has only recently resurfaced significantly with the publishing of the report of the Canadian Truth and Reconciliation Commission. With this said, despite the concept appearing to have its natural place in the fields, more research is also clearly needed, and, considering the recent publishing dates of much of the material used in this thesis, it seems likely that such research will indeed take place.

7.1 Areas for improvement

As the first part of this chapter has demonstrated, the work of this thesis has shone light on some areas in need of improvement in further research.

First, while it is self-evident that further research ought to examine more cases in order to be able to draw more reliable conclusions, it might also be a good idea to critically revisit the selection of cases for this study. The three cases examined here were initially selected for their appearing diversity. Remembering chapter two subsection two, the cases were chosen because of their diversity in time, geographical venue, geographical origin of perpetrators and context. Additionally, cases were purposefully selected as to not include cases already deemed to comprise genocide, while still appearing to possibly fit a model of cultural genocide (2.2). After examination and analysis, the selection based on diversity still appears to hold strong. The cases have served to prove that cultural genocide is neither a limited occurrence in time, geography or context. Furthermore, they proved to all fit within the model to some extent, while at the same time in two cases challenging it. Thus, the slight bias in the initial selection of cases can be excused. What can, however, be more solidly critiqued is the degree of success in selecting cases not deemed to comprise genocide. While none of the cases had, to the best of my knowledge, been deemed to do so prior to examination and analysis here, analysis of the Canadian residential school system showed that, using a slightly broadened definition of the concept, it could indeed be deemed so. This must, however, not be an issue as it represents the result of independent analysis and not referencing of other academic work. Despite this, the selection of this case can still be criticized. The ground for this criticism is that, prior to my analysis of the case, it had already been deemed by another body to comprise cultural genocide. In its report, the Canadian Truth and Reconciliation Commission writes that: "Residential schooling was always more than simply an educational program: it was integral part of a curious policy of cultural genocide" (Truth and Reconciliation Commission, 2015, p. 54-55), and the very purpose of the commission was to investigate whether this was a case of this. Whether that discounts the results of this study will be up to the reader to decide. I will, however, say in defense of the inclusion of this case that certain value can be found in independently analyzing a case which has already been analyzed by someone, not taking their results into account, in order to reevaluate the case as well as lend stability to other analyses. Despite this, further studies would do well to avoid the inclusion of such cases as are already agreed to encompass cultural genocide if the intention is not to critique and further develop the analysis.

Secondly, as discussion in this chapter has also proven, the model and ideal type of cultural genocide are in need of improvement and further development. This is shown through the ambiguity of two of the cases, where it is debatable whether one comprises cultural genocide, and whether the other comprises actual genocide. These results show that further demarcation of the concept of cultural genocide is needed, as well as a discussion on the relative merits and relevance of taking into account historical aspects and potential developments. In addition, the concept, as established through its ideal type in this thesis, is both rather narrow and at the same time quite broad. The issue of narrowness should be addressed in further research through discussion on the possible inclusion of more acts of cultural genocide than the three established in this thesis. As for the issue of wideness, this must be addressed through study of further cases to draw clearer boundaries, and the possible establishment of academic, and at some point possibly even legal, practice. Addressing these issues seems to me to be a logical part of further study of the concept and I am confident future scholarship will tackle and resolve them.

Chapter 8. Conclusion

As I initially set out to do with this thesis, I have discussed and created an ideal type model for genocide. Additionally, existing scholarship has been used to set up a simple ideal type for genocide. Through the analysis of three different cases, the destruction of Yuanmingyuan by the British and French armies during their North China Campaign of 1860, the destruction of the Buddha statues of Bamiyan by the Taliban in 2001 and the Canadian residential school system of the 19th and 20th centuries. These ideal type models have been put to use, and cases of cultural genocide have been identified. The results of these analyses have then been further compared and discussed and, through that, the ideal type model for cultural genocide has been further evaluated. This has yielded results in the form of suggested areas of improvement for the model as well as suggestions for further research. Additionally, and possibly most importantly, thanks to my analyses in this thesis I can return and answer my initial research question: "-What relevance, if any, does the term cultural genocide have for our understanding of modern era conflicts?", or, as it was differently phrased: "-What relevance, if any, does the term cultural genocide have for peace- and conflict studies research of today?". The work in this thesis has demonstrated that the term and concept of cultural genocide is indeed a relevant tool in understanding modern era conflicts, and, as such, is also relevant for peace- and conflict studies research of today and the future. The operationalized form of the question, of whether cultural genocide is distinctly different enough from genocide to warrant introduction, can also be answered affirmatively. The analyses have shown that the two concepts are indeed different, despite their shared origins.

Bearing this in mind, cultural genocide can be identified as an area warranting further research. This is supported by the relatively recent publication dates of much of the relevant material, as well as the public debate sparked by the publishing of the report of the Canadian Truth and Reconciliation Commission.

References:

Books:

Bergström, G. and Boréus, K. (2012) Textens mening och makt: Metodbok i samhällsvetenskaplig text- och diskursanalys. 3rd Edn. Lund: Studentlitteratur

Esaiasson, P. et al. (2012) Metodpraktikan – Konsten att studera Samhälle, individ och marknad. 4:1 Edn. Stockholm: Norstedts Juridik

Jones, A. (2006) Genocide: A comprehensive introduction. London: Routledge

Ringmar, E. (2013) Liberal Barbarism: The European destruction of the palace of the emperor of china. Basingstoke: Palgrave Macmillan

Swinhoe, R. (1861) Narrative of the North China Campaign of 1860. London: Smith, Elder and co.

Reports and Treaties:

The Truth and Reconciliation Commission of Canada (2015) Honoring the Truth, Reconciling for the Future; Summary of the Final Report of the Truth and Reconciliation Commission of Canada. Electronic minigraph in PDF format

UN General Assembly (1948) Convention on the Prevention and Punishment of the Crime of Genocide, 9 December 1948, United Nations, Treaty Series, vol. 78 p. 277

Articles:

Benvenuto, J. (2015) "What does genocide produce? The semantic field of genocide, cultural genocide and Ethnocide in indigenous rights discourse", Genocide Studies and Prevention, 9(2), pp. 26-40. doi: 10.5038/1911-9933.9.2.1302

Berster, L. (2015) "The alleged non-existence of cultural genocide", Journal of International Criminal Justice, 13(4), pp. 677-692. doi: 10.1093/jicj/mqv049.

Francioni, F. and Lenzerini, F. (2003) "The destruction of the Buddhas of Bamiyan and international law", European Journal of International Law, 14(4), pp. 619-651. doi: 10.1093/ejil/14.4.619

Hutchings, K. (2016) "Cultural genocide and the First Nations of upper Canada: Some romantic-era rootsof Canada's residential school system", European Romantic Review, 27(3), pp. 301-308. doi: 10.1080/10509585.2016.1163787.

Kerr Chiovenda, M. (2014) "Sacred blasphemy: Global and local views of the destruction of the Bamyan Buddha statues in Afghanistan", Journal of Muslim Minority Affairs, 34(4), pp. 410-424. Doi: 10.1080/13602004.2014.984904

Kingston, L. (2015) "The destruction of identity: Cultural genocide and indigenous peoples", Fournal of Human Rights, 14(1), pp. 63-83. doi: 10.1080/14754835.2014.886951

Web:

Hanson, E. (2009) The residential school system. Available at: <u>http://indigenousfoundations.arts.ubc.ca/home/government-policy/the-residential-</u> <u>school-system.html</u> (Last Accessed: 16 August 2016)

Harper, S. (2008)Statement of apology to former students of Indian ResidentialSchools,11June2008.Availableat:https://www.aadnc-aandc.gc.ca/eng/1100100015644/1100100015649 (Last Accessed: 16 August 2016)

Union of Ontario Indians (2016) Union OF ONTARIO INDIANS – Indian residential schools. Available at: <u>http://www.anishinabek.ca/ind/</u> (Last Accessed: 16 August 2016)