

“RISK YOUR LIFE ACCESSING THE MUSEUM”:

The Canadian Museum for Human Rights and the Question of Indigenous Genocide(s)

Travis Wysote

Art History and Communication Studies, McGill University, Montreal

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Abstract – The present thesis will outline a decolonial politics of genocide recognition that attempts to reprioritize the material conditions of settler colonialism over the debate surrounding the CMHR's use of the term genocide. The debate over Indigenous genocide(s) at the museum has functioned as a discursive trap, maintaining an epistemological break between Canada's settler colonial past and its settler colonial present. While the debate over Indigenous genocide(s) will be addressed in detail, such a debate functions to highlight the inherited asymmetries of power shared between the state, museological institutions, and Indigenous peoples.

Résumé - La présente thèse présentera une politique décoloniale de la reconnaissance du génocide qui tente de redéfinir les priorités dans le débat entourant l'utilisation du terme de génocide par la MCDP. Le débat sur les genocide(s) indigène au musée a fonctionné comme un piège discursif, le maintien d'une rupture épistémologique entre colons passé colonial du Canada et de son présente coloniale . Alors que le débat sur les genocide(s) indigène sera abordée en détail , un de ces fonctions de débat pour mettre en évidence les asymétries héritées de pouvoir partagé entre l'Etat , les institutions muséales et les peuples Autochtones .

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Preface

The original arc of this thesis was intended to make the case against the Canadian Museum for Human Rights' decision not to use the term genocide in exhibitions about Canada's treatment of Indigenous peoples. While that underlying project has always been present, the publication of Glen Coulthard's *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (2014) made me deeply anxious about engaging with the notion of recognition uncritically. The project then naturally evolved from a reaction to the museum's policy to reflections on the museum's stake in the Indigenous genocide(s) debate and the relation of settler colonial narratives to settler colonial structures. It became important for me to think up scenarios and simulations on how the politics of genocide recognition could play out—how much the CMHR had to gain and how much it had to lose. My hope is that this work will be a helpful contribution that outlines a new approach for addressing Canada's settler colonial present for scholars and activists alike.

Wela'lioq

Introduction – The Duplicity of Genocide

For those acquainted with the history of colonization, dispossession, and genocide in North America, it should come as little surprise that Indigenous peoples took umbrage with the Canadian Museum for Human Rights' (CMHR) refusal to use the term genocide when discussing Canada's historic and contemporary treatment of Indigenous peoples.¹ The opening of the museum on 19 September 2014 was met with protests from no fewer than four different groups, including a highly-publicized boycott by Indigenous electronic music group A Tribe Called Red. The group was scheduled to perform at the CMHR on 20 September 2014, but chose to boycott the institution for its perceived failure to represent Canada's history of settler colonialism as a decidedly genocidal one.² Meanwhile, the most poignant criticism came from the Shoal Lake 40 First Nation, which established the Canadian Museum of Human Rights Violations (CMHRV) in protest of the CMHR's—and more broadly, Canada's—inaction on Indigenous and human rights. The latter protest specifically references the community's consistent lack of clean drinking water over the last two decades, a symptom directly resulting from the construction of the water reservoir for the city of Winnipeg.³

¹ This text will use the term "Indigenous peoples" in reference to ethnic groups with pre-colonial ties to particular territories largely limited to the Canadian context. For the purpose of this text, "Indigenous peoples" includes First Nations, Metis, and Inuit peoples. If the terms "Indian", "Aboriginal", and "Native" do appear, they will be either within a direct quotation or in reference to Canadian governmental departments or policies.

² "Canadian Museum for Human Rights Opening Marked by Music, Speeches and Protests," *CBC News*, 19 September 2014, accessed 21/12/2014, <http://www.cbc.ca/news/canada/manitoba/canadian-museum-for-human-rights-opening-marked-by-music-speeches-and-protests-1.2771245>; "A Tribe Called Red Cancels Performance at Human Rights Museum," *CBC News*, 19 September 2014, accessed 21/12/2014, <http://www.cbc.ca/news/canada/manitoba/a-tribe-called-red-cancels-performance-at-human-rights-museum-1.2771222>.

³ "Shoal Lake 40 'Human Rights Violations Museum' Highlights Water Problems," *CBC News*, 17 September 2014, accessed 21/12/2014, <http://www.cbc.ca/news/canada/thunder-bay/shoal-lake-40-human-rights-violations-museum-highlights-water-problems-1.2769067>; Wab Kinew, "Human Rights Museum Needs to Act on First Nations

The present thesis will outline a decolonial politics of genocide recognition that attempts to reprioritize the material conditions of settler colonialism over the debate surrounding the CMHR's use of the term genocide. The debate over Indigenous genocide at the museum has functioned as a discursive trap, maintaining an epistemological break between Canada's settler colonial past and its settler colonial present. As a radical decolonial methodology which aims to prioritize Indigenous peoples' deplorable living material conditions under settler colonial rule, this thesis will emphasize the inherent violence of settler colonial forms over their substance. In other words, this thesis will deliberately forgo an analysis of the content in the CMHR's exhibitions by focusing on the museum's complicity in Indigenous dispossession and genocide. While the debate over Indigenous genocide will be addressed in detail, such a debate functions to highlight the inherited asymmetries of power shared between the state, museological institutions, and Indigenous peoples, rather than as an indictment of individual curators or museum staff.

Chapter One examines the emergence of the CMHR in the context of Canada's emergent liberal politics of recognition. The chapter outlines the state's use of institutions as sites for negotiating a balance between equal rights and the politics of difference, but also as means of containing and compromising Indigenous criticism of Canadian settler colonialism. Here, competing Euro-Canadian interests have effectively mobilized their victimhood to obscure their participation in the Canadian settler colonial project.

Though bound by the caveat that Indigenous experiences of Canadian settler colonialism are characterized by a legacy of resistance to genocide, Chapter Two argues for

a reprioritization of the terms of the debate over the representation of Indigenous genocide at the CMHR. Specifically, it contrasts the material consequences of settler colonialism with the notion of an “accurate” museological representation of settler colonialism, concluding that the latter tend to obscure the stakes of the former. In other words, even if Canadian museums such as the CMHR are able to denounce settler colonialism as a form genocide, such recognition is trumped by their complicity in the very settler colonial project they purport to denounce.

Chapter Three is an investigation into what a decolonial politics of genocide recognition might resemble. Of particular interest here is an initiative begun by members of the Shoal Lake 40 First Nation: the Canadian Museum of Human Rights Violations (CMHRV). The CMHRV is a scathing satire of Canadian settler colonialism, using the CMHR as a vehicle for forwarding this mockery-as-critique. The CMHRV “accurately” represents the state’s hypocrisy in posturing itself as a champion of human rights while denying Indigenous humanity. Before focusing on the CMHR in greater detail, this Introduction will define some of the terminology deployed throughout this piece, with particular attention being given to the term genocide. This section will argue that the settling of Canada was not only predicated on the genocide of Indigenous peoples, but also that the maintenance of continued settler colonial rule is predicated on ongoing dispossession and genocide. But before elucidating on the duplicitous nature of Indigenous genocide(s), it is important to define settler colonialism and discuss its Canadian iteration.

In recent years, it has become increasingly necessary to distinguish between colonialism and settler colonialism.⁴ In settler colonies, such as Canada, Indigenous peoples were dispossessed of their lands to create white-majority spaces, while colonialism often refers to sites of plantation slavery where the majority of the population was enslaved Africans. Perhaps the most important difference for this study is that the basis of colonialism is the extraction of resources and labor, while the foundation of settler colonialism is the acquisition of land in perpetuity.⁵ Similar in complexities, but comprising a different set of political, cultural, and economic relations altogether, former colonies and settler states have had radically different decolonizing trajectories. In the latter half of the 20th Century, there has been a concerted effort to gain certainty of title to Canada's land base through comprehensive and specific land claims and circumscribe undefined Aboriginal and treaty rights through resource-sharing initiatives and self-government agreements.⁶ All of these developments are designed as a legal veneer to legitimate and

⁴ Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," in *Journal of Genocide Research*, 8:4 (London: Routledge, 2006), 387-409; Fiona Bateman and Lionel Pilkington, eds., *Studies in Settler Colonialism: Politics, Identity and Culture* (New York: Palgrave Macmillan, 2011); Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (New York: Palgrave Macmillan, 2010); Gregory D. Smithers, *Native Diasporas: Indigenous Identities and Settler Colonialism in the Americas* (Lincoln: University of Nebraska Press, 2014).

⁵ Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014), p. 151.

⁶ There are currently 99 groups of First Nations who are negotiating comprehensive claims at what Russell Diabo terms Canada's "termination tables". He borrows the term "termination" from the American context, where termination entailed the curtailing of American Indian rights. He applies it accordingly: "Termination in this context means the ending of First Nations pre-existing sovereign status through federal coercion of First Nations into Land Claims and Self-Government Final Agreements that convert First Nations into municipalities, their reserves into fee simple lands and extinguishment of their Inherent, Aboriginal and Treaty Rights." Russell Diabo, "Harper Launches Major First Nations Termination Plan: As Negotiating Tables Legitimize Canada's Colonialism," in *First Nations Strategic Bulletin*, Vol. 10, Iss. 7-10 (June-October 2012), accessed 08/04/2015, https://d3n8a8pro7vhmx.cloudfront.net/idlenomore/pages/1140/attachments/original/1416291817/FNSB_July-Oct_12_copy.pdf?1416291817; Comprehensive Land Claim and Self-Government Negotiation Tables, Aboriginal Affairs and Northern Development Canada website, last updated 6 February 2014, accessed 08/04/2015, <https://www.aadnc-aandc.gc.ca/eng/1346782327802/1346782485058>.

strengthen settler colonial claims. In this way, Canadian settler colonialism has not only survived the thrust towards decolonization following the end of the Second World War, but it has thrived under it.

Part of the discrepancy here is that settler colonialism produces new identities that are wedded to that particular structure. Genocide scholar Patrick Wolfe's discussion on settler colonialism is enlightening in this regard:

[S]ettler colonialism has both negative and positive dimensions. Negatively, it strives for the dissolution of native societies. Positively, it erects a new colonial society on the expropriated land base—as I put it, settler colonizers come to stay: *invasion is a structure not an event*.⁷ (emphasis added)

Wolfe's description is helpful because it tempers the destructive and exploitative nature of colonialism with the production of new—in this case, Canadian—settler colonial identities. Even as settler colonialism produces settler colonial subjects, there is always an implied break with the settler colonial past. The conceptualization of dispossession as an event in the distant past rather than an existing dominant structure allows settlers to unapologetically deny the settler colonial present. Put bluntly, the Canadian response to its settler colonial past—to say nothing of the denial of the present—has been to imagine Indigenous peoples as partners in the settler colonial project. This has been imagined and articulated through a national narrative and dialogue centered on “reconciliation.”⁸ With the identities of Indigenous peoples recast as settler colonial subjects in the Canadian

⁷ Wolfe, “Settler Colonialism,” p. 388.

⁸ Though there have been numerous interlocutors in this discussion, few have gained more traction among Canadians as John Ralston Saul. See: John Ralston Saul, “Reconciliation: Four Barriers for Paradigm Shifting,” DeGagne, Dewar, and Younging, eds., *Response, Responsibility, and Renewal: Canada's Truth and Reconciliation Journey* (Ottawa: Aboriginal Healing Foundation, 2009), pp. 311-20.

imaginary, the dispossession of Indigenous lands is regarded more as a *fait accompli* with minor outstanding formalities rather than an ongoing and violent process.

In his comparison of colonial and settler colonial narrative forms, Lorenzo Veracini argues that the narrative form of colonialism is circular, while the narrative form of settler colonialism is linear.⁹ The distinction is important for tracing structural discrepancies between colonial and settler colonial narrative forms because the former is characterized by repetition and the latter is characterized by *transformation*.¹⁰ These narrative forms are important because they exemplify how settler colonial discursive structures have functioned to circumscribe decolonial alternatives for Indigenous peoples. Veracini also distinguishes between the trajectory of these narrative forms based on perceptions of “progress.”¹¹ In settler colonial contexts, “ ‘progress’ is typically understood as a measure of indigenous displacement and ultimate erasure, [whereas] a colonial ideology would understand ‘progress’ as characterized by indigenous displacement and permanent subordination.”¹²

“Erasure” has come to signify different processes throughout the evolution of the Canadian state, ranging from the physical destruction of Indigenous bodies to the destruction of Indigenous ways of being. A denial of the former has been used to posture Canada’s westward expansion as a peaceful foil to American expansion: the Canadian “Mild

⁹ Lorenzo Veracini, “Telling the End of the Settler Colonial Story,” Fiona Bateman and Lionel Pilkington, eds., *Studies in Settler Colonialism: Politics, Identity and Culture* (New York: Palgrave Macmillan, 2011), p. 204.

¹⁰ Veracini, “Telling the End,” p. 207.

¹¹ Veracini, “Telling the End,” p. 208.

¹² Veracini, “Telling the End,” p. 208.

West” versus the American “Wild West.”¹³ Myths such as these have informed settler Canadians’ understanding of their colonial project upon an imagined continuum of violent intensities. However, any attempt to qualify forced Canadian subjecthood as less intense than physical repression will necessarily be inadequate because settler colonial ends are not determined by their means. Reservations about the intensity of colonization are but attempts to rehabilitate settler colonialism and justify its historical continuity. And while qualifying settler colonial violence is a central process in ensuring the linearity of settler colonial narrative forms, it has also been a central part of denying both Canada’s historical and contemporary colonial misdeeds. The discourses where this denial has been most explicit has almost invariably surrounded the term “genocide.”

The term genocide was coined by Polish-Jewish legal scholar Raphael Lemkin to describe a form of mass murder.¹⁴ He sought to articulate a new form of crime—for while homicide was a universally-recognized crime, there was no equivalent for groups. “Genocide has two phases,” he wrote in 1944, “one, destruction of the national pattern of the oppressed group; the other, the imposition of the national pattern of the oppressor.”¹⁵ Lemkin’s crowning achievement was to have genocide codified as a crime against humanity by the United Nations in 1946.¹⁶ In the aftermath of the Nazi Holocaust, the United Nations Assembly,

¹³ William H. Katerberg, “A Northern Vision: Frontiers and the West in the Canadian and American Imagination,” in *American Review of Canadian Studies*, Vol. 33, Iss. 4 (2003), p. 545.

¹⁴ Raphael Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress* (Washington: Carnegie Endowment for International Peace, 1944), p. 79.

¹⁵ Lemkin, *Axis Rule in Occupied Europe*, p. 79.

¹⁶ Ward Churchill, “Forbidding the ‘G-Word’: Holocaust Denial as Judicial Doctrine in Canada,” in *Other Voices* 2, no. 1 (2000), unpaginated, accessed 30/03/2015, <http://www.othervoices.org/2.1/churchill/denial.html>.

[Affirmed] that genocide is a crime under international law which the civilized world condemns, and for the commission of which principals and accomplices – whether private individuals, public officials or statesmen, and whether the crime is committed on religious, racial, political or any other grounds → are punishable.¹⁷

This was the first formally-recognized iteration of “genocide” used in an international context. It was in force throughout the Nuremberg trials which persecuted the European Axis’ major war criminals before the United Nations’ International Military Tribunal.¹⁸

While a number of other resolutions were passed by the United Nations, the most authoritative and frequently-cited definition of genocide can be found in a landmark United Nations’ treaty, adopted in 1948: *Convention on the Prevention and Punishment of the Crime of Genocide*. Article 2 of the Convention reads:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such:

- (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.¹⁹

This definition represents the normative use of genocide, though there are now many definitions. In addition to a number of authors who have attempted to redefine genocide,

¹⁷ United Nations General Assembly Resolution 91 (I), *Affirmation of the Principles of International Law Recognized by the Charter of the Nurnberg Tribunal*, A/RES/91/46, p. 189, accessed 09/03/2015, [http://www.un.org/ga/search/view_doc.asp?symbol=A/res/96\(I\)](http://www.un.org/ga/search/view_doc.asp?symbol=A/res/96(I)).

¹⁸ United Nations General Assembly Resolution 91 (I), p. 189.

¹⁹ *Convention on the Prevention and Punishment of the Crime of Genocide*, New York, 9 December 1948, *United Nations Treaty Series*, Vol. 78, No. 1021, p. 280, accessed 09/03/2015, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>

states also have definitions which differ from that of the United Nations.²⁰ And since there are numerous changing definitions of genocide, the term is often used to describe situations that have not been formally and legally recognized as genocide proper. Here the term becomes an important site of resistance and negotiation.

Even though Prime Minister Lester B. Pearson signed the UN Convention in 1949,²¹ it may be surprising to learn that out of the five genocides that Canada formally recognizes—the Holocaust, the Holodomor, the Armenian genocide, the Rwandan genocide and Srebrenica—any sort of genocide perpetrated against Indigenous peoples is not among them.²² Or perhaps it is not surprising because Canada’s ratification of the Convention was not made in earnest, as the 1948 Special Committee on Hate Propaganda in Canada reported:

For purposes of Canadian law, we believe that the definition of genocide should be drawn somewhat more narrowly than in the [already much narrowed] international Convention so as to include only killing and its substantial equivalents ... The other components of the international definition, viz, causing serious bodily or mental harm to members of a group and forcibly transferring children of one group to another group with intent to destroy the group we deem inadvisable for Canada.²³

And this strategic narrowing of the definition of genocide has outlived the 20th Century. As late as 2000, Canada has legally defined “genocide” in its *Crimes Against Humanity and War Crimes Act* as:

²⁰ Andrew Woolford, “Ontological Destruction: Genocide and Canadian Aboriginal Peoples” in *Genocide Studies and Prevention*, Vol. 4, No. 1 (April 2009), pp. 81–97; Henry C. Theriault, “Genocidal Mutation and the Challenge of Definition,” in *Metaphilosophy*, Vol. 44, No. 4 (July 2010), pp. 481–524; Frank Chalk and Kurt Jonassohn, *The History and Sociology of Genocide: Analyses and Case Studies* (New Haven, CT: Yale University Press, 1990).

²¹ *Convention on the Prevention and Punishment of the Crime of Genocide*, p. 301.

²² Michael Dan, Phil Fontaine, and Bernie M. Farber, “A Canadian Genocide in Search of a Name,” *The Star*, 19 July 2013, accessed 21/12/2014, http://www.thestar.com/opinion/commentary/2013/07/19/a_canadian_genocide_in_search_of_a_name.html.

²³ Special Committee on Hate Propaganda in Canada (1948) quoted in Ward Churchill, “Forbidding the ‘G-Word’ ”.

an act or omission committed with intent to destroy, in whole or in part, an identifiable group of persons, as such, that, *at the time and in the place of its commission, constitutes genocide according to customary international law or conventional international law* or by virtue of its being criminal according to the general principles of law recognized by the community of nations, whether or not it constitutes a contravention of the law in force at the time and in the place of its commission.²⁴ (emphasis added)

The italicized portion is not present in the standard UN definition, helping the state to avoid recognizing the oppression of Indigenous genocides as genocide. Furthermore, this temporal caveat would conveniently exempt past Canadian colonial administrators from the crime. For this reason Canada is frequently held to the UN standard when it is accused of genocide by Indigenous and non-Indigenous scholars alike.²⁵

In their work *Accounting for Genocide: Canada's Bureaucratic Assault on Aboriginal People* (2003), Dean Neu and Richard Therrien contend that British and Canadian colonial administrators used accounting and other bureaucratic practices to commit genocide against Indigenous peoples.²⁶ Therrien and Neu argue that Canada's "bureaucratic assault" on Indigenous peoples has always relied upon the illusion of choice as a form of plausible deniability to further "sanitize" Canadian colonialism. They cite the signing of Treaty 9 as but one example of a coerced "choice" made in the interest of survival.²⁷ "Although Britain

²⁴ *Crimes Against Humanity and War Crimes Act, Statutes of Canada* 2000, c. 24, p. 1, <http://laws-lois.justice.gc.ca/eng/acts/C-45.9/page-1.html>.

²⁵ Pamela Palmater, "Genocide, Indian Policy, and Legislated Elimination of Indians in Canada," in *Aboriginal Policy Studies*, Vol. 3, No. 3 (2014), p. 31; Mark Abley, *Conversations with a Dead Man: The Legacy of Duncan Campbell Scott* (Madeira Park, BC: Douglas & McIntyre, 2014), p. 36; Daniel N. Paul, *We Were Not the Savages: Collision Between European and Native American Civilizations*, 3rd ed. (Halifax: Fernwood Publishing, 2008), p. 113; Dan, Fontaine, Farber, "A Canadian Genocide in Search of a Name"; Dean Neu and Richard Therrien, *Accounting for Genocide: Canada's Bureaucratic Assault on Aboriginal People* (Black Point, NS: Fernwood Publishing, 2003), pp. 15-16.

²⁶ Neu and Therrien, *Accounting for Genocide*, p. 10, 30, 34, 40, 110. The authors cite a number of instances when historical actors such as Lord Durham, Governor Cornwallis, Duncan Campbell Scott, Jean Chretien, and the Family Compact enacted genocidal policies.

²⁷ Neu and Therrien, *Accounting for Genocide*, p. 24.

had technically purchased the land from Indigenous peoples,” they write, “violence against Indigenous peoples formed the backdrop of these negotiations.”²⁸

Indigenous-settler land transfers were not sharply defined transactions. They often occurred within contexts where one party was under duress, acting out of fear of annihilation. By reserving the calculated facade of Indigenous agency, colonial administrators were able to absolve themselves of complicity in creating the “managerial design” that led to the widespread destruction of Indigenous cultures, communities, families, and individual bodies.²⁹ In this way, the cumbersome apparatuses of the state allowed and continue to allow individuals, communities, and the settler colony overall to benefit unscrupulously from destructive colonial policies while absolving individuals of any moral responsibility.

The authors indict specific administrators for using the “soft technologies” of accounting, planning, and law to enact a degree of “distantiation” – the separation of morality from bureaucracy.³⁰ While the threat of violence—the “hardware” of colonial rule—is always present, it is the reliance on the less spectacular “software” that enables Canadians to contrast their brand of colonialism more favorably with their American neighbors to the south.³¹ While the authors’ argument is certainly an important one because it lays bare genocidal practices, procedures, and structures that remain intact to the present day, their normative application of genocide—citing specific individuals with

²⁸ Neu and Therrien, *Accounting for Genocide*, p. 35.

²⁹ Neu and Therrien, *Accounting for Genocide*, p. 24.

³⁰ Neu and Therrien, *Accounting for Genocide*, pp. 5, 29.

³¹ Katerberg, “A Northern Vision,” pp. 545, 554.

an intent to destroy Indigenous cultures—tends to be reductive is assessing experiences of Indigenous harm.

In his essay “Ontological Destruction: Genocide and Canadian Aboriginal Peoples” sociologist Andrew Woolford has challenged the normative applicability of the United Nations’ definition to the North American context. Far from arguing that Indigenous peoples’ experiences belie the severe nature of claims of genocidal intent, he makes the case that the unqualified application of the United Nations’ definition reproduces the same Eurocentric biases that were used to justify the destruction of Indigenous cultures in the first place.³² In one telling example, genocide scholar A. Dirk Moses has demonstrated how the original UN affirmation and the subsequent UN Convention affirms that genocide is a crime which the “civilized” world condemns.³³ Whereas the charge of genocide was levied as a persecution of Nazi “barbarity”, the situation is drastically different in Canada—where the settler colonial “civilizing mission” was justified on the grounds of Indigenous peoples’ innate “savagery”. While the unqualified application of the UN Convention functions to situate the question of Indigenous genocide squarely within Eurocentric epistemological formations, Woolford also highlights the colonial strategy of relying on the plausible deniability of disease, starvation, “natural” disasters, and accidents.³⁴

³² Andrew Woolford, “Ontological Destruction: Genocide and Aboriginal Peoples,” in *Genocide Studies and Prevention*, Vol. 4, No. 1 (April 2009), p. 89.

³³ A. Dirk Moses, “Does the Holocaust Reveal or Conceal Other Genocides?: The Canadian Museum for Human Rights and Grievable Suffering,” *Hidden Genocides: Power, Knowledge, Memory*, eds. Alexander Leban Hinton, Thomas La Pointe, and Douglas Irvin-Erickson (New Brunswick, NJ: Rutgers University Press, 2014), p. 24.

³⁴ Woolford, “Ontological Destruction,” p. 91. Recently, two young *nēhiyawēwin* children died in a house fire on the Mokwa Sahgaiehan First Nation in Saskatchewan. The local fire chief of the neighboring non-Indigenous community refused to respond to the incident due to outstanding monies owed by the First Nations community to

Borrowing the framework of French philosopher Bruno Latour's critique of the modern "Constitution", Woolford argues that the normative application of the Convention's definition of genocide reinforces the modernist construction of a nature-culture binary.³⁵ He contends that the terms "group", "intent", and "destroy" which precede the enumerated criteria in the Convention are heavily invested in modernism and benefit those who have definitional authority over genocide. Each of these terms pose some difficulty. "Nation" or "group" are only problematically applied because Indigenous conceptions of nationhood differ drastically from their European counterparts.³⁶ With no singular Indigenous identity, culture, or group, to speak of genocide in the singular is highly-reductive. Conversely, particularizing Indigenous experiences of genocidal events in such a way tends to trivialize other destructive colonial policies which targeted "Indians," Metis, and Inuit.³⁷ In other words, accusations of genocide form a matrix of broad and intersecting continuums, ranging from spectacular and violent acts to seemingly benign bureaucratic inactions, from specific administrators to the entire settler colonial project, from the distant past to the present day, and from specific Indigenous nations and cultures to Indigenous peoples as a racial construct. Accordingly, this work will use "Indigenous genocide(s)" to emphasize the duplicity of genocide in the North American context.

the fire department, triggering renewed claims of genocide. Pamela Palmater, "Canada's Indifference is Killing Indigenous People," *Rabble*, 20 February 2015, accessed 09/03/2015, <http://rabble.ca/blogs/bloggers/pamela-palmater/2015/02/canadas-negligence-and-indifference-killing-indigenous-people>.

³⁵ Woolford, "Ontological Destruction," p. 90.

³⁶ Woolford, "Ontological Destruction," p. 88.

³⁷ The introduction of the *Indian Act* in 1876 marked an emergent era in which the state expressly targeted Indigenous peoples based on their race. While Inuit do not fall under the *Indian Act*, and the Metis were not recognized as "status" Indians until 2014, their omission from the act in the first instance was based on nineteenth-century scientific racism. There is, simultaneously, a case to be made for the targeting of Indigenous peoples based on their ethnicity and their race, both of which are important and neither of which are mutually-exclusive.

Central to Woolford's argument is the notion of "intent" is greatly problematized by a long history of missionary activities, many of which were harmful but were often carried out with "humanitarian" intent.³⁸ Woolford contends that the notion of intent is coupled with a refusal to recognize Indigenous ontologies—which is inherently destructive. In the case of missionaries with "good" intentions, even the belief that Indigenous peoples were a dying breed does not absolve them of culpability. "Destruction" is harmfully reductive if it is understood individualistically. To understand cultural violence from an Indigenous perspective is to extend that understanding of ontological destruction beyond individuals—from spiritual relations, gender relations, kinship relations, class relations, communal relations, intra-national relations, international relations, to the destruction of a culture itself. By no means exhaustive, these ways of relating to one-another cannot be quantified but are nonetheless vital to Indigenous identity. In sum, the asymmetrical nature of the colonial relationship forces Indigenous peoples to compromise their culturally-specific understandings of inter-cultural violence when striving for genocide recognition. That is, the impetus towards the recognition of Indigenous genocide(s) carries with it the attendant danger that, ironically, genocide recognition itself results in "the imposition of the national pattern of the oppressor"—the very process that the codification of genocide was intended to prevent in the first place.³⁹

This Introduction has argued that the colonization of Canada was predicated on the genocide of Indigenous peoples just as the maintenance of continued colonial rule is predicated on ongoing genocide. However, holding the Canadian state to the normative

³⁸ Woolford, "Ontological Destruction," p. 91.

³⁹ Lemkin, *Axis Rule in Occupied Europe*, p. 79.

United Nations' standard for genocide both exposes and obscures elements of settler colonial violence. The view that Indigenous experiences of cultural destruction are networked is an important point of analysis in understanding Indigenous claims of genocide and calls for genocide recognition. Recognition that specific colonial administrators were and are guilty of genocide against specific individuals falls harmfully short of addressing the genocidal character of settler colonialism in its totality. That is not to say that genocide recognition is not a worthwhile pursuit. On the contrary, it is of prime importance that a decolonial approach be taken to the topic of Indigenous genocide(s)—one which reaffirms the ontologies and epistemologies of each specific Indigenous nation.

The normative approach to genocide recognition both exposes and obscures because it carries with it a particular set of discursive practices that are invested in Western epistemological formations. Chapter One will discuss the emergence of the Canadian Museum for Human Rights as the culmination of a politics of recognition that is invested in such an approach, as laid out in the United Nations' Convention. More generally, Chapter One will highlight that, in addition to serving as important sites of contestation and negotiation, to engage in large-scale acts of recognition the often negligible powers of multicultural institutions allow the state to contain and compromise discursive structures and counter-narratives that belie national myths and narratives. By giving institutions narrow mandates, states are also able to create buffer zones which maintain the overall hiddenness of settler colonialism. That is, institutions maintain settler colonial rule most effectively when they straddle recognition and non-recognition simultaneously.

Chapter One – Recognizing Equally: Politics of Recognition and the CMHR

The latter half of the twentieth century bore witness to a rising tension between equal rights and the politics of difference. States have attempted to resolve this tension by engaging in large-scale acts of recognition which acknowledge that the interests of marginalized groups are often not reflected in the dominant society. In Canada, this has manifested often through the formulation of certain rights within the Constitution and the acknowledgement of Canada's multicultural heritage through federal and provincial policies. Specifically, the patriation of the Constitution in 1982 was accompanied with a suite of legislation called *The Canadian Charter of Rights and Freedoms*. The Charter was intended to be, "interpreted in a manner consistent with the preservation and enhancement of the *multicultural* heritage of Canadians."⁴⁰ While this declaration of Canada's multicultural character served to set a top-down precedent, the realization of multicultural ideals within Canada's cultural institutions remains a site of constant contestation and negotiation.

This chapter will examine the emergence of multicultural institutions as part of the Canadian settler state's attempts to negotiate a middle ground between equal rights and the politics of difference. Specifically, this chapter will argue that institutions are able to effectively mask their stakes in settler colonialism by engaging in small-scale acts of recognition and large-scale acts of non-recognition. In this respect, few examples are more current and relevant than the Canadian Museum for Human Rights (CMHR) in Winnipeg. As

⁴⁰*Canadian Chart of Rights and Freedoms*, s 27, Part I of the *Constitution Act*, 1982, being Schedule B to the *Canada Act 1982* (UK), 1982), c 11, emphasis added, accessed 02/02/2015, <http://laws-lois.justice.gc.ca/eng/const/page-15.html>; Michael Dewing, *Canadian Multiculturalism* (Library of Parliament, 2009), p. 4.

an institution undergirded by both private and public capital, the museum is an important site for interrogating the interpenetrating roles of the state and state institutions in mediating between different cultural groups who are vying for recognition. Central to this inter-cultural process of negotiation is a debate over whether or not the Holocaust ought to take precedence over other genocides. But before expanding on the function of recognition as it relates to the finer points of this debate, it is first necessary to discuss this chapter's use of "politics of recognition" and what processes of recognition are indispensable to this analysis.

In the seminal book *Multiculturalism: Examining the Politics of Recognition*, Euro-Canadian philosopher Charles Taylor argues that a "difference-blind" approach to liberalism is incompatible with multiculturalism.⁴¹ The tension emerges between a desire to be both equal *and* unique. Taylor nods towards recognition as an effective compromise. He writes:

The thesis is that our identity is partly shaped by recognition or its absence, often by the misrecognition of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves.⁴²

In this view, one's identity is secured in part by the validation of others. The inherent reliance upon the recognition of others to affirm one's identity carries with it a degree of vulnerability, both individually and at the group level. Asymmetrical power relations between Indigenous peoples and settlers, for example, have resulted in the latter

⁴¹ Charles Taylor, "The Politics of Recognition," *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann (Princeton N.J.: Princeton University Press, 1994), p. 25.

⁴² Taylor, "The Politics of Recognition," p. 25.

possessing a virtual monopoly over processes of recognition, while the former are forced to compromise their respective nationhoods.

Drawing on Frantz Fanon's *Wretched of the Earth* (1963), Taylor argues that "misrecognition" is a form of oppression because the misrecognized group or individual tends to internalize the other group's demeaning depiction of itself.⁴³ "Nonrecognition" is arguably more oppressive, because—on an individual level—it is an outright denial of one's self worth and identity. On a societal level, nonrecognition is subject to intense contestation and negotiation by different cultural groups, institutions, organizations, governments, and so on. Nonrecognition is an affront to one's very dignity and humanity; active denial of recognition is the denial, in Taylor's words, of a "vital human need."⁴⁴

While this may seem extreme, he is not alone in assigning certain acts of nonrecognition such gravitas. The act of denying certain mass atrocities—particularly the Holocaust—has been criminalized in over a dozen countries around the world, including Canada.⁴⁵ Here, legislated recognition strikes a balance between the right to absolute free speech and the notion that Holocaust denial is harmful. While it is not the aim of this paper to debate the perceived merits or faults of legislation prohibiting Holocaust denial, an in-

⁴³ Taylor, "The Politics of Recognition," p. 36.

⁴⁴ Taylor, "The Politics of Recognition," p. 26. Misrecognition can happen on a number of levels. The unrealistic and contemptible images of the stereotypical "Imaginary Indian" that appear in popular culture and "high" art are often associated with Indigenous peoples. Institutionally, misrecognition could also be misplaced recognition. Representing Indigenous peoples without their input or consent can be a form of misrecognition. Misrecognition could also be the acknowledgement of being on a particular Indigenous territory without assuming the responsibilities and protocols that come with such an acknowledgement. Nonrecognition is also common and harmful. In this paper, nonrecognition can include refusing to acknowledge Indigenous territories, Indigenous systems of governance, Indigenous legal orders, Indigenous rights, Indigenous suffering.

⁴⁵ "Section 319(2) of Criminal Code of Canada" *Justice Canada Website*, accessed 21/12/2014, <http://laws-lois.justice.gc.ca/eng/acts/C-46/section-319-20040429.html#wb-cont>; "Section 181 of Criminal Code of Canada" *Justice Canada Website*, accessed 21/12/2014, <http://laws-lois.justice.gc.ca/eng/acts/C-46/section-181.html>; Phillip Rosen, *Hate Propaganda*, accessed 21/12/2014, <http://www.parl.gc.ca/Content/LOP/researchpublications/856-e.htm>.

depth look at how Canada's cultural institutions attempt to conciliate between groups demanding *equal recognition* is certainly within the scope of this inquiry. More accurately, the recent construction of the Canadian Museum for Human Rights represents the state's latest attempts to arbitrate between disparate groups seeking equal recognition of different genocides.

In his article "The Canadian Museum for Human Rights: the 'Uniqueness of the Holocaust' and the Question of Genocide" (2012) genocide scholar A. Dirk Moses traces the roots of the CMHR back to a debate over proposals forwarded at a 1998 Canadian Senate Subcommittee on Veterans Affairs of the Standing Senate Committee on Social Affairs, Science and Technology hearing. The subcommittee was assembled to hear proposals for the creation of a permanent Holocaust gallery at the Canadian War Museum (CWM).⁴⁶ While a number of groups came forward with arguments in favor of a Holocaust gallery, two proposals in particular ignited long-standing controversies. The Canadian Jewish Congress (CJC)⁴⁷ and *B'nai Brith*⁴⁸ proposed that Canada needed a stand-alone Holocaust museum dedicated to Jewish victims of the Nazi Holocaust. The groups argued that a stand-alone Holocaust museum was not only consistent with the CWM's mandate, but it was also

⁴⁶ A. Dirk Moses, "The Canadian Museum for Human Rights: the 'Uniqueness of the Holocaust' and the Question of Genocide" in *Journal of Genocide Research*, 14:2 (London: Routledge, 2012), p. 218.

⁴⁷ The Canadian Jewish Congress was one of the largest lobbying groups that advocated on behalf of Jewish communities in Canada. The CJC was instrumental in providing aid for Jewish settlers fleeing Nazi violence and later provided services to Holocaust survivors. The group advocated the punishment of Nazi war criminals and urged Canada to enact hate crime laws to punish Holocaust deniers. It disbanded in 2011. "Canadian Jewish Congress: Over 90 Years of Advocacy" *Canadian Jewish Congress Website*, accessed 20/12/2014, <http://web.archive.org/web/20110714045700/http://www.cjc.ca/about-cjc/history/>; "Holocaust Survivors" *Canadian Jewish Congress Website*, accessed 20/12/2014, <http://web.archive.org/web/20110716013000/http://www.cjc.ca/holocaust-survivors/>; "Hate Speech" *Canadian Jewish Congress*, accessed 20/12/2014, <http://web.archive.org/web/20110716012951/http://www.cjc.ca/hate-speech/>.

⁴⁸ *B'nai Brith* is the largest and oldest international Jewish advocacy group. The group has consistently promoted strong Jewish communities. Much like the CJC, *B'nai Brith* provided relief for Jewish victims of Nazism. The organization has a long history of engaging in grassroots activism, challenging anti-Semitism and promoting the state of Israel. "History" *B'nai Brith Website*, accessed 20/12/2014, <http://bnaibrith.ca/history/>.

complimentary to the groups' shared goal of having a national museum dedicated to memorializing Jewish victims of the Holocaust.⁴⁹

The proposals were met with significant resistance, largely because there was no mention of other Holocaust victims.⁵⁰ Among those who cautioned against the proposals were Canadian-Ukrainian leaders, the Chairman of the National Council of Veteran Associations Cliff Chadderton, and Holocaust historian Michael Marrus.⁵¹ Canadian-Ukrainian leaders opined that the proposals by the CJC and *B'nai Brith* not only positioned the Holocaust as a universal and all-embracing mass atrocity, but that they also gave preferential treatment to Jewish victims over other victims—effectively collapsing all perspectives into a dominant, universal subjectivity. Chadderton agreed that any such museum would necessarily have to include other genocides. Marrus, a world-renowned Euro-Canadian professor of Holocaust studies, was paraphrased in the subcommittee's final report *Guarding History* (1998) as having said that any such museum “should not be a project which pits groups of Canadians against each other.”⁵²

The debate had been fueled in part by Ukrainian-Canadian desires to have the Holodomor recognized as a genocide every bit as atrocious as the Holocaust.⁵³ In a 1953

⁴⁹ Moses, “The Canadian Museum,” p. 218.

⁵⁰ Moses, “The Canadian Museum,” p. 218.

⁵¹ Moses, “The Canadian Museum,” pp. 218-9.

⁵² Quoted in Moses, “The Canadian Museum,” p. 219.

⁵³ The Holodomor was a systematic starvation of millions of Ukrainians at the hands of Soviet “collectivization” policies in 1932-33. Ukrainians were forced by Soviet agents to surrender their grain yields to Soviet Russia with the goal of fulfilling a quota that exceeded yearly production by nearly a quarter. Mortality rates varied across Ukraine, with some areas experiencing up to 25% mortality. Entire villages and towns were abandoned and by 1933 Soviet peasants were sent from Russia to Ukraine to maintain grain production. The death toll of the Holodomor has been widely disputed, ranging from 10 million to a conservative estimate of 2.6 million deaths. “Famine-Genocide of 1932-3,” *Internet Encyclopedia of Ukraine*, 2009, accessed 28/03/2015, <http://www.encyclopediaofukraine.com/display.asp?linkpath=pages%5CF%5CA%5CFamine6Genocideof1932hD73.htm>.

speech, Raphael Lemkin himself described what would later be termed the Holodomor as “the classic example of Soviet genocide.”⁵⁴ He described the attack on Ukrainian farmers thusly:

The third prong of the Soviet plan was aimed at the farmers, the large mass of independent peasants who are the repository of the tradition, folklore and music, the national language and literature, the national spirit, of Ukraine. The weapon used against this body is perhaps the most terrible of all — starvation. Between 1932 and 1933, 5,000,000 Ukrainians starved to death, an inhumanity which the 73rd Congress decried on 28 May 1934.⁵⁵

Nevertheless, Canadian Jewish leaders arguing for a permanent Holocaust museum were incensed by the attribution of the term genocide to the Holodomor as a perceived devaluation of the Holocaust, particularly since a number of Ukrainian nationals had been Nazi collaborators.⁵⁶

While the two controversial proposals were ultimately rejected in *Guarding History*, the Senate subcommittee recommended that the government should consider, “the feasibility of a national [sic] holocaust *and/or other acts of genocide gallery*.”⁵⁷ Heeding the recommendations, the CWM issued a press release in 1998 on behalf of the Canadian Museum of Civilization Corporation. The press release stated that the museum would pursue alternative means of establishing a stand-alone Holocaust museum. The subcommittee’s ambiguous recommendations failed to quell the debate over a national Holocaust museum so much as it created discursive space to allow the debate to be reframed along different ethnic, racial, and ideological lines.

⁵⁴ Raphael Lemkin, “Soviet Genocide in the Ukraine,” *Ukrainian Canadian Civil Liberties Association*, p. 1, accessed 28/03/2015, http://www.uccla.ca/SOVIET_GENOCIDE_IN_THE_UKRAINE.pdf.

⁵⁵ Raphael Lemkin, “Soviet Genocide,” p. 3.

⁵⁶ Quoted in Moses, “The Canadian Museum,” p. 230.

⁵⁷ Quoted in Moses, “The Canadian Museum,” p. 219.

Following the report, John Gregorovich of the Ukrainian Canadian Congress (UCC) spearheaded a coalition called Canadians for a Genocide Museum (CGM) in 1998. The new initiative pushed for inclusivity with regards to state-sponsored practices of remembering and commemoration. The CJC refused to join the coalition, believing that the coalition was merely a ruse to undermine the push for a national Holocaust museum.⁵⁸ *B'nai Brith* joined the coalition, but consistently championed the idea that the creation of any such genocide museum would have to focus primarily on the Holocaust.⁵⁹

It would be an overstatement to suggest that this signaled a growing divide within the Jewish Canadian community, but these differences in opinion did signify attempts to negotiate a middle ground with other ethnic or racial groups. Still, Jewish leaders pointed to worldwide recognition of the Holocaust as a testament to its unique character, while also championing its lessons as universal. In a particularly telling statement, Nate Leipicer, chair of the CJC's Holocaust Remembrance Committee, would later tell the Standing Committee on Canadian Heritage in 2000:

All genocide[s], all human tragic events, are of equal importance. There's no question about that. We do not want to get into a contest on whose tragedy was larger or who suffered more. This does not lead us anywhere... However, the Holocaust encompasses all genocide[s] and mass murders, wherever they happen and whenever they occur.⁶⁰

The remark characterizes Jewish representatives' increasingly *inclusive* approach to Holocaust memorialization by recognizing other Holocaust victims. However, the notion that the Holocaust is an all-encompassing genocide deserving *exclusive* recognition remained consistent. Critically, the remark exemplifies how demands for recognition

⁵⁸ Moses, "The Canadian Museum," p. 220.

⁵⁹ Moses, "The Canadian Museum," pp. 220-1.

⁶⁰ Quoted in Moses, "The Canadian Museum," p. 221.

sometimes offer little in way of a compromise between equal recognition and the politics of difference—between being unique and being equal. Groups such as the CGM argued that there were no universal knowledge to be gleaned from a sustained engagement with the Holocaust because other mass atrocities and crimes against humanity are always unique and worthy of equal recognition.⁶¹

During a visit to Auschwitz with members of the CJC in 1999, incumbent Prime Minister Jean Chretien was queried about the possibility of a stand-alone national Holocaust museum in Canada. Though Chretien actively denied the allegations, it was claimed by members of the CJC had he had made a verbal commitment to create such a museum.⁶² Much in the same way that the CWM's ambiguous endorsement incentivized Jewish leaders to keep pushing for a stand-alone Holocaust museum, Chretien's supposed endorsement was read as recognition at the state level. This suggested that the momentum for a Holocaust museum had reached a critical mass, even if the political will had only revealed itself to be an apparition. The next step would require financial commitments.

Jewish-Canadian media magnate Israel "Iggy" Asper proved to be the figure that Jewish leaders sought.⁶³ Asper conceived of a museum that would be funded publically through government contributions, but also privately through personal donations. Though Asper died prior to the ground-breaking ceremony, his philanthropic contribution via the

⁶¹ Moses, "The Canadian Museum," p. 222.

⁶² Moses, "The Canadian Museum," pp. 219-20.

⁶³ Israel "Iggy" Asper (1932-2003) was a Jewish-Canadian multibillionaire media magnate. He is credited with having inspired the creation of the CMHR and his Asper Foundation is the lead donor to the institution. He is also noted for his staunch support of Israel. For Asper-commission biographies, see: Peter C. Newman, *Izzy: The Passionate Life and Turbulent Times of Izzy Asper, Canada's Media Mogul* (Toronto: HarperCollins Publishers, 2008), pp. 254-9; Peter C. Newman and Allan Levine, *Miracle at the Forks: The Museum That Dares Make a Difference* (Vancouver: Friends of the Canadian Museum for Human Rights, 2014), pp. 9-19. For a more critical biography of Asper, see: Marc Edge, *Asper Nation: Canada's Most Dangerous Media Company* (Vancouver: New Star Books, 2007).

Asper Foundation represents the lion's share of the CMHR's sponsorships.⁶⁴ And though Asper was committed to the creation of a stand-alone Holocaust museum, state funding and recognition was contingent upon a more inclusive museum. The compromise included a museum that would focus on human rights rather than genocides *per se*.⁶⁵ In addition to a permanent gallery on Indigenous peoples, the Holocaust was allotted an entire gallery as adherents argued that it was *the* watershed event that spawned the modern discourse on human rights. More than simply documenting a developing discourse that centered on human rights, the museum would serve as an advocate *for* human rights: the Canadian Museum *for* Human Rights.

The debate over the necessity of a stand-alone Holocaust museum certainly fits within Taylor's politics of recognition. Jewish-Canadian groups vying for the memorialization of Jewish victims felt that it was necessary to have state recognition of these specific atrocities – presumably because the very characteristics which define modern, democratic, Western states were all effectively weaponized against European Jews. Other groups weighing in on the Holocaust museum debate were not advocating *nonrecognition* or *misrecognition* of Jewish victims of the Holocaust; rather, they sought equal recognition of their own suffering in concert with Jewish groups – particularly non-Jewish victims of the Holocaust such as homosexuals, Blacks, Jehovah's Witnesses,

⁶⁴ A large display on the ground level of the CMHR showcases the list of major financial contributors as "Friends of the Canadian Museum for Human Rights." The Asper Foundation is the primary donor, with a contribution of over \$20,000,000 – over three times larger than the two subsequent donations of \$6,000,000.

⁶⁵ Moses, "The Canadian Museum," p. 216.

Freemasons, and so-called “asocials” such as Sinti and Roma, the homeless, criminals, and people with mental health issues.⁶⁶

The debate ultimately revolved around the notion that certain types of recognition can eclipse others who feel that the recognition of their suffering ought to be of equal importance or urgency. This has effectively turned recognition into a zero-sum game of recognition for recognition’s sake.⁶⁷ Rather than neatly resolving the tension between the politics of difference and equal rights, the politics of recognition has resulted in its own set of problems hinging on the desire for equal recognition.

While this has created a new set of problems for the state, the construction of multicultural institutions has allowed for these problems to be framed and contained. But in so far as recognition informs the content of multicultural institutions, the CMHR also represents the extent to which recognition—or its absence—goes beyond content to form. Situated in Treaty 1 Territory,⁶⁸ the CMHR was built at the confluence of the Assiniboine and Red Rivers known as “The Forks”. Archaeological evidence suggests that The Forks was a habitual meeting place for a number of Indigenous groups an estimated 6,000 years

⁶⁶ Doris L. Bergen, *War and Genocide: A Concise History of the Holocaust* (Lanham, MD: Rowman & Littlefield Publishers, 2009), pp. 20-26.

⁶⁷ Moses, “The Canadian Museum,” p. 218; A. Dirk Moses, “Does the Holocaust Reveal or Conceal Other Genocides?: The Canadian Museum for Human Rights and Grievable Suffering,” Hinton, LaPointe, and Irvin-Erickson, *Hidden Genocides: Power, Knowledge, Memory* (New Brunswick, NJ: Rutgers University Press, 2014), p. 22.

⁶⁸ Treaty 1 was signed between Commissioner Wemyss M. Simpson on behalf of the Crown and the “Chippewa and Cree Indians” in 1871. The first of the “Numbered Treaties,” Treaty 1 encompasses a large tract of the province of Manitoba. Notably, the Numbered Treaties are regarded by the Crown as land surrender treaties, but the interpretation of the agreement has been disputed because the written document failed to reflect the promises made during negotiations. J. R. Miller, “The Southern Numbered Treaties, 1871-1877,” *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009), pp. 159-65.

before the present.⁶⁹ The very soil of the site was mined for its Indigeneity prior to construction: “More than 1,600 pages of archaeological data were reported from work that occurred on site between 2008 and 2012. Over 400,000 artifacts were recovered from beneath the Museum, which speak to ancient lifeways at The Forks.”⁷⁰ Equally as cheerful, a brief paragraph in the CMHR’s *Miracle at the Forks* (2014) notes the lengths that the museum went to in assuring the archaeological integrity of the site:

[T]he museum had funded a \$550,000 archaeological dig, the largest ever completed at the Forks, in compliance with provincial laws and with respect for the history of the site. The team of archaeologists at the dig discovered a two-hundred-square-metre space with pottery shards and a human footprint believed to be have been eight hundred years old.⁷¹

As far down as cultural roots can grow, these were among the deepest and the CMHR has gone to some length to showcase this heritage throughout the museum. For example, the footprint unearthed at the site has been cast in bronze and is prominently displayed in two areas of the CMHR: one in the main lobby on the ground floor and another overlooking the territory to the east in the Indigenous Perspectives Gallery on the second floor.

But the excavation of this Indigenous heritage site for the construction of a national museum reveals a devaluation of Indigenous heritage insofar as remnants of material culture are meaningful only in relation to their usefulness for contributing to Euro-Canadian desires to “understand” the Indigenous Other. Conversely, the museum also served to absorb the Indigenous Other into the Canadian Self by collapsing different

⁶⁹ Quaternary Consultants Ltd., *Archaeological Mitigation For The Canadian Museum For Human Rights At The Forks, Winnipeg, Manitoba* (Winnipeg: Friends of the Canadian Museum for Human Rights, Winnipeg, 2013).

⁷⁰ Mireille Lamontagne, “Museum Archaeological Dig a Goldmine of Information,” *Canadian Museum for Human Rights Blog*, 28 August 2013, accessed 13/11/2014, <https://humanrights.ca/blog/museum-archaeological-dig-goldmine-information>.

⁷¹ Newman and Levine, *Miracle at the Forks*, p. 126.

subjectivities into a dominant “Canadian” subject. Even Israel Asper conceived of the CMHR as a space, “where Canadians, and especially young Canadians, could learn about human rights and the importance of protecting these rights.”⁷² While the vision of its primary financier would undoubtedly be idealistic, Asper was partaking in a discursive tradition that sanitizes Canada’s settler colonial history by emphasizing its role as defender of human rights the world over and omitting or containing Canada’s settler colonial history. While he was certainly not the progenitor of such a discursive tradition, he went to great lengths to bolster it by embedding it into a new Canadian institution. Asper’s statement contains two discursive acts—recognition and nonrecognition. These acts are not unrelated. They are necessarily simultaneous in their function of bolstering the settler colonial imaginary by making the notion that Canada is a human rights defender mutually-exclusive to the notion that Canada is also a violator of human rights. At best, any recognition of Canada’s historical genocide(s) against Indigenous peoples remains wedded to the past, leaving Canada’s genocidal present conveniently sanitized.

Though the issue of Indigenous genocide(s) will be taken up in earnest in Chapter 2, it should be noted that the very mechanisms that were weaponized against Europe’s Jewish populations have long been in the service of oppressing Indigenous peoples and Africans by settlers in their respective territories.⁷³ In effect, the concerns of Jewish leaders seem to have been confirmed: the politics of equal recognition can be used to impede the acknowledgement of important issues, such as the Holocaust.

⁷² “Project Origins,” *Canadian Museum for Human Rights Website*, accessed 13/11/2014, <https://humanrights.ca/about/mandate-and-museum-experience/project-origins>; “Mandate and Museum Experience,” *Canadian Museum for Human Rights Website*, accessed 13/11/2014, <https://humanrights.ca/about/mandate-and-museum-experience>.

⁷³ Neu and Therrien, *Accounting for Genocide*, pp. 18-24.

From an Indigenous perspective, the museum comes to embody a particular set of practices of nonrecognition. In other words, the expressed mandate and content of the museum do not trump the fact that the museum's construction was contingent upon the continued dispossession of Indigenous peoples—a nonrecognition of particular Indigenous sovereignties, nationhoods, or territorialities—nor does formal recognition of that fact necessarily translate into justice. Situating that argument within the Canadian context entails that competing Euro-Canadian interests can use genocide recognition, whether deliberately or unintentionally, to suppress settler complicity in *ongoing* Indigenous genocides.⁷⁴ This is unsurprising given that the recognition that Canadian settler colonialism has entailed numerous genocides against Indigenous nations. And this would necessarily implicate Euro-Canadian Holocaust museum advocates in the very genocidal processes that they claim the recognition of their suffering would prevent. Further, the asymmetrical nature of relations of power in the context of recognition is most obvious when one compares legislation that addresses nonrecognition or outright denial. As noted earlier, active denial of the Holocaust is a crime punishable by Canadian law.⁷⁵ However, active denial of the state's genocidal practices visited upon Indigenous peoples – both historical and contemporary – is a staple of Canadian state policy. These asymmetrical relations of power, as with all similar relations of power in contexts of settler colonialism, interfere with the professed pedagogical goal of genocide recognition: genocide prevention.

⁷⁴ Coulthard, *Red Skin, White Masks*, pp. 179. Though Coulthard's influence is certainly felt here, Chapter 2 will offer a sustained analysis of Coulthard's work.

⁷⁵ "Section 319(2) of Criminal Code of Canada"; "Section 181 of Criminal Code of Canada"; Phillip Rosen, *Hate Propaganda*.

In sum, the emergence of a multicultural institution such as the CMHR reveals the extent to which recognition has come to be an important means of integrating disparate cultures into Canada's political economy. However, Canadian multiculturalism and the politics of recognition have effectively been mobilized in an attempt to create a hegemonic, Canadian subject position.⁷⁶ That is, insofar as recognition presumes that the needs of the settler colony are universal human needs, the state's capacity for recognition will necessarily be wedded to the dispossession of Indigenous territories. Canada's colonial politics of recognition assume that bringing Indigenous peoples under the yoke of Canadian sovereignty is reconcilable with Indigenous ways of being, but integrating disparate cultures into Canada's political economy presumes that "culture" is an ephemeral phenomenon between human subjects rather than a constellation of relationships between human and non-human alike—including land.⁷⁷

As shall be seen in Chapter Two, the refusal to acknowledge Indigenous cultures as rooted in cultural, political, and economic practices that are inherently antithetical to settler colonialism has set the paternalistic tone of Canada's colonial politics of recognition. For different Euro-Canadian cultural groups vying for genocide recognition, the Eurocentric trappings of Canadian settler colonial recognition can be less problematic in their application because European ways of being are in no way threatened by the existence of the Canadian state. In other words, recognition may be adequate for European-descended cultures for despite whatever differences these cultures have in terms of substance, the similarity of their forms poses no existential threat to Canadian settler

⁷⁶ Moses, "Does the Holocaust Reveal or Conceal Other Genocides?" p. 24.

⁷⁷ Coulthard, *Red Skin, White Masks*, pp. 13.

colonialism. However, for Indigenous peoples the economic base of settler colonialism is not a form that is reconcilable with Indigenous ways of being. Further, if one holds that the construction of colonial institutions on dispossessed Indigenous lands constitutes genocide, the very existence of these institutions in form contradict whatever redeemable traits they may possess in content. Simply put, the existence of the state itself is not an issue that can be addressed by state recognition.

Chapter Two – The Politics of Recognizing Indigenous Genocide(s)

[I]n our efforts to *interpolate* the legal and political discourses of the state to secure recognition of our rights to land and self-determination we have too often found ourselves *interpellated* as subjects of settler-colonial rule.⁷⁸ Glen Coulthard, 2014

The first chapter situated the emergence of the CMHR within a larger trend whereby the Canadian settler state has relied upon multicultural institutions to mediate between competing interests for genocide recognition. The museum was largely a response to concerns raised by Euro-Canadian cultural groups who placed a pedagogical emphasis on the acknowledgement of particular genocides for a host of reasons. This chapter will apply Dene political scientist Glen Coulthard's critique of Canada's "colonial" politics of recognition to discuss the CMHR's perceived failure to use the term genocide when discussing Canada's historic and contemporary treatment of Indigenous peoples. Generally, this chapter will argue that criticisms of the CMHR's policy on use of the term "genocide" are misplaced. Specifically, the politics of genocide recognition carry little weight at an institutional level because the recognition of Indigenous genocide itself does little to challenge the material conditions that make genocide a lived experience in North America. Much like the previous chapter, this chapter will discuss the relevance of Coulthard's work to this subject in greater depth before moving on to examine what his conclusions might suggest about the persistent debate concerning Indigenous genocide(s).

Glen Coulthard's recent political manifesto *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (2014) traces the trajectory of recognition politics, as they unfold between Indigenous peoples and the Canadian state, over the last half of the twentieth century and beyond. Synthesizing the work of African-Caribbean philosopher

⁷⁸ Coulthard, *Red Skin, White Masks*, pp. 179.

Frantz Fanon in *Black Skin, White Masks* (1952) with the resurgent politics of Michi Saagiig Nishnaabeg academic Leanne Betasamosake Simpson and Kanien'kehá:ka political scientist Taiaiake Gerald Alfred, Coulthard argues that Canada's colonial policy has shifted from the explicit genocidal ebb and flow of exclusionary and assimilationist policies towards beguiling and deceptive rhetoric of recognition and accommodation.⁷⁹

Where proponents of a recognition-based approach, such as Taylor discussed in Chapter One, view the approach as a beneficial development for intercultural relations in democratic societies, Coulthard sees recognition as a means of reproducing the very colonialist, racist, and patriarchal power relations that maintain settler-colonial rule.⁸⁰ Moreover, Coulthard uses Fanon's theoretical framework to argue that the state is able to reinforce settler-colonialism and its mutually-reinforcing axes of asymmetrical power without resorting to explicit violence because Indigenous peoples themselves have begun to *identify with the state*.⁸¹ *Red Skin, White Masks* is a clarion call to Indigenous peoples to resist the state's attempts to use recognition politics towards colonial ends, a call to practice a *decolonial* politics of recognition.

Coulthard cites a number of sources which have brought the term "mutual-recognition" into the modern vernacular.⁸² These proponents point to the entrenchment of certain Aboriginal and Treaty rights within sections of the Canadian Constitution and the

⁷⁹ Coulthard, *Red Skin, White Masks*, p. 6.

⁸⁰ Coulthard, *Red Skin, White Masks*, p. 3.

⁸¹ Coulthard, *Red Skin, White Masks*, p. 25.

⁸² Alan Cairns, *Citizens Plus: Aboriginal Peoples and the Canadian State* (Vancouver: University of British Columbia Press, 2000); *Report of the Royal Commission on Aboriginal Peoples*, 5 vols. (Ottawa: Minister of Supply and Services, 1996); Department of Indian Affairs and Northern Development, *Gathering Strength: Canada's Aboriginal Action Plan* (Ottawa: Published under the authority of the Minister of Indian Affairs and Northern Development, 2005); James Tully, *Strange Multiplicity: Constitutionalism in the Age of Diversity* (New York: Cambridge University Press).

Canadian Charter of Rights and Freedoms as the beneficial confluence of liberal identity politics and recognition politics. Despite the apparent social and political progress that these apparent breakthroughs might seem to highlight, Coulthard argues that the intersecting power dynamics present in colonial settler-states are inherently assimilatory. He identifies the *Statement of the Government of Canada on Indian Policy*—also known as the 1969 “White Paper”—as the point of departure for recognition politics between the state and Indigenous peoples.⁸³ Though such “developments” might fulfill short-term ambitions, taken as a whole they remain colonial insofar as they ultimately facilitate the territorially acquisitive nature of settler colonialism.⁸⁴ Viewed in this light, one might argue that recognition has often been wielded and used like a sword, while being postured as a shield in the service of protecting Indigenous peoples.

Coulthard argues that settler-colonialism is a structure contingent upon the dispossession of Indigenous peoples. Rather than ushering in a transformative era of Indigenous-Canadian relations, Canada’s colonial politics of recognition have resulted largely in a superficial adjustment to the formalities of structured dispossession. He buttresses his argument with observations influenced by Marxist analysis, suggesting that “developments” in Indian policy have consistently failed to transform the structural base of Canadian settler-colonialism: the exploitation of Indigenous resources and lands.⁸⁵

Prior to the sustained engagement with recognition politics, the state’s two main methods for accessing Indigenous resources and lands were exclusion and assimilation.

⁸³ Coulthard, *Red Skin, White Masks*, p. 4.

⁸⁴ Coulthard, *Red Skin, White Masks*, p. 151.

⁸⁵ Coulthard, *Red Skin, White Masks*, p. 170.

Coulthard describes both of these processes as *genocidal* practices.⁸⁶ He also denounces Canada's politics of recognition as part of a historical trajectory towards the *elimination* of Indigenous peoples, "if not physically, then as cultural, political, and legal *peoples* distinguishable from the rest of Canadian society."⁸⁷

The reason for Coulthard's terminological shift between the two periods is unclear, for he does not explain his differentiation between genocide and the elimination of a people. The likely scenario is that the dual processes of exclusion-assimilation and recognition-accommodation, which have characterized Canada's means of accessing Indigenous lands, are not mutually-exclusive. Viewed in the context of the definition of genocide laid out in the Introduction, it becomes apparent that these processes could be complimentary rather than contradictory. Coulthard implies as much when he argues that states tend to ideologically construct temporal transitions that separate the authoritarian past from the supposedly democratic present. These temporal boundaries are reinforced through "transitional justice mechanisms"—such as Prime Minister Stephen Harper's 2008 residential school apology, which "narrowly situat[e] the abuses of settler colonialism firmly *in the past*."⁸⁸ Indeed, if one sees genocide recognition as a transitional justice mechanism, it would necessarily rely upon such a temporal caveat. As a form of structured dispossession, the material legacy of settler colonialism is one that is both genocidal and ongoing. It stands to reason that if one is to describe settler colonial rule as a suite of genocidal legislation and practices, the genocidal character of settler colonialism is in no

⁸⁶ Coulthard, *Red Skin, White Masks*, pp. 4-7.

⁸⁷ Coulthard, *Red Skin, White Masks*, p. 4.

⁸⁸ While Stephen Harper's 2008 residential school apology was met with much skepticism within Indigenous communities, that skepticism was certainly justified. Within a year, Harper would go on the international stage at a G20 meeting in Pittsburgh and claim that Canada has "no history of colonialism." Coulthard, *Red Skin, White Masks*, p. 22, 105.

way mitigated simply by the passage of time or in the absence of declarations of genocidal intent.

Here it is important to return to the CMHR. The debate over Indigenous genocide(s) was initially set off when the CMHR's publicly decided to not use the term genocide when discussing Canada's historic treatment of Indigenous peoples. As one of many interlocutors in the debate, Indigenous electronic music group A Tribe Called Red backed out of a scheduled performance at the CMHR the night after its opening ceremony, bringing increased visibility to the issue.⁸⁹ The cancelling of the show was meant specifically as a boycott of the museum for its refusal to use the term genocide, though the group did recognize that many elements of the museum contributed to a productive discussion on Indigenous rights and denial thereof. The boycott certainly made headlines, but it did not succeed in changing the museum's terminology and, perhaps more importantly, it did little to alter the material circumstances that make genocide a lived experience for many Indigenous peoples.

In his position as current Chair of Canada's Truth and Reconciliation Commission (TRC), Ojibway-Canadian Judge Murray Sinclair has been a vocal critic of Canada's history of colonialism. Co-authoring a piece in the *Winnipeg Free Press* with then-CEO and president of the CMHR Stuart Murray, Justice Sinclair made it clear that the CMHR does not have the ability to unilaterally declare Canada's history as an inherently genocidal one.

They write:

⁸⁹ "Tribe Called Red Cancelled Performance over Use of the Term Genocide," *Winnipeg Free Press*, September 19, 2014, accessed 16/02/2015. <http://www.winnipegfreepress.com/local/Tribe-Called-Red-cancelled-performance-over-use-of-word-genocide--275788791.html>.

“The right to declare a particular act as criminal is one reserved exclusively to properly constituted courts. Therefore, neither the museum nor the TRC have the authority to declare Canada's treatment of aboriginal students in Indian residential schools as an act of genocide.”⁹⁰

Indeed, the authors discuss the CMHR's attempts to hash out the legacy of Raphael Lemkin's coinage of the term “genocide” and its use in the courts. The museum may not use the term “genocide” to describe Canada's legacy of colonialism, but the placement of certain exhibitions—such as the horrors of Canada's Indian Residential School program in the Protecting Rights in Canada gallery on Level Three followed by an in-depth discussion of genocide in the Examining the Holocaust gallery on Level Four —has a loosely syllogistic effect. In other words, the museum allows visitors to decide whether Canada's historic treatment of Indigenous peoples constitutes genocide for themselves, suggesting that genocide occurred without stating it explicitly. A walkthrough of the museum evinces that the CMHR is not presenting these topics uncritically, nor is it engaging in outright denial, but these alone are not enough to lessen the museum's stakes in settler colonialism.

The CMHR's incorporation of Indigenous narratives serves to constitute Indigenous peoples as subjects of the settler colonial state. “[I]n our efforts,” as Coulthard so succinctly relates in the epigraph to this chapter, “to *interpolate* the legal and political discourses of the state to secure recognition of our rights to land and self-determination we have too often found ourselves *interpellated* as subjects of settler-colonial rule.”⁹¹ Here Coulthard is borrowing the concept of “interpellation” from French Marxist Philosopher Louis Althusser, as outlined in his seminal essay “Ideology and Ideological State Apparatuses

⁹⁰ Murray Sinclair and Stuart Murray, “Canada Must Confront the Truth,” *Winnipeg Free Press*, November 1, 2014, accessed 16/02/2015. <http://www.winnipegfreepress.com/opinion/analysis/canada-must-confront-the-truth-281166292.html>.

⁹¹ Coulthard, *Red Skin, White Masks*, pp. 179, emphasis in original.

(Notes towards an Investigation).⁹² Althusser argues that ideology interpellates individuals as subjects. Althusser also uses the term “hail” in place of “interpellation”—evoking a fictitious scene where a police officer hails someone by calling out, “Hey, you there!”⁹³ The tendency of the individual being hailed to turn around and address the police officer reveals the extent to which their subjecthood is constituted through the action. While an individual might exist prior to a particular circumstance, it is within particular circumstances that individual subjects themselves are discursively produced and ideologically constituted. Implicit in the moment of interpellation is the assumption that an individual is already constituted as a subject—already interpellated into a specific ideological structure, which is certainly not limited to the commands of a police officer. Thus the key issue regarding the question of Indigenous genocide might not be a debate about historical truth per se, but a question as to whether or not Indigenous peoples are willing to recognize their own colonial subjecthood through Canadian institutions—thereby recognizing the legitimacy of Canadian courts to adjudicate matters relating to the state’s complicity in genocidal acts. The question then becomes a self-defeating decision over whether or not matters of historical truth are worth the tacit recognition that Indigenous peoples are subjects of the Canadian settler state.

Maori scholar Linda Tuhiwai Smith suggests that asymmetrical relations of power problematize the usefulness of historical representations. Smith writes: “History is not important for indigenous peoples because a thousand accounts of the ‘truth’ will not alter

⁹² Louis Althusser, “Ideology and Ideological State Apparatuses (Notes Towards an Investigation),” *‘Lenin and Philosophy’ and Other Essays* (Monthly Review Press, 1971), p. 79, accessed 30/03/2015, <http://www.marxists.org/reference/archive/althusser/1970/ideology.htm>.

⁹³ Althusser, “Ideology,” pp. 85-6.

the ‘fact’ that indigenous peoples are still marginal and do not possess the power to transform history into justice.”⁹⁴ Insofar as mass atrocities can be represented at all, they can be represented without the term “genocide.” But the crux of Smith’s quote is in *the power to transform*, harkening back to Coulthard’s call for a *transformative* change in relations between Indigenous peoples and the state.

As outlined briefly in Chapter One, the CMHR benefits directly from the structured dispossession of settler colonialism. Attempts to mitigate that legacy resulted in consultations with Elders and an archaeological dig—but the consultations fall quite short of acquiring informed consent from interested Indigenous parties and, as pointed out by one of the archaeologists on staff, the archaeological dig also served to basically dig out the basement of the structure.⁹⁵ The question of Indigenous genocide and its ensuing debate changed the terms of Indigenous resistance from form to substance – that is, from protesting the dispossession of Indigenous lands and resources to protesting the terminology used in Indigenous exhibitions. The goal, then, is not to reconcile representations with reality, but to reconcile reality with representations. Forcing Winnipeggers to recognize that they are beneficiaries of ecological racism and genocide falls painfully short of actually upending ecological racism and genocide.⁹⁶ Challenging the

⁹⁴ Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, 2nd ed (London and New York: Zed Books, 2012), p. 35.

⁹⁵ “800-Year-Old Footprint Unearthed in Winnipeg,” *CBC News*, July 22, 2008, accessed 16/02/2015. <http://www.cbc.ca/news/canada/manitoba/800-year-old-footprint-unearthed-in-winnipeg-1.723291>.

⁹⁶ In early 2015, Nancy MacDonald wrote an article in *Macleans* magazine which suggested that Winnipeg is Canada’s most racist city. Winnipeg’s mayor, Metis Brian Bowman, did not shy away from the claim and vowed to address it head-on. Nancy MacDonald, “Welcome to Winnipeg: Where Canada’s Racism Problem is at its Worst,” *Macleans*, 22 January 2015, accessed 29/03/2015, <http://www.macleans.ca/news/canada/welcome-to-winnipeg-where-canadas-racism-problem-is-at-its-worst/>; “Macleans’ Claim That Winnipeg is Canada’s Most Racist City Upsets Mayor,” *CBC News*, 22 January 15, accessed 29/03/2015, <http://www.cbc.ca/news/canada/manitoba/macleans-claim-that-winnipeg-is-canada-s-most-racist-city-upsets-mayor-1.2928025>.

material conditions that make genocide a lived experience requires a reprioritization that places material circumstances over abstract debates about recognition. If one views the CMHR itself as a transitional justice mechanism which plays host to smaller-scale spectacles of transitional justice, the existence of institution itself acts as a tautological temporal caveat. That is, if the CMHR was able to effectively denounce settler colonialism, it would not be able to justify its own existence without either mounting a defence of – or denying its participation in – ongoing Indigenous genocide(s).

Perhaps the greater concern is that the colonial settler state can use the politics of genocide recognition to its advantage without having to dismantle colonial structures. Even *if* Canada did acknowledge that genocide had been committed against Indigenous peoples on its behalf, any sort of restorative justice or repatriations would necessarily be paid by revenues generated from exploited Indigenous lands and other colonial misdeeds. That is, of course, unless the recognition of genocide was coupled with the unqualified recognition of traditional (or neo-traditional) Indigenous governing structures, the repatriation of ancestral lands, the dismantling of repressive colonial structures, and the provision of necessary infrastructure. If one considers Amnesty International's claims that an estimated 20,000 Indigenous peoples in Canada have no access to running water and 110 to 130 First Nations communities are under boil water advisories at any given time, it is clear that having clean drinking water is far more important and pressing than employing the term "genocide" in Indigenous exhibits at the CMHR.⁹⁷

⁹⁷ "The Right to Water" Amnesty International, n.d., accessed 29/03/2015, <http://www.amnesty.ca/our-work/issues/indigenous-peoples/the-right-to-water>.

The debate over whether or not the CMHR should use the term genocide when discussing Canada's historic and contemporary treatment of Indigenous peoples has its merits, but the pursuit of recognition runs the risk of giving the Canadian Government the political leverage to forestall restitution in material terms. Further, it is important to reiterate that any devolution of state control over Indigenous resources and lands only addresses the material basis of culture: the localized epistemological formations are still subject to undue centripetal cultural forces. To that end, it is certainly beyond the capacity of the CMHR to cater to the whims of Indigenous peoples who are committed to speaking truth to power.

Chapter One made the argument that the focus on genocides that represent the continuum of Euro-Canadians' varied experiences occludes the question of Indigenous genocide. While conceding that empire-building in North America and the ongoing structured dispossession of settler colonialism is certainly constitutive of genocide, Chapter Two has outlined that framing the issue in such a way has unintended consequences. The question of genocide as a site of discursive contestation serves to frame Indigenous experiences in the general and the abstract rather than the specific and the tangible. That is, the deliberations on "Indigenous genocide(s)" as a historical construction are themselves drawing resources away from the need to bring about transformational change so as not to simply keep reproducing the material conditions that make *ongoing* Indigenous genocides a lived experience. The mechanisms through which the state is able to leverage the politics of recognition towards colonial ends is a key component of Coulthard's critique, but he also identifies a number of potential solutions in the way of a *decolonial* politics of recognition. Chapter Three will argue that the efforts of the Shoal Lake 40 First Nation to

bring attention to the CMHR's perceived hypocrisy approximate Coulthard's decolonial politics of recognition by using direct action to address the material conditions of settler colonialism while refusing to fall into the discursive trap of genocide recognition.

Chapter Three – Mockery and Disobedience

The Introduction, Chapter One, and Chapter Two have laid out a number of complimentary arguments. The Introduction laid out this text's use of the term "genocide" in order to argue that the unqualified application of the United Nations' Convention on Genocide (UNCG) reproduces the same Eurocentric biases that were used to justify the destruction of Indigenous cultures in the first place. A major point of contention was the modernist construction of the nature/culture binary and how it has functioned to situate the question of Indigenous genocide(s) squarely within Eurocentric epistemological formations. The conclusion was that such constructions have largely circumscribed Indigenous peoples' ability to discuss the wanton destruction of their ways of being without having their claims trivialized by discursive politicking and policing.

The first chapter argued that the emergence of the Canadian Museum for Human Rights (CMHR) represents the state's attempt to use multicultural institutions to mediate between different cultural groups and their competing demands for genocide recognition. With the caveat that the Indigenous experience is one characterized by a legacy of resistance to genocide, the second chapter argued that it is beyond the mandate of the museum to unilaterally ascribe the term genocide. However, even if it could, the museum's content is trumped by an existence which is predicated upon the very form of settler colonialism that it would hypothetically be denouncing as genocide.

The final chapter will argue that the "Canadian Museum for Human Rights Violations"—an initiative spearheaded by members of the Shoal Lake 40 First Nation—effectively utilizes what Coulthard terms a "decolonial politics of recognition" to critique

the genocidal character of settler colonialism without relying on the reductive epistemological trappings of colonial discourse.⁹⁸ The CMHRV is a scathing satire of both the Canadian state and the CMHR. The CMHRV utilizes mockery to effectively criticize the state's hypocrisy in posturing itself as a champion of human rights while the denial of Indigenous humanity has been a keystone in the establishment of Canada as a settler-colonial state. As its name would also suggest, members of the Salteaux community have utilized the CMHR as a vehicle to excoriate the state for deferring its responsibilities to institutions whose mandates fail to address the material circumstances of Indigenous peoples.

The CMHRV was proposed by members of the Shoal Lake 40 First Nation to protest what they perceived as hypocrisy on behalf of the CMHR and Canada in general. The community has been on a boil water order since the reserve was relocated and isolated to make a new water reservoir to service the city of Winnipeg.⁹⁹ The boil order has lasted 18 years. The community plans to protest the ecological racism inherent in this arrangement by opening their community as a "living museum."¹⁰⁰ According to a 2014 press release (Appendices 1–4), the CMHRV will have guided tours that will depict "rights denied",

⁹⁸ Coulthard, *Red Skin, White Masks*, p. 179.

⁹⁹ The Shoal Lake 40 First Nation is situated roughly two hours driving-time upstream from the city of Winnipeg. Shoal Lake actually sits in Treaty 3 Territory, while Winnipeg sits in Treaty 1 Territory, revealing the extent to which these territories are interconnected via water. A tripartite agreement was signed between Shoal Lake, the City of Winnipeg and the Federal Government, but the community has been without drinkable water since 1997. Additionally, residents of Shoal Lake can only access their community via ferry in the summer and across the ice by foot in the winter. Community members claim that as many as 9 people have fallen through the ice and died since then. "Shoal lake 40 First Nation by the Numbers," *Global News*, 12 March 2015, accessed 30/03/2015, <http://globalnews.ca/news/1879193/shoal-lake-40-first-nation-by-the-numbers/>.

¹⁰⁰ "Shoal Lake 40 First Nation Museum of Human Rights Violations Press Release" *Shoal Lake 40 First Nation Website*, 15 September 2014, p. 1, accessed 21/12/2014, <http://www.sl40.ca/docs/CMHRVPressRelease.pdf>. The intention is to open up the community to guided tours, where the private homes of willing community members and the public spaces of Shoal Lake are on display and available for interaction.

“genuine economic deprivation”, and allow visitors to “experience actual restrictions on [their] own freedom of movement,” while “[risking] [their] lives accessing the museum.”¹⁰¹

To elucidate on the CMHRV’s ability to subvert Canada’s colonial politics of recognition using mockery, this chapter will rely on the scholarship of Argentinian semiotician Walter D. Mignolo. Mignolo advocates for what he calls decolonial options—localized rejections of the *universal* subject and *universal* knowledge.¹⁰² The supposed universality of the subject and knowledge form what he refers to as “Eurocentric epistemic privileges” which create illusions of neutrality that obfuscate asymmetrical relations of power—particularly between colonizer and colonized. Mignolo also describes decolonial options as forms of “epistemic disobedience.” Though they are not mutually exclusive, he discerns epistemic disobedience from civil disobedience by arguing that the outcome of the latter is reform whereas the goal of the former is *transformation*.¹⁰³ It will be argued that the CMHRV’s lampooning of the CMHR performs a form of epistemic disobedience by intending to achieve a *transformation* of the colonial relationship – partly through enacting what Coulthard terms a “decolonial politics of recognition.”¹⁰⁴

The CMHRV mobilizes subversive mockery to disrupt mechanisms of recognition that have effectively failed residents of Shoal Lake 40 First Nation. The CMHRV is a mimetic performance of a human rights museum, but it diverges from the CMHR in that it emphasizes the continuities of settler colonial structures rather than their disruption. In this sense, the museological air cultivated by the CMHRV is accomplished through the

¹⁰¹ “Shoal Lake”, pp. 3-4.

¹⁰² Walter D. Mignolo, “Epistemic Disobedience, Independent Thought and Decolonial Freedom,” in *Theory, Culture & Society* (London: SAGE, 2009), p. 160.

¹⁰³ Mignolo, “Epistemic Disobedience,” p. 173.

¹⁰⁴ Coulthard, *Red Skin, White Masks*, p. 179.

appropriation and subsequent inversion of the human rights vernacular.¹⁰⁵ Whereas the CMHR is touted throughout its official literature as a “miracle,” the living conditions at Shoal Lake debunk this normalizing language of incredulity by showing that vulgar displays of capital and power are intrinsic to settler colonial imaginings. And these settler colonial imaginings are at times intoxicatingly alluring, while being simultaneously naive: “It [Winnipeg] is the Vienna of Canada,” write Paul C. Newman and Allan Levine, “*an empire city without an empire*.”¹⁰⁶ In spite of the CMHR’s rhetoric of miracle and remarkableness,¹⁰⁷ institutions that safeguard the finer points of settler colonial narrative forms are a natural consequence of settler colonialism.

Though the CMHRV’s critique goes beyond the CMHR, there are some connections which validate the CMHRV’s use of the CMHR as a vehicle for its criticism. The CMHR is effectively benefitting from, and contributing to, the decades-long denial of water-based human rights at Shoal Lake by using water directly from Shoal Lake in its “garden of contemplation.”¹⁰⁸ Further, the CMHRV’s status as a self-proclaimed “living-museum” (Appendix 1) speaks to the CMHR’s partaking of a museological tradition that has consistently objectified Indigenous peoples. Straddling the indeterminate line between performance and self-representation, viewers have difficulty in discerning whether they are actually bearing witness or being fooled by the satire (Appendices 3 and 4). The

¹⁰⁵ Kay Dian Kriz, “Making a Black Folk: Belisario’s *Sketches of Character*,” *Slavery, Sugar, and the Culture of Refinement: Picturing the British West Indies, 1700-1840* (New Haven: Yale University Press, 2008), p. 136.

¹⁰⁶ Newman and Levine, *Miracle at the Forks*, p. 21.

¹⁰⁷ Newman and Levine, *Miracle at the Forks*, p. 3.

¹⁰⁸ The garden of contemplation is an area within the CMHR that has numerous pools of water. There is no exhibition or subject matter proper to the area, because it was intended to be a calming area. Ironically, the water used in this space of is a showcase of the settler colonial abuse of resources. The water is plentiful enough in Winnipeg to be used for purely aesthetic purposes. The water is so scarce in Shoal Lake that bottled water needs to be shipped in by ferry.

possibility of the latter might lessen the blow of the former, but the ambiguity ensures that any attempt at recognition is effectively deflected as misrecognition.

The CMHRV's use of mockery and ambiguity are effective at disrupting colonial mechanisms of recognition because they enact what Mignolo terms *decolonial options*.¹⁰⁹ Drawing on the scholarship of Santiago Castro-Gomez, Mignolo chides Eurocentric epistemological formations for being invested not only in the creation of universal knowledge, but also a universal subject.¹¹⁰ Here the parallel with the CMHR should be relatively clear. The CMHR's creation of a universal "human" subject is a direct response to Jewish leaders' attempts to universalize the subject position of Jewish Holocaust victims, but it is nonetheless heavily invested in an entirely Eurocentric approach to knowledge and subjecthood. To disavow one's self of this epistemic privilege is to enact what Mignolo terms epistemic disobedience. This entails "no longer claiming *recognition by*" a supposed universal human subject in order to "[de-link] from the magic of the Western idea of modernity, ideals of humanity and promises of economic growth and financial prosperity."¹¹¹ The disavowal of these epistemic privileges in favor of *transformative* aims is precisely what Coulthard urges readers to note when he advocates the practice of a decolonial politics of recognition. Further, the ambiguity created by infusing practices of mockery with the disavowal of recognition functions to lampoon attempts to create a neutral body of knowledge about human rights by de-centering claims to a universal humanity.

¹⁰⁹ Mignolo, "Epistemic Disobedience," p. 160.

¹¹⁰ Mignolo, "Epistemic Disobedience," p. 160.

¹¹¹ Mignolo, "Epistemic Disobedience," p. 160, emphasis in original.

The CMHRV's mockery of Eurocentric epistemic privileges are couched in the commodification of suffering and precariousness—an inversion of the promises of freedom, prosperity, health, and security that human rights supposedly guarantee. The precarious lives lived by residents of Shoal Lake is highlighted in the CMHRV's tongue-in-cheek press release, which states “RISK YOUR LIFE ACCESSING THE MUSEUM” above a picture of community members pulling toboggans of supplies across a questionably-frozen lake (Appendix 3).¹¹² This press release embodies the CMHRV's decolonial praxis by problematizing Indigenous peoples' marginalized place within Canada's cultural, political, and monetary economies. Shoal Lake's epistemological stake in reifying rights as a legal framework is problematized by the sarcastic and indeterminate use of rights language in the promotional material. Most importantly, the use of the United Nations Universal Declaration of Human Rights (UDHR) is certainly not actually part of an appeal to the United Nations—rather, it is an unapologetic appeal to consumers.

Volunteers at the museum state that Shoal Lake will be open for business “as long as the waters run” (Appendix 1).¹¹³ This in turn gives consumers plenty of time to “SEE RIGHTS DENIED” (Appendix 3).¹¹⁴ It would stand to reason that the denial of rights should not be a consumer spectacle, but this is precisely the type of epistemological disobedience that the CMHRV invites its visitors to participate in for a nominal fee. Chief Erwin Redsky explains (Appendix 1):

Our government is cooperating with the volunteers in showcasing the Violations. We're allowing access to some band facilities but mostly it's a lack of things like a water treatment and garbage disposal. People are opening their

¹¹² “Shoal Lake”, p. 3.

¹¹³ “Shoal Lake”, p. 1.

¹¹⁴ “Shoal Lake”, p. 3.

homes and telling their stories so it's a whole community thing. After centuries of colonialism, there's unfortunately lots to see ... Who knows, if a lot of people come out, maybe we can turn 100 years of human and Treaty rights violations into an economic opportunity.¹¹⁵

Contrasted with the “against all odds” rhetoric of the CMHR “miracle,” the CMHRV’s mimics the CMHR’s commodification of its supposed victimhood. Redsky’s comment ironically touts the benefits of using of victimhood as a business plan, but it places the excesses of settler colonialism under an unflattering light. At its most fundamental level, the critique is about entitlement. Inverting the frequent claim that Indigenous peoples suffer from a pathology of entitlement,¹¹⁶ it is now the settler whose entitlement to Indigenous lands and resources that is called into question. Not only is this a carnivalesque commentary on the entitlement at the basis of Canada’s rampant consumer culture, but it also forces visitors to confront how they are implicated in the process in an absurd and consciously commoditized manner.¹¹⁷

The CMHRV is able to menacingly straddle the indeterminacy between nonsense and political grandstanding.¹¹⁸ Using mockery, the CMHRV is able to critique highly selective processes of recognition and remembrance which work to obfuscate the colonial stakes in maintaining those processes. This obfuscation is tantamount to nonrecognition. Actual recognition would entail a fundamental acknowledgement that the promises of Western modernity are predicated on the colonization and genocide of Indigenous peoples. Yet, as argued in previous chapters, even then recognition falls painfully short of radically transforming the basis of settler colonialism. Charles Taylor’s suggestion that recognition is

¹¹⁵ “Shoal Lake”, p. 1.

¹¹⁶ Calvin Helin, *Dances with Dependency: Out of Poverty Through Self-Reliance* (Woodland Hills, CA: Ravencrest Publishing, 2008), p. 110.

¹¹⁷ Kriz, “Making a Black Folk,” p. 126.

¹¹⁸ Kriz, “Making a Black Folk,” p. 120.

a “vital human need” is predicated on the very universalization of human subjecthood that Mignolo rejects, not only because it is mired in epistemic privilege, but because it is also mired in a degree of settler privilege so profound that it ascribes recognition by the state the same importance as *vital* human needs such as clean drinking water.

In sum, the CMHRV speaks volumes about the inability of Indigenous peoples to secure justice by achieving recognition *within* structures of settler colonialism. The debate over whether or not the CMHR should use the term genocide when discussing Canada’s historic and contemporary treatment of Indigenous peoples is certainly important, but the pursuit of recognition runs the risk of giving the Canadian Government the political leverage to forestall restitution. Further, it is important to reiterate that any devolution of state control over Indigenous resources and lands only addresses the material basis of culture: the localized epistemological formations are still subject to the undue centripetal forces of capital and colonialism. To that end, it is certainly beyond the capacity of the CMHR to cater to the whims of Indigenous peoples who are committed to speaking truth to power, but the CMHRV demonstrates that the ideological and epistemological structures of Canadian institutions provide furtive ground for subversive discursive practices. While the CMHRV embodies a decolonial politics of recognition by revealing the disparity between politics of recognition and the ability to effectuate transformational change, it also suggests that disobedience can be an effective vehicle of transformational epistemological change.

Conclusion – Questioning the Question of Indigenous Genocide(s)

The purpose of this work was to interrogate the colonial baggage inherent in discursive structures that inform both popular and academic conceptions of genocide. The very notion of genocide in its normative application came under scrutiny for its propensity to rely on a number of concepts that are intrinsically opposed to Indigenous decolonization. One of the critiques was that, in its singularity, “genocide” is an insufficient way of characterizing diverse Indigenous experiences of settler colonialism. For Indigenous peoples, settler colonial genocide has been simultaneously singular and multifarious, historical and ongoing, deliberate and inadvertent. The suggestion was to use the term “Indigenous genocide(s)” when discussing this constellation of experiences. But even that attempt at negotiating a problematic terminology of Indigenous suffering failed to account for some inherent issues with recognition.

There is always an imbalance of power between those seeking recognition and those with the ability to recognize. While the politics of recognition has been effectively navigated by diverse Euro-Canadian groups, it has also been effective at derailing Indigenous attempts to transform the material conditions of settler colonialism over the last four decades. In lieu of the debate over the Canadian Museum for Human Rights’ exhibition terminology, the distinction between the substance of the exhibitions and their form is important. Though the problematic terminology of Indigenous genocide(s) already puts Indigenous peoples in a compromising situation, there is the added concern that the CMHR will recognize Indigenous genocide(s) without implicating settler colonial structures—such as itself.

Rather than uncritically engaging with discursive traps which buttress settler colonial tendencies to qualify the violence of colonialism, this thesis has sought to reprioritize the terms of the genocide debate around the lived material consequences of settler colonial transgressions. Such an approach aims to underscore ecological racism that structures the deplorable living conditions of many Indigenous peoples, but also served to highlight Indigenous forms of resistance in the face of seemingly insurmountable odds. As a contribution, this thesis aimed to strategically avoid the content of the debate over Indigenous genocide(s), but also to highlight instances in which this is already happening.

The Shoal Lake 40 First Nation has been able to circumvent the CMHR's politics of recognition by engaging in its own decolonial politics of recognition. By creating the Canadian Museum of Human Rights Violations, the Salteaux were able to draw parallels between the excesses of settler colonialism and the inadequate living conditions of Indigenous peoples. Moreover, they were able to do it without uncritically engaging or reinforcing the discursive traps that qualify suffering in order to sanitize the material legacy of settler colonial structures. The CMHRV effectively mobilizes mimicry and mockery—and in doing so engages in forms of epistemic disobedience which seek to transform the basis of settler colonialism.

Appendix:

Appendix 1: Page 1 of Canadian Museum of Human Rights Violations 15 September 2014

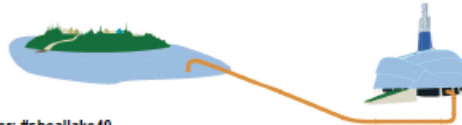
Press Release:

SHOAL LAKE 40 FIRST NATION MUSEUM OF CANADIAN HUMAN RIGHTS VIOLATIONS

P.O. Box 6, Kejick, Ontario P0X 1E0

Office: (807) 733-2315 • Fax: (807) 733-3115

Email: sl40secretary@hotmail.ca web: www.sl40.ca Twitter: #shoallake40



Press Release

SHOAL LAKE 40 LAUNCHES THE MUSEUM OF CANADIAN HUMAN RIGHTS VIOLATIONS

One of Canada's First Nations is looking to educate the world about that country's true Human Rights record with the launch of a **Museum of Canadian Human Rights Violations**. Their 'living museum' consists of a guided tour of their own indigenous community located just two hours east of the new Canadian Museum for Human Rights, opening this week in Winnipeg. Shoal Lake happens to be the source of Winnipeg's water supply and the Shoal Lake 40 community has been cut off and economically repressed as a result of Canada's imposition of that city's intake on their reserve land. The ongoing difficulties and injustice experienced by the community has received widespread media attention and has attracted support from national and international Human Rights organizations. Ironically, Canada's museum architect, Antoine Predock, chose to use Shoal Lake water as a symbol of 'healing' in his building's "Garden of Contemplation."

Roxanne Greene, a past councilor and one of the Violations Museum's organizers explained, "At the settlers' end of the water pipe there's economic prosperity, clean drinking water and a \$350 million building that advertises 'healing' and brags about what a wonderful country Canada is. At our end of the pipe, we have 17 years of boil water order, no job opportunities and we are forced to risk our lives for basic necessities. It's important that the world have opportunity to see that huge Canadian contradiction."

"Their [Shoal Lake #40's] story is one that more Canadians need to hear because it can tell us so much about the deeply flawed relationship between the federal government and First Nations." Craig Benjamin, Campaigner for the Human Rights of Indigenous Peoples, Amnesty International

"I've been touring politicians and bureaucrats around our reserve for years," said Stewart Redsky, a former Chief, "Showing them all the injustices and the ways we're blocked from accessing the necessities of life. Nothing has changed. A Violations Museum is at least a way to broaden the understanding of injustice to the rest of the world."

While the opening of Shoal Lake #40's **Museum of Canadian Human Rights Violations** coincides with the opening of the Canada's Museum for Human Rights in Winnipeg, it is not a flash in the pan. The volunteers assert that their Museum's program of educating the world on Canada's hypocrisy will continue, "as long as the waters run" and as long as the violations continue.

"There's a whole cascade of human rights issues here [at Shoal Lake #40] including the forced isolation of this community, but we could also talk about the rights to health, personal security, freedom of movement and association and even the right to life." Clint Curle, Head of Stakeholder Relations, Canadian Museum for Human Rights.

"Our government is cooperating with the volunteers in showcasing the Violations. We're allowing access to some band facilities but mostly it's a lack of things like a water treatment and garbage disposal. People are opening their homes and telling their stories so it's a whole community thing. After centuries of colonialism, there's unfortunately lots to see," said Chief Erwin Redsky. "Who knows, if a lot of people come out, maybe we can turn 100 years of human and Treaty rights violations into an economic opportunity."

Daily tours of the **Museum of Canadian Human Rights Violations** are by appointment: Call or email:

Tours and General Info: (807) 733-2315, Fax: (807) 733-3115, Email: sl40secretary@hotmail.ca

Media Relations: Cuyler Cotton, (807) 467-1492 (voice and text), Email: dovetail@kmts.ca

Attachments: 2

September 15, 2014,

Appendix 2: Page 3 of Canadian Museum of Human Rights Violations 15 September 2014

Press Release. First attachment includes testimonials from visitors:

Attachment 1

What visitors to Shoal Lake #40 First Nation, site of the Museum of Canadian Human Rights Violations have said about the experience:

"Their [Shoal Lake #40's] story is one that more Canadians need to hear because it can tell us so much about the deeply flawed relationship between the federal government and First Nations." Craig Benjamin, Campaigner for the Human Rights of Indigenous Peoples, Amnesty International
<http://www.amnesty.ca/blog/justice-almost-within-reach-for-shoal-lake-40-first-nation>

"When most people think of Shoal Lake 40, they think of the right to clean water, but that's really just the tip of the iceberg. There's a whole cascade of human rights issues here including the forced isolation of this community, but we could also talk about the rights to health, personal security, freedom of movement and association and even the right to life. All of these are live issues here because of the canal," Clint Curle, Head of Stakeholder Relations, Canadian Museum for Human Rights, (which features Shoal Lake water.)
<http://www.kenoradailyminerandnews.com/2014/07/11/shoal-lake-40-first-nation-marks-100-years-of-isolation-by-sharing-their-stories>

"Many lives have been lost and damaged by this man-made isolation, [at Shoal Lake #40] while Winnipeg has benefited and profited from the water."
-Linda Goossen, Council of Canadians
<http://www.canadianswinnipeg.org/apps/blog/show/42492677-the-other-end-of-the-aqueduct>
"And we support the Shoal Lake First Nation in its fight for justice." –Maude Barlow, Chair, Council of Canadians
<https://twitter.com/MaudeBarlow/status/491944804951945217>

"Today marks 100 years since the water diversion for the Greater Winnipeg Water District impacted the lives of members from the Shoal Lake First Nations for generations. Many Winnipeggers are unaware, or take for granted, that we obtain our drinking water from Indian Bay – an arm of Shoal Lake. ... it will take everyone working together as equals and partners to ensure a just solution is found."
"Thank you to Chief Erwin Redsky, the elders, and the entire Band of Shoal Lake #40, for continuing to educate us." Sam Katz, Mayor of the City of Winnipeg
Written statement of Mayor Sam Katz on the occasion of the "Price of Water" event, Shoal Lake #40, July 9, 2014.

Attachment 2: Promo Material (2 pages)

September 15, 2014.

Appendix 3: Page 3 of Canadian Museum of Human Rights Violations 15 September 2014

Press Release. Second attachment includes first two pages of Promotional Material:

**Shoal Lake #40 Museum of Canadian Human Rights Violations:
Promotional Material**

You have heard of the
Canadian Museum for Human Rights



NOW!
100 years in the making

Shoal Lake #40 First Nation is pleased to announce the grand opening of the
Museum for Canadian Human Rights Violations



The people of Shoal Lake Number 40 First Nation have been relocated and isolated, so Winnipeg can have fresh, clean drinking water.

DAILY TOURS COMMENCING
SEPTEMBER 17, 18, 19, 20, 21
ARRANGE YOURS NOW

call 807-733-2315 or 807-733-2250
email: sl40secretary@hotmail.ca www.sl40

Exhibits made possible by the GOVERNMENT OF CANADA 

SL 40 MHRV BROCHURE Pg 1

SEE RIGHTS DENIED

Real Dislocation from Ancestral Homelands!
(Article 17 UDHR)

VIEW* STOLEN LANDS AND DESECRATED BURIAL GROUNDS

*from a distance – no trespassing, no photographs and strict security surveillance by occupiers will apply.



GENUINE ECONOMIC DEPRIVATION
(Article 23 UDHR)

Meet real people struggling to survive with little hope of development in a severely restricted designated area.

CAUTION: Handouts may trigger offended response

LOADS OF INADEQUATE SHELTER AND SERVICES!
(Articles 25 and 26 UDHR)

Visit your choice of dilapidated homes or infrastructure - school, day care, offices.

*health and safety waiver required



EXPERIENCE!

Actual Restrictions of Your Own Freedom of movement! (Article 13 UDHR)

PAY REAL COSTS TO GET TO THE SITE

RISK YOUR LIFE* ACCESSING THE MUSEUM

*level of risk may vary by season and weather



UDHR: Universal Declaration of Human Rights

SL 40 MHRV BROCHURE Pg 2

MEDIA RELATIONS CONTACT: Cuyler Cotton, (807)467-1492, dovetail@kmts.ca 1
September 15, 2014

September 15, 2014.

Appendix 4: Page 4 of Canadian Museum of Human Rights Violations 15 September 2014

Press Release. Second attachment includes pages three and four of Promotional Material:

**Shoal Lake #40 Museum of Canadian Human Rights Violations:
Promotional Material**

**"AS LONG AS THE SUN SHINES
AND THE WATERS FLOW" (UNDRIP)**

A genuine Treaty is on site ... realistically obscured by the Indian Act and easily ignored by the whole family.

**BE REFUSED CLEAN DRINKING WATER
GENUINE UNCLEAR* WATER AVAILABLE**
* 17+ years certified boil water order by Health Canada



TESTIMONIALS

What visitors to Shoal Lake #40, site of the Museum for Canadian Human Rights Violations have said.

"Their [Shoal Lake #40's] story is one that more Canadians need to hear because it can tell us so much about the deeply flawed relationship between the federal government and First Nations."

Craig Benjamin, Campaigner for the Human Rights of Indigenous Peoples, Amnesty International

"There's a whole cascade of human rights issues here [at Shoal Lake #40] including the forced isolation of this community, but we could also talk about the rights to health, personal security, freedom of movement and association and even the right to life."

Clint Curle, Head of Stakeholder Relations, Canadian Museum for Human Rights, which features Shoal Lake water.

Informative, stimulating, real-life violations of rights such as:

**RIGHT TO CLEAN WATER
RIGHT TO SAFETY AND SECURITY
RIGHT TO THE NECESSITIES OF LIFE**

UNDRIP: United Nations Declaration on the Rights of Indigenous Peoples

MORE TESTIMONIALS

"Many lives have been lost and damaged by this man-made isolation, [at Shoal Lake #40] while Winnipeg has benefited and profited from the water."

Linda Goossen, Council of Canadians Winnipeg Chapter

"And we support the Shoal Lake First Nation in its fight for justice."

Maude Barlow, Chair, Council of Canadians

"Today marks 100 years since the water diversion for the Greater Winnipeg Water District impacted the lives of members from the Shoal Lake First Nation for generations. Many Winnipeggers are unaware, or take for granted, that we obtain our drinking water from Indian Bay – an arm of Shoal Lake. ... it will take everyone working together as equals and partners to ensure a just solution is found."

"Thank you to Chief Erwin Redsky, the elders, and the entire Band of Shoal Lake #40, for continuing to educate us."

Sam Katz, Mayor of the City of Winnipeg

Statement by Mayor Sam Katz for the "Price of Water" event, Shoal Lake #40, July 9, 2014.

How to get there:

Begin at the Canadian Museum for Human Rights in downtown Winnipeg.

Go to the 'healing waters' featured in Antoine Predock's "Garden of Contemplation".



**EXPERIENCE THE TRUTH ABOUT CANADA'S
REAL HUMAN RIGHTS RECORD**

A project of the Shoal Lake #40 community Price of Water group

SL 40 MHRV BROCHURE Pg 3

SL 40 MHRV BROCHURE Pg 4

MEDIA RELATIONS CONTACT: Cuyler Cotton, (807)467-1492, dovetail@kmts.ca 2
September 15, 2014

September 15, 2014.

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