

Canada grapples with a charge of 'genocide.' For indigenous people, there's no debate.

 [washingtonpost.com/opinions/2019/06/11/canada-grapples-with-charge-genocide-indigenous-people-theres-no-debate](https://www.washingtonpost.com/opinions/2019/06/11/canada-grapples-with-charge-genocide-indigenous-people-theres-no-debate)

A woman holds an eagle feather during the closing ceremony of the National Inquiry Into Missing and Murdered Indigenous Women and Girls in Gatineau, Quebec, on June 3. (Chris Wattie/Reuters)

By Alicia Elliott

June 11

Alicia Elliott is a Tuscarora writer from Six Nations of the Grand River and author of "[A Mind Spread Out On The Ground](#)."

When I was in university in 2006, I would go for lunch with a friend named Casey after class. We would sit and discuss politics, books, lectures and so on. I should mention that Casey was a white woman raised in Toronto with very little experience with indigenous peoples, whereas I was (am) an indigenous woman who has lived on both sides of the border arbitrarily separating my peoples' territory between the United States and Canada.

Casey had no idea about [residential schools](#), the state- and church-run institutions where Canada forcefully held thousands of indigenous children, away from their families, and subjected them to all manner of abuse and neglect in the name of an "education" meant to "kill the Indian" to "save the man." I don't blame her; I didn't know either, despite my grandmother's siblings being forced to attend the Mohawk Institute, the residential school closest to Six Nations, a handful of decades before. This was two years before then-Prime Minister Stephen Harper [publicly apologized for residential schools](#) and established the Truth and Reconciliation Commission to collect stories of survivors and make recommendations on how to move forward.

During our conversation, Casey agreed that residential schools were terrible but then qualified her statement by saying, "At least in Canada we didn't outright kill Natives like they did in the States."

I've thought about this statement for more than a decade. Why did she feel the need to implicitly defend Canada? Was Canada's decision to try to assimilate all indigenous people into the body politic via child kidnapping and abuse actually better than the massacre at [Wounded Knee](#) in the long run?

Different versions of this conversation have been playing out very publicly in Canada since the release of "Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls" on June 3. The inquiry was in response to an epidemic of anywhere from roughly 1,200 to 4,000 indigenous women and girls, and gay, lesbian, trans and gender-nonconforming people who have gone missing or been murdered since 1980.

The report is more than 1,200 pages long, with over 200 recommendations on how to prevent this tragedy from continuing. They range from asking that Canada create anti-racism and anti-sexism action plans and guaranteeing an annual income for all Canadians and indigenous people, to closing the sizable funding gaps between indigenous and non-indigenous services.

Of course, none of these recommendations are on the minds of the many Canadian pundits, journalists and editors who are opining on the report. Instead, they are focusing on rebutting the claim that murdered and missing women and girls are the result of an ongoing genocide against indigenous people in Canada, despite the commission's inclusion of a 46-page supplementary report that lays out in detail how commission members reached their conclusion.

To see some of the arguments, one would wonder if they've read the report at all.

For example, Evan Dyer at the CBC offered a selective history of the term "genocide," criticizing the report for basing its claim of genocide on "not only [Canada's] action, but also by its omissions," then ends his piece by worrying that the charge of genocide will tarnish Canada's international reputation. Similarly, a Globe and Mail editorial titled "Is Canada committing genocide? That doesn't add up" said the commission's conclusion of genocide was "absurd," despite the editorial's acknowledgment that Canada "often moves too slowly to address the many interlinked issues facing Indigenous people." Ironically, that piece ended with the solemn charge that "Words matter."

Of course, the coverage fails to point out that Raphael Lemkin, who first used the word "genocide" in his 1944 book "Axis Rule in Occupied Europe," originally came up with three types of genocide: physical, biological and cultural. Cultural genocide, unlike the first two, was the specific cultural destruction of a group, which Lemkin considered just as important as their physical destruction.

However, as the report points out, when the League of Nations was drafting the Genocide Convention, "Colonial states, including Canada, actively pushed for 'cultural genocide' to be excluded from the Convention, knowing that they were, at the very least, perpetrating this type of genocide contemporaneously with the drafting of the Convention." Considering the initial drafting defined cultural genocide as "any deliberate act committed with the intention of destroying the language, religion or culture of a ... group," and Canada was at that very

moment allowing experiments on malnourished indigenous students in the state's care, one can understand why Canadian officials weren't keen on allowing this form of genocide to go on the books.

But even without cultural genocide being considered, the commission makes a strong case for including colonization as a form of genocide, even if it wasn't all carried out at once and hasn't always looked the way the public expects genocide to look. For example, the forcible transfer of children from one group to another is still listed as a condition of genocide under the U.N.'s Genocide Convention. Canada was clearly in violation of this with residential schools, followed by the Sixties Scoop, which saw thousands of children taken from their homes without consent and adopted into non-indigenous homes.

This legacy continues today with what is known as the Millennium Scoop, a term used to describe the incredibly high rates of indigenous children in Canada's social services. There are currently three times as many indigenous children in the child welfare system as there were at the height of residential schools. It would seem, then, that the racist, genocidal policies that considered indigenous parents incapable of caring for their children in the 1800s are still alive and well today — albeit in a different, more insidious form.

Canada's own definition of genocide in the Crimes Against Humanity and War Crimes Act says genocide is “an act or omission committed with intent to destroy, in whole or in part, an identifiable group of persons.”

Consider the history both of acts and omissions that have ensured indigenous peoples in Canada are not a threat to the nation-state, including but not limited to: biological warfare that saw as much as 50 percent of the populations of specific indigenous nations die due to smallpox-infested blankets, government-paid bounties on Mi'kmaq scalps in Nova Scotia, deliberate starvation of indigenous nations on the Plains to make way for the Canadian National Railway, and purposefully exposing children to tuberculosis in residential schools.

Consider that Canada today underfunds social services for indigenous children on reserves. (Justin Trudeau's government is now on its seventh noncompliance order from the Canadian Human Rights Tribunal). Consider that Canada is being sued for its child welfare system, which “financially incentivizes apprehension instead of prevention.” Consider that Canada has had at least five different inquiries from 1996-2018, which have collectively produced hundreds of recommendations for how to improve the lives of indigenous peoples. Consider that very few, if any, of those recommendations have been implemented.

And, of course, consider that indigenous women and girls are murdered at a rate anywhere from three times to 12 times that of non-indigenous women and girls. We don't have the exact numbers because the Canadian government refused to extend the inquiry two years to get the exact numbers, as the commission requested.

Although numerous prime ministers have apologized for various atrocities indigenous people have experienced, none have meaningfully addressed the legacy of those atrocities with actionable change. If this inquiry is destined for the same fate, it has less to do with Canadians' offense to the word "genocide" and more to do with Canada's interest in maintaining the status quo. After all, if the government doesn't see us as human, why should the Canadian public?

Lemkin wrote that "the destruction of a nation ... results in the loss of its future contributions to the world." I think a lot about all of the contributions more than 600 indigenous nations within Canada's borders could have made to the world if we weren't undergoing near-constant genocide. I think of the contributions indigenous nations within the United States' borders could have made, too.

And so I come back to the comment my friend Casey asked so long ago: Is one form of genocide better than another? Is "death by a million paper cuts," as inquiry Commissioner Qajaq Robinson put it, worse than death by a bullet to the head?

Or, does it really matter when both options leave you dead?