

A GENOCIDE THAT PRECEDES GENOCIDE

Reconciling “genocide” and “indigeneity” with a paradox of otherness

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Abstract

Genocide and settler colonialism are conceptually related ideas, although the specific relationship remains unclear. Whereas some scholars develop subcategories of “colonial genocide” or examine the historical origins of these concepts, I address the signification of “genocide” and “indigeneity.” I explore the system of meanings underlying each concept to suggest that both are paradoxically rooted in otherness. The category of indigeneity reveals a basic paradox: the colonizer and Indigenous other are separate from but, simultaneously, dependent upon one another. Likewise, with genocide the perpetrator and othered victim are separate but at the same time dependent on each other. Genocide and indigeneity are conceptually related so that one can consider them as two aspects of the same phenomenon. I propose conceptualizing the relationship between indigeneity and genocide as a two-stage process of erasure in settler societies, with imposition of the category of indigeneity as a preliminary genocide that precedes a formal act of genocide.

Keywords

Genocide, indigeneity, settler colonialism, othering, recognition, deconstruction

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The relationship between genocide and settler colonialism is hotly debated in both academic and popular discourse. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted in 2007, explicitly states that Indigenous peoples “shall not be subjected to any act of genocide” (United Nations [UN], 2008, Article 7.2). In 2008, Australian prime minister Kevin Rudd delivered a formal apology for the Stolen Generations and Canadian prime minister Stephen Harper apologized for Indian Residential Schools; both the Stolen Generations and Indian Residential Schools are debated as cases of cultural or colonial genocide (Anderson, 2012; Barta, 2008; MacDonald & Hudson, 2012; Savage, 2013). Last year, the Truth and Reconciliation Commission of Canada (2015) delivered its final report which declares the Indian Residential Schools “cultural genocide” (p. 1).

One of the key distinctions in this debate is between physical genocide, which entails the physical murder of group members, and cultural genocide, which includes the destruction of social and cultural institutions and the interruption of sociocultural transmission (Short, 2010). Because settler colonialism requires the imposition of new social structures and the cultural assimilation of Indigenous inhabitants, the framework of cultural genocide is often applied to settler colonial contexts. From this, scholars have developed the category of “colonial genocide,” which explores physical and cultural destruction in settler colonial states such as Canada, Australia, New Zealand, and the United States and has emerged in the last decade as a distinct subfield of genocide studies (Moses, 2004, 2008; Moses & Stone, 2007; Woolford, Benvenuto, & Hinton, 2014). Some researchers attempt to demonstrate the applicability of the “genocide” label in particular colonial contexts (Akhtar, 2010; MacDonald & Hudson, 2012; Woolford, 2009) while others assume its applicability and rather focus on the causes, processes, and consequence of colonial genocide (Moses, 2004). A few scholars seek

to understand the ontological or conceptual relationship between colonialism and genocide to determine what distinguishes colonial genocide from other forms, ultimately questioning whether such a distinction is even meaningful (Docker, 2008; Fitzmaurice, 2008; Palmer, 1998; Stone, 2011; Zimmerer, 2004).

One approach is to examine the foundation of “genocide” by returning to the work of Raphael Lemkin to conduct genealogical analysis of its conceptual origins (Curthoys, 2007; Docker, 2008; Fitzmaurice, 2008). In the present analysis I examine the signification and meaning of “genocide” as a discursive category. I focus specifically on its relationship to settler colonialism. Settler colonialism appears to have an intrinsically genocidal logic for, as Patrick Wolfe (1994) observes of Australia, the colonizer and colonized have a negative relationship where “the logic of elimination seeks to replace Indigenous society with that imported by the colonisers” (p. 93). But Wolfe notes that erasure is an ongoing and incomplete process so that, as the frontier shifts, the perceived location of the Indigenous other moves from outside settler society to inside.

To understand better the relationship between settler colonialism and genocide I explore the systems of meanings that underlie the concepts of “indigeneity”—a category produced through colonial encounters—and “genocide.” I address indigeneity primarily as it is conceptualized and imposed by the colonizer, although I also consider its reclamation and resurgent use by Indigenous peoples. While this colonial category is largely imposed, it can also be internalized and revealed in the “colonial mentality” (Alfred, 1999, p. 70). By treating it partly as a colonial construct, I consider it a category that has accommodated a variety of terms and discourses throughout the colonial past (i.e. Frantz Fanon uses “native”); “indigeneity” is its contemporary manifestation.

Both indigeneity and genocide are rooted in otherness, which I treat as a social category through which groups are constructed and

construct themselves as different from and in opposition to one another. Drawing on the bodies of literature related to settler colonialism and indigeneity as well as genocide and colonial genocide, I deconstruct these ideas to reveal a paradox concealed within them. I first consider the category of indigeneity to reveal its underlying paradox: the colonizer and Indigenous other are constructed as wholly separate from but, simultaneously, completely dependent upon each other (i.e. these categories make sense only as a binary opposition). My exploration of category of genocide uncovers precisely the same paradox: that genocidal victims and perpetrators are wholly separate from, but at the same time dependent upon, one another. It is no coincidence that both collapse into the same paradoxical tension between separateness and dependence, for both emerge from a Western binary logic that creates hierarchical opposition between self and other, colonizer and colonized, victim and perpetrator. Using this paradox to yoke together the discursive categories of “genocide” and “indigeneity,” I contend that they are conceptually inseparable from one another so that, rather than view them as discrete processes, one must consider them as two aspects of a single phenomenon. To conclude, I propose conceptualizing the relationship between indigeneity and genocide as a two-stage process of destruction in settler societies: first symbolic erasure through imposition of the category of indigeneity, then physical and/or cultural erasure through genocide.

“Indigeneity” and its underlying paradox

Shawn Wilson (2008) contends that relationality is a primary characteristic of indigeneity. In *Research Is Ceremony*, he develops a research paradigm rooted in the unique ontology and epistemology of Indigenous peoples. He argues that “the shared aspect of an Indigenous ontology and epistemology is relationality

(relationships do not merely shape reality, they *are* reality) [and the] shared aspect of an Indigenous axiology and methodology is accountability to relationships” (Wilson, 2008, p. 7). Relationality shapes indigeneity in several ways. First, Indigenous peoples epistemologically view the world in terms of one’s relationships with others to such a degree that these relationships constitute ontological reality. In a way, it is redundant to speak of Indigenous “society” or “community” because a single person cannot be separated from the network of connections in which one exists. Second, implicit to the concept of relationality is one’s moral responsibility to those relationships, and Wilson explains that relationality is not simply a way of knowing the world but also a mode of acting within it. We fulfil our responsibilities by ceremonially “build[ing] stronger relationships or bridg[ing] the distance between aspects of our cosmos and ourselves” (p. 7). But relational economies change substantially for Indigenous peoples living under a colonial state.

The relationship between oppressor and oppressed (or colonizer and colonized) is a different type of relationship which is rooted in Western binary logic and produces an unbalanced distribution of power. In particular, the category of indigeneity came into existence through encounters between European colonizers and the inhabitants of the colonized world. Prior to arrival by Europeans, Turtle Island (North America) was a diverse but interconnected “archipelago” of peoples characterized by complex interactions amongst a diversity of social, political, and economic systems (Altamirano-Jiménez, 2012, pp. 27–28). But to govern these inhabitants and integrate them into the colonial system, the European colonizers needed to render them visible, which had the effect of constructing them as a homogenous entity. Audra Simpson (2007) describes how this process was accomplished in part through anthropology, a colonial tool that functions to know—and thereby make governable—the

colonized other. Anthropologists use “culture” as a way to understand difference between European and Indigenous populations, employing the rhetoric of culture to construct an essentialized representation of the Indigenous other (always using Europeans as the norm against which others are constructed). This static image—generally based on archaic impressions, misunderstandings, or complete fiction—provided a way to know the Indigenous other and became the basis for integration into the colonial system. The outcome is a power imbalance between the European colonizer and the Indigenous colonized because, from a colonial perspective, indigeneity is not entirely self-defined but rather depends largely upon recognition from the colonizer.

Thus, there are multiple approaches to indigeneity which are not necessarily mutually exclusive: one is relational and rooted in Indigenous ontology, while another is oppositional and emerges from encounters with the state. An Indigenous community (whether local, national, or transnational) can modulate within and between these and other constructions depending on intentions and who they are interacting with. For example, an Indigenous group may use binary logic to enter dialogue with the state, but with the goal of dissolving oppositional logic and building new relationships.

When encounters involve state recognition, oppositional identities can be internalized and become structural components of the settler colonial system. Working from Fanon’s studies of colonial identities, Glen Coulthard (2014) demonstrates how settler colonial roles are not only imposed by the oppressive colonizer but also internalized by the colonized subject. While it may initially be necessary to impose colonial rule through violence, the continued existence of a colonial state does not depend upon force but rather the “capacity to transform the colonized population into *subjects* of imperial rule” (p. 31). The colonizer imposes physical (“structural/objective”) conditions as well as a set of attitudes (“recognitive/subjective”) so that

over time, colonized populations tend to internalize the derogatory images imposed on them by their colonial “masters,” and how as a result of this process, these images, along with the structural relations with which they are entwined, come to be recognized (or at least endured) as more or less natural. (p. 32)

Coulthard contends that through the process of recognition—which is non-reciprocal and originates with the colonial state—Indigenous people become “colonized subjects” who reproduce the hierarchical and bifurcated colonial system as well as their own colonial identities within this system. When considered in conjunction with Simpson’s (2007) analysis, we see how indigeneity can depend on colonialism. So long as it comes from the state, recognition (“to be known” or “seen”) reproduces an essentialized and distorted image of Indigenous peoples—that is, the very category of indigeneity itself. For Simpson, it was in the moments of colonial contact that “people left their own spaces of self-definition and *became* ‘Indigenous’” (p. 69).

The colonized subject becomes an expression of otherness because it is constructed in contradistinction with the dominant colonial power. In *The Wretched of the Earth*, Fanon (1968) describes how the “native” is constructed as other in settler society. He explains that colonialism violently bifurcates social reality so that “the colonial world is a world cut in two . . . The zone where the natives live is not complementary to the zone inhabited by the settlers. The two zones are opposed” (p. 38). The settler is responsible for this bifurcation and so it is also the settler who imposes and constructs the category of the Indigenous other: “it is the settler who has brought the native into existence and who perpetuates his existence. The settler owes the fact of his very existence, that is to say, his property, to the colonial system” (p. 36). The native is wholly other by its very nature and becomes “not only the absence of values, but also the negation of values. He is,

let us dare to admit, the enemy of values, and in this sense he is the absolute evil” (p. 41). Fanon’s description of the Indigenous other translates concretely into other settler colonial contexts, such as in the Canadian justice system (Hogeveen, 2005; Hogeveen & Freistadt, 2012; Monture-Okanee & Turpel, 1992). Indigeneity depends upon recognition from the colonizer while it is simultaneously viewed as separate from the colonizer by its otherness.

In recent years, Indigenous peoples have begun to (re)claim indigeneity and use it as a tool of resistance against colonialism at the global scale. Francesca Merlan (2009) contends that indigeneity emerged as an international category from liberal democracies in mostly English-speaking settler societies because these states actively recognize social difference. But these conditions also enabled the development of an “international Indigenous project” in which Indigenous peoples use the category to unify transnationally and challenge the colonial state. Merlan therefore observes that, while the category of indigeneity was initially a form of state regulation, Indigenous peoples also reclaim it as a practice of resistance against the state.

Lester Rigney (1999) suggests that the reclamation of Indigenous knowledges, based on common experiences of colonial subjugation as well as diverse traditional knowledges, can be an effective tool of resistance. Thus, an “indigenist” approach to knowledge will acknowledge a diversity of peoples but also unify them in the collective goal of liberation. A salient example of reclamation and resistance is the UNDRIP, which uses indigeneity to create a global network of peoples who share similar experiences of colonialism. The Declaration aims to liberate Indigenous peoples through self-determination, for example as specified in Article 3, which states that “Indigenous peoples have the right to self-determination . . . [to] freely determine their political status and freely pursue their economic, social and cultural development” (UN, 2008, Article 3). But it also

recognizes indigeneity as a diverse category that encompasses different peoples, specifying that “Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations” (Article 15.1). Though indigeneity was initially imposed from without by the colonizer, Indigenous peoples have reclaimed it in a way that reflects their unique needs and interests: indigeneity can be a tool of oppression or of liberation depending upon who wields it.

While indigeneity is increasingly used as a tool of resistance, it also exists as a colonial category that contains a paradox. On one hand, indigeneity represents an other that is separate from dominant society. In settler states, dominant society constructs indigeneity as wholly different—as “barbaric” in contrast to the “civilized” settler. But at the same time, the Indigenous other and the colonial system are products of one another, and therefore dependent upon one another. To create the category of indigeneity it was necessary for North American colonizers to reduce an entire continent of diverse peoples to an essential identity. While Indigenous peoples are now using this label to challenge colonial constructions, settler societies continue to frame them as a largely homogenous other. In short, to define a group as “Indigenous” it is first necessary to create the category, and it is partly the colonial state that creates it. The colonizer and colonized are defined in relation to one another and therefore inseparable from one another. The following section considers what it means to destroy the other.

“Genocide” and its underlying paradox

To better understand this paradox it is helpful to consider genocide. Indigeneity is constructed as a category of otherness within a settler society while genocide entails annihilation of the social other, rooting both in the process of othering. I now suggest that genocide is characterized by

precisely the same paradox as indigeneity: both perpetrator and victim are separate from and dependent upon one another. The fact that both concepts converge upon the same paradox is not coincidence, for both indigeneity and genocide operate according to the same logic, particularly when one considers colonial genocide.

Genocide was originally defined as a process that often exists in relation to colonialism. Raphael Lemkin, a Polish-Jewish lawyer who migrated to the United States in 1941, coined the term “genocide” in his 1944 opus *Axis Rule in Occupied Europe*. His definition states that

Genocide has two phases: one, destruction of the national pattern of the oppressed group; the other, the imposition of the national pattern of the oppressor. This imposition, in turn, may be made upon the oppressed population which is allowed to remain, or upon the territory alone, after removal of the population and the colonization of the area by the oppressor’s own nationals. (Lemkin, 1973, p. 79)

Genocide is an act of erasure that can follow or accompany the colonization of a territory. While it is not necessary that colonization precedes the second phase of genocide, this relationship is strong enough to justify including colonization in the definition of genocide. Based on Lemkin’s unpublished writings, Michael McDonnell and Dirk Moses (2005), as well as John Docker (2008), contend that Lemkin’s understanding of genocide was substantially shaped by his study of European colonialism in settler states. However, the connection between genocide and colonialism disappears in the United Nations Convention on the Prevention and Punishment of the Crime of Genocide (UNGC), adopted in 1948:

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.

(UN, 1948, Article 2)

Although the UNGC does not preclude the intersection of genocide and colonialism, neither does it explicitly link them. Furthermore, the definition has narrowed in other ways. Whereas Lemkin treats genocide as the erasure of broadly defined “national patterns,” the UNGC specifies four types of groups that can be subjected to genocide. The UNGC definition is therefore insufficient because it does not address political, economic, cultural, or other group constitutions as possible subjects of genocide (Žalec, 2013). In particular, it does not include land-based identities. Jennifer Huseman and Damien Short (2012) demonstrate that, because Indigenous peoples are constituted by land-based relationships, the destruction or substantial alteration of land can result in genocide. While Lemkin would likely support this claim, the UNGC does not.

One approach to understanding the processes of genocide is to distinguish between physical and cultural genocide. Lemkin’s (1973) statement that an imperial order can be imposed on “the oppressed population which is allowed to remain, or upon the territory alone, after removal of the population” (p. 79) motions toward this distinction, suggesting that genocide can entail either physical erasure of a group or the dissolution of its social structures. Yet the usefulness of this distinction is debated. Andrew Woolford (2009) uses an interpretation of genocide as “ontological destruction” to suggest that a physical/cultural distinction is not especially

meaningful. Roland Chrisjohn, Sherri Young, and Michael Maraun (2006) likewise suggest that this distinction is contrived:

the dualistic separation of a culture from its biological carriers is an implicit racialism of a kind the United Nations has itself rejected. It takes culture as a kind of add-on to the “real” object of concern, the biological person. But how are we to conceive of a person without a culture, or a culture that is peopleless? It is philosophically incoherent to assert either. (p. 63)

What this seems to imply is that distinguishing between physical and cultural genocide threatens to essentialize and separate bodies from culture—that is, the separation of body and culture is an aspect of colonial dismemberment which severs the relationship between mind and body or people and land. We should therefore be especially critical of distinctions between types of genocide. Distinguishing between physical and cultural genocide can be useful to highlight particular modes of destruction and different kinds of group experiences. For example, the concept of cultural genocide helps to understand the unique experiences of Indigenous peoples in settler colonial contexts where assimilation is essential to nation-building (Short, 2010). But it can also be harmful if we come to treat biology and culture as essentially different. My preference herein is to treat genocide as a broad discursive category that can include both physical and cultural destruction.

Calvin Schrag (2006) explores the process whereby otherness becomes an object of genocide. As Fanon noted, the Indigenous other is often constructed as “absolute evil.” Schrag illustrates how the conditions for genocide are established when otherness is associated with evil. Seeking to answer the question “How does that which is other become evil?” Schrag uses genocide as an exemplary case in which a relationship is forged between otherness and evil. One’s perception of evil begins with the

“separateness or difference” of the other—that is, its very otherness—because this separation can produce a sense of “alienation or estrangement” from the other, and perception of “the other as stranger or alien . . . provides the mark of the separateness of finitude somehow gone wrong” (Schrag, 2006, p. 151). Alienation produces an other that is “foreboding and menacing” to such a degree that the very presence of otherness is interpreted as “the intrusion of evil” (p. 151). The conditions for genocide are complete “when this otherness as unmitigated evil defines an alien group” (p. 151). In other words, a triad of associations establishes the conditions for genocide: by first creating an association between otherness and evil, and then by pairing each of these with a particular social group. When confronted with this evil, one becomes obsessed with maintaining purity and views the other as a contagion “not only to be kept at a distance as an outcast group of untouchables but veritably to be annihilated” (p. 151). Attempts to maintain purity by eliminating all traces of evil from the vicinity “opens the floodgates to genocide” through annihilation of the alien other (p. 151). Emotions such as fear and hatred are therefore only secondary causes of genocide. At the root of genocide is the separateness of the other, meaning that the conditions for genocide are inherent to the construction of otherness.

In her analysis of genocide and nationalism, Elisabeth Murray (2014) describes a genocidal victim that is separate from but also to some degree dependent upon the perpetrating state. Murray argues that, rather than view genocide in terms of perpetrators and victims, it is more fruitful to think of genocide in terms of “nation” and “anti-nation.” She proposes a set of criteria to define the anti-nation and describes it as “not mere otherness, it is not even extreme otherness; their ideological role is that of the absolute antithesis of the nation” (p. 44). Her proposed category therefore describes a subject that is so wholly other in the eyes of the state that it “actually go[es] beyond otherness”

(p. 44). The anti-nation is “presented [to the nation] as an active immediate threat, undermining and traitorously persecuting the nation” (pp. 51–52) and must therefore be eliminated. That is, the other (anti-nation) poses such a threat to the unity of the self (nation) that it must be annihilated (through genocide). But particularly interesting about Murray’s model is that the anti-nation is both actively and passively engaged in its own definition. On one hand, Murray argues that the anti-nation “is imbued with a significant level of agency” and that “this element of agency sets ‘anti-nation’ apart from other theoretical approaches to othering” (p. 52); the anti-nation is largely separate from the nation because it actively engages in the process of self-definition. On the other hand, it is necessary for the nation to “perceive” a certain set of characteristics and use these to “cast” a group as an anti-nation (pp. 51–52); while the anti-nation does have control over its own identity, it is up to the nation to interpret this identity and construct it as “anti-nation.” While genocide is perpetrated against a separate other, this otherness depends upon recognition from the genocidal state. Although Murray draws her examples largely from the Armenian genocide, the tension between nation and anti-nation seems especially relevant to settler states where nation-building, which includes cultural assimilation of Indigenous peoples, is an important project.

The same paradox one encounters in the concept of indigeneity also underlies the process of genocide. Genocide entails the annihilation or attempted annihilation of a group perceived as other. The genocidal perpetrator and the other are fundamentally separate from one another, and it is precisely because of this separation that the other poses a threat and must be destroyed. But the perpetrator must also recognize the other and perceive it as other, and the state generally establishes the criteria which define who belongs in the category of other. That is, the genocidal perpetrator constructs the other based largely on its own interpretation

of the othered group, and a group’s existence as an other depends upon ongoing recognition from the perpetrator. This tension characterizes Murray’s model of genocide which distinguishes between “nation” and “anti-nation.” As the very antithesis of the nation, the anti-nation is different precisely because it is defined as everything that the nation is not. But because it is constructed in contradistinction to the nation, it is also fundamentally dependent upon the idea of the nation; one cannot have the anti-nation without also having the nation. They differ from one another at the most rudimentary level but simultaneously rely upon one another to act as a foil. The Nazi genocide of European Jewry provides a concrete example. For the Nazis, the Jews were other, and it was their radical difference that threatened the purity of the Aryan race. The Nazis did not rely upon Jewish self-definition, however. Rather they introduced a set of state laws—the Nuremberg laws—which provided a very specific definition of Jewishness based on biological ancestry. Nazi Germany perceived Jews as the social other, but also established a rigid set of criteria through which this category was defined. Likewise in Canada, the Indian Act uses the state’s criteria to define who is and is not an “Indian,” though resistance and reclamation of identity by Aboriginal peoples challenges the totality of this legal definition.

Reconciling indigeneity and genocide within the framework of colonialism

This paradox becomes particularly salient when one considers colonial genocide. Conceptually, colonial genocide is no different from the broader notion of genocide except that it occurs within a colonial context or as part of a program of settlement. Generally, the settler commits genocide against the traditional (read: Indigenous) inhabitants of a particular territory with the intent of settlement, and so colonial genocide results from the encounter

between settlers and Indigenous inhabitants. That is, colonial genocide is not perpetrated against just any racial, ethnic, or religious other, but quite specifically against an Indigenous other. This provides insight to the paradox that underlies both indigeneity and genocide. The colonial settler first constructs indigeneity in contradistinction to itself and frames Indigenous peoples as the social other, and then perpetrates genocide against the Indigenous other precisely because of its otherness: indigeneity is consistently reinscribed as other, first as the colonial other and then as the genocidal other. Indigeneity and genocide are not necessarily discrete concepts and, in some situations, intersect with one another to reinforce a common state reason.

Andrew Fitzmaurice (2008) argues that Lemkin's concept of genocide was developed largely as a critique of European colonialism. Genocide scholars tend to view Lemkin's work as a response to the Holocaust, and while *Axis Rule* largely responds to Nazi atrocities in Europe, Fitzmaurice situates Lemkin in a tradition of colonial critique that dates back to the 16th century. Fitzmaurice identifies two parallel streams of Western political thought that apply natural law to colonization of the Americas, Oceania, and Africa. Both traditions originate primarily in the work of Spanish thinker Francesco de Vitoria, who sought to determine whether the Spanish could use natural law to justify domination of the Americas. For Richard Waswo (1997), Vitoria did find justification for colonization in the universal principle of "natural society and fellowship," that being "the right to travel, visit, settle, trade, and mine" (p. 137). But Fitzmaurice suggests that Vitoria offers several possible justifications for colonization—"Pope's gift," "by right of discovery," among others—but ultimately concludes that "it is clear from all that I have said that the Spaniards, when they first sailed to the land of the barbarians, carried with them no right at all to occupy their countries" (as quoted in Fitzmaurice, 2008, p. 58).

Thinkers in the dominant stream of thought find some flaw in Vitoria's reasoning and adjust his argument to justify the dispossession of Indigenous lands. The counter-tradition maintains Vitoria's conclusion that colonization cannot be justified by natural law or right. It is within this latter tradition that Fitzmaurice situates Lemkin. Although *Axis Rule* entails a case study of Nazi atrocities, Lemkin was a specialist in international law who was familiar with the criticisms of colonialism. By acknowledging these criticisms and using genocide in the Americas as a central case in his comparative work, Lemkin situates himself within this critical tradition. Lemkin "underst[ood] that the concept of genocide as he had developed it was drawing on a tradition of anti-colonial writings that had Vitoria . . . at its foundations" (Fitzmaurice, 2008, p. 74), so that the conceptual origins of genocide are deeply embedded in the history of European colonization and dispossession of Indigenous peoples.

Not only does Lemkin situate himself within a tradition of anti-colonial thought, but his work also suggests that genocide is a process that emerges from colonial relations. John Docker (2008) traces the development of Lemkin's thinking on genocide to demonstrate how he understood the relationship between colonization and genocide. To dispel the widespread belief that Lemkin developed the concept of genocide in response to the Holocaust, Docker first shows that Lemkin's thinking on social death significantly preceded these events: an early model for genocide was the crime of "barbarity and vandalism," proposed in 1933, which Lemkin defined as the physical or cultural annihilation of social collectivities. In its mature state, Lemkin's definition explicitly places genocide and colonialism in a common frame (quoted above; also cited in Docker, 2008, p. 83): the domination of a people or territory can result in an act of genocide. This does not preclude the Holocaust, which itself emerged from Nazi Germany's "colonization" of Poland (Docker, 2008, p. 84).

Although Lemkin never completed the follow-up to *Axis Rule* where he would explore the processes of genocide in more depth, he left extensive notes and manuscripts collected in preparation for this work. Docker examines these archives to identify the trajectory of Lemkin's thinking. In these notes, Lemkin compares cases of genocide across hundreds of years of history, several of which occurred in explicitly colonial contexts. Lemkin draws examples of both physical and cultural genocide from the colonial history of the Americas, particularly from the Spanish treatment of Indigenous peoples, to demonstrate that genocide was an important element of the colonial project. Docker (2008) contends that, in Lemkin's later writings, "the inherent and constitutive relationship between genocide and settler-colonialism is argued strongly, given subtle, intricate methodological form, and brought descriptively to life" (p. 97). So in response to the question "Are settler-colonies inherently genocidal?" Docker seems to answer: probably yes, because settler colonialism entails the erasure of one "national pattern" and the imposition of another, which is by definition genocide. However, just because settler colonialism tends to result in genocide does not necessarily mean all genocides are intrinsically colonial.

Alison Palmer (1998) argues that the distinction between "colonial genocide" and the broader category of genocide is not particularly meaningful because most genocides are inherently colonial. To understand how colonial genocide can inform the more general concept of genocide, Palmer compares four cases: two are drawn from colonial contexts (the genocide of Aborigines in Queensland and of Hereros in South West Africa) while the other two are "paradigmatic" cases that have shaped popular and scholarly understandings of genocide (the Holocaust and the Armenian genocide). She observes that, in all four cases, a key reason for the genocidal program was that the perpetrators sought to occupy land inhabited by the victim group; although the perpetrators intended to

use land for various purposes, such as pastoral use, resource extraction, or national unity, the desire for land was in each case impetus for genocide. Because genocides are often characterized by the annihilation of a particular group and the corresponding appropriation of their land, the distinction between colonial and other forms of genocide does not provide an especially meaningful framework for comparative analysis and holds little heuristic value for genocide scholars. Palmer suggests that a more useful classification may be between "state" and "societal" genocides. In other words, to emphasize that an event is *colonial* genocide does not necessarily contribute much to one's understanding of the causes or processes that underlie it. Whether one refers to the "paradigmatic" cases of genocide committed on European soil or those atrocities perpetrated as part of the settlement of the New World, they generally entail the dispossession and occupation of territory and for this reason contain fundamentally settler colonial tendencies.

Is indigeneity a genocide that precedes genocide?

Using the categorical framework of colonial genocide to reconcile the concepts of genocide and indigeneity, it is clear that both collapse into the same paradox because they are in effect two sides of the same coin. The concept and category of indigeneity is a product of settler colonial encounters, for it was in part the European colonizer who created the Indigenous other as a way to understand and govern the multiplicity of peoples who occupied the "New World," while Indigenous peoples have adopted the label as a means of resistance against the colonial state. When Raphael Lemkin conceived of genocide in the 1940s, he understood it as a crime intimately related to and often overlapping with the processes of colonization. More recent developments of Lemkin's work suggest that genocide and settler colonialism are not

simply two distinct processes that sometimes coincide and other times do not. On one hand, settler colonialism is genocidal because it entails the destruction of a pre-contact “national pattern” and the imposition of an imperial social structure, a process expressed through the category of “indigeneity.” On the other hand, genocides are colonial in that they tend to be partly motivated by land and generally manifest through the dispossession and occupation of victims’ territories. If genocide underlies settler colonialism while settler colonialism tends to beget genocide, we should at least view them as two processes belonging to a single phenomenon. Indigeneity and genocide both collapse into the same paradox because they are related to one another: indigeneity is a product of colonial encounters but also separate from the colonizer; genocide destroys the social other but only if it first constructs that other as an entity deserving of annihilation.

My intention has been to deconstruct “indigeneity” and “genocide” to show how both manifest the same ostensible paradox, and so argue that genocide is deeply and problematically related to indigeneity and the processes of settler colonialism. To conclude, I will offer some tentative conclusions about this relationship. Settler colonialism produces several layers of violence: imposing the category of indigeneity is an act of symbolic violence upon autonomous peoples, while implementing genocide is a more concrete act of violence upon cultures and bodies. Imposing indigeneity reduces a multiplicity of diverse peoples into a single category, and then reduces this category to an expression of otherness. It is this construction of homogenous otherness that compels and partly enables the settler colonizer to commit genocide. That is, the act of symbolic violence helps establish the conditions for a more concrete act of violence. The invention and imposition of indigeneity is initially a destructive act that can precede and facilitate other acts of genocidal destruction. It is therefore possible to conceive of settler colonialism as a process that contains two stages

of erasure: first symbolic erasure and then physical and cultural erasure. In other words, indigeneity, when imposed by the colonizer, is a symbolic genocide that can precede more formal acts of physical or cultural genocide: it is a genocide that precedes genocide. Yet the paradox that underlies indigeneity and genocide only emerges when one considers these categories within a Western binary logic that relies on opposition. From a relational perspective there may be no paradox. In recent years, Indigenous peoples have begun to reclaim the category of indigeneity and use it to unify diverse peoples around the world and resist colonialism at the global scale. Such resurgence suggests it is possible to move away from those binary identities that are so integral to genocide and colonialism and, instead, begin to build reciprocal and non-opposing relationships.

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