

Relentless Assimilationist Indigenous Policy: From Invasion of Group Rights to Genocide in Mercy's Clothing

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Abstract

Despite the United Nations Declaration of the Rights of Indigenous Peoples, assimilationist policies continue, whether official or effective. Such policies affect more than the right to group choice. The concern is whether indeed genocide or “only” ethnocide (or culturecide)—the elimination of a traditional culture—is at work. Discussions of the distinction between the two terms have been inconsistent enough that at least one commentator has declared that they cannot be used in analytical contexts. While these terms, I contend, have distinct senses, yet in cases of governmental and other institutional assimilationist policy for indigenous peoples, such ethnocide effectively entails genocide. Insofar as any people’s cultural practices and beliefs are essential for life and health, individuals in groups value, if tacitly, their culture as highly as their language or any artifact: Thus, attempts to eradicate a culture through assimilation in fact eradicate individuals’ lives and health and so are effectively murderous. Acknowledgement by worldwide organizations that assimilationist ethnocide is effectively genocide should affect policy concerning indigenous peoples and thus has significance for international law.

Introduction

Documents and institutions such as the 1989 United Nations International Labor Organization Convention 169 and the 2007 Declaration of the Rights of Indigenous Peoples have been landmarks in the history of protecting indigenous peoples’ rights worldwide to retain their group practices as they see fit. While such institutions have limited enforcement power, they at the least represent the increasing global recognition of indigenous peoples’ rights to retain their autonomy and traditions. Canada’s Inherent Right Policy, for example, represents one such institution providing legal code with some enforcement capacity. This trend has developed simultaneously with policy actions such as autonomous Greenland and Canada’s recognition of Nunavut (McChesney 1992, Makarenko 2002), as well as increasing self-governance of some Australian Aborigine groups (Hyndman 1992) and Sami of Northern Europe (Svensson 1992). However, many other indigenous peoples’ struggles for their rights continue to lose ground as governments and other organizations either flout or do not recognize these protective institutions. Both de jure and de facto ongoing development policies in many nations, whether governmental or otherwise, have continued to displace and assimilate peoples, despite the harms of such practices to the affected indigenous peoples.

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Currently (or recently) foraging peoples, small in numbers at the outset and vulnerable to encroachment, remain among the hardest hit. In Botswana, the government has ignored, fought, or flouted not only international nongovernmental organizations' (NGOs') measures supporting the Jul'hoansi (Kung) peoples but even the Botswana Supreme Court's rulings concerning them (Survival International 2013c). In Malaysia, the Penan, among other indigenous groups in that country, have been subjected to intensive governmental, industry-instigated, and missionary assimilationist policies for decades, especially as the forests of their traditional lands have proven lucrative for industry and development (Brosius 1999, Survival International 2013e; for missionaries' continued work today, see *Christian Missions in Many Lands* 2015). While at most only a few hundred Penan have eluded assimilation into impoverished longhouses, these few have led a continuous fight to retain these lands for the Penan. Other nations, such as Indonesia (Syarif 2010), and Brazil (Survival International 2013b), as well as nations having the world's largest concentration of indigenous peoples, the United States, Canada, Australia, and New Zealand (Reyhner and Singh 2010), continue to impose effectively assimilationist policies. These four last-mentioned nations refused at first to sign UNDRIP, and though Australia and New Zealand finally acceded, full implementation will take time, if it ever does occur.

In this paper, I look to anthropological evidence of the fatal harms of assimilationist policy on indigenous peoples in the name of global development. While these harms may not be the avouched ends of the policymakers, they represent a necessary and now long-recognized outcome. Founders and backers of such policies can no longer elude responsibility for such outcomes, even if these are not the overt intention of the policy. If they do not abide by increasingly recognized institutions for protecting indigenous peoples' cultural rights, they should then be understood as guilty for their policies' de facto causing the deaths of the people concerned, they should be understood as perpetrating genocide. This fact then should give extra teeth for the international legal community in exhibiting the criminality of such policies. Certainly, there is far to go to ensuring that any association or institution has any teeth whatsoever in incriminating wrongdoers of indigenous genocide of this sort and seeking and establishing recompense for the victimized peoples. However, establishing the connection between assimilationist policies is an important step toward giving international associations some amount of prosecutorial teeth.

Conceptual Clarifications: Ethnocide/Culturecide vs. Genocide

Genocide is often understood to be the murder of a group of people distinguished by their ethnicity (Charny 1994); whereas ethnocide, at least as used herein, is the eradication of a ethnicity (or of a culture), whether by genocide or by other means such as forced cultural assimilation or reeducation (Beardsley 1976). However, there is still wide disagreement on the uses of these two terms, and these different views should be considered in the context of establishing precise relations between them. The usage given above is similar to that of Charny (1994), whereby "ethnocide" refers to acts that prevent the continuation of an ethnic group's traditions and practices; but Charny excludes the murderous acts of genocide from being included in "ethnocide," whereas I here allow that ethnocide may be deliberately accomplished via genocide. Charny's use of the term is thus synonymous with that of "culturecide." My use may then be closer to that of Beardsley (1976), who sees that exterminating the sole bearers of a culture (that is, by murdering them) may be one way to effect ethnocide. Apparently, Lemkin (1944), who coined or brought the terms "genocide" and 'ethnocide' into currency, saw them as strictly synonymous. However, usage since then, including the introduction of "culturecide," has varied.¹

Alternatively, Lukunka (2008) suggests that since the work of Jaunin (1972), “ethnocide” as the non-murderous process of eradicating a culture has taken hold in general, as Sautman (2003) endorses: Ethnocide by this reading is “extermination of a culture that does not invoke the physical extermination of its people.” (p. 177) Moshman (2001) and Churchill (1997) warn that distinguishing the terms may lead to the possibility that ethnocide may lose a common consciousness that it can be just as great an evil as genocide. Although the two terms are sometimes conflated, the distinction I describe lies at the heart of this paper’s concern, which is the possibility that ethnocide, particularly via assimilationist policies, in practice often entails genocide. Seemingly paradoxically, then, I must begin this paper with the understanding of the terms as distinct in order to make the point that the two concepts they refer to profoundly intersect in practice when assimilationist policy is at work. In the end, though, there is no paradox; rather, an initial clarification of the distinction between terms is necessary so that it may be shown how, in fact, they intersect in the real world, that is, in light of anthropological and social-psychological realities.

I then differ from Stein’s (2003) conclusion that the lack of rigor in all of these terms’ usages makes them—or at least “ethnocide”—unfit for analytical purposes. As long as an author clarifies the meaning, as I have done herein, the term should prove useful. The important point in my usage for this paper’s purposes is that ethnocide may be accomplished not through *directly* murderous intentions. As this paper shows, even intentions that are not overtly murderous, in eradicating a culture, as through assimilationist policy, still may have murderous effects and thus constitute at the least massive negligent-homicides of members of a particular group. All degrees of massive homicide of members of a group for being members of that group are understood to be genocide. Thus, the massive negligent-homicides resultant from such ethnocide, inflicted on those group members for being members of it, would be genocide.

The distinction of the terms is then not in perpetrator intentions, as perpetrators of ethnocides may be bent on eradication of lives as those of overt genocide, but in methods, as ethnocides may allow methods that are not of direct violence against individuals, whereas genocides involve such direct violence. Our consciousness of making such a distinction should lead, as Moshman observes, to ‘direct our attention toward the similarities and interrelations between ethnocide and genocide, including the possibility of classifying these together as part of some superordinate, and yet to be named, category. This raises the possibility that “ethnocides... are no less evil than genocides.” (446)

I propose that the level of this superordinate category is in perpetrator intent of cultural eradication, and that the subcategory distinguishing the two is in method, which in practice may lead to the same evil result, fatality by perpetrator hands. The next section further details how this paper draws these distinctions and similarities. The key concept here is not whether a group is a real object (as distinct from individuals within groups), but the reality of the effects of groups and actions taken upon groups for their members.

The Reality or Non-reality of Human Groups

Some writers have contended that ontologically there is no such real entity as a group or community outside the individuals who compose it.² The philosopher Gould (2004) clearly articulates this view. According to it, a tribe or a band is not a real entity, but at best is a concept about persons who commonly associate and share interests. These community members may share, to varying degrees,

beliefs and practices, but those beliefs and practices cannot be said to be entities separate from the individuals who maintain them. Further, usually individuals within a community may have such widely differing interpretations of a practice, or even ways of executing a practice, that it may be hard to affirm that what appears to, say, an ethnographer as a unified practice is actually so (see Hudson 1972 and Dentan 1979 for ethnographic examples). Given this nebulousness, and the fact that the only real entities in a given community are its individual members, besides their artifacts, by a view such as Gould's it is best not to reify "community" or "group" or "tribe." It would follow, then, that when a group is, for example, assimilated into another community and as a group has ceased practicing the earlier traditions and assumes new practices, nothing is lost because human lives have been preserved and it is these that are real. It would further follow that, since ethnicity is only a group's beliefs and practices and these are not real entities, and "killing" outside of figurative use refers to taking lives, then ethnocide is either not possible or is a misnomer.

I offer an alternative to this view. The position, though, does not assume that ontologically a tribe, ethnicity, or community actually is a real object if of a different kind from humans (that is, individuals). Rather, I take a circumstantial—if riskily contingent—approach: Assimilation and related means of eradicating a culture, especially if forced, does have real effects upon people *as if* their beliefs and customs are real entities and such entities have moral standing (actions concerning them are morally accountable). Such assimilation thus does affect people—severely, as I shall describe—and the end result can be devastating, often fatal. The contingency of this argument is, in the end, less risky than initially feared and may point to a fact about humans, so that in policy we should treat tribes and communities as real entities even if ontologically they are not.

Genocide may often entail ethnocide, as occurred with many genocides in history, such as that of 1800s United States (Sheehan 1973) 1800s Australia (Tatz 1999, Moses 2000; also Short 2010 on ongoing genocide there) the Shoah (Matthaus et al. 2011), 1915 Armenia (Dadrian 2003), 1990's Rwanda (Lernarshand 2002), and 1990's Kosovo (Kallis 1999). These were focused on eradicating certain ethnicities. I will show that the reverse is also true, that ethnocides turn out to be genocides in practice. In many ways, despite terminological difference, I build upon Short's (2010) findings about what he calls "cultural genocide" (after Lemkin) in contemporary Australia, and then generalize. In this kind of practice, then, the two terms become equivalent, or ethnocide via assimilationist policy ↔ genocide, in a superordinate category of the sort Moshman proposed. This equivalence should make a marked difference in policy.

The Language Analogy: Phenomena of Value

Because of certain ontological similarities between culture and language, it is worth considering the nature of language to the extent it intersects with the issues of culture and ethnocide. Languages, like ethnic groups and cultures, are subject to deliberate eradication. This susceptibility points to a commonality between language and culture as types of phenomena. I do not argue that languages are real things and so cultures and ethnicities must be, too; rather that, whatever the precise ontological status of language and culture, they appear to be comparable, and their loss has real effects

Davis (2008) has reiterated the concern of many observers that of roughly 6000 languages spoken now (some by only one or two remaining speakers), at least half of these will be extinct by the end of the century.³ Many of those remaining will be spoken by only a few thousand or tens of thousand. Whether

or not the “Sapir-Whorf hypothesis” (Whorf 1956) is true (and it is still debated; see Koerner 2000, Kou and Sera 2007, Wolf and Holmes 2011), if there are not exactly certain language-determined modes of thought that will disappear, at the least many thousand unique forms of human communication, each with its uniqueness and beauty, will be lost (Sampat 2001, Davis 2008). One objection to such worry may be that there is no real loss; human communication is about what is communicated, not its mode. If the whole race were to speak only one language, then the better for communication and perhaps world peace.

Without pursuing this sociopolitical avenue, I refer to an argument that Diamond (2012) for why the objection stated here is insubstantial. Language difference does not make for war (consider Switzerland), nor does language similarity make for peace (witness the American civil war). Language differences also do not forestall communication but in fact enrich it. “Different languages have different advantages,” Diamond observes (p; 405), specifically, multilingualism increases one’s capacity to communicate in ways that being monolingual cannot achieve and has been shown to increase mental power. Furthermore, retaining a great variety of the world’s languages increases motivation and opportunity for expanding communication capacities. “Hence language loss doesn’t only curtail the freedom of minorities, it also curtails the options of majorities.” (Diamond 2012, p. 405)

Indeed, something—whatever its ontological status—of human value is lost in language extinction. Human language and culture are products of the human mind, and humanity is deprived when such singular, ingenious, and non-deleterious products disappear. One should consider the loss if Stonehenge or the Easter Island statues were destroyed, or the Taliban’s razing of the Afghani Buddhist statues.

The issue can digress into impersonal-value problems, similar to that of whether the universe would be worse off if the human race never existed; I cannot pursue such speculative inquiry here. I offer instead a second way of seeing language loss as deprivation of common value. Quine and Chomsky, usually opponents, may intersect here. Quine (1960) would say that one could not be sure of the inter-translatability of the one language to the other (the substitute). Thus, communications and translations of old texts would be at least *different*, and it would be hard to say if the new language would be better. Chomsky (1966, 1975), while asserting that one language can do anything another can, if allowed sufficient time and space; would still maintain that the structures of each languages would be different; and with foreshortened access to the lost-language’s structure, we would have that much less rich of a resource for understanding human psychology. So in different ways, the two authors would see some loss of value.

A third view would be that the loss of a language’s way of compartmentalizing concepts—whether or not these affect the way we think—still would be diminishing poetic possibilities because of loss of connotations (compare Nettle and Romaine 2000 on “Lost Words, Lost Worlds”). A pint is simply not 0.4732 liter. A pint is dry measure as well, which evokes strawberries as well as stout. A “half pint” is a weakling kid while a half 0.4732 liter is no such thing. Certainly, a natural language as we know it cannot exist anywhere in space as can a brick or bone. But it is a type of phenomenon that has human value in its own right.

Besides these issues of the value of language diversity for humanity at large, there is the other deprivation of value that Diamond mentioned: The loss of an indigenous language is also the loss of freedom of the people whose language is lost. This loss is often due to assimilationist policy, such as

that of the Residential Schools in the U.S. As Reyhner and Singe quote the 1868. Report of the U.S. Indian Peace:

Schools should be established, which [American Indian] children should be required to attend, their barbarous dialect should be blotted out, and the English language substituted. (p. 2)

If the residential schools in the U.S. represented an effective collusion between government and state (curious in a country in which these two social functions were to be separate) to alienate children from their parents' and ancestors' languages as well as cultural traditions, they have provided models for comparably powerful programs across the world to this day.

A culture is a phenomenon of comparable value, in its own right, to that of language. Many anthropologists (Mead 1929, Hunter and Whitten 1977, Dentan 1979, Lee and Daly 1999, Kelly 2007, Davis 2008, Wells 2010) have emphasized the uniqueness of the adaptations and ways of life of different groups, parallel to that of the uniqueness of language as modes of communication. A culture's region and geography can impart a certain logic or "laws of nature." A seaside culture such as that of many Polynesians would, compared with a desert culture such as that of the Kalahari's San, thus differ not only in their foods and tools but in their cosmology. Davis (2008) makes a plea not only for the rich diversity of cultures but also for why it is necessary for the richness of human life as a whole for this diversity to be sustained maximally. Conscientious decisions of certain parties—governments and powerful private concerns—could make a difference here. At stake is not only well-publicized commercial concerns, such as local knowledge about traditional medicines gathered from natural sources. There is also a concern for, in want of a better term, the "psychic space," or the differing views of the world, of humanity, nature, and being, of arts and metaphysics, even of ways of eating and of interacting with one another. The wider range of such possibilities extant could spark human imagination and creativity. Certainly, a worldwide human monoculture could end up being drab, if not depressing, impoverished in other ways of living and thus dulling the imagination, and even, like an agricultural monoculture, could leave the species less adaptable to great changes. This instrumentality is analogous to the discussion concerning language, as there may be a value to cultural diversity in itself, in that each culture, like each language, may be valuable for those who partake in it. Such instrumentality tends to be geared for those peoples privileged by means of global access, via such rational inquiry as anthropology. After all, while peoples were forced, for various reasons, to change their cultures often do succumb and change; peoples given an informed choice often retain what they have (Dentan 1979; Davis 1995, 2008; Lee and Daly 1999).

A detractor may say that, as with language, which exists to communicate, a culture is there for the purpose of supplying humans with values and practices so that they can go about their daily routines in a directed and meaningful way, *not* to be colorful and different from one another. In fact, if we all shared the same culture, say rational Western industrialism, so much the better for quotidian needs and world peace. In response, again without going far into this sociopolitical digression, global monoculture may not improve quotidian life, especially if that monoculture were resource-intensive and alternative resources did not become available with sufficient rapidity. Such a monoculture would be divorced from the influence of regional geography in that sense noted early, by which indigenous cultures, at least, are shaped by the local "laws of nature." Quotidian life could then be made more difficult even if more expedient. Furthermore, a single world culture, as with economic monopolies, without lack of

competition could lead to autocracy or plutocracy. (Gould 2004 and Caplan 2011 caution against world government for such reasons.) The potential for world peace is not inconsistent with multiple cultures, and the process of effecting world peace by creating a monoculture is not guaranteed to generate peace.

To the extent that language is a type of human phenomena with real value, and that humans value a given language, so is culture a type of human phenomena with such values. Both may not be real objects ontologically, but language and culture in general, as well as specific ones, have real value for people, much as real objects have value. If the Canadian courts, for example, have upheld the need to retain a group's oral tradition, without the language on which that tradition's orality is based, the court's command cannot be followed. Conceivably, people could even pay money—something (strangely enough) “real” for economists—to retain a language or culture, as much as to retain an object like a house. Not just conceivably, but in fact, some indigenous groups are paying to be taught their native languages (Lee 2012).

This is as far as I need draw the comparison between language and culture for the sections to follow. There is another way to gauge how important a phenomenon a particular culture is, and that is when it is forcibly eliminated. The physiological response is as real as that to indisputably real objects such as microbes.

The Real Effects

Culture and language bear similarity not only in their natures but in the process of their elimination. A language may be forcibly eradicated, as has happened innumerable times in history: when the French forced the Bretons to learn French, or American colonists forced their slaves to learn English. Force may be less ostensive, as when a California Native-American culture is so gradually absorbed into the larger one, particularly when for economic needs, that speakers use it less and less with each other and the last speaker dies (Crystal 2000). In the eradication process, language and culture can be so intermixed, it is hard to tease them apart.⁴ I then concentrate on culture eradication, as it seems difficult to tease apart language eradication per se from that of eradication of the culture overall. (If one considers a culture's specific language as a part of their culture, the effects of loss of the culture would incorporate those of the loss of the language.)

A good amount of ethnographic studies of cultures that have been subject to assimilation into larger societies, whether or not by direct overt force, show these cultures to follow a remarkably consistent pattern the world over (Hudson 1972, Hunter and Whitten 1977, Dentan 1979, Davis et al. 1995, Lee and Daly 1999, Davis 2008; also Short 2010 for analysis). I concentrate on the numerous ethnographies in Lee and Daly, which all concern foraging societies, most of which currently are undergoing assimilation, whether all or part of the group, although partly horticultural societies such as that discussed by Hudson (1972) and Dentan (1979) exhibit a similar pattern. What is remarkable about the results, whether in Australia, the Americas, the Arctic or tropical Asia, is the similar symptomology. These are so similar as to resemble symptoms of a general human predisposition.

Asch and Smith (1999) write of Canada's Slavey Dene, after they were moved into permanent communities supplied with electricity and water systems: “There are social, economic, and psychological problems; alcohol and substance abuse; a troubling level of violence and neglect; and economy that generates less cash than needed...” (p. 49). Of the James Bay Cree, Feit (1999) observes,

“Whenever colonial practices or improved development encroach upon the possibilities for responsible autonomy, then social problems (including increased alcoholism, drugs, and violent abuse) have intensified for individuals and especially youth.” (p. 44) On Hudson Bay, Caribou Inuit communities are afflicted by an array of social problems stemming from rapid social change. Among these are domestic violence, sexual abuse, suicide, parental neglect, lack of motivation, and general anomie.” (Burch and Csonka 1999, p. 58), not to mention substance abuse (alcohol, drugs, and inhalants). Lest some critics blame the long nights and long winters of these regions for such depressing results of social change, warmer and sunnier climates fare no better for culturally disrupted peoples. California’s formerly forager Timbisha Shoshone, reservation-less but on Federal land that had been taken from under them (for a national park), forced into permanent settlement without title, have their children bussed to schools 135 km distant. “Alcoholism and related social problems are high in a number of families.” (Fowler 1999, p. 70)⁵

At one time, some writers introduced the hypothesis that alcoholism was rampant among American Natives because they were subject to an overwhelming expression of an “alcoholism gene.” (Enoch et al. 2006 describe and falsify this hypothesis.) If so, then this gene has miraculously appeared among hunter-gatherers the world over, despite these groups’ not being otherwise in any closer genetic relationship than industrialized Europeans are with industrialized Japanese. The /Gui and //Gana of Botswana, for example, have been driven to “Sedentarization around the water bore, [where] the new availability of sugar for brewing, and dramatic changes in the lifestyle contributed to the rapid spread of alcohol consumption and the attendant social problems such as community violence.” (Tanaka and Sugawara 1999, p. 198) Many of the Okiek of Kenya, hardly related to the /Gui and //Gana, have settled into houses and scrounged for jobs, and “Much of the income, received in small installments, has been spent on liquor. The amount of drinking has skyrocketed...” (Kratz 1999, p. 223) The Wanniyala-aetto of Sri Lanka are also not particularly related to any of these previously described groups, yet “The termination of their autonomy and changes in diet contribute to new diseases: obesity, high blood pressure, heart problems, alcoholism. Frustrated at the usurpation of their way of life, the Wanniyala-aetto also suffer psychologically.” (Stegeborn 1999, p. 272) Such a problem as obesity develops, of course, with a paucity of the lean protein that foragers for millennia relied upon for diet; with their traditions taken away and starchy government food subsidies substituted, obesity results. Furthermore, a vicious cycle develops in which traditional social roles and responsibilities, such as hunting or gathering, are disrupted, lowering sense of worth, leading to substance and domestic abuse, which further lower self-worth. And further still from the /Gui or Okiek, in Australia the Warlpiri well represent what has happened to a great amount of the indigenous peoples on that continent upon even partial assimilation: “This activity... is counterpointed by ongoing alcohol abuse and domestic abuse, petrol-sniffing among teenagers, egregious health statistics...” (Dussart 1999, p. 366) Australia’s Tiwis have been moved into townships, which “have their share of social problems (violence, physical abuse, and alcohol.” (Goodale 1999, p. 352). Short (2010) details the severity of social problems that have developed upon the “cultural genocide through urbanization” of many of Australia’s indigenous groups.

While alcoholism can be deadly, as can increased domestic violence, some steadfast critics of the possibility that such degeneration is in itself fatal may call these responses loss of spirit but not loss of life. They may go further and contend that these responses are the responsibility of those affected, who must find a way to adjust, if they desire. Such an approach is then a counterpart of the “alcoholism gene” view, which also lays responsibility upon the affected, specifically on the affected persons’ genes. However, further signs of the effects of forcible assimilation are less attributable to “diseases of the

will.” The formerly forest-dwelling Mikea of Madagascar have lost much of their forest from habitat destruction by deforestation. Once moved into villagers, they “tend to be exploited by villagers... The Mikea are [now] plagued by high rates of tuberculosis, leprosy, and skin diseases brought out primarily by the scarcity of bathing water.” (Kelly, Rabedimy, and Poyer 1999, p. 218) The Agta of Luzon “For a century have been forced to settle in urbanized barrios... Today, Agta relations with the social and natural environments worsen as mainstream diseases, malnutrition, and endemic violence all contribute to social stress and lower life expectancy.” (Griffin and Griffin 1999, pp. 291-292)

To make the optimal case for the proposition that forced settlement and assimilation of peoples and eradication of their traditional cultures lead to these fatal degenerative processes, whether social-psychological (alcoholism, domestic violence) or physical (infectious and chronic diseases), a full record of pre-oppression conditions would be needed. That is, one would need studies pre-assimilation indicating levels of these diseases, to compare with post-assimilation levels. Certainly, many if not most of these cultures had no alcohol before more powerful cultures such as European introduced it. Many cultures, though, had their own intoxicants (Chagnon 1977, Davis 2002) Furthermore, many forager or horticultural-forager cultures, such as the Mangu and Dani of New Guinea or the Tlingit of the Pacific Northwest, have been recorded as having high levels of internecine violence; and upon their oppression by stronger powers, such as the Australian government in New Guinea or the Canadian in British Columbia, violence among these groups diminished (Pinker 2011). Thus, inquiries into the precise types of changes in levels of all kinds of diseases as spurred by assimilation and settlement may be challenged by serious epistemic obstacles. However, it is implausible that group after group which exhibited high levels of vigor and physical and intellectual activity before assimilation, settlement, or culture-eradication but then afterwards succumbed to apathy, anomie, and depression were not very negatively affected by the process. Furthermore, the groups that did retain great amounts of territory, autonomy, and cultural practice, and in a few rare cases (such as the Eastern Penan for a long time, until recently; see Davis et al. 1995 and Davis 2008) retained their foraging lifeways, showed lower amounts of these diseases. There is good reason to concede that cause-and-effect is at work here, not mere correlation: When people lose their lands, their ways of life, their hope, their understanding of what the world is and what it is about, and sometimes their families and children, they succumb to loss of self-worth and hence depression, drug and alcohol use, suicide, criminality, and new infectious and chronic diseases. Persons in industrialized cultures are certainly not immune to such outcomes upon their personal losses and related chronic social stresses (Blascovich et al. 2001, Dyrbye et al. 2006, Whyte et al. 2013). Added to the fact that oppression itself adds stressors (James et al. 1983), it is only reasonable that a similar response can occur to individuals in comparable situations of loss in non-industrialized cultures. The difference is that, when a government or other industrial power, such as a corporation or religion, is forcing individuals in certain groups—because they are in those groups, practicing their practices—to change, there are moral issues: of agency forcibly imposing unwanted activities, of breakage of individual and group rights, and of possibly further infractions, all of which go against the spirit and letter of UNDRIP.

The Symptomatic Human Response

Humans in non-industrialized cultures the world over have responded to forced assimilation, being deprived of their lands, settlement, and eradication of their cultures by falling into depression, anomie, alcohol and drug abuse, apathy, and domestic violence. The most plausible explanation so far for such responses is that the forcible culture-change causes such responses in humans. If social oppression of

minorities causes chronic stresses and permanent physiological degradation in minorities in industrialized cultures (James et al. 1983, Blascovich 2001), it is reasonable that greater oppression and through destruction of one's culture causes comparably intense psychological and physiological damage. Anthropology and psychology has indicated that humans are generally the type of being that requires a system of beliefs and practices and of implementing these practices in everyday life (Phillips and Whitten 1977, Davis et al. 1995, Davis 2008). With these beliefs and practices come a set of values, such as valuing the lives of children and close kindred over others, or of sharing, or of stewardship for the land and its biota. These beliefs, practices, and values are not only tightly integrated with one another but within the individual's life over time, throughout its various stages. Without the system of beliefs, the human mind would lack a schema describing the point of the practices' day-to-day functions. And without undertaking the practices at all, there is no point in the beliefs or in holding them. Each of the two—beliefs and practices—demands the other. Simply substituting an arbitrary system of beliefs for the original one, while retaining the same practices and values, or substituting arbitrary new practices while retaining beliefs and values, would not be functionally operable. As the data in this section has evidenced, completely replacing all is traumatic. A human being apparently needs an integrated set of values, beliefs, and practices in order to function in one's complex social milieu. If parts of the set start to be extensively disproved, denied, prevented, or otherwise eradicated, the individual, as the data indicates, may panic, lose function, and become emotionally and in turn physically distressed. In short, with such a radical, forced change in one's existence, one's self-worth diminishes as radically, and then set in the degenerative illnesses such as substance abuse and depression.

This much is thus known to social sciences. That world community that is concerned with the morality and legality of current governmental and other powerful bodies' policies as well as international law fostering these, should be interested in the perspective offered here: Namely, such culture-eradicating actions do have real, de facto deleterious social psychological effects. These effects lead to no less than slow physical—not merely a nebulous “spiritual”—death in these moral patients. That is, these actions result in massive manslaughter or even homicide. The degree of the violence—whether manslaughter or some degree of homicide—would, of course, vary with situation and intention. Currently, some extreme situations, such as in Darfur, may reflect intent to kill on the part of the perpetrating parties. Other cases, such as that of the Penan of Sarawak (Davis et al. 1995, Brosius 1999), with multiple perpetrating parties and intentions, both governmental and commercial, may be harder to assess morally and legally. The Sarawak state and Malaysian federal governments may primarily intend only to convert the Penan remaining in the forest to “modernism” and “civilized” ways attainable only by permanent settlement, so they may be guilty of “only” negligent homicide. Logging concerns and police working at the barriers may see their intentions against the Penan escalate to other levels of criminality. The Botswana government has been no more innocuous in its policies toward the indigenous groups of the Kalahari, going so far as to disregard Botswana High Court rulings (Survival International 2013c). Similar malfeasance is ongoing in other countries: in Asia, among India's Dongria; in the Americas among eight Brazilian tribes; and in Africa among Kenya's Ogiek⁶ (Survival International 2013d, b, and a, respectively).

Now that the real effects of culture eradication, that is ethnocide, are seen to cause such deleterious responses in humans as to increase fatal levels of stress and result in morbidity and fatalities, such programs should more accurately be deemed for what they are: genocide. Regional and worldwide governing bodies, from the Southeast Asian Treaty Organization to the United Nations, have then an

obligation to their member nations, to those nations' indigenous groups, and to those groups' individual members, to shape policies in accord with the reality of these programs and treat them as genocide and enforce rules against such programs

The Role of Group-Rights

It may seem that current group-rights documents in place should, if duly followed, suffice to require such policy-shaping. If Malaysia were to act in accord with all the articles of the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP), they would allow the Penan to stay on their lands and pursue their foraging lifeways. They may even follow Scandinavia's example with the Sami, or in certain respects Canada's attempt with Nunavut—overlooking the fact that it came only after the indigenous groups heavily lost self-worth and succumbed to domestic and substance abuse—and establish autonomous regions. Such action may be able to neutralize or counteract some of the fatal responses of attempts at ethnocide.

Truly, group-rights are valuable recourses, allowing one legal route for groups who are so organized as to be able to fight to defend past and possibly ongoing incursions (Lee and Daly 1999). Yet, there are some inherent weaknesses in this approach via group-rights for protecting indigenous and other cultures from ethnocidal incursions. One is that many groups, as seen in the Lee and Daly (1999) ethnographies, have already been weakened to the point that it would not be clear what is an act of governmental "rescue" and what is an act of the groups' desperation to have anything to latch onto for salvation. Related to this problem is that with ongoing erosion of the group's practices, beliefs, and values, the group has often not developed any defensive measures for protecting their traditional lifeways. In both these kinds of cases, it is unclear just what role group-rights protections can play in practical terms. For many groups, there are also ambiguities about territories, because many of them have traditionally been nomadic without permanent parameters in the sense of real estate (Miller 2013). Group-rights documents such as UNDRIP depend upon a group's connections to well-delineated territories for enforcement, as in UNDRIP articles 8.2.a, b, and c; 10; 11; 12; 25; 26; 27; 28; 29; 30; and 32 (United Nations 2007). All of these problems could be countered, to some degree, by a global understanding that, whatever the transitional, transitory, practical, or territorial situations of the culture facing incursion and eradication, the policies of whatever is the power-body (governmental, commercial) are in fact genocidal. This wider understanding of the real effects can only help mobilize efforts, by the people themselves or through other agency, to ensure their maintenance of their cultural practices, values, and beliefs.

One objection to introducing this element of massive homicide or genocide into what may otherwise be handled by group-rights approaches is that it may mean broadening the concept of genocide too much. If the concept is broadened too far, it may lose its current strength as an international rallying call.⁷ If some members of groups who have experienced culture-eradication attempts are only sickly and dying a few years younger than they had, calling this situation "genocide" may seem implausible to many and in turn erode or dilute the term. There is indeed a risk of terminological abuse. Some hunter-gatherer groups, such as the Jahai of Malaysia (van der Sluys 1999) have "to date, no problem of alcoholism or drug abuse" (p. 311) despite a range of results from attempted assimilation (from some members' becoming settled to others' remaining nomadic). Risk of terminological abuse signals need for caution in taking action, not for abandoning the wider understanding of the frequent homicidal effects of ethnocide.

Other problems include the fact that what exactly constitutes murder or homicide is not universal, and can even change over time within a culture; and thus the possibility that ethnocide will be readily, universally deemed massive homicide or genocide may face such varied perceptions. Another obstacle is the potential that some of the problems experienced by cultures forced into assimilation or undergoing eradication may be ambiguously endemic in the culture itself. Agencies, organizations, or commentators resisting indigenous peoples' self-governance or contending the facts in this paper showing the genocidal dangers in relentless assimilation policy as globalization picks up pecuniary steam may turn to such apparent cultural ambiguities as justification for the status quo. Thus, more attention to clarifying these cultural ambiguities is important for securing policies protecting indigenous peoples from these genocidal processes.

Problems such as these do not appear to be so insurmountable as to dismiss the advantages for vulnerable peoples' protections of their lives and lifeways in acknowledging that assimilation and eradication efforts are commonly genocidal because of their deleterious effects. As Short (2010) writes about Australia's indigenes, "Even though genocidal social death can be produced without specific 'intent to destroy,' I would argue that there is reasonably foreseeable intent here." (2010, p. 62) Intent of eradication by whatever means would, of course, be central in determining degree of homicide/genocide in international legal action. In many of the cases of indigenous cultural assimilation I have discussed, such as the Malaysian government's programs for the Penan, a court would have evidence to adjudicate intent of eradication, if that be by death. As mentioned in this paper's introduction, such intent is what unites genocide and ethnocide in a superordinate category including them both.

Because of individuals' needs to belong to a culture and have a stable sense of what the world is and thereby retain their self-worth, of what is valuable in the world and community, and of what sort of activities are meaningful and useful, continuing a culture is more than a matter of enjoying a group right. It involves the individual's right to life, to not being killed by governmental or commercial policies, and is a basic individual right (Shue 1980). It is incumbent upon the international law community to promote the understanding that ethnocidal governmental and commercial policies such as those of Malaysia toward the Penan are massive-homicidal and thus genocidal.

Notes

1. Another contrastive usage is that of Reyhner and Singh (2010), who use "cultural genocide," much as I do "ethnocide," as the killing of a culture but not necessarily by directly killing the members of the group
2. Without digressing into the metaphysical quandaries of what constitutes a real object, I will only go so far as saying that for the purposes here a real object is contrasted to an imaginary one Barack Obama and his DNA are real objects; Hamlet and unicorns are imaginary.
3. Estimates of number of languages range up to about 7,000 (Sampat 2001; Lewis, Simmons, and Fennig 2013). Some projections estimate the number of languages remaining by the 22nd Century may be as few as 600 (Sampat 2001), possibly as low as 300. See also Nettle and Romaine (2000) and Klaus (1992). Nettle and Romaine not only equate language loss to loss in biodiversity and habitat but tie these together, seeing them as part of an overall phenomenon, the parts of which synergize with one

another. Loss of a language commonly means loss of a culture, which means loss of knowledge of habitats as well as, in practice, loss of those habitats.

4. It is interesting, perhaps telling, that the English term “linguicide” is not clearly analogous to “ethnocide.” It is odd to attempt to eradicate a culture but not the language, or vice versa. Linguicide, rather, is a concomitant to ethnocide, language being perceived as a part of a cultural practice. It is hard to say if this result follows from a Whorf-Sapir-type effect (the language does bring with it a unique worldview that is embedded in the culture) or more purely emotional reasons (if the culture is killed, it is too painful to attempt reviving merely the language). Indeed movements, as in Ireland and Hawai’i, to bring back old languages and cultures often include both. Modern Israel, though, may be somewhat of a counter-example, as it has revived a nearly extinct ancient language, not only without that ancient culture itself but with a motley of subcultures established long since the ancient Diaspora, such as that of Hasidic sects, Ethiopians, and modern Europeans. Hinton and Hale (2001), though, contend the Hebrew revival is not so much a pure revival as one that reflects this motley of cultures and their dialectal influences. Mufwene (2000, 2008) argues that languages are in fact not killed, say by hegemonic languages such as English or French, but that speakers shift to other languages as social or economic reasons give them cause; thus, “linguicide,” as the deliberate killing of a language, would be somewhat of a misnomer.

5. Tellingly, the Huaorani of Ecuador, “Despite predictions that the national society would quickly absorb this reduced, egalitarian, and foraging group... are, twenty-five years on, flourishing.”—Yet, “Compared to other Amazonian Indians, the Huaorani have retained a substantial land base; their language was never suppressed.” (Rival 1999, p. 103) When a group retains its land and language, it has a greater chance of surviving relatively intact. Also tellingly are the Bihor of India, who “refused to be evicted from their jungle habitat.... The Bihor are peaceful, basically withdrawn and introverted; they are addicted neither to drugs nor to abusive, violent behavior.” (Adhikary 1999, p. 251)

6. An alternate of “Okiek.”

7. Stein (2002) offers some related precautions about overuse of “-cide” words and concepts. Glanville (2009) offers an important consideration of how “genocide” has lost its original strength as a word inciting agents to action.

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