

Cultural and Social Death as a Crime Against Humanity: Métis and the Loss of Nindoodemag

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Genocide commonly refers to the most horrific act that can be perpetrated on a people since the Nazis engaged mass killing of eleven million Jews, Roma, Roman Catholic Priests, gay people, twins, and the mentally ill up to 1945. Since that terrible scourge genocides have been committed in African countries (31), the Americas (13), Asia (26), Europe (10), and the Middle East (8) more than 186 instances, resulting in more than 56 million deaths.¹ States have been the principal sponsors of genocidal attacks mainly against indigenous peoples since 1945 (Stanton, Pillsbury, & Lonnie, 2010). This pattern is an extension of previous centuries before 1945 since states were formed in 1648 and kingdoms and empires were the principal sponsors of acts of genocide. One may conclude without fear of contradiction that centralized political entities such as kingdoms, states, and empires have a tendency to aggressively attack indigenous peoples in territories that contain wealth. Such wealth can be used to expand the power of the privileged claiming centralized

¹ Other than political foes and religious minorities, indigenous peoples have been the main targets of genocidal attacks launched primarily by state military, unofficial militias tolerated by the state, local police, as well as ethnic gangs, settler colonial populations, and religious gangs. Among the many indigenous peoples attacked include: the Kurds, Druze, Kalkars, Tartars, Abkhasians, Chechens, Tibetans, Armenians, Sikhs, Acehnese, West Papuans, Uyghurs, Baluchis, Aché, Yezidi, Shabkh, Assyrians, Miskitu, Sumo and Rama, Mayans, Yanomami, Sahrawis, Touaregs, Zulu, Xhosa, Umbundu, Küng, Tutsi, Hutu, Matabele, Kikuyu, Luo Luhyam Acholi, Lango, Karamoja, Baganda, Banyarwanda, Oromo, Anuak, Ogadeni, Isaaq, Hema, among others. The settled reality is that states have been the principal sponsors of genocides against indigenous peoples since 1945.

sovereignty.

All of the modern genocides are defined by criteria counting the total numbers killed following the idea that genocide occurs when attacks result in mass killings of a people “in whole or in part.” In this essay, I offer a supplemental view that argues that the person who coined the term “genocide,” Rafaël Lemkin, was correct when he defined genocide as beginning with colonization and that the death of human culture or “cultural death” can and does precede violence and mass killings.² This was the experience of native peoples beginning more than 400 years ago in Nitassinan on the North American Atlantic Coast. The peoples affected have many different names, but now they are called Métis.

Their ancestors are Cree (the people), Kitchesipirini (great river people), Weskarini (people of the deer), Abenaki, Kinouchipirini, Wyandot, Mohawk, Onontchataronon, and the Matouwestkarini, among many peoples reaching back in time for about 400 years.

² Writing in his 1943 book *Axis Rule in Occupied Europe*, “Generally speaking, genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves. The objectives of such a plan would be the disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups.” (Lemkin, R. (1943) *Axis Rule in Occupied Europe*. Second Edition by The Lawbook Exchange, Ltd.: New Jersey. ISBN-13: 978-1584779018 ISBN-10: 1584779012

They are peoples related to the animal grandfathers who created the world, and yet many have been separated from their odoodem³. They are now called Métis: the French word meaning “mixed”—or the children of French and other European fathers and native mothers. These are peoples whose ancestors originated in northeastern North America and across the plains that are joined with many other peoples through an elaborate social and political system known as Nindoodemag (the anthropological term would be kinship networks extending beyond community boundaries). Persons in one community are related to many other people in numerous communities since they share the same odoodem⁴ (Bohaker, 2006; N. J. Sinclair,

³The *odoodem* (singular) or *nindoodemag* (plural) is roughly translated as “clan” or an animal relative shared by human beings. Anishinabe peoples (including Cree (the people), Kitchispirini (“Kitche”=great, “sispi”=river, “rini”=people), Weskarini (people of the deer), Abenaki, Kinouchipirini, Wyandot, Mohawk, Onontchataronon and the Matouwestkarini among others) are considered directly or indirectly related to the “grandfathers” identified as Wawaazisii (Bullhead), Baswenaazhi (Echo-maker, i.e., Crane), Aan’aawenh (Pintail Duck), Nooke (Tender, i.e., Bear) and Moozwaanowe (“Little” Moose-tail). Depending on the various origin stories the original *Miigis beings* may vary. To establish social order and relations one would ask: “What is your doodem (“Aaniin odoodemaayan?”) to establish whether one is family, friend or enemy. One’s odoodem identity is obtained from one’s father.

⁴This is a culturally held tradition where individuals inherited their Nindoodemag identities from their fathers. The original creators of the world were the First Beaver or First Bear or as the Anishinabe people called them *aadizookaanag*, grandfathers. The origin story of the peoples in the Ottawa River region north of Kaniatarowanenneh (the Mohawk word for “big river” now called by the English the St. Lawrence) describes how a collection of animals floating on a raft are led by the Great Hare who enlists the help of the Beaver, the Otter and the Muskrat to dive into the water to get a pinch of sand that could be used to create land in a world covered with water. It was thus that the “grandfathers” created the world. Human beings took their identity from these “other-than-human ancestors” and often used that name to identify their community (Bohaker, 2006). Nindoodemag could be the hare, bear, muskrat, catfish, crane, beaver, plover, deer, moose, thunderbird or eagle, marten, sturgeon, and many other fauna linking humans with each of these identities across expanses of land and sea. While the French (Samuel Champlain in 1615) saw summer or winter gatherings of peoples they referred to as “nations,” Bohaker points out the French were actually seeing gatherings of people with a particular nindoodem identity—gatherings of bear, deer, muskrat relatives from many localities.

2013). Nindoodemag links all persons with the same doodem, regardless of where they are located. This cultural and social system serves as a way of organizing government and a method for dividing labor and establishing one’s original relationship to beings that created the world. However, due to generations of rape, marriages, miseducation perpetrated by French and English men, and state laws interfering with the social order that have conspired to undermine cultural and social doodem cohesion, their estrangement from nindoodemag has occurred—constituting a form of culturicide.⁵

FRENCH COLONIZATION AND THE CRIME BEGINS

Before 1599, when the first sixteen-person French settlement at Tadoussac⁶ was established on the Kaniatarowanenneh, blood relations⁷ between doodem communities was fluid and there were no “mixed” people. It was impossible for anyone to be “mixed” since one obtained personal identity through birth into a nindoodemag. Even when individuals were taken from one community and made part of another community

⁵ Native American Journalist Association Founder and Nieman Fellow at Harvard University (Class of 1991) Tim Giago, wrote that “Indian Country” essentially coined the term “culturicide,” meaning the consequence of invading colonizers moving west through Lakota country trying to convert “the people by destroying their culture” (Giago, 2009). “‘Culturicide,’ is a word coined in Indian Country.” *Native Sun News*. (November 13, 2009.) It is noteworthy that Rafaël Limkin earlier in the 20th century observed the effects of colonization and imperialism on American Indians and other native peoples of the Americas, Africa, Europe, and Asia as the destruction of a culture in whole or in part. Indeed, without specifically referencing destruction of culture contemporary usages of “genocide” suggest culturicide is a form of genocide.

⁶This was the ancient meeting place of the Innu [human being in Innu-aimun] (speaking a language similar to Cree), living in an region they called *Nitassinan* [Our Land] in what is now eastern Canada at the confluence of the Saguenay River and Kaniatarowanenneh (St. Lawrence River).

⁷Related by birth.



Hart Breeds. Dufferin

Unidentified Métis at Fort Dufferin, Manitoba

SOURCE: GEORGE M. DAWSON LIBRARY AND ARCHIVES CANADA

as a result of “replacement raids,”⁸ the nindoodemags ruled. Only with the introduction of the French and then the Dutch, English, and Spanish did the concept of “mixed” come into being; and then it was a concept born of European experience—utterly inconsistent with the social and cultural relations in the Americas. The corrosive effects of colonization by the Europeans caused many nindoodem-identified people generations later to identify by blood, not nindoodem.

The peoples of nindoodem or odoodeman (his/her or their) became subject to systematic socio-cultural and biological destruction by virtue of alien occupation of their territories, killing of their leaders, rape, and enslavement of men and women and engaging in procreation with native women. Members of virtually all of the peoples in and around the Kaniatarowanenneh and the Cree to the north and west fell victim to the insatiable French and English search for wealth and glory, their colonization, and ultimately the physical destruction of peoples in whole or in part. If, as was the case with French and English men, fathers of “mixed” children did not have odoodem it would be impossible for the offspring to inherit odoodem—her/his relationship to the original creators of the world. If one possessed odoodem it could come only from the father, but if the father was not part of the social chain, then it was impossible to share odoodem with the child.

In 1603, the French—led by Samuel Champlain, along with Roman Catholic Jesuits—entered the Atlantic region of North America at the Kaniatarowanenneh and thus began the French colonization of the

⁸After the entry of the Dutch, French, and the English into the Kaniatarowanenneh Valley or Nitassinan, members of families suffered diseases introduced by way of trade and diplomatic relations from Europe killing sometimes large numbers. To stabilize families “replacement raids” were increasingly organized to reach into other peoples on other rivers to obtain replacement people who would be tested and then incorporated into the family that lost a member or members. These raids were usually quite small and usually resulted in little damage. But as the Dutch and then French introduced the arquebus (musket) raids began to take on an ominous character involving many more deaths and damage, especially after 1609.



Figure 1: Nitassinan, the place where “Métis” began on the Kaniatarowanenneh

nindoodemag peoples—the Innu of Nitassinan as first among them. Groups of French men and then English men landed as workers for businesses seeking wealth and glory for themselves. Without women of their own, they raped, married, and cohabited with native women and this was the beginning of the “mixed” people—the Métis. The Métis are children and the children of children born from the initial co-habitation between young women from different peoples and young European men who worked for French companies set up as fur trading monopolies inside Nitassinan—eventually claimed by the French as New France. They carried trapped beaver for their pelt⁹ and traded outside and inside of French occupied territories for the French

⁹ Beaver pelts among other furs were a major status item in France and neighboring countries—especially when made into top hats, shoulder capes, and coats. Europeans caused during the period of 1640s through the early 1700s what would be called the “Beaver Wars.” Demand for beaver pelts created proxy wars between different American societies especially after the Dutch and then the French introduced the *arquebus* (or musket, developed to penetrate plate armor originally developed in Europe in 1521) that started an arms race between The Five Nations Confederation and the Weskarini, Wyandot, and others, thus changing the nature of relations between the peoples to violent and often murderous conflicts.

economy. But as the decades of fur trapping and trading with the French—and then with the English—stretched west, the generations of Anishinaabe and Cree rapes, co-habitations, and marriages between later entrants changed the odoodem landscape. During the late 17th century and well into the 18th and 19th centuries men from the Orkney Islands, Scotland, England, Irish, German, and Welsh contributed to the growing number of children born of a native mother and a European father. The consequence of French and later English colonial and commercial policies in the 17th and 18th centuries was a growing population of laborers producing “mixed” children after taking native wives while working for a few wealthy companies such as Hudson Bay Company. While early in the colonization these “mixed” children were absorbed into native communities, many were not and were lost into a world of “blood relations without souls.”

The European conception of relationships between the individual and the kingdom, state, or nation was not a concept shared by the various peoples of the nindoodem. Movement between identifiable communities was fluid and personal identity, family identity, and community identity—in relation to nindoodemag—was paramount. Cultural identity defined by nindoodem was essentially the extended families transcending the physical realm of geography. The bear souls in both human and animal form, for example, are all “bear people” bound together by the soul (enawendiwin) and not by blood (Bohaker, 2006, p. 38; Sinclair, 2013, p. i). The odoodem peoples recognized various functions performed by groups having specific odoode-man. For example, the Moozwaanowe (Moose-tail) had the responsibility for scouting, hunting, and gathering; the Wawaazisii (the Bullhead) carried the responsibility for teaching and healing; and the Nooke (originally Bear) had the responsibility for defense and healing. The Baswenaazhi (Crane, Hawk, Sparrowhawk) handled communications with outsiders, while the Aan’aawenh (Pintail) had the responsibility for internal

communications. The division of roles by doodem defined and structured all of society.

CANADA’S EARLY ADMISSION TO THE CRIME

The first Prime Minister of Canada, John Alexander McDonald, admitted Canada’s intent to commit a massive crime in 1887 when he said, “The great aim of our legislation has been to do away with the tribal system and assimilate the Indian people in all respects with the other inhabitants of the Dominion as speedily as they are fit to change” (M. Sinclair, Littlechild, & Wilson, 2015). McDonald’s pronouncement affirmed the commitment of his government to “the extinction of the culture” practiced by McDonald and his government clearly committed to the destruction of native cultures and their replacement with his own European-based culture. By historic and modern definitions, this statement is an admission to Canada’s genocidal intentions toward the original peoples of the land. Not until 2012 did the Canadian government begin to change at least the stated policy by amending their Indian Act.¹⁰

Ten years after McDonald’s call for “doing away with the tribal systems” and assimilating native peoples into Canadian life, the government—in conjunction with religious institutions—established Canada’s Indian Residential School System. This very specific system was created to separate native children from their families and to reduce or weaken family ties and cultural linkages while indoctrinating the young native people to become “Canadians” (TRC, 2015a).

The Canadian government made an agreement with 86,000 native peoples in Canada who had been at some point enrolled in the Canadian residential school system that operated between 1879 and 1996. In 2001, after a large number of legal claims filed by former

¹⁰ Canada’s reluctance to change was evidenced in 2007 when it rejected the UN Declaration on the Rights of Indigenous Peoples and later in 2014 declined to approve the UN Action Plan to implement the UN Declaration.



SOURCE: PROVINCIAL ARCHIVES OF ALBERTA

Cree and Métis Men Performing the Pipe Ceremony – Waterhen River, Northern Saskatchewan¹¹

residential school students against the Government of Canada, the government authorized the Office of Indian Residential Schools Resolution Canada—created to resolve the claims. As a result of the largest class action lawsuit in the short history of Canada, the government established the Indian Residential Schools Settlement Agreement (IRSSA) to establish a \$2 billion (CAD) compensation fund resulting in an average payment to compensate complainants at \$28,000 (CAD) each. A \$990 million (CAD) fund was subsequently established to serve as a settlement fund paying individuals claiming sexual abuses, serious physical abuses, and other wrongful acts.

In the end, more than \$1.7 billion (CAD) was eventually paid out in settlements by 2012. The IRSSA allocated \$60 million (CAD) to establish the Truth and Reconciliation Commission that concluded:

For over a century, the central goals of Canada's Aboriginal policy were to eliminate Aboriginal governments; ignore Aboriginal rights; terminate the Treaties; and, through a process of assimila-

tion, cause Aboriginal peoples to cease to exist as distinct legal, social, cultural, religious, and racial entities in Canada

(M. Sinclair, Littlechild, & Wilson, 2015, [Preface]).

The Truth and Reconciliation Commission's multi-volume report¹¹ took special cognizance of the reality that the legalisms established by Canada's Indian Act¹² defined individuals of European/native heritage as "non-status Indians," "half-breeds," or "Métis." As non-status human beings, Canada essentially cast

¹¹ The volumes, data and documentation in support of the Truth and Reconciliation Commission of Canada is now housed at the National Center for Truth and Reconciliation at the University of Manitoba under the direction of Ry Moran. It is located at Chancellor's Hall, 177 Dysart Road. University of Manitoba, Winnipeg, MB R3T2N2. <http://nctr.ca/reports.php>

¹² Adopted in 1876 by Canada's Parliament, the Indian Act established the terms of reference for Canada's relations with "aboriginal" peoples. The Act essentially installed in Canadian law controls over the life, property, society, systems of governance, education, health, and land tenure of aboriginal peoples in addition to defining who is and who is not an aboriginal person.

persons of dubious identity (since many chose not to “register” with the Canadian government) as “Indians” under its laws. If young Métis received an education it was offered reluctantly by local and provincial school systems, and to some extent the federal residential schools allowed entry, but most often religious denominations (Anglican, Catholic) took them in to their classes. When Métis children were enrolled in residential schools they did not receive the same benefits as other students.¹³

Some of the most devastating effects of the experiences in residential schools on Métis children was the separation from their families, education focused on religion and performing work, harsh discipline, and being subjected to sexual and physical abuse (TRC, 2015b p. 45). In other words, while “status Indians” were treated abominably in the residential school system, Métis children suffered from additional traumas. In the end, the Truth and Reconciliation Commission concluded that Métis victimized by the Canadian residential school system should be able to have their “legal issues determined expeditiously on an agreed upon set of facts” allowing “excluded” person from the Settlement Agreement to sign on to receive benefits.

The 400 years of colonial trauma inflicted upon hundreds of thousands of Métis¹⁴—and the reality of state sponsored genocide—cannot be ignored. The testimony born out in the Truth and Reconciliation Commission’s reports and the experiences of the doodem people sharply point to a remedy that goes beyond cash payments and establishment of a memorial of the harsh experiences suffered over 20 generations. Colonization was the first crime, the first stage of the genocide followed by the psychological,

emotional, physical, and cultural destruction of whole societies in North America. The story of “mixed” people in Canada still calls for sanction and remedy. Canada has defined its restitution aimed at “individuals,” but the crime has been committed against whole societies of nindoodemag. This “collective” harm to culture and society remains an open question.

GENOCIDE AND CULTURCIDE: RESTITUTION OR SANCTIONS?

The Government of Canada and its predecessors (governments of France and England) are active participants and complicit in what Raphaël Lemkin described as “genocide.” From the beginning of their peoples landing on the eastern shores of North America the colonization of First Nations has continued for more than 400 years. There can be no “statute of limitation” on the commission of such a crime since the destruction of peoples in whole, or part, is—and has long been recognized as—a crime against humanity that requires restoration and sanction. However, there are serious obstacles to obtaining clarity and settlement to the crimes committed.

Neither the Convention on the Prevention and Punishment of the Crime of Genocide (UNGA, 1948) or the Rome Statue (Rome Diplomatic Conference, 2002) that created the International Criminal Court (ICC) recognizes colonization as an act of genocide. Both of the notable enactments internationally fail to address colonization as an initial step of genocide and “continuing crimes” committed over expanses of time. Neither of these statutes recognizes the destruction or intentional harm to a culture as resulted for Métis when non-doodem European men produced non-doodem children with native women. Colonization and the aftermath produced non-doodem children, undermining whole societies as well as violence against communities and destruction of sacred places. The standards for genocide do not countenance the violence of colonization as a crime against humanity though such criminal acts

¹³ According to the Truth and Reconciliation Commission Métis students when leaving the school in 1913 were not given “a rifle, ammunition, traps, and twine for the boys and sewing kits for the girls.” (TRC, 2015 b)

¹⁴ The Canadian census in 2011 placed the number of Métis in the population at 451,795.

and continue after hundreds of years. The Rome Statue specifically states that the jurisdiction of the ICC only applies after the Rome Statue came into force (Nissel, 2004). Any individual and mass violence after colonization may be considered genocide, post 1948 and 2002. Specifically, it refers to these acts:

Killing members of the group;

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

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

Imposing measures intended to prevent births within the group;

Forcibly transferring children of the group to another group

(Rome Diplomatic Conference, 2002, Article 6; UNGA, 1948, Article II).

Given these limitations, all of the genocides committed by states and kingdoms invading peoples and forcing cultural, social, economic, and political harm leaves colonized peoples against their will without a means for judgment by a competent court of law. By means of the 1948 Convention and the 2002 Statue, “genocide” became a subject of law and the exclusive jurisdiction of modern states (Docker, 2010). These international agreements do not consider the more than 5000 indigenous peoples in the world as legitimate parties with jurisdiction over the crimes of genocide. This clearly allows the perpetrators of a state who committed genocide to avoid culpability since they and their institutions are considered the sole arbiters to determine guilt or innocence of the crime of genocide.

Long before the term “genocide” came into the lexicon of legal and human rights practitioners, as well as international institutions, the Polish-Jewish jurist Raphaël Lemkin (1900-1959), wrote in his book, *Axis Rule in Occupied Europe*:

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, 1944).

Lemkin is widely acclaimed as the originator of the concept of genocide and served as an advisor to the UN as it developed the 1948 Convention. Before the Jewish Holocaust of the 1930s and 1940s, Lemkin was concerned with the destruction of human societies in whole or in part as a direct consequence of the first act or crime: colonialism. In other words, according to the originator of the word genocide, mass killing or destruction by other violent means is not intrinsic to the commission of genocide (McDonnell & Moses, 2005). Genocide in its original definition by Lemkin means the act of colonization is the first act of genocide that can be followed by mass killing, killing individual members of a group, inflicting conditions on a group calculated to bring about their physical destruction in whole or in part, and other conditions.

As McDonnell and Moses (2005) explain in great detail, Lemkin had early in his career engaged in a multidisciplinary investigation of the long history of colonization’s occurrences from ancient times to the present. He exhaustively researched the “organic concept of multiple influences and consequences” (Lemkin, n.d.), investigating cases of colonial occupation including the German occupation of African nations; the Belgian occupation of the Congolese; and French, Spanish, English, Dutch, and Russian colonization of America’s original peoples including the Aleutes, Tlingit, Incas, Aztecs, Mayas, and peoples in North America. Lemkin went on to investigate the English colonization of New Zealand and Tasmania; occupations of southwest Africa by the Dutch; Turkish/Kurdish occupations of Greeks and Armenians; the occupations

of early Christians; Jews of the Middle Ages; and Tsarist Russia. Colonialism, Lemkin argued, is “an integral part of the world history of genocide” (McDonnell & Moses, 2005, p. 502). It is of the greatest ironies that Raphaël Lemkin—the originator of the idea of genocide—was inspired by European colonization of the Americas and colonization elsewhere in the world and Adolph Hitler’s Holocaust was inspired by the United States 19th century reservation policies toward American Indians.

Lemkin identified six forms of cultural genocide:

destruction of leadership,
forced conversion
prohibition of cultural activities
destruction of religious and cultural symbols
destruction of cultural centers, and
looting
 (McDonnell & Moses, 2005, p. 507).

All of these forms of cultural genocide recognize the crimes committed against the Métis and, by extension, virtually every other distinct people colonized over generations. When can it be said that the crime of genocide has been committed against indigenous peoples? Can the crime have been committed before the United Nations General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide in 1948 that came into force in 1951? Can those harmed by cultural genocide adjudicate and sanction guilty parties to the crime of genocide? This last question calls for an answer and must be tested.

It may be that only the peoples against whom genocide has been committed can establish and execute laws to prevent and punish cultural genocide—the original basis for genocide. The Métis example—where the fundamental social and cultural identity of peoples is destroyed through the initial act of colonization and then the aftermath of displacement and violence—must be recognized as not only genocide, but conspiracy to commit genocide, incitement to commit geno-

cide, the attempt to commit genocide, and complicity in genocide that are sanctioned by the international community as crimes against humanity. Preventing events of genocide is left to the enactment of international statutes and declaration as well as institutions such as the International Criminal Court created in 2002 under the Roman Statute. Clearly these modes of prevention have neither prevented nor deterred acts of genocide by states or unauthorized actors. It appears that new international law sponsored by colonized and free indigenous peoples must now be authored and implemented to restore the Métis and other colonized peoples and that affirms the meaning of justice. n

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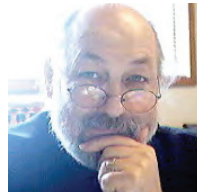
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