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THE IDEA OF A
Human Rights Museum

EDITED BY KAREN BUSBY, ADAM MULLER, AND ANDREW WOOLFORD

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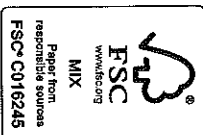
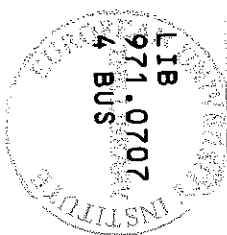
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PROTECTING HUMAN RIGHTS AND PREVENTING GENOCIDE: THE CANADIAN MUSEUM FOR HUMAN RIGHTS AND THE WILL TO INTERVENE

CHAPTER 2

A. Dirk Moses

The Canadian Museum for Human Rights (CMHR) has stimulated controversy and extensive debate since it was first proposed a decade ago, but only recently has a nuanced discussion of its origins and development taken place. Hitherto, its contested foundation was ascribed to stock characters scripted into standard plots and framed by familiar literary genres: a creation myth revolving around the Asper family's epic struggle to establish a world-class institution in the teeth of fierce, even anti-Semitic, opposition;¹ a disaster story about the imposition on an unwilling public of a crypto-Holocaust museum at taxpayers' expense;² or a parable about the regrettable yet predictable ethno-political consequences of a fatally flawed project.³ Whatever the reading, the drama was anchored by its actors' intentions, even though any complex social and political conjuncture cannot be ascribed solely to their conscious acts of will. Despite the fact that any drama is staged in a particular theatre, it is witnessed in multiple locations and rendered significant by diverse contexts not necessarily known to or controlled by its participants, whose own motivations are similarly informed by intersecting discourses.⁴ The explicit point of contention in discussions of the CMHR is patent: the commemorative effect of privileging

Holocaust memory. Less obvious are questions about the museum's present and future. What is the point of the CMHR? What purpose should it serve now and in the future? Closer inspection of these questions sheds light on the underlying issues animating museum-related debate.

The CMHR's website gives some clues about these underlying issues. The museum "is envisioned as a ... centre of learning where Canadians and people from around the world can engage in discussion and commit to taking action against hate and oppression." Its purpose, following the Museum Act, "is to explore the subject of human rights, with special but not exclusive reference to Canada, in order to enhance the public's understanding of human rights, to promote respect for others and to encourage reflection and dialogue."⁵ Time and again, the museum's senior staff have responded to complaints from ethnic community leaders about perceived commemorative biases by insisting that theirs is not a backward-looking genocide museum but a future-oriented "ideas museum." As such, the CMHR proposes to take visitors on a "journey ... about learning, empowerment, and action. We will shine light in dark corners; amplify the voices of those who have been silenced, and encourage people to take a stand for human rights."⁶ The museum has a mandate not only to educate Canadians but also to elevate their moral lives.

In keeping with this agenda, the CMHR also participates in the broader Western discourse about genocide prevention. For example, in early 2013, it co-sponsored a conference on Prevention of Mass Atrocities at which Clint Curle, its head of stakeholder relations, delivered a paper.⁷ The conference's list of distinguished participants indicated the thickness of this discourse in Canada. They included, among diplomats and NGO representatives, members of the Will to Intervene Project of the Montreal Institute for Genocide and Human Rights Studies at Concordia University. Launched in 2007 with local human rights warrior-hero General Roméo Dallaire as a senior fellow, the institute strives to realize the Responsibility to Protect (R2P) agenda by "mobilizing the will to intervene," the title of its modestly described "ground-breaking 2009 policy report."⁸ Consistent with the Canadian spirit of the agenda, R2P stems from a Canadian-initiated ad hoc International Commission on Intervention and State Sovereignty that in 2001 issued a report that led to extensive debates about, and innovations in, humanitarian intervention within the UN system.⁹

In stimulating such developments, the Canadian government was building on deeply held views of the nation's human rights culture. For decades, Canadians have prided themselves on their unique historical

commitment to the articulation and defence of human rights. Never forgotten is John Humphrey, the Canadian diplomat who authored the first draft of the UN Declaration on Human Rights and led the Human Rights Division of the United Nations,¹⁰ or that the country pioneered human rights protections for its citizens, an achievement propelled by the imperative to negotiate individual and group rights between the majority anglophone and minority francophone and Indigenous populations.¹¹ Perceiving the cultural norm, some Canadians style themselves as “human rights activists,” thereby acquiring an aura of dissent while working as well-heeled lawyers close to the establishment. This high-minded commitment extends to all social and institutional strata. According to Rhoda E. Howard-Hassmann, the Canada Research Chair in International Human Rights at Wilfrid Laurier University, civic leaders embody a distinctive human rights culture: they are “compassionate Canadians.”¹² Consequently, because Canada is a global “human rights leader,” its citizens ask whether their government will “live up to its responsibility to protect?”¹³

As always with such national self-images, reality seldom reflects the ideal. In 2012, for instance, Canada was sharply criticized by the United Nations, Amnesty International, and Human Rights Watch for multiple failings with respect to Indigenous peoples, refugees, and the environment. In response, a government spokesman impatiently dismissed their reports and appealed to the idealized collective self-image: “we are proud of the work we’ve done to advance freedom, democracy, human rights and the rule of law at home and around the world.”¹⁴ The evidence suggests that in Canada, as elsewhere, economic interests trump human rights norms when they clash. The Canadian government’s interest in R2P stemmed in part from its 1999 investigation of the involvement of a Canadian energy company in Sudan, where forced population relocations to secure oil fields were alleged.¹⁵ This scruple did not stop Canada from signing a trade agreement with China in 2012 that could prejudice Indigenous interests in areas where Chinese capital is invested, especially in the Alberta tar sands.¹⁶ Worse still, the Canadian government has spent millions fighting Indigenous legal action over discriminatory federal funding of Aboriginal children on reserves.¹⁷

These and other derogations from human rights ideals are more than blemishes on an otherwise spotless record. They point to a tension within the R2P doctrine itself, namely that the Western states that invoke it to justify military intervention in other countries in the name of morality either gained their dominant positions in the international system through centuries of colonialism or themselves are the children of such empires, like

Canada and Australia. Either way, Western states must deny this violence and symbolically repeat it in order to maintain their dominance.¹⁸ All of these states are predicated on settler-colonial genocides: the large-scale elimination of Indigenous peoples and seizure of their lands.¹⁹ Consequently, admitting this violent and exploitative past and the structural imperatives that persist in any settler colony—namely, the “logic of elimination” that breaks up Indigenous collectivities so that settler societies can replace them—remains a considerable conceptual and emotional challenge.²⁰

The CMHR reflects this conceptual blockage in its exhibits—as it must as a state institution. Preventing the truth that dare not speak its name is the museum’s unstated, ineluctable purpose. For all the horrors perpetrated in the past, the museum incarnates the liberal subjectivity of the remediating individual who will make a better future. To undertake this future work, the individual in question cannot be a structurally flawed subject with recidivist tendencies regarding Indigenous peoples. Accordingly, the museum posits a whiggish narrative of Canadian and global human rights improvement while simultaneously displacing the genocide question onto other parts of the world, even though Canada’s Truth and Reconciliation Commission on the residential school abuse of Indigenous children is considering it.²¹

The CMHR needs to cover genocides that occurred beyond Canadian borders for another reason, notwithstanding official denials that genocide remembrance falls within the museum’s remit. Not only for the sake of human rights in Canada did its head of stakeholder relations visit Armenia in the company of Zoryan Institute leaders to establish links with the Armenian Genocide Museum in Yerevan and give assurances that the CMHR would not bow to Turkish denial of the genocide.²² Given Canada’s migration history and official multiculturalism, the domestic imperative for genocide commemoration is a political and financial issue because important electoral constituencies need to be placated and essential private donations secured. How this pressure affects the museum’s exhibits is the contentious issue. Just as these constituencies—“stakeholders” in the museum’s parlance—insist that their particular historical trauma should be chosen as the paradigmatic genocide or human rights violation, so too they posit particular prevention agendas: never again should their group’s distinctive mistreatment, exile, internment, or attempted destruction be repeated.

Beyond shared banalities about toleration and anti-discrimination characteristic of multiculturalist protocols, these agendas differ in subtle but significant ways. What is the evil to be prevented by mobilizing the will

to intervene? The answer depends on whom you ask. To proponents of the museum's Holocaust gallery, anti-Semitism is the burning question of our time and demands commensurate priority.²³ For Ukrainian Canadians, communist oppression and Russian aggression are the pressing issues, while Armenians think that the Turkish negation of their genocidal experience is the ongoing scandal.²⁴ It is the uncertain future, just as much as the troubled past, about which these groups argue. Needless to say, though, any projection into the future necessarily requires the past for lessons and orientation; even a forward-looking ideas museum cannot cut itself off from historical continuities because, as already noted, it institutionalizes a progressive narrative. What, then, comprises the archive that will shape the will to intervene at the CMHR?

The evidence suggests an ad hoc eclecticism driven by domestic pressures rather than a systematic and coherent vision for the museum—hence the public controversy. It is all too easy for community leaders and others to pick holes in museum management's justificatory statements. In what follows, I briefly reconstruct how the CMHR became the site at which the contrapuntal social pressures exerted by compassionate Canadians were negotiated to produce a flawed compromise and an incoherent message that has subsequently satisfied few of those concerned about the museum's capacity to contribute to the promotion of human rights. Setting sail with a lofty vision, the museum's legitimacy is foundering on the shoals of forces summoned into existence by its ham-fisted combination of hubris and naïveté.

FALSE STARTS

The origins of this tragic drama can be found in various places, among them the desire of organized Canadian Jewry to promote Holocaust memory after the disappointing outcome of war crimes prosecutions against Ukrainian veteran migrants in the 1980s and the feeling that other Canadians callously ignored Jewish suffering. Also a factor was the equally intense Ukrainian Canadian sense of social abjection in light of First World War internment experiences, the subsequent forgetting of Stalin's crimes against Ukrainians, and the perceived Jewish attempt to prosecute Ukrainian veteran migrants for war crimes. For Jewish and Ukrainian Canadians, the country needed to atone for these and other sins of commission and omission; memory was also to perform the redemptive task of ensuring that never again would this persecution and forgetting recur.

For Jewish groups, gaining public recognition of the Holocaust became an extension of the extant tradition of the Anti-Defamation League's combating anti-Semitism by opposing racism and bigotry generally. Including the Holocaust in the mandate was straightforward because it was understood as "the ultimate expression of antisemitism," itself "the longest hatred"; the Holocaust became coded as the ultimate hate crime.²⁵ Accordingly, the lesson to draw was toleration, famously embodied in the Museum of Tolerance of the Simon Wiesenthal Center in Los Angeles. For such institutions, the universal and the particular harmonized foremost in the protection of Jews as the universal victims: if Jews were endangered, then everyone else was as well, meaning that they also became steadfast Zionists, as the mission of the Simon Wiesenthal Center and statements of Canadian Jewish leaders indicate.²⁶

By the 1990s, Jewish Canadian community leaders were looking to emulate Holocaust commemoration in other countries, such as the Holocaust Memorial Museum in Washington, DC, and the popular Holocaust exhibition in London's Imperial War Museum. A successful campaign of advocacy had Canadian provinces institute a Holocaust Memorial Day, making it relevant for all Canadians by drawing human rights lessons through memory. Thus, the Manitoba legislation of 2000 states that it "is an opportune day to reflect on and educate about the enduring lessons of the Holocaust and to reaffirm a commitment to uphold human rights and to value the diversity and multiculturalism of Manitoban society."²⁷ In many ways, this initiative reflected the agenda of the League for Human Rights of B'nai B'rith and its representative, David Matas, who, along with Liberal Party politician and fellow attorney Irwin Cotler, led the effort to prosecute Ukrainian Canadian migrant veterans.²⁸ Matas's 1992 article "Remembering the Holocaust Can Prevent Future Genocides" extolled the league's Holocaust and Hope program, which later became part of a teachers' guide for Holocaust Memorial Day.²⁹

In contrast, an unsuccessful campaign between 1996 and 1998 aimed to have a Holocaust gallery included in a reformed Canadian War Museum. Museum officials looked to Jewish and Dutch veterans as fundraising sources, and again the link was made to a wider agenda: the Holocaust gallery could address "intolerance, prejudice and the dehumanizing of other ethnic groups which lie behind not only past wars but current issues such as 'ethnic cleansing' in Yugoslavia, Rwandan atrocities, and many other problems which Canadian peacekeepers are called on to address."³⁰ Jewish leaders weighed in with the atonement message: Historian and past

president of the Canadian Jewish Congress (CJC) Irving Abella, who had written about the Canadian government's shunning of Jewish refugees in the Second World War, wanted to include the "whole dirty story."³¹ For their part, veterans bitterly opposed the notion because the projected gallery—which would be by far the largest—might detract from their own stories. In 1998, a parliamentary commission also rejected the idea but mooted the possibility of an independent Holocaust museum.³² Subsequent efforts to have the government establish a Holocaust memorial, exhibit, or museum in the national capital, Ottawa, did not yield the desired results either; in 2000, another parliamentary committee decided against such a proposition after public hearings during which other Canadian groups, including the Canadians for a Genocide Museum (CGM) coalition led by attorney James Kafeh, pushed for a broadly conceived museum about genocide or crimes against humanity. "It's not fair for any community to be reduced to being a footnote in somebody else's museum," he said.³³

THE DEALS ARE CUT

By all accounts, the Winnipeg-based media tycoon Israel Asper was shocked by the fierce opposition to the war museum's mooted Holocaust gallery.³⁴ Accordingly, in 1997 he established a Human Rights and Holocaust Studies Program in Winnipeg in the now familiar mode of promoting toleration by using the Holocaust to illuminate rights violations generally.³⁵ As Lyle Smordin, the past president of B'nai B'rith Canada put it, including other cases of intolerance was "a perfect complement. It shows by example that horrific events in history, even to some smaller degree, get repeated again." The advantage of this approach lay in the possibility of building a broad social constituency and donor base by involving other Canadians, such as Japanese Canadians who had been interned during the Second World War.³⁶ The key group to appease was the main Ukrainian Canadian organization, the Ukrainian Canadian Congress (UCC), which purported to represent the one million Canadians of Ukrainian descent.³⁷

Asper's deputy, Moe Levy, brokered the deal, promising the UCC, in a letter in 2003, that the Asper Foundation proposal was for "an all-inclusive Canadian genocide museum" that would house exhibits on many human rights abuses, including those perpetrated by Canadian governments. Levy's letter continued: "As you are aware, the CMHR goes well beyond a genocide museum. The CMHR's objective is to recognize and celebrate human rights as the foundation for human equality, dignity and freedom." The sweetener was the promise that the "Ukrainian Famine/Genocide" of

1932-33 would feature "very clearly, distinctly, and permanently," as would the internment of Ukrainians in the First World War. In return, Levy requested a letter of support to include in the media package.³⁸

The UCC was grateful that the Ukrainian story would finally be told in what they understood to be a separate Ukrainian gallery. "The museum will be the first place in the world where the famine will be given attention," exulted the UCC's executive director, Ostep Skrypnyk.³⁹ Having secured its goal, the UCC left the CGM coalition, more attracted to the projected museum's memorial function than to its human rights agenda. The Armenian Canadian leadership likewise regarded the Asper proposal in these terms and remained ambivalent about the CGM. On the whole, the Armenian leaders tried to have it both ways, cleaving to a traditional alliance with Jewish community groups while pleading for the genocide concept to include their experience.⁴⁰

Reflecting on this moment in 2013, and particularly on Levy's letter, federal heritage minister James Moore observed that "there were a lot of pitches that were made to a lot of Canadians based on specific atrocities or based on ethnicities that you'll get your square footage if you can help us out with 20 or 50 grand from the people that you know." Indeed, Levy was encouraging ethnic communities to tell their stories and raise money as part of the pitch that Asper's foundation had accumulated sufficient community backing and funds to warrant government support. "We believe the people who pay should have a say in how it is run," he said in 2003.⁴¹ Moore criticized the practice as "ultimately destructive of the entire enterprise because that's not how institutions should decide their mandate, based on auctioning of square footage."⁴²

Another symbolically significant stakeholder was the Indigenous community: First Nations, Métis, and Inuit peoples whose suffering entered the public domain in the 1990s. By the time that Asper was lobbying for his museum after 2000, Indigenous issues had become politically significant, with lawsuits against the state forcing negotiations that culminated in the Indian Residential Schools Settlement Agreement of 2006, which provided for a compensation process, support measures, commemorative activities, and establishment of the Truth and Reconciliation Commission.⁴³ Asper was reportedly sympathetic to Indigenous issues, though an Indigenous dimension was not part of the original museum blueprint. Relations between Indigenous leaders and the Jewish community could have been strained after David Ahbenakew, a former chief of the Assembly of First Nations, made anti-Semitic remarks at an Indigenous gathering in 2002, but

prompt criticism by other leaders opened the door for high-level contacts. Sensing a mutually beneficial arrangement, Asper successfully applied for Department of Heritage money—some \$25,000—to hire the national chief of the Assembly of First Nations, Phil Fontaine, to generate Indigenous support for the museum and offer advice about Indigenous content. By all accounts, Fontaine performed well in this role, convincing other Aboriginal leaders to write supportive letters to the prime minister.⁴⁴

The new Indigenous-Jewish relationship, at least at the leadership level, soon deepened. Fontaine addressed CIC events, and the CIC national president addressed the Assembly of First Nations in 2005, agreeing on an anti-racism agenda. “By working together with allies like the Canadian Jewish Congress, we present an ever more formidable defence against those who would cause us harm due to malignant racism,” said Fontaine. “Our organizations have much in common. We are both dedicated to the preservation of our languages, our cultures and to the development of a national community which celebrates diversity and seeks justice for our people.” For their part, Jewish leaders pledged support for Indigenous causes that they admitted had not been high on their agenda in the past. CIC head Ed Morgan went so far as to say that First Nations and Jews shared the “full gamut of discrimination from jokes to genocide.”⁴⁵ This was the only time that the genocide link was made by a Jewish communal leader. The CMHR had secured Indigenous support by promising substantial attention to Indigenous issues at the expense of the genocide question. Anti-racism was promoted over anti-colonialism. Fontaine was rewarded for his collaboration and criticism of Ahenakew as the CIC supported his campaign for a government apology for the residential school policy.⁴⁶

Yet another stakeholder was the Jewish community, which had sought an official government Holocaust museum or gallery since the 1990s. That the CMHR should fulfill this dream was made clear by the Asper Foundation press announcement of the project in 2003:

You may ask why there is a focus on the Holocaust in the Consequences Gallery. The Holocaust represents a singular, unprecedented event in human history. Though other systematic mass murders of specific groups in the multi-millions represented great evil, many scholars around the world are of the opinion that the Holocaust is unique in its breadth and depth. It is the first and only time in history that

an entire people across the planet (referred to by the Nazis as “world Jewry”) were openly targeted for annihilation for the sole purpose of their religion by a democratically elected modern government of one of the most advanced, cultured, and intellectual countries in the world. Almost two thirds of European Jewry, one third of world Jewry, were murdered because of government-sanctioned prejudice based on ignorance, fear and misunderstanding. European Jewish civilization was effectively wiped off the face of the planet.⁴⁷

This was the common-sense understanding of Holocaust memory for Canadian Jews: as a warning against the consequences of anti-Semitism. In other Asper Foundation formulations, remembering the Holocaust was also a means of preventing genocide generally. Similar statements were made over the years to reassure Jewish donors that the Holocaust would not be diluted in the general human rights story in the CMHR.⁴⁸

THE DEAL

The museum remained a private initiative with some government funding until 2008, when it was formally taken over by the federal government. Its construction commenced the next year along with detailed consideration of its contents. This nationalization presented the Asper project—now led by Israel’s daughter Gail after his death in 2003—with a dilemma: although less of a financial burden, how could content control be retained, especially regarding the Holocaust gallery’s centrality?⁴⁹ The intrigues that transpired between 2006 and 2009 are difficult to untangle based on the public record. Parallel processes seem to have been working contrapuntally. In the first place, the nationalization process required specific, transparent procedures. Thus, in late 2007, the government appointed an advisory committee to report a year later, *inter alia*, on “the scope and content” of the museum. The *Report to the Minister of Canadian Heritage on the Canadian Museum for Human Rights*, as it was called, has long been forgotten but reveals significant concerns. Its fifth recommendation was that “members of the CAC [Content Advisory Committee] should be chosen to play the role of advisors rather than advocates for special interest groups,” a stipulation forced by the realization of “widespread concern identified through consultations with Canadians that the CMHR could be unduly influenced by political activities or special interest groups, in a manner that could affect the integrity and balance of its public offerings.”⁵⁰ Its seventeenth

recommendation focused on the “Aboriginal people in Canada,” whose experience “is a notable exception to Canada’s achievements as a champion of human rights.” The report recommended that “this real and perceived paradox must be addressed openly and forthrightly. It is also important to note that Aboriginal people are neither recent immigrants nor an ethno-cultural group. They are unique in Canada and healing and reconciliation are required.” Its survey of Canadians indicated that only 7 percent favoured a Holocaust focus. Canadians preferred an equal treatment of historical injustice and contemporary issues.⁵¹

These recommendations threatened to overturn the project of linking the Holocaust and human rights. Felicitously for the Aspers, it was the adamantly pro-Israel Conservative Party leader, Stephen Harper, who had agreed to make their museum a national priority in the 2006 national election, during which their family-owned newspaper, the *National Post*, supported his campaign.⁵² Former Liberal prime minister Jean Chrétien—Asper had been a Liberal Party stalwart—also lent support. The stars were aligned. The legislation that converted the Asper-led project into a national museum of the Canadian state was accompanied by the legally non-binding but declarative statement that “[t]he first national museum to be located outside of the National Capital Region, the CMNR is to be built in Winnipeg. It will house the largest museum gallery in Canada devoted to the subject of the Holocaust.”⁵³ Harper was honoured with the CJC’s Saul Hayes Human Rights Award in 2009.⁵⁴

I have not been able to determine how the seventeen members of the CAC were chosen. Its 2010 report states that “[m]any of its members had been part of a previous Human Rights Advisory Committee established in 2005 by the Friends of the Canadian Museum for Human Rights to provide guidance during the planning process of the Museum, or part of its successor, the Friends Content Advisory Committee.” The report notes further that “the initial advisors to the Friends and the exhibition designers Ralph Appelbaum and Associates for the Exhibit Master Plan (2005) were Yude Henteleff, Constance Backhouse, David Matas, Ruth Selwyn and Ken Norman.”⁵⁵ Henteleff, like Matas, a lawyer and Asper confidant, was also a B’nai B’rith leader, serving on its Advisory Board on National Holocaust Task Force Leadership.⁵⁶ These figures, with the exception of Selwyn, “led the story-gathering tour across Canada” on which the report was based, the idea being to have the museum incorporate Canadians’ human rights stories in its exhibition. Lord Cultural Services, involved in the

Asper project “from the early stages,” ran the seventeen-city tour at which public meetings were held.⁵⁷

As might be expected, the report bears a remarkable resemblance to Matas’s views. Those who repeated the Asper Foundation and B’nai B’rith line were accorded disproportionate space in the report. Summaries of the interviews conveniently supported the B’nai B’rith vision and the Asper vision.⁵⁸ No effort was made to conceal Matas’s involvement in the story-gathering process, and no reader would have been surprised to come to the report’s fifteenth recommendation, which simply repeated the gist of his statements and cited two of his papers in the accompanying endnote.⁵⁹

DOUBLE DEALING?

For all that, as Moe Levy said, “it was never ever meant *strictly* to be a Holocaust museum,” indicating the inherent instability of the proposed union of the Holocaust and human rights.⁶⁰ Museum opponents sensed the incoherence from the beginning. For example, already in 2003, the Ukrainian Canadian Civil Liberties Association (UCCCLA), founded in the mid-1980s to campaign against the war crimes prosecutions, declined to follow the UCC’s endorsement of the project, instead sharing the position of the CGM coalition to advocate thematically organized exhibits that did not privilege any group’s memory.⁶¹ Their suspicion about Asper’s intentions did not mean that the museum’s human rights mission was cynical rhetoric concealing its Holocaust essence; the Jewish linking of human rights to communal experiences of persecution is sincere, indeed a venerable tradition stretching back at least a century. Even so, subsequent development of the museum did not inspire confidence that it was essentially a human rights institution either—despite its name.

As might be expected, the UCCCLA and UCC complained bitterly about the CAC report, which ignored Ukrainian Canadian testimony and communist crimes entirely. They launched a relentless public campaign against its recommendations between 2010 and 2012 that mobilized politicians who could point to the state’s official 2008 recognition of the Holodomor as a genocide.⁶² A professional poll commissioned by the Canadians for Genocide Education (CGE, the rebadged CGM) and the UCCCLA found that some 60 percent of respondents preferred a genocide gallery that did not favour any case, echoing the 2008 report overturned two years later by the CAC.⁶³ Buckling under the pressure, the CMNR established connections with the Holodomor museum in Ukraine and gave assurances about the Ukrainian presence in the exhibit.⁶⁴ Lindy Ledohowski, a Ukrainian

Canadian literature academic and daughter of businessman, Ukrainian honorary consul, and museum donor Leo Ledohowski, was invited to join the museum's Board of Trustees.⁶⁵

At the same time, academic consultations undermined the original rationale for the Holocaust's presence in the museum, namely that the United Nations had passed the Universal Declaration of Human Rights in 1948 as a reaction to the Holocaust.⁶⁶ Committed to the Holocaust gallery for political and financial reasons, the museum management came up with an alternative justification: the Holocaust was the most-studied and best-known human rights violation and would therefore make the ideal subject to exemplify the lessons about abuse of state power. Consequently, its contents were amended to include non-Jewish victims of the Nazis and an exhibit on Raphael Lemkin, the Polish Jewish lawyer who coined the genocide concept, which showed how he explained the Holocaust and other genocides.⁶⁷

The Ukrainian campaign and these changes set off alarm bells in the Jewish community. Jewish journalists were soon voicing concerns about the possible threats to the Holocaust gallery.⁶⁸ "We as a community are going to feel extremely resentful if efforts to eliminate a permanent Holocaust Gallery are successful," wrote Rhonda Spivak, editor of the *Winnipeg Jewish Review*.⁶⁹ Catherine Chatterley, a recent (non-Jewish) PhD graduate and founder of the one-person Canadian Institute for the Study of Antisemitism, complained that, "increasingly, today, people and institutions are conflating the Holocaust (or Shoah) with the general brutality of Nazi Germany, misleading the public and students into thinking that the Holocaust included any number of groups who suffered under the Third Reich."⁷⁰ For Chatterley, as for Irwin Cotler, anti-Semitism was a unique ideology that posed a "very real threat" today.⁷¹ It was lamentable, therefore, that universities were replacing Holocaust studies with genocide studies.⁷²

There was no doubting the level of anxiety. "There is a growing inclination toward insensitivity to Jewish concerns, whatever those concerns may be," wrote the editor of the *Jewish Independent* in a leader entitled "Shoah's Uniqueness." Indeed, the present atmosphere reeked of anti-Semitism: "In media and in private conversations, there is a discernible attitude that 'we've heard enough of you,' that the *Holocaust* is just one of many genocides, and your incessant need to differentiate your experience is tiresome, self-absorbed and (perhaps, ultimately, if usually implicitly) 'the very root of the troubles you bring upon yourselves.'"⁷³ A reading suggesting that "the Holocaust is just one of many genocides" was anti-Semitic

because it refused to recognize the objective fact of the Holocaust's uniqueness as the ultimate denouement of anti-Semitism and paradigmatic hate crime. Chatterley chimed in with a similar sentiment: "Whether people like it or not, and regardless of their own personal feelings and collective grievances, the Holocaust is a catastrophic transformative event in western history and it is unique because its antecedents are 2,000 years old and yet still persist today. One cannot say that about the ideologies at work in other genocides."⁷⁴ These statements confuse interpretation and facts and lead to predictable rancour. Thus, when *Winnipeg* literature scholar and museum supporter Adam Muller wrote a balanced article in the *Winnipeg Jewish Review* called "Nazi Genocide Has Multiple Causes, Antisemitism Is Not Single Cause" (itself a response to an article by Chatterley), he was denounced in its pages for the heresy of supposedly doubting that anti-Semitism was the sole historical truth of the Shoah.⁷⁵ "Antisemitism remains a lethal threat to Jewish survival today," wrote one of his critics, local law professor Bryan Schwartz. The SMNR was a player in this cosmic struggle against evil: "When its exhibits address the Holocaust, will it fully and fairly convey the Jewish dimension of the Holocaust? Or will students learn little or nothing of how Nazi antisemitism draws on a long and tragic history of hatred and mistreatment of Jews, how hatred of the Jew was the fundamental and driving cause of the Holocaust, and how antisemitism remains a problem today in most parts of the world, even to a limited but still significant extent in Canada today?" Schwartz concluded by accusing Muller of disrespecting "the memory of the murdered, the feelings of survivors and the cause of seeking and preserving historical truth" by "dowriplaying of the importance of hatred of Jews as the central cause and Jewishness in the experience of the victims."⁷⁶ Muller had done no such thing; he had simply pointed to contemporary Holocaust scholarship that highlighted other contextual factors of the Holocaust, but such nuance was lost on readers concerned with preventing a second Holocaust.

Israel Asper himself led the conflation of factual and interpretive differences when he attacked reporting that suggested the Arab-Israeli conflict "is about territory and Jerusalem and Palestinian statehood and alleged refugees." Never one to mince words, he thought instead that "[h]onest reporting would tell you that it is a war to destroy Israel and kill or expel or subjugate all the Jews."⁷⁷ It is impossible to say what he would have made of the reformed Holocaust gallery had he lived to witness the controversy that his project had caused. Judging by his "strident" Zionism, it is reasonable to suppose that he would have shared the general

alarm about perceived anti-Semitism and dilution of the gallery's Jewish content.⁷⁸

Even more unhappy were Ukrainian Canadians. The museum's memorandum of understanding with the Memorial in Commemoration of Famines' Victims in Kyiv did not convince the uccra. "This is a positive thing, but the bottom line is 'Where is it going to go?'" asked Lubomyr Luciuk. "What's that actually going to mean in terms of square metres and number of exhibits?" As noted above, the uccra argued that a "publicly funded museum should not raise the suffering of one community above all others," meaning that neither should the Holodomor be singled out.⁷⁹ A site inspection by ucc officials in February 2013 led to consternation when they realized that no distinct Ukrainian gallery was envisaged, thereby violating their understanding of Asper-Levy's 2003 commitment. This outcome should have been obvious from an official ninety-two-page CMNR document on the gallery profiles from September 2012 that did not foresee the anticipated Ukrainian gallery. Worse still, a small panel devoted to the Holodomor was adjacent to the public toilets. ucc officials were "shocked to discover how shamefully Ukrainian Canadian and Ukrainian themes are to be presented in this national institution."⁸⁰ Luciuk agreed: "To think that one of the worst crimes against humanity will be put on a light table that may be seldom used is frankly insulting."⁸¹ In effect, their decade of lobbying had come to naught.

In response, the CMNR disputed the claim about the toilet proximity and noted that Ukrainian content features in many of the museum's twelve galleries: "We're not saying, here's the Ukrainian thing, here's the Rwandan thing... It's not like a collection of grievances. Instead we're trying to raise the importance of human rights for everyone, and we're using different examples, so the Ukrainian Canadian stuff is scattered throughout three different galleries."⁸²

Indeed, "Ukrainian Canadian stuff" appears in the Holocaust gallery as one of Lemkin's cases of genocide. Although no doubt the case, these points do not appreciate how dispersing Ukrainian experiences throughout the museum can be experienced as a psychic dispersion, especially when the ucc expectation was of a unified presentation that could function as a site of mourning and public commemoration. ucc president Steve Andrusiak made plain the anxiety when he acknowledged that, while the CMNR might mention the Holodomor, there was no guarantee that it would not do so in the future: "Displays can change, shrink, eventually disappear." In contrast, "a gallery would signal permanence." The gallery

issue had become, effectively, an analogical genocidal anxiety.⁸³ Still, Lindy Ledohowski and Rhonda Hinther, the head of exhibits research at the CMNR and an academic expert on Ukrainian Canadians, had presumably signed off on the exhibits, indicating differences of opinion within migrant communities.⁸⁴ And the Holodomor remains one of the five genocides recognized by the Canadian Parliament and the museum (the Armenian genocide, Holocaust, Holodomor, Rwanda, and Srebrenica massacre in Bosnia), though the status of Guatemala is uncertain since its contested legal recognition as genocide.⁸⁵ What is more, in 2009 Ukrainians and other groups founded Tribute to Liberty to lobby and raise money for a memorial in the national capital to victims of "totalitarian communism," just as over the decades they have erected monuments to Ukrainian heroes and suffering.⁸⁶

There were still other dissatisfied citizens. Palestinian Canadians also voiced concerns about their omission. "Our story is an excellent story to educate Canadians about human rights. How would anyone take that museum seriously if they don't hear the Palestinian story?" asked Rana Abdulla.⁸⁷ In response to media questioning, the museum said that a Palestinian children's art project might be included, deftly depoliticizing the issue.⁸⁸ A prominent museum critic who supported the Palestinian view is James Kafieh, chair of the CGE. The CGE submission to a CMNR round-table discussion in 2009 argued that Indigenous suffering warranted a privileged position because of its intrinsic relationship to Canada: "It is our position that the genocide of Canada's First Nations and Inuit is the only case of genocide that deserves special status in the CMNR as this genocide happened in Canada and is a defining aspect of all that Canada is today. Our prosperity is premised on the resources taken from and then denied to our First Nations and Inuit. In addition, this human rights museum is to be built on their stolen land."⁸⁹ Here was an anti-colonial manifesto that recognized settler colonialism's logic of elimination and challenged the CMNR's liberal anti-racism, suggesting a link between the Palestinian experience of dispossession, occupation, and exile and Indigenous Canadians' experiences. It is no surprise that Kafieh's recommendation to weight the exhibits "towards lesser-known cases of human rights abuses and genocide that have been historically marginalized or neglected" was ignored.⁹⁰ To have taken up the spirit of the CGE submission would have been to connect the dots of material already planned for the museum in a manner inconsistent with its unstated aim. Thus, Lemkin's eight-pronged typology of genocidal policies is exemplified in relation to some cases about which Lemkin

wrote, including the Aboriginal Tasmanians, but not to Canadian First Nations, their logical and natural application in the Winnipeg context. Their experience is not one of the five officially recognized genocides, an exclusion unlikely to change with the fresh evidence of independent investigations that appeared in 2012 and 2013. The notorious residential schools, the subject of the Truth and Reconciliation Commission, were lethal for thousands of First Nations children, who died of disease or disappeared entirely while in government and church care.⁹¹

Adding to the genocide file, research came out in mid-2013 about government experiments on malnourished First Nations children between 1942 and 1952 that Phil Fontaine, Michael Dan, and Bernie Faber called genocidal. “The time has come for Canada to formally recognize a sixth genocide,” they declared, “the genocide of its own aboriginal communities; a genocide that began at the time of first contact and that was still very active in our own lifetimes; a genocide currently in search of a name but no longer in search of historical facts.”⁹² They were ignored.

At the same time, the CMNR’s decision to prevent curators from using the term “settler-colonial genocide” for the Indigenous exhibits created a firestorm of controversy. For the first time, Indigenous leaders publicly raised the genocide question, berating the museum for its presumptuousness. Although museum management said that designating any genocide lay outside its competence and remit—pointing to the five official ones—it added that the exhibit would note that Indigenous people used the term. For their part, Indigenous leaders noticed that this was a choice to interfere with curatorial expertise, for the museum was denoting Cambodia and Guatemala as genocides despite their lack of parliamentary recognition.⁹³ If it was going to take the federal government to recognize past policies as genocidal for the museum to follow, then Indigenous people would be waiting a long time.⁹⁴

CONCLUSION: LEGITIMACY IN QUESTION

The conceptual blockage preventing this recognition lies in the fact that, as a museum spokesperson said in March 2013, “[t]he inclusion of a stand-alone holocaust gallery is a defining feature of the museum” because it is the most studied genocide.⁹⁵ This reasoning falls foul of Avishai Margalit’s injunction about the “dangers of biased silence”: just because something is better remembered does not make it more significant. What is more, he continues, “because they are likely to be better remembered, the atrocities of Europe will come to be perceived as morally more significant than

atrocities elsewhere. As such, they claim false moral superiority.”⁹⁶ Now, it could be argued—as museum defenders have—that centralizing the Holocaust in this way illuminates other genocides and human rights violations. So why is it not happening in this case?

We know that the museum plans for its visitors to feel “proud of Canada’s apology” to Indigenous citizens.⁹⁷ They might have been the occasional victims of government abuse but not settler-colonial genocide, and ultimately toleration will benefit all; it is an achievement about which all can feel pride. Accordingly, in July 2012, museum management decided to replace the planned Peace Forum gallery on contemporary issues with one featuring “more positive Canadian content.”⁹⁸ We also know that a year later curators were forbidden from using the term “genocide” for Indigenous content, and, after calling for the public to come forward with information about the “Sixties Scoop” in which about 20,000 Indigenous children were apprehended for placement in white foster families, the museum unceremoniously downgraded the planned full exhibit on the scandal to a few photographs on a touch-screen display panel.⁹⁹ Not for nothing did many staff leave the museum in 2012 and 2013, feeling “defeated” by executive violation of their autonomy.¹⁰⁰ The Holocaust’s analogical capacity for solidarity, vaunted by David Matas, has not activated the CMNR in the case of Indigenous genocide, even though it accords with Lemkin’s definition and the UN Genocide Convention.¹⁰¹ Instead, the Nazi experience is presented as the paradigmatic human rights abuse with which to understand other such abuses, functioning as a screen memory. Jewish Canadians such as Bernie Faber and Michael Dan who do draw links between the Jewish and First Nations experiences are not backed by the *Canadian Jewish News*, which is more concerned with the size of the Holocaust gallery. Accompanying a group of elders of the Assembly of Manitoba Chiefs on a preview “spirit tour” of the CMNR—in which “any mention of residential schools, forced removal of children, or genocide” was “notably absent”—Dan observed that it “was like being in a room full of Holocaust survivors.”¹⁰² Faber has worked closely with Fontaine to advance the cause of recognition.¹⁰³

The museum’s failure to follow Faber and Dan, still less to internalize what First Nations leaders are saying, has accompanied successive flawed justifications for the Holocaust’s central placement. Clint Curle now argues that Germany and the Holocaust were exemplary because they “bear structural resemblance to modern nation-states today,” which holds “special relevance for countries like Canada”—an argument made by Sheldon

Howard, director of government relations at B'nai B'rith, to a parliamentary committee in 2000.¹⁰⁴ It does not take much reflection to see how this line of reasoning could bring down the house of cards constructed in Winnipeg: To invoke the European state's development over the centuries necessarily entails acknowledging its dependence on military and imperial expansion since the early modern period, an expansion that resulted in the deaths of millions of non-Europeans along with the foundations of states like Canada. European civilization has expanded via genocide.¹⁰⁵

The CMHR's blindness is also a function of human rights language itself. Such language is not well equipped to analyze founding violence, structural inequality, and collective victimization. What Australian historian Tony Barta calls "relations of genocide" lie beyond its field of vision.¹⁰⁶ And that is why Indigenous genocide is incommensurable with the R2P agenda: the states that invented it in the nineteenth century—above all, Britain and France—were the world's prime imperialists and founders of settler colonies that dispossessed and often exterminated Indigenous peoples. Because R2P focuses mainly on Western powers preventing or stopping genocide in other countries in the future, it screens out the violence that it took (and takes) to establish these liberal democracies in the first place.¹⁰⁷

Indigenous Canadian intellectuals understand this point. Robert Falcon Ouellette, program director for the Aboriginal Focus Programs at the University of Manitoba, observes that "Canadians ... believe we go over to other countries in order to stop these genocides from happening." It was difficult for Canadians to contemplate that their country was culpable in this way. "I don't think the Canadian public is ready to hear that message, and I don't think the Canadian government could be promoting that in their own museum."¹⁰⁸ The evidence suggests that he is correct. Consider journalist Larry Krotz's observation that the genocide appellation "is troubling to many, not least because it equates perpetrators such as the Nazis, Stalin and Ottoman Turks with our own Canadian government and its colonial predecessors—ourselves and our ancestors."¹⁰⁹ Fellow journalist Doug Saunders agrees that "many Canadians would be outraged to see their country put in the same column as Nazi Germany."¹¹⁰

The liberal discourse on human rights is in fact predicated historically on the triumph of that liberal state which is the outcome of those colonizing processes. It is no accident that Great Britain, the United States, New Zealand, Australia, and Canada initially opposed the United Nations Declaration on the Rights of Indigenous Peoples in 2007. Great Britain spoke for many when it objected to the "groupism" of the declaration and

foregrounded the individualism of human rights: "The United Kingdom fully supported the provisions in the Declaration which recognized that indigenous individuals were entitled to the full protection of their human rights and fundamental freedoms in international law, on an equal basis to all other individuals. Human rights were universal and equal to all. The United Kingdom did not accept that some groups in society should benefit from human rights that were not available to others."¹¹¹ The inability to recognize settler colonialism's foundational violence and enduring logic of elimination is mirrored in the controversy over the museum's physical foundation. Built at the junction of the Red and Assiniboine Rivers known as The Forks, the museum sits atop what might be Manitoba's richest archaeological site of Indigenous heritage. According to local archaeologists, the CMHR's mitigation and excavation procedures adhered at best to minimal rather than exacting standards and did not sufficiently engage with Indigenous communities. For years now, the museum has not released a major report on this matter. The lack of transparency about the procedures has frustrated experts and community leaders; it is a metaphor for the museum's operations over a decade and for the logic of elimination: one building was erected on the remains of previous communities, just as one society replaced another.¹¹²

What, then, are the prospects for a happy ending to this tale? Federal Minister of Heritage James Moore is on record as telling the museum "many times" that "this museum is *not* going to be—*cannot* be—a source of division in this country; because taxpayers are not going to pump in \$21 million per year to operate this museum if they see it as a perpetual source of division for the people of Winnipeg, the people of Manitoba and the people of Canada."¹¹³ Unanimity is difficult to foresee when the CGE pleads for equality of genocides—excepting the Indigenous one—and thinks that any other outcome is racist; when the UCC complains about the underrepresentation of Ukrainian suffering; and when the CJC and Friends of the CMHR insist that the Holocaust remain at the museum's core and consider it anti-Semitic if it does not. Indigenous leaders threatened to withdraw their million-dollar donation, and, with a straight face, the museum told them that they cannot "buy" the "genocide" label, accurately sensing that most Canadians are behind the museum on this point; these Indigenous expectations have been met with incredulity and resentment by columnists and bloggers.¹¹⁴ Fearing a dilution of the museum's Holocaust focus that he co-conceptualized, David Matas, currently the senior legal counsel for B'nai B'rith, insisted that the museum include the establishment of Israel

in 1948, "since to come to grips with the human rights lessons of the Holocaust means addressing the establishment of the State of Israel"; it became a home for Jewish refugees, while, conveniently, Palestinian refugees were somehow victims of anti-Zionists rather than Israelis.¹¹⁵

The CMHR is too Jewish for some and not Jewish enough for others. Depending on your allegiance, it contains insufficient anti-communism, inadequate anti-anti-Semitism, or too much attention to Indigenous peoples even lacking the "genocide" label. No one is completely happy with the museum's changes over the past number of years. As might be expected, those whose campaigns failed to change the museum's contents protested at the opening ceremony. A journalist noted that "a loud and angry crowd of protesters was already raging against abortion, pipelines, colonialism, pollution, and even the very idea of this unusual museum." Some Indigenous groups, Palestinian Canadians, and others made clear their sense of injustice and exclusion.¹¹⁶ The CMHR is in danger of becoming at once tragedy and farce, eliciting rancour and cynicism instead of the social catharsis and noble idealism envisaged by its founder.

Yet there are also signs that the museum just meets the threshold of satisfaction to appease key stakeholders. During the debates in 2012, Gail Asper reassured Jewish readers that the museum would send the atone-ment message that Irving Abella had urged in 1998 while also reiterating the danger of anti-Semitism.¹¹⁷ A year later Myron Love at the *Canadian Jewish News* sounded a similarly upbeat note, announcing that "Shoah Education [Was] Still Key for [the] Human Rights Museum."¹¹⁸ When questioned by Catherine Chatterley about the new focus, Clint Curle stressed that the Holocaust was being presented as an end itself: "The exhibits are focused on the Holocaust, and allow the visitors themselves to draw the connection to contemporary human rights. As such, the exhibits avoid reducing the Holocaust to a series of human rights lessons."¹¹⁹ And, sure enough, soon after the museum (partially) opened on 19 September 2014, the Asper Foundation announced that it had signed a memorandum of agreement with the CMHR to bring students from all over Canada for its Human Rights and Holocaust Studies Program—as originally envisaged by Lizzy Asper.¹²⁰

For their part, Armenian community leaders, who had "been closely collaborating with the CMHR for over 10 years to ensure that the Armenian Genocide is properly represented in the museum," were delighted by the outcome. As Shahen Mirakian, who attended the opening ceremony for the Armenian National Committee of Canada along with the Armenian

ambassador to Canada, related, "[t]o imagine that there would be a permanent exhibit on the Armenian Genocide in such a unique architectural marvel was truly moving."¹²¹ This was the experience that the UCC and UCCCLA wanted to share; it remains a possibility given that the Breaking the Silence gallery contains a small theatre showing a documentary about the Holocaust.¹²²

Communal advocacy continues as before. Mirakian told a community newspaper that "we would like to see a more prominent role for the Armenian Genocide as a prototype for all the genocides which followed and as an example of the consequences when justice is not served for a genocide. We will work with the CMHR to make sure this happens."¹²³ He is not the only one with such an ambition. As the museum's opening brought to a close another round of the memory wars, waged since the 1990s about the genocide and human rights in Canadian history, it opened a new one. No longer an idea but now bricks and mortar, the CMHR serves as a site for compassionate Canadians to negotiate the meaning of their responsibility to protect.

NOTES

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