Can we decolonize time? Thinking about settlement, justice, and indigenous oral history

A lecture by Jill Stauffer

In recent years courts in Canada and the U.S. have begun to accept the oral histories of indigenous groups as valid evidence rather than dismissing them as hearsay. From the standpoint of a liberal progressive view of history’s unfolding, this seems like a step forward: law expands to be more inclusive and responsive. But a closer view reveals that those making judgments in these cases are rarely able to hear what is being said by indigenous persons telling oral histories in court settings. The worldview, language structure, conception of time passing, and ideas about geography, culture, spirituality and community may differ so radically from those of the dominant culture that, unless judges presiding over settler colonial courts learn enough about what oral histories aim to do and how they do it, they will impose legal injustice. That creates a situation where settler colonial subjects may feel good about progress while indigenous groups and their allies recognize that this is a continuation of a very old plot of assimilation and extermination, made legal and dressed in a cloak of fairness. The aim of the talk will be to look at how settlement gets lived as an unquestioned reality by white settlers, and how different accounts of temporality and of storytelling might open that reality to questioning and to the possibility of radical transformation.

Jill Stauffer is associate professor and director of the concentration in Peace, Justice and Human Rights at Haverford College (just outside Philadelphia, PA, in the U.S.). Her book Ethical Loneliness: The Injustice of Not Being Heard, on the role social abandonment plays in discourses of transition, reconciliation and recovery, was published by Columbia University Press in 2015. Recent published work includes articles on drones, settler colonialism, indigenous land claims, and how international law judges child soldiers. She is currently working on a book on the relationship of time to law and justice.