
CAN SLOW VIOLENCE CONSTITUTE GENOCIDE? COLONIAL LAND DISPOSSESSION AND GROUP DESTRUCTION

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ABSTRACT

This research article examines whether "slow violence" – defined as colonial land dispossession and structural harm – can be considered genocide in international law. Previous to the 1948 Genocide Convention, the emphasis had been on the direct, "spectacular" physical destruction, leaving a large conceptual and legal void surrounding the more gradual harms of colonial actions like forced displacement and the destruction of Indigenous subsistence bases. Based on the original wide definition of genocide by Raphael Lemkin (which also encompassed collective efforts to destroy the cultural, economic and social base of the group life), this paper employs the perspective of settler colonialism as a "structure, not an event" developed by Patrick Wolfe. It also draws on Rob Nixon's idea of "slow violence" to bring to light the "slow" harms that occur over time through environmental destruction and deprivation of resources, and which can be less visible in the dominant legal discourses. The idea that for territorially based groups, ecological degradation is a "social death" is at the core of this analysis, as described by the "genocide-ecocide" nexus. This action is the "missing method" of Lemkin's genocide, one that causes physical destruction of the group through conditions of life, which may come under Article II(c) of the Convention. The theoretical frameworks are used to analyse the present-day situation of the Uighurs in Xinjiang. The paper examines the nature of structural processes, using state-manipulated demographic changes, mass detention, and cultural disintegration as examples. The paper examines the nature of structural processes, as manifested in state-manipulated demographic changes, in mass detention and in cultural dismantling as examples of such. The study highlights, however, a serious gap in the existing jurisprudence, specifically the insuperable doctrinal obstacles encountered in establishing specific intent (*dolus specialis*) in the context of states that define eliminating policies as a matter of national security or development. In the end, the research calls for a broader interpretation of the concept of international law, which extends beyond a materialist and event-oriented approach. The legal framework thus also reflects the qualitative features of structural violence and the systematic deconstruction of the bases of life on which it operates as a lethal mode of group destruction, and thereby

can finally consider the "long emergency" of colonial and state policies that try to destroy marginalised groups silently.

Keywords: Slow Violence, Colonial Land Dispossession, Social Death, Structural Genocide, Dolus Specialis.

INTRODUCTION

Genocide, in simple terms, can be understood as the systematic targeting of a particular group of people with a particular ethnicity, ideology or religious belief. In this particular paper, I'll be talking about how colonial power committed genocide, not only causing massacres but also destroying the livelihood and social foundation and whether such gradual, slow violence constitutes genocide under international law, by bridging the colonial history with the doctrinal analysis.

Using the critical legal theory, settler-colonial theory, and structural violence frameworks, I'll try to understand how colonial oppression constitutes genocide or not. Raphael Lemkin's original conception of genocide had extended beyond immediate physical annihilation to include coordinated attacks on the cultural, economic, and social foundations of group life, thereby offering an interpretive basis for examining colonial land dispossession as a form of group destruction¹. Critical genocide scholars had further argued that the legal codification of genocide in the 1948 Convention narrowed Lemkin's broader vision by excluding cultural genocide, producing doctrinal constraints that privileged rapid mass killing over structural destruction². Building upon Johan Galtung's theory of structural violence, scholars have conceptualised harm embedded in legal and economic systems as capable of producing cumulative, group-destructive effects without overt massacres³. Patrick Wolfe's theory of settler colonialism as a "structure, not an event" had similarly framed land dispossession as an eliminatory logic directed at Indigenous existence itself⁴. More recently, Rob Nixon's articulation of "slow violence" has illuminated temporally dispersed, attritional harms that operated through environmental degradation, displacement, and resource deprivation, thereby challenging law's event-focused bias⁵. Together, these theoretical interventions had

¹RAPHAEL LEMKIN, AXIS RULE IN OCCUPIED EUROPE: LAWS OF OCCUPATION, ANALYSIS OF GOVERNMENT, PROPOSALS FOR REDRESS (Lawbook Exchange, Ltd. 2008).

² Diane Marie Amann, Book Review, *Genocide in International Law: The Crime of Crimes*, by William A. Schabas, 95 AM. J. INT'L L. 739 (2001).

³Johan Galtung, Violence, Peace, and Peace Research, 6 J. PEACE RES. 167 (1969).

⁴Patrick Wolfe, Settler Colonialism and the Elimination of the Native, 8 J. GENOCIDE RES. 387 (2006).

⁵ ROB NIXON, SLOW VIOLENCE AND THE ENVIRONMENTALISM OF THE POOR (Harvard University Press 2011).

significantly influenced contemporary debates on whether colonial land dispossession, when accompanied by demonstrable intent to destroy a protected group, could satisfy the material and mental elements of genocide under international law⁶.

The legal definition of genocide under the Convention on the Prevention and Punishment of the Crime of Genocide has historically focused on acts of immediate and direct destruction, such as mass killings or forced biological elimination, while comparatively less attention has been given to gradual and structural forms of harm inflicted upon targeted groups. This has created a significant conceptual and legal gap in addressing colonial practices such as systematic land dispossession, forced displacement, and the destruction of Indigenous economic and cultural foundations, which often operated through prolonged policies rather than sudden acts of violence. Although international law—limited by the strict requirements of the 1948 Genocide Convention—failed to recognise the concept of "slow violence" characterised that is cumulative and persistent deprivation, it might fit the legal aspect of genocide especially the necessity of intent to destroy a group that is being protected in total or in part. The research was motivated by both the scholarly and political implications of the increasingly recognized colonial atrocities and the need to achieve historical responsibility, and by the need to critically assess whether the existing international legal frameworks effectively reflected the long-term atrocities of creating and destroying groups of people that does not fit into the temporal boundaries of the existing international law

OBJECTIVES:

- To explore the relationship between colonial land dispossession and the emergence of slow violence against Indigenous groups.
- To examine how environmental, economic, and cultural harms contributed to gradual group destruction.
- To analyse the interpretative scope of international genocide law in recognising slow violence.
- To investigate the role of colonial structures in threatening the survival of protected

⁶ Convention on the Prevention and Punishment of the Crime of Genocide, Dec. 9, 1948, 78 U.N.T.S. 277.

groups.

- To develop qualitative indicators for assessing the impact of slow violence and land dispossession on group destruction.

LITERATURE REVIEW

Colonial Land Dispossession: Survival of Indigenous Communities

Settler colonialism is not merely a historical event but a persistent structure defined by the "logic of elimination."⁷ As Patrick Wolfe argues, the primary goal of settler states is to replace Indigenous populations to secure land and resources, a process that inherently necessitates the erasure of Indigenous sovereignty and attachment to territory.⁸ A substantial body of scholarship argues that land dispossession is foundational to settler colonialism and functions as the structural basis for long-term violence against Indigenous populations. Bacon argues that settler colonialism operates as an "eco-social structure" in which Indigenous lands are appropriated for resource extraction and agricultural expansion, producing ecological destruction and systemic inequality for Indigenous peoples.⁹

Likewise, Greaves points out that the security and survival of Indigenous peoples are closely connected with their connection to land.¹⁰ As the work of colonial regimes uproots the Indigenous communities out of their ancestral lands, the disruption extends beyond territorial loss to include social disintegration, cultural erosion, and loss of political autonomy. Greaves emphasises that environmental destruction associated with colonial development projects adds to these evils.

This analysis is furthered in the work by Short on genocide studies which contends that the displacement of Indigenous lands is to be considered as a part of larger genocide and social death frameworks.¹¹ He proposes that land-based livelihoods, subsistence systems, and cultural

⁷Wolfe, *supra* note 4, at 387

⁸ Id

⁹ J. M. Bacon, *Settler Colonialism as Eco-Social Structure and the Production of Colonial Ecological Violence*, 5 ENV'T SOCIOLOGY 59 (2019).

¹⁰Wilfrid Greaves, *Damaging Environments: Land, Settler Colonialism, and Security for Indigenous Peoples*, 9 ENV'T & SOC'Y 107 (2018).

¹¹DAMIEN SHORT, *REDEFINING GENOCIDE: SETTLER COLONIALISM, SOCIAL DEATH AND ECOCIDE* (Zed Books Ltd. 2016).

destruction are a kind of genocide pressure that is slowly making Indigenous people less viable.

Slow violence as a concept can be used to help understand the fact that colonial dispossession generates gradual but disastrous effects on Indigenous communities.. According to Wakeham, settler colonialism is a long emergency that is about gradual violence that unfolds over generations through policies of displacement, assimilation, and environmental exploitation.¹² Whereas spectacular acts of violence are characterized by sudden bursts of violence, in contrast, slow violence operates through cumulative processes that remain largely invisible in dominant narratives.

Makey and Parsons also discuss the encounter between environmental and settler colonialism. illustrating the way in which destruction of the ecosystem and loss of land have created an everlasting impact on Indigenous populations.¹³ The degradation of traditional territories has led to long-term vulnerabilities.

Penados, Gahman, and Smith further show how colonial development projects and racial capitalism reinforce slow violence by facilitating land grabbing and resource extraction without meaningful consultation with Indigenous communities.¹⁴ These processes contribute to the gradual erosion of Indigenous livelihoods and autonomy.

From the above analysis, scholars show how colonial land dispossession has led to temporary violence, but when we look deep inside, this has caused a series of long-term problems for the indigenous people.

A large number of scholars state that the annihilation of Indigenous relations with land constitutes a form of cultural genocide. According to Kingston, the colonial power frequently targeted indigenous cultural and spiritual systems. It explains that colonial policies frequently targeted Indigenous cultural systems, weakening them economically and spiritually.¹⁵ When the Indigenous people are displaced from their territories, the cultural knowledge and

¹²Pauline Wakeham, *The Slow Violence of Settler Colonialism: Genocide, Attrition, and the Long Emergency of Invasion*, 24 J. GENOCIDE RES. 1 (2022).

¹³L. Makey et al., (Un)Heard Voices of Ecosystem Degradation: Stories from the Nexus of Settler-Colonialism and Slow Violence, 14 SUSTAINABILITY 14672 (2022).

¹⁴Filiberto Penados et al., *Land, Race, and (Slow) Violence: Indigenous Resistance to Racial Capitalism and the Coloniality of Development in the Caribbean*, 145 GEOFORUM 1 (2022).

¹⁵ Lindsay Kingston, *The Destruction of Identity: Cultural Genocide and Indigenous Peoples*, 14 J. HUM. RTS. 63 (2015).

traditions, which are incorporated into those sceneries, are threatened with extinction.

Short equally points out that cultural genocide arises when policies are systematically undermined, the institutions and cultures that are required to be delivered by a group to survive.¹⁶ In simple words, the land disposition often leads to the slow, gradual removal of existing indigenous culture into dominant cultural norms or the settlers' cultural norms. Matheson and other researchers also present additional evidence of cultural and psychological effects of colonial land loss which shows how the process of dispossession leads to intergenerational trauma, mental health disparities, and social disruption among Indigenous communities.¹⁷ Their research highlights how cultural genocide is not limited to symbolic loss but has measurable psychosocial consequences.

Therefore, as the literature reveals, land dispossession negatively affects the Indigenous cultural survival because of cutting down the bonds between people, land as well as knowledge regimes.

The other theme of significance in the literature is the connection between land dispossession, environmental destruction, and economic inequality. In their argument, Crook, Short, and South state that The production of capitalist development and the expansion of colonies have always been dependent on the exploitation of Indigenous territories usually lead to ecological destruction and social resources marginalisation.¹⁸

Similarly, Goyes, South and Abaibira demonstrate how colonial and post-colonial development projects in Colombia displaced Indigenous communities and destroyed traditional ecosystems that sustained their livelihoods¹⁹ These processes not only eroded cultural traditions but also forced Indigenous populations into poverty and dependence on external economic systems. Schmidt and Rivas-Aceves further highlight how colonial policies affecting land and food systems have generated long-term crises in Indigenous communities by undermining

¹⁶ Damien Short, Cultural Genocide and Indigenous Peoples: A Sociological Approach, 14 INT'L J. HUM. RTS. 833 (2010).

¹⁷ Kimberly Matheson et al., Canada's Colonial Genocide of Indigenous Peoples: A Review of the Psychosocial and Neurobiological Processes Linking Trauma and Intergenerational Outcomes, 19 INT'L J. ENV'T RES. PUB. HEALTH 6455 (2022).

¹⁸ Martin Crook et al., Ecocide, Genocide, Capitalism and Colonialism: Consequences for Indigenous Peoples and Global Ecosystems Environments, 22 THEORETICAL CRIMINOLOGY 298 (2018)

¹⁹ David R. Goyes et al., Genocide and Ecocide in Four Colombian Indigenous Communities: The Erosion of a Way of Life and Memory, 61 BRIT. J. CRIMINOLOGY 965 (2021).

agricultural traditions and food sovereignty.²⁰ Such policies exemplify how slow violence operates through economic structures that gradually erode Indigenous resilience and self-sufficiency.

Through these studies, scholars show that colonial dispossession simultaneously produces ecological destruction and economic marginalisation, both of which threaten Indigenous survival.

According to Matheson et al. the colonial policies were characterised by the theft of the land, forced displacement, Assimilation has brought about intergenerational trauma that is still experienced by Indigenous. Impacts in the community today.²¹ These effects are observed in the form of high rates of mental health problems. drug abuse, and socio-economic deprivation.

Likewise, Wakeham and Short underline that settler colonialism is a persistent process, not a finished historical project.²² Consequently, dispossession continues across generations, defining the modern tendency of inequality cultural vulnerability.

The original taxonomy by Lemkin considered genocide to be a by coordinated plan to annihilate the “essential Foundation” of group life in physical, biological, economic, cultural, religious and moral dimensions; cultural and economic attacks were capable of crippling a group to death and leading to its “social death”²³. Modern philosophical work elaborates social death as the distinctive harm of genocide: when a comprehensive, hard-to-exit group’s culture and institutions are destroyed, members suffer harms peculiar to genocide even without immediate mass killing.²⁴ This framework conceptually accommodates gradual economic dispossession and cultural attrition as genocidal if they systematically dismantle a group’s social world.

Yet the post-war legal codification sharply narrowed this vision. International courts have repeatedly held that the Genocide Convention is limited to physical or biological destruction, explicitly excluding cultural heritage destruction as an autonomous genocidal act, although

²⁰ S. Schmidt & S. Rivas-Aceves, *Cultivating Crisis: Comparative Cases of Policy Complicity, Slow Violence, and Cultural Genocide*, 28 J. COMP. POL’Y ANALYSIS 206 (2026).

²¹ Matheson et al., *supra* note 17, at 6455.

²² Wakeham, *supra* note 12.

²³ Martin Crook & Damien Short, *Developmentalism and the Genocide-Ecocide Nexus*, in *THE GENOCIDE-ECOCIDE NEXUS* 7 (Martin Crook & Damien Short eds., Routledge 2021).

²⁴ Alexander Dunlap, *The Politics of Ecocide, Genocide and Megaprojects: Interrogating Natural Resource Extraction, Identity and the Normalization of Erasure*, 23 J. GENOCIDE RES. 212 (2021).

such destruction may be evidence of genocidal intent.²⁵

Environmental harms and the genocide–ecocide nexus

Genocide–ecocide scholarship argues that, for indigenous and territorially bound groups, large-scale ecological destruction can amount to group destruction because land and environment are constitutive of culture and survival.²⁶ Environmental devastation generated by agribusiness, extractivism, conservation enclosures and climate governance can create “conditions of life that fundamentally threaten a group’s cultural and/or physical existence”,²⁷ thereby realising Lemkin’s “missing method” of genocide through ecologically induced social death.²⁸

Case-based work on Sudan, Mexico, Germany and Peru shows how state–corporate extraction regimes racially structure access to land, fragment socio-ecological worlds and produce long-term, cumulative harms that scholars describe as “slow industrial genocide” or as constitutively intertwined ecocide–genocide.²⁹ These accounts stretch genocide conceptually to include structural, temporally diffuse processes of environmental and economic dispossession, but mostly at the level of critical sociology rather than positive law.

Doctrinally, recent doctrinal analysis and some national scholarship suggest that severe environmental damage may fall within Article II(c) Genocide Convention (deliberately inflicting conditions of life calculated to bring about physical destruction) where it is intentionally directed at a protected group and aims at its physical elimination.³⁰ This preserves the physical/biological focus while recognising that environmental destruction can be one modality of inflicting lethal conditions.

Economic harms enter the genocide–ecocide nexus through developmentalist and capitalist projects that dispossess groups of subsistence bases and force incorporation into extractive economies.³¹ Authors link “accumulation by dispossession” to long histories of colonial

²⁵Louise Wise, *The Genocide-Ecocide Nexus in Sudan: Violent "Development" and the Racial-Spatial Dynamics of (Neo)Colonial-Capitalist Extraction*, 23 J. GENOCIDE RES. 189 (2021).

²⁶Crook et al., *supra* note 18.

²⁷Rasa Davidavičiūtė, *Cultural Heritage, Genocide, and Normative Agency*, 38 J. APPLIED PHIL. 599 (2021).

²⁸Olha Brynzanska, *Damage to the Environment as a Sign of Genocide*, 29 SCI. J. NAT'L ACAD. INTERNAL AFFS. 42 (2024).

²⁹Crook et al., *supra* note 18.

³⁰Susanne C. Knittel, *Ecologies of Violence: Cultural Memory (Studies) and the Genocide-Ecocide Nexus*, 16 MEMORY STUD. 1563 (2023).

³¹rook & Short, *supra* note 23

violence and argue that economic restructuring of land, labour and resource regimes can be genocidal when it destroys the material conditions for the continuation of a group's way of life.³² Still, international jurisprudence has not yet recognised economic marginalisation or neoliberal restructuring per se as genocidal, absent clear intent to destroy a protected group.

Cultural genocide and heritage destruction

A substantial literature revisits cultural genocide and the destruction of cultural heritage. Historical and doctrinal studies show that cultural genocide was central to Lemkin's original conception and to early drafting debates, but was excised from the final Convention text.³³ Contemporary analyses document how forced assimilation, erasure of language and cultural practices, and heritage destruction threaten the existence of indigenous and minority groups, and argue for taking "cultural genocide" seriously as a descriptive and normative tool even if it lacks formal codification.³⁴

Philosophical work defends treating cultural destruction and heritage destruction as genocidal acts, at least as necessary by-products of genocide and as elements in a jointly sufficient set of genocidal conditions. The harm is grounded in loss of normative agency: culture and heritage are both conditions for, and expressions of, a community's capacity to shape its own values and life plans.³⁵ On this view, systematic cultural destruction can, in principle, be conceptually co-extensive with group destruction, though many jurists resist equating it with killing.

Recent doctrinal surveys argue for an "expansive interpretation" of genocide that re-reads Article II's acts as not limited to direct physical extermination but also encompassing practices (e.g. forced assimilation) that render a collectivity non-viable, while acknowledging that current case law largely maintains a materialist, physical-biological understanding.³⁶

CASE STUDY ANALYSIS: THE UYGHURS IN XINJIANG

Recent genocide research and the law of international relations are gradually becoming aware of the fact that genocide can occur in stages of structural development, and not using an

³² Id

³³ Agnieszka Matulewska & Dariusz J. Gwiazdowicz, In Quest of Genocide Understanding: Multiple Faces of Genocide, 35 INT'L J. SEMIOTICS L. 1425 (2022).

³⁴ Mohammed Abed, Clarifying the Concept of Genocide, 37 METAPHILOSOPHY 308 (2006)

³⁵ Lindsey Kingston, The Destruction of Identity: Cultural Genocide and Indigenous Peoples, 14 J. HUM. RTS. 63 (2015).

³⁶ Wise, supra note 25.

immediate mass killing. Contemporary cases involving the Uyghurs in China's Xinjiang region have generated extensive academic debate regarding whether prolonged discriminatory policies, detention systems, demographic engineering, and cultural repression constitute genocidal acts under the Convention on the Prevention and Punishment of the Crime of Genocide 1948. Scholars argue that this case explains how the policies of the state can produce the structural conditions that gradually destroy a group's capacity to survive. Meanwhile, the legal standard of genocide, which is especially the aspect of particular intent (*dolus specialis*), is a controversial one in identifying the presence of slow types of violence under the law. An emerging literature underlines the fact that structural processes may result in genocidal processes and state measures, which fester out of existence of the particular group. Tobin's analysis of policies targeting the Uyghurs conceptualises genocide as a process of social death, whereby state institutions slowly dismantle the cultural, religious, and demographic structures that sustain a community.³⁷ According to this approach, genocide may occur not only through direct violence but also through state-engineered systems designed to erase collective identity.

Smith Finley also emphasises that the concept of genocide must be understood as a dynamic process, noting that scholars increasingly fear a Uyghur genocide due to policies including mass detention, forced labour, and demographic restructuring.³⁸ These analyses highlight how state policies can generate conditions that progressively threaten the survival of protected groups. In recent years, numerous scholars have argued that China's policies in Xinjiang represent a form of structural violence that may constitute genocide. Smith Finley highlights the establishment of mass detention camps, where Uyghurs and other Muslim minorities have reportedly been subjected to political indoctrination and surveillance.³⁹

In his argument, Tobin claims that the policies of China are a part of a larger policy of changing Uyghur society via cultural assimilation and demographic engineering.⁴⁰ These policies involve limitations on religion practice, destruction of mosques, forced labour programs and massive surveillance systems. Some scholars have also highlighted policies relating to population control, including reports of forced sterilisation and birth prevention measures targeting Uyghur women. These policies have cast doubts on the possibility of violation of

³⁷ David Tobin, *Genocidal Processes: Social Death in Xinjiang*, 45 *ETHNIC & RACIAL STUD.* 93 (2022).

³⁸ Joanne Smith Finley, *Why Scholars and Activists Increasingly Fear a Uyghur Genocide in Xinjiang*, 23 *J. GENOCIDE RES.* 348 (2021).

³⁹ *Id*

⁴⁰ Tobin, *supra* note 37

Article II(d) of the Genocide Convention that forbids action that is aimed at preventing births in a given group.

Application of the Legal Definition of Genocide

The Uyghur case has led to the creation of a debate on whether the current international law is sufficient to capture the cultural destruction forms. Although most of the policies in Xinjiang may not easily fit the narrow legal definition of genocide, Khen believes that they are in fact a form of cultural genocide, which endangered the existence of the Uyghur people as a distinct group.⁴¹

CRITICAL EVALUATION:

One of the issues related to international law is the question of whether the Genocide Convention of 1948 is sufficient to describe the character of alleged atrocities on the Uyghurs in Xinjiang. Critics argue that The definition of convention only dwells on physical or biological destruction whereas many modern repressions are based on cultural identity and social structures. Finnegan notes that Xinjiang policies, such as the destruction of mosques, restrictions of religious practice and repression of the Uyghur language - are indicative of cultural genocide, but the law of the Convention does not expressly acknowledge such acts.⁴²

Similarly, Khen claims that the Convention lacks any cultural genocide, which makes it a source of a considerable legal loophole, restricting the capacity of international law to deal with attempts to act systematically towards destabilising the identity of a group and heritage.⁴³ Despite some of the reported practices, forced practices were reported. Many may be sterilisation and birth prevention policies, which can be considered under Article II(d) of the Convention. Other policies that were intended to assimilate or destroy a culture are not easy to categorize within the law.

Another challenge is the requirement to demonstrate specific genocidal intent (*dolus specialis*). Slawotsky states that it's really difficult to prove intent as the state policy is framed in the name of state security. Bonardi further suggests that practices such as mass detention and the

⁴¹Hilly B. Moodrick Even Khen, *The Uyghurs: A Case for Making the Prohibition on Cultural Genocide a Soft Law Norm in International Law*, 30 INT'L J. MINORITY & GRP. RTS. 76 (2023).

⁴²Ciara Finnegan, *The Uyghur Minority in China: A Case Study of Cultural Genocide, Minority Rights and the Insufficiency of the International Legal Framework in Preventing State-Imposed Extinction*, 9 LAWS 1 (2020).

⁴³ Moodrick Even Khen, *supra* note 41

separation of children from Uyghur families may constitute genocidal acts if they effectively bring down the survival of the group systematically.

CONCLUSION

This analysis of “slow violence” and colonial dispossession brings into sharp focus one of the basic paradoxes of international law. Although 1948 Genocide Convention is mainly concerned with large, dramatic, instantaneous, and physical acts of destructive violence, the sources indicate that genocide can be a long-term process, often a generational one. The original conception of the term genocide was not limited to the physical destruction of a people, but also included attacks on the economic, social, and cultural life of a people, with the intent of bringing about “social death”. The initial definition of Raphael Lemkin's term ‘genocide’ was much wider; it included systematic efforts to destroy the economic, social, and cultural life of a group of people with the aim of producing “social death”. But the legal codification that followed has restricted this meaning and created a massive conceptual disconnect, in favor of mass killing over the slow, attritional destruction of a group's life. One of the key premises of this analysis is what Patrick Wolfe calls a “structure” rather than an “event” of settler colonialism. This is a model of how dispossession is not just a historical grievance, but a continued process of elimination designed to replace Indigenous populations. In these communities, land is an integral part of their life, and its appropriation and the attendant environmental degradation is a slow violence. This genocide-ecocide nexus is an example of how the destruction of ecosystems and subsistence bases (often in the name of capitalist or developmentalist projects) effectively brings about the physical destruction of a group of people. The current case of the Uyghurs in Xinjiang is another example of the shortcomings of the existing framework. State-engineered demographic changes, mass detention and systematic destruction of cultural and religious institutions pose a threat to the law's capacity to identify structural harms as genocidal, if they are not of a kinetic nature. The challenge of proving *dolus specialis*, or specific intent, is a formidable one, as states may undercut such elimination policies in the name of national security or economic development. To sum up, international law must go beyond the materialist and event-based paradigm if it is to continue to function as a tool for justice for the international community. The sources advocate a broad interpretation that includes qualitative criteria for structural violence and that acknowledges that the systematic undermining of the bases of life is as deadly as the sword. The legal structure can now close this divide between Lemkin's overarching sociological perspective and the doctrinal

needs of contemporary times, and finally start to address the "long emergency" of colonial and state policies of quiet annihilation of marginalised groups.