UCLA
American Indian Culture and Research Journal

Title
Witness to the Human Rights Tribunals: How the System Fails Indigenous Peoples

Permalink
https://escholarship.org/uc/item/8tj7s59k

Journal
American Indian Culture and Research Journal , 48(2)

ISSN
0161-6463

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Publication Date
2025-07-14

DOI
10.17953/A3.47398

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Witness to the Human Rights Tribunals: How the System Fails Indigenous Peoples. By Bruce Granville Miller. Vancouver and Toronto: University of British Columbia Press, 2023. 240 pages. $99.00 hardcover; $34.95 paper; $27.99 e-book.

Bruce Miller's *Witness to the Human Rights Tribunals* delivers a powerful insider's critique of legal systems that consistently marginalize Indigenous peoples in Canada and the United States. With nearly forty years of experience as an anthropologist and expert witness in Indigenous litigation, Miller exposes how human rights tribunals—ostensibly created to combat discrimination—often perpetuate the very injustices they aim to address.

The book's central argument is that legal processes subject Indigenous peoples to "diminution," which Miller defines as the undermining of Indigenous credibility, knowledge, and experience through legal tactics, language, and procedures. This diminution constitutes both the grounds for bringing cases *and* the experience of Indigenous people preparing for and attending legal proceedings. Miller introduces the concept of "thinning"—a legal tactic used by opposing counsel to narrow the scope of expert testimony, thereby limiting the breadth of Indigenous claims. Through detailed case studies, he demonstrates how thinning operates to exclude crucial context about historical and ongoing colonialism that would support Indigenous complainants' cases.

Miller's analysis is structured around two main parts: "Anthropology and Law" and "The Tribunal." In the first, he examines the fraught relationship between anthropological knowledge and legal processes, arguing that anthropological evidence undergoes a transformation when entered into legal settings—what Australian scholar Paul Burke calls an "act of digestion, in which law converts anthropology into what it needs for its own functioning" (36). Miller demonstrates how anthropologists' expertise is frequently challenged, misrepresented, or narrowly constrained in ways that prevent them from providing the contextual understanding necessary for interpreting Indigenous experiences.

The second section zeroes in on the British Columbia Human Rights Tribunal, analyzing several cases in which Indigenous complainants sought redress for discrimination. Miller's examination of *McCue v. The University of British Columbia*—concerning an Indigenous law professor denied tenure—and *Menzies v. Vancouver Police Department*—involving police mistreatment of an Indigenous woman—reveals how tribunal processes can reproduce trauma and symbolic violence. His ethnographic accounts of these hearings, capturing the physical environments, interpersonal dynamics, and emotional toll on participants, paint a stark picture of how legal proceedings can be an alienating and harmful experience for Indigenous complainants.

Miller's dual role as both a participant in these legal battles and an ethnographic observer sets his work apart. As an anthropologist-expert who has testified in numerous

cases and an anthropologist-ethnographer who has documented tribunal proceedings, he navigates a unique vantage point, offering perspectives that elude purely legal or academic analyses. This position allows him to move beyond abstract critiques of legal systems and delve into the subtle, everyday ways power manifests in tribunal settings.

A key strength of Miller's work is his focus on the emotional and psychological burdens legal processes impose on Indigenous participants. He highlights how the trauma of discrimination is often deepened by the ordeal of reliving and justifying personal experiences before skeptical tribunal members and aggressive opposing counsel. Drawing on Indigenous lawyers Amber Prince and Myrna McCallum's concept of "trauma-informed lawyering" (30), Miller argues that legal processes *must* account for the ways in which colonial violence shapes Indigenous peoples' experiences of and responses to legal institutions.

The book significantly enriches conversations about decolonizing legal systems. Unlike studies centered on legal doctrine or abstract theory, Miller grounds his critique in real-world examples of colonial power at play within specific tribunal contexts, while also proposing actionable reforms. His analysis complements the work of Indigenous legal scholars such as John Borrows, Val Napoleon, and James (Sákéj) Youngblood Henderson, who champion the resurgence of Indigenous legal traditions as alternatives to imposed colonial frameworks.

Miller's work also resonates with Arthur Ray's *Telling It to the Judge* (2011), which addresses the challenges historians face as expert witnesses in Indigenous litigation. While both authors tackle the challenge of translating specialized knowledge into legal arenas, Miller sharpens the focus on how these obstacles directly harm Indigenous complainants in human rights tribunals.

Among the book's merits are its rich ethnographic detail, its careful attention to the experiences of Indigenous complainants, and its insightful analysis of how colonial power dynamics operate within seemingly neutral legal processes. Miller's ethnographic approach allows readers to witness the subtle ways power operates in tribunal settings—from the physical arrangement of hearing rooms to the language used by tribunal members and opposing counsel. His self-reflection stands out as well; he openly grapples with the contradiction of his role as a non-Indigenous expert, acknowledging that his involvement, though intended to aid Indigenous claims, can reinforce a knowledge hierarchy that demands external validation of Indigenous perspectives.

While Miller incorporates numerous Indigenous voices—complainants, lawyers, and scholars alike—his analysis could benefit from a more robust integration of Indigenous theoretical perspectives. His discussion of symbolic violence and trauma could have been enriched by deeper engagement in Indigenous scholars' critiques of Western trauma frameworks, such as Dian Million's work on "felt theory" and the politics of Indigenous suffering. In addition, the book focuses primarily on cases in British Columbia, with some comparative examples from the United States and Yukon. Expanding the geographical scope might have illuminated how similar dynamics operate across different jurisdictions and legal systems, particularly in international human rights forums where Indigenous peoples increasingly bring their claims.

By uncovering the often-invisible ways in which legal processes can reproduce colonial power dynamics, Miller challenges us to imagine more just alternatives that respect Indigenous knowledge, experiences, and legal traditions. His analysis offers crucial insights for legal practitioners seeking to develop more culturally responsive approaches, anthropologists navigating the ethical complexities of expert testimony, and Indigenous communities strategizing methods of contending with legal systems while minimizing harm.

The book ultimately demonstrates that reforming human rights tribunals requires more than procedural tweaks—it demands a fundamental rethinking of how we understand discrimination, evidence, expertise, and justice. As he compellingly demonstrates, this transformation must start by confronting the violence and trauma inflicted on Indigenous peoples within these spaces and by carving out room for Indigenous ways of knowing and existing within legal frameworks.

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