settler colonial studies

A Global Phenomenon

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settler colonial studies

Introducing
settler colonial studies

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settler colonial studies aims to contribute to the consolidation of a new scholarly field. This process requires that colonial and settler colonial phenomena be analytically disentangled. They have generally been seen either as entirely separate, or as different manifestations of colonialism at large. Neither stance, however, allows a proper appraisal of settler colonialism in its specificity. In contrast, in this introduction to this new scholarly journal, I suggest that colonialism and settler colonialism should be understood in their dialectical relation. On the basis of this distinction, in the second part of this introduction I reflect on the need to develop dedicated interpretative tools capable of sustaining an approach to the decolonisation of settler colonial formations.

Colonialism is primarily defined by exogenous domination. It thus has two fundamental and necessary components: an original displacement and unequal relations. Colonisers move to a new setting and establish their ascendancy. This is why not all movements across space and not all types of domination are ‘colonial’. Migrants, for example, move but remain subordinate; elites are in charge but do not necessarily come from elsewhere. Even the notion of ‘internal colonialism’ is underpinned by a necessarily hierarchical distinction between different locales within a single polity. However, if I come and say: ‘you, work for me’, it’s not the same as saying ‘you, go away’. This is why colonialism is not settler colonialism: both colonisers and settler colonisers move across space, and both establish their ascendancy in specific locales. While significant, the similarities end there.

COLONIALISM IS NOT SETTLER COLONIALISM

Colonisers and settler colonisers want essentially different things. True; in practice, the two stances are often intimately intertwined
and there are elements of both demands in most statements uttered by both colonisers and settler colonisers. Moreover, this confusion is necessarily compounded by the fact that in any given colonial setting there often are different groups of colonisers demanding different things of the colonised while entertaining different definitions of what may constitute ‘labour’ (i.e., physical, spiritual, consumption, sexual, reproductive labour, and so on). Similarly, different settler colonisers may disagree on what indigenous people ‘going away’ should actually mean (i.e., being physically eliminated or displaced, having one’s cultural practices erased, being ‘absorbed’, ‘assimilated’ or ‘amalgamated’ in the wider population, but the list could go on). In the end, what is being said in the context of a sometime contradictory cacophony is: ‘you, work for me while we wait for you to disappear’, and ‘you, move on so that you can work for me’. Dreaming of establishing a Jewish community in Palestine, Theodor Herzl, for example, encapsulated the first type of mixed stance and wrote in his Diaries that Palestinian Arabs were to be ‘worked across the frontier’. It is significant that he added that this had to be done ‘surreptitiously’; he knew that it is not a fate one should wish on anybody.4 The slave and indentured labour trades are examples of the second type of mixing between displacement and exploitation.5

Being routinely concomitant, however, does not make these fundamental directives any less distinct. This analytical distinction, and the dissimilarity between the relational systems they establish, remains crucial especially because distinct stances create different conditions of possibility for different patterns of relationships. On the one hand, the colonial ‘encounter’ is mirrored by what I have theorised as a settler colonial ‘non-encounter’, a circumstance fundamentally shaped by a recurring need to disavow the presence of indigenous ‘others’.6 On the other hand, in the case of colonial systems, a determination to exploit sustains a drive to sustain the permanent subordination of the colonised.7 Albert Memmi’s classic outline of the relationship between coloniser and colonised effectively encapsulated colonialism’s unchanging nature: true, he noted, some colonised people are relatively more privileged than others, but the coloniser knows ‘that the most favored colonized will never be anything but colonized people’ and that ‘certain rights will forever be refused them’.8
This permanence is not present under settler colonialism, which, on the contrary, is characterised by a persistent drive to ultimately supersede the conditions of its operation. The successful settler colonies ‘tame’ a variety of wildernesses, end up establishing independent nations, effectively repress, co-opt, and extinguish indigenous alterities, and productively manage ethnic diversity. By the end of this trajectory, they claim to be no longer settler colonial (they are putatively ‘settled’ and ‘postcolonial’ – except that unsettling anxieties remain, and references to a postcolonial condition appear hollow as soon as indigenous disadvantage is taken into account). Settler colonialism thus covers its tracks and operates towards its self-supersession (this is why, paradoxically, settler colonialism is most recognisable when it is most imperfect – say, 1950s Kenya or 1970s Zimbabwe – and least visible in the settler cities). In other words, whereas colonialism reinforces the distinction between colony and metropole, settler colonialism erases it. If, as Patrick Wolfe remarked in a frequently quoted passage, settler ‘invasion is a structure’ and not ‘an event’, it is also true that the structure persistently pursues a specific end point. Colonialism reproduces itself, and the freedom and equality of the colonised is forever postponed; settler colonialism, by contrast, extinguishes itself. Settler colonialism justifies its operation on the basis of the expectation of its future demise. Colonialism and settler colonialism are not merely different, they are in some ways antithetical formations (again, this is not to say that these antithetical formations do not intertwine in practice: they remain compatible, and the settler colonial polities routinely operate colonially and settler colonially at once).

Moreover, structurally different demands prompt structurally different reactions, however intertwined. Differently colonised groups develop distinct anticolonial responses. If the fundamental demand is for labour, opposition must aim to withhold it (or to sustain an agency that could allow withholding it). In this context, multiple resistential strategies and their combination are possible: direct anticolonial attack, sabotage, self-mutilation, insubordination, evasion, non-compliance, ostensible collaboration, mimicry, just to name a few. If the demand, by contrast, is to go away, it is indigenous persistence and survival that become crucial. Resistance and survival are thus the weapons of the colonised and the settler
colonised; it is resistance and survival that make certain that colonialism and settler colonialism are never ultimately triumphant. Of course, once more, emphasising analytical distinction does not imply a denial of their simultaneous operation; resistance and survival are also at all times inevitably mixed, and different people in different circumstances survive to resist and resist by surviving. Displacement is a further complicating factor in this context. Colonised people may decide to move on in order to deny labour (i.e., runaway slaves), and settler colonised people may decide to engage in ostensibly unequal labour relations in order to stay put, fulfil customary obligations, and survive as a distinct group (i.e., the Australian Aboriginal labourers participating in the northern cattle industry). Even if these strategies are routinely concomitant, they are no less distinct. And even if they are ultimately compatible with, respectively, colonialism and settler colonialism (they challenge colonial and settler colonial orders, but do so from within these regime’s constitutive structures), they should be seen as separate responses to different imperatives.

In turn, since a demand for labour and a demand to go away (and a determination to resist and to survive) define possible patterns of relations, colonised and settler colonised people are routinely perceived and represented according to structurally distinct paradigms: docility on the one hand and fragility on the other. It is significant that the genealogy of ‘indigenous’ as a conceptual category during the twentieth century is inherently connected to a perception of vulnerability. Fragility fundamentally defines the ‘indigenous’, both in its relation against the settler colonisers and against the emerging nationalist majorities of the postcolonial world.

Finally, the analytical distinction between colonial and settler colonial phenomena is also important because while statements by colonisers can be confusing, statements by scholars of colonialism can be especially difficult to understand. It should not be surprising: utilising the same language to describe something that wants itself ongoing and something that wants itself terminated is bound to result in some theoretical ambiguity (anyone who has been, for example, dumped in the language of love or loved in the language of breaking up can confirm it). This is why we need settler colonial
studies (and settler colonial studies); colonial, imperial and postcolonial studies have primarily focused on something else. They have looked at colonial and postcolonial phenomena in a compelling and most sophisticated way, but these scholarly literatures have ultimately failed to detect the settler colonial ‘situation’ in its specific operation.

DECOLONISATION IS NOT SETTLER DECOLONISATION

If colonialism is defined by exogenous domination, a genuine postcolonial and decolonised condition should require that at least one of these prerequisite conditions cease to exist. The exogenous coloniser should depart, or, alternatively, the equality between former coloniser and former colonised should replace a relationship of domination.

However, as colonialism is structurally unlike settler colonialism, the decolonisation of one circumstance should differ from the decolonisation of the other. We know how one works, at least in theory (the colonial state, for example, is turned into its postcolonial successor), but we do not yet exactly know how the other should appear. Indigenous advocacy in settler colonial settings can simultaneously deploy an anti-colonial rhetoric expressing a demand for indigenous sovereign independence and self-determination and what could be construed in some ways as an ‘ultra’ colonial one, one that seeks a reconstituted partnership with the Crown and advocates a return to relatively more respectful ‘middle ground’ and ‘treaty’ traditions (a better colonial order is better but it is not a noncolonial one). This range of stances can also be confusing, especially because arguing against colonialism is not the same thing as condemning settler colonialism. True, anticolonial rhetorics remain powerful and are linked to a compelling narrative structure – decolonisation is ‘progress’. The language of partnership is also politically correct and persuasive. Utilising both as weapons for change remains tempting, but these strategies have proven ultimately ineffective against settler colonial structures of domination. As Patrick Wolfe has concluded, settler colonialism has remained ‘impervious to regime change’.
imagination are needed; we must become able to represent the decolonisation of settler colonial forms.

The very language of settler colonialism does not allow an adequate approach to a post-settler passage. ‘Settler’, for a start, underscores permanence, and ‘settler’ as a term is premised on a fundamental contradiction pitting the uncommitted colonist who will return home (or the greedy absent speculator and his agents) against the bona fide/actual/genuine settler who will stay. While this dyad inevitably obscures indigenous presences, yet alone the need to decolonise, ‘pioneer’ as a term performs a similar disappearing act: its etymology relates it to the soldiers that open the way for the army (it derives frompanyer, an Old French term for ‘foot soldier’). Thus, as it distinguishes between the newcomers who come first and the newcomers who come at a later stage, ‘pioneer’ also discursively erases the indigenous peoples who were there ab origine. Moreover, as ‘settler’ is characterised by permanence and ‘indigenous’ by fragility, these terms frame an inevitably lopsided relationship that preempts the possibility of a genuinely decolonised relationship. Besides, the prospect of reaching a settlement between contending settler and indigenous constituencies inevitably favours the settler element (striving for an indigenment may be another matter).

Even talking about ‘decolonisation’ may be misleading: all the settler polities have already asserted their unfettered self-governing capacity. The perception of a fully accomplished decolonisation is not a suitable platform to assert the need for decolonisation; the appeal against exogenous rule – a classic trait of the era and language of decolonisation – cannot work in the case of settler locales. To overcome this impasse, I propose to start from what the decolonisation of settler colonial forms is not: decolonisation as it is normally understood.23 Independence ostensibly proclaims that the polity is no longer exogenously ruled, emancipation ostensibly proclaims that the person is no longer exogenously owned or otherwise impaired. But under settler colonial conditions the independent polity is the settler polity and sanctioning the equal rights of indigenous peoples has historically been used as a powerful weapon in the denial of indigenous entitlement and in the enactment of various forms of coercive assimilation. This decolonisation actually enhances the subjection of indigenous peoples under settler
Veracini, ‘Introducing settler colonial studies’.

colonialism. It is at best irrelevant and at worst detrimental to indigenous peoples in settler societies.

Moreover, there is a further structural reason why the two should be different. While colonialism envisions a never-ending relationship where the coloniser is forever subjecting the colonised, anticolonialism necessarily endeavours to produce a fundamental discontinuity. Decolonisation, in theory, ruptures the colonial cycle. In theory: in practice structural inequalities remain, and neo-colonial arrangements preserve/reintroduce a fundamental continuity whereby the colonised still labours for the coloniser even after the colonial relation has been formally discontinued. On the contrary and logically, whereas settler colonialism is designed to produce a fundamental discontinuity as its ‘logic of elimination’ runs its course until it actually extinguishes the settler colonial relation, the struggle against settler colonialism must aim to keep the settler-indigenous relationship ongoing.

A similar point is made by Benedict Kingsbury in his analysis of indigenous claims to self-determination: indigenous peoples routinely demand enduring relations, not their end. In other words, if colonialism ends with the coloniser’s departure (that is, as mentioned, not a merely formal departure that announces a neo-colonial system of exploitation), settler colonialism ends with an indigenous ultimate permanence. There must be distinct ways out of structurally dissimilar situations.

In thinking about decolonisation and the decolonisation of settler colonial forms as distinct propositions, I suggest we also distinguish between reverse and reciprocal circumstances. In the one case, we would hypothetically have the colonised talking back to the coloniser and saying: ‘no, you work for me’. In the other one, we would have the settler colonised telling the settler: ‘no, you go away’. That this type of reciprocity ultimately maintains the original drive of both the colonial and settler colonial situations should be emphasised: on the one hand, the prospect remains, as in the previous dispensation, for a relationship that is still premised on domination; on the other, the drive remains, as before, for extinguishing the relationship.

Thus, reciprocity is not decolonisation, a point Mahmood Mamdani also authoritatively made when he pessimistically concluded that ‘in privileging the indigenous over the non-indigenous, we turned the colonial world upside down,
but we did not change it’. There is justice in reciprocity, and yet, rather than a fundamental break with previous dispensations, reciprocity enables their logical fulfilment.

Decolonisation as it is normally understood supersedes the exogenous character of colonialism – the postcolonial polity is no longer ruled from the outside – but it is an illusion: the former colonised still works for the former coloniser in the context of neo-colonial arrangements. Correspondingly, in the case of the ‘politics of recognition’ in settler societies, it is the domination that is inherent in the colonial situation that is superseded. But this is also an illusion; an ostensible partnership does not alter the fundamental and original demand of settler colonialism, and indigenous alterities are still being subsumed/neutralised/extinguished. In the case of decolonisation/neocolonialism, the original displacement was premised on the need to acquire labour, but the coloniser would consider leaving if labour could be extracted otherwise. Similarly, in the case of settler colonialism, domination was instituted as a means to facilitate indigenous disappearance, but the settler coloniser would consider equality, recognition, and reconciliation, provided that indigenous disappearance could be exacted otherwise. Not only at least one of the necessary prerequisites of colonialism as initially defined must finally come to an end; the original demands for labour and for indigenous disappearance must also cease.

In their specific ways, the settler polities have recently relented and shifted from active repression of indigeneity to its incorporation by recognition. And yet, as many have noted, this cannot be considered a genuinely decolonising move. Indigenous ultimate permanence goes way beyond a settler-controlled conciliatory rhetoric that does not discontinue settler colonial substantive attack against indigenous sovereign autonomy. Alas, as the politics of indigenous recognition and reconciliation institute a framework designed to manage and neutralise indigenous difference, the new dispensation primarily promotes the domestication of indigenous sovereignties for the benefit of the settler state. Something else is needed.

Resistance and survival are the basis upon which genuine postcolonial and post settler colonial passages can be built, but resistance and survival must also become ultimately unnecessary.
There are, after all, two ways out of both: defeat and victory and death and life. Genuine postcolonial circumstances would ultimately extinguish any need for either resistance or survival: only when the original demand for labour in any form is finally dropped is there no longer a need to resist, and only when the original demand to disappear is at last abandoned can a post-settler condition supersede the need for indigenous survival. Correspondingly, colonised ‘others’ must cease being perceived as fundamentally docile and indigenous people must cease being and being understood as inherently vulnerable and endangered. Considering the direct discursive link joining fragility and ‘indigeneity’, indigenous peoples’ exiting survival on the side of life will then contradict the most fundamental characteristic of what being ‘indigenous’ (in the eyes of the settler) is all about: they will not go away. If settler colonialism routinely forecloses a final ‘settled’ status, a postsettler move must emphasise open-endedness. Reconciliation should be a practice and not a process.

In order to focus on settler colonialism as a specific formation, settler colonial studies will publish original research emanating from a variety of disciplinary and area studies backgrounds. The feature articles that we have collected in this volume are consistent with this multidisciplinary and interdisciplinary approach. At the same time, we are aware that settler colonialism is as much a thing of the past as a thing of the present. For example, in the documentary section that concludes this volume, we present one historical document and two contemporary documents (and a commentary note). settler colonial studies will focus on both past and present settler colonialisms.

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BIOGRAPHICAL NOTE

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Veracini, ‘Introducing settler colonial studies’.

NOTES

1 See Ronald J. Horvath, ‘A Definition of Colonialism’, Current Anthropology 13, 1, 1972, pp. 45–57. This is an early definitory attempt. Since then an extensive literature has reflected on colonial and postcolonial phenomena. However, this literature did not particularly focus on definitional matters.


11 Wolfe, Settler Colonialism and the Transformation of Anthropology, p. 163.

12 For a more extended version of this argument, see Lorenzo Veracini, Settler Colonialism.
Veracini, ‘Introducing settler colonial studies’.


14 For a reflection on these systems of perception and how they shaped colonial imaginaries since their very inception, see Nicolas Wey Gomez, The Tropics of Empire: Why Columbus Sailed South to the Indies (Cambridge, MA: MIT Press, 2008).


17 Philosophy and Literature notably awarded Homi Bhabha the 1998 ‘Bad Writing Competition’ for this passage: ‘If, for a while, the ruse of desire is calculable for the uses of discipline soon the repetition of guilt, justification, pseudo-scientific theories, superstition, spurious authorities and classifications can be seen as the desperate effort to “normalize” formally the disturbance of a discourse of splitting that violates the rational, enlightened claims of its enunciatory modality’. Thanks to Norman Dale for alerting me to this episode.

18 I find Kevin Bruyneel’s The Third Space of Sovereignty: The Postcolonial Politics of U.S.-Indigenous Relations (Minneapolis: University of Minnesota Press, 2007) especially stimulating. It is probably the most developed attempt to articulate a theory of post-settler colonial arrangements.

19 For a positive review of an eventually discontinued tradition of indigenous-nonindigenous diplomacy and associated more equitable relations in a colonial setting, see, for example, Tony Hall, The Bowl with One Spoon (Montreal: McGill-Queen’s University Press, 2003).


24 On settler colonialism operating in accordance with a ‘logic of elimination’, see Wolfe, ‘Settler Colonialism and the Elimination of the Native’.


26 I have elsewhere noted that settler departure crucially sustains a settler colonial rationale. See Veracini, Settler Colonialism, p. 49.


29 On liberal settler multiculturalisms and the reproduction of indigenous subjection, see, for example, Elizabeth A. Povinelli, The Cunning of Recognition: Indigenous Alterities and the Making of Australian Multiculturalism (Durham, NC: Duke
Veracini, ‘Introducing settler colonial studies’.

After the Frontier: Separation and Absorption in US Indian Policy

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This article seeks to chart the shifting post-frontier strategies whereby Indian societies were incorporated into US society. Recognised as techniques of settlement, US policies that have been viewed as discordant or antithetical emerge as complementary implementations of the settler colonial logic of elimination. The article discusses three of these strategies: Indian removal, general allotment, and blood quantum criteria, arguing that scholars who have viewed the surface differences between these strategies as signs of incompatibility have failed to acknowledge the overarching context of settler colonial invasion, a process that continues after the initial expropriations of Indian landowners. Geographical removal eliminated Indians quickly and effectively, but it was an inherently temporary solution. On the passing of the frontier, with no space left available for Indian removal, relations with Indians – the first arena of US foreign policy – became a depoliticised arm of domestic administration. Various techniques of Native assimilation, all of which had previously existed in undeveloped forms, came to dominate US Indian policy. The article considers two of these techniques, allotment and blood quanta, noting their continuity with earlier strategies for eliminating Indians.

The process whereby Indians shifted from being external to Euroamerican society to being incorporated within it was piecemeal and drawn out. In Anglophone North America, it spanned three centuries, the seventeenth, eighteenth and nineteenth, extending from the era of the Powhatan Confederacy to that of Wounded Knee. On the passing of the frontier, US Indian affairs discourse shifted from international relations – the fledgling republic’s initial foreign policy having been treaties with Indian tribes – to a depoliticised arena of domestic administration. The settler colonial logic of elimination in its crudest frontier form, a violent rejection of all things Indian, was transformed into a paternalistic mode of governmentality which, though still sanctioned by state violence, came to focus on assimilation rather than rejection. Invasion became bureaucratised, a paper-trail of tears that penetrated Indian life in
the form of Bureau of Indian Affairs\textsuperscript{1} officials rather than the US Cavalry. The twin centrepieces of the post-frontier assimilation campaign were allotment, whereby tribal patrimonies were to be split up into individually-owned plots that allotted Indian proprietors could transfer to White people, and blood quanta, the distinctively BIA style of racial arithmetic whereby Indian identity became correspondingly apportioned. In combination, allotment and blood quanta sought to destroy tribal governance and break up the tribal estate.

For all its domesticity, however, the internalised identity politics of the post-frontier era retained the inherently international concept of the treaty, a uniquely Indian legacy that continues to mark Indigenous peoples’ extended historical transition from externality to interiority to Euroamerican society. No other social group in the USA has treaties, a fact that categorically distinguishes Indians from other subjugated groups (‘races’, ‘minorities’,\textsuperscript{2} etc.) whose different historical experiences are effaced under the levelling rubric of multiculturalism. To register this uniqueness as part of a wider call for antiracist and anticolonial solidarities to be based on the recognition of historical differences,\textsuperscript{3} this article will seek to express the divergent styles of eliminationism whereby Indians’ progressive containment within the federal body politic was inscribed and managed in US Indian policy.

An alternative to either exterminating or absorbing the Natives was geographical removal – the Natives stayed Natives, only somewhere else. This alternative was less satisfactory than assimilation because it was temporary. Sooner or later, the frontier caught up with the new tribal boundaries and the process had to start all over again. On the other hand, removal was considerably faster than the incremental procedure of assimilation – at least, in assimilation’s biological aspect, which required a minimum of one generation. Cultural assimilation could be effected more quickly. Thus, in the wake of the straightforward violence of territorial dispossession, we encounter a range of concurrent settler strategies that blur into one another, spatial removal overlapping with biocultural assimilation in a domestic context in which Natives continue to be subject to disproportionate levels of violence. To chart Indians’ progressive containment, therefore, the following analysis will seek to characterise some of the ways in which these
Wolfe, ‘After the Frontier’.

complementary settler strategies segue into and reinforce one another in post-frontier US Indian policy.

Constitutionally, the status of Indian tribes or nations was defined by the US Supreme Court in 1831 in the case of Cherokee v. Georgia. In that landmark judgement, Chief Justice John Marshall enunciated the twin concepts of wardship and domestic dependent nationhood on which the relationship between Indian tribes and the federal government was founded, as it remains founded. As I argue elsewhere, Cherokee v. Georgia, in combination with the other two of the Marshall court’s so-called Indian judgements, Johnson v. McIntosh (1823) and Worcester v. Georgia (1832), adapted the monarchical doctrine of discovery to the still-emergent republican environment. For our present purposes, the two core principles that animated the doctrine of discovery were: first, the imbalance between the diminished right of territorial possession or occupancy that it assigned to Natives and the overarching dominion that it assigned to European sovereigns; and, second, the fact that discovery, along with the law of nations as a whole, concerned relations between European sovereigns rather than between Europeans and Natives. In combination, these two principles provided for an inferior form of Native title that remained extinguishable at will by the discovering sovereign. In contrast to the form of property right that the doctrine made available to Europeans, Indian occupancy was detachable from title. Fee simple in the United States, as in other settler colonies, remains traceable to a grant from a European (or Euroamerican) sovereign. Property starts where Indianness stops. These principles were translated into the language of republican jurisprudence by the Marshall court, in particular in its bedrock concept of domestic dependent nationhood. In this concept, the first two terms, ‘domestic’ and ‘dependent’ defuse and diminish the sovereign implications of the third term, ‘nation’. Marshall had no alternative but to concede the juridical status of nationhood to the Cherokee, who were attempting to bring a case against the state of Georgia, since the federal government had engaged in treaties with them, treaty-making being an inherently international procedure. In this inescapably sovereign context, the domestic and dependent qualifications so diminished the status of Indian nationhood that, in contrast to foreign nations, the Cherokee were not even allowed to take their case to the Supreme Court, to which only US citizens and
foreign nations could bring complaints. In 1831, then, with treaties based on the concept of domestic dependent nationhood, the shift from international relations to internal administration was firmly established. Thus we can begin to address the complementarity between early-nineteenth century treaties, which principally functioned to remove Indians from territory that was coveted by White people, to the late-nineteenth century assimilation campaign, which sought to incorporate Indians into White society.

**INDIAN REMOVAL**

Indian removal presupposed an unclaimed space in which the dispossessed could be relocated. The concept of Indian country goes back at least as far as the Royal Proclamation of 1763, issued in the wake of the French and Indian (or Six Years) War, which, in addition to constituting Quebec as British, established the first boundary line (roughly, the crest of the Appalachians) between British colonial territory and Indian country.\(^7\) As such, the Royal Proclamation constitutes the first specification of a bounded zone, beyond the limits of colonial settlement, that belonged generically to Indians.\(^8\) The mere fact of official zoning did not, of course, restrain the activities of landgrabbers and speculators, so the push to extinguish Indians’ tenure over one part of the country generated a need to safeguard their tenure over another. In a 1789 report to Congress, Secretary at War Henry Knox recommended that the intrusion of White people into Indian territory could be ‘regulated’ by establishing colonies of Indians that would be protected by troops.\(^9\) Some of the English colonies had earlier taken such measures. As Annie Abel pointed out, however, the English may have reserved *ad hoc* spaces for individual groups, but it would take President Thomas Jefferson to contemplate ‘the organization of what would have become an Indian Territory, perhaps an Indian state, to which all tribes might be removed’.\(^10\) Jefferson not only came up with the idea. Through the Louisiana Purchase, he gave it spatial feasibility. Section 15 of the *Louisiana Territorial Act* of 1804 provided that ‘The President of the United States is hereby authorized to stipulate with any Indian tribes owning land on the east side of the Mississippi, and residing thereon, for an exchange of lands, the property of the United States, on the west side of the Mississippi, in case the said tribes shall remove and
settle thereon’. Along with territory west of the Mississippi came the promise of the federal government being able to sign Indian treaties without making territorial concessions that would antagonise the states. In addition to saving the Union, therefore, the Purchase forged a union between treaties and removal. The outcome could not have been more fateful for Indians and Blacks alike. The extension of the slave-plantation economy in Georgia, Tennessee, Arkansas, Louisiana, Mississippi, Alabama and the Florida panhandle was conditional upon Indian removal. The Purchase provided the territory west of the Mississippi that the US government exchanged for the homelands that removing tribes were obliged to surrender by way of treaties.

With Andrew Jackson as president, Congress passed federal removal legislation in 1830. By the end of the 1830s, the Creek, Choctaw, Chickasaw and Cherokee peoples had been removed west of the Mississippi while, in Florida, ceded by the Spanish, the majority Seminole’s days were numbered. Less well-known but comparably brutal removals had also taken place in the North. In 1845, Texas joined the Union. Over the following two years, under pressure of war, Mexico yielded territory from Texas to the Pacific. Two decades later, the Civil War enormously intensified the militarisation of the United States. In the postbellum era, augmented by industrial development, railroad penetration, telegraphic communication, buffalo culls and a population endlessly replenished by immigration, this enhanced military capacity enabled the lightning-war conquest of the warrior-hunting nations of the Great Plains, who were rapidly relegated to reservations, out of the path of the settler nation’s westward expansion. Once confined to reservations, Indians became, in Colonel Dodge’s words, prisoners of war. Through all these profound developments, the foreign-affairs idiom of national sovereignty continued to characterise treaty-making.

A recurrent feature of removal treaties was allotment, whereby certain tribal members would stay behind and, as proprietors of individual parcels of land, become agriculturalists. Ideologically, allotment furnished an answer to critics who complained that removal was oppressive. More immediately, it also provided a way for White traders to recover debts incurred by individual Indians, who
Wolfe, ‘After the Frontier’.

could not offer tribal land in settlement.\textsuperscript{18} White officials assumed that allotment would encourage voluntary removal: allottees would sell their plots in order join tribal fellows who had moved west.\textsuperscript{19} ‘President Jackson and his advisers were caught off guard, therefore’, commented Ronald Satz, ‘when thousands of Choctaws decided to take advantage of the allotment provisions and become homesteaders and American citizens in Mississippi’.\textsuperscript{20} This was not how nomads were meant to behave. The prospect of improvable Indians undermined a hereditarian justification for removal, whereby Indians’ incurable savagery made it impossible for Whites to coexist with them. In keeping with the Lockean narrative informing the wider discourse of discovery, a stubborn incapacity for agriculture was central to this savagery.\textsuperscript{21} So far as many Indians in the South were concerned, there was a contradiction in all this, as the oxymoron ‘civilized tribes’ attested. These Indians had been agriculturalists for millennia. They had taught White people to grow corn and tobacco. In return, White people had taught them the wandering ways of the sylvan romance, which they had been obliged to learn rather quickly as a consequence of having their homes and crops burned by land-hungry invaders. Anthropologist Gerald Sider has illustrated the depth and tenacity of this potent ideological inversion. Recalling his distress at witnessing young Lumbee men lining up to volunteer as scouts in Vietnam, a group who suffered one of the highest mortality rates in field combat, Sider reflected on the irony of these descendants of expelled agriculturalists identifying with the wandering forest life that settler ideology had exchanged for their gardens: ‘What these Indian children often said, before they went off to their doom, was a pack of self-assertive, self-destructive, imposed and claimed lies: We Indians have special abilities to move silently through the forest; we Indians have special skills as scouts and as hunters – we Indians will show them’.\textsuperscript{22}

Nomadism naturalised removal. The image of the wandering Indian, forever passing through, endlessly surveying the horizon, attenuated Indians’ acknowledged ties to land, assuaging the violence that removal did to common-sense understandings of property. People who were routinely on the move would not be unduly inconvenienced. Noting that settlers had uprooted themselves to remove from Europe, Jackson rhetorically asked if it was to be supposed that ‘the wandering savage has a stronger attachment to
his home than the settled, civilized Christian?’. In this connection, no problem arose when Indians behaved like Whites. Nor did they merely vacate their own homelands. In resettling across the Mississippi, removing tribes acted as proxy Whites in relation to the peoples who already lived there, who were beginning to feel the game-depletion that settler encroachment occasioned. To acquire territory that it could exchange for the land that removing tribes were relinquishing in the South (which was rapidly becoming the South-East), the US government solicited treaties with the Osage and other Plains societies in the West. Being only too aware of the provocative impact of alien incursions, the Chickasaw had a clause included in the first section of their 1834 removal treaty obliging the US to protect them from the traditional owners of their new home across the Mississippi. Crueller still was the irony whereby Cherokee who had earlier removed to Arkansas at Jefferson’s urging found their new country threatened, 25 years on, by an influx of Eastern Cherokee who had initially chosen to stay but who, by 1834, were facing forcible removal. In an abortive treaty that the Western Cherokee signed with their Indian agent, they were promised that there would be no new arrivals unless extra land were provided. The Stokes commissioners at Fort Gibson refused to submit this treaty to the War Department.

An immediate spur to removal was provided by a landmark in Indian civility, the Constitution of the Cherokee Nation. Abel summarised the gathering transformation that this initiative consolidated: ‘It was not enough [for the Cherokee] to have their own alphabet, their own printing press, their own churches and schools, their own laws, regulating public and private relations, they must have a republican form of government’. Meeting in New Echota, the Cherokee constituent assembly made its decision to draft a national constitution on July 4th 1827, a day whose progressive connotations could hardly have been stronger. The procedure did not take long, the new constitution being so closely modelled on that of the United States that it was drawn up and ratified by the end of the month. Rather than showing the hostile Georgia government that they were worthy neighbours, however, the new constitution was taken as final proof that the Cherokee had no intention of leaving of their own accord. Persuasion having failed, the Georgia legislators hardened their commitment to compulsion. Through legislation passed
between 1828 and 1830, Georgia annexed Cherokee territory lying within its chartered limits, annulled all laws passed by the Cherokee nation and forbade White people to live in Cherokee country without a licence from the state.\textsuperscript{32} The upstart Constitution had given the Georgia legislators a constitutional pretext of their own. Article IV of the United States Constitution provided that ‘New States may be admitted by the Congress into this Union, but no new State shall be formed or erected within the Jurisdiction of any other State [...] without the Consent of the Legislatures of the States concerned as well as of the Congress’. As the Cherokee pointed out, and as numerous treaties attested, their nation was not only sovereign and, accordingly, beyond Georgia’s jurisdiction, but it was by no means new.\textsuperscript{33} As the passing of the 1830 Indian Removal Act attested, however, the Cherokee’s days were numbered.

As indicated, though the Indian removal program was spatial in essence, it also inscribed a hardening cultural pessimism: not only were Indians and Whites unable to live together; they would remain so.\textsuperscript{34} This increasingly hereditary perspective was not a spontaneous theoretical departure from Enlightenment-style environmentalism but a symptom of impatience with the civilising process (two centuries earlier, a similar shift had hardened Puritan attitudes in the wake of the Pequot War\textsuperscript{35}). Indians were surrendering their homelands too slowly. According to this hereditary narrative, Indians’ refractory condition allowed two possibilities: either they could cease to be Indians – i.e., assimilate or die – or they could remove.\textsuperscript{36} As a Chickasaw treaty negotiator summed up the choice presented to Indians, they could either stay behind, lose their name and language, and become White, or they could cross the Mississippi and lose their homeland.\textsuperscript{37} These alternatives existed in each other’s shadow. Thomas Jefferson and Andrew Jackson were principally responsible for bringing them together. In 1817, when removal and assimilation were explicitly linked in treaty bargaining, General Jackson recalled a talk that President Jefferson had given to the Cherokee eight years previously. As an inducement to the tribe to exchange its land for land in Arkansas, Jefferson had offered those who did not want to go West the option of staying behind, only on 640-acre individual allotments rather than on tribal land.\textsuperscript{38} The idea was to prove consequential. Returning to it in 1817, Jackson posed the alternatives of remaining tribal and removing or remaining on
traditional land in an untraditional way, as holders of individual allotments subject to state law. As Michael Rogin observed, these alternatives ‘shared an underlying identity’. Either way, as Indians, Indians would lose their land.

The proposition that removal and assimilation are two sides of the same coin is at odds with an influential view of them as antithetical. According to Charles Wilkinson and Eric Biggs, for instance, ‘Virtually all federal Indian policy can be analysed in terms of the tension between assimilation and separatism’. Analogously, Wilkinson and Biggs’ fellow legal scholar Nancy Carter distinguished between an ‘early posture of nonassimilation’ which treated Indian tribes ‘as entities to be dealt with by treaty’ and a later policy era in which Indians were individually targeted ‘as citizens to be brought under the laws of the nation’. This perspective is not confined to legal scholarship. Thus no less a historian than Mary Young could cite a ‘dilemma both whites and Indians have faced as to whether segregation or assimilation should be the proximate strategy or ultimate fate of the native American’ as evidence for her controversial claim that ‘The Yamasee have vanished’. Admittedly, assimilatory measures came to predominate after treaty-making was abolished in 1871. By that stage, however, there was little vacant land left beyond the penumbra of White settlement, so, of the two strategies, only assimilation remained viable. When this happened, most Indians could no longer be moved on to free up their land for White appropriation. They could, however, be moved in to free up their land for White appropriation, embarking on the path to citizenship through becoming the individual proprietors of alienable allotments. In view of the positive valorisation attaching to citizenship, it is not surprising that this complementarity should be mistaken for tension. But this is to confuse Indians’ historical experience in US society with that of Black people.

Viewed in the context of Black American history, Indian removal might seem to represent a fulfilment of the exclusionist dream underlying the colonisation movement and Jim Crow. It would be hard to find a more thoroughgoing form of segregation than one in which, rather than being restricted to particular locations and public facilities, people were actually hidden over the horizon, beyond any form of contact. Yet this makes no sense of the
objection, made in relation to reservations, that they separated Indians from membership of US society. This is what assimilationists opposed to Indian sovereignty would urge in the twentieth century, during the dark days of allotment and tribal termination. Yet these champions of Indian equality were not generally notable for extending the argument to the condition of African Americans. In stark contrast to the segregation of the formerly enslaved, the spatial removal of Indians was an inherently temporary expedient, adopted pending their absorption. The difference is very clear: The exploitation of Black people did not require their equality. Negro citizenship did not enlarge the national estate. By contrast, a contradiction of assimilationism was that Indians’ elimination was routinely hampered by the success with which they had been able to mimic the ways of White people. Premised on Indian recalcitrance, removal was vulnerable to their civility. Thus it is no accident that, regardless of the profound sociocultural differences distinguishing them, the programme’s primary targets (the Choctaw, Chickasaw, Cherokee, Creek and Seminole peoples) should find themselves collectively designated ‘The Five Civilized Tribes’ in Euroamerican parlance.

There was a distinctively Edenic cast to the predicament of civility. Indians who tasted the fruit of civilisation lost their innocence, gaining cunning rather than knowledge. This perverse approximation to whiteness lent itself to the idiom of heredity. A key feature of assimilationist rhetoric was its systematic confusion of genetic and cultural criteria. To become civilised, Indians had to become White, and vice versa. Accordingly, a political problem could arise when Indians became too White. In 1816, for instance, Jackson complained of the ‘designing half-breeds and renegade white men’ who had encouraged Chickasaw reluctance to cede land. When Indians invoked the vocabulary of American freedom, their impertinence could be put down to European ancestry. No one was more subject to this reproach than John Ross, the Cherokee leader who, as hostile Whites never tired of pointing out, was of largely Scottish biological extraction. Prominent figures such as Creek leader Alexander McGillivray, Chickasaw leader Levi Colbert and Choctaw leader Greenwood LeFlore were also discredited on account of their White ancestry. Opposition to removal was routinely attributed to the machinations of self-serving half-breeds, who
allegedly connived to frustrate the intentions of full-blood traditionalists who saw removal as an opportunity to protect their people from the disruptive influence of Whites. Whether or not such a division obtained in Indian society (there were tribespeople with European ancestry on either side of the Indian controversy over removal), the issue certainly reflected a schism within European society. Removal threatened to make proselytisation more difficult for missionaries, who generally opposed it. In 1826, for instance, LeFlore, David Folsom, and Samuel Garland, all Choctaw descended from White fathers and opposed to removal, replaced the old ‘full-blood’ leadership at a time when the United States was seeking a treaty of cession from the Choctaw. Soon afterwards, missionaries inspired by the Second Great Awakening encouraged Choctaw Christian preachers to launch a ‘Great Revival’, a campaign with which the new leadership was identified. Some of the strongest opposition came from Peter Pitchlynn, who, like the three new chiefs, was a White trader’s son. Pitchlynn, who allied himself to the disaffected ‘full-blood’ chief Moshulatubbee, parodied Folsom’s gospel as ‘Join the church and keep your country’. To retain their leadership, the old chiefs offered to remove. The local Indian agent approved, reporting to the government, in terms that could hardly express the affinity between assimilation and removal more succinctly, that ‘the greater part of the full Bloods would follow, and the half breeds could be made full citizens’.

The key contradiction of civility was that it lifted Indians out of prehistory and inserted them into the future. Elimination was inherently chronological – whether dead, removed or assimilated, Indians would pass into memory. Euroamerican time, as Benjamin Lee Whorf put it, flows out of a future, through a present and into a past. Correspondingly, as their nomadic condition attested, Indians were deemed impervious to linear temporality. Nomadism was not only conducive to removal. Nomads were bound into the realm of disappearance at a deeper level, subsisting on dwindling indigenous resources whose reproduction was finite. Agriculture, by contrast, in common with the Cherokee’s progressive Constitution, staked a claim on the future. As individuals, Indians would not disrupt the forward flow of Euroamerican history, the time of the nation, not merely because they could be relied on to sell their private plots but more profoundly because, as individuals, they would cease being
Wolfe, ‘After the Frontier’.

Indian. Detribalised, they would merge into settler society, the challenge that they presented to the rule of private property evaporating as surely as removing tribes evaporated into the West. Heredity – the reproach of hybridity – could be invoked to disguise this transformation, substituting phenotype for social type.

On the face of it, the genealogical inauthenticity that was alleged of Ross and others might seem to have anticipated the Dawes-era blood-quantum discourse that we shall encounter below. But this would be to mistake surface detail for historical motivation. There is a fundamental difference between ancestral slurs intended to discredit Ross’s personal intransigence and a genetic calculus that would seek to destroy tribal organisation through impartially assimilating Indians as Indians, a blanket category that would be impervious to personal demeanour or affiliation. The adoption of this strategy into national policy would mark the closure of the frontier, culminating the long-run process whereby Indians’ relationship with settler society shifted from one of externality to one of interiority. Once the territory bounded by Mexico, Canada, the Atlantic and the Pacific had been effectively settled, the only space left available for expansion was within, a condition that rendered the frontier coterminous with reservation boundaries.53 Prior to this development, however, space had provided an alternative to race, banishment across the frontier (or, later, confinement to reservations) providing favoured techniques of elimination. Consider, for instance, Article 3 of the treaty that the Ponca were induced to sign before being removed (for the first time) in 1858:

The Ponca being desirous of making provision for their half-breed relatives, it is agreed that those who prefer and elect to reside among them shall be permitted to do so, and be entitled to and enjoy all the rights and privileges of members of the tribe, but to those who have chosen and left the tribe to reside among the whites and follow the pursuits of civilized life, viz: [eight individuals, with separate residences specified] […] there shall be issued scrip for one hundred and sixty acres of land each […]54
Here, in the antebellum era, for Ponca who choose to stay behind (named members of the Métis elite through whose good offices the treaty had been arranged), core elements of the fin-de-siècle Dawes programme are already in place: individuals assimilate into White society by means of allotments while the tribe ceases to obstruct White access to its homeland.

One aspect of the Ponca treaty does, however, stand out in contradistinction to the later Dawes regime. Though mixed-bloodedness is an operator (in that it denotes those eligible for assimilation), it lacks implications for tribal membership. Here we begin to see the relationship, which the following sections will explore, between blood quantum discourse – which is to say, race discourse in its specifically Indian application – and the internalisation of Indian societies. The Ponca whose mixed-bloodedness was without consequence were those who remained external by virtue of consenting to remove. Externally, the US government’s Indian problem was a tribal one. Assimilating individual members would not make tribal territory, which was collectively held, available (indeed, it could have the reverse effect, since treaty negotiators regularly relied on ‘mixed-blood’ elites to secure tribal acceptance of treaties). Moreover, for treaty purposes, it was in the US’s interest for tribes to be composite. Breaking them down into smaller units would only necessitate additional treaties. Prior to internalisation, in other words, the US government relied on the very tribal governments that it would subsequently seek to dismantle. At this stage, White ancestry could be cited to impugn uncooperative leaders such as McGillivray or Ross, while the presence of White or Black elements in a tribe’s make-up could be seen to aggravate the military threat that it posed, as in the case of the Seminole. But such assertions were part of the polemics of removal, aimed at the leaders’ refusal to sign treaties rather than at their putative somatic make-up. Over the frontier, neither civility nor mixed-bloodedness posed a problem – even Jackson had not minded a Cherokee Constitution operating in Oklahoma. Once a tribe was internalised, however, its government constituted an obstacle that frustrated the US government’s access to individual Indians. The impediment to assimilating tribes into the body politic was not simply that they were collective groupings, since the United States encompassed other collectivities – in particular, of course, the states
themselves but also, from late-century on, corporations. Rather, tribes were inassimilable because they were heteronomously constituted entities whose organising principles were discordant with those that governed the structurally regular institutions of US society, which were uniformly constituted around the centrality of private property. Thus the obstacle to the Indian Territory’s admission to statehood was not its demographics but its commitment to collective ownership. Indians were the original communist menace.

To appreciate the deeper commonality linking the ostensibly contrary policies of segregation and assimilation, we shall shift into the post-frontier era to consider a campaign that, on the face of it, would seem to represent Indian removal’s antithesis. Rather than displacing Indians somewhere else, the allotment policy sought to connect each individual Indian to a fixed parcel of land. Once the commonality between the policies of Indian removal and allotment in severalty has become clear, we will consider the affinity linking these explicitly territorial policies to the manifestly corporeal discourse of blood quanta.

**GENERAL ALLOTMENT**

Understood as an internal correlate to removal, allotment exhibits many of the same characteristics. Like removal, it detached Indians from their land, enabling the US government to extinguish tribal title to it. This occurred because individual allotments, which were usually of 160 acres, were of smaller expanse than a pro rata division of tribal territory would have yielded. Before allottees could begin to sell their plots, therefore, the government had already appropriated the surplus. Moreover, as Cole Harris has observed, capitalism benefited doubly from allotment, ‘acquiring access to land freed by small reserves and to cheap labour detached from land’. Allotment also marked a refusal of collective organisation. ‘A protected Indian title to land’, enthused the Indian Rights Association in 1885, two years before the passage of the allotment legislation that it championed, ‘is the entering-wedge by which tribal organization is to be rent asunder’. President Theodore Roosevelt agreed, extolling the *General Allotment Act* in his message to Congress of December 1901.
as ‘a mighty pulverizing engine to break up the tribal mass’. Given such basic correspondences, it is not surprising that inchoate forms of both removal and allotment should have existed from the early days of White settlement. The General Allotment (or ‘Dawes’) Act did not invent allotment, any more than the Indian Removal Act invented Indian removal. The General Allotment Act made allotment general. Though it certainly brought increased system, the fundamental tendency that the act enshrined was by no means an invention of the 1880s.

J.P. Kinney found a legislative order of the General Court of Massachusetts that declared as early as 1633 that ‘if any of the Indians shall be brought to civility, and shall come among the English to inhabit, in any of their plantations, and shall there live civilly [sic] and orderly, [...] such Indians shall have allotments amongst the English, according to the custom of the English in like case’.

Such cases were admittedly rare. On the founding of the new Republic, however, enthusiasm for the procedure mounted, with allotment being pressed on Indians from Washington’s time on. Treaties provided for allotments in the early period of the Republic, though the private-property dimension was not necessarily expected to apply in the short term. Under Article 4 of the 1820 Choctaw treaty of Doak’s Stand, which became a model for removal, it was agreed that the tribal boundaries that the treaty established would remain unaltered (and on the east side of the Mississippi river) ‘until the period at which said nation shall become so civilized and enlightened, as to be made citizens of the United States, and Congress shall lay off a limited parcel of land for the benefit of each family or individual in the nation’. In the same year, the Indian agent for the Osage recommended allotments of 160 to 640 acres. These proportions would become familiar. Over the following three decades, allotment provisions continued to be common but were not uniformly specified. From mid-century on, however, in Vine Deloria and David Wilkins’ words, ‘the full weight of government’ was brought to bear on ‘the idea of allotting Indian lands and bringing individual Indian families into the small town/family farm way of life’. Between 1853 and 1856, as Indian Commissioner George Manypenny reported, over 50 treaties were negotiated, the majority of which provided for allotment in severalty. In later life, vainly counselling against the Dawes legislation, a repentant Manypenny
recorded that, in dissolving the tribal relation and encouraging allotment and citizenship, ‘thus making the road clear for the rapacity of the white man’, he had acted in good faith: ‘Had I known then, as I know now, what would result from those treaties’, however, ‘I would be compelled to admit that I had committed a high crime’. After the Civil War, the focus of Indian dispossession switched to the Plains, where removal morphed into the cognate policy of reservation. As Robert Trennert has observed, the early reservation policy, which sought to protect White travellers, was necessitated by the fact that the more mobile people of the Plains (who ‘moved easily from one location to another, had no permanent villages or agricultural fields for whites to destroy, and were usually able to choose between battle or retreat as the situation demanded’) needed to be handled differently. Through this shift, however, the strategic essentials remained the same. To exchange the buffalo road for the cow road, Plains Indians had to be ‘settled on fixed reservations, since only then could their tribal land be assigned to individuals’.

There was one major difference between allotment and removal, however. Whatever treaties may have provided, and regardless of Indian agents’ promises, the proponents of removal saw it as a transitional device. A creature of the frontier, removal was also short-lived as a bounded historical phase. To put Jefferson’s idea into practice required the existence of territory that was included in the United States but still unclaimed by its citizens. Outside New Orleans and its environs, most of the vast swathe of Indian land, dotted with forts and trading posts, that the United States had acquired through the Louisiana Purchase was rawly discovered by the French and/or the Spanish and not yet appropriated by White people. Indeed, the commissioning of Lewis and Clark’s expedition to map the unknown territory between the Mississippi and the Pacific demonstrated just how inchoate was the sovereignty that the nation had bought from Napoleon.

With the instantaneity of discovery, the Louisiana Purchase theoretically doubled the size of the nation. In the space thus opened up, removal mediated between dominion and possession, exchanging native title for a contractual substitute that obtained under the legal system of the United States. Excisions, repeat removals and the
enforced sharing of territory granted more than once by different treaties were the practical face of removal’s temporariness, which kept time with the westward march of the nation. Allotment was increasingly offered as an alternative to this demoralising cycle. In the end, it became the only alternative. There was a limit to the West, which was anyway moving in from the Pacific as well, and this imposed a final limit on removal and reservation.

Territorial expansion could override the most cherished of ideological objectives. This not only applied to Indians. When large expanses beckoned, even Jefferson and Jackson’s hallowed yeoman farmer could be hustled out of the way by absentee speculators. Displaced by speculators, many smallholders found themselves steered into manufacturing industry to provide a market for the agricultural surplus. Jackson’s manufacturing-oriented ‘tariff of abominations’ maintained this industry. Young documented how, in the wake of Indian removal, Jacksonian policies favoured speculators over settlers. Driven to recoup the cost of removal, the government ‘made a consistent practice of offering more land for sale each year than could possibly be purchased [by settlers... This] threw large areas into the market before many settlers had realized enough from their crops to purchase their claims’. The frontier was led from behind.

On the passing of the frontier, removal lost its function. Not so allotment. Rather, the demise of removal meant that assimilation was the only one of these complementary strategies to remain viable, a situation that was congenial to the renewed currency of environmentalist ideology. As the primary instrument of assimilation, the allotment program intensified accordingly. Allotment focused on the individual, whom it not only stripped of land. Increasingly, it also sought to strip individuals of their Indian identity. In seeking to produce assimilable individuals, the programme sought to eliminate a collectivity that was separately constituted from and not contained within the bounds of the social contract that Europeans had imported with them. Indians would become White in a way that went beyond colour. The key attribute was individuality. Over the frontier, the US government’s primary unit of Indianness had been the tribe. The number of individuals comprising it had been secondary. What had counted was the tribal
domain, which was collectively held. Treaties exchanged this for land that was as yet uncoveted by Whites, sometimes breaking individual parcels down into allotments that could smooth the path of removal (initially, as an inducement to signatories). In the post-frontier era, however, when eliminatory discourse focused exclusively inwards, beneath the tribal surface to the individual Indian below, the numbers became crucial. The discourse of elimination came to focus on the reduction of Indians as Indians, rather than on the geographic displacement of Indian tribes.

Allotment, in sum, had two inseparable ends: the abolition of tribal government and the assimilation of the individual Indian. It was not so much an alternative to removal as its completion. Thus we do not encounter it in isolation, as simply a form of land tenure. Rather, allotment was invoked as a universal antidote for all things Indian. The erasure of Indianness was generally depicted contractually, as a kind of reciprocity. Jefferson’s version of reciprocity was an exchange: land for civilisation (‘what they can spare and we want, for what we can spare and they want’). Jefferson instructed his Indian superintendent that, where the prospect of civilisation offered inadequate inducement, more tangible considerations might tempt Indians into debt, which they could discharge with their land. Jackson, characteristically, was more direct, extending the principle of individual allotment to the payment of tribal annuities that were due under treaties. The intention was ‘to reduce the power of Native leaders and to prevent the establishment of tribal treasuries by such nations as the Cherokees’ – who, as Michael Green goes on to note, were currently engaged in preparing the case of Cherokee v. Georgia. In terms of directness, however, few exchanges can compare with General Sanborn’s offer of allotments to the Arapo and Cheyenne in compensation for the Sand Creek massacre. Later in the century, proponents of the Dawes Act were hardly less calculating. Colonel Richard Pratt estimated that allotted Indians could be assimilated in a mere three to five years so long as they were evenly spread (which would ‘only make nine Indians to a county throughout the United States’). Justice William Strong concurred: ‘I would, if I had my way in the matter, plant no allotment of an Indian family within 10 miles of another’. Consistently enough, some of the blessings that would accrue to dispersed Indians from their bargain with civilisation had a distinctly Hobbesian quality. After all,
one of the features that distinguished the ‘Five Civilized Tribes’ (and complicated matters for missionaries) was that some of them had adopted the European practice of enslaving Black people. By Albert Gallatin’s mischievous reckoning, ‘the number of plows in the five tribes answered for the number of able bodied negroes’. More generally, civilisation could signify an awkwardly unchristian selfishness. In 1831, for instance, Indian Affairs Commissioner Elbert Herring complained that Indians lacked the ‘meum and tuum in the general community of possessions, which is the grand conservative principle of the social state’. With or without his Latin, however, *homo œconomicus* could hardly have had a more committed spokesman than Senator Dawes himself, who reported to the Friends of the Indian in 1885 that a chief of one of the ‘Five Civilized Tribes’ had told him ‘that there was not a family in the whole Nation that had not a home of its own’:

There was not a pauper in the Nation, and the Nation did not owe a dollar. It built its own capitol [...] and it built its schools and its hospitals. Yet the defect of the system was apparent. They have got as far as they can go, because they own their land in common [...] There is no selfishness, which is at the bottom of civilization. Till this people will consent to give up their lands, and divide them among their citizens so that each can own the land he cultivates, they will not make much more progress.

The paradox of civility apart, Dawes’ remark reveals a feature of allotment that Jefferson had recognised: Indians’ civilisation would come after, rather than before, their loss of land. The civilising process produced a faster rate of land acquisition than had previously been achieved by military means. In the half century from 1881, the total acreage held by Indians in the United States fell by two thirds, from just over 155 million acres to just over 52 million. A consequence was the emergence of another feature of civilisation: class. As D’Arcy McNickle, who knew first-hand, observed: ‘In each allotted reservation a class of landless, homeless individuals came into existence and, having no resources of their own, doubled up with relatives and intensified the poverty of all’. The bare figures only
Wolfe, ‘After the Frontier’.

tell part of the story, since the land that Indians did manage to retain was disproportionately marginal or useless for agricultural purposes.\(^{94}\)

Accordingly, the idea that there is tension between the strategies of assimilating Indians and of either removing or segregating them misses the fundamental reality that, as settler colonialism, all Indian policy is subordinate to the overriding imperative of territorial acquisition. As we have just seen, beneath the manifest disparity between removal, which separated Indians from their land, and allotment, which assigned Indians to individual portions of land, there lay a deeper policy continuity. When we investigate the post-frontier discourse of blood quanta, the reverse is the case. Here, an apparent continuity is deceptive, since the separating out of particular ‘half-breeds’ for special treatment in nineteenth-century treaties actually served a different purpose from the racial arithmetic that emerged at the end of the nineteenth century in the course of implementing the Dawes-era programme of Indian assimilation that centred on general allotment. In this case, the appearance of continuity should not distract us from the wholesale shift in the techniques of Indian elimination that the passing of the frontier inaugurated. The final boundary of the Indian domain was Indianness itself, persisting within every individual who remained Indian. In the end, blood quanta crossed even this boundary, allotting the Indianness beneath the skin. To round off our survey of ways in which a variety of settler colonial strategies supplemented one another in post-frontier US Indian policy, therefore, we turn now to the ostensibly non-territorial strategy of blood quantum requirements.

**BLOOD QUANTA**

In the wake of the frontier, it made little difference whether Indians had been removed to other tribes’ homelands or confined to a portion of their own. They were on reservations, and there was nowhere else to put them. Thus treaties could no longer serve the purpose of converting Indian homelands into so many parts of the United States. As such, they were historically as well as strategically temporary. A Turneresque outgrowth of expansion, the treaty was
endemic to the nineteenth century. The end of the frontier received symbolic, if slightly premature, expression on 3 March, 1871, when Congress resolved that: ‘No Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty’. The era of treaty-making with Indian tribes was formally over. This is not to say that the years 1870 and 1872 can be distinguished by a hiatus in the conduct of Indian affairs. In the historical long-run, however, as a marker of the final internalisation of Indian societies, the importance of the end of treaty-making can hardly be overstated. In driving a wedge between Indian affairs and international law, the 1871 act consolidated the *Cherokee v. Georgia* judgement. Through being rendered internal, the Indian problem was discursively reconstituted as administrative rather than political.

In the three or four decades after treaty-making was discontinued, the BIA demonised the tribal governments it had previously relied on to deliver treaties and focused on the improvable individual, whose individuality corresponded to a particular fragment of the tribal estate. The outcome was a two-way loss whereby culture and biology supplemented each other. As Senator Higgins put it in Congress: ‘It seems to me one of the ways of getting rid of the Indian question is just this of intermarriage, and the gradual fading out of the Indian blood; the whole quality and character of the aborigine disappears, they lose all of the traditions of the race’. Culturally, through what Lewis Meriam, author of the scathing report that heralded the end of the allotment programme, sarcastically dubbed ‘the magic in individual ownership of property’, Indians would be co-opted out of the tribe, which would be depleted accordingly, and into White society. With every man his own chief, there would be no more Indians. Culture, biology and territoriality converged on the modern discourse of blood quanta, which originated in the 1890s in the immediate context of implementing general allotment. Once federal reservation managers were required to register tribal members for the purpose of allocating individual land holdings under the Dawes legislation, the catch-all ‘half-breed’ category, which had previously served as an indiscriminate designator of genetic admixture, began to acquire mathematical refinement. Five years after the Dawes Act, Indian Affairs Commissioner T. J. Morgan...
distinguished this increasing refinement from the less exacting quantifications of the preceding era: ‘under date of July 5, 1856, Attorney-General Cushing expressed the opinion [...] that half-breeds (and in his opinion he seems to use the expressions half-breeds and mixed-bloods interchangeably), should be treated by the executive as Indians in all respects so long as they retain their tribal relations’. As if to mark the transitional moment, however, Morgan went on to observe, in the very style he had just deprecated in Cushing, that: ‘One of the most intelligent Indians known in the history of our dealings with the Indians was John Ross, a Cherokee chief, who was a half-breed’. 98

As a technique of elimination, assimilation is more effective than either homicide or a spatial device. Unlike homicide, it does not jeopardise settler social order, since the policy is invariably presented, in philanthropic terms, as offering Natives the same opportunities as are available to Whites. In the post-frontier era, a too-public reliance on earlier, more direct modes of elimination would have conflicted with the establishment and legitimation of the rule of law among a diverse and potentially unruly immigrant populace that was still in the making. Correspondingly, unlike the spatial techniques of removal and/or confinement, assimilation is seen as permanent and not susceptible to the settler land-hunger that sooner or later arrives at the boundaries of the Native enclave. Above all, though, assimilation is total. In neutralising a seat of consciousness, it eliminates a competing sovereignty. Confined Natives, relatives and descendants of killed Natives, remember their dispossession. That memory inscribes the foundational violence of settler democracy. Assimilated Natives, by contrast, do not even exist. There are only White people, settlers, bereft of memory. 99 Or so might the Native Administrator’s wish be fulfilled. Natives can see things – and, more to the point, act on things – in other ways. 100 Resistance can, however, be counterproductive, as in the case of those who boycotted the Dawes allotment rolls and thereby disinherited their descendants. 101

The allotment policy was formally discontinued by the New Deal reforms associated with John Collier’s dynamic stint as Commissioner of Indian Affairs, which enshrined the principle of tribal self-government. To its undeniable credit, the 1934 Indian
Reorganization Act put an end to the catastrophic process of tribal allotment and returned surplus tribal lands that had yet to be sold off. It also curtailed the sale of tribal assets to outsiders. In addition, the act and related legislation vouchedsafed Indians’ freedom of religion and speech, established a fairer criminal justice system on reservations and provided funds for land acquisition and economic development, among other improvements. All this came at a price, however. Collier’s vision for tribal organisation reflected his own Pueblo romance, a ‘Red Atlantis’ that he had discovered during a sojourn in New Mexico in the early 1920s. In Robert Berkhofer’s words, the Pueblos became Collier’s ‘personal countercultural utopia’. Nonetheless, tribes that reorganised under the act found themselves adopting a distinctly Western style of governance by way of the BIA’s model constitutions. Though the act ostensibly abandoned the campaign to assimilate individual Indians, its prescription for reinforcing tribal government was to anglicise it. Constitutions typically introduced tribal elections, specified blood quantum-based membership criteria and included the phrase ‘subject to the approval of the Secretary of the Interior’, whereby tribes surrendered final say over expenditure or land use. An indication of the practical substance of the act’s version of tribal independence is the fact that the reforms were to be administered by the BIA, the single organisation with most to lose from Indian self-government. When tribal authorities evinced unwillingness to exchange their own political processes for Western-style electoral contestation, Collier sought to replace them with imposed political structures of Interior Department design. Indian resistance was widespread. The objections did not just come from traditionalist diehards. Christianised Indians reacted against the threat of being returned to ways of life that they had repudiated, allotted individuals resisted the idea of surrendering their holdings to the collectivity, Oklahoma tribes ‘believed they would have to return their oil wells to tribal governments that existed only as paper organizations’, while the Navajo, largest tribe of all, politely heard Collier out and wanted nothing to do with his system. For the Department of the Interior, however, one model fitted all. Ten years after the act had been passed, Assistant Solicitor Charlotte Westwood reported to the Senate Committee on Indian Affairs that the degree of standardisation of tribal constitutions was so ‘incredibly high’ that
Wolfe, ‘After the Frontier’.

the conclusion was warranted that ‘these constitutions are nothing more than new Indian Office regulations’.108

In an important sense, however, the model constitutions were much more than new BIA regulations. Rather, they fundamentally shifted the level of regulation itself. Whereas, in the allotment era, tribal government had been routinely excoriated, there was no suggestion that it was anything other than an alien entity. The programme had been premised on a protean opposition between tribal organisation and US society. In seeking to dismantle that opposition, the Indian Reorganization Act sought to raise the scope of assimilation from the level of the individual to that of the tribe itself. Where Dawes-style assimilation had reconstituted individual Indians as property-owners, and thus sought to eliminate them as Indians, the Indian Reorganization Act reconstituted tribes into structural conformity with White institutions – which is to say, it sought to eliminate them as Indian institutions.

The semblance of tribal consent that had been so important for treaty-making remained central to the process of securing tribal acceptance of the new constitutions, though this did not stop the BIA from defining and circumscribing tribes’ powers for them. Bureau interference extended down to a tribe’s capacity to define its own membership, a capacity that was usurped by the model constitution’s blood-quantum requirement. In response to this requirement, Frank Ducheneaux, leader of the Cheyenne River Sioux, complained that the legislation not only kept Indians under the control of Congress and the Secretary of the Interior but ‘limited their sovereign rights which had never been done before formally’.109

It is important to widen the narrow focus that would confine the Indian Reorganization Act to US national history. Such a focus, which fails to recognise Indians as colonised peoples, merely endorses the post-frontier depoliticisation whereby Indian affairs were relegated from the realm of international relations to that of municipal administration, a phenomenon that we should be analysing rather than reproducing. The context in which the act was introduced was not merely that of the New Deal United States. Globally, it was an era in which White authorities were introducing systems of indirect or delegated governance with a view to assuaging colonial-nationalist sentiment in the colonies. Collier derived
inspiration for his model of tribal government, which he even termed ‘indirect administration’, from Lord Lugard’s plan for the indirect rule of British colonies.\textsuperscript{110} Rather than fostering national independence, Lugard’s intention had been to postpone it indefinitely. Thus it is not surprising that the Indians whom Collier recruited to the scheme should have found themselves in an impossible situation. As Laurence Hauptman has noted, “‘Bureau Indians’ had been viewed as traitors by many Indians since the days of Carlos Montezuma”.\textsuperscript{111}

The reconfiguration of tribal governments into structural harmony with Euroamerican institutions was tellingly reflected in a concomitant elaboration of blood-quantum criteria. In April 1934, a few weeks before the passing of the Indian Reorganization Act, President Franklin D. Roosevelt signed Executive Order 6676, which, for the first time, formally specified a blood requirement (of a quarter-degree, for employment preference with the BIA).\textsuperscript{112} Soon afterwards, Section 19 of the act would provide that:

The term ‘Indian’ as used in this Act shall include all persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction, and all person who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any reservation, and shall further include all other persons of one-half or more Indian blood.\textsuperscript{113}

A major shift has taken place here. Under the Dawes regime, hybridity had furnished a means to fragment the tribe. As of 1 June 1934, however, reservation Indians were no longer segregated into differently-entitled categories. On the contrary, mixed-bloodedness seems to lack implications for tribal membership (though, as we have also seen, the model constitutions would seek to remedy this). Rather than tribal organisation, blood-quantum discourse was now aimed primarily at people living \textit{off} the reservations, the ‘all other persons’ who were not ‘of one-half or more Indian blood’. This takes us back behind Dawes to the removal era, when, as the Ponca example illustrated, those whose mixed-bloodedness had been
without consequence were those who had removed over the frontier. As we have seen, it had been the Ponca’s ‘half-breed relatives’, forsaking the tribe and living among White people, who had been eligible for allotments. In contrast to the assimilable individual, tribal organisation had been incompatible with the structurally regular institutions of US society, which meant that it had to be removed and, when that option was no longer available, dismantled. In the wake of the frontier, when the inassimilable tribe had been encompassed within White society, mixed-bloodedness came to operate within the confines of the tribe, which it served to break up.\textsuperscript{114} Under the Indian Reorganization Act, by contrast – at least, as Congress passed it, before the BIA took over its implementation – mixed-bloodedness ceased to operate within the tribe, which was seen as confined to the space of the reservation.\textsuperscript{115} But this is entirely consistent since, at the same time, *tribal organisation ceased to be structurally incompatible with the institutions of US society*. In other words, as the frontier receded from living memory, the act achieved the same end as removal had previously achieved. It rid US society of the inassimilable features of the tribe.

The Indian Reorganization Act’s incorporation of the reconstituted tribe had profound implications for the complex interplay between civic and geographical space that shaped the racialisation of Indian people. As we have seen, when the destruction of tribal organisation was the primary target of US Indian policy, geographical withdrawal from the tribe had been the key step in an individual’s assimilation into White society. Once the reformed tribe had been domesticated, however, the anomaly of an Indianness that persisted beyond its boundaries intensified accordingly. At this point, race ceased to operate on the reservation. There being no further need to eliminate an Indianness that had a licensed place, blood-quantum discourse came to focus exclusively on Indianness as it endured off the reservation. All these years on, the abruptness of the reversal still has the capacity to astonish. Consider the following interchange from the House Committee on Indian Affairs’ hearing into the Indian Reorganization Bill:

\textbf{Senator Thomas}: Well, if someone could show that they were a descendant of Pocahontas, although they might
be only five-hundredth Indian blood, they would come under the terms of this act.

**Commissioner Collier:** If they are actually residing within the present boundaries of an Indian reservation at the present time.\(^{116}\)

*Off* the reservation, however, one needed to boast half a degree to qualify. Failing this, blood quanta would continue to declassify Indians as they had earlier done within the tribe. When five-hundredth degree descendants of Pocohantas — or, for that matter, quarter-degree people who had qualified for preferential BIA employment under Roosevelt’s Executive Order — passed over the reservation boundary, therefore, they changed colour. Indians with African ancestry turned from Red to Black. So long as they did not possess a single drop of Black blood, other Indians could turn White. Any colour so long as it wasn’t Red. There could hardly be a clearer example of race intensifying in White social space. Such anomalies reflect the persistence of settler colonial thinking in the New Deal reforms, which located Indianness in a confined realm that was not merely geographical (the physical space of the reservation). By the same token, the Indian Reorganization Act’s incorporation of the tribe into structural conformity with its civic environment culminated the racialisation of Indian people.

There could be no more unstable racial identity than the one that transforms itself, trickster-like, at the reservation gate. Nor could the contrast with the immutability of Blackness be more complete. As I have argued elsewhere, instability — susceptibility to being changed into something else — is a distinctive attribute of Indianness in US settler colonial discourse.\(^{117}\) In comparison to this extreme, the nineteenth-century savagery that was either located or removable over the frontier was hardly unstable at all — as noted, Indians’ incapacity for agriculture figured as irredeemable in removalist propaganda. Subsequently, on the basis of Dawes-era logic, throughout the relentless attack against it, the tribe still incubated an alterity that was contrapuntal to White society. With the Indian Reorganization Act, however, the Indian problem became
finally contained. This ultimate end to the frontier, the most territorial of consummations, was inscribed in the language of blood quanta.

CONCLUSION

History cautions us to guard against appearances. As co-products of the settler colonial logic of elimination, removal and assimilation conduce to a common end. By the same token, Indian reservations are not comparable to Jim Crow segregation, any more than land rights are comparable to apartheid. Indeed, the reverse is the case: for all their limitations, reservations and land rights are concessions achieved through anticolonial resistance rather than colonially imposed systems of oppression. Correspondingly, Black Americans’ civil-rights era campaign to be included on equal terms with White society promoted a goal – assimilation – that the Native movement in the USA, as in Australia, was premised on rejecting. Indeed, as a number of scholars have noted, the Fifteenth Amendment, fruit of the overthrow of slavery, could theoretically jeopardise Indians’ distinctive rights, since these could be interpreted as racially based. The liberal discomfort occasioned by tensions between Blacks and Indians reflects a universalism that takes for granted a pastiche of difference – colours, races, minorities, ethnicities – on a multicultural canvas which levels the varied histories that produced these differences in the first place. Historically analysed, however, these apparent conflicts of sectional interest emerge as traces of the different but complementary roles into which the conquered populations concerned were co-opted by colonial settlers. In the cases of Indians and Black people in the USA, contemporary differences testify to the distinct historical experiences of territorial expropriation and chattel slavery respectively. These distinct modes of co-optation together subtended the overarching system of Euroamerican settler colonialism, so solidarities should be framed at this more encompassing level.

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NOTES

1 Also, or alternatively, and at different times, termed the Office of Indian Affairs or the Indian Office. For simplicity, I shall refer to this institutional continuity as the BIA.

2 The constructed nature of race is a truism. I address the question of why liberal-democratic discourse should select a numerical idiom for talking about political exclusion in an entry entitled ‘National Minorities’ that is to appear in P. Stearns (ed.), Oxford Encyclopedia of the Modern World (New York: Oxford University Press, forthcoming).

3 I shall develop this call, which is also flagged in my ‘Race and the Trace of History’ article, in a paper to be presented at the American Studies Association conference in Baltimore in October 2011 entitled ‘History and Solidarity: Beyond Identity Politics’.


8 At the level of the individual colony, the division can be traced back to the 1758
9 Quoted in Walter H. Mohr, Federal Indian Relations 1774-1788 (Philadelphia:
10 Annie H. Abel, ‘The History of Events Resulting in Indian Consolidation West of
11 US Statutes at Large, vol. 2: 283-89. Available online at
<www.yale.edu/lawweb/avalon/statutes/2us283htm>, viewed 12 February 2011, at
p. 6.
12 Removal in the North could differ significantly from the experience of the ‘Five
Civilized Tribes’. For the purpose of analysing the strategic logic of removal,
however, my discussion focuses on the most concerted, systematic, and well-
known campaign in the removal agenda.
14 See, e.g., the 1838 treaty with the New York Indians. Charles J. Kappler (ed.),
Indian Treaties 1778-1883 (Indian Affairs: Laws and Treaties, vol. 2) (Matricuck, NY:
Amereon House, 1972 [1904]), pp. 502-516. As a result of this treaty, ‘As in the
Cherokee “Trail of Tears”, members of the New York tribes died, en route to or in
Indian territory, of cholera, exposure to the elements, or starvation’: Laurence M.
Hauptman, Tribes & Tribulations: Misconceptions about American Indians and Their
Histories (Albuquerque, NM: New Mexico University Press, 1995), p. 48. See also
Office, 1941), pp. 53-62.
15 This not only applied to the official military. Following Samuel Coll’s patenting of
the first revolver in 1836, the culture of the gun spread very rapidly among US
households, especially on the frontier, a development that was intensified by the
civil war’s bringing ‘guns into the home, making them part of the domestic
environment and an unquestioned member of the American family’. See Michael A.
16 See, e.g., Richard M. Brown, ‘Violence’, in A. Milner et al. (eds), The Oxford
History of the American West (New York: Oxford University Press, 1994), pp. 392-
425; Alvin M. Josephy, The Civil War in the American West (New York: Knopf, 1991);
Robert M. Utley, The Indian Frontier of the American West, 1846-1890 (Albuquerque,
NM: New Mexico University Press, 1984); Richard White, ‘It’s Your Misfortune and
None of My Own’: A New History of the American West (Norman, OK: Oklahoma
17 Richard Irving Dodge, Our Wild Indians: Thirty-Three Years’ Personal Experience
(ed.), The Frontier Challenge: Responses to the Trans-Mississippi West (Lawrence, KS:
19 ‘A few perhaps might linger around the site of their council-fires; but almost as
soon as the patents could be issued to redeem the pledge made to them, they,
would dispose of their possessions and rejoin their countrymen’, Anon. [Lewis
20 Ronald N. Satz, American Indian Policy in the Jacksonian Era (Lincoln, NE: Nebraska
21 As Mr Justice Johnson put it in his concurring judgment in Cherokee v. Georgia,
‘The hunter state bore within itself the promise of vacating the territory, because
when game ceased, the hunter would go elsewhere to seek it. But a more fixed
state of society would amount to a permanent destruction of the hope, and, of consequence, of the beneficial character of the pre-emptive right': The Cherokee Nation vs. The State of Georgia (30 US. 5 Pet. 1) 1831, p. 23.


24 ‘[Indians] know that they will find enemy hordes in this new wilderness, and to resist them they no longer have the energy of barbarism, without having yet acquired the force of civilization’, Alexis de Tocqueville, Democracy in America (Chicago: Chicago University Press, 2000 [1835]), p. 322.


26 Foreman, Indian Removal, p. 200.

27 Other Western Cherokee had been there since a treaty agreed in 1828. Foreman, Indian Removal, p. 249.

28 Foreman, Indian Removal, p. 249.

29 Cherokee Phoenix, 28 February 1828.

30 Abel, Indian Consolidation, p. 360.


33 ‘And the new President [Jackson] did not scruple to assert and reiterate the untruth that the Creeks and Cherokees respectively were attempting to “erect an independent government within the limits of Georgia and Alabama”, ringing all possible changes on the falsehood, and gravely quoting from the Constitution that “No new State shall be formed or erected within the limits of any other State”, as precluding the maintenance by the Creeks and Cherokees of their governments in territories which they had possessed and governed long before Georgia had been colonized, or the name Alabama invented’, Horace Greeley, The American Conflict... 2 vols. (Hartford, CT: O.D. Case, 1864-66), vol. 1, p. 104. Greeley would, of course, have been on firmer ground to stress the novelty of the name Georgia.

34 ‘And now, when we begin to suspect, that the white man and the red man cannot live together, we find no country where we can plant, and nourish, and protect those children of misfortune, until we pass the farthest limits of the governments formed beyond the Mississippi’: Cass, ‘Removal of the Indians’, p. 109.


36 ‘The practice of buying Indian lands is nothing more than the substitute of humanity and benevolence, and has been resorted to in preference to the sword, as the best means for agricultural and civilized communities entering into the enjoyment of their natural and just right for the benefits of the earth’: Wilson Lumpkin [soon to be Governor of Georgia], The Removal of the Cherokee Indians from Georgia. Including His Speeches in the United States Congress on the Indian Question. 2 vols., W. J. DeRenne, (ed.). (Wormsloe, GA: Dodd, Mead & Co., 1907), vol. 1, p. 83.


39 Rogin, Fathers and Children, p. 179.

In his compendious partisanship regarding Jackson, see Hauptman, [Arlington Heights IL Cherokee blood in his veins](https://example.com), Harper & Row, 1984], p. 293; ‘Ross was a Scot with only a dash of Cherokee blood in his veins – one-eighth to be precise’ (Remini, [The Jacksonian Era](https://example.com), pp. 45-46). For an incisive critique of Remini’s partisanship regarding Jackson, see Hauptman, [*Tribes and Tribulations*, pp. 40-48. In his compendious [*The Great Father: The United States Government and the American Indians*](https://example.com), Lincoln, NE: Nebraska University Press, 1986] (abridged edition), Francis Paul Prucha introduces Ross as ‘John Ross, a mixed-blood who was one-eighth Cherokee’ (p. 86). Like Remini, Father Prucha, who is also a Jackson apologist,
hardly distances himself from his subject: ‘Jackson was convinced from his
observation of the political incompetence of the general run of Indians that the
treaty system played into the hands of the chiefs and their white and half-breed
advisers to the detriment of the common Indians’ (Prucha, ‘Andrew Jackson’s
Prucha’s apologia consists principally in taking Jackson’s rhetoric at face value, as
if ‘by their words shall ye know them’ could furnish a viable methodology for (of all
histories) Indian history. Donald Cole has pointed to the partiality of Prucha’s
defence of Jackson: ‘Prucha […] documents Jackson’s supposed generosity toward
the Indians by quoting from the president’s [Jackson’s] letter to John Coffee about
the Chickasaw removal in which he referred to the “liberality” and “justice” of his
policies. Prucha neglects, however, to include the part in which Jackson
congratulated Coffee for getting the Indians to move at their own expense – not
good example of generosity’ (Donald B. Cole, The Presidency of Andrew Jackson
48 Mary E. Young, Redskins Rufflesirts and Rednecks – Indian Allotments in Alabama
22-3, 27.
49 Richard White, The Roots of Dependency: Subsistence, Environment, and Social
Change among the Choctaws, Pawnees, and Navajo (Lincoln, NE: Nebraska University
50 Young, Redskins Rufflesirts and Rednecks, p. 29 (where, as also on p. 27, Peter
Pitchlynn is incorrectly named John). John Pitchlynn, a White trader, was Peter
Pitchlynn’s father. See Donna L. Akers, ‘Peter P. Pitchlynn: Race and Identity in
Nineteenth-Century America’, in Michael A. Morrison (ed.), The Human Tradition in
Antebellum America (Lanham, MD: Rowman and Littlefield, 2000), pp. 131-32; R.
David Edmunds, ‘National Expansion from the Indian Perspective’, in Frederick E.
Hoxie (ed.), Indians in American History: An Introduction (Arlington Heights, IL:
Harlan Davidson, 1988), p. 167; Foreman, Indian Removal, p. 27.
51 Young, Redskins Rufflesirts and Rednecks, p. 28.
52 ‘[O]r in which, to reverse the picture, the observer is being carried in the stream
of duration continuously away from a past and into a future’, Benjamin Lee Whorf,
in John B. Carroll (ed.), Language, Thought, and Reality. Selected Writings of Benjamin
53 This continental statement is not intended to occlude the concurrent expansion of
what might be termed the maritime frontier, or ‘overseas America’, into the
Philippines, Hawai’i, Cuba, Puerto Rico and elsewhere.
54 Kappler, Indian Treaties, p. 774. Treaty precedents extend at least as far back as
article 8 of the 1817 treaty with the Wyandot, Seneca, Delaware, Shawnee,
Potawatomi, Ottawa and Chippewa, which provided (‘At the special request of the
said Indians’) for allotment in the case of ‘persons hereinafter mentioned, all of
whom are connected with said Indians, by blood or adoption’, who included, e.g.,
‘the children of the late William M’Collock […] who are quarter-blood Wyandot
Indians, one section […] To Anthony Shane, a half-blood Ottawas Indian, one
section of land’: Kappler, Indian Treaties, pp. 147-48.
55 The Ponca Métis were by no means the only example: ‘A common provision of
treaties negotiated by the Peace Commission of 1867-1868 was a requirement that
any subsequent purchase of land from the tribe involved would not be valid unless
approved by three-fourths of the adult males of that tribe. To meet this
requirement, the government had routinely sought the signatures of mixed bloods
to validate purchases of tribal land. Under the circumstances, Commissioner
Morgan advised continuing to allow tribes to accept mixed bloods into full
Problem of Indian Identity’, Arizona and the West 27 (1985), p. 314. See also
William E. Unrau, Mixed-Bloods and Tribal Dissolution: Charles Curtis and the Quest for
Wolfe, ‘After the Frontier’.


61 Quoted in Prucha, Americanizing the American Indians, pp. 172-84.

62 Messages and Papers of the Presidents, vol. 15, p. 6672.


66 Nancy Carter asserts that allotments were provided for as early as 1798 (Nancy Carol Carter, ‘Race and Power Politics as Aspects of Federal Guardianship over American Indians: Land-Related Cases, 1887-1924’, American Indian Law Review 4, [1976], p. 237, n. 107), but the only such clause that I can find for that year is Article 10 of the Cherokee treaty of October 2, 1798, which provides for an allotment for the federal agent rather than for any individual Cherokee: Charles J. Kappler (ed.), Indian Treaties 1788-1883 (New York, 1972 [reprint]), p. 54.

67 Kappler, Indian Treaties, p. 192.

68 Abel, Indian Consolidation, p. 303.

69 640 acres is a square mile, or section; 160 acres being known, accordingly, as a quarter-section.

70 Vine Deloria and David E. Wilkins, Tribes, Treaties, and Constitutional Tribulations (Austin, TX: Texas University Press, 1999), pp. 60-1, 75.
Since tariffs were seen to encourage retaliatory measures on the part of foreign
countries that constituted the primary export market for the plantation economy,
they were seen to favour the industrial North at the expense of the South, a division
that reinforced the differences over slavery. See, e.g., Louis P. Masur, 1831. Year of
removal provided an issue that was capable of reconciling northerners such as
Jackson’s silvertail Vice-President Martin Van Buren and the southern slaveholding
interest. Indeed, for Richard B. Latner Indian removal furnished a basis for unifying
the fledgling Democratic party: The Presidency of Andrew Jackson: White House

Young, Redskins Ruffleshirts and Rednecks, p. 182. See also Daniel Feller, The
Public Lands in Jacksonian Politics (Madison, WI: Wisconsin University Press, 1984),
p. 80; Peter Temin, The Jacksonian Economy (New York: Norton, 1969), p. 96. This
logic would continue to obtain: ‘So long as the need for revenue was the basic
influence underlying public-land distribution [in Kansas in the 1850s], no
restrictions were placed in the way of large accumulation by speculators, land
companies, and other nonsettlers; on the contrary, every effort was made to induce
purchasing by them. As a consequence, many million acres went into the hands of
these interests, which withheld them for prices beyond the reach of impoverished
frontiersmen’: Paul W. Gates, Fifty Million Acres: Conflicts over Kansas Land Policy,
If we can watch our body of dependent Indians shrink even by one member at a time, we may congratulate ourselves that the complete solution is only a question of patience’.

To promote this disposition to exchange lands, which they have to spare and we want, for necessities, which we have to spare and they want, we shall push our trading houses, and be glad to see the good and influential individuals among them run in debt, because we observe that when these debts get beyond what the individuals can pay, they become willing to lop them off by a cession of lands.

By a nice irony, not foreseen at the time, much of this wasteland would later turn out to be rich in mineral deposits.
Political Liberty

Lawrence

constitution of the Oglala Sioux Tribe of Pine Ridge Reservation, quoted in

of the Secretary of the Inte

213. Consider, e.g.,

the Content and Character of Federal Indian Law

every field

was allowed to approve or disapprove the actions of a tribal government in almost

domestic affairs. After the Indian Reorganization Act, the Secretary of the Interior

of decisions

Act, when the Organization Division headed by Joe Jennings was established.

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Collier, presents no evidence to discount the possibility that a model constitution

Indian Constitutional Reform and the Rebuilding of Native Nations

37, 96 and elsewhere), Elmer Rusco denies that one existed (in

Deloria, ‘Revision and Reversion’, in Calvin Martin (ed.), The American Indian


Putting this prescriptive bias down to legal scholarship’s dominance of the area,

Deloria (‘Laws Founded in Justice and Humanity’, p. 219) signalled an opportunity

for historians: ‘How, we may ask, did federal Indian law become part of legal

scholarship and not historical scholarship?’.

Kent Carter, ‘Snakes & Scribes: The Dawes Commission and the Enrollment of

the Creeks’, Prologue Magazine (National Archives) 29, 1 (1997). Available online at


J. Collier, ‘Indian Religious Freedom and Indian Culture’ (Interior Department

Circular no. 2970, January 1934). See Kenneth R., Philip, John Collier’s Crusade for


Robert F. Berkhofer, The White Man’s Indian: Images of the American Indian from


Though Graham D. Taylor repeatedly refers to the Bureau’s model constitution

(The New Deal and American Indian Tribalism: The Administration of the Indian


37, 96 and elsewhere), Elmer Rusco denies that one existed (‘The Indian Reorganization Act and Indian Self-Government’, in Eric D. Lemont [ed.], American

Indian Constitutional Reform and the Rebuilding of Native Nations [Austin, TX: Texas

University Press, 2006], pp. 62, 73-4). But Rusco, whose intention is to defend

Collier, presents no evidence to discount the possibility that a model constitution

was devised in 1935, only a year after the passage of the Indian Reorganization

Act, when the Organization Division headed by Joe Jennings was established.

‘Prior to the Indian Reorganization Act, tribes were presented with certain kinds

decisions and they were believed to possess inherent powers to control their

domestic affairs. After the Indian Reorganization Act, the Secretary of the Interior

was allowed to approve or disapprove the actions of a tribal government in almost

every field’: Vine Deloria, ‘Laws Founded in Justice and Humanity: Reflections on


213. Consider, e.g., ‘the tribal council shall exercise, subject to review or approval

of the Secretary of the Interior, the following powers...’: Article IV of the

constitution of the Oglala Sioux Tribe of Pine Ridge Reservation, quoted in Russel

Lawrence Barsh and James Youngblood Henderson, The Road: Indian Tribes and

Political Liberty (Berkeley, CA: California University Press, 1980), p. 117, See also
Doctrine, Sovereignty, and Membership: Determining Who is Indian

point in different terms, the issue comes down to whether or not the holding in Morton v. Mancari (417 US 535, 1974) – that Indian preferences were not based on race but were a political distinction ultimately flowing from treaties – would withstand survive close judicial scrutiny. See, e.g., Christine Meteer, ‘The Trust Doctrine, Sovereignty, and Membership: Determining Who is Indian’, Rutgers Race & Law Review 5 (2003), pp. 53-4, 64-5; Paul Spruhan, ‘Indian as Race/Indian as Race’.


Quoted in Wunder, ‘Retained by the People’, p. 114.


Indian Reorganization (Wheeler-Howard) Act, s. 19.

As Paul Spruhan has observed (‘Legal History’, p. 8), ‘blood quantum existed before the extension of federal authority over tribal territory, and was not created specifically for it’. The blood quanta that continue to serve a variety of different purposes (e.g. determining eligibility for educational and health benefits) are not necessarily coterminous with those that govern the ownership of tribal land. See, e.g., Cohen, Handbook, pp. 2-5; Margo S. Brownell, ‘Who is an Indian? Searching for an Answer to the Question at the Core of Federal Indian Law’, University of Michigan Journal of Law Reform 34 (2000-2001), pp. 276-77.

The BIA has repeatedly applied blood quantum requirements more zealously than other agencies and sometimes in excess of legislation. ‘Current BIA policy [regarding employment preferences], then, appears to contradict S. 479 [of US Code Title 25, Indians] in two respects. It imposes the quarter degree blood requirement in all cases, whereas the statutory definition recognizes as an Indian any person of Indian descent who is a member of a Federally-recognized tribe. Secondly, it requires tribal membership in all cases, whereas the statute does not require membership of persons who have one-half or more Indian blood’: Vogt, Indian Employment Preference’, p. 37. See also Brownell, ‘Who Is an Indian?’, pp. 289-92; Hagan, ‘Problem of Indian Identity’, p. 319.


‘The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude’ (US Constitution, 15th Amendment). To put the point in different terms, the issue comes down to whether or not the holding in Morton v. Mancari (417 US 535, 1974) – that Indian preferences were not based on race but were a political distinction ultimately flowing from treaties – would withstand survive close judicial scrutiny. See, e.g., Christine Meteer, ‘The Trust Doctrine, Sovereignty, and Membership: Determining Who is Indian’, Rutgers Race & Law Review 5 (2003), pp. 53-4, 64-5; Paul Spruhan, ‘Indian as Race/Indian as
The Biopolitics of Settler Colonialism:
Right Here, Right Now

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Settler colonialism is exemplary of the processes of biopower theorised by Giorgio Agamben and Michel Foucault. However, settler colonialism remains naturalised within theories of biopower and theories of its relation to coloniality. White supremacist settler colonisation produces specific modes of biopolitics that sustain not only in settler states but also in regimes of global governance that inherit, extend, and naturalise their power. I extend Patrick Wolfe’s theory that a ‘logic of elimination’ constitutes settler colonialism in the genocide and amalgamation of Indigenous peoples, by indicating that this also indigenises and naturalises white settler nations as projections of the West. Agamben’s work illuminates how Indigenous peoples are eliminated in a state of exception to Western law, which by functioning to erase consanguinity – as the patriarch in Roman law eliminates the defiant son – explains Indigenous peoples’ seemingly contradictory incorporation within and excision from the body of white settler nations. This biopolitical process specific to settler colonialism also structures the manner in which white settler societies demonstrably universalize Western law, both within their bounds and in global arenas. My call to denaturalise settler colonialism in social theory is but a first step towards broader study of how the biopolitics of settler colonialism structure current modes of biopower and require concerted critique at the intersections of Indigenous and settler colonial studies.

If, following Patrick Wolfe, settler colonialism produces settler societies by pursuing the elimination of Indigenous peoples via amalgamation and replacement, then it is exemplary of biopower. Adapting Giorgio Agamben, we find that Europeans establish Western law and a new People on settled land by practicing an exception to the law that permits eliminating Indigenous peoples while defining settlers as those who replace.¹ Settler colonialism performs biopower in deeply historical and fully contemporary ways. As scholars increasingly theorise biopower as definitive of our times, with many insisting that this quality of biopower is colonial, we must confront our inheritance of settler colonialism as a primary condition of
biopower in the contemporary world. The work of Michael Foucault and Agamben and of their interlocutors must be resituated within a new genealogy of settler colonialism that can shift interpretations of biopower today.

For more than five hundred years, Western law functioned as biopower in relation to ongoing practices of European settler colonialism. Settler colonialism has conditioned not only Indigenous peoples and their lands and the settler societies that occupy them, but all political, economic and cultural processes that those societies touch. Settler colonialism directly informs past and present processes of European colonisation, global capitalism, liberal modernity and international governance. If settler colonialism is not theorised in accounts of these formations, then its power remains naturalised in the world that we engage and in the theoretical apparatuses with which we attempt to explain it. Settler colonialism can be denaturalised by theorising its constitution as biopower, as well as how it in turn conditions all modern modes of colonialism and biopower. My argument critically shifts recent theories of the coloniality of biopower by centreing settler colonialism in analysis. Wolfe has observed in histories of the Americas that a settler colonial ‘logic of elimination’ located Indigenous Americans relationally, yet distinctly from Africans in the transatlantic slave trade or colonised indentured labour, thereby illuminating (as Mark Rifkin notes) the ‘peculiar’ status of Indigenous peoples within the biopolitics of settler colonialism. Western law is troubled once European subjects are redefined as settlers in relation to the Indigenous peoples, histories, and lands incorporated by white settler nations. I argue that this tension is engaged productively by Agamben’s tracing of the state of exception to homo sacer, and notably its derivation in Roman law from a thesis of consanguinity. I adapt this quality to illuminate why and how Western law incorporates Indigenous peoples into the settler nation by simultaneously pursuing their elimination. I further argue that these deeply historical processes ultimately enact biopower as a persistent activity of settler states that were never decolonised and of the global regimes that extend and naturalise their power. By the twentieth century – amid a formal demise of colonial empires, putative decolonisation of the global South, and global capitalist recolonisation – the universalisation of Western law as liberal governance was ensured by the actions of settler states. A
genealogy of the biopolitics of settler colonialism will explain that the colonial era never ended because settler colonialism remains the naturalised activity projecting Western law and its exception along global scales today. Theories of the biopolitical state, regimes of global governance, and the war on terror will be insufficient unless they critically theorise settler colonialism as a historical and present condition and method of all such power.

THEORISING SETTLER COLONIAL BIOPOWER

Foucault and Agamben theorised biopower as a present activity that inherits and transforms the deeply historical conditions of Western law. Foucault incited this theory by examining the modern proliferation of procedures to produce the life of the nation in relation to deadly regulation of its others, a process that he argued displaces the power of the sovereign ‘to take life or let live’ with a governmentality that enacts ‘the power to “make” live or “let” die’.³ Judith Butler emphasises that, for Foucault, governmentality in the modern state or in global regimes acts as an ‘extra-legal sphere’ – ‘an art of managing things and persons, concerned with tactics, not laws’ – that then ‘depends upon “the question of sovereignty” no longer predominating over the field of power’.⁴ Hence, governmentality acts in the name of the very sovereignty that it exceeds, producing ‘a lawless sovereignty as part of its own operation of power’.⁵ Agamben adapts Foucault’s account of modern biopower as governmentality when he claims that its extra-legal appearance is a recent adaptation of qualities intrinsic to Western law; as he says, ‘it can even be argued that the production of a biopolitical body is the original activity of sovereign power’.⁶ Citing the Roman legal origins of Western law, Agamben links sovereignty to a power to designate subjects of the law as homo sacer, the sacred man who may be killed without being sacrificed or made subject to homicide. The placement of homo sacer in a zone of ‘bare life’ establishes Western law precisely by placing it in abeyance in this case. The sacred man enters a ‘state of exception’ to the law that simultaneously reinforces its rule. Agamben notably defines the exception by reference to the camp as ‘in a decisive way the political space itself of modernity’, which by forming a permanent ‘space for
(bare) life’ creates a ‘materialization of the state of exception’ as ‘the rule’. Agamben thus reinterprets the biopolitics of the modern state as an effect of Western law’s constitution by the state of exception. In this reading, the function of governmentality to ‘make life’ is compatible with the state of exception remaining intrinsic to law, as consigning certain subjects to a state of bare life (‘let die’) re-establishes a power to produce and defend life among those who remain.

Yet significant tensions appear in the work of Foucault and Agamben – and, hence, also in Agamben’s revision of Foucault – in that neither scholar directly theorises colonialism as a context for biopower. Scholars of colonialism respond by arguing that colonialism is intrinsic to processes of biopower in the past and present. Reading Foucault’s account of the modern biopolitical state in relation to colonial situations, Ann Laura Stoler definitively demonstrated that its racial, sexual and national power arise at colonial sites or relationally among colonies and metropoles, not as projections from a European source. Following Stoler, modern biopower is the product and process of a colonial world. Achille Mbembe extended such reinterpretations of Foucault in conversation with Agamben by reading the colony as exception, which defines Western law amid the globalisation of European capital and empire. Sherene Razack and Sunera Thobani engage all such theories to explain that in contemporary modes of biopower, the colonial returns or never left; and, notably, both centre settler colonialism as a condition of the power they examine. Mark Rifkin signally engages Agamben’s theses with settler colonialism by arguing that the ‘geopolitics’ of conquest place Indigenous peoples in a state of exception that simultaneously troubles the territorial and national integrity of settlers as representatives of Western law. Together, these scholars respond to colonialism’s elision in theories of biopower by demonstrating that it conditions biopower and critical theory – an intervention deepened by Rifkin’s and my work centreing settler colonialism for study.

Addressing these critiques requires adjusting the very advance of Agamben’s argument that biopower is intrinsic to Western law. Michael Dillon identifies a lingering ahistoricity in Agamben’s ‘ontologization’ of Western law that he argues would benefit from a
return to Foucault’s genealogical method, which for Katia Genel will result in ‘revisiting and complicating Agamben’s formulations and more complexly applying them’. Theorising biopower from within a genealogy of settler colonialism will trace how deeply historical procedures in Western law confronted the specificities of the era of European settlement and shifted in response. In such a genealogy Agamben remains crucial, given that scholars of settler colonialism may trace biopower to situations that existed prior to the eighteenth and nineteenth century era that Foucault linked to the rise of the modern biopolitical state. Already in the sixteenth century and across the Americas, settler colonialism grew to condition colonialism and biopower in settler and other societies worldwide. The continuity of settler colonialism at these sites up to the present then demonstrates that this periodisation meaningfully explains biopower today.

Patrick Wolfe’s theorisation of settler colonialism already incites a genealogy of its biopolitical form. Arguing that ‘settler colonizers come to stay: invasion is a structure, not an event’, Wolfe explains that assertions of sovereignty by settlers ground Western law in ‘a logic of elimination’. Noting that scholars after Raphael Lemkin tend to correlate genocide with extermination, Wolfe argues that settler colonialism performs genocide alongside a variety of practices that converge on a purposed elimination of Indigenous peoples. While the erasure and replacement of Indigenous peoples may transpire through deadly violence, Wolfe emphasises that elimination may follow efforts not to destroy but to produce life, as in methods to amalgamate Indigenous peoples, cultures and lands into the body of the settler nation. As Wolfe and Katherine Ellinghaus explain, this amalgamation precisely narrows or erases the possibility of distinctive Indigenous nationalities challenging the prerogative of the settler nation that means to replace them on, now, ‘its own’ lands.

Wolfe argues that the racialised political economy of ‘franchise colonialism’ intersects settler colonialism, while bearing distinct implications for Indigenous peoples and for racialised peoples brought by settlers to Indigenous lands. In the Americas, for instance, the earliest settlers enslaved Indigenous peoples while producing racialised labour from the transatlantic slave trade and
colonised indentured labour, resulting in the formation of franchise colonies that in the sixteenth and seventeenth centuries were among Europe’s most lucrative colonial projects. Yet Wolfe clarifies that these – and their seeming parallel to franchise colonies that appeared across Africa and Asia into the eighteenth and nineteenth centuries – derived from prior and simultaneous settler colonialism. American settler societies formed distinctly when practicing franchise colonialism: often, by removing European migrants to cultivate ‘emptied’ land, while amalgamating Indigenous peoples within societies dutiful to settler productivity; and by creating franchises that require prior and ongoing conquest of Indigenous peoples to exist and sustain. Thus, Wolfe reminds us that even societies defined by the franchise-orientation of European global capitalism – notably, the slave plantation economies of the Caribbean or southern British American colonies, or of colonial Brazil – relied on settler colonialism to function. Wolfe argues that plantation slavery pursued the elimination of Indigenous nations by plying a ‘difference between one group of people who had survived a centuries-long genocidal catastrophe with correspondingly depleted numbers and another group who, as commodities, had been preserved, their reproduction constituting a singularly primitive form of accumulation for their owners’.

Of course, slavery also produced a centuries-long genocidal catastrophe by commodifying African people not for survivability but exchangeability. Any seeming ‘preservation’ of Blackness in white settler societies thus was coterminous with the perpetual subjection of Black peoples to spaces of death, while eliding the formation of Black communities precisely through mixture with Indigenous and European peoples. We find here that the biopolitics of settler colonialism arose in the Americas by perpetuating African diasporic subjugation and Indigenous elimination simultaneously. Following Wolfe’s reading, settler colonialism establishes Western law within a white supremacist political economy premised upon the perpetual elimination of Indigenous peoples. As Thobani eloquently affirms, Indigenous elimination then crucially defines the state of exception in the Western law of settler societies. While I will examine specific modes of governance placing Indigenous peoples in exception to Western law, I emphasise first that their settler colonisation informs
any simultaneous or subsequent appearance of the state of exception in settler societies or other sites of European colonisation.

This analytical qualification is necessary to complicate and deepen recent theories of the colony as exception. For instance, Mbembe and Paul Gilroy portray the transatlantic slave trade creating slave societies in the Americas in a state of exception, a claim Gilroy advances by framing them precisely as a camp. Yet Wolfe’s reading, which I think affirms theirs, specifies that the transatlantic slave trade formed amid a prior, simultaneous and continuous exception assigned to Indigenous peoples, which conditioned Western sovereignty on the lands where the African diaspora took form. Indeed, the space-outside-law defining Agamben’s reading of the camp defines slave societies only to the extent that the lands placed in exception to terminate Indigenous tenure became available to new biopolitical violences, even as this naturalised the settler violence enabling them. The implications of such an analysis echo within and also shift Mbembe’s account of colonialism and biopower. Mbembe’s reading of ‘necropolitics’ as the logic of the colony as exception references plantation slavery ‘as one of the first instances of biopolitical experimentation’, and then frames relations among African diasporic peoples and white settlers as emblematic of the racialisation of colonialism. Mbembe later cites ‘the extermination of vanquished peoples’ assigned the status of ‘savages’ within a list of effects of colonisation worldwide, but without specifically naming Indigenous peoples in settler societies.

Following Wolfe, we can read extermination as a biopolitics originary to the settler colonial situations that conditioned enslavement on settled land. While Mbembe is aware that settlement in the Americas appears in his story, it remains oblique, seemingly absorbed within a more general object, ‘colonialism’. This object then appears in his account to be more definitive of populations framed as suffering it in perpetuity, at the expense of bodies that, here, appear erased from its history.

In Mbembe’s emphasis on the genocidal colonial violence perpetrated against Africans and peoples of the African diaspora we hear an unintended echo of the logic of elimination defining settler colonialism. As Wolfe argues, that logic places African diasporic peoples under a perpetual subjugation that attempts to naturalise
their relational formation to Indigenous elimination and the ‘emptying’ of Indigenous lands. Mbembe further argues that the past of necropolitics informs the present when it recurs in ‘late modern colonial occupation’.21 Given his prior claims, this temporalisation occludes settler colonisation of Indigenous peoples as significant to the past or present of necropolitics, even as it prevents settler colonialism from being definitive of the present despite never having ended. Indeed, for the United States – a key object of Mbembe’s critique – the visitation of late modern colonial occupation beyond ‘its’ borders transpires only to the extent that the United States simultaneously perpetuates colonisation upon the Indigenous peoples it necessarily occupies. Had Mbembe centred this quality in his account of colonialism, we could ask how late modern colonial occupation acts precisely and continuously as settler colonial, with its global projections being the activity of a settler colonial power that does not cease. Asking this question would resituate our interest in late modern colonial occupation from trying to explain colonialism’s continuation despite its nominal demise, to considering how the failure of decolonisation attends on its failure to be sufficiently extended to settler states and the institutions through which they project settler colonial power in the contemporary world.

INTIMATE RELATIONALITIES IN WESTERN/SETTLER LAW

The colonial power of Western law can be traced distinctly by explaining its formation by the intimacies of settler societies – notably, Indigenous replacement via containment, erasure and amalgamation – that perpetually trouble differentiations of settler nations from what they attempt to replace. ‘Settler’ literally signifies the displacement of Indigenous peoples. Yet a host of scholarship in Native studies explains that settler subjects normatively recall and perform indigeneity as a history they at once incorporate and transcend, inhabit and defer.22 Settlers thus are inexplicable apart from their relationality to Indigenous peoples, as well as to forms of indigeneity of their own imagining that undergird settler subjectivity. All this structures how European settlers ever come to represent the West. To the extent that they do, their relationality to indigeneity
Morgensen, ‘The Biopolitics of Settler Colonialism’.

through settlement also constitutes the West, even if this quality remains naturalised.

To date, critics who adapt Agamben to explain colonial biopower have tended to associate the state of exception with the ejection of racialised primitivity from the West. Thus, a most recurrent definition of the exception in such work is the externalisation of racialised and colonised statuses from the body of Europe, whiteness, or their national or global appearance as Western law. Centreing settler colonialism troubles such accounts. If critics ever feel assured that the colonial exception functions through externalisation, this may be an assumption that attends on theory having already normed ‘colonialism’ so as to elide settler colonialism and its ongoing naturalisation. European settler societies enact Western law – indeed, in ways often validated as exemplary of that law – by occupying and incorporating Indigenous peoples within white settler nations. The indigenisation of white settlers and settler nations thus shifts our reading of their capacity to represent the West. Rather than presuming that the West is defined by enforcing boundaries to preserve purity, we must consider that the state of exception arises in settler societies as a function of settlers’ inherent interdependence with indigeneity.

Accounts of the intimate relationality of Indigenous peoples and settlers in settler societies are enhanced by theorising biopower. I highlight a quality in Agamben’s account of homo sacer in Roman law that, I argue, illuminates how Indigenous peoples and settlers have negotiated their conjuncture by plying ties of kinship and its elimination. Agamben cites a story of patriarchal consanguinity as a governmental origin of the state of exception. In Roman law, the potential extension of bare life to any male citizen appears to have derived from a prior correlation of sovereignty to the rule of the patriarch. According to Agamben, the death of homo sacer – not murdered, but negated; ‘necisque’ as opposed to ‘vitae’ – appears in Roman law through the image of the son who, defying the father’s rule, becomes life that must be abandoned, to death.23 Here, the patriarch embodies a sovereign power that may be enacted at any time he deems necessary, and one that exists beyond the power of the law of citizens to abrogate. Agamben suggests that the extension into law of a paternal power to put the defiant son to death binds a
society of law to a thesis of patriarchal consanguinity. Following this model, Roman law distinguished the citizens it protected from those it evicted along their degree of respect for or flouting of filial duty to paternal authority. Here, the state of exception potentially accrues to all citizens to the extent that any might forfeit consanguinal protection by a paternal state. I am intrigued by the travels of this formulation of the state of exception at the inception of Western law. In light of Agamben’s account, even if the terms of subjection to Western law shift across places or times, they do so in relation to a law that first posits subjects as a consanguinal People before any are excised. What happens to this quality under European settler colonialism, once Western law endeavours to be established intimately with Indigenous peoples? A question first arises of whether Western law recognises Indigenous people as human. But if it were to do so, it would confront the degree to which Indigenous people become recognisable within the People of the settler nation, which in turn would condition their particular exposure to the state of exception.

The settler colonisation of Indigenous Americans demonstrates that questioning their degree of humanity and their genealogical relationship to European patriarchal authority defined their subjection to Western law and its exception. Dale Turner examines these questions by reference to the Valladolid debate of 1550-51, in which Bartolomé de las Casas and Juan Gines de Sepúlveda deliberated the deadly treatment of Indigenous Americans under Spanish rule by considering the theological and legal significance of their humanity. The Valladolid debate was contextualised by a Papal bull of 1537 having already decreed an end to formal enslavement of Indigenous Americans by deeming them unequivocally human and capable of salvation. Las Casas argued that Papal recognition of Indigenous peoples’ humanity meant that they should be brought to Christian belief and law without force or coercion. In contrast, Sepúlveda argued that even if recognizably human, Indigenous peoples remained in Aristotelian terms ‘barbarians’ who were naturally inclined to enslavement, and furthermore that the Spanish remained bound to punish them for crimes against God’s law. Sepúlveda thus portrayed Indigenous people as human only to the extent that their abjection followed having defied divine authority, which demanded their treatment as
bare life subject to genocide. Las Casas, by contrast, sought to protect Indigenous people as subjects acceptable to God’s law, but only to the extent that they conformed to the Church and sovereign as paternal educators, whom they must not resist lest in violating the terms of their protection they be returned to the ever-present possibility of death.

Interestingly, the position Sepúlveda defended played out in Spanish and Portuguese colonies precisely not through modes of separation but of amalgamation. The classification of Indigenous peoples as barbarians facilitated the forced intermarriage and rape of Indigenous women by European men, whose children incompletely inherited a patriarchal lineage even as their suspect primitivity located them proximate to the state of exception. In turn, despite the semblance that Las Casas sought to protect Indigenous people from violence, his position justified subjecting Indigenous and growing mestizo constituencies to a racialised colonial economy, wherein promises of salvation and civilisation framed people of Indigenous heritage as children whose potentially wayward inclinations still placed them near the state of exception. While specific to the early Latin American settler colonies, these contrastive positions recur across white settler societies that attempt to eliminate Indigenous nations by amalgamating Indigenous people as potentially protected children whose racialisation leaves their consanguinity open to excision.

Adjudicating life for Indigenous people defines settler law’s extension of elimination into governmental procedures of ‘recognition’ – even, of ‘nationality’ or ‘sovereignty’. For instance, the Dominion of Canada established its relationship to Indigenous peoples under law in the 1876 Indian Act, which in ever-revised form still structures Canada today. The Act pursued elimination through the settler colonial governmentality of ‘identity regulation’, to use Bonita Lawrence’s term. While this procedure may appear to preserve life, in its definition of over six hundred ‘First Nations’ whose members received ‘Indian status’ by state decree, the Act also separated myriad communities of common nationality, radically reduced land bases (if any remained), and enabled the state to determine the fact or erasure of their existence. Duncan Campbell Scott, deputy director of the Department of Indian Affairs, argued in
1920 that his effort to place Indigenous people in a ‘state of tutelage’ sought its own end, in a time when ‘there is not a single Indian in Canada that has not been absorbed into the body politic, and there is no Indian question’. The settler colonial governmentality that here wrests identity from Indigenous peoples also imposed a patriarchal authority within the law to assimilate them into the settler nation.

Aboriginal women activists in Canada exposed this by challenging the Indian Act’s restriction of status inheritance to patrilines. Women who inherited status from their fathers found that it was rescinded for them and their children if they married a person without status. This broadly-applied rule first facilitated marriages of white men with Indigenous women, which absorbed their children through the patriline into the settler nation and its citizenship. Aboriginal women activists specifically targeted the Act’s contradictory enabling of Indigenous men with status to confer it to non-Indigenous spouses and their children. Keeping in mind that status and band structure were defined by the Act, we see here that empowering Indigenous patrilineality replicated patriarchal consanguinity as law for settler and Indigenous nations, while departures from paternal law remained cause for eviction. As Aboriginal women’s movement activists argued, evicting Indigenous women harmed them while simultaneously reinforcing the colonial authority that Indigenous men gained from the settler state. While after long protest the passage of Canadian Bill C-31 reinstated status for recent generations of Indigenous women, Lawrence argues that the Act already had achieved ‘statistical genocide’: with over 25,000 women between 1876 and 1985 having had status rescinded, estimates range that from one to two million descendants of these women are incapable of asserting legally-recognised Indigenous identity in Canada, and remain removed from relationship with or even awareness of their peoples or lands. Yet alongside this elimination, a governmental effect also arises here, as constituencies that remain Indigenous-identified are narrowly delimited by the patriarchal authority of the state, which by continuing to assimilate indigeneity sustains a practice that, as Scott stated, linked recognition to its erasure.

Indigenous theorists in Canada argue that the subjection of bands to definition by the sovereign power of the settler state
characterises the entire project of ‘recognition’. Taiaiake Alfred targets ‘sovereignty’ itself as a logic that presumes and produces apparatuses of colonial rule while precluding distinctive modes of Indigenous governance. So long as Indigenous politics is constrained in this way, he argues, ‘the state has nothing to fear from Native leaders, for even if they succeed in achieving the goal of self-government, the basic power structure remains intact’. Addressing a moment in Canadian politics described for Australia by Elizabeth Povinelli as ‘liberal settler multiculturalism’, Glen Coulthard specifies that the ‘politics of recognition’ precisely sustains ‘the colonial relationship between Indigenous peoples and the Canadian state’. ‘Recognition’ reproduces within land claims, capital disbursements, and political authority ‘the very configurations of colonial power that Indigenous people’s demands for recognition have historically sought to transcend’. Citing Frantz Fanon, Coulthard insists that

the reproduction of a colonial structure of dominance like Canada’s rests on its ability to entice Indigenous peoples to come to identify, either implicitly or explicitly, with the profoundly asymmetrical and non-reciprocal forms of recognition either imposed on or granted to them by the colonial-state and society.

Alfred and Coulthard compellingly argue for the renewal of modes of Indigenous governance that redefine collectivity in excess of settler colonial governmentality. I wish to emphasise in their accounts their specification of Indigenous nations through ‘recognition’ in a childlike subjection to the authority of the state. For Indigenous peoples in settler societies – notably, those who resist elimination by asserting national difference and distinctive modes of governance – the threat of the exception is ever-present. Coulthard and Alfred highlight the bind Indigenous people face if seeking state recognition of their survival elicits the power of settler sovereignty to eliminate Indigenous difference as a threat by granting, rescinding and managing ‘recognition’. Amalgamation as a tool of elimination echoes back to Valladolid as a theme of the settler colonisation of Indigenous peoples. Yet following Agamben, entering into a
recognisable status under the law also opens to elimination and replacement by settler rule.

I cited a thesis of consanguinity in Agamben’s account of Roman law not merely, or even literally to invoke mestizaje/metissage as a phenomenon of settler societies or of the place of Indigenous peoples or their descendants within them. Nor do I suggest that indigenising white settler nations eclipses their concurrent definition by hypodescent, which in opposing whiteness to blackness attempts to erase the sexual violence of slavery and deny consanguinity across the colour line, all of which – as Gilroy and Sylvia Wynter argue – contributes to making the African diaspora definitive of Western modernity.\textsuperscript{32} By citing Wolfe, I indicated that the settler colonisation of Indigenous Americans, the transatlantic slave trade, and all colonised indentured labour invoke a global history of colonial modernity in which Indigenous and African diasporic peoples appear relationally. My argument has been that when slavery and its legacies exclude blackness from whiteness, this also intersects a prior and simultaneous indigenising of settler whiteness. We saw glimmers of these positionings in a relational contrast in the Valladolid debate. Without conflating either claim across distinct contexts, Sepulveda’s position appears to echo when Fanon, Mbembe or theorists of colonial biopolitics link the state of exception to subjects who exist not just beyond the law but beyond humanity, within what Mbembe calls ‘animal life’.\textsuperscript{33} Such a reading appears to explain the irremediability of blackness in Western modernity and settler nations. It also appears in postcolonial critiques that presume that this mode of racialisation defines the colonial exception.

My argument is that such readings are conditional on another that they occlude, and that in turn is conditioned by them. In the sixteenth centuries, as colonisation took shape in the settler societies of the Americas, a relational position purposefully formed. Countering the overtly genocidal violence of Sepulveda’s contravention of Indigenous humanity, Las Casas argued, for his time, a more compassionate, inclusive, and – I will return to this – liberal mode of settler colonial governance. Las Casas affirmed Indigenous humanity under God’s universal law and the necessity of its defence within a settler society. Yet his claim functioned precisely as a logic of elimination, in that recognising people of Indigenous
heritage as subject racialised populations barred them from any difference that could trouble settler rule. As the incompletely consanguine children of Western law, they remained ever on the verge of eviction from it if they troubled the terms of their protection: amalgamation. Their proximity to exception arose under settler rule precisely by considering the degree to which Indigenous peoples may be included in the body of the West and its law. Far from being arbitrary, this concern was requisite to a settler society defining its relation to racialised differences on the lands it remade. A capacity in Western law to simultaneously incorporate and eliminate, recognise and except racialised and primitive difference was learned in settler projects of Indigenous elimination that established Western law on lands beyond ‘the West’. To the extent that they succeeded, settler colonialism made Western law spatially nonspecific and demonstrably universal, long prior to late modern mechanisms of global governance, and as their genealogical condition.

Today, the ongoing naturalisation of settler colonialism positions settler states as exemplary of liberal governance universalised within and as Western law. A noted example transpired at the 2009 G20 Summit, when Prime Minister Stephen Harper found it useful to portray a gentle face for Canadian leadership by pointedly asserting that Canada ‘has no history of colonialism’. The significance of his comment was its clarity – notable for a leader quite familiar with critiques of Canada bearing a colonial relationship to Indigenous peoples. Harper obliquely invoked here the baggage of states such as the United Kingdom, France and Japan that negotiate tense relations with former conquests when governing global economics. On a global stage, Harper’s Canada separates from colonial legacies in Africa and Asia to assert a moral neutrality that is conveniently consistent with the universality of international law. The confidence in Harper’s statement would be implausible if his audiences – broader than we may care to think – truly believed that Canada practices colonisation. From theses of terra nullius, to justifications that ‘guns, germs, and steel’ made Indigenous replacement inevitable, to a sense that settler states ‘decolonised’ after rule devolved to white citizens: settlers readily present as other than colonists. Yet while Harper might believe that as a Canadian he inherits something other than conquest, I suggest that his exoneration hinges less on such belief, and more on a general
appearance that ‘Canada’ exemplifies the universalisation of liberal modernity on the global stage. Interestingly, Harper’s statement appeared barely a year after his government responded to years of Indigenous activism by issuing a state apology for the Residential School system. As a primary agent in the genocidal histories Lawrence recounts, Residential Schools forcibly relocated Indigenous children to sites where they were killed by disease or neglect, or survived to be assimilated into settler society via enforced separation from and erasure of familial and community ties. As an educative mode of disciplinary power, Residential Schools situated internees and all Indigenous peoples as children: wards of a state whose paternalism appears not only in past abuse but in the present apology, which suggests that the state will better manage the Indigenous people over whom it retains a power to protect or destroy. The apology’s consistency with Harper’s disavowal of colonial history naturalises settler colonialism both ‘at home’ and ‘abroad’. We see here that the ongoing coloniality of settler states conditions their practice of liberal governance as not only Western, or even originally Western, but as universal through its instantiation by settler colonialism.

I have argued that settler law presents an apotheosis of Western law by utilising its consanguinal logic to amalgamate and eliminate Indigenous peoples and thereby enable settler states to performatively universalise the West. To the extent that they succeed, then global governance precisely continues, naturalises, and globalises settler colonialism in and as our ‘colonal present’. The Western law universalised by settler states formed precisely by incorporating and excising Indigenous peoples as potentially yet incompletely consanguine with the social body. If settler law as Western law is projected as liberal governance, it follows a principle that it may arrive and settle anywhere, as itself. Such law then encompasses the provisional humanity of all whom it occupies as racialised and primitive children, whose capacity for defiance nevertheless invests the West with a paternal authority to act as caretaker or killer of ‘kin’ under its care. My argument modifies our interest to read Afghanistan or Iraq as sites of settler colonialism, once the United States gathers its allies for occupation. Settler colonialism occurs at these sites not, or not only because the U.S. or other states occupy Afghani and Iraqi peoples. It occurs more
importantly because occupation performatively universalises Western governance through the nominal inclusion of Afghans and Iraqis within its body of law, only to face elimination of their racialised primitivity: if not by being summarily placed ‘outside’ the law, then by being educated and contained through amalgamation as a potentially ever-endangering difference. Western law attains universality by containing and eliminating differences in the functional extension of settler colonialism as liberal governmentality.

Yet even as the West and its governance are liberated from attachment to place, their globalisation naturalises ongoing settler colonisation of Indigenous peoples in settler states. Indeed, by permanently remaining in a state of exception to settler law as Western law, Indigenous peoples model this status for all others who come under Western law’s global reach. The settler colonial elimination of Indigenous peoples requires them to have existed and to tenuously exist in settler societies, for only their perpetual replacement demonstrates settlers’ achievement of Western law where it would not otherwise exist.

THE GLOBAL SITUATION IN SETTLER COLONIAL TIME

Scholars must examine the past and present biopolitics of settler colonialism to challenge presentist horizons in theories of biopower and colonialism. I argued that liberal governance under Western law is presaged and instituted by the biopolitics of settler colonialism. Here, Indigenous peoples are recognised with a provisional humanity for amalgamation by settler nations, where their elimination nevertheless follows whether they defy or conform to a promised consanguinity with settlers who replace. Sherene Razack and Sunera Thobani have modelled the acknowledgment of settler colonialism as a condition of the colonial biopolitics scholars increasingly diagnose in contemporary states and global regimes. Yet my argument extends theirs by requesting even broader enunciation of settler colonialism as an activity directly manifesting as the biopolitics of the present. My account suggests that the growth of liberal modernity by universalising Western law and its exception was facilitated by settler states that circulate and sustain them today. Here I echo Anna Tsing’s account of the conditions of theories and
practices of globalisation – ‘the global situation’ – when I argue that they also arise in relation to the intimate and systemic procedures of settler colonialism. In particular, scholars must challenge ahistoricity in accounts of the coloniality of biopower, as these temporally colonialisms in various pasts only to link them to supposedly unprecedented power relations in the present. Certainly distinctions within present power relations must be specified. But to posit their temporality as advanced beyond colonialism is to naturalise how settler colonialism acts continuously within them. The persistence and naturalisation of settler colonialism defines the present as colonial, while occluding settler colonialism’s action in and as the power we wish to critique. Even to mark this would transform most work on coloniality and biopower. Yet while I did intend my words to call for such analysis, my argument more deeply marks the specific biopolitics of settler colonialism as generalised tactics of late modern power relations, which proliferate by naturalising their settler colonial conditions.

Agamben’s work is ripe for such analysis given that, by the appearance of State of Exception, the superpower status of the United States becomes his central case. Yet given that his prior scholarship concertedly traced a European horizon, citing the United States as exemplary of ‘Western’ sovereignty occludes its formation outside Europe through settler colonial processes that remain opaque to his critique. For instance, when Agamben traces the history of the camp to Spanish Cuba in 1896 and to the twentieth century British conquest of the Boers, he omits knowledge in Native studies that nineteenth-century U.S. expansion used internment camps to relocate Indigenous peoples and to model their militarised containment on reservations. Some scholars date this process to the 1837 Treaty of New Echota – passed by Congress in disregard of Cherokee protest – which through military force contained Cherokee people for removal on the Trail of Tears. Another noted example is the 1862 Dakota War, in which Dakota peoples denounced the breaking of treaties by Congress and the State of Minnesota by fighting back against land theft. The war concluded with the largest mass hanging in U.S. history, of 38 Dakota men at the Lower Sioux Agency; the three-year internment of 1700 Dakota people at Fort Snelling on Pike Island, Minnesota, where over 300 died of starvation and disease; and the forced relocation of survivors hundreds of miles
Pike Island sits at the confluence of the Minnesota and Mississippi Rivers, a central site of the traditional spiritual homeland of the Dakota people. Today it remains a Minnesota state park, where the now-forested internment site is overlooked by the massive stone fort, its gun turrets still pointing down at passing bicyclists and day hikers, while historical re-enactors of U.S. soldiers employed by the fort educate visiting children by teaching them how to march in formation while pretending to hold bayonets. Dakota activist, historian and critical theorist Waziyatawin has helped lead annual Dakota Commemorative Marches the 150 miles from Lower Sioux Agency to Pike Island during the cold autumn season when these events transpired. Dakota activists continue to mobilise to ‘Take Down the Fort’ and return the lands and internment site to the Dakota people. Given that the 1862 events followed Minnesota Governor Ramsey declaring that ‘the Sioux Indians of Minnesota must be exterminated or driven forever beyond the borders of the state’, the genocidal biopolitics that defined Dakota people for one and a half centuries would seem relevant to a history of the camp within Western modernity.

I do not mark Agamben’s neglect of histories such as this as an erasure correctable by citation. Rather, I am identifying here a naturalisation and continuation of settler colonialism within Agamben’s theoretical apparatus and the horizons of critical theory. Certainly, Agamben’s account of the camp elides the encampment of Indigenous peoples as distinctive nations resisting incorporation by a settler nation. Yet, at once, Agamben obliquely invokes, without discussing, two more cases of settler colonialism: Spanish removal of Cuban revolutionaries seeking self-rule on lands erased of Indigenous national difference; and British containment of Boer settler colonists so as to pursue their own white settler conquest of African peoples and lands. We see here that white supremacist settler colonialism was already fully present, yet fully occluded in the history of the camp provided by Agamben, whose citational trail leads to twentieth century Europe and National Socialism. But what if we took Agamben seriously, so that whether marked or unmarked, his citations prove the case: that the camp does arise within white supremacist settler colonisation, only later to be transported to the Nazi regime? Does our understanding of the camp shift if its definition and containment of racialised populations by the modern
Morgensen, ‘The Biopolitics of Settler Colonialism’.

biopolitical state was a lesson learned in settler colonial situations and subsequently applied to Europe? Does the camp’s spatialisation of the exception come to exemplify Western law only on its return-arrival to Europe; or, might it have borne that capacity on Indigenous American and African lands? Does its European arrival then constitute a reckoning with what the West could become by following lessons already learned under settler colonialism? And once the camp finally returns again to Cuba – this time, under the United States as supreme arbiter of global law and its exceptions – is settler colonialism irrelevant to its form? Does settler colonialism represent only a historical footnote to U.S. rule at Guantanamo Bay, as representative of an unprecedented scope of power in the contemporary world? Or does the ongoing life of settler colonialism in fact condition and produce all that is new and transformative about that power? Scholars can trace how the U.S. establishment of a ‘zone of indistinction’ for ‘enemy combatants’ on settled Indigenous lands learns from the conquest of Indigenous peoples and its naturalisation, which remain the state’s foundational and sustained activity.

Regardless of the answers to my questions, the evidence that they have been unimaginable in theory of biopower – even if a theorist cites settler situations – indicates that settler colonialism remains naturalised within theory and requires a new genealogy to be transformed. Scholars must not interpret modern state biopolitics or its extrapolations in global governance as recent rather than deeply historical phenomena. Nor should we let the preeminent role of any settler state in those processes appear to be the action of ‘the West’, without specifying how settler colonialism acts as the West’s leading edge by establishing grounds for the globalisation and universalisation of its governance. The biopolitics of settler colonialism sustain in the persistence of settler states, and we must interpret their activities as precisely enacting settler colonialism. These notably include the proliferation of Western modernity and liberal governance using methods first learned and still defended by settlement. National resistance to incorporation in the body of Western law continues to result in being placed in the camp. The power of Western law demands incorporation and justifies excision by containing the differences it encounters in a globalizing world: a
process highlighted already by Indigenous peoples who confront the West and its law as settler colonial.

In conclusion, I hope my analysis illuminates a key implication of Agamben’s work: that ‘if today there is no longer any one clear figure of the sacred man, it is perhaps because we are all virtually homines sacri’. Agamben’s statement acknowledges here a longstanding premise of the state of exception, that anyone incorporated into Western law may be assigned to this state: as the defiant son is eliminated by the father in exception to their bond, so the law excises people to constitute a People that returns to conformance with its rule. Yet his statement clearly foregrounds a more recent temporality in which proliferating permutations of the state of exception seem to blur its target, and suggest – using Butler’s paraphrase – that today ‘we are all potentially exposed to this condition’.

I submit that how Agamben’s statement reads to you depends largely on whom you think he means by ‘we’. Some of us will always appear to be part of ‘the People’ Agamben perceives within the body of Western law, as if our consanguinity is not in question until confronted by what we do with it. Some of us, however, only appear within the body of Western law once ‘recognition’ of consanguinity arrives as a violence to destroy collective and resistant difference. Thus, today, we are all exposed to bare life not because we appear similarly to Western law, but only to the extent that we are all caught distinctly in the hierarchies that structure its persistently colonial formation.

While I expect this point is not lost on my readers, it bears repeating. Ongoing reaction to the U.S. Patriot Act or the war on terror by many white Europeans and white settlers suggests that their potential exposure to bare life comes as an unwelcome surprise. Produced by the securitisation of liberal modernity, white liberal subjects might think that the Act or the war abrogate freedoms promised by a law that should protect them – the very law that they invite racialised and colonised peoples to affirm, as if extending its rule leads to liberation rather than subjection. Yet if we situate the Patriot Act or the war on terror in context of settler colonialism, as does Indigenous feminist theorist Andrea Smith, we can ask what shifts ‘if we understand the Bush regime not as the erosion of U.S. democracy but as its fulfillment? If we understand
American democracy as premised on the genocide of indigenous peoples?47 Such a perspective informs alliances by Palestinians and Indigenous Americans who critique the war on terror for having linked white supremacy, Orientalism, and racial nationalism to reinforce the United States and Israel as settler colonial states. In such a light, Agamben’s assertion might suggest that ‘we’ are all exposed to bare life to the extent that the colonial exception and its universalisation within Western law now mark all peoples for elimination just as Indigenous peoples always were and still are marked. Yet, conversely, if Agamben names an exception that settlers assigned to others now being potentially assigned to them, then for all of us to be exposed to bare life is to potentially position us all as settlers. I write provocatively here to suggest that a normative relationality between ‘Indigenous’ and ‘settler’ structures all logics of inclusion and exclusion in settler law and, therefore, in its universalisation as Western law. Scholars must interrogate how this power-laden distinction imbibes not only settler societies, but also their conditioning of liberal modernity along global scales. We must theorise settler colonialism as historical grounds for the globalisation of biopower, and as an activity producing biopower in the present that requires denaturalising critique.

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BIOGRAPHICAL NOTE

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NOTES


4 Butler, *Precarious Life*, pp. 96, 94.


11 Rifkin, ‘Indigenizing Agamben’.


17 Thobani, *Exalted Subjects*.


Morgensen, ‘The Biopolitics of Settler Colonialism’.

34 David Ljunggren, ‘Every G20 nation wants to be Canada, insists PM’, Reuters (25 Sep 2009).
38 Agamben, Means Without End, p. 38.
41 Much more could be said. My brief comments reflect my familiarity with this park and my witnessing of historical reenactments at the fort. See the Historic Fort Snelling website, <http://www.mnhs.org/places/sites/hfs/schoolhfs.html>, Accessed 1 Nov 2010.
43 Carley, The Dakota War of 1862, p. 76.
44 In turn, each noted case of settler colonialism proceeded in relation to African enslavement: in struggle within white supremacist Cuba not a decade past slavery’s nominal abolition; in the conquest of Boer slave-owners by British colonisers of African lands and peoples; and, indeed, in the theiving of the Cherokee homeland for Southern states – despite prior Cherokee participation in slaveownership – while the settlement of Dakota lands secured Minnesota for the U.S. North.
45 Agamben, Homo Sacer, p. 115.
46 Butler, Precarious Life, p. 67.
Morgensen, ‘The Biopolitics of Settler Colonialism’.

Mapping Indigenous Siberia: Spatial Changes and Ethnic Realities, 1900-2010

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This article discusses spatial changes in the ethnic territories of Native Siberians from the late nineteenth century to the early twenty-first century. A Geographic Information System (GIS) was developed to model and observe these changes. The GIS also features resource-oriented economic activities, major waterways and railroads. Analysis of the model, textual sources and statistical data made it possible to determine what factors constituted Siberia’s ethnographical pattern of the early twentieth century and led to its changes in the ensuing decades and what impact on the indigenous peoples these changes had. Four special maps showing Siberia in the 1900s–10s, 1930s–40s, 1970s–80s and 2000s–10s were produced from the GIS and are included in the article. The current legal status of the indigenous peoples’ territories was also examined. This article presents an interdisciplinary macroscale case study.

‘There is evidence that in former times aliens (inorodtsy) were in less distress when they had more herds and grounds for hunting and fishing. True, they were not on a high degree of culture, but they ate well’, wrote N. M. Yadrintsev in his famous book Siberia as a Colony. Despite the use of the pejorative albeit legal term ‘inorodtsy’ for the indigenous peoples of Siberia and the treatment of their cultures as inferior to his own, he was one of the few Russian intellectuals who were truly interested in the hardships of the native population and who spread the word about their extreme poverty and oppression. This is what Yadrintsev viewed as the main causes of Native Siberians’ problems:
First of all […] the region occupied by aliens did not stay the same as it had been before the arrival of the Russians; it had been decreasing constantly and finally became rather limited so that the population of the aliens could not increase in total. […] It goes without saying that most of the best land passed into the hands of the Russian population. Just as the Indians in America are moved to the west, the alien tribes of Siberia were moved to the north and south, whereas small oases and groups of alien population inside Siberia are enclosed by the Russian population. It’s natural that with the reduction of lands for trapping, hunting, fishing, with the diminution of pastures and decrease in movement potential, means of subsistence decreased as well. […] Secondly, the very territories where aliens were driven back to and where they had to settle rarely corresponded with the climatic, topographic and physical conditions of the places they had previously occupied.³

Thus the quantitative and qualitative changes in ethnic territories had a great impact on the indigenous peoples and were closely related to the Russian settler colonisation of Siberia.

Today, modern methods and technology make it possible to study the spatial dimension of the Siberian people’s history in more depth. Geographic information system (GIS) technology enables researchers to combine spatial and historical data from various sources into a single set, which enhances its analytical potential, especially when dealing with high volumes of data. In history, GIS creates a unique possibility to unify completely different sources, which due to radical differences in form were not suitable for joint usage and comparison on the substantive level. In addition, GIS makes it possible to analyse spatial changes over time, i.e., to observe historical processes in their dynamics. In order to take advantage of these new opportunities we used GIS alongside traditional historical methods in our research.

Our main objectives were to determine which specific factors affected the changes in the Siberian peoples’ territories since the late
nineteenth century and what consequences for the Native Siberians these changes had. By combining information from graphical (historical and modern maps), textual (primary and secondary) and digital (data sets) sources we developed a specific geographic information system, which was used to model spatial changes in the ethnic territories of the indigenous population, resource-oriented economic activities and means of communication in Siberia.

By ‘ethnic territories of the indigenous population’ we mean areas within the scope of approximate economic and residential usage by a certain native ethnic group. Borders were drawn for the sake of graphical readability and we do not deny that the same territories could be shared by people of different origin and language. The discussion of the terms ‘ethnos’, ‘ethnicity’, ‘nation’ and ‘nationality’ lies beyond the scope of this paper; the neutral terms ‘people’ and ‘ethnic group’ are used interchangeably and non-hierarchically for all ethnic entities instead. In the section related to Soviet ethnic policies the words ‘ethnicity’ and ‘nationality’ are used interchangeably, as they are necessary for understanding the political realities of the time.

Throughout history the ethnic composition of Siberia’s population has undergone constant changes through internal and external migrations, and processes of integration, disintegration, acculturation and assimilation that started long before the beginning of Russian settler colonisation. Thus it is extremely difficult to determine which ethnic groups can be considered native. We will therefore use the conventional meaning of the term, applying it to all ethnic groups that lived in Siberia before the late sixteenth century and their descendants. The defining factor for ethnic differentiation is native language for the 1897 census and self-determination for the later ones. Obsolete denominations are also adjusted in accordance with present terms and modern ethnographical knowledge about the past.

The geographical framework of the study encompasses Siberia in the broad sense of the word and namely the territory of the Russian Federation between the Urals and the Pacific coast or the Urals Federal District, the Siberian Federal District and the Far Eastern Federal District. The timeframe covers the general censuses of the population of the Russian Empire and Soviet Union and the
first census of the Russian Federation. The ethnographical maps of Siberia that were produced before 1897 cannot be considered reliable, as they are not verifiable through census records or findings of properly held ethnographical expeditions. Though the study was conducted at the macro level, the developed GIS is applicable for microhistorical research.

Only on rare occasions has established colonial and post-colonial scholarship devoted its attention to Siberia, as it is rarely considered a colony in the conventional sense of the term. However, the notion of settler colonialism is suited to the later periods of Siberian history.

**SIBERIA AT THE TURN OF THE TWENTIETH CENTURY**

During the first years of their conquest of Siberia the Russians encountered no fewer than 120 languages and many more dialects. In the late twentieth century, Native Siberians spoke 35 languages with up to 18 dialects. That means that 85 or more ethnic groups disappeared without a trace.\(^5\)

The first population census in Russian history was carried out in 1897. Together with the results of several ethnographical expeditions and additional reference data, its returns make it possible to reconstruct the general spatial dispersion of different ethnic groups in Siberia at the turn of the twentieth century (Figure 1). It is firstly apparent that the size of a territory does not reflect the size of the ethnic group occupying it due to the low and uneven population densities and nomadic ways of life of many indigenous peoples. For instance, in 1897 only around 66,000 people in Siberia spoke Tungusic languages (within the territories of the Evenks, Evens, Negidals, Nanais, Orokhs, Ulchs, Orochs and Udges), while on a much smaller territory the population of the Yakuts was about 227,000.\(^6\)
The ethnic territories of the Evenks, Yakuts, Nanais, Khantys and Selkups were divided as a result of the earlier Russian settlement, which had taken place on riversides. The rivers served as the most reliable means of travel both in summer and also in winter; during the latter it was possible to travel on the ice. Towns and forts, which were of great importance during the conquest, were also built alongside rivers. As can be seen from the map (Figure 1), the Ob, Yenisei and upper Lena rivers, and some of their tributaries were predominantly controlled and populated (though sparsely) by Russians.
Sablin and Savelyeva, ‘Mapping Indigenous Siberia’.

The left bank of the Amur was also settled by the Russians after the annexation of the Far East in 1860. In this respect the rivers can be seen as axes of colonial power over Siberia. During earlier stages of the conquest the indigenous peoples were able to retain relative independence in the hinterland, but by the beginning of the twentieth century it was almost impossible to avoid the influence of the state or the payment of tributes. The minimisation of other contacts with newcomers was feasible, however, for reindeer herders and hunters whose dependence on river systems was not very high.9

The first overland highway connecting Siberia with European Russia was constructed in the late eighteenth century, and was called the Siberian Post Road (trakt). The older and newer routes of the trakt connected the main river towns of the region and thereby provided a stable East-West connection up to the Baikal.10 On the map (Figure 1), the southern (newer) route of the highway coincides to a large extent with the Trans-Siberian Railway. The two considerable deviations of the older (northern) route can be recognised in the two areas where the settlement is the farthest from the railroad. The development and active usage of the Siberian Post Road led to the predominance of the Russian population and made some indigenous peoples (the Mansis, Khantys and Evenks) move northwards. The Selkups and Kets were forced by Russians, Khantys and Evenks to migrate towards the Arctic as well. The change of location and epidemics that followed migrations had a deep impact on the Selkups and Kets, reducing their numbers greatly.11

Several ethnic groups along the rivers and the overland highway were completely assimilated. Four out of six languages spoken along the upper Yenisei (the Yeniseian language family), namely, Assan, Kott, Arin and Pumpokol became extinct in the eighteenth and nineteenth centuries.12 According to statistical data, these groups seem to be an exception to the overall pattern, as the total number of Native Siberians increased steadily from about 200,000 in the early eighteenth century to about 600,000 at the beginning of the twentieth century. Absolute numbers could, however, be misleading. Even though the native population increased over this period, its share of the total Siberian population decreased from 40% to 22%. This means that by the mid-nineteenth century there were more than two million Russians in Siberia.13
The predominantly south-western geographical distribution of the Russian population raises the assumption that the indigenous peoples of that region were affected the most. Indeed, the majority of the languages that became extinct after 1700 were spoken in western Siberia. These were (besides Yeniseian) all the Southern Samoyedic languages except Selkup, whose area of distribution encompassed the eastern part of the upper Yenissei basin. Prior to 1700 they were assimilated by the Turkic languages of central Siberia, and later by Russian.\textsuperscript{14}

Even though there is a clear geographical relation between the Russian settlement patterns and the extinction of languages, there are also examples of indirect relations in north-eastern Siberia. The Yakuts, who migrated in order to avoid the Russians, displaced the Evenks and Evens from their homelands and assimilated many of them.\textsuperscript{15} The profound mutual influence of the native peoples (the Itelmens, Koryaks and Chuvans) and the early Russian settlers led to the emergence of a new ethnic group, the Kamchadals. In the nineteenth century the term was used as a synonym for Itelmens; in Soviet times they were considered Russian and nowadays they are recognised again as a separate ethnic entity (Figures 1, 3, 4 and 5).

After consideration of the main highways and the effects they had on the indigenous peoples, it seems logical to determine what attracted so many Russians to Siberia. First of all, it is important to note that the Russian population of Siberia increased mainly as a result of natural growth. The main occupation of non-natives was agriculture, and in the middle of the nineteenth century peasants comprised 90\% of the Russian population. The main motivation to move to Siberia was personal freedom and free fertile land.\textsuperscript{16} Although the state benefited from Siberian agricultural workers, there was no mass settlement and no real attempt to fully incorporate the colony. On the other hand, a great deal of effort was invested in the conversion of the local population to Christianity.

The major changes began in the 1830s, when the real value of Northern Asia was first understood. This had a lot to do with the discovery of gold. Gold production increased compulsory migration to Siberia, as exiles and serfs were the main labour force in the mines. The region’s share in total production increased from 11\% in 1830 to 71\% twenty years later.\textsuperscript{17} The major gold fields that had
been discovered and exploited by the end of the century are shown on the map (Figure 1). The development of Siberian regionalism (or separatism, as it was viewed by the government) fuelled fears of Russia losing its ‘golden chest’ and finally resulted in a new state policy towards Siberia: the policy of Russification.\textsuperscript{18} This included administrative reforms designed to undermine any internal unity of Siberia, promote the economic development of the region (primarily through railroad construction), mass settlement of Russians in Siberia and an accompanying ideological campaign emphasising Siberia’s inseparability from Russia.\textsuperscript{19} The term ‘Russification’ concerning Siberia can be understood in a dual sense: settling Russians on the land, and making the Russian language and culture dominant for the native population.

It was not, however, Siberia per se that was the sole reason for the change in national policy. Another decisive factor was the acute shortage of arable land in European Russia (especially in the chernozem zone), which became apparent after the emancipation of the serfs in 1861. The first governmental programmes of organised agricultural settlement of Siberia began in the late 1840s, but their implementation was ineffective and included only state serfs. This resulted in rather low annual numbers of settlers during the 1850s–70s.\textsuperscript{20}

The construction of the Trans-Siberian Railway (completed in 1916) had major significance for settlement patterns. It was the embodiment of the new Siberian policy, designed and implemented by Alexander III, Nicholas II and S. Y. Witte. Besides construction activities, the Committee of the Siberian Railroad (a temporary supreme organ) had planned and managed the colonisation and development of Siberia since the 1880s.\textsuperscript{21} People were needed for the construction works; for strategic settlement of the Amur and the Russian Far East in order to counterbalance Chinese and Japanese influence there; for development of the infrastructure (mainly the waterways); and for the provision of services for railroad workers and passengers. Settlement along the route of the railway was therefore greatly encouraged.
Figure 2: Land use in the Yenisei province in the 1910s.\textsuperscript{22}
The experiences of the natives with the project were mostly negative. Hundreds if not thousands were deceived by Russian entrepreneurs and traders. Underpayment, heavy debts, alcoholism, diseases and violence came hand in hand with the railroad.23

The role of the state, however, should not be overestimated. Its main merit was the gradual removal of barriers for official and especially for irregular migrants who moved despite the opposition of landlords in European Russia.24 The reforms that were implemented in Siberia between 1896 and 1916 gradually increased the annual numbers of migrants. A total of 2.5 million peasants settled in Siberia over the two decades.25 The map (Figure 1) shows the dispersion of Russians in the early twentieth century. The total population of Siberia had reached 9.4 million by 1911, of whom the unassimilated native peoples constituted about 11.5%.26 The density of the Russian population on ethnic territories was the most decisive factor in the assimilation of indigenous peoples. Russian became the lingua franca in southern Siberia.27

The land policies of the Russian state can be observed on a larger scale (Figure 2). On the 1914 map, the natives (the Khakas, Shors and Chulyms) were marked as a separate category on a much smaller territory than on the ethnographical map (Figure 1). This is hardly a sign of equality, recognition and protection of their land rights, which were guaranteed by an 1822 law. It was in fact very easy to deprive even the relatively more privileged ‘settled’ indigenous peoples of their land and transfer it into the possession of Russians, as ‘the vast majority of Siberian aliens did not have any indisputable property-rights documents’.28 The land rights of nomadic peoples were neglected and their territories are marked as ‘public domain’. The mountain districts that were not suitable for agriculture (and therefore Russian settlement) played an important role in extractive industries (gold, coal, iron, salt and copper) and were under state ownership (Figures 1, 2). An exception to this pattern were the Yenisei gold deposits, which were privately owned. The northern areas are designated as ‘free’, which in this context means ‘economically unusable’.
The most important factors affecting indigenous peoples’ ethnic territories in the nineteenth and early twentieth centuries were the discovery of gold and the subsequent changes in governmental policy, the construction and operation of the Trans-Siberian Railway, and the mass settlement of Siberia. The spatial changes in Siberia and increasing contacts with Russians had a predominantly negative impact on the cultural and linguistic diversity of the indigenous population as a whole and caused debts, impoverishment, alcoholism and diseases in individual communities and ethnic groups.
INDIGENOUS PEOPLES DURING THE FIRST DECADES OF SOVIET RULE

After consideration of the major processes shaping Siberia’s ethnographical pattern by the early twentieth century let us now examine how this pattern changed over the ensuing decades.

A lack of reliable sources makes modelling the Siberia of the 1930s (Figure 3) a complex undertaking. The last of them is the Siberian Soviet Encyclopaedia, which was prepared in the 1920–30s but not published completely, as the authors fell victim to political repression. Despite its ideological orientation, the Encyclopaedia contains a considerable amount of reliable data. The ethnographical maps of the period, however, fail to stand up under close scrutiny as they are simplistic, politically motivated and to a large extent reflect the desired settlement pattern. The quantitative sources enjoy even less credibility. The returns of the 1937 census were never officially published and its promoters were executed, as the total population after the famine, mass repressions and dispossession of kulaks did not meet Stalin’s expectations. Therefore, the main task of the officially published 1939 census was to obtain the necessary numbers. The representation of the population’s territorial dispersion is also not very accurate, since the large numbers of prisoners in Siberia were never reported in the census. Self-determination was supposed to be the guiding principle defining the ethnicity of Soviet citizens, but there is some doubt that it was implemented properly. It is therefore essential to bear all these points in mind when trying to carry out an accurate analysis.

In comparison with the previous period (Figure 1), Figure 3 demonstrates the further increase of the Russian presence in Siberia through agricultural migration and consequent pressure on the indigenous peoples. The Khantys and Mansis in the west and the Udeges and Nanais in the south-east had to move northwards. The Yakuts were concentrated more around their initial homeland on the Lena. The territories of the Buryats decreased in size as a result of the increased Russian population in the area around the Baikal and along the Chinese border. Some Evenks were also displaced due to the Russian and Yakut presence. The territories of the Dolgans and Kets underwent certain changes in size and were moved further...
north. The lands populated predominantly by the Southern Selkups, Shors and Tofas diminished greatly, while the Tatars, Chulyms, Enets, Negidals, Orochs, Oroks, Ulchs and Kamchadals disappeared from the map completely.

There were two major reasons for this: assimilation by the Russians and larger indigenous communities, and the Soviet nationalities policy. The Shors mixed with the linguistically and culturally kindred Altays and Khakas and on many occasions changed their language and identity. The appearance of the written Shor language and the spread of literacy in the 1920s led to a certain growth of ethnic self-consciousness, but could not stop the process of assimilation.\(^{32}\) The fact that the Shors were not granted an autonomous province unlike the neighbouring Altays and Khakas is one of the reasons for this process.

The dramatic reduction of the Tofa and Southern Selkup territories can be attributed to the Soviet anti-nomadic and literacy policies directed against their traditional way of life.\(^{33}\) Like many other Siberian peoples, the Tofas did not enjoy the official recognition larger ethnic groups received, and their numbers cannot be determined from the 1899 or 1939 censuses.

The ‘disappearance’ of the Chulyms can be partly explained by their assimilation with the Khakas and Russians and partly by the fact that the Soviet government did not recognise them as a separate ethnicity. Similarly, the Enets were registered as either Nenets or Nganasans and the Kamchadals as Russians in the censuses of the USSR. The Oroks, Orochs and Ulchs were considered to be separate ethnic groups in 1926, but in 1939 they were likely to be registered as either Udeges or Nanais, which means that the territories of the latter did not move northwards, but rather decreased in size.\(^{34}\) The Negidals were also recognised as a separate ethnicity, but were listed in the 1939 census as Evenks. The Tatars who lived in Siberia were not considered as being indigenous to the territory and the Tatar Autonomous Republic lay to the west of the Urals. Many European Tatars demanded a broader expansion of their territory. Stalin was against this, so providing evidence of dense Tatar settlements in Siberia by marking them on official ethnographical maps was out of the question as doing so would lend considerable weight to their claims for a larger territory.
The Soviet nationalities policies were nevertheless more accommodating than those of the tsarist government. One of the first documents of the Soviet government was the Declaration of the Rights of the Peoples of Russia, which proclaimed the equality and the sovereignty of the peoples of Russia and their right to self-determination (including a right to secede and form independent states). Even though there was a great deal of debate among the Bolsheviks regarding institutional arrangements, the final decision was made in favour of a federation. Most of the ethnic territories were, however, constructed by the government and not by the local population. The process of ‘ethnic construction’ lasted throughout the 1920–30s. Unequal distribution of different ethnic groups, mixed population on many territories, and different levels of ethnic self-consciousness complicated the process of administrative demarcation of ethnic territories. Forced integration and disintegration processes and selective recognition reduced the overall number of the country’s ‘official ethnic groups’ from 196 to fewer than 100.35 Another component of the Soviet nationalities policy was the so-called ‘indigenisation’ aimed at the creation of native political and economic elites and intelligentsia in the newly created ethno-territorial entities. There was, however, no notion of socioeconomic and cultural equality of different peoples and the right to self-determination could not be exercised through choice of the type of government that people wanted to have. The form of government had to be universal; therefore, a special legislature and agencies were created for the purpose of political ‘development’ of many Siberian peoples (i.e., for organisation of local Soviets, or councils).

The economic and cultural measures of the state had a dual nature: on the one hand, the Soviet government put an end to the trade exploitation of Native Siberians and their heavy debts, rendered economic support to the most depressed communities, and organised economic systems that did not contradict traditional communal norms. On the other hand, economic cooperation was often forced and was subject to strong administrative pressure. The elementary associations for joint reindeer herding and fishing, with deer and boats remaining in private ownership were prematurely transformed into kolkhozes, and individual farms were eliminated through requisition. The spread of public health services, schools
and the introduction of access to higher education raised the socioeconomic status of indigenous peoples, but at the same time affected their way of life and led to traditional economic, curative and spiritual knowledge and skills being forgotten. However, the development of written languages for the Nenets, Evenk, Khanty, Mansi, Even, Koryak, Chukchi, Eskimo, Nanai, Udege, Nivkh, Ket and Selkup peoples was very important for the emergence of a native literature and schooling and increased ethnic self-awareness. At the same time, not all languages and dialects were granted such privilege. The dominance of the Russian language and state educational standards turned schools into instruments of Sovietisation and Russification.\(^{36}\)

The proclaimed objectives of the Soviet nationalities policy were not uniformly pursued and different ethnic groups did not receive equal recognition. The legal subordination of different ethnopolitical entities and the unequal distribution of rights and privileges between ‘titular’ ethnicities and minorities constructed an artificial hierarchy. The level of recognition by the state could be measured through the status that ethnic territories obtained within the Russian Soviet Federative Socialist Republic and through its changes over time. The Yakuts and Buryats with populations of more than 200,000 each were in a privileged position and received the right to form autonomous republics. The Altay (of several ethnic subgroups), Khakas and Tuvan (after annexation to the USSR) territories achieved a status of autonomous provinces (oblasts). The Jewish population of the USSR also received its own territory in the Far East in the form of an autonomous province. The Evenks, Koryaks, Chukchis, Khantys (with the Mansis), Nenets of the Yamal Peninsula, Dolgans (with the Nenets and Nganasans) obtained national regions (okrugs). Some Evenk and Even territories which had been located within other administrative subdivisions now became national districts (rayons). The Chukchis, Evens and Yukaghirs also received a common national district beside the lower Kolyma River. Initially many more areas populated by the indigenous peoples were recognised, but the national regions of the Evens and Evenks were soon abolished (although one of the regions assigned to the Evenks still remained), as were the national districts of the Selkups, Shors, Tofas, Nanais, Nivkhs and Koreans.\(^{37}\)
Most of the abolished territories can be seen on Figure 3 as coinciding with the most important mineral deposits known at the time. The knowledge about Siberian natural resources increased during the first decade of the twentieth century but then stagnated until the late 1930s when new expeditions were launched and thousands of workers and prisoners were brought to remote regions for the extraction of known and newly discovered resources. As in earlier periods, most of the deposits lay along rivers and the Trans-Siberian Railway. The increased Russian presence in the Kolyma region in the 1930s is due to the fact that it was a major centre of the Gulag camps erected to extract gold and platinum. The most decisive factor here was the rapid industrialisation of the USSR, an undertaking that demanded access to more and more natural resources and capital. Even though most of the new factories, power plants and highways were built in European Russia, some industrial development also took place in Siberia. The major centres were the bordering Ural region and south-western Siberia, where the Ural-Kuznetsk industrial complex for the production of iron, steel, aluminium, chemicals and machinery was formed, and Norilsk, where major nickel mining and smelting works were built.\textsuperscript{38}

Thus the main spatial changes in the first decades of Soviet rule were predominantly caused by a further increase of the Russian presence, nationalities policies and administrative pressure, growing demand for resources and capital because of industrialisation, and the first stages of the region’s industrial development. These changes had diverse effects on the indigenous population. On the one hand, there were certainly improvements related to their legal status (and the official status of their territories), economic and educational possibilities. On the other hand, no real equality was introduced and Native Siberians were as much deprived of political rights as the rest of the population. The so-called ‘cultural development’ had a few positive effects on the preservation of some native languages, but at the same time it posed a major threat to unique cultures and led to further Russification and Sovietisation.
The development of Soviet ethnographical and demographical science, the end of Stalin’s regime, and the subsequent, albeit not constant, growth of information transparency in some spheres of public life led to the emergence of much more reliable sources for modelling Siberia between the 1970s and 1980s (Figure 4). Cartographic and statistical materials are easily accessible and can be considered as reliable, as it is possible to verify the data by comparing information from different (not only Soviet) sources.

Figure 4: Siberia in the 1970s–80s.\(^{39}\)
A comparison of the ethnographical maps of Siberia during the first (Figure 3) and last (Figure 4) decades of the USSR shows the emergence of large mixed-population territories, which could be explained by increased Russification and mutual assimilation of all ethnic groups. The emergence of these mixed territories could be explained by increased Russification and mutual assimilation of all ethnic groups. The most important factors included interethnic marriages, joint schooling, universal military service (introduced in 1939), communal residence and economic activities, the domination of the Russian language and Soviet ideology, and outlying placement of graduates. Although all this was meant to foster Sovietisation, in practice it often resulted in Russification.40

The Russian presence in Siberia continued to grow during this period with the most striking increases being in Primorsky Krai, the Kolyma region, on Sakhalin, on the Kuril Islands and on several Arctic islands. The territories occupied by the Russian population in south-western Siberia also indicate considerable gains. The main causes for this migration had begun to change in the previous period with the shift away from agricultural production. Now, the industry and natural resources of Siberia made it an appealing destination. At least two thousand factories and over 10 million people were evacuated to the Urals and West Siberia during the first years of the Second World War. Most stayed after the war was over. Those resettled in Siberia not only included Russians, but also members of various ethnic groups of the European USSR (Figure 4).41

The process of regional industrialisation continued after the war and was generally based on the vast natural resources of the region that were discovered by frequent geological expeditions. Mining, processing and energy industries (including hydropower plants) started dotting the region. The tremendous increase in the knowledge and the usage of Siberian mineral deposits can be seen on Figure 4. These include gold and other non-ferrous metals, coal and graphite deposits that could also be seen on previous maps (Figures 1, 3). New deposits of major importance found in Siberia in the 1960–80s are most certainly those of oil and natural gas. Diamonds and uranium are also important but it was Siberian hydrocarbons that played the most important role in the region's development during the second half of the twentieth century. The
territories where most of the deposits were found are traditionally those of the Khantys and Nenets, which are already marked as occupied by the Russians. The tendency of northward migration of some indigenous peoples is also characteristic of this period. The Nganasans and Eastern Evenks had to move once again, with the former pushed to the very coast of the Arctic Ocean (Figure 4).

Geological and military activities also led to the emergence of Russian enclaves within territories that previously had little contact with Russians, namely within those of the Chukchis, Koryaks and Eskimos (Figure 4).

Another major change was the increase of Yakut territory; its expansion over the entire autonomous republic and the consequent decrease of predominantly Even and Evenk territories. The population of the Yakuts increased from 241,889 in 1939 to 326,531 forty years later, while the population of the Evenks decreased from 29,599 to 27,278 over the same period. The population of the Evens, however, increased by 2,500 and comprised 12,215 people in 1979. The Yukaghirs had almost doubled their numbers from 440 in 1959 to 801 thirty years later, even though the territory of the latter underwent a serious reduction after 1939 (Figures 3, 4). Population increase has a lot to do with the revival and development of the Yukaghir language and traditional culture. Uluro Ado (Gavril Kurilov) was the first to publish his writings in Yukaghir. His literary, scientific and educational works, together with literary and artistic works of his brothers Semyon and Nikolay, contributed greatly to modern Yukaghir culture and increased interest in the language.

The territories of the Shors, Khakas and Altays continued to decrease because of continuing mutual assimilation by the Russians, and because their territories hosted rich mineral deposits and bordered one of the main centres of the Russian population and industry in Siberia. The activities of well-educated indigenous intelligentsia, however, slowed down assimilation processes and increased popular interest in native languages. Elektron Chispiyakov, a prominent Shor intellectual, did a lot for the preservation of the Shor, Teleut, Chulym and Siberian Tatar languages by collecting words from the most remote settlements. He also created a centre for the Shor language and literature that later became a subdepartment in the Novokuznetsk State Pedagogical Institute.
The apparent increase of Tofa and the re-emergence of Tatar territories (Figure 4) can be explained by political changes across the whole country and a different level of recognition by the state. The Tofa population increased by one hundred over twenty years and stood at 576 in 1979. The Altay population grew from 44,654 to 58,879 and the Khakas from 56,032 to 69,247 over the same period, corresponding to the overall demographic pattern of the country after the Second World War. There exists, however, dependence between population increase and the availability of a recognised ethnic territory in western Siberia: the Selkups decreased in numbers, and the populations of the Shors and Kets remained about the same which went against the general patterns.45

The most dramatic changes occurred in the south-eastern region of the USSR, where the Ainu people disappeared completely. As the Soviet Union annexed their traditional territories after the Second World War, they were driven away from their homelands and deported to Japan, where they became almost completely assimilated into Japanese society.46 The territories of the Nivkhs decreased greatly, while those of the Nanais and Udeges became shared with the Evenks and Orochs, respectively (Figure 4). The mixed territory of the Udeges and Orochs emerged mainly because the level of official recognition of the latter was raised, and they were recorded separately in the 1959 census. The two peoples often lived together, but collectivisation mixed them even more.47 The Ulchs were also recognised in 1959, while the Negidals had to wait until 1979.48

The qualitative changes in the ethnic territories of Native Siberians and the territories already taken by the Russians were even greater and had a lot to do with the economic activity of the latter. The first major problem was deforestation in the Southern Selkup territories, the Yakut territories between the Lena and the Vilyuy, the Nanai, Udege and Orok territories near the point of intersection of the Baikal-Amur Mainline (BAM) and the Amur and along the Trans-Siberian Railway from Khabarovsky to Vladivostok, and in some other areas along the railway. Another problem arose due to land, air and water pollution as a result of mining and heavy industry. The affected regions can be seen on Figure 4, where mineral deposits were located in territories occupied by the Russians, or in territories
shared with the indigenous peoples. The most severe pollution was in the south-eastern Ural region, in the Kuznetsk Basin, around Norilsk and Irkutsk, and in the Kolyma region. The destruction of reindeer pasture and river pollution as a consequence of oil and natural gas production and transportation could be considered as a separate serious problem, especially affecting the Khantys, Mansis and Nenets, as almost all regions marked with the oil and gas symbols became unsuitable for their traditional activities. The construction of a railroad through their territories in the 1970s fostered further resource development. The construction of gigantic hydropower stations on the rivers of Siberia after the Second World War led to inundations, the emergence of artificial reservoirs (marked as modern reservoirs on the maps), malfunction of river regimes; fish depletion, and irreversible destruction of ecosystems. Large Siberian cities also became centres of pollution. The construction of the BAM (completed in 1984) was another threat to the Siberian environment because of its purpose as a gateway for further exploration and extraction of regional natural resources. The construction works, which lasted almost half a century, attracted thousands of workers, both volunteer and conscript. The BAM did not, however, have a similar effect to that of the Trans-Siberian Railway and did not lead to any considerable permanent Russian settlement along its route, even if it extended the area of the Russian economic presence in Siberia (Figures 4, 5). Many of these tendencies continued after the collapse of the Soviet Union.

**NATIVE SIBERIANS IN THE RUSSIAN FEDERATION**

The returns of the 2002 census made it possible to model the settlement patterns of practically all the indigenous ethnic groups of modern Siberia. Even such low-numbered peoples as the Kereks and Yugs, with total populations of only 8 and 19, respectively, are now recognised. The Kumandins, Telengits, Teleuts, Tubalars, Chelkans, Oroks, Enets, Chulyms, Alyutors, Chuvans, Kamchadals, Soyots, Tazes, Tozhu Tuvans and Siberian Tatars could also exercise their right to self-determination (Figure 5). Indigenous groups with populations of fewer than 50,000 people received special status as indigenous small-numbered peoples of the Russian Federation.
It is reasonable to consider the spatial dimension of current legislation concerning indigenous peoples. Certain clauses about traditional territories can be found in several federal and numerous regional laws. Indigenous peoples are defined spatially and in order to retain their status are supposed ‘to live on their ancestors’ traditional territory’. Their ‘original habitat’ is defined as ‘a historically formed area, where small-numbered peoples undertake their cultural and everyday activities, and which influences their self-identification and way of life’. These ambiguous definitions leave a great deal of room for speculation. It is not clear if the peoples who do not live on ancestral traditional territories cease to be classed as indigenous, where these territories are located, and how far back into the past their ancestry must be traced. No mention of restitutions or compensations for ‘the lands, territories and resources which they [indigenous peoples] have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent’ can be found in Russian legislation. Therefore, international norms are not followed.

Existing ‘regulations on the protection of indigenous peoples are expressed in the subjunctive and have not been implemented so far because they do not include any implementation regulations’, which makes many Native Siberians feel that their rights are not being protected. Recent legislative amendments made the situation even worse. Since 2009 it is the government and the federal constituent authorities who have decided which territories and occupations are ‘traditional’ and which peoples are ‘indigenous’, not the peoples themselves. Recent attempts by Kamchatka Krai parliament to exclude some activities and territories from the common lists met with the opposition of regional indigenous peoples. There is, however, no legal recourse to change the situation and the only hope for those affected is the rejection of regional initiatives by the federal government.

Kamchatka Krai itself owes its existence to other recent changes in Russian legislation and namely the merger of regions. All of the mergers that took place between 2005 and 2008 affected the ethnic territories of indigenous peoples. The regions that ceased to exist include Evenk, Taymyr (Dolgan, Nenets and Nganasan), Koryak...
and two Buryat autonomous regions.\footnote{58} Even though a number of indigenous districts were granted some privileges within larger entities, their loss of status as federal subjects leaves no legal barriers preventing native territories from being delisted. Changes in legislation concerning the environmental condition of traditional territories, industrial development, and land ownership have been criticised as well.\footnote{59}

\begin{figure}
\centering
\includegraphics[width=\textwidth]{siberia_map.png}
\caption{Siberia in the 2000s–10s.\footnote{60}}
\end{figure}

It is noticeable that many more oil and natural gas deposits have been discovered and exploited in Siberia since the 1980s, most of
them being on Khanty, Mansi and Nenets territories (Figures 4, 5). The Russian economic presence there has had serious consequences. The total irretrievable loss of reindeer pastures through oil and gas production on Khanty, Mansi and Nenets territories had amounted to 11 million hectares by 2002, more than 100 rivers and streams have been polluted, and more than one thousand tons of valuable market fish are destroyed annually. The rate of deforestation is also alarming. Irreversible environmental changes are undermining the traditional economy. Massive violations of environmental and land laws by oil and gas companies have led to frequent conflicts between Khantys and Russians. Socioeconomic consequences are also very important. The reduction of communal herds due to a lack of pastures has resulted in high unemployment rates. Unemployment leads to poverty, alcoholism, sickness, crime and high mortality rates. There are also tensions between unemployed natives and private herders who manage not only to keep the total number of deer constant, but actually to increase it.\textsuperscript{61}

A similar situation is occurring in other oil- and gas-bearing regions of Siberia (Figure 5). The exploitation of the Okhotsk Sea and Sakhalin deposits mostly affects the Nivkhs and Oroks. Active production of oil within their territories began in the late 1950s and has created serious environmental problems for the entire region. Local reindeer herders were deprived of more than 70% of their lands. The oil industry is about to dispossess the Oroks from their last pastures. This situation caused mutual territorial claims and tensions between the Oroks and Nivkhs. The recent development of the Okhotsk Sea deposits in traditional fishing and sea-mammal hunting areas of the Oroks and Nivkhs is another serious problem. Pollution of the Amur and low competitiveness of native fishing companies have affected the Nanais, and their territories have diminished greatly (Figures 4, 5).\textsuperscript{62}

The problem of deforestation is also urgent for the Far East. The deterioration of the environment and the reduction of hunting grounds in the area have affected the Orochs and Udeges the most. Attempts to allocate their forests to a joint Russian-Korean enterprise have been met with fierce resistance. Pavel Sulyandziga, an Udege intellectual and indigenous rights activist, managed to meet with
Boris Yeltsin and convinced him to intervene. Even though this company had to withdraw, others have tried to fill its place.

The ethnic territories of the Enets, Dolgans and Nganasans are not very rich in terms of explored natural resources (Figure 5) and therefore environmental conditions there are not particularly worrying. Even the negative impact of the Norilsk nickel works can be considered unimportant. The lack of economic interest in the region has, however, serious socioeconomic consequences. Unreliable fuel and equipment supplies, closures of unprofitable enterprises, unemployment, allocation cutbacks, and a poor supply of basic provisions are particularly worrying.

Environmental and socioeconomic problems are also acute in central areas of western Siberia. Industrial development within the Ket and Selkup territories has had a deep impact, even though their lands seem to be rather poor in terms of mineral wealth (Figure 5). Constant prospecting activities within the territories of the Kets, extensive pollution (including radioactive pollution) of the Yenisei and deforestation undermine the basis of their subsistence: fishing and hunting. The planned construction of the North-Siberian Railway (between the railroad system of Khanty-Mansi Autonomous Okrug and the BAM) will most certainly lead to further environmental deterioration.

Nuclear dumps in Seversk (Tomsk Oblast), Angarsk (Irkutsk Oblast), Krasnoyarsk Krai and Chelyabinsk Oblast pose a serious threat to the whole of Siberia, its nature and population. Waste is stored in open-air parking lots in Seversk and Angarsk, and in Chelyabinsk Oblast and Krasnoyarsk Krai radioactive pollutants are frequently discharged into rivers.

Considerable changes of Evenk and Even territories are a result of the increased Russian and Yakut economic presence, mainly because of the operation of the BAM, the current construction of the Amur-Yakutsk Mainline and because of further mining operations in the Kolyma region. Areas along railroads and other regions of resource production are suffering from environmental problems (Figure 4, 5). A new hydropower plant on the territory of the abolished Evenk autonomous region will displace 6,700 people from six Evenk settlements including Tura, the administrative centre (as
many settlements will be flooded). The only legal possibility for the Evenks to defend their rights is public protest.\(^{67}\)

The problems of the easternmost peoples are similar to those of the Nenets, Mansis and Khantys, as mining operations reduced the total pasture area of modern Chukotka by several million hectares between 1970 and the late 1990s (see Figure 4, Figure 5). The remoteness of the region led to an even more difficult situation regarding fuel, food and medicine than in other depressed northern regions of Siberia. By the beginning of the twenty-first century the socioeconomic situation in the region had become so aggravated that direct intervention of the federal government and humanitarian aid were needed. A fundamental improvement coincided with Roman Abramovich’s election to the gubernatorial post in 2001. In 7 years he managed to turn one of Russia’s most depressed regions into one of its most prosperous. Natality increased 11.4 times, the region’s gross domestic product increased 3.4 times, average income quadrupled and budget revenues were up 7.3 times.\(^{68}\) Abramovich became a hero among the indigenous peoples of the region (the Chukchis, Eskimos, Kereks and Chuvans), and his resignation was seen ‘as a great loss’.\(^{69}\) The development programmes started by the former governor continue to be implemented and make regional further advancement possible. The environmental situation was also improved and the Chukotka Autonomous Okrug was ranked second in a 2010 nationwide environmental wellbeing survey.\(^{70}\)

Chukotka is unfortunately the only positive example in northeastern Siberia. Even though there were only slight changes in northeastern Siberia’s ethnographical patterns (Figures 4, Figure 5), the socioeconomic problems of Kamchatka Krai are acute and similar to those faced by other northern Native Siberians. For the Aleut population of the Commander Islands, these problems are aggravated by their territory’s remoteness from the continent, and the islands’ status as nature reserve has deprived the Aleut of their native lands.\(^{71}\)

The size of the ethnic territories of the indigenous peoples of southern Siberia has continued to decline. Regional problems are similar to those in the northwest. The extensive development of mineral deposits and the pollution of major rivers have made environmental conditions on some parts of Shor, Teleut and Khakas
territories unfavourable. Such problems, however, can bring people together, and the Shors, whose identity is closely connected with their homeland, provide an example of resilient community response. The peoples of the Altay Republic (the Altays, Telengits, Chelkans and Tubalars) and the Tofas live in much better conditions in terms of environment, as their lands are of little interest to industrial corporations (Figure 5).

The ethnic territories of the Tuvans, Buryats, Khakas, Altays and Yakuts lie predominantly within the borders of their ethnic republics (Figure 5). Separate republics are certainly of great importance for the ethnic self-awareness of these peoples. The Yakuts are the largest ethnic group in Yakutia, but it is only the Tuvans, who constitute an overwhelming majority in their own republic and who are therefore the least exposed to assimilation. This is also true for the Tozhu Tuvans, who retain their unique cultural characteristics, religious beliefs and folk arts within the Tuva Republic. The abolition of elected heads of federal subjects lowered indigenous peoples’ potential for political participation within their republics. Even though there was little hope of electing a Native Siberian anywhere except Tuva or Yakutia, ‘titular’ peoples could still act as lobby groups and defend their interests.

These interests have in fact a tangible pecuniary dimension. The natural wealth of Yakutia (Sakha) includes gold, diamonds, fossil fuels, uranium and many other minerals (Figure 5). In the 1990s, elected Yakut elites with Mikhail Nikolayev as their leader did their best to keep at least some of the revenues within the republic. Resulting from these attempts, ALROSA (Diamonds of Russia-Sakha) controls about one third of the world’s diamond supply and is in joint federal-regional ownership. A certain degree of political independence from the federal centre was also achieved during the 1990s, but most privileges were repealed during the following decade. This was epitomised in recent amendments to Yakutia’s constitution and removal of the word ‘sovereignty’ from the text. The constitutional reform is especially symbolic at a time when the almost completed Amur-Yakutsk Mainline is about to open a new gateway to Siberian natural resources (Figure 5).

The Yukaghirs no longer live on separate territories (Figure 4, 5). Relations with other indigenous peoples in multiethnic
communities cause them little concern, but assimilation processes do. The Council of Elders and the Foundation for Revival of the Yukaghir people founded in 1992 plays a very important role in ethnic survival. Increasing interest in native language, culture and religious beliefs has even started some discussions about returning to abandoned settlements in order to recreate Yukaghir traditional environments.78

Extractive industries are once again the main cause of spatial shifts in Siberia. Representatives of indigenous peoples refer to the current processes as the ‘inner colonisation of indigenous peoples’ lands, their pastures, hunting and fishing grounds, and sacred sites by extractive companies’.79

There are few legal possibilities to stop or slow resource depletion, violations of environmental and land legislation, environmental deterioration, disruption of traditional economic activities, and reforms aimed at further depriving indigenous peoples of their rights. A difficult socioeconomic situation, unemployment, alcoholism, and high sickness and mortality rates make the future of many Native Siberians bleak. An extractive economy and chronic corruption do not leave much hope for any fundamental improvement in the near future.80

CONCLUSION

The model shows that spatial changes in Siberia’s ethnographical patterns were predominantly caused by an increasing Russian presence. The reasons for this presence changed over time. In the late nineteenth and early twentieth centuries it was arable land that attracted the newcomers. One hundred years later it was oil, gas, diamonds, timber and other natural resources. The form of the Russian presence changed as well. In the past it increased mainly through numerical growth and led to predominantly quantitative territorial changes. The number of Russians in Siberia is now slowly declining, but their economic presence through oil derricks, pipelines, railroads, hydropower plants, logging and nuclear dumping is ever more tangible. Air, water and land pollution, loss of wild animals and fish and other irreversible environmental changes are another sign of the Russian presence. The reduction of pastures and
herds, falling numbers of fishermen and hunters, and chemical and radioactive contamination of fish and meat are direct consequences of this. Amid fuel shortages, unfair legal barriers, environmental and land law violations, poaching, dispossession of land, and deprivation of political rights, the competitiveness of native fishing and hunting has lowered, and thousands of people remain unemployed. Alcoholism, lack of medical care, a shortage of basic commodities and poverty, together with poor implementation of inadequate legislation compound these problems.

The case of Siberia is a good example of a complex entanglement between settler colonialism and colonialism. The settler colonial forms dominated in the late nineteenth and early twentieth centuries and affected mostly the south-western parts of the macro-region. Personal interest and political compulsion were the main forces behind the Russian settlement in Siberia. Due to the geographical features of Siberia, the land suitable for agricultural colonisation was soon cultivated. The growing knowledge about Siberian mineral resources and the increasing demand for them due to industrial development triggered the re-emergence of colonial forms with severe environmental consequences. The exploitation of natural resources occurred in Siberia in an unusual way, as it involved the permanent settlement of Soviet citizens of the European part of the country in the east. The political regime enforced the continuation of settler colonialism in northern Asia even after all of the more or less attractive territories had been settled.

Today it is possible to state that though the active phase of settler colonisation may be over, the actual phenomenon is not. The assimilation and Russification of indigenous peoples continues, and their ethnic territories are gradually losing special status. But the change in the political system after the collapse of the Soviet Union has also allowed indigenous peoples to voice their most urgent problems. The issue of ethnic territories is one of them, as ‘well-being and ethnic survival has always been inseparably linked with their land’.81

**BIOGRAPHICAL NOTE**

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NOTES

13 Naumov, *The History of Siberia*, pp. 73, 100.
Sabin and Savelieva, ‘Mapping Indigenous Siberia’.

16 Naumov, *The History of Siberia*, pp. 73-4, 100.
21 Marks, *Road to Power*, pp. 131-41.
23 V. V. Kiryakov, *Ocherki po Istorii Pereselencheskogo Dvizheniya v Sibir (v Svyazi s Istoriyey Zaseleniya Sibiri)* (Moscow: Tupo-litografiya Tovarishchestva I. N. Kushnerev i Ko., 1902), pp. 326-36.
Sablo and Savelyeva, ‘Mapping Indigenous Siberia’. 

38 Dahlmann, Sibirien, p. 248; Naumov, The History of Siberia, p. 198.
49 Vasiliev, ‘Shortsy’; Forsyth, A History of the Peoples of Siberia.
Sabin and Savelyeva, ‘Mapping Indigenous Siberia’.


53 O Garantiyakh prav Korennyh Malochislennykh narodov Rossyskoy Federatsii’.


62 Sulyandziga, ‘Korennye Malochislennye narody Severa, Sibiri i Dalnego Vostoka Rossyskoy Federatsii’.

63 Obrazkova, ‘200 let na Grani Vymiraniya’.

64 Sulyandziga, ‘Korennye Malochislennye narody Severa, Sibiri i Dalnego Vostoka Rossyskoy Federatsii’.


Sablin and Savelyeva, ‘Mapping Indigenous Siberia’.


71 Sulyandziga, ‘Korennye Malochnislennye narody Severa, Sibiri i Dalnego Vostoka Rossyskoy Federatsii’.


73 ‘Vserossyskaya Perepis Naseleniya 2002 Goda’.


78 Sulyandziga, ‘Korennye Malochnislennye narody Severa, Sibiri i Dalnego Vostoka Rossyskoy Federatsii’.

79 R. V. Sulyandziga, ‘Korennye Malochnislennye narody Severa v Grazhdanskom Obshchestve Sovremennoy Rossii’ (paper presented at the 8th SIDA conference, Moscow, 4-5 June 2008).


81 Sulyandziga, ‘Korennye Malochnislennye narody Severa v Grazhdanskom Obshchestve Sovremennoy Rossii’.
Aotearoa/New Zealand: An Unsettled State in a Sea of Islands

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This paper considers how ways of talking about New Zealand national identity still privilege a settler-centric perspective. The paper begins from the premise that settler colonialism is an ongoing project that must continually code, decode and recode social norms and social spaces so as to secure a meaningful (read proprietary) relationship to the territories and resources at stake. Somewhat akin to an obsessive-compulsive disorder, settler colonialism is deeply vexed by its own precarious identity, a precariousness that at the same time extends its powers throughout the social matrix that is the nation. Drawing on work in the field of Pacific Studies and Pacific arts, the paper considers how a form of Oceanic consciousness might act as an antidote to settler colonialism’s obsessive-compulsive disorder. The paper argues that the imaginative, aesthetic and inventive dimensions of Pacific and Indigenous art and media contribute to an expanded vocabulary for thinking settler-native-migrant encounters within a contemporary settler nation such as Aotearoa/New Zealand.

Uneasy, unsettled, uncomfortable: these are the words often used to describe the psychosocial dimensions of nations that inherit the discursive and material entanglements of settler colonialism. The colonial settler subject is typically depicted as set adrift from the Mother Country, while nonetheless a bearer of a fatal form of ‘Civilisation’ that has produced ambivalent effects. For settler ships not only transported people, produce and cargo from one place to another, these ships carried with them the norms of Western property law, religion, and gendered and classed relations. When these ships and peoples fetched up on distant shores, they encountered Indigenous forms of sociality. Both ship peoples and shore peoples were irrevocably transformed in these encounters.

These histories of violent and charged exchanges condition the contemporary settler nation. These histories call into question efforts to naturalise a settler presence in another’s landscape. This
uncertain settler identity must also shore up its symbolic and economic boundaries in the face of more contemporary forms of globalisation. Accordingly, the settler nation must continually code, decode and recode social norms and social spaces so as to secure a meaningful (read: proprietary) relationship to the territories and resources at stake. Somewhat akin to an obsessive-compulsive disorder, the settler nation is deeply vexed by its own precarious identity, a precariousness that at the same time extends its powers throughout the social matrix that is the nation. Like a technique of power or a mode of thought, a recurring obsession with national identity as well as an accompanying affect of unease are two symptoms of what we could call a settler colonial disorder: a form of governmentality (as a mode of conduct) that constantly diverts attention and energy away from building or expressing more affirmative affinities and transformative modes of social organisation.

THE TYRANNY OF ‘THE TYRANNY OF DISTANCE’

In the context of Aotearoa/New Zealand we can see these forms of governance at work in a variety of social spaces, most clearly, in the fields of the arts and communication (literature, fine art, film and television). These fields help build up, disseminate and contribute to, meaningful conversations about belonging and community. These conversations take place in the colonising language of English; they assume a shared investment in notions of nationhood and they change over time. They are expressive of social and economic contradictions and they help express group and self-identity. In the field of New Zealand film and literature studies a key topic of discussion concerns problems to do with how texts reflect what and who ‘we’ are. The ground, however, shifts in terms of defining this elusive national identity, as Roger Horrocks reminds us when he writes, in relation to film:

a culture can be conceived not as a permanent essence waiting to be bottled and marketed in films but as a changing field of forces involving many conflicts and local differences. National identity then becomes a question rather than an answer – or a question with (at
Smith, ‘Aotearoa/New Zealand’.

any given time) a particular range of competing answers.¹

This question or problem of national identity is dispersed across a range of academic and creative areas, and is met with a variety of answers. The same obsessions with identity and belonging that are found in the institutions surrounding New Zealand cinema can also be found in New Zealand fine arts and literature. Poet and fiction writer Bill Manhire figures New Zealand identity as existing ‘at the edge of the universe’. Actor Sam Neill’s personal history of New Zealand cinema frames New Zealand identity as harbouring a dark ‘unease’. An earlier poet, Charles Brasch, conjured up a watchful but remote metropole when he wrote the phrase ‘distance that looks our way’. More recently, academic Nick Perry punningly rewrites New Zealand nationhood as experiencing a ‘distance that weighs our look’. Current models of national identity acknowledge the artificial and fundamentally displaced nature of this identity, a notion of the antipodean ‘national’ characterised by Perry as involving ‘makeovers, mutations and Maoriness’. Yet, is there not something in these repetitions of uncertainty and un-placeability (How To Be Nowhere in author Ian Wedde’s terms) that reveals national identity as a problem peculiar to the settler subject?² This is a problem that positions other possible subjectivities (Maori*, migrant, female), and other modes of enquiry, as the shadowy other to the prevailing norm. Indeed, circulate the question ‘how to be nowhere’ within a Maori context and it would perhaps not be recognised as a problem as such. For Maori are tangata whenua (people of the land), a name that describes how waters, mountains and bush contribute to the making of a people. By occupying the landscape prior to colonisation, Maori may well have generated the problem of ontological uncertainty for the settler subject, and while colonisation enacted displacements of another kind for Maori, the problem of ‘how to be nowhere’ is not a central problem for tangata whenua as such. Yet in academic and creative areas, the repetitive and recurring motifs of unsettling remoteness

* Editors’ note: ‘Maori’ (and ‘Pakeha’, below) should have macrons above the ‘a’ but are here published without them. The typeface we have elected for the Open Journal System does not accommodate the macrons used in New Zealand English. We apologise. In any case, we should point out that returning macrons is a poor substitute for returning land.
(and attendant affects of unease) persists and, indeed, increasingly extends itself to include Indigenous and Pacific Island cultural producers.

Metaphors and tropes that place New Zealand at a distance from European or North American metropoles reinscribe other elsewherees as the hidden centres of settler culture. These imaginary centres function as cloaking devices that obscure more productive affinities and affiliations that settler being in place – and taking up of space – inaugurates. This is not to say that the reigning norms of a settler colonial disorder do not take into account the trauma of settler-native encounters. The thrownness of settler being in relation to Indigenous sociality produces affects of unease that have a long history. Indeed, the trope of unease relates to a reigning norm in New Zealand cultural production, that of the postcolonial gothic. According to art critic Robert Leonard, the postcolonial gothic references the unfinished business of colonisation and the spectral traces of this traumatic past that haunt the everyday. Leonard identifies a gothic turn in New Zealand cultural production in 1992, with Ronnie van Hout’s photographic satire on the idea of the New Zealand landscape as a haunted and unheimlich terrain – a treatment of landscape made orthodox by Pakeha (settler descendants) painters such as Colin McCahon. Leonard shores up this notion of a significant gothic turn by citing Sam Neill’s 1995 documentary on New Zealand film (The Cinema of Unease), the 2003 Antipodean Gothic conference held in Auckland and the subsequent anthology Gothic New Zealand (2006) edited by Misha Kavka and Jenny Lawn. The 2009 Unnerved: The New Zealand Project exhibit hosted by the Queensland Art Gallery is also included in this list. The South Island town of Christchurch is the alleged heartland of this trope, style and sensibility. Leonard understands the gothic as a tendency in art practices that emerged as a response to the bicultural themes of early 1990s art. While Leonard suggests that some Maori artists have played on this theme, (in particular, Shane Cotton’s 2006 show ‘Maori Gothic’), he admits that the gothic is ‘principally a Pakeha thing’. Noting the ambivalence of a term that nonetheless holds some social force, Leonard notes how ‘[t]he Gothic is at risk of becoming a reigning truism in New Zealand art’. Leonard finally asks: ‘is it a telling term or a convenient market device; zeitgeist or constricting cliché? ’
While principally a ‘Pakeha thing’, the theme of unease that underpins the gothic has increasingly expanded to include art made by Indigenous and Pacific Island cultural producers. The *Unnerved: The New Zealand Project* exhibit is a case in point. Careful to situate New Zealand art in a wider Asia-Pacific matrix, the Queensland Art Gallery exhibit nonetheless revisits a trope that revolves around the state of the New Zealand nation as such. Outlining the intent of the exhibit, curator Maud Page links the title (‘Unnerved’) to the theme of unease, stating that to be unnerved means to be ‘perturbed, to experience disquiet, to be aware that something is not quite right, to feel apprehension to a greater or lesser extent’. She swiftly moves from the notion of being unnerved to ‘unease’ when she notes that ‘[u]neasy content is often linked to a colonial experience, whether from a Maori, Pacific Islander or Pakeha perspective’.

Maori artist Michael Parekowhai’s giant inflatable rabbits *Cosmo McMurty* and *Jim McMurty* (2006) are used as evidence of this unease. His ‘disturbingly Disney-like’ inflatables provide a rich metaphor for a settler colonial context where introduced species tend to multiply with devastating effects. Niuean-born John Pule’s *Tukulagi Tukumuitea/Forever and Ever* (2005) – a work featuring ‘porous red stains’ – is framed as expressive of dispossessed land and Pule’s experiences as a migrant freezing worker in South Auckland. In their essay for the catalogue essay ‘New Zealand Noir’, Rosie Hays and Amanda Slack Smith discuss films such as *The Strength of Water* (2009) and *Eagle vs. Shark* (2007) as works that ‘delve beneath a glossy and unspoilt exterior to uncover raw, awkward and at times disturbing truths’.

The summative illustration used as cover art for the *Unnerved: The New Zealand Project* exhibition catalogue is Lisa Reihana’s portrait, *Dandy*, a work from her *Digital Marae* series (2001-ongoing). This work features a mid-length portrait of a Maori man in colonial clothing with a full moko (facial tattoo). Reihana’s piece is a reenactment of colonial portraiture photography, a repetition of othering that reworks stereotypical discourse to produce uneasy affects. Presumably this sense of disquiet comes from the unlikely coming together of signs of Western modernity (the finely detailed costuming of a colonial gentleman) and Indigenous tradition (the full moko of a Maori warrior or rangatira). While Reihana’s work certainly
does actively appropriate entrenched colonial stereotypes in order to ‘speak back’ to a colonial legacy and its aftermath, her works also assert a form of Indigenous agency unshackled from the concerns of the settler subject. That is to say, while colonial photography objectified Indigenous peoples, these technologies also preserved the past and enable that past to be re-activated with a palpable force in the here and now – for Indigenous peoples. Accordingly, *Dandy* may be unnerving to some, but to others this portrait activates affirmative and powerful affects. The excessive meaningfulness of *Dandy*, or Parekowhai’s giant inflatable rabbits *can* be read as unnerving, uneasy and gothic. But to say that one is unnerved, *in the first instance*, by such works, presumes a particular viewing subject. It is to take as given, a shared viewing platform – in this instance, a kind of platform or foundation that has the traumas of colonisation, and the settler subject, at its centre.

To answer Leonard’s question about the gothic, one could say ‘yes’ to all five options. The gothic *is* a reigning truism in New Zealand cultural production; it *is* a telling term, a market device, a zeitgeist and cliché. It is also a useful framing device for investigating settler colonial cultural production and the ways in which migrant or Maori cultural producers might rewrite histories of settlement. However, in the context of the *Unnerved* exhibit in particular, the gothic is also a mode of organisation that helps to govern what is seeable and sayable about Indigenous and migrant cultural production. It is a problem that is expressive of a particular formation of power that privileges a land-locked and settler-centric perspective. How, then, can we wrench another point of view from this prevailing norm? How can we reframe the problem of New Zealand cultural production in ways that uncouple the naturalised linkage between unease, national identity and the settler subject? How can we generate concepts that might reveal more precisely the contested nature of such claims to New Zealand identity?

Francis Pound’s outstandingly detailed *The Invention of New Zealand: Art & National Identity, 1930-1970* (2009) sets out to map the artistic, literary and critical discourses that worked to consciously create a national identity and a specifically New Zealand high culture during that period. The significance of this work is the way in which Pound outlines the dominant lines of force in the nationalist
movement’s cultural discourses. Take, for example his discussion of the myth of New Zealand as an island, remote and isolated from Europe. Noting the publication of Distance Looks Our Way: The Effects of Remoteness on New Zealand (1961) Pound marvels: ‘that there should now be a whole book devoted to the proclaimed remoteness of New Zealand attests to the mythopoetic power the island topos had attained in New Zealand high culture’.9 Yet, in a footnote Pound notes that in Distance Looks Our Way ‘the first cracks in the long-maintained Island Mentality’ can also be found. For instance, Robert Chapman’s essay title ‘No Land is an Island’ distinctly refutes the island topos, while McCormick highlights the relativity of notions of distance and centrality when he wonders if ‘the migrant newly arrived from Rarotonga might think of Queen Street, Auckland, as the middle of the world’.10 What then, would contemporary cultural criticism look like if it explored the cracks in such nationalist discourses, rather than following established lines of force?

To be fair, the notion of the postcolonial gothic has its uses. In many ways it functions as a form of postcolonial exoticism that, as Graham Huggan has argued, operates at the intersection of two regimes of value.11 On the one hand, exoticism is an aestheticising process that translates the cultural other (and the language of resistance or struggle) into a form of domesticated difference that can be easily consumed by mainstream (and most often) Western markets. In the case of New Zealand, the cultural otherness presented by the majority of postcolonial gothic forms involves the settler subject. On the other hand, exoticism is also a critical strategy that can be repoliticised and redeployed ‘both to unsettle metropolitan expectations of cultural otherness and to effect a grounded critique of differential relations of power’.12 The New Zealand gothic is a pliable mass of materials, easily amenable as both a critique and a commodity. But what other concepts are possible that do not make colonisation the only story told about Indigenous lives and the settler subject?

The question of competing claims returns us to Roger Horrocks’ important reminder that national identity is a question with ‘a particular range of competing answers’.13 In 1997 Mark Williams offered a range of New Zealand nationalisms that reflect this heterogeneous view. Taking issue with Ernest Gellner’s 1983
contention that New Zealand national identity is homogenous and British, Williams identifies three distinct nationalisms, post-settler Pakeha, Maori and bicultural, each of these categories disclosing ‘its own separate phases of development, revisionary tendencies and internal differences’. Arguing for site specific and historically nuanced critiques, Williams calls these categories ‘micronationalisms’, and this attention to micro-level narratives of belonging chimes with Horrocks’ notion of national identity as a ‘changing field of forces involving many conflicts and local differences’. But, as the Unnerved exhibit reminds us, these internal differences, revisionary tendencies and local articulations often get lost in the rush to grasp easily consumable cultural narratives to frame current cultural practices. Williams ends his range of ‘micronationalisms’ in the late 1990s, at a time when biculturalism was a dominant discourse. In his 2004 anthology entitled Writing at the Edge of the Universe Williams describes the cultural climate between the late 1990s to 2004 as one in which ‘at last distance truly “looks our way”’. This is the post-Lord of the Rings era in New Zealand cultural production, one boosted by the Helen Clarke-led Labour Government’s investment in the creative industries. The anthology addresses the rise in popularity of New Zealand writing, as well as the government’s support for the arts. According to Williams, this is an era where ‘New Zealand is now known for more than scenery, sheep, dour All Blacks and quaintly archaic Maori customs’.

Six years after the publication of Williams’ anthology one could say that the national consciousness has expanded further and now incorporates, more overtly, the artistic and sporting successes of Pacific Island New Zealanders, as well as the programming content of the Indigenous broadcaster, Maori Television. The image of ‘dour’ All Blacks may still persist in some corners, but the number of All Blacks with Pacific Island connections has increased consistently over the years. The trappings of Maori mise-en-scène that accompany the All Blacks brand have also been a consistent feature. With the advent of Maori Television in 2004, and the national and international success of The Naked Samoans’ television series bro’ Town, as well as the high profile of many Pacific Island actors on national television, settler-centric paradigms for the study of New Zealand cultural production are increasingly untenable. Two key characteristics define the contemporary moment: the rise in profile
of Pacific Island cultural production, and the emergence of a post-settlement era in terms of Maori claims against the New Zealand State.

THE POSSIBILITIES OF DISTANCE: REVERSE-SHOTS FROM OCEANIA

The problem with the *Unnerved* project is that it tries to think the increasingly Pacific dimensions of contemporary New Zealand alongside a rather jaded island topos that emphasises isolation from a European metropole. How then, can we wrench another point of view from this prevailing norm? What would such an exhibition look like if seen from the viewpoint of the Pacific, a viewpoint that reflects the increasingly multicultural present of Aotearoa/New Zealand? To answer these questions, one needs to turn to discussions in the field of Pacific Studies and to a seminal essay written by Tongan artist and intellectual, Epeli Hau’ofa. Hau’ofa upturned orthodox (that is to say, land-locked) thinking about the Pacific as a space of isolated islands dotted throughout the Pacific when he argued that it is the ocean itself that must be understood as the conduit connecting, communicating and interacting across these distances. As Hau’ofa writes:

> There is a world of difference between viewing the Pacific as ‘islands in a far sea’ and as ‘a sea of islands’. The first emphasizes dry surfaces in a vast ocean far from the centers of power. Focusing in this way stresses the smallness and remoteness of the islands. The second is a more holistic perspective in which things are seen in the totality of their relationships.21

Replacing emptiness and distance with plenitude and connection is a powerful and affirmative intellectual move and the liquid logic that runs through Hau’ofa’s essay is a feature of contemporary writers, thinkers and artists belonging to Oceania. Situating New Zealand cultural production in relation to this larger sense of the Pacific decentres a settler-centric logic of New Zealand nationalism
obsessed with remoteness and isolation in relation to European and North American metropoles.

An alternate vision of New Zealand cultural production is invoked in the round table conversation entitled ‘Thinking Through Oceania Now’ conducted by key cultural critics and practitioners based in New Zealand and working in Pacific Studies, fine arts, and the field of architecture.22 The discussion takes up two formulations of the idea of Oceania drawn from Albert Wendt’s 1976 ‘Towards a New Oceania’ and another of Hau’ofa’s essays, ‘The Ocean In Us’ (1997). Wendt wrote his essay at the height of the political decolonisation of the Pacific and addresses the powerful contributions that art can make to processes of decolonisation. Hau’ofa’s essays accentuate unity and connectedness in the face of ethnic and national differences made more agonistic by neoliberal and globalising forces. The tenor of the round table discussion reflected an awareness of speaking from a range of specific locations, both geographical and institutional, cultural and epistemological. At the start of the discussion, Teresia Teaiwa and Albert Refiti noted the difficulty of thinking the Oceanic from the space of Aotearoa/New Zealand, a context where processes of decolonisation are rooted in a land-based logic. Before returning to the questions raised by the differences between the liquid logic of Oceania and the decolonising politics of Aotearoa/New Zealand, we need a clearer sense of how the Oceanic is understood in this discussion.

The round table figured Oceania in many different ways. Most discussants began from the basis that there is an open-endedness to the concept that must be sustained if the metaphoric and poetic dimensions of Wendt’s and Hau’ofa’s concepts are to prevail. Teaiwa sums it up best when she states that, ‘For me, “Oceania” represents an intellectual space, an imaginary [...]. It’s not a geographical space of dwelling, although it is inspired by such a “real”’.23 Ron Brownson’s memory of a visit to Rarotonga literalises Teaiwa’s point when he recalls being taken down to the sea and told to look at the sky, which was reflected in the ocean. As his host Ron Crocombe noted, the waters that encompass the Cook Islands are ‘bigger than the area of France’. It is this emphasis on connections – on transforming figure/ground relations – that are hallmarks of the
Oceanic. Albert Refiti puts it succinctly when he invites us to think Oceania ‘as a concept that draws us into a relation and which shows our relationships are fundamentally different from that of the West, Orientalism, etc.’.24

How might this concept of Oceania refigure the terms for understanding New Zealand cultural production? Commenting on the oft-cited New Zealand notion of a ‘distance that looks our way’, Refiti recalls growing up in Samoa and his village minister treating such distance as a provocation to imagine what paradise might be. As Refiti notes, ‘this was not the tyranny that New Zealand artists were trapped in but a privileged point of view of our imaginings’.25 It is also a form of consciousness that ‘eradicates a single view point’.26 By affirming distance as an enabling condition, Refiti frees his imagination to rethink centre/periphery relations. These are then some recurring dimensions of the Oceanic: it is an intellectual and imaginary space, inspired by ‘the real’ and embedded in specific locations, a concept that stresses connectedness across space and time, and a concept that draws one into a relationship with others, without privileging a single view point. Following Wendt and Hau’ofa, the power of art to enable, inspire and inaugurate such a consciousness is crucial.

We can see this consciousness at work in the art of Niuean-born and New Zealand-based John Pule. While curator Maud Page’s entry in the Unnerved catalogue acknowledges the semiotic richness of Pule’s ‘porous red stains’ in Tukulagi Tukumuitea/Forever and Ever (2005), her introduction to the Unnerved exhibit frames Pule’s work as a metaphor of dispossessed land and Pule’s experiences as a migrant freezing worker in South Auckland. This selective reading helps to demonstrate the ‘unnerving’ dimensions of the work, but from the viewpoint of the Oceanic, Pule’s work (both painting and poetry) also builds up worlds that do not conform to existing models of belonging. Gregory O’Brien describes Pule’s art in the following manner:

Whether painting or writing, Pule is a gatherer and a hoarder of materials, a layer-out of blankets, a listener-to and relayer of many stories, a creator of inventories, a traffic conductor and a conduit; he is also a town-
planner, road-layer and student of cloud forms and ocean currents. Straddling individual experience and collective realities (social and political, as well as mythical), his works are both grounded in identifiable reality (‘the nurturing soil’ he writes of) and the byproduct of dazzling invention.27

Certainly, the ‘porous red stains’ of Tukulagi Tukumuitea/Forever and Ever might invoke the bloody work of an abattoir or, more poetically, the migrant trauma of the loss of land. But these readings are very biographical and do not account for the ways in which Pule’s artworks ‘straddle’ individual and collective realities. These readings limit and constrain the imaginative and inventive dimensions of ‘porous red stains’ that might also invoke a perverse form of cloud formation or a particular notion of ‘soil’ that both stains and contaminates as much as it serves as a basis for belonging. Further into the Unnerved catalogue Page titles her essay ‘Making Soil to Stand In’, which gestures to this more complex trafficking across place and space via aesthetic practices. While her earlier framing of the exhibit places Pule’s work within the tradition of gothic unease, Page’s subsequent discussion of Pule’s work exposes a crack in this gothic discourse by emphasising the productive and affirmative dimensions of Pule’s art practices. Page also notes how Pule anchors his imagery in both Niue and New Zealand.28 The idea of aesthetic practice as producing different soils to stand (or be) in is a crucial reminder of the productive and political dimensions of art’s role in processes of decolonisation. Art and imagination as the basis for belonging frees us from the notion of nation, centres and peripheries. As O’Brien notes:

These works – with their myriad meanings, currents and undertows, eddies, millponds, storms and isolated moments of calm – remind us that, as inhabitants of the Pacific, whether we live in Niue or New Zealand, our shared address is not a continent or even an island but a vast ocean beneath an expanse of sky.29
Yet, this kind of liquid logic does not fit well with the norms of New Zealand culture as Sean Mallon and Pandora Fulimalo Pereira argue in their introduction to Pacific Art Niu Sila: The Pacific Dimension of Contemporary New Zealand Arts (2002). Noting the very few mentions of Pacific artists in exhibitions and books on New Zealand art at that time, Mallon and Pereira suggest that some New Zealanders still view Pacific forms as somehow ungrounded or ‘out there’ in relation to New Zealand’s socio-cultural milieu.\(^{30}\)

Mallon and Pereira argue that rather than an overtly racist logic this mindset reflects a certain difficulty in ‘extricating ourselves from long-established ways of seeing and categorising the world; getting past the stereotypes and ethnic/cultural boxes’.\(^{31}\) These difficulties in freeing set minds reflect the crucial role played by the arts in processes of decolonisation. Yet, decolonising politics from the viewpoint of the Pacific looks very different from the politics of decolonisation that has taken place, so far, in Aotearoa/New Zealand. As Teresia Teaiwa notes, ‘being native in an ocean is altogether different from the claim of being native to an island’.\(^ {32}\) This is why, as Refiti also remarks, ‘Wendt and Hau’ofa’s proposals are not universally accepted in Aotearoa because of a certain refusal to let go of the stability that “land” procures’.\(^ {33}\) This land-based logic reflects not only the island mentality of the settler subject exemplified in Distance Looks Our Way but also the cultural politics of tangata whenua, and common approaches that emphasise the idea of autochthony (spontaneous generation) and the rights of ‘the first’ or of original occupation.

**ENTANGLEMENTS-ALLIANCES-AFFINITIES**

This section explores the possibilities of a liquid Oceanic approach to tangata whenua politics, one that takes seriously Teaiwa’s question, ‘If we go to the ocean, what might decolonisation look like?’. In many ways, the notion of Oceania is a form of cosmopolitan consciousness involving an expanded set of alliances and affinities that reach across territorial, political and ethnic boundaries.\(^ {34}\) Rooted in the everyday, but with transnational ‘routes’, this form of Oceanic cosmopolitanism generates ‘a heightened sense of the relativity of one’s own social
position and culture in a global setting’ and the many possible ‘interconnections between actors in diverse locations’. The idea of interconnections and entanglements with diverse locations is well-known territory for the settler subject whose rootedness in the contemporary context carries the transnational shadows of routes from other metropoles. But the awareness of ‘relativity’ of the settler’s social position has been dulled by the comforts of these contemporary roots.

Many Pakeha argue that through the fact of long-term occupation, Pakeha are now indigenous to Aotearoa/New Zealand. A decolonising politics then, in the context of Aotearoa/New Zealand, is very much based upon staking a claim to the landscape, a logic that sits uncomfortably alongside an Oceanic consciousness. Indigenous expressions of rights based upon being tangata whenua challenge attempts to naturalise a settler presence in the New Zealand landscape. Orthodox uses of the term tangata whenua are based upon genealogical relations that ultimately tie contemporary Maori with tribal ancestors derived from landscapes, flora and fauna. The Treaty Claims process is underpinned by an ethical imperative to recognise Maori rights of ‘primogeniture’. For some Maori, attempts to frame the settler subject as tangata whenua means to ‘undermine Maori efforts to resist continuing colonisation’. Yet, how settlement – and by extension, notions of New Zealand national identity – gets talked about is a crucial locus for investigating who gets to set the terms for the debate about the meaning of settlement, and under what conditions. Economic compensation to Maori only partially addresses the historical grievances of colonisation. In unison with the shifts in the material realities of Indigenous lives, we must also work to construct epistemological and discursive shifts in ways of talking about New Zealand histories and the political language used to describe cultural belonging and contemporary cultural politics. This is a form of decolonising politics that expands, investigates and challenges the constantly changing ‘we’ of New Zealand identity. If the decolonising politics of Aotearoa/New Zealand are entangled in a logic of national identity that has become pathologically land-based, framing New Zealand as part of a sea of islands might help to centre the settler-centric logic that underpins New Zealand’s decolonising agenda.
The stakes for expanding existing paradigms of political thought in a settler colonial context are high. New Zealand is now entering what some call a post-settlement era where many tribes have successfully negotiated compensation for historical wrongs. In the 1990s iwi (tribal groups) such as Tainui, in the North Island, and Ngai Tahu, in the South Island, achieved significant Treaty settlements. In 2004, after many years of political activism, the State agreed to fund and support Maori Television. While addressing those Treaty grievances yet to be settled, a decolonising politics of Aotearoa/New Zealand must also address the ways in which successful Treaty settlements shift common understandings of Indigenous political struggles. This brings us back to the role of art and imagination in contributing to the conditions necessary for social and political change.

By claiming to be indigenous to Aotearoa/New Zealand, contemporary settler subjects forget the fluid logic that underpinned colonial encounters. As Daiva Stasiulis and Nira Yuval-Davis remind us, the charged encounters between settler and native forms of sociality involved peculiar forms of alchemy.

The paradox of settler societies is that they simultaneously resisted and accommodated the authority of an imperialist Europe, where ‘colonial rule was the founding within which [non-European institutions and culture] were melted down and recast into new political alloys [...] compatible with European requirements’. The Treaty of Waitangi Claims process is one such example of the ways in which settler rule transformed the social norms of tangata whenua. While the Claims process has offered Maori communities the chance to retrieve lost tribal histories and to rebuild mana (prestige), the Claims process has also tied communities into an existing economic logic that transforms customary resources into commodities and assets. But there is always an excess to this recasting of Indigenous sociality into ‘new political alloys’. For example, indigenous oral histories form part of the Waitangi Claims...
processes and bring contesting ontological and epistemological presuppositions into the public realm. In her example of the ‘evidentiary weight’ that oral narratives can carry in secular courts and tribunals, Miranda Johnson reminds us that these oral histories are bound by kinship networks and community protocols that do not sit easily with the demands of secular state practices. That is to say, the transformative dimensions of settler/native exchanges occur both ways. These discursive entanglements, while regulatory and restrictive of Indigenous sovereignty, also produce new kinds of thinking subjects and new alliances and affinities that echo the logic of an Oceanic consciousness. Maori filmmaker and philosopher Barry Barclay called these kinds of formations ‘sites of exuberance’.

The work of Indigenous film pioneer, writer and activist Barry Barclay reflects a form of Oceanic cosmopolitanism in his commitment to embedded filmmaking practices that reach across raced and ethnic differences. One of the many possible answers to Teaiwa’s provocation to think decolonisation from the viewpoint of the ocean can be found in Barclay’s cinema, in particular in his documentary about a harbour and its community. The Kaipara Affair (2005) tells the story of the small North Island town of Tinopai, and its fight to stop commercial fishing interests from devastating the fish stocks in the Kaipara Harbour. Barclay lived in Tinopai for three years while he gathered together material to document the shared struggle by both Maori and Pakeha residents to protect its waters. This film perhaps best embodies Barclay’s philosophical and political approach to cinema. For Barclay, filmmaking is a form of hui where people gather to discuss issues of import. The filmmaker enters into relationship with the community and bears the responsibility of conveying the ethos, spirit and character of this community. This kind of filmmaking requires extensive pre-production and consultation time (Barclay first established this practice with the seminal 1974 television series Tangata Whenua) and results in an unusual cinematic style. For example, one of the central events of The Kaipara Affair concerns local residents placing a rahui (ban) on a section of the Kaipara harbour so that fish stocks could be protected. This agreement, by both Maori and non-Maori, demonstrates the crucial role that Indigenous practices can play in the life of the nation for the benefit of all New Zealanders. While a politically provocative
idea, the film makes this argument in a nuanced and poetic manner. Stuart Murray describes this approach in the following way:

the placing of the rahui is arguably the single most significant narrative ‘event’ covered by the film. It is the rahui that stands as a marker both of the community’s defiance and of its organization and mobilization of the traditions of customary law; in many ways it exemplifies the issues the film depicts. Yet there is no introduction to the processes by which the ban was laid down, no description of the immediate contexts through which it came to be used, and no initial sense of its importance. Rather the first mention of the rahui itself actually comes in some reflections from Raewyn McDonald about the hangi (meal) called to celebrate the event. It emerges as a tangential reflection during a conversation about something else, before then moving to become more obviously central to the issues of the film itself. This kind of narrative flexibility is typical of the production.45

This kind of oblique narrative style, with multiple perspectives, is a key aspect Barclay’s commitment to providing the conditions necessary though which a community might express itself. This kind of oblique cinema unravels the various roots and routes that bring a small New Zealand community together. Unconventional, often difficult to follow, this is a style of filmmaking that has come into conflict with funding agencies, broadcasters and members of the New Zealand film industry. While the theatrical release of The Kaipara Affair depicted the concerns of local residents in ways that reached across ethnic boundaries, the broadcast release of the film on national television (edited down to seventy minutes without Barclay’s agreement) reinscribed racial stereotypes of militant Maori activism and racist Pakeha attitudes at odds with each other. In the orthodox style of ‘issues-based’ documentary cut to fit the demands of television advertisers, TVNZ’s (the State broadcaster) treatment of The Kaipara Affair echoed the same kinds of abuses of sovereignty and law that the film depicted. More than this, the TVNZ recut reminds
us of the ongoing nature of the struggle to develop and invent ways of
naming ourselves as part of a community, a region, a nation, an
ocean. The theatrical release, and the copies of the full-length version
Barclay distributed to a variety of grass-roots communities as a way
of sustaining the voice of the Tinopai community should be seen as
the original text. In his final film Barry Barclay’s decolonising politics
speak: focusing on the waters that sustain a community, and the
struggles by both Maori and non-Maori to assert sovereignty over
these waters, The Kaipara Affair tells us what decolonisation might
look like from the viewpoint of the ocean.

CONCLUSION

The work of settler colonialism is an ongoing and persistent project
that seeks to normalise the settler subject as the most significant
agent of history. The emerging field of settler colonial studies might
hope to address these repetitive and resilient systems of
organisation, but to do so, the field must maintain a steady vigilance
in relation to the tools and terms deployed. To aid this endeavour,
settler colonial studies needs to draw from the work of Indigenous
and Pacific Studies in ways that might disrupt the obsessive and
compulsive dimensions of settler colonialism, which seeks to
reinscribe the settler subject as the unexamined centre of any event.
Like a technique of power or a mode of thought, a recurring
obsession with national identity as well as an accompanying affect of
unease are two such symptoms of what I have called a settler
colonial disorder: a form of governmentality (as a mode of conduct)
that constantly diverts attention and energy away from building or
expressing more affirmative affinities and transformative modes of
social organisation. These alternate modes of organisation are
present in the mediascapes and art worlds we encounter everyday
and require diverse forms of critical engagement that can draw out,
articulate and illuminate, their social and political significance.

In the case of Aotearoa/New Zealand, the increased visibility of
Pacific and Maori New Zealanders in film, television, literature and
the fine arts increasingly places pressure on settler-centric ways of
discussing the state of the New Zealand nation. Settler claims to
Indigeneity seek to put the colonial past behind the contemporary
nation. Staking such a claim to a landscape blinds us to other ways of seeing. From the viewpoint of the Oceanic, one can see how the land and its surrounding waters connect people in diverse, mobile and contingent ways. While orthodox narratives of the nation reinscribe affects of perpetual unease, Pacific and Indigenous creative producers envisage other ways of being, seeing and relating. Uneasy and unsettling these cultural products may be to some, but these are also communication landscapes that offer the materials to build community and affiliation across differences and distances that have been relentlessly (repetitively, obsessively) inscribed as the norm.

BIOGRAPHICAL NOTE

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NOTES

12 Huggan, The Postcolonial Exotic, pp. ix-x.
Born out of Māori political activism during the 1970s and 1980s, biculturalism seeks to honour the 1840 Treaty of Waitangi signed between the British Crown and (some) Māori representatives. Based on an ethos of partnership, biculturalism recognises the importance of the Māori language within the nation and seeks to incorporate elements of Māori culture into public institutions. At its heights in the 1980s and early 1990s, Paul Spoonley suggests that active biculturalism ‘has been largely confined to particular sectors of the State’. While construed as a path to social justice for Māori, many critics regard biculturalism as a management technique for controlling other forms of political resistance and suggest that biculturalism is characterised by an explicitly assimilatory intent. See Paul Spoonley’s book review of Beyond Biculturalism, in Kotuitui: New Zealand Journal of Social Sciences Online 3 (2008), pp. 77-9.

While statistic show that there are more Asian than Pacific peoples in New Zealand, the media presence of Pacific personalities outweigh those of Asian subjects. In the 2006 census the category of ‘European’ was the largest recorded ethnic group (67.6 percent), with Māori at 14.6 percent. Asian peoples make up 9.2 percent and Pacific peoples 6.9 percent. The category ‘New Zealander’ was available as an option for the first time in 2006. Of those who choose this category, 12.9 percent also identified with one or more ethnic group. See the Special Report on the 2006 Census of New Zealand’s Population and Dwellings (Research New Zealand, 2007).

This roundtable discussion was coordinated by art historian Peter Brunt and featured Teresia Teaiwa and April Henderson from the programme in Pacific Studies at Victoria University of Wellington; Jim Vivieaere, artist and curator; Albert Refiti, from Spatial Design at Auckland University of Technology; Ema Tavola, director of Fresh Gallery, Otara; and Ron Brownson, senior curator New Zealand and Pacific Art at Auckland Art Gallery.


Nicholas Thomas (ed.), Hauaga: The Art of John Pule (Dunedin: Otago University Press, 2010).


Smith, ‘Aotearoa/New Zealand’.

32 Brunt et al., ‘Roundtable’, p. 84.
33 Brunt et al., ‘Roundtable’, p. 85.
34 Teresia Teaiwa makes this point. See Brunt et al., ‘Roundtable’, p. 93.
40 Daiva Stasiulis and Nira Yuval-Davis (eds), Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity and Class (London: Sage, 1995), p. 4.
41 In 1975 the New Zealand Crown established the Waitangi Tribunal designed to make recommendations on Māori claims regarding breaches of the 1840 Treaty of Waitangi (Tiriti o Waitangi). While a politically progressive act of reconciliation on the face of things, the Treaty process still entails limitations, the most important aspect being that the Crown continues to set the agenda for addressing historical injustices.
Boys, Brats and Education: Reproducing White Maturity in Colonial Zimbabwe, 1915-1935

CAROL SUMMERS
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During the 1920s and 1930s, white settlers in Southern Rhodesia (Colonial Zimbabwe) achieved responsible government and sought to claim the region as a settlers’ territory but faced a crisis with their own children and youth. Despite subsidised schools and easily available bursaries, too many white boys grew to adulthood without useful education or skills, and with disruptive expectations and demands. These youth faced immediate unemployment and appeared unlikely to be able ever to qualify as civilised breadwinning patriarchs for future generations. Rhodesia’s white elite ironically responded to this problem by invoking models of socially controlled education initially developed to train and contain groups of people expected to be inferior: white girls, whose practical education prepared them for subordinate social roles, and African boys and men, whose schools sought to channel individual ambition into a defined, appropriate form of education that emphasized rural life and community values. Educational initiatives, though, proved incapable of making the racial and communal logic of segregation viable. In this case study of white crisis and administrative policy response it is possible to trace some of the logical and practical problems with the social planning initiatives of one of the most segregationist regimes anywhere.

By the 1920s, Southern Rhodesia was no longer an imperial frontier administered by the British South Africa Company under Colonial Office supervision. It had become a settler colony with a government elected by a tiny voting population dominated by the white settlers who were able to meet property and literacy requirements for the franchise. In Southern Rhodesia’s demographic context, where settlers were never more than about five per cent of the population, white settlers’ anxieties dominated government initiatives, and the new Legislative Assembly passed increasingly intensive segregationist legislation, including the Land Apportionment Act, restrictions on labour and changes in Native Administration.¹ White
settlers elected a Prime Minister who bluntly put white interests first, declaring

The greatest civilising influence in Southern Rhodesia is the White settler, as long as he is really white inside [...] All the settler asks is [...] that there shall be a reasonable prospect of his children’s children remaining white even unto the tenth generation.²

This declaration by the Prime Minister emphasised the central elements of white Rhodesian ideas of rule, maturity and success. Prime Minister Huggins linked ‘real’ whiteness with civilisation. And he linked success not with Rhodes' example of personal achievement, but with a collective notion of generational civilisation or whiteness. Rhodesia, the settlers of the 1920s and 1930s argued, needed mature white men able to provide paternal leadership; it did not need aggressive social climbers, scam artists, equal rights or empathy.

Rhodesians pursued their multi-generational, paternal model of successful development through racial segregation that drew on international notions of race relations, some borrowed from the southern states of the USA, some from the hygiene and racial science notions of British imperial theorists. Yet administrators, legislators and white leaders in Southern Rhodesia emphasised that most of these external models were negative ones. They did not want the tense plural politics of India or South Africa. Neither did they wish to give up the labour supplied by informal squatter arrangements and other extra-legal forms of labour recruitment and management in favour of international ideals of rational economic, social and political organisation.³ Rejecting the gospel of scientific management and rational policymaking, Rhodesian leaders focused on building a sustainable system of domination by white settlers. As David McDermott Hughes has pointed out, such a project required settlers to creatively ‘establish a credible sense of entitlement’ that allowed settlers to ‘belong’ and provided a basis for their claims on land, resources and power.⁴ Children, youth, and the resources and values necessary for the social reproduction of the white population were central to this goal.⁵
The late 1920s-1930s period was therefore an extremely challenging time not just for the African majority of Southern Rhodesia, but for the white would-be elite as well. During these decades, administrators, politicians, missionaries and settlers steered between a variety of outcomes they dreaded. These white parents sought a racial system where dominance could reproduce itself, and their white children grow to rule what their parents had seized and built. They sought to naturalise and then conserve white domination. Settler colonialism, they believed, must be more than just a phase in the region’s development.

But this reproduction-based, transgenerational model of natural white dominance fit awkwardly with the country’s realities. It required effective governance and social initiatives, not just money, military power or even scientific knowledge. African educational initiatives challenged the myth of white superiority. African economic successes might drive white farmers and artisans out of business, as African entrepreneurs worked for less than white farmers, builders, craftsmen and contractors. And beyond these small scale challenges by successful African individuals who failed to fit the myth of white supremacy, there was the problem of white men, and especially white youths, who looked unlikely to be able to successfully defend the racial order. White men and boys who lacked the education, discipline and diligence necessary to raise white families were perceived as an internal threat to settler visions of multigenerational success.

White Rhodesian leaders offered two sets of responses to these problems. Most of their efforts went to designing a set of legal, social, economic and educational institutions for Africans that would cripple Africans’ efforts toward success, wealth and power. I have written elsewhere about this aspect of policy, particularly as regards education. This was not a concealed plot, but an overt, explicit agenda item for most of the white political parties in the country.6

Here, however, I wish to concentrate on the other approach available to white leaders: building up the white youth and future of the country. As white observers declared when complaining about the white youth of Rhodesia, ‘The white men were the aristocrats of this country and it behooved them to keep that position for themselves’.7 For some members of the Legislative Council, this meant pushing for
mandatory education for white children. This agenda persisted for years, as leaders remarked that ‘with our black population we need an aristocracy of public-spirited [white] men’.

In this context, average simply would not do. From at least 1915 onward, legislators and white settlers called for a system of education for white children which would address the plentiful problems associated with youth growing up as members of a dominant racial minority in an African country (with distractingly beautiful weather and plenty of servants to handle the labour of ordinary life). Leaders saw this task as so difficult, if it was indeed possible, that it required careful planning, coordination and enlightened leadership. These social planners sought to teach male youth a muscular, disciplined and productive maturity. Sometimes, this meant that white professionals would have to overrule parents as to the proper means of raising and training their children. Sometimes, it might mean developing youths’ maturity by overruling the youths themselves, forcing them to engage in tasks they saw as the province of the African men whom settlers called ‘boys’. As in policies aimed at suppressing African challenges, therefore, coercion was essential. And because coercion had to be justified to a white electorate, it had to be explainable.

Officials therefore drew on professional opinions to bolster their argument that these sorts of unpleasantness were essential elements in the production of strong, aristocratic youth. And they drew that professional opinion from some interesting, indeed ironic, sources. They sought to explain why girls’ education was more successful than boys’, and apply the ideas and initiatives which guided girls’ education – such as domesticity, deference and low-level secretarial or commercial skills – to boys’ training. And, as that failed, they sought to learn from the competition their racist rhetoric condemned, drawing educational initiatives from African programs which had been explicitly designed to mitigate social problems, teach discipline and promote a constructive, non-confrontational community building domesticity for the future. A system of white education that merely mimicked Britain’s was neither feasible nor desirable. Instead, in a curious desperation, white leaders experimented with educational programs for Southern Rhodesia’s white youth which they modelled on those initially planned for their social inferiors.
THE PROBLEM WITH WHITE BOYS

Even leaders who opposed compulsory education for whites considered white education important, not in spite of the power whites wielded purely on the basis of skin colour, but because of it. Legislator Collins, for example, argued that ‘in a country situated such as Rhodesia was with an inferior race [...] it was absolutely essential that the superior race should [...] receive a superior education to the inferior race’. Poor whites were part of the problem, as legislators made allusions to the Boer war and problematic relations between English and Dutch in South Africa. But an even bigger problem was that of perceived degeneration. Some of these boys who were growing up too ignorant to pass the literacy test for the franchise, one legislator warned, were the sons of public school men, the elite of England. Unless help arrived, these youths would be unable to take their fathers' places, would lose the rights of citizens, and would actually begin to accept standards where, as one legislator described a white school, children learned about the world around them in a school which doubled as a mule shed. One legislator explained that education was as essential to a white child as food or famine relief could be to a starving African. In later years she argued that ‘uneducated children, or a child who is being given an indifferent education [...] is of more danger to the State than [...] a tick-infested beast’.

Education was a basic necessity, both for the individual white student, and for the society he should grow up to maintain. And home schooling or minimal farm schools were not enough, according to white leaders. White boys needed exposure beyond the family to the discipline of boarding establishments, or at least graded day-schools.

By the 1920s, the populist rhetoric of the early debates over white education escalated another notch as one legislator asserted that 30% of white children were illiterate, and that the country ‘could not afford [...] to allow that great asset, the white child, to remain undeveloped in such a way that he was not able to maintain the directive power’. Increasingly, uneducated or miseducated white children were not just a danger to white power, but a wasted
resource, one in danger of becoming a drain on a struggling colony. Legislators labelled white education as the greatest problem the colony faced, and called for measures ‘to conserve the brains of our children and to direct them into the avenue of greatest production’.

Observers in the 1920s, though, complained that white education had problems which extended beyond the mule shed facilities which characterised farm schools. Legislator Tawse-Jollie called for bible reading and moral training in the boarding schools, as parents distant from their children had become unable to provide proper ethical foundations. By the mid 1920s, she complained annually that white education was not adequate or improving. Legislators who joined her complaints might not agree with some specific objections to both boarding and farm schools, but they made their own observations of how education produced ‘mental saturation’ and filled children with ‘a large number of facts which they had no practical opportunity of applying’. Legislators, and the popular press, increasingly discussed new types of education such as a multi-stream system which would educate both elite and ordinary on separate academic and vocational tracks. In this discussion, they recognised the increasing distinctions within the white population of Southern Rhodesia, urban and rural, secure and struggling and, increasingly, worthy and unworthy. By 1928, Tawse Jollie was justifying overruling parental notions about education because ‘we cannot rely on the parents of this country to do their duty invariably in regard to these children’. Another legislator, Thompson, was blunter. Rejecting any vision of all white children being trained to the model of an English grammar school or public school, he asserted

My opinion is that it is a waste of education to educate a child beyond the sixth standard when such a child has not the capacity likely to fill a post where the educational standard is higher than the sixth standard gives [...] [T]here should be a certain amount of weeding out [...] In a new country we do not want those super-educated men, men who are turned out machine-like [...] repeating the same things like a parrot, from a textbook. We do want a man to be well educated, and the man who gets that good groundwork can forge ahead in
Thompson's speech may have been blunt, but his points were supported by increasingly critical white voices objecting to the ways in which white youth assumed positions they had not earned and might have been incapable of earning. In ways that paralleled their efforts to adapt education programs to block Africans' migration to the cities, some legislators obliquely called for more moral training of white youth, or for schools which, located in rural areas, would avoid inculcating a taste for city life.

By the 1920s, however, white observers clearly saw a problem. They complained that youth growing up in Rhodesia could not compete with Africans for work because 'they are spoilt by having native servants [...] they think only of bioscopes [movies] and sports'. Missionaries asserted that white youth needed more wholesome fun within Christian families and, for those beyond family life, YMCAs and other such Christian organisations. Other observers complained that complacent white youths were losing any form of superiority over energetic, disciplined, ambitious Africans.

By 1927, the *Rhodesia Herald* was issuing editorials on ‘Our Education’ which discussed how White education in Southern Rhodesia was seen as producing neither educated scholars nor skilled artisans, but poor imitations of both. Smatterings of culture, the paper observed, led white children to despise manual labour. Youth relied on servants, categorising hard work as ‘kafir’ work, and the white community sought to block Africans’ competition, rather than to make its sons answer the challenges of work and economic change. And the problems started early for white youth, as the editorials noted: ‘more than a few spoilt white children in Southern Rhodesia’, including children of as young as 2 or 3 years old, were ‘exercising definite dictatorships which in the long run cannot do them any good’. Even the Teachers’ Federation, a professional organisation of teachers in white schools, while rejecting the Director of Native Development's characterisation of white youth as
‘appalling’ in their attitude toward African children, noted that the ‘European child in Africa […] takes the native and his ministrations very much for granted’ and that this ‘produces something of a problem’. Meanwhile, these critics emphasised, Africans’ educational ambition and achievements grew.

By 1929, there were nearly 100 government schools and almost as many aided farm schools for white children in Southern Rhodesia, and total enrolment had increased from hundreds at the turn of the century to around 7800, of whom more than 2500 were boarders. This education was among the most expensive in the world on a per capita basis. Investigating this haphazard network of institutions scattered across the countryside, the Report of the Education Commission, published in 1929, summarised the problems of white youth in an African country. ‘[T]he ubiquitous native’, it asserted, contributed to white youth’s degeneration by undermining any white work ethic, family life, sex life, concept of moral obligation, or even character. Rhodesian youth, the commission suggested, were in danger of succumbing to the temptations of lethargy and degeneration, and schools’ immediate problems of retardation (students older than age appropriate to grade), drop-outs and frequent transfers should be read as warning signs. Popular commentary was blunter than the careful words of the commission report, as the newspaper published, for the benefit of its white readership, a depiction of Rhodesian white youth as

unambitious, unable to seize opportunities, dull, without polish, lacking in initiative, inefficient, undisciplined, unstable, purposeless, superficial, and further from the fulfilment of Rhodes’ ideals than the youth of any other part of the British empire. Finally, he is smug and has no wish to improve.

The *Rhodesia Herald*, like white politicians over the previous decade, did defend youth as not entirely responsible for their undisciplined state, noting that if Rhodesian youth were unable to seize opportunities, it was because few opportunities were available. But the newspaper and elite commentators rejected the arguments put
forward by the Labour Party and those further down the social hierarchy, that they should receive as much help as necessary and Africans’ education be slowed and carefully channelled. Segregation was fine, according to the paper, but white youth, too, needed to be held to a higher standard. Elite observers, indeed, saw segregation as a way of forcing lower class whites to labour, not as a means of protecting their ineffectual efforts from African competition.

EDUCATIONAL INITIATIVES

Not all observers agreed on what to do with these deplorable, undisciplined youth. One possibility was a more academically rigorous education modelled on the grammar schools and public schools of Britain. In 1931, for example, a newspaper article suggested expanding the school day from the ordinary two-hour days, five days a week, to something more substantial, which would leave room for activities and socialisation.31 This concept of building the student through conventional academic hard work was put forward by a Director of Education who complained that too few students were studying Latin, and endorsed to some extent by the Education Commission itself, which worried about how few Europeans took their matriculation exams, and asserted that ‘[p]reparation for and conduct of examinations is therefore to be regarded as an integral part of the whole character-forming process which is education’.32

Nearly all other observers, however, rejected the idea that the practical problems could be solved by attention to Latin grammar, external exams and boarding school discipline. More popular, especially among elite parents, were ideas of fostering ‘rural mindedness’ and ‘practical’ training for other people’s children.

Seeking solutions, these critics examined reputedly more successful and appropriate models of education. One of the first models for new types of education for white male youth was the education of white female youth. White girls in Southern Rhodesia did not generally excel in academics, nor were they expected to do so. Doris Lessing, who attended a convent boarding school while her parents farmed ineffectually in Sinoia, recalled active discouragement of her desire to read.33 And even in 1933, many
white girls from rural areas dropped out of school at age 15. By that time, however, they had received some training which they were likely to be able to use in their future lives. They were, at least in the popular mind, prepared for their future roles, unlike boys who were ‘left to grow up any which way’. Not all observers believed this: one candidate for the legislative assembly paralleled accusations levelled at male youth when she complained that white girls were not being trained in housewifery, and were ‘more interested in face powder than baking powder, in blacking eyebrows than blacking stoves’, but her critical remarks were condemned in the newspaper, and she failed to win an assembly seat. Whatever girls’ actual interests, officials believed that domestic science, taught in all the girls’ secondary schools, would provide enough background for these girls to supervise their future servants. Some observers even saw girls as more employable than white boys, observing that white female school-leavers had a variety of possibilities: ‘the civil service; certain blind-alley occupations, such as typing, banking and general stores work, and, of course, the old profession of marriage’. Students who dropped out of school at fifteen could prepare themselves for this work at such institutions as the Salisbury Commercial College, which taught shorthand, bookkeeping and typing. Clerical and shopgirl work would not allow girls to support themselves independently over a lifetime of raising a family, but it did not need to. Girls’ training was sufficient to point the way to a domestic white future, rather than spurring questions and social discontent.

Girls’ education was basic, appropriate, usable, and did not produce notable social problems. But it had drawbacks as a model for boys’ training. First, it was successful at least partially because of its low expectations. Despite the presence of prominent white women in the political, professional and economic life of the country, neither official nor popular observers considered women’s leadership to be a priority for the future. Secondly, it did not provide a model for addressing the perceived character issues which prompted the most damning criticism of white male youth. Indeed, the girls, whose mastery of domestic science qualified them to supervise servants, shared the characteristics condemned in their brothers: an unwillingness to take on hard or dull labour, and inflated opinions of their own worth.
White observers worried about the educational future of working class white families could have chosen to address the problems by re-designing girls’ education to facilitate their lifetime employment, and by proposing a new type of family: one with two wage earners. But they did not choose this option. Instead, while many girls did work as school leavers, and even as wives and mothers, observers and planners chose to push for a form of white male education which, even at its lowest levels, would permit a man to support not merely himself, but his family. And they defined the situation as a crisis when it became obvious that many white boys, while able to find jobs, were not going to be able to grow up, marry, and support a white civilised existence on their wage alone. The danger was not to white individuals, but to future white Rhodesian families, emphasised officials from Huggins on down. Paternalistic elite initiatives which substituted 15-year-old Rhodesian white boys for African men in factories, temporarily solving the white unemployment problem, could not offer young men much hope for the future.

Attempts to model boys’ education on the more vocational aspects of girls’ domestic and commercial courses, therefore, drew aggressive criticism from observers who argued that they would subvert the ideal of white superiority through higher civilisation by leading to dead end jobs (at best). As the Director of Education argued,

> it may be doubted whether commercial subjects as ordinarily taught are of very high value even to pupils who are known to be likely on leaving school to enter commercial houses [...] So far as the secondary school is concerned, therefore, commercial studies are not, in the long run, either the most valuable or even the most practical.

Girls’ education, which prepared white girls for low-level commercial and shop employment, and a maturity of wifehood, failed as a model to prepare white boys to become the ‘aristocrats’ and white patriarchs demanded by colonial proponents. Men had to earn more
to support a civilised family and pass the heights of Western
civilisation on to the next generation.

Critics of boys’ education, therefore, worked diligently to
discern sectors of the economy which would be lucrative enough to
support future generations’ aspirations and expectations. By the
1920s and 1930s, white men were beginning to suffer
unemployment as educated Africans became the best candidates for
low-level white-collar jobs throughout the region, and skilled or semi-
skilled African craftsmen took over the category of artisanal labour
and building. In this atmosphere, it became obvious that, barring
aggressive segregation, white youth would have to prepare for work
either in the agricultural sector, where white capital and access to
government support and credit could provide the possibility of an
acceptable life, or professional and supervisory work, from which
Africans might be excluded for reasons of propriety or politics.

During the 1920s and into the 1930s, therefore, while the
working class parties of Southern Rhodesia called for job reservation
and aggressive segregation, social planners and politicians worked to
develop a model of ‘rural-minded’ education which would address
the ‘calamity that the [white] youth of the country [...] seemed to
have little inclination to take to the land. Their inclination seemed to
be to stay in the [...] congested towns’.44 While town youth were
problems, these leaders imagined that local white youth could be
‘their best settlers’ if not ‘driven out of the country because we did
not in Rhodesia provide facilities for agricultural training’.45

Reforms in white education emerged immediately after the
first major government initiative in African education at the
Domboshawa and Tjolotjo government schools. Domboshawa and
Tjolotjo were designed as centres of training Africans in home crafts
and appropriate local farming practices, with an idea of facilitating
students’ ability to live on smaller farms in reserves. But they
mutated rapidly in response to lack of government resources,
missionary pressure and aggressive student resistance. By 1923,
when Matopos opened its doors, neither really adhered to its initial
mission statement.46 Instead, the Matopos school, designed to
provide rural training for white youth, took up the banner of
appropriate rural education. It was designed to solve social
difficulties through educational engineering and to instil rural
mindedness; it adhered in remarkably direct ways to the templates initially laid out for the African schools.

THE MATOPOS EXPERIMENT

Domboshawa, the African school which the Matopos school apparently modelled itself on, promoted the idea of appropriate, selective education which would allow Africans to make better lives within their own community, staying in rural areas and away from white development, and avoiding competition with white clerks, labourers or storekeepers. In 1920, as Domboshawa opened, missionaries protested that it was taking resources away from their more efficient schools. And the school itself rapidly changed, in response to student pressures, becoming more similar to a good mission school, and less constricting in its educational initiatives. But legislators, perhaps unaware of how much the school had deviated from its plan, defended it as a way to spend money raised from Africans for African benefit and as a way to parallel increased investments in the education of the white children.

The Matopos school received its first funding in the early 1920s at a time when white representatives were already beginning to complain about the costs of educating the children of parents who could not afford to pay. As the Matopos school opened, one Legislator described its mission as to train boys for ‘civilized life’ and give them a means of making a living. ‘Good work’, he went on to declare, toward what Rhodesia needed, ‘could be done by turning the thoughts of children toward the land at as early an age as possible’. For the government, this was part of a broad push toward practicality and vocational education, as the Rhodesian Colonial Secretary sought alternatives to academic tracks and other legislators asserted that boys could find jobs without high levels of training, and suggested that policies avoid pushing students into ‘mental saturation’.

As at Domboshawa, however, social engineers found it hard to make the Matopos school achieve the desired results: youth who would willingly accept to live rural lives. Frustrated, Rhodesia’s Colonial Secretary noted,
The problem of education [...] is deeply based on the economic character of the country. We have on the one side the town, with a high standard of living, high wages coming in regularly [...] On the other hand we have [...] the people in the country. There the farmer has an uncertain income which, taken on average, is low compared with the towns. 49

Like the African youth trained at Domboshawa and recruited by white employers, Matopos youth observed and acted on real differences in social prospects, rejecting an expectation that they could be rural, frugal, and the country's next generation of settlers.

Instead, the youth of Matopos seem to have viewed themselves, regardless of their family backgrounds, as young gentlemen. Or at least as potential professionals. During its early years, the school, while touting its excellent climate and scenery, increasingly included a standard academic curriculum. This emphasis on academic training may have emerged in an attempt to deflect the popular view of Matopos as a school for indigents, a label vigorously rejected by its headmaster. 50 The Matopos school initially sought to combine general education in English, science and math with preparation for farm life, in the form of agriculture and handicrafts. The school was plagued by bickering and confusion, though. Despite opening with buildings sufficient for 90 students, it only enrolled 41, which increased to 50 in 1925, and then fell again, reaching as low as 18 at the end of 1926, and beginning 1927 with 11 after a change in headmasters and numerous withdrawals. 51

Parents withdrew their sons because they rejected the limited future which Matopos' training offered. 52 Several noted that, while their sons were interested in farming, a curriculum which allowed students to drop academic subjects at 14 was not appropriate. 53 This rejection of early specialisation was even expressed by parents of boys who were acknowledged to be ‘backward’. Mr. A. Raymer stated, for example, that he took his son out of school because he ‘was not sufficiently advanced in ordinary school subjects’, and noted that he ‘had no alternative but to take him away and put him to a
school where such could be provided'. Boys who wanted to become accountants, veterinary surgeons, or anything that required a matriculation certificate and further education, departed *en masse*. Those who arrived and spent any time at the school in the 1927 term found the experience frustrating. There were not enough boys for a football team, complained one. Even parents who accepted the idea of an agricultural school rejected Matopos’ specific program, one parent complaining that of ten pupils, only three intended to take up farming, and another noting that his son, one of four farming pupils, was wasting time. ‘Had I wanted him to do manual labour I could have put him on my own farm’, asserted a father whose son had complained of being put entirely under the supervision of the farm manager, without any real lessons. Parents, unlike elite educational planners, did not consider manual labour – however character-building – to provide useful training for their white sons. The school's inspector ratified the frustrations of the parents, at least obliquely, when he suggested that it would be desirable if boys leaving the Matopos school could write formal exams and receive certificates. Since the headmaster had failed to teach English, however, he complained that this would not be practical.

During the late 1920s, as rural economic conditions continued to deteriorate, the school continued to fail in its stated mission. Inspectors condemned the training as not ‘really efficient [...] particularly as regards the practical side’, partly because ‘the interests of certain of these boys do not lie in the direction of farming’. In 1930, when the school was formally transferred to the Department of Agriculture, the Department of Education effectively declared its social engineering initiative to have been wholly ineffectual as the school had failed to attract ‘the type of pupil for whom it is intended [...] of all the boys who have left the school not more than five are at present on the land’. Students were dull, failing their exams wholesale and taking lessons in a way that appeared, at least to the inspector, ‘to indicate a general intelligence definitely below that in similar forms in other secondary schools in the territory’. These boys, inspectors implied, would never be the rural leaders and aristocrats that white social planners had hoped to create. Indeed, they might not even absorb enough education to evade the label of poor white. And, paralleling the African youth of Domboshawa, they were certainly not deterred from moving away
from rural life and into the towns. The inspector noted that woodwork was the school’s happiest department, perhaps because it was a skill that could be transferred directly into an urban context.

ADMINISTRATIVE DOUBLETHINK

The Matopos school and the surrounding controversies about white boys' education in Southern Rhodesia raise interesting questions regarding how colonial education policy was imagined, designed and implemented. Colonial and missionary rhetoric emphasised education as a benefit for all. It was a part of civilisation, one of the things that Britain, as an advanced, civilised and Christian society, could offer to the people it conquered and ruled. Certainly, colonial thinkers sometimes worried about the immediate effects of education on traditional order and social stability, but generally they prescribed more controlled forms of education – not no education – as the cure for these difficulties. In a powerful summation, C. T. Loram declared, to the applause of educational professionals from throughout eastern and southern Africa, that ‘Education is the process by which a human being is changed from what he is to something that those in authority wish him to be’. Confident in their mission, colonial educational administrators saw education quite simply as one of the benefits of civilisation, one which could even ensure development and social peace.

Nationalist and post-independence critics of education in colonial Africa have been far more sceptical about the goals and effects of colonial educational policies. In critical anthropologies, histories, novels and memoirs, they have asserted that colonial educational policies, which were inherently racist, had contributed to making Africa into a misinformed and problematic place.

Closer examination of educational initiatives and developments, however, leads to a picture which is hard to simplify. Suddenly, factors beyond racial domination emerge even in discussions of education policy in Southern Rhodesia, surely one of the most race-conscious societies the world has ever known. This preliminary discussion of white education in Southern Rhodesia merely scratches the surface, but it raises several concerns for
anyone trying to construct a straightforward picture of education as a tool for hegemonic white power in the building of a settler colony.

First, the elites’ willingness to draw on girls’ and educational programs for Africans as models in the education of non-elite white boys implies that educational policymaking involved variables beyond simple racism. The elites’ acceptance of ‘appropriate education’ and limited horizons for white boys indicates a social polarisation and class consciousness that went beyond race. Despite the rhetoric of racial stratification, white elites were interested in maintaining their dominance not merely over Africans, but also over demanding lower-class whites. References to whites as an aristocracy may, in this context, have been simply words, not a defendable social goal. In a rhetoric characterised by a concern over generational reproduction and future patriarchal power, white elites defined themselves as the adults, and placed not simply Africans, but also lower class whites, as importunate children who had to be schooled and trained.

Second, even as a white elite was accepting the reality of limited horizons and coercive social control for some white youth, the larger voting white community sought to re-define success and maturity not as Rhodes’ model of individual achievement, but into a collective, race-based form of communal success and survival. Controlled, agrarian-minded and disciplined working class white youth could share in this aggregate form of success even as they themselves lived working-class lives and knew little of Latin or Greek, or about the glories of Western civilisation. Instead, these individuals achieved adulthood through a disciplined, muscular form of white paternity and domesticity, accepting guidance for themselves and their children, as long as it was accompanied by the assurance that they and their white children could remain ‘really white inside’ to the ‘tenth generation’. Ironically, this focus on the communal rather than the individual in settler discourse bore a strong resemblance to the type of African development which segregationist ‘Native Development’ programs proposed.61

When Prime Minister Huggins called for securing ‘generations’ of white Rhodesians, he drew on a set of local priorities that won him votes in Rhodesia and sympathy in Britain. He defined the civilised white man, the man who conquered and colonised, as someone profoundly mature. And Huggins’ political initiatives pursued such
maturity for white sons, in the midst of a continent whose people, viewed from the British perspective of the time, were little more than children. Maturity, colonisation and rulership were thus fundamentally intertwined in Rhodesia. Childish white boys, therefore, were a threat so severe that parents could justify managing them as the children they resembled – African ‘boys’ – rather than the white aristocrats they should have been. Therefore, mature African men, whom settlers called ‘boys’, ironically became a model that white ones might be pushed to emulate (and surpass). As African aspirations, achievements, and qualifications rose, white youth found themselves in competition with a moving target, and one which was hard to match. To gain maturity, these boys had to be more adult than African men. But when African men were experientially older, white youths’ ability to assert mature authority required that they be prepared. They should have the character, and the intellectual and disciplinary skills that such competition required; white youth who failed in competition with African men became the much complained-about spoiled brats.

Educational policymaking in Southern Rhodesia, with its complex dynamics of age, race, gender and class, was a twisted patchwork whose details often seemed illogical or counterintuitive. An African education unsuccessfully designed to block African success could therefore become a progressive model for a type of education designed to ensure the success of weak white youth who needed remedial help to sustain the ‘appropriate’ racial status. They had to become the aristocrats, and mature, economically secure fathers of a developing country. Settler colonialism, even in its most explicitly racist form, was in Southern Rhodesia such a difficult system to secure that it led its adherents in logically convoluted circles, as they sought communal achievement and security through social education strategies originally designed to foster complaisance and subordination in white girls and African men. To understand settler colonialism, it is important to look at what settlers did when faced with intractable demographic, economic and social realities. Despite the ambitions and extreme bureaucratic flexibility of Southern Rhodesia’s white leaders, they faced limitations in their ability to build up their settler colony so that it could survive into a ‘tenth generation’. And those limitations were shaped not just by the resistance or pressures from the country’s majority African
population, but also by contradictions in related processes of white socialisation and reproduction.

**BIOGRAPHICAL NOTE**

Carol Summers is a professor of History at the University of Richmond. Her publications include From Civilization to Segregation: Social Ideals and Social Control in Southern Rhodesia, 1890-1934 (1994) and Colonial Lessons: Africans’ Education in Southern Rhodesia, 1918-1935 (2002), as well as recent articles on late colonial Uganda.

**NOTES**

1 For a discussion of this changing rhetoric and reality, see Carol Summers, From Civilization to Segregation: Social Ideals and Social Control in Southern Rhodesia, 1890-1934 (Athens, Ohio: Ohio University Press, 1994).
3 For example, see the discussion of the economics of squatting in Steven Rubert, A Most Promising Weed (Athens, Ohio: Ohio University Press 1998).
4 David McDermott Hughes, Whiteness in Zimbabwe: Race, Landscape and the Problem of Belonging (New York: Palgrave Macmillan, 2010), p. 1. Hughes argues that water management was key to this assertion of connection between white settlers and local ‘nature’.
5 Black generations, however, were explicitly not planned for, lest the government need to allocate more land as African Reserves.
14 The unstated part of this discussion was the future role of immigrant whites versus those born or raised in Rhodesia. These legislators sought a Rhodesian identity, rather than simply a British one reinforced by immigrants.
17 The rhetoric around farm schools directly paralleled the elite condemnation of African ‘third class’ or ‘kraal’ schools run by the missions throughout the country, often with rudimentary facilities, poorly trained teachers, and erratic attendance.
18 Southern Rhodesia Legislative Council Debates (1920-2). Ethel Tawse Jollie and F. L. Hadfield both make similar points, critiquing the reliance on boarding.
new immigrants, trained and schooled in England, on the continent, or at least in
Rhodesian boys were not able to achieve enough to marry. Girls simply married
'fear' the bush,' fearing it, and
describing even the rural girls at her urban boarding school as knowing nothing of
my Skin
27 Editorial: ‘The Teachers’ Point of View’, Rhodesia Herald (23 June 1928).
The government, however, subsidised it sufficiently to make it inexpensive for
29 Report of the Education Commission for Southern Rhodesia (Cape Town: Cape
Times, Ltd, 1929) p. 10: ‘We see Southern Rhodesia [...] as a small but growing
and vigorous community of good European stock [...] settled amid a native
population of about twenty times its own numbers, composed of a people who are
for the most part docile enough and intelligent enough to afford a large supply of
labour which [...] is available not only for productive industry but for the simplest
needs of domestic and personal service. This latter fact has important reactions
upon the upbringing of the youth of this colony, both in home and school’.
31 Editorial: ‘School Hours’, Rhodesia Herald (20 March 1931). This article referred
to white rural primary schools. Incidentally, African schools were required to have
at least two hours a day if they were third-class schools, and four hours per day for
first-class schools. This move may have been pushed by an awareness of the fact
that some African children were spending larger proportions of their days in the
classroom than were European children.
Printer, 1933), p. 4. Lessing, for example, dropped out at age 14. Lessing, Under
my Skin, p. 154. Composite figures for the early 20s indicate that 8 or 9 times as
many white children were dropping out of school before matriculation, or failing, as
were passing it. Suggested remedies to the situation only applied to boys. See
Interestingly, one of the commentators (Dr. A.P. Martin) even asserted that girls
were in better physical condition than the boys in Rhodesian schools.
36 Editorial: ‘Miss Steedman and Mr. Gilchrist at QueQue’, Rhodesia Herald (18
April 1924). Lessing actually supported Christine Steedman’s characterisation,
describing even the rural girls at her urban boarding school as knowing nothing of
‘the bush,’ fearing it, and refusing to learn farm skills. Lessing, Under my Skin, p. 103).
40 Girls’ education could lead to successful domestic establishments even if
Rhodesian boys were not able to achieve enough to marry. Girls simply married
new immigrants, trained and schooled in England, on the continent, or at least in
South Africa. This, given the ratio of immigrant men to women, was demographically feasible but opened up a potential set of concerns for local boys seeking wives.

41 White women’s labour was a live issue. For example, during the African labour controversy of 1927, a government minister suggested that tobacco farmers could manage without forced African labour if they applied themselves and had their wives take over watering the seed beds and other light agricultural tasks. Farmers’ associations saw this as a deeply insulting suggestion. Whatever white women actually did, they did not want to be expected to do it. ‘Old Hand’ to Editor, Rhodesia Herald (28 January 1927). White families’ reluctance to accept women’s extradomestic labour probably was linked to the association of hard physical labour, especially field work, with African women. Instead, women expected to make a more genteel, appropriate contribution in responding to low producer prices and other production problems. The Rhodesia Herald discussed a ‘Home Industries Society’ in 1920 as a response to a high cost of living. Wives could make knitted goods, jams, sweets, flowers, etc.: Rhodesia Herald (9 March 1920).

42 M. E. Cleveland, who proposed this initiative, regarded it as a success. ‘Responsibility for our Youth’, Rhodesia Herald (3 March 1932).

43 L. M. Foggin, Report of the Director of Education for 1927 (Salisbury: Government Printer, 1928), p. 7. Note: girls’ work in dead-end occupations nevertheless provided opportunities to meet potential husbands among mostly immigrant young men. Girls’ social mobility, therefore, was feasible through marriage, if not provided for through high levels of commercial skill.

44 J. A. Edmons, ‘Coming of Age of the RAU’, Rhodesia Herald (1 February 1924). See also the letters and opinion pieces in the Rhodesia Herald during the 1924 campaign. Labour Party candidates condemned missions’ education initiatives for Africans, and called for protection, apprenticeships, and opportunities for white labour.


51 Director of Education, Memo on Matopos, 3 February 1927; W. Helett to Director of Education, 2 March 1927, NAZ S824/844.

52 Matopos students were generally younger than Domboshawa men, and still under their parents’ authority. Thus, while Domboshawa students protested for themselves, Matopos parents protested for their sons.

53 E. F. Henderson to Inspector, 14 June 1926, NAZ S824/844.

54 A. Raymer to Inspector of Schools, 12 June 1926, NAZ S824/844.

55 Theo Hastings Case, 1927. See also W. Hewlett to Director of Education, 2 March 1927 and 12 February 1927, NAZ S824/844.

56 Cowlings (Inspector of Schools) to Director of Education, 30 April 1927, NAZ S824/844.

57 Matopos Inspection Report, 1 November 1928, NAZ S824/844.

58 Inspection Report, Matopos, 23 September 1930, NAZ S824/844.


60 See, for example, John L. and Jean Comaroff, Of Revelation and Revolution, Volume One: Christianity, Colonialism, and Consciousness in South Africa (Chicago:
Summers, ‘Boys, Brats and Education’.


Racial and spatial ideologies coalesced to form part of the bedrock foundations of settler colonialism. They allowed and encouraged settler populations to keep colonised peoples at an arm’s length at all times, though what this entailed was never consistent across the board (in some places, this inspired the segregation and re-ordering of urban spaces, and in others it led to the relegation of ‘undesirables’ to mission stations, reserves, townships and Bantustans). They also supported the attempts of settlers – with their other arm, we might say – to meddle with the lives of colonised peoples in a number of ways (including a whole range of civilising, Christianising and Europeanising activities, which led to the mobilisation of some communities and to the immobilisation of others, and to the relative autonomy of some and dependency of others). Space and race, therefore, made a world – or even several worlds – of difference in the settler colonial scheme of things. And they continue to do so today.

The two books here under review outline the discursive and structural ways in which Indigenous peoples are spatially and racially situated within (and at the same time, separated from) the designs of...
settler collectives. They do so from very different angles. Penelope Edmonds’s *Urbanizing Frontiers* is a comparative and transnational historical study of two urban sites of the British Empire (Victoria, British Columbia and Melbourne, Victoria). It explores the relationship between the expansive and urbanising drive of settler colonialism and the oppression and suppression of Indigenous peoples. By contrast, in *Unlearning the Colonial Cultures of Planning*, Libby Porter presents a commentary on a ‘spatial order’ imposed by settler colonisers, and presents detailed case studies of protocols currently in place for state conservationist bodies in southeastern Victoria, Australia. True to the title, the book has a pragmatic purpose: to demand that the spatial culture of settler colonialism is unravelled and deconstructed, in order to strengthen Indigenous claims to settler space (in particular, sacred sites and reserve lands).

These are books with very different aims and disciplinary foci. One is about the manifestation of power in nineteenth-century settler cities, the other about the contested nature of planning around Indigenous peoples. And, on the surface, there is a dauntingly striking contrast between the spaces with which the authors concern themselves – cities (the most radically transformed places in the settler geography) and reserves/parklands (‘untouched’ places according to the settler mentalité) – yet there seems to be a significant degree of congruence between them. Indigenous peoples were removed from both, shunned or locked out. Settler cities could only rise out of land from which native inhabitants were thoroughly displaced and then kept aside in order to keep the cityscape ‘tame’.¹ Similarly, national parks and nature reserves, at the initiative of the settler state, required first of all the removal of any Indigenous presence if they were to become the ‘untouched’ pristine wildernesses to which settlers could ‘return’.²

Both sites, therefore, have a lot to tell us lot about the spatial strategies and cultures of settler colonialism. By alerting their readers to the damage that space inflicts upon Indigenous peoples, both Edmonds and Porter create awareness about an important element of settler colonialism’s past, and at the same time, also raise important questions about the present-day politics of Indigenous struggle. Together, but in their own ways, their scholarship offers the same implicit – and very important –
suggestion: that we need to understand the ways in which Indigenous Others are spatialised under different discursive, economic and temporal conditions, in a manner similar, perhaps, to the fruitful ways in which scholars investigate how people become racialised within various settler colonial orders.

‘Invasion is a structure not an event’, writes Patrick Wolfe. The sheer resilience of the various regimes under which Indigenous peoples have found, and continue to find, themselves oppressed and disempowered, supports his claim. In their own ways, both Edmonds and Porter lend support to it too. Edmonds, in the conclusion of her book, argues that ‘[in order to] see the colonial structures of segregation, dispossession, and reclamation that continue to mark the postcolonial landscape, we must reject any suggestion of a break between the past and the present’, while Porter in the first line of hers proclaims that ‘Indigenous struggle against colonisers has always been present’.

Edmonds illuminates many urban relationships, but never from the actual perspective of Indigenous people, sidestepping the ‘methodological challenge that all historians encounter when writing about colonialism’.

It is not possible for me to know or to be able to thoroughly interpret Indigenous people’s experiences in nineteenth-century Melbourne and Victoria. Instead, as a way forward, and in line with [Henri] Lefebvre, I chart the generative historical and social processes through which social spaces and geographies of exclusion were created. Through this process of reclamation, I seek to re-Indigenize historical understandings of the settler-colonial city.

And this she does, by providing a devastating indictment of the urban biopolitics of settler colonialism and their effects on Indigenous society, rather than undertaking the sensitive (and hazardous) job of reconstituting Indigenous voices. Although the subalterns, in this book, do occasionally speak, Edmonds never forces them.
Her argument is coherent and sensible, but is one that steers clear of mundane interchanges. Processes, more so than one-off events, take centre stage in the book. Even her ‘settler-colonial city’, she wants to stress, is a ‘process rather than a site of colonial modernity’: a process brought to life by the unglamorous hunger of settler capitalism, and given momentum by triumphalist discourses of bourgeois metropolitanism and Anglo-Saxon expansionism. Crucially, as well, the settler city is a process that continues, in a number of ways, up to the present. ‘Our present-day cities are sites shaped by settler colonialism, its violence and vicissitudes, its shared spaces and cross-cultural moments’, Edmonds writes.

Edmonds’s analysis commences in the early-nineteenth century, the moment when ‘Melbourne’ and ‘Victoria’ mushroom out of land secured from Indigenous people, courtesy of settler law and its oversights. Then, by interrogating travel accounts, newspapers, municipal council reports and police records, Edmonds is able to identify a widespread ambivalence felt by settlers of both communities towards the confronting presence of Indigenous Others. It did not take long for Indigenous spaces to become universally and vehemently scorned by city dwellers and observers. As Edmonds puts it, ‘Aboriginal spaces were presented as uncivilized and savage, as madness materialised’ – and so they would be presented for a long time to come.

Perhaps the most crucial effect of this discursive strategy was its contribution towards the transformation of the Indigenous person into someone deviant and out of place – someone not native to the space (or idea) of the settler city. This scandalising (dis)placement of Indigenous peoples – characteristic of what Lorenzo Veracini would term a ‘transfer’ enacted in order to strengthen the settler position at the top of the social pecking order – was part of an extensive discursive repertoire that was racist and patronising towards Indigenous peoples, and which should, by now, be quite familiar to historians of settler colonial locales. What Edmonds’s book reminds us, however, is how powerfully these ideas emanated from the cities, at a time when the settler project was at its most decisive in the dispossession of Indigenous peoples, and destruction/replacement of their societies.
This is partly why Edmonds argues for a redefinition of perhaps the most contested idea in settler colonial historiography: that of the frontier. Not only was the settler city complicit in the practice of settler colonialism, Edmonds argues, but it was also a key site of contact and contest. And the ‘Indigenous’ presence was never totally eradicated. As she writes:

Dispossession was a spatial and ideological practice that operated in both urbanizing spaces and the hinterlands. The settler-colonial project sought to remove Indigenous peoples from the land and, concomitantly, to regulate and partition them in the streets. Thus we must rethink notions about the ‘frontier’. Dispossession was a dynamic that only increased over time as the exigencies of racialized space hardened and as the new settler-colonial geography was shored up internally and externally.\(^\text{12}\)

The frontier is not simply ‘a distinctly non-urban geographical space that sits somewhere out in the country or borderlands’, because, as her research shows, ‘towns and cities [were] vital sites of contestation’ as well. ‘The frontier must be reimagined’, she argues. And how so? As ‘sites of racialized spatial contestations’, which were ‘mosaic-like – mercurial, transactional, and importantly, intimate and gendered’.\(^\text{13}\)

An analysis of settler colonialism as an explicitly gendered process is also a crucial element of Edmonds’s thesis. She synthesises the works of other scholars with a few insights of her own, and sets out to produce a narrative in which women receive more than just ‘small walk-on parts’ (although she is decidedly careful not to overplay the gender card).\(^\text{14}\) What gender dynamics best reveal in the settler locales analysed in *Urbanizing Frontiers*, I feel, is the clash between conflicting models of colonialism. This is especially so when we look at the ways in which racialised discourses of gender arise according to the changing necessity of social/racial mixing at different stages in the settler city’s growth. And in this respect, white women make all the difference.
It is well established that the presence of an equal gender ratio – and a large degree of heteronormativity – among the invading community is a fundamental tenet to the ‘purest’ forms of settler colonialism. A ‘pure’ type of settler colonialism – the term I slightly modify from D. K. Fieldhouse’s framework in *The Colonial Empires* (1965) – signifies a situation in which white woman and white man advance hand-in-hand with white, native-born family in tote, contributing at the same time to a settler society that denies Indigenous presences and a settler economy that has freed itself from its reliance on Indigenous labour. Until this utopia is realised, however, the labour of Indigenous people – usually men – can be quite helpful, as can be the sexual services of Indigenous women.

The latter phenomenon – the exploitation of Indigenous women – is something Edmonds identifies under the dim streetlights of settler cities. As she puts it, ‘the sexual exigencies of colonialism required “immoral” spaces, just as racial purity required “moral” spaces’. More than just a moral clash, I would be inclined to argue that what Edmonds illustrates in this example is evidence of a clash between two separate colonial configurations, or ‘projects’ – in each case, between initial forms of colonialism (be they small-time settlements or fur trade outposts) and what was just around the corner (a purer form of settler colonialism). Historically, ‘immoral spaces’ were usually more prevalent in societies of mostly male colonisers compared with gender-balanced societies of pure settler colonisers; in other words, the type of occupation under way (or, to be more specific, the type of colonists recruited for that occupation) seems a key determinant when it comes to the line between ‘moral’ and ‘immoral’ sexual encounters with the colonised.

Of course, this clash between colonial configurations, and the way this is reflected in colonial discourse, differs from place to place. Indeed, the two regions featured in *Urbanizing Frontiers* are quite illustrative in this respect. In Canada’s Pacific Northwest, where ‘fur trade colonialism’ was the dominant model to begin with, colonisers required fundamentally different things of Indigenous society to what later settlers would. When, after an anxious wait of about forty years, British Columbia was replenished with white women settlers from the 1870s onwards, and the (mostly male) Aboriginal workforce gradually came to be considered ‘valueless in the labour market’,
discourses of gender and race came to be articulated in very different ways.\textsuperscript{18} This testifies the transition the region was making from colonial or ‘protocolonial’ outpost to burgeoning settler society – a transition that the Port Phillip District made far more rapidly.\textsuperscript{19} By contrast, its first colonisers were predominately pastoralist settlers and merchant capitalists, with white women (mostly native-born) comprising a significant and growing part of the population since the first decade of the administration’s establishment.\textsuperscript{20} Crucially, settler capitalism took hold and patterns of Aboriginal exclusion became more widespread in Melbourne relatively quicker than it did in Victoria or Vancouver (and ‘immoral spaces’ became fewer and fewer).

As Edmonds does not gloss over some of these and other ‘structural and discursive differences between southeastern Australia and the Pacific Northwest Coast’, her book will be of interest to historians and urban critics specialising on both Melbourne and Victoria.\textsuperscript{21} But *Urbanizing Frontiers* is by no means a parochial text, and is situated within a transnational framework. It engages with both postcolonial and settler colonial studies, scholarship on whiteness, gender, race and space, urban studies and Pacific studies.

*Urbanizing Frontiers* also has a few things to say about the contemporary politics of Indigenous struggle. The image of the late-nineteenth century settler city Edmonds presents will be startling to readers with an eye on the present. It is pacified, but awkward towards the *ongoing* presence of Indigenous people and the counter-narratives they present; its settler population, white and orderly, growing more irrational with fear about the *imminent* possible presence of unwanted ‘guests’ (Chinese immigrants) with every decade of the nineteenth century. This settler city, a place uneasy towards both Indigenous and exogenous Others, one might point out, has barely changed.

Elsewhere, Edmonds is more frank about the parallels and continuities of settler colonial conflict in the cities. The strongest example in this regard is her reminders about the Black GST ([stop] genocide, [recognise] sovereignty, [sign] treaty) protest camps set up in Melbourne city in 2006. As she writes:
Cavanagh, ‘Settler Colonialism’s Spatial Cultures’.

The King’s domain is not only Wurundjeri land, it is also close to the site of the first Aboriginal mission in Melbourne. As we have seen, 160 years ago the same council used municipal measures and police to push Aboriginal people from the cityscape. Victoria’s Premier Steve Bracks argued that it ‘was the council’s duty to manage the land under planning laws and [by the] community services committee’ and stated that the camp would soon be disbanded. In a manner evocative of colonial attempts in the 1840s to get rid of Native camps, the premier continued, ‘We’re talking to them and letting them know that they can’t stay on permanently and the tents and the caravan and the fire have to go’.22

Indigenous peoples, today as they have always, pose a serious problem for settler cities: their very presence interrupts utopian ideas of lawful possession and humanitarian conquest, bringing the moral foundations of settler society into dispute.

Edmonds makes the present day an important reference point, but above all, her book is a piece of historical scholarship. By contrast, in *Unlearning the Colonial Cultures of Planning*, Libby Porter does just about the opposite: she makes history her reference point, and engages with the present politics of Indigenous rights in a more ‘head-on’ way. Her compassionate and partisan stance is admitted in the opening pages – ‘I indicate a viewpoint, an “interest” instead of dispassionate interest’ – and remains inescapable right throughout the text.23 This is refreshing, and in no way detracts from her argument about space and the current Indigenous predicament.

Approaching Porter’s book after reading *Urbanizing Frontiers* encourages us to view the spatial partition of Indigenous peoples in the cityscape as just one example of how the spatial orders of settler cultures have worked against settler colonised peoples everywhere. The very act of planning, ‘the social practice of spatial ordering’ (and all of its pernicious effects), argues Porter, ‘is not just complicit in, but actively reproduces, social injustice for Indigenous peoples’ – and hence her reason to pursue
a genealogy of planning, not an anthropology of Indigenous people in settler states trying to influence planning decisions [...] an exploration of planning’s ‘spatial cultures’ as I will call them, of the ‘us’ that is a wider civic body of people grappling with the ongoing contemporary endurances of colonialism’s culture.²⁴

Porter argues that the constant drive to plan – to order, to re-order, *ad infinitum* – evident in the designs of cartographers and the relentless criss-crossing of lines through native space, should also be identified as a discourse that relates and reproduces power relations. Using a familiar mix of Foucauldian and postcolonial theory, Porter argues that the discourse and practice of planning has created a hierarchisation of space that traps Indigenous subjectivities (and is hence antithetical to Indigenous sovereignty and autonomy). Planning, and the sheer existence of things planned, reproduces settler privilege by informing a complex spatial culture – something she defines as ‘the range of ways of thinking about, and living, space’, and informs the ways in which a whole range of technological, discursive and epistemological tools contribute to the oppression of Indigenous peoples in settler societies.²⁵

This argument, an ambitious attempt to ‘open up new modes of thinking about culture, colonialism, and planning’, arises out of a somewhat eclectic presentation and methodology, which sees her manoeuvre (sometimes awkwardly) between discourse analysis, postcolonial theory, the philosophy of space and her own empirical research.²⁶ Starting out with an incisive and sensitive introduction, Porter then presents a selective account of the recent politics of Indigenous struggle in Australia, New Zealand, Canada and the United States, before proceeding to compile a theoretical platform from which she can deconstruct the Lockean concept of property along with a handful of quotes of early male settlers apportioning their ‘new’ land out with their eyes. Then, in the remaining half of the book, Porter provides a detailed critique of the accommodation of Aboriginal claims in Nyah Forest and Gariwerd National Park (in southeastern Victoria, Australia). Here Porter takes aim at state conservation bodies, whose logic, she argues, is guided by a spatial
culture that fails to credit Aboriginal understandings of order, space, preservation and sacredness.

Working out what exactly these Aboriginal understandings are in the first place requires Porter to remove the postcolonial feather from her interpretative hat, and undertake localised ethnographical studies. By making reference to the data collected in her interviews and participant observation, she makes the claim that it is up to conservation entities to at least *try* to understand what an Aboriginal spatial culture might look like, for there is much for settlers to learn. In the meantime, argues Porter, we require a complete reform of Anglocentric institutional structures and naming protocols, and, above all, the positioning of Aboriginal demands equally alongside ecological goals in their organisational plans. This advice is timely, but not all that radical or revolutionary; rather, the novelty of Porter’s work lies in the means by which she reaches this conclusion (by providing a compassionate and careful analysis of the protocols employed by state conservation bodies in Victoria, Australia, interspersed with the perspectives of local peoples).

Theory is what Porter uses to stitch her book’s somewhat disparate components together, but some of the material she chooses is somewhat problematic. For instance, her reproduction of poststructuralist and early postcolonial theorists of the late-1990s/early-2000s is useful, and adequately complements her own stance on the ethics of planning; yet other parts are somewhat incoherently arranged and seem to lack purpose. In particular, her fleeting hooksian argument in the dying pages for ‘locating our radical politics in an ethic of love’ is just baffling for a book of this type. More importantly and regrettably, it might be the case that the sheer density of much of her theoretical content has meant that she has locked out her two most important target markets: policy analysts/designers (the people with the ability to make the changes for which she asks) and Indigenous peoples (the people about whom, and for whom, she writes the book in the first place). This is surely a questionable trade-off. It is also a somewhat ironic one, for in mounting a campaign against settler understandings of space and order that are ignorant of Indigenous understandings, she has herself produced a piece of literature about space for a mostly non-Indigenous readership.
It is unclear what scholars based outside of Australia – whether of planning, conservation, architecture, Indigenous policy, sociology or history – will make of the case studies in Unlearning the Colonial Cultures of Planning. Hopefully this will not deter too many international readers, for the book does have significant merit, and communicates on several levels about planning, discrimination and the dilemmas of space. Perhaps the most important argument in Unlearning the Colonial Cultures of Planning is for ‘new conversations’ in and around Indigenous politics. Briefly, but very perceptively, Porter suggests that the fight for special recognition and citizenship-based rights, operating as it does within the stubborn nomos of the settler sovereign order, has been slow to translate into real benefits. In her summary, Porter writes:

I am advocating ways of recognizing the domain of the Indigenous polity within planning, either within or outside legal forms (both are possible), to enable different kinds of practices to become available. *This does not necessarily have to be a formal, legal recognition of Indigenous rights.* I say this, cognisant that such a statement may appear to be letting settler states ‘off the hook’ of the hard work of legal recognition. This is not my intent at all – that legal recognition is crucially important. Instead, I do not want to let settler states ‘off the hook’ of recognizing the Indigenous polity in everyday ways in state-based planning, in the absence of that legal recognition. Our ‘recognition’ of multiply constituted polities, Indigenous and others, can occur in a myriad of everyday ways. It can constitute some of the ‘thousand tiny empowerments’ [Leonie] Sandercock suggests for locally based orientations to justice.29

Although Porter does not elaborate on what all of this might entail, it is not all that hard to guess. We need greater consultation with Indigenous peoples in matters regarding the layout of the settler societies that surround them. We also require a level – or a number of levels – of Indigenous self-determination and autonomy over the
ways in which both private and state capital continue to (dis)organise Indigenous spaces.

In sum, then, Penelope Edmonds’s *Urbanizing Frontiers* and Libby Porter’s *Unlearning the Colonial Cultures of Planning* contribute to an understanding of the structural characteristics of settler colonialism, and as such, should be well received by scholars in a consolidating field. From their own very different perspectives, Edmonds and Porter show how conceptions of space affect Indigenous peoples in categorically coercive and life-altering ways. In settler colonies, spatial ordering is a racially discriminative process (or, we might frame it the other way around, and say that racialisation is a spatially determined process). The authors, by studying the interrelation of these two processes in a framework that is conscious of the many differences that exist between various colonial formations through time and space, have innovated a new way to understand the power dynamics of settler colonialism. And, if we read their arguments close enough, the books conceal hidden arguments for a new discourse of Indigenous rights and a greater recognition of Indigenous voices in conservationist organisations, city councils and all levels of government. These are valuable additions to an expanding literature on settler colonialism.

**BIOGRAPHICAL NOTE**

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**NOTES**


2 For a detailed connection between national parks and Indigenous removal in the context of the United States, see Mark David Spence, *Dispossessing the Wilderness: Indian Removal and the Making of the National Parks* (New York and Oxford: Oxford
Cavanagh, ‘Settler Colonialism’s Spatial Cultures’.


3 Patrick Wolfe, ‘Settler Colonialism and the Elimination of the Native’, Journal of Genocide Research 8, 4 (2006), p. 388. He also writes: ‘It is both as complex social formation and as continuity through time that I term settler colonization a structure rather than an event’ (p. 390).


5 Edmonds, Urbanizing Frontiers, p. 18.
6 Edmonds, Urbanizing Frontiers, p. 239.
7 Edmonds, Urbanizing Frontiers, pp. 238-9.
8 Edmonds, Urbanizing Frontiers, p. 198.
9 Edmonds, Urbanizing Frontiers, p. 243.
13 Edmonds, Urbanizing Frontiers, pp. 5-6.
14 Edmonds, Urbanizing Frontiers, p. 16.
16 Edmonds, Urbanizing Frontiers, p. 224.
21 Edmonds, Urbanizing Frontiers, p. 217.
22 Edmonds, Urbanizing Frontiers, p. 236.
23 Porter, Unlearning, p. 6.
25 Porter, Unlearning, p. 43.
26 Porter, Unlearning, p. 48.
27 ‘The purpose of the research was not to document the lifeways, beliefs, and culture of Indigenous people in Victoria, or elsewhere. This book does not constitute an anthropological study of Indigenous polities and practices in Nyah, Gariwerd, or any other place, and I have no claim to the validity or otherwise of land title claims, or of the veracity of expressed knowledge about place presented..."
Cavanagh, ‘Settler Colonialism’s Spatial Cultures’.

in this book. I appreciate the sensitivity of these questions, as Indigenous people now work, under very limiting rules of proof, to establish their connection to land through the systems and structures established by dominant non-Indigenous cultures’ (Porter, Unlearning, pp. 6-7).

29 Porter, Unlearning, p. 155. My emphasis.
In 1844, when Richard Windeyer gave his lecture on the rights of the Aborigines – to their own customary laws, their land and the wild animals – he and his views were well known. In summary, he argued they had no rights as regards those matters but an entitlement to just and humane treatment by the institutions and individuals of the new colony.

When the rest of his family left for Australia in 1828, Richard stayed behind in England to complete his legal studies. He arrived in 1835 and soon was a prominent barrister in Sydney. Additionally, and relevant in the context of the lecture, he held considerable lands on the lower Hunter River, based on his property Tomago at Raymond Terrace. He was a foundation member of the Aborigines Protection Society; and from 1843 he was one of the twenty-four elected members of the newly constituted New South Wales Legislative Council.

In his lecture Windeyer draws extensively on the writings of Vattel and Blackstone, to hold that property in land was derived from one having laboured on it and hence that the Aborigines had no claim to it. The argument in relation to their rights to the wild animals was similar: the animals belong neither to individuals nor societies until brought under actual domination. As to their customary laws: they were no more than ‘lewd customs’ which admitted atrocities, and in which settlers clearly had a right, indeed an obligation, to interfere.

All of this needs to be considered in the context of Windeyer’s experiences in his legal practice, his interactions with Aborigines on his properties and his work in the Legislative Council.
In his legal practice Windeyer had appeared in two significant cases involving Aborigines: *R v. Murrell* in 1836 and the trials following the Myall Creek massacre in 1838. The first trial raised the question of whether in incidents between Aborigines, as distinct from those between Aborigines and settlers, English criminal law or native customary law should prevail. Justice Burton’s decision, that English law prevailed, was based on two assumptions: that at the moment of colonisation the land was ‘unappropriated by anyone’ and therefore lawfully taken into possession of the Crown; and that the Aborigines had no laws of their own ‘but only lewd practices and irrational superstitions contrary to Divine Law and consistent only with the grossest darkness’. These were arguments that Windeyer was to use in his lecture.

*R v. Murrell* and the Myall Creek trials raised another question, that of the admissibility of the evidence of Aborigines before colonial courts. Many were aware of this problem: as it was thought that Aborigines did not believe in some form of existence after death, they could not take an oath. Although the majority of those charged in relation to the massacre were eventually found guilty, it was clear that justice would often not be done as long as the evidence of Aborigines was inadmissible. When, in 1844, a bill was introduced (albeit unsuccessfully) into the Legislative Council to admit unsworn testimony, Windeyer supported it: ‘He could not see how’, the *Sydney Morning Herald* reported, ‘upon principles of justice, the Bill could be rejected, unless they came to the conclusion that the savage should be barred from all improvements’.

In the Council it was on Windeyer’s motion in 1845 that a Select Committee was appointed to consider the condition of the Aborigines, ‘not’, as he said, ‘with the hope of effecting much good, but because they are so utterly friendless and helpless, that it was inhuman to pass them by in silence’. The Committee, chaired by Windeayer, accumulated evidence for two straight years before ultimately disbanding after his health began to decline. It unfortunately made no recommendations to the Council.

In all these matters regarding the Aborigines, besides being their ‘friend’, a lawyer, and, since 1838, a member of the Aborigines Protection Society, Windeyer was himself a landowner. A letter from...
Maria, Windeyer’s wife, to her sister in England, shows the interesting balance in the Windeyers’ attitude to the Aborigines:

We have always made a point of behaving kindly towards them, and the consequence is we are all great favourites with them [...] Richard has frequently taken them to the play [theatre] with which they are exceedingly delighted particularly with the dancing [...] held corrobe [sic] by invite at Tomago [...] local Blacks come and go [...] They are incorrigibly idle, in the Country they will sometimes bring a little fish, but as to work they won’t, the only thing they have learnt from the whites is to drink [... and] we never take any notice of any whom we know to be drunkards, but they are very cunning and try to deceive us. [However] they are very honest I never fear these coming into the house, I know they won’t take a crust of bread unless it were given to them although suffering great hunger.⁶

On Tomago Windeyer spent vast sums draining swamps and experimenting with different crops – successfully with wine, not so with others. It meant Maria did not have a carriage or horse in town and his estate was insolvent when he died.

As an esteemed member of the New South Wales Legislative Council, Windeyer had a prominent voice which was heard in many debates, especially those on education. Even though it was subsequently rejected by the Governor, he promoted a broad credit scheme to ease the financial crisis of the early 1840s. And he sought to reform colonial law, particularly with respect to jury trials and libel.

Richard Windeyer was highly regarded as a man of vigour, ambition and honesty; a man independent and liberal in his thinking; someone ruthless to his enemies yet kind to family and friends; and as the Atlas remembered him after his death at just forty-one, an
Windeyer, ‘Richard Windeyer (1906-1847)’.

‘indefatigable friend of the aborigines’.\(^7\) His work was only really just beginning.

NOTES

3 *Sydney Morning Herald* (21 June 1844).
4 *Sydney Morning Herald* (1 April 1846).
6 Maria Windeyer to Elizabeth Camfield, 3 October 1842. Windeyer Family Papers, ML, MSS 186/7.
7 *Atlas* (26 February 1848).
Historical Document
Richard Windeyer,
On the Rights of the Aborigines of Australia: A Lecture

The following is the text of a lecture by Richard Windeyer, taken from the manuscript in the Mitchell Library, Sydney (Call No. NPL MA 1400). It is catalogued as c. 1842, however 1844 is more likely. On 29th April 1844 there was an advertisement in the Sydney Morning Herald for a course of lectures at the City Theatre in Market Street arranged by the Commercial Reading-Rooms & Library: ‘R. Windeyer Esq MC June 7 Rights of the Aborigines’. Windeyer had spoken on the topic in 1842 in a debate, but what follows is the text of the later lecture in full. It has been prepared by Jim Windeyer, and is here presented with as little editorial intervention as possible. In the manuscript Richard Windeyer makes reference to excerpts from other sources but does not transcribe them. As these passages are essential to his argument (and it is likely that he read them in his lecture), they have been included.

Ladies & Gentlemen

If it should at first sight appear presumptuous in me to select as the subject of a Lecture, ‘The Rights of the aborigines of Australia’, a topic requiring no particular course of study for its mastery upon which all are presumed to have settled opinions and with which you especially as Colonists of N.S.Wales are familiar, recollection of the absence of any systematic consideration of those rights and of the fruitlessness of all that has hitherto been said respecting them will perhaps supply a sufficing apology.

Possibly also the discussion of this question on a spot where and before an audience to whom the facts that must decide it are necessarily well known will not be without its influence at home upon those who bring zeal to every good cause, but whose very zeal is apt to make them act, not according to knowledge.

It will be convenient at once to state the limits of the inquiry intended to be submitted to you. The rights of the aborigines of Australia proposed to be investigated are those they are assumed to have in the soil of this country, in its wild animals and in the enjoyment of their own laws and customs – in short the rights alleged...
to be encroached upon by Britain in the establishment of the various colonies which promise to render this continental island the abode of civilization and Christianity instead of a track for the roamings of a few scattered savages. A discussion of the rights the aborigines have in common with all men so eloquently set forth in that noble declaration which proclaimed American Independence would not only be out of place in this Lecture, but must ever be uncalled for in a community so purely British as to have no thought even of the possibility of here withholding the practical enjoyment of those rights from their brethren of any race or colour. I shall assume that all my hearers have to certain extent a knowledge of the leading principles of the law of nature for although like the Bourgeois Gentlehomme who had been speaking praise all his life without knowing it, some of you may have been unaware of the mode in which your thoughts might be arranged into a system, almost any consideration of the foundation of our everyday duties must have led you to those principles.

Our enquiry will be much simplified by a statement of the customs and rights recognised by the aborigines themselves. Wherever we have settled or explored we have found the natives wandering in families over certain tracts of country without fixed dwelling place of any kind. Families that usually wander about together we have called a tribe and it is the associations connected with that word in Europe that had mainly led to the misconceptions which exist as to the real state of those to whom we have applied it. There is no bond of union between the families, one is not greater than the other, every man is independent of every other and although with notions of savage life derived from our American experience we have dubbed some of these Chiefs and others Kings they themselves know of no such distinctions. The only custom they have which has even the appearance of conferring prominent rank is in fact a mere admission to the rights of manhood common to many barbarous communities. When the youth get too old to be kept longer in subjection they undergo a species of initiation but in what it consists of they have uniformly I believe refused to disclose. The knocking out of one of the first teeth of the upper jaw forms a part of the ceremony and after it is over they are looked upon as men. If they afterwards attain to any peculiar consideration it is due to their personal prowess, to the unwillingness of all around them to quarrel with a
strong man, also to appeal with irresistible effect to the only rule the force of which they acknowledge. Let us however seek to discover this rule and to use the language of certain philanthropists the law of the aborigines in the career of the newly admitted member of their Society. The most important privilege attached to the youth's promotion is that of taking to himself a wife. Looking to the analogies of their customs it appears probable that the elder men of the tribe make a form of conceding that privilege just at the time it would be taken without their leave, in order that they may have the opportunity of imposing a condition on the mode of exercising it necessary to their own safety. The condition is that the wife is taken from some neighbouring family in preference to any of their own. The eager youth submitting with proper respect to the customs of his ancestors embraces the condition and either alone or with the assistance of his tribe on the first convenient or safe opportunity knocks on the head some young woman of the vicinage and carries her off from her friends, perhaps a husband who had acquired her in the same manner from a family still further off. The young man repeats this ceremony till he has the number of wives he pleases to acquire. This under favourable circumstances is the Aboriginal law of marriage. If however from the scarcity of women there are none among strangers at hand to be knocked down or that any there may be are too well guarded by husbands or brothers to make the rape safe the sable son of the forest lays himself under the obligation of borrowing a wife from some more fortunate predecessor who may have one to spare. But when the youth has acquired strength or his friend has grown weak he takes a wife from him by force. If the original possessor of the female submits well and good but if not a fight ensues which probably ends in the death of one of the parties. This is the aboriginal law of divorce.

That this statement is not in the least overcharged everyone really acquainted with the aborigines will acknowledge, but as I have met many excellent people, some too who have been in the bush utterly unaware of this internal condition I deem it right to bring before you some evidence with regard to the points at present under consideration. It is all modern & selected from the writings of undoubted friends of the blacks. The older evidence, gathered whilst our knowledge of the country was young by parties who might be supposed to be influenced against the natives I have properly passed.
over. The first witness I present to you is our talented fellow citizen Mr. Surgeon Bennett whose book bearing the unassuming title of *Wanderings in New South Wales* is well worthy of your attention not only for the perfect correctness of its notices of the natives but for its pleasing sketches of our natural history. In page 173 of his first volume he gives this general statement

Polygamy is permitted among the Australian aborigines: each takes as many wives as he pleases or can maintain, and can dismiss or assign them over at pleasure, but many have only one wife, not taking another until she is dismissed.

My next witness is Mr. Moorhouse Protector of the Aborigines in South Australia, a very worthy man as far as we may judge from his reports and who manifests at all times a becoming zeal on behalf of those whose interests are committed to his charge, although I shall have occasion to shew presently that his honesty, inexperience and perceived notions have made him their dupe. This gentleman in his Report to the Governor of South Australia dated 14 Janr 1840, printed by order of the House of Commons says

The natives have had amongst themselves hostile feelings and manifestations. Early in December two of them were killed in a fight against two others of the same tribe. The quarrel arose in the following manner. Two wives, one belonging to each of the deceased associated with two other natives and accompanied them into the bush. The aggrieved parties wished to punish the offenders and the first time they met a fight took place; the offenders proved conquerors and I believe have kept the females.

After mentioning another disturbance arising from a similar cause Mr. Moorhouse adds
The more I know of the morals of the aborigines the less I am astonished at these scenes of perturbation. It is well known that the native moral laws of South Australia countenances polygamy, indeed the more extensively a native can practice it the greater is he in the estimation of his brethren and since the Europeans have arrived in the Colony some have been evidently the richer. King John a well known character in Adelaide possesses four wives and they are to him a source of obtaining money.

It is unnecessary to follow the plain speaking Protector any further. Let us look at the state of the case almost on the opposite side of the continent. Mr. Handt one of the German missionaries that were settled at Moreton Bay in his Report to the Colonial Secretary for the year 1841 printed by order of the Legislative Council after stating some of the causes of the small number of aboriginal children compared with the adults says

The proportion of males to females is likewise unequal, the former being about one third more than the latter; this circumstance frequently induces the men to steal their wives and this has given occasion to many a bloody strife.

The Reverend Mr. Gunther, a missionary in connection with the Church of England established at Wellington Valley in his report for the same year has a passage on this subject not free from the misapprehensions but pregnant with meaning to those who really know aboriginal customs & character.

During the past year I have had particular opportunities to become acquainted with the nature of the absurd laws, the vile and superstitious practices of the aborigines and the unbounded sway which the old men exercise over their people to counteract every improvement. Those two young women alluded to were
married one in May, the other in June last partly through my influence to what we considered suitable partners, that is to say some of the young men more advanced in civilization. But according to some strange laws and practices of theirs, the particulars of which are too lengthy to be detailed here, these marriages were considered illegal, and the elderly men, *perceiving that their stronghold was about to be shaken at its very foundation*, were utterly enraged and endeavoured to excite every aborigine against the mission, which for a time prevented even some of our young men to come near us; they even threatened the parties in question with death. Had I exercised no influence in the matter these young women who have for years been instructed at the mission, would in all probability have become the prey of very unsuitable men (*for not one of our young men could in their opinion have legally married them*) most likely elderly men possessed perhaps already of more than one wife. Indeed the costs resulting from polygamy, which is permitted by the said laws are great and manifold. On the one hand, it causes constant strife and fighting; on the other hand, the elderly or influential men, possessed of a plurality of wives, being in reality only the keepers of them have it in their power to hold out certain allurements to the young, who cannot obtain wives, and by obliging the latter, as it is considered, the former can command or extort implicit obedience. This accounts in a great measure for the well known fact that aboriginal males however useful and steady they may have been amongst Europeans when boys, as soon as they grow up to manhood they fall back into their wandering and unsettled habits.

Finally to close the evidence on this subject I will read you a short passage from the report of Mr. Hurst, Superintendent of the Wesleyan Mission at Geelong, written I believe in Decr. 1841 and published in the same return that I last cited. The Reverend Gentleman writes to Mr. Latrobe thus
On Saturday the 12th ultimo, a party consisting of nearly 200 natives arrived on the station for the avowed purpose of committing murder, in order to be revenged for the death of an old man who died here of disease several months ago. Their appearance, conversation and behaviour caused the utmost alarm among the natives who were living with us, and so terrified were they that during the night several of them decamped. On Sunday we made use of every means we could devise to conciliate the hostile party, but without effect, so determined were they to carry out their murderous intentions, and in the evening about an hour after sunset a number of them clandestinely surrounded the breakwind of a man belonging to the Santgort tribe and before either he or his friends had time to make a defence several spears were driven through his body and the murderers had escaped to their own breakwinds, not however without several of them being recognized. About three o’clock on Monday morning the whole of the Santgort tribe left the station. During the day matters were finally arranged, by one of the Koligan’s consenting to give up his wife. The hostile tribes then went away.

I think I have said enough of evidence to satisfy you that I have correctly laid down the aboriginal law of marriage & divorce.

The Law of Husband and Wife is worthy of the foundation laid for it. It is not who wears the inexpressibles, for the answer would give a happy equality to the woman, but who wields the waddie who has the great club law of Australia on their side, that decides the respective rights of the parties. Are we left without clues in this abstruse point? By no means. Is there a burden to be carried, the woman carries it. Is there work to be done, she does it. Is there privation of food to be endured, she endures it. I dare say that many of you who have not been out of the settled districts and only know the natives under the influence we have brought to bear upon them may be surprised to hear this and refer to the historical readiness with which the blacks share with one another any thing which is given
to them. This trait of character however so generally noted in their favour is perfectly consistent with the treatment of their women I am describing. The fact is that if a man who had something to eat given him did not share it, two or three of those who had nothing would speedily apply their grand fundamental laws to his case.

That those should take who have the power & those shall keep who can.

This sharing is the unavoidable condition in which the few families who do congregate are able under this law to associate at all. That this is so we may be assured by the fact that where the law cannot be applied the sharing does not take place. Wherever we have long settled the certainty of being able to obtain food from the farm or the station has to some extent taught the aborigines liberality in sharing their supplies with the weaker sex, but in a state of nature there is no doubt of what is the ruling law in the event of scarcity, for it is the women who first suffer from want of food. Even under favourable circumstances in the older settled parts of the country observe half a dozen black men devouring an opossum or other native dainty, they eat without stint and the only proof you have that they are conscious of the presence of wives and daughters is the throwing over their shoulders to them the offal and the bones after they have been picked almost bare.

The Law of Parent & Child is not inconsistent with the rest of the Code under consideration. The facts I have hitherto brought before you I have verified both by my own experience and that of personal friends upon whose veracity I can rely. Those which I am about to state under this head I have had no direct experience of but they rest upon authority which cannot be doubted. The aborigines exercise the liberty not only of destroying but also of eating their children. That cannibalism exists throughout the length and breadth of Australia is generally known and it is but right to attribute the fact to the continual recurrence of the necessity which Dr. Lany I think it is, in his History of the Migration of the Polynesian Nation assigns as the origin of the practice throughout the Pacific Ocean, namely starvation – in the History arising in the failure of provisions on board
the boats on which the islanders were drifted to their present homes— in our case from the paucity of animals of chase and the scantiness of natural fruits so peculiarly the characteristic of the country. But that parents should be found commonly destroying their offspring is so revolting to our feelings that nothing less than the testimony we have to the fact could induce us to give it credence. Mr. Surgeon Bennett, in the volume I have before cited, after mentioning several instances of infanticide that fell under his observation, but unnecessary to be read to general audience thus speaks upon the subject:

During a visit to the Murrumbidgee and Tumat countries, as well as other parts of the colony, I availed myself of every opportunity to procure information regarding acts of infanticide, as existing among the aborigines of this country. I succeeded in ascertaining that infants were frequently destroyed: sometimes the reason assigned was some personal defect in the infant, (whence we may attribute the fact of a deformed person being seldom seen among native tribes,) or the mother not wishing to have the trouble of carrying it about: the female children were more frequently destroyed than the males. I heard of a weak and sickly child having been destroyed, even eaten; the reason given by the unnatural parents was, that they were hungry, and the child no use and much trouble; one redeeming quality, however, was, that they displayed sense of shame when acknowledging the fact, and gave the reason for which they had committed so barbarous an act. It is seldom they will confess to destroying their offspring: one, however, who had a child by an European, acknowledged it readily; and the reason given for the commission was its being like a warragul or native dog. This was because the infant, like its papa, had a ‘carrotty poll’, and thus resembled, in colour, the hair of the native dog, which is certainly not so handsome as the dark black locks of the aboriginal tribes.
A hideous but true picture of the human mind unenlightened by religion or education – without knowledge of responsibility to God or to Man.

We gather in this passage the cause of the disparity in the numbers of the sexes generally observed in native families. I will add this observation by the way, that wherever the power of the whites suppresses the native laws, although other causes tend to check the increase of the aboriginal population the change is favourable to female infant life, for not only is all dread of famine remissed, but as wives can no longer be taken by the strong hand, they are reared and their having a dash of white blood is not by any means considered an objection. Thus in the neighbourhoods with which I am best acquainted the Lower Williams and Lower Hunter, the larger proportion of the children seen with native families are half caste girls.

The internal relations, so to speak, of native society being such as we have seen it would be strange if their foreign intercourse were governed by higher principles of action. From the practices I have described the usual relation of the families ordinarily congregating is a hostile one to all others. With them as formerly nearer home, stranger and enemy are synonymous terms. To find a stranger asleep and alone is a sufficient reason for spearing him. Indeed it is rarely except under such circumstances of advantage that life is taken, their regular combats among themselves being almost bloodless from the skill with which they evade or fend off adverse weapons. The bullets of the whites not being so easily turned aside they never attempt to engage in an open contest with us after some experience of their effects. Before they have acquired this experience or found that they can obtain the objects of their desire more easily by peaceful means, they generally attempt to apply to us the only notion they have of right, namely force, and this almost as a matter of course. At an examination which took place before a Bench of Magistrates at Adelaide (detailed in the House of Commons papers before mentioned), to inquire into the circumstances of an attack made by the blacks of the Murray River on an overland party from Sydney one of the natives was called to give evidence respecting it. His statement was plain enough. His countrymen wanted the white men’s sheep and sugar and thinking themselves strong enough resolved to take
them by force. Although pressed by the Protector as to whether they would have attacked the party, if not themselves first attacked he abided by his theory and seemed unable to comprehend how there could be any doubt upon a matter to him so simple and natural. It was manifest that there as all over the rest of the continent the natives were almost in that state of nature conceived by Hobbes, before the gathering of the experience which Australia has afforded since he wrote *viz.*, a state in which all having a right to every thing, a consequence is the war of all against all.

When in a state of peace, that is when food is abundant and there is no immediate cause of quarrel from wife stealing or mass slaying, the tribes for many miles round will meet together and enjoy themselves both with dance and song, until their connection with us, without other stimulus than that afforded by their pastimes, they being the only race ever discovered that had not found means to produce for use on such occasions an intoxicating liquor. I have been informed by gentlemen on whose veracity I can depend that on some of these occasions they display capabilities of refinement much greater than could be expected from their usual rude corrobories. It has been related to me that a new and popular song will travel through different coast tribes, speaking different languages and scattered over a space of 500 or 600 miles, in a few weeks. It appears too that such of our own amusements as come within the scope of their understanding they are not slow to imitate. A young aboriginal of the Upper Williams named [name unreadable] who from an early age had been a favorite of a near relative of mine was a few years back brought to Sydney and by way of treat was taken to the theatre. Amid much matter, which, from not understanding it, astonished and bewildered, more than amused him, there was one thing that especially fixed his attention and that was a *pas seul* danced by Miss Lazar. From the moment she appeared upon the stage he followed her intently with his eyes, never taking them off, hardly daring to breathe, afraid to lose a single waive of her arms and dreading lest any disturbance on his part should cause the ethereal vision to vanish. It appears that notwithstanding the vast difference there was between this exhibition and the rude imitation of Kangaroo and Emu actions prevailing in their native corrobories ‘the poetry of motion’ realized in Miss Lazar’s performance sank deep into his soul for on his return to the forest he was able to go through
all the mazes of the *pas seul* to the unbounded admiration of the neighbouring tribes, without, I am told, missing a single step or grace belonging to it. In the study of their character and to enjoy the pleasure they have in the exhibition I have atime taken many natives to the Theatre and have uniformly found that it was the dancing that delighted them above every thing else. At some of their larger assemblages I have mentioned, they have also been known to perform a species of drama, which notwithstanding some appearances to the contrary I incline to think indigenous. The rehearsals are frequent, the performers are carefully drilled into their respective parts and every means afforded by trees, bushes, darkness and a well managed fire are taken advantage of to give effect to the scene. No woman is permitted to visit any of the preparations but when the representation takes place they, as well as all comers, sit on each side of the fire and are at liberty to call their tufts of grass, gallery, pit or boxes according to fancy without additional charge. At one of these performances, seen by the relation I have before alluded to, the plot of which turned upon the causes of death of the hero, after proper preparation his ghost was made to appear upon the scene, and I am told that the actor by his shadowy progression – the outline of white paint on his dark figure the dim and obscure glimpses which he permitted to be caught of it in the fitful blazing of the fire and the sepulchral tones of his voice showed that the natives did not much differ from the popular ideas of Europe concerning the inhabitants of the shaded below. I am afraid that this is a digression from our subject, but I could not refuse myself the pleasure of admitting a ray of light, shot from our common sensibilities, across the somber picture of aboriginal manner which truth compels me to draw.

It will I think be manifest from the details we have gone through that although following our preconceived notions we have spoken of the *laws* of the aborigines, the fact is that they have no laws properly so called – that the condemnation of the Brehon Law by Edward 3rd’s Parliament at Kilkenny as a ‘lewd custom’ may both in the ancient and modern sense of the language be applied to their practices without a particle of injustice. Indeed not only are they without any law of convention, such as we are called upon to respect, but they have for a time been permitted to violate, to overthrow, the law of nature, which we are bound every where to respect and by our
Windeyer, ‘On the Rights of the Aborigines of Australia’.

position here are entitled, nay called upon to restore. Does it not shock common sense for us to be told that we had no right to interfere with such atrocities, passing as they do under our very eyes? Is it not a perversion of terms to call them laws? Laws in a large sense are rules of conduct by which man is directed in the right way to the end and object of his being – his happiness here and hereafter. Do the Customs of the Aborigines come within the definition? The mere statement of them is an answer to the question.

But then it is said that supposing, as we are here, we have a right to abolish these customs and impose our own laws upon the natives, we had no right to their land. The objection begs the whole question, which is whether the land be theirs? The fallacy of the Philanthropists in reproaching the British government with infringement of the aboriginal laws consisted in the assumption that they had laws. The fallacy involved in the present position is the assumption that the land belongs to them. The pertinacious reiteration of the charges & claims on behalf of the aborigines founded on this fallacy, would surprize us did we not know how difficult it is for the human mind to run out of its old ruts. Before the discovery of this continent Europeans where they had penetrated and found inhabitants had found the land more or less appropriated and forgetful of the infamy of society at once took for granted that so it must be here, – that at all events society did exist although perhaps in a primitive state. But in fact society can hardly be said to have struggled into existence among the aborigines. Indeed if we are to apply to them a conclusion of that elegant thinker and acute reasoner Sir James Mackintosh that ‘no human society ever has subsisted or ever could subsist without being protected by government and bound together by laws’ we cannot help denying that they have a society at all. But without discussing what is the minimum of elevation above the habits of the brute creation that will constitute human society, let us see how the right of property in land originates and what the aborigines of Australia have done to give them the soil of the country to our exclusion. As regards the first branch of the enquiry, I do not know that it can be made clearer in that I can afford you a higher gratification than by reading to you a few extracts from the eloquent and profound disquisition of Blackstone upon the right of property in general.
In the beginning of the world, we are informed by holy writ, the all-bountiful Creator gave to man ‘dominion over all the earth; and over the fish of the sea, and over the fowl of the air, and over every living thing that moves upon the earth’. This is the only true and solid foundation of man’s dominion over external things, whatever airy metaphysical notions may have been started by fanciful writers upon this subject. The earth, therefore, and all things therein, are the general property of all mankind, exclusive of other beings, from the immediate gift of the creator. And, while the earth continued bare of inhabitants, it is reasonable to suppose, that all was in common among them, and that every one took from the public stock to his own use such things as his immediate necessities required.

These general notions of property were then sufficient to answer all the purposes of human life; and might perhaps still have answered them had it been possible for mankind to have remained in a state of primeval simplicity: as may be collected from the manners of many American nations when first discovered by the Europeans; and from the ancient method of living among the first Europeans themselves, if we may credit either the memorials of them preserved in the golden age of the poets, or the uniform accounts given by historians of these times, wherein ‘erant omnia communia et indivisa omnibus veluti unum cunctis patrimonium esset’. Not that this communion of goods seems ever to have been applicable, even in the earliest ages, to ought but the substance of the thing; nor could it be extended to the use of it. For, by the law of nature and reason, he, who first began to use it, acquired therein a kind of transient property, that lasted so long as he was using it, and no longer: or, to speak with greater precision, the right of possession continued for the same time only that the act of possession lasted. Thus the ground was in common, and no part of it was
the permanent property of any man in particular; yet whoever was in the occupation of any determined spot of it, for rest, for shade, or the like, acquired for the time a sort of ownership, from which it would have been unjust, and contrary to the law of nature, to have driven him by force; but the instant that he quitted the use or occupation of it, another might seize it, without injustice. Thus also a vine or other tree might be said to be in common, as all men were equally entitled to its produce; and yet any private individual might gain the sole property of the fruit, which he had gathered for his own repast. A doctrine well illustrated by Cicero, who compares the world to a great theatre, which is common to the public, and yet the place which any man has taken is for the time his own.

[...]

Upon the same principle [the shortage of resources] was founded the right of migration, or sending colonies to find out new habitations, when the mother-country was overcharged with inhabitants; which was practised as well by the Phenicians and Greeks, as the Germans, Scythians, and the other northern people. And as long as it was confined to the stocking and cultivation of desert uninhabited countries, it kept strictly within the the limits of the law of nature. But how far the seizing of countries already peopled, and driving out or massacring the innocent or defenceless natives, merely because they differed from their invaders in language, in religion, in customs, in government, or in colour: how far such a conduct was consonant to nature, to reason, or to Christianity, deserved well to be considered by those who have rendered their names immortal by thus civilizing mankind.

As the world by degrees grew more populous, it daily became more difficult to find out new spots to
inhabit, without encroaching upon former occupants: and, by constantly occupying the same individual spot, the fruits of the earth were consumed, and its spontaneous produce destroyed, without any provision for future supply or succession. It therefore became necessary to pursue some regular method of providing a constant subsistence; and this necessity produced, or at least promoted and encouraged, the art of agriculture. And the art of agriculture, by a regular connection and consequence, introduced and established the idea of a more permanent property in the soil, than had hitherto been received and adopted. It was clear that the earth would not produce her fruits in sufficient quantities, without the assistance of tillage: but who would be at pains of tilling it, if another might watch an opportunity to seize upon and enjoy the product of his industry, art, and labour? Had not therefore a separate property in lands, as well as moveables, been vested in some individuals, the world must have continued a forest, and men have been mere animals of prey; which according to some philosophers, is the genuine state of nature [...].

The only question remaining is, how this property became actually vested; or what it is that gave a man an exclusive right to retain in a permanent manner that specific land, which before belonged generally to every body, but particularly to nobody. And as we before observed that occupancy gave right to temporary use of the soil, so it is agreed upon all hands that occupancy gave also the right to the permanent property in the substance of the earth itself; which excludes every one else but the owner from the use of it. There is indeed some difference among the writers on natural law, concerning the reason why occupancy should convey this right, and invest one with this absolute property: Grotius and Puffendorf insisting, that this right of occupancy is founded on a tacit and implied assent of all mankind, that the first occupant should become the owner; and Barbeyrac, Titius, Mr. Locke, and others, holding, that there is no such implied assent, neither is
Windeyer, ‘On the Rights of the Aborigines of Australia’.

it necessary that there should be; for that the very act of occupancy, alone, being a degree of bodily labour, is, from a principle of natural justice, without any consent or compact, sufficient of itself to gain a title. A dispute that savours too much of nice and scholastic refinement! However both sides agree in this, that occupancy is the thing by which the title was in fact originally gained; every man seizing to his own continued use such spots of ground as he found most agreeable to his own convenience, provided he found them unoccupied by any one else.

Property, both in lands and moveables, being thus originally acquired by the first taker, which taking amounts to a declaration that he intends to appropriate the thing to his own use, it remains in him, by the principles of universal law, till such time as he does some other act which shews an intention to abandon it; for then it becomes, naturally speaking, publici juris once more, and is liable to be again appropriated by the next occupant.

The occupation last spoken of is a continuous occupation and of course not attended with the consequent loss to the right of possession entailed by abandonment as before stated. Vattel in the first book of the work by which he is generally known has several passages to the same effect but one will suffice as an example of the views on this subject of writers professedly treating of the Law of Nature.

The earth belongs to mankind in general, destined by the Creator to be their common habitation and supply them with food they all possess a natural right to inhabit it, and to derive from it whatever is necessary for their subsistence and suitable to their wants. But when the human race became extremely multiplied the earth was no longer capable of furnishing spontaneously and without culture sufficient support for its inhabitants.
Windeyer, ‘On the Rights of the Aborigines of Australia’.

Neither could it have received proper cultivation from wandering tribes of men continuing to possess it in common. It therefore became necessary that those tribes should fix themselves somewhere and appropriate to themselves portions of land in order that they might without being disturbed in their labour or disappointed of the fruits of their industry apply themselves to render those lands fertile and thence derive their subsistence. Luck must have been the origin of the rights of property and dominion and it was a sufficient ground to justify their establishment.

Both of these celebrated writers you perceive trace the appropriation of land, from occupancy by all maintained in common, to individual holding excluding all other right, to necessity and the title of individuals or communities to their having acted upon the necessity by bestowing their labour upon particular portions of ground. Both of them condemn the proceedings of Europeans in America because there the aborigines had in many places from which they were driven with slaughter bestowed their labour upon the land; but Vattel adds

the establishment of many colonies on the continent of North America, might, on their confining themselves within just bounds be extremely lawful. The people of those extensive tracts rather ranged through than inhabited them.

Since the time of Blackstone & Vattel a new and unexpected Chapter in the history of the human race has been opened to the student of his trend by the discovery of this continent. Over a space of the earth 2000 miles long by 1000 broad at the least were found ‘ranging rather than inhabiting’ an evergreen country, in a climate surpassing all others in salubrity, a few thousands of savages without laws, without government, without a trace of ever having yielded to the necessity which had every where else been yielded to, of making the land produce by labour what it would not produce spontaneously. That they have never tilled the soil, or enclosed it, or cleared any
portion of it, or planted a single tree or grain or root, is admitted by all, – nay except in one or two spots peculiarly situated, it is not pretended that they ever erected by way of habitation any thing beyond ‘breakwinds’, as a Mr. Hurst the missionary expressively calls the two or three strips of bark under which they crouch for the few consecutive nights they stop at one place. It is true that individuals speak of being born or ‘jumping-up’ at particular spots we occupy, as a claim on us for sugar or rum because they have found that it is one rarely resisted, but that it manifests even a conception of ownership of the substance of the soil to the exclusion of others, much more than it proves an actual appropriation to have existed may be safely denied. There are spots, not occupied by Europeans, known to have been the birth places of natives, but we never hear of their attempting to set up a right of exclusive possession. Moreover, where from any cause the aborigines have become diminished in number in the settled districts, others from neighbouring tribes will come in without any complaint of private property being encroached upon although such a proceeding would heretofore have produced as of course, and even now does occasionally, produce a fight. Indeed such an entrance into strange grounds is in their natural state an act of war because their subsistence depends upon the preservation of game and fish which in that state would be the object of the visit. But so treating such an act does not by the law of nature establish any title to the substance of the soil. On the contrary it is the violation of another law of nature consisting in an attempt to appropriate the wild animals given to mankind in common, without complying with the condition by which a right of appropriation is acquired, as we shall presently see. Although their evident continuation of the original mode of occupying the earth so effectually excluded the notion of their having according to the law of nature appropriated its substance, in our sense of the phrase as to cause the point to be generally given up by those acquainted with them, it is but candid to state that I have found these claims lately revived by Mr Moorhouse who I have before mentioned. In a report of his dated in July 1840 he announces his discovery.

A more extended knowledge of the language has introduced us to a more general acquaintance with the
manners and customs of these people. We find – what the Europeans thought the aborigines of Australasia did not possess – territorial rights, families owning and holding certain districts of land which pass from father to sons, never to daughters, with as much regularity as property in our own country. They go further than this; occasionally one family will barter their territory for a district belonging to another family as in the case of King John who formerly belonged to the districts of Adelaide, Glenelg, Sturt river and Hurtle ‘a good estate certainly’ and he exchanged them for Ugaldinga and Maitpunga Plains. One circumstance regarding property is peculiar: some own large districts of land while others have none at all. We do not know how it was originally obtained, how it happens that some have whilst others have not. Captain Jack a few years back belonged to the Koulanda (Northern) tribe and possessed no land. King John received him into his family and made him copartner with the whole of the district just mentioned. Encounter Bay Bob was the first native to claim land and gave us a distinct idea of their hereditary laws and he described to me a piece of land which was his birth right; the part he mentioned had been selected by holders of preliminary land orders but he expressed a willingness to give that up provided his excellency the Governor would let him have some equally good land in exchange. I laid Bob’s claims before his Excellency who I am glad to say listened to them at once and allowed three sections in the District of Encounter Bay to be reserved. I am of opinion that Bob will cultivate a portion of his as soon as a missionary is stationed in that neighbourhood to instruct and encourage him.

Encounter Bay Bob is evidently an original genius who had discovered or been readily made to apprehend that the ‘jump up’ claim to land which had perhaps never fed a Bandicoot might possibly be converted into white money and I have no doubt the reserve was anything but the desired result of the speculation. With
respect to King John & Capt. Jack’s claims it is much easier for me to believe either that they are humble imitators of the Great Bob & have found out the weak side of the worthy Protector or at most that theirs is the old assertion to the right of the Kangaroo & fish fastened upon the land, than that without any cause whatever there should be an exception at Adelaide to the rule found to be general all over the Continent and for which rule sufficing statutes can be assigned. I will state them to you as they first struck my own mind. I know the law of nature to be as I have read it to you, and I marvelled how it came to pass that the aborigines of Australia had as it were by common consent refused to yield to the necessity of labouring the earth to which the rest of mankind have bowed. I then imagined to myself the process by which the law of nature had come into operation. I pictured to myself the human race spreading in the hunter state, from its nursery in Asia, over surrounding tracts – the multiplication of the species – the progressive scarcity of game – the increasing contest between individuals for the spontaneous fruits of the soil – the miseries of famine occasioned till at length some parent seeing his children punished by want or some young man barely able to maintain himself, but longing to have a companion meet for him hit upon the idea that by rearing instead of devouring some of the wild lambs & kids that fell in their way or by planting a fruit tree or grains of corn and preventing their destruction during growth they would obtain a more certain supply of food and in greater abundance than by the old plan. But all who had the right of hunting over the ground would not give it up: those who wished to reap the rewards of labour would then join together to restrain the hunter from killing these tamed animals or breaking the fences of their cultivated grounds. Their doing so would constitute the first society. Other societies would spring up in imitation of them and the hunter would every where be obliged to join their numbers or be driven into remote corners by the tillers and appropriators of land. Why had not this process taken place in Australia? The necessity was the same, human sensations the same, human passions the same as elsewhere, but in endeavouring to follow out their requisitions as they had been followed out elsewhere I found that to the Australians the lamb, the kid, the corn and the fruit seed wherewith to begin were not. The kangaro was perhaps capable of domestication to a certain extent, but having no fruit, corn or root to live upon during the process it
was impossible for the wild hunter of food to stay long enough in one spot to attempt the task.

The possession of a few roots which would repay cultivation is the advantage which has induced the New Zealander to give the title he has to certain portions of the soil occupied by him. As it is not to be supposed that the Australian ever laboured without an object we may be certain that he never did what we have seen affords the only foundation upon which the right to appropriate land from the common stock can rest, and that he is, as regards title to the substance of the soil, in precisely the situation he was when driven ages back upon a shore to which nature herself had denied the elements out of which society was to arise. But putting the impossibility of the fact aside how can we reasonably expect to find a right to land which would be of no use recognized and established in the absence of all personal rights. The necessity of establishing the rights of persons is felt and acted upon before the necessity of acknowledging the rights of things. With such rights of persons as we have examined is it not the height of absurdity to talk of the title of these men of the woods to anything not under the immediate control of their bludgeons. If there were other right than that of individual might or cunning there would be some traces, however rude, of a system to punish violations of it, but whoever heard among them of judges or judgment or of punishment, beyond what the dogs in the street will join in bestowing upon any strange cur that comes among them.

Those however who insist that we have violated some natural right in appropriating the substance of the soil of this country, admitting all we have urged, finally contend that the aborigines have sufficiently complied with the conditions under which such appropriation can be made by having employed the soil in the only way they required it, namely the grazing of their Kangaroos. Granting, for the sake of argument that the mere act of grazing tamed animals in the land would give title to it, because of the labour bestowed upon the animals, we have here a fallacy similar to those we have already noted in the former propositions. It consists in assuming that the kangaroos are theirs. But what have they done to make them theirs more than ours. We are equally dwellers upon the Earth with themselves and the wild animals of the earth have been
bestowed on all mankind in common. They belong neither to individuals nor societies till brought under actual dominion. A wild animal killed or subdued belongs to the killer or the subduer but as the effect of his labour does not extend beyond the actual animal killed or subdued neither does the title thereby acquired. The present argument in favor of the natural title of the aborigines to the land is no less unreasonable than it would be to say that the sea is theirs because of the fish they have caught or may catch in it. The thing to be taken not having submitted to human power, a black man here first has no better title to subdue it than a white man here last. Let us simplify the question by reducing the contending parties to two. Imagine a pair wrecked in an unknown sea: one lands on a beautiful island, the other is drifted to a rock on its farther side where he subsists for a day or two on limpets, but at length the waves abating succeeds in swimming to the verdant shores where he hopes for a happier fate. His fellow, having walked across the island, meets him on the sands, saying ‘Back to your rock and your limpets, this beautiful island is mine, all the living things on it are mine for I slept under yonder tree last night, yesterday I slew a deer and presently I intend to have one of the birds flying in the air for breakfast’. This is our case: the globe is an islet in the infinity of the creation – Centuries but days in Eternity.

The consideration of the rights of the Aborigines to the enjoyment of their laws and customs, to the soil of the country, to its wild animals is closed. We pause – How is it our minds are not satisfied? – What means this whispering in the bottom of our hearts? – Conscience! What wouldest thou? Am I my brother’s keeper? – Ay, art thou, and more than thy Brother’s blood, his immortal spirit shall be required at thy hands: thou quibbles of his laws, of his land, of his physical food, of his title and thy title to the things that perish; but hast thou not in thy possession the great birth right of all, and hast not shared it with him?

What answer can we give to this? Our vacillation and ill directed efforts have left us none. I had intended to shew but that this lecture without so doing exceeds all reasonable length, what in my humble judgment might have been our answer and how it might yet be given. It must content me however if, on arriving at the end, you should feel we have only reached the beginning, for the more
Windeyer, 'On the Rights of the Aborigines of Australia'.

debased, the more vile, the more wretched we have shewn the Aboriginal to be the more imperatively is the duty cast upon us by fit means of education to make him conscious of the dignity, the holiness of the Mind he shares with ourselves. His claims to the baser things we have talked about we may deny, but the very evidence that enabled us to do so establishes beyond a doubt his right to receive at our hands all the duties which Superior Intellect owes to Inferior. In conclusion let us remember that the clear recognition of any right in another involves the moral necessity of respecting it.
Historical Document
Afterword: On the Rights of the Settlers of Australia

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We have decided to include this lecture in the first issue of *settler colonial studies* because we believe that Richard Windeyer’s early-1840s talk reveals a number of distinctively Australian settler claims, as well as discursive refrains that are typical of settler discourse elsewhere. As such, this text gives us an opportunity to reflect on what we believe is specific about settler colonialism.

Let’s recap his argument. Windeyer firstly clarifies that he is talking about Aboriginal rights to property that are specific to Aboriginal peoples. He is considering the possibility of Aboriginal title, not addressing universal rights similar to those identified by the US Declaration of Independence (it would be ‘out of place’, he notes). Aboriginal rights, whatever they may be, are thus to be based on Aboriginal customs. In the subsequent pages, Windeyer outlines his version of Aboriginal life and customs: Aborigines ‘wander’, have no ‘fixed dwelling place of any kind’, there is no ‘bond of union between the families’, and even *within* the family, rape and violence are fundamentally shaping all relationships. The solidarity between man and woman is compromised. Women are forced to work, he remarks: ‘Is there a burden to be carried, the woman carries it. Is there work to be done, she does it. Is there privation of food to be endured, she endures it’. Not only that, the decomposition of basic human relations is so comprehensive that it reaches the most primary of human connections: Aborigines, Windeyer alleges, eat their children.
Thus, Windeyer’s characterisation of Aboriginal customs, the hypothetical source of their putative property rights, approximates the Hobbesian ‘state of nature’. It is a barbarous life: ‘all having a right to everything, a consequence is the war of all against all’. In other words, the Aboriginal custom is that there is no custom. And here is the catch: if Aboriginal rights to property are to be recognised through their laws, and their laws are nowhere to be seen, their property rights are fundamentally and irretrievably undermined. There are no laws: ‘Do the Customs of the Aborigines come within the definition?’, he rhetorically asks. ‘The mere statement of them is an answer to the question’, he concludes.

That there are deep continuities between Windeyer’s stance and Australia’s settler colonial present should be noted: it was, for example, the representation of a corrupted Hobbesian world that justified the Northern Territory Emergency Response in 2007 (i.e., the ‘Intervention’). An imaginary crucially shaped around the portrayal of a generalised collapse of familial relation and descriptions of abused childhood could be mobilised in the 1840s as it is mobilised now. Windeyer referred to ‘that state of nature conceived by Hobbes’; Prime Minister John Howard, in an address entitled ‘To Stabilise and Protect’, referred to a ‘Hobbesian nightmare of violence, abuse and neglect’. While Windeyer would have been genuinely horrified to know that the Prime Minister of a future Australian Commonwealth at the beginning of the 21st century would use his very terminology (more on this below), the Intervention should be seen as a reversion to settler colonial tactics. (Aboriginal dysfunction, a point extensively addressed in debates surrounding the Intervention, is beside the point: a dispossessory reflex and impulse remains what it is, irrespective of whether the excuse that is adduced to justify it is factually grounded or not.)

Ultimately, in Windeyer’s estimation Aboriginal life is characterised by three fundamental deficiencies. Indeed, ‘On the Rights of the Aborigines of Australia’ can be seen as an exercise in negative definition: Aborigines wander without any specific appreciation of territory (that is, they lack dominium), they are so independent of each other that they do not recognise any particular authority or organise into identifiable polities (that is, they lack imperium), and they do not invest labour in the land or erect fixed
dwellings (that is, they lack \textit{property}). It is a foolproof argument that survives in recent contestations pertaining to indigenous title and authenticity: only if they are following custom they have property, but if they are following custom they have no significant actionable property rights (and, logically, should they somehow acquire property they would not be genuinely indigenous).

All of this to say that the land is not theirs. Windeyer sees \textit{terra nullius} wherever he looks. The ‘fallacy’ of the Philanthropists, he concludes, ‘is the assumption that the land belongs to them [Aboriginal people]’. The humanitarians and other shapers of British colonial policy are the real target of his polemic: they are so removed from Australian circumstances that they fail to understand Australian specificity. That his perspective is not that of the imperial centre is a significant aspect of his argument: what should apply to Australia cannot be ascertained from elsewhere and can only flow from actual experience (this is a classic settler refrain: distant authorities are always to blame for being soft on indigenous peoples). That Windeyer’s argument was in practice challenging the hierarchical structuring of a colonial relation should also be emphasised. In theory, decisions pertaining to a colonial outpost should be taken by the metropolitan centre, not at the periphery. On the contrary, settlers think in settler colonial, not colonial, terms. Elsewhere, Windeyer remarks, Europeans have encountered \textit{different} societies, however primitive, and they conquered them. In Australia Europeans have encountered \textit{no} society. Society ‘can hardly be said to have struggled into existence among the aborigines’; Europeans dispossessed indigenous people elsewhere, and this may be reprehensible, he acknowledges, but they have done no such thing in Australia. One cannot be dispossessed of something he or she does not own.

‘On the Rights of the Aborigines in Australia’ in sum concludes that Aborigines have no rights: ‘is it not the height of absurdity to talk of the title of these men of the woods to anything not under the immediate control of their bludgeons [?]’. Sceptical towards both land rights (i.e., ‘the soil of the country’) and resource rights (i.e., ‘its wild animals’), Windeyer regards Aboriginal rights to the latter with somewhat greater sympathy. And little has changed: settler courts remain lenient when it comes to cases relating to hunting and fishing.
rights but are much less understanding when it is about rights in land. They are inherently transient, and so is their interest in land. Sympathy towards its customary use is indeed compatible with unease regarding the possibility that indigenous people may actually own it, that they may claim, to use Windeyer’s words, ‘the substance of the soil to the exclusion of others’.

Of course, it is not the ‘Aborigines of Australia’ and their rights with which Windeyer is primarily concerned. If Aborigines are negatively defined, their counterpart – the settlers – must be positively defined. Thus, Windeyer’s reasoning is ultimately about the rights of the settlers of Australia: true, they just got here, but – and this is his take-home message – ‘a black man here first has no better title [...] than a white man here last’. For an argument programmatically premised on the ‘facts’ of Aboriginal life, the level of abstraction becomes stratospheric. This is how he drives his point:

Let us simplify the question by reducing the contending parties to two. Imagine a pair wrecked in an unknown sea: one lands on a beautiful island, the other is drifted to a rock on its farther side where he subsists for a day or two on limpets [mollusks], but at length the waves abating succeeds in swimming to the verdant shores where he hopes for a happier fate. His fellow, having walked across the island, meets him on the sands, saying ‘Back to your rock and your limpets, this beautiful island is mine, all the living things on it are mine for I slept under yonder tree last night, yesterday I slew a deer and presently I intend to have one of the birds flying in the air for breakfast’.

Time and space (what distinguishes the Aboriginal from the settler title – one was here first, the other is from somewhere else) must be flattened, and for this there is no better trick than deliberately manipulating perspective. We are all indigenous to planet Earth, he says; indigenous priority is nothing because space is nothing relative to ‘the infinity of the creation’, and time is nothing because centuries are ‘but days in Eternity’. The settler claim is thus not only superior,
it is actually *original* and ultimately based on prior occupancy. The settlers are, after all, the very first to ‘inhabit’ (rather than range over) ‘an evergreen country [...] surpassing all others in salubrity’. This is a uniquely settler colonial reflex: not only settlers want the land of indigenous peoples; they also want to own it as if they were *indigenous*. Indeed, claiming a special relationship to land is the way settlers become indigenous (one may acquire ownership of land without necessarily fantasising about being the first to really own it; settlers, on the other hand, claim the land in culturally specific ways).

All of this to say the land only belongs to the settlers. But while the case is ‘closed’, Windeyer cannot rest. He still detects a ‘whispering in the bottom of our hearts’, and, as Henry Reynolds has also maintained, this unease should be considered genuine (Reynolds even entitled his 1998 book on the people who took this apprehension seriously after Windeyer’s evocation). Indeed, it is *exactly because* the case is closed that Windeyer is not at peace. He is concerned about the ‘collateral damage’ produced by his logic. He knows that denying Aboriginal title and establishing the legitimacy of the settler one are connected moves that create an unresolved problem, and that the settler claim will remain imperfect until this further issue is also resolved (hence the apprehension). Here is the solution: if Aboriginal people have no property rights as *Aborigines*, they could become something else. Thus, a crucial part of the settler job as Windeyer sees it is facilitating Aboriginal transformation. Windeyer considers the ‘duty cast upon us by fit means of education to make him [the Aboriginal person] conscious of the dignity, the holiness of the *Mind* he shares with ourselves’ imperative. Aboriginal peoples should, metaphorically speaking, swim back to the other island, survive on limpets for a while and then come back (except that by the time they get back they will not find a disorganised people; tough luck – they will do what every newcomer must do, and respect an already established system of property rights). Then and only then, Windeyer maintains, the settlers will be generous to these refugees (alas, he would have also been horrified to know that the descendants of the settlers whose interests he was upholding would be especially unkind to all refugees reaching Australia’s shores).
At the end of a process of acculturation Aboriginal people may acquire rights to property similar to those of settlers elsewhere. This is Windeyer’s settler colonial logic’s ultimate consummation: settler and indigenous person must swap places.
Photo Feature
Landsdapes of Occupation in Palestine

GARY FIELDS
University of California, San Diego

Huwara Checkpoint near Nablus (2007).

Fields, ‘Landscapes of Occupation in Palestine’.


Constructing the Wall around Rachel’s Tomb, Bethlehem (2007).
Fields, ‘Landscapes of Occupation in Palestine’.

The Wall at Jayyous near Qalqilya (2004).

Roadblock outside Husan near Bethlehem (2004).
Fields, ‘Landscapes of Occupation in Palestine’.


BIOGRAPHY

Gary Fields is a professor in the Department of Communication at the University of California, San Diego. His research, combining ethnography and photography, focuses on landscapes and conflict in historical perspective with emphasis on the Palestinian landscape.