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This article is a close, yet contextual, reading of two pairs of literary texts: autobiographical novels by Albert Camus and S. Yizhar; and short stories by Camus and Amos Oz. On this basis a conversation is created between the field of comparative settler colonialism on the one hand, and comparative literature on the other. Reciprocal insight is gained: the literature is related to the material context within which it was produced, and the socio-economic historical structures are illuminated by subjective human experience and consciousness.

I assert – without exaggerated fear or newfangled love of paradox – that only new nations have a past, that is, the autobiographical memory of that past; that is, they have living history. If time is successive, we should recognize that where there is the density of events, more time runs, and that the powerful sea belongs to this inconsequential side of the world. The conquest and colonization of these realms – fearful forts of clay stuck on the coast and from the horizon noticed by the shooting bows of the tribes – were of such ephemeral operation that a grandfather of mine, in 1872, could command the last important battle against the Indians, carrying out during the second half of the nineteenth century the conquering work of the sixteenth. Nevertheless, why bring up already dead destinies? I have not felt the weightlessness of time in Granada, in the shadow of towers hundreds of times more ancient than the fig trees, while I have on Pampa and Triunvirato: insipid place of English flagstones now, of
beautiful brick kilns three years ago, of chaotic horse yards five years ago. Time – a European emotion of men plentiful in days and thus their vindication and crown – circulates more impudently in these republics. The young, to their detriment, feel it. Here we are of the same time as time; we are its brothers.

Jorge Luis Borges, ‘Buenos Aires: Palermo’ (1930).\(^1\)

In my book, *The Returns of Zionism* (2008), which is an intellectual and literary history of Zionism and Israel, I show that the context within which this history should be understood is the comparative study of white settler societies since the sixteenth century. This specific historical framing, I argue, is true not only for such issues as land, labour and institutions, but also for themes like consciousness, knowledge and literary imagination. Through this article, I would like to begin another project, more clearly comparative and more ambitious in its reach, on the culture of settler societies. In disciplinary terms, I wish to create a conversation between two fields of inquiry: the historically and sociologically grounded field of comparative settler colonialism on the one hand, and culture studies and comparative literature on the other.

European expansion and conquest from the sixteenth century onwards produced two related but clearly distinguishable forms of colonialism. One was metropole colonialism, in which European powers conquered and ruled vast territories without the immigration of Europeans seeking to make these territories their national home; British India is a good example of this form of colonialism. The other type was settler colonialism, in which conquest brought with it substantial waves of European settlers who, with the passage of time, sought to make the colony their national patrimony (the US and Australia are prime examples, but there are many others). This process entailed a relationship with the indigenous people that could range from dispossession to elimination, or from slavery – which for the most part did not use the native population – to cheap labour, depending on the economic and social formation of the given settler society. Power relations within the triangle comprising metropole-
indigenes-settlers have yielded one of three outcomes: the settlers managed to gain independence from the metropole and establish a nation-state, with dire consequences for the indigenous people (the US, Australia and Israel for instance); the settlers could not prevail and eventually had to leave (as happened in French Algeria and British Kenya); or the settlers won independence but with the passage of time were unable to prevent indigenous reassertion (as in South Africa and Rhodesia/Zimbabwe).

For a long time, colonialism tended to be associated exclusively with the first form, namely, metropole colonialism. The systematic and, especially, comparative examination of settler colonialism as a historically and analytically discrete phenomenon is relatively recent. This implies neither that that all settler societies are identical nor that their historically distinct trajectories should be discarded; but rather that they are comparable, and that the comparison adds invaluable insight to the study of these societies by showing that they constitute a global phenomenon.

The achievements of the comparative study of settler colonialism have been at once scholarly and political. Several of these colonies gave birth to powerful nation-states which have asserted their own hegemonic narratives, both nationally and internationally. The comparative field not only questions these narratives through countervailing evidence and interpretation, but also offers an alternative account of the social formations themselves. In the process, three fundamental features common to these hegemonic settler myths are undermined. The first of these is the putative uniqueness of each settler nation. The second is their privileging of the settlers’ intentions as sovereign subjects, at the expense of the consequences (be what may the intentions), and at the expense of the natives’ consciousness. Third is the supposed inconsequence of the natives to the form each settler society takes; in other words, the conflict with the natives is not denied, but the fundamental role that this conflict has played in shaping the identity of the settler nation is written off.

Comparative settler colonialism is a *sine qua non* for a proper understanding of not only the past but also the present perfect. Here the work of the Australian scholar Patrick Wolfe has been pivotal. The originality and insight of Wolfe’s writings on this issue lies in his...
appreciative critique of anti-colonial writers like Amilcar Cabral and Franz Fanon, and later ones like Gayatri Spivak. ‘For all the homage paid to heterogeneity and difference’, Wolfe observes, ‘the bulk of “post”-colonial theorizing is disabled by an oddly monolithic, and surprisingly unexamined, notion of colonialism’. One of the reasons for this, he argues,

consists in the historical accident (or is it?) that the native founders of the post-colonial canon came from franchise or dependent – as opposed to settler or creole – colonies. This gave these guerrilla theoreticians the advantage of speaking to an oppressed majority, on whose labor a colonizing minority was vulnerably dependent [...] But what if the colonizers are not dependent on native labor? – indeed, what if the natives themselves have been reduced to a small minority whose survival can hardly be seen to furnish the colonizing society with more than a remission from ideological embarrassment?

Wolfe attributes decisive explanatory significance to the fact that – in contrast to the colonial formation that Cabral or Fanon confronted – settler colonies were ‘not primarily established to extract surplus value from indigenous labor’. Rather, they were ‘premised on displacing indigenes from (or replacing them on) the land’. This created a situation in which it was ‘difficult to speak of an articulation between colonizer and native since the determinate articulation is not to a society but directly to the land, a precondition of social organization’. The bottom line is a formulation that other scholars of settler colonialism understandably cite: ‘Settler colonies were (are) premised on the elimination of the native societies. The split tensing reflects a determinate feature of settler colonization. The colonizers come to stay – invasion is a structure not an event’.²

The process of thinking about settler colonialism, then, has consisted of two important components: how to understand it as a formation that is clearly distinguishable from metropole colonialism both historically and conceptually; how to understand it
comparatively, as a modular series of instances that cohere into a global formation, without erasing the historical specificity of each instance. This process has climaxed in a helpfully informative and stimulating book by Lorenzo Veracini.\textsuperscript{3} Discussing four themes (population, sovereignty, consciousness and narrative), Veracini’s work is ‘a call to establish settler colonial studies as an independent scholarly field’.\textsuperscript{4} Veracini’s intervention is commendable because it is simultaneously a stock taking of the existing body of literature, and a synthesis that opens up various ways forward. Doing so the author offers insights on the two components mentioned above. Considering the discreteness of settler colonialism, Veracini takes Wolfe’s argument farther. His ‘aim is not so much to confirm a conceptual distinction, but, rather, to emphasise dialectical opposition: colonial and settler colonial forms should not only be seen as separate but also construed as antithetical’.\textsuperscript{5} Cognizant of specific historical trajectories but insisting on the formation’s global spread, Veracini’s focus on settler colonial imaginaries and forms is stimulating. ‘[E]xtraordinarily different circumstances’, he explains, ‘are here juxtaposed on the basis of morphological contiguity’.\textsuperscript{6} I find the notion of ‘morphological contiguity’ promising, and in some sense this is precisely what some of my comparative analysis shows (see for example the reading offered later of opening passages in Camus’s and Yizhar’s autobiographical novels).

To turn to the literary side of the conversation, I compare two pairs of texts. The first pair comprises two settler autobiographical novels. One is \textit{Le Premier Homme}, or \textit{The First Man} by Albert Camus (1913-1960), which appeared in 1994, more than three decades after the author’s death. The other is \textit{Miqdamot}, or \textit{Preliminaries} by S. Yizhar (1916-2006), the writing of which was completed in 1991, when the author was 75 years old, and which was published a year later. The second pair of texts consists of two short stories: Camus’s ‘La Femme Adultère’ (The Adulterous Woman), which opens the 1957 collection of stories \textit{L’exil et le Royaume} (Exile and Kingdom); and Amos Oz’s (born 1939) ‘Navadim ve-Tzefa’ (Nomad and Viper), which opens the 1965 collection \textit{Be-Artzot ha-Tan} (Where the Jackal Howls).\textsuperscript{7}
CONVERSATION

I should like to elucidate what is meant by conversation between the two fields of inquiry, namely, comparative settler colonialism and comparative literature. In comparative settler colonialism, there are taxonomies of different types of settler colonies. The types that are pertinent to the present discussion are the settler plantation, in which the settlers sought from the natives both land and cheap labour and exploited indentured white as well as slave labour; and the pure settlement colony, which eschewed any non-white settler labour and sought from the natives ‘only’ their land, thereby rendering the mere presence of the natives on lands coveted for further settlement superfluous. In the plantation colony, the social and spatial boundaries between settlers and indigenes are porous and the two groups are visible to one another daily. In the pure settlement colony, the settler/indigene fault-line is rationalised, orderly, and dichotomous, settler supremacy and purity are rigidly controlled and regulated, and the indigenous people have been removed and contained, if they were not altogether exterminated.

In my analysis of settler literature, I shall argue that these socio-economic realities have played an acute role in shaping the experiences of authors and their literary imagination, and that the nuanced differences between the experience of a settler plantation on the one hand and that of a pure settlement colony on the other may express themselves in novels, novellas and short stories. I am not at all beholden to a rigidly material scheme, in which land and labour relations render immaterial the subjectivity of the author, his/her aesthetic specificity, and his/her literary sensibilities. On the contrary, I seek a more complete interpretation in which the material and the literary are in conversation. Thus, I believe, reciprocal insight is gained: the literature is related to the material context within which it was produced, and the socio-economic historical structures are illuminated by subjective human experience and consciousness. Furthermore, much of the commentary on literature in colonial situations presupposes that ‘colonialism’ is an obvious and uniform signifier; the result is that ‘colonial literature’ often seems self-explanatory. What is proposed here is to discern more precisely and
Piterberg, ‘Literature of Settler Societies’.

subtly different types of colonial formations and relate them to literature.

I suggest that for Camus (loosely) and Yizhar (literally), the formative settler context was the plantation colony, whereas for Oz, certainly in ‘Nomad and Viper’, the context was one of the clearest instances of the pure settlement colony, namely, the kibbutz. Although I shall not be rigidly seeking to show that the type of colony is the sole factor that explains these literary works separately or comparatively, I shall insist that the colony-type significantly framed the authors’ experience and imagination.

‘LE COLONISATEUR DE BONNE VOLONTÉ’: AUTOBIOGRAPHICAL NOVELS BY CAMUS AND YIZHAR

I am assuming that the main contours of Camus’s vita are well known, and I therefore allude only to specific details when necessary.10 S. Yizhar (1916-2006) is the pen-name of the Israeli author Yizhar Smilansky. He is arguably one of the two greatest Hebrew prose writers – the other is Yaakov Shabtai – among those for whom Hebrew is a mother tongue, as distinguished from the writers who emigrated from Eastern Europe like H.N. Bialik, Y.H. Brenner and S.Y. Agnon. Yizhar’s landscape descriptions and interior monologues pushed modern Hebrew prose to unsurpassed peaks. His aloofness and lack of marketing acumen or motivation have resulted in his relative anonymity in the past few decades, internationally and even nationally. This anonymity, however, must not be allowed to hide the vast superiority of his literary gift over that of the better known and translated writers.

Yizhar was born in Rehovot, one of the ethnic plantations (moshava in Hebrew; the term ‘ethnic plantation’ is Gershon Shafir’s) founded by the earliest wave of Zionist immigrants to Palestine.11 His parents were settlers from Eastern Europe. Yizhar retrospectively described himself as standing ‘between two founding uncles’.12 The paternal one, Moshe Smilansky of the First Aliya (the first wave of Zionist immigration in the 1880s and 1890s), was his great uncle, and by contemporary conventions on the right, that is, on the non-labourite side of the early settler community, the Yishuv. Moshe Smilansky was a wealthy grove owner, who employed both Arabs and
Jews (and paid the latter higher wages), a member of Brit Shalom, and a consistent adherent to bi-nationalism as a way to resolve the settler-indigene conflict. The maternal uncle, Yosef Weitz of the Second Aliya (1904-1914), was on the left, that is, he belonged to labour Zionism’s parties, Hapoel ha-Tza’ir and later Mapai. He was also a great ‘redeemer of land’ from the Arabs as director of the Jewish National Fund’s land department and as an arch ethnic cleanser in the 1948 war and in the forceful appropriation of Palestinian land in the first two decades of statehood.

One of the things that make Yizhar an incredibly interesting writer is the tension that inheres in his life and his work. As a member of Knesset of the hegemonic party Mapai (1949-1966) he served on the one hand as an organic intellectual – in the classic Gramscian sense – of Ben-Gurion’s statist regime. On the other hand, he was a bitter and ironic critic of the Zionist project, and especially of the erasure of rural – significantly, never of urban – Arab Palestine. Yizhar could write within less than a decade thoroughly different texts. In 1949, less than a year after he had taken part in the 1948 war as an intelligence officer, Yizhar wrote The Story of Khirbat Hiz’ah, in which a soldier-narrator recounts the cleansing of a village and exposes the depth and ferocity of the settlers’ resolution not just to displace the indigenes but to replace them. A decade later, in 1958, Yizhar published the massive novel, in excess of 1,000 pages, Days of Ziklag, for which he was awarded the Israel Prize. Days of Ziklag is, to quote a perceptive critic, a ‘narrated memorial’ (andartah mesupperet) for the Palmach warriors of 1948, which constructed them as the sacrificial and heroic not-yet-men tragic generation.13 So, within less than a decade Yizhar delivered one text which was a gut-wrenching literary account of the cleansing, and another in which the cleansers were mythologised as sacrificial pure boys.

Ultimately, I would venture, Yizhar’s oeuvre is an enormous literary achievement and an account of the twentieth century’s most successful settler-colonial project. Yizhar’s existentially posed question in Preliminaries – ‘What is it like to be the child of a settler?’ – is not an inappropriate synecdoche for his entire oeuvre.14 It is a complex literary account because the author incessantly dithers between an ironic understanding of the project of which he is part and a wholehearted identification with it. The paralysing indecision
that is so emblematic of Yizhar’s position – ironic distance from what
has become, aching love for what was erased and indignant
resentment of the erasure, being a mobilised organic intellectual of
Ben-Gurion’s *mamlakhtiyut* (statism) and literary creator of the
tender sacrificial boys of ’48 – is poetically expressed by his narrator
in the 1963 story, ‘First Sermon’, which is part of a collection that
was followed by three decades of depression and literary silence.
That collection, *Stories of the Plain*, is essentially Yizhar’s elegy for
rural Arab Palestine that had been erased and by then also buried.¹⁵
The description is so marvellously vivid that it is possible to visualise
Yizhar’s narrator wandering south-east of Tel-Aviv in the area of the
early ethnic plantations of Rehovot, Ekron and Gedera, which is also
the area of the Arab villages of Zarnuga, Qubeibeh, Yibneh, Abu
Shusha, Mansoura, Naana, Qastina, all erased in 1948, lamenting
the conspicuous absence of his childhood landscape that is no more.
Alluding to the biblical story of Sodom and Gomorrah, Yizhar’s
narrator intimates: ‘I too, like many of the good ones, am walking,
my eyes in my nape, looking back, yearning gleefully, as a sort of
Lot’s wife whose heart craved what had ended’.¹⁶ The key is the
precision of the likening not to Lot’s wife, but to ‘a sort of Lot’s wife’.
She disobeyed God, ‘rebelled’, turned her head back to look at what
had been Sodom and Gomorrah, and was duly punished (‘But his
wife looked back from behind him, and she became a pillar of salt’,
*Genesis*, 19:26). The most Yizhar could summon was eyes in his
nape. He could neither disobey nor rebel; he could only walk away
and lament.

The writing of *Preliminaries* was completed in the summer of
1991, when Yizhar was 75 years old. *Preliminaries* is more explicitly
autobiographical than *The First Man*. An autobiographical novel, it is
centred on the memories and experiences of a child who is almost
vanishingly thin, socially marginal and lonely, and existentially
anxious about himself, his family and community. Temporally, it is
confined to the period 1918-1928, when the child was between two
to twelve. Spatially, the movement is circular: from the rural-
agricultural landscape of the ethnic plantations and Arab villages to
the south-east of Tel-Aviv, to the expanding Tel-Aviv of the 1920s,
and back to the rural world of origin. Dan Miron captures the novel’s
essence through a Joyceian analogy, calling it Yizhar’s ‘Portrait of
the Artist as a Young Boy’.¹⁷ The novel performs two tasks
simultaneously. The literary task ‘was to elucidate the aging writer’s oeuvre by supplying a key of sorts to his fictional world’.\textsuperscript{18} This is why I think one can understand \textit{Preliminaries} under the paradoxical term of a retrospective \textit{Bildungsroman}. The political task, to quote Miron, ‘was to deepen and expand his lifelong role as a conscientious observer and critic of the unfolding Zionist saga’.\textsuperscript{19} Both Miron and Yizhar are intrinsically located within ‘the unfolding Zionist saga’. However, if one were to look at it all extrinsically, one could understand \textit{Preliminaries} as a literary account and stock-taking of a settler project that has its historical specificity and, at the same time, is comparable to the formation of other settler societies and is part of the global phenomenon of settler colonialism. \textit{Preliminaries} appeared in English a year after Yizhar’s passing away in 2006. It should be read, however, together with two subsequent autobiographical texts: the first, \textit{Tzalhavim} (Shimmering Light, 1993), extends \textit{Preliminaries} into the 1930s; the second, \textit{Tzdadiyyim} (Asides, 1996), is a collection of stories, which, like almost the entirety of Yizhar’s oeuvre, are set in pre-1948 Mandatory Palestine.

Camus worked on \textit{The First Man} in 1959 and never finished it, as he died in a car accident in 1960. It was written while the Algerian War was raging. In characterising the novel as a whole, little can be added to Edward Hughes’s succinct statement:

In political and cultural terms, [Camus] was writing against decolonization. This unfinished, fictionalized autobiography recounts the life of the Cormery family, seen as typifying the lot of those descendants of 19th-century French settlers of Algeria. Camus’s tactic is to defend the position of the pieds-noirs, whom he regularly depicts as innocents, accidents of a colonial history that has not brought them economic and cultural advantage but rather hardship and the virtues of stubbornness and resilience needed to face up to such difficulty. In short, \textit{The First Man} is an unapologetic defense and illustration of the French Algerians.\textsuperscript{20}
It was fortunate for the novel’s reception that it appeared in 1994 rather than upon the author’s untimely death. The latter timing would have engendered objections to the favorable depiction of the French Algerians, who at that point would have been associated with the OAS, not thought of as honest-to-God immigrants who faced immeasurable hardship. By the mid-1990s the anti-colonial French left had almost disappeared. Pandering to the days of empire became possible, and reveling in nostalgie quite permissible.21

I have thought of numerous ways in which the comparison of these novels might be insightful. Here I wish to address three points: 1) the success or failure of each case of settler colonialism and consequently, what method of memory is employed in each of the novels; 2) the opening passage of each novel and the question of firstness; 3) the response of liberal critics to each of the novels. To state what is perhaps obvious, the main similarity between Camus and Yizhar is the way in which they have been perceived as moralists for whom justice was important, as critics of the communities to which they belonged and with whom they ultimately identified. That is why I think that ‘le colonisateur de bonne volonté’ so aptly encapsulates who they both were: good will they may have had, but colonisers they will always remain. However, the social difference between these two writers should be pointed out: Camus came out of a working class family of petits colons living in Belcourt, the white working class neighborhood of Algiers, whilst Yizhar belonged to the “Mayflower stratum” of the Zionist community of settlers and the state of Israel.

1. SETTLER MODES OF MEMORY

The basic difference between the fate of French Algeria (defeat and failure) and that of Zionist Israel is crucial for understanding the methods of memory that underlie The First Man and Preliminaries. When Camus was writing The First Man, the Algerian war was raging and the fate of French Algeria was uncertain. Hughes does an excellent job of reconstructing the sources that informed Camus’s attempt to create and enshrine a petit colon memory. An important source was a text published in 1930 by Maxime Rasteil, himself a settler whose vita had much in common with Camus’s, entitled Le Calvarie des Colons de 48. Rasteil’s book was a centenary, eulogistic
account of the heroic French settlers from 1830 on, laying emphasis on those with social origins going back to the defeated revolutionaries of 1848, the quarante-huitards. Camus used it as an archive of facts and experiences and, crucially, was inspired by a term Rasteil had borrowed from Renan, namely, l’immense oubli (the immense oblivion). Renan sensed this ‘immense oblivion’ when he stood inside a Breton graveyard, surrounded by tombs of ‘simple souls’. Rasteil quoted this passage.

Chapter Two of The First Man describes Jacques Cromery’s/Camus’s visit to the Saint Brieuc cemetery to see for the first time the grave of his father, Henri Cormery, who had been killed at a young age in the First World War. Jacques/Camus reiterates Renan’s feeling that ‘Not one of them [of those buried in the graveyard] has made impact in the great order of things’. ‘No one had known him [Henri] but his mother and she had forgotten him’, Jacques says to himself. ‘And he had died unknown on this earth where he had fleetingly passed, like a stranger’.

There is also, in my view, an important difference regarding the theme of oubli between the memory sought by Rasteil and Camus on the one hand and Renan on the other. This difference stems from the fact that Renan was thinking of a metropolitan nation whose existence within a nationalist logic was obvious, whereas Camus was trying to create a memory for a settler nation on the verge of dispersal. Benedict Anderson illuminates a passage in ‘What is a Nation?’ (1883), in which Renan averred that all French citizens ‘doit avoir oublié’ medieval and early modern atrocities. Anderson comments that

One is also struck by the peremptory syntax of doit avoir oublié (not doit oublier) – ‘obliged already to have forgotten’ – which suggests [...] that ‘already having forgotten’ ancient tragedies is a prime contemporary civic duty. In effect, Renan’s readers were being told to ‘have already forgotten’ what Renan’s own words assumed that they naturally remembered!
Whereas Renan had instructed his readers to actively forget, Camus tried to create a memory that would prevent utter oblivion. That sensation of a last ditch attempt to save French Algeria’s petit colon community lest l’immense oubli set in irrevocably is evident in the closure of Jacques’s visit to Saint Brieuc:

He had to leave; there was nothing more for him to do here. But he could not turn away from this name, those dates. Under that slab were left only ashes and dust. But, for him, his father was again alive, a strange silent life, and it seemed to him that again he was going to forsake him, to leave his father to haunt yet another night the endless solitude he had been hurled into and then deserted.26

To borrow a phrase mentioned above in relation to Yizhar’s Days of Ziklag, it is as if at that moment, when he faced his father’s tombstone, Camus resolved to erect a ‘narrated memorial’ to the French Algerian settlers.

Camus then deployed this form of memory to celebrate the small-time, hard-working and largely forgotten settlers. In the appeal that Camus makes, the ‘terre de l’oubli’ – the land of oblivion – becomes the place of memory and what threatens to be a cultural void can now accommodate the petit colon. Typical of settler memory, both Rasteil’s and Camus’s texts, to cite Hughes, ‘champion the small-time colonizer and eschew the situation of the native Algerians’.27 In stark contrast, because his is a settler project that gave birth to a powerful nation-state, Yizhar remembers through a method that might be called, in the words of Miron, the ‘future perfect modality’.28 This is an intricate presentation, in which there is constant tension between a historicist unfolding that adheres to what the child-protagonist could have known and sensed within the confines of his context on the one hand, and explicit or implicit knowledge of what the future has in store on the other. The past, in other words, is always already impregnated with the future.

The result is that contrary to Camus, who remembers the soon to be vanquished settlers and ignores the indigenes, Yizhar can
afford to recount the settlers’ story and simultaneously remember that which they erased. For example, in the opening part of the novel, Yizhar masterfully describes the horrible episode in 1918 of the child-protagonist, at that point a toddler, being rushed by his parents in a cart pulled by two mules to the physician, after having been ferociously attacked by an entire nest of wasps under a carob tree while his father had been plowing the obstinate land (I shall return to this passage later). Their route goes through the Arab village of Mansoura. The narrator interrupts the father’s interior monologue – one of the chief characteristics of Yizhar’s writing – and inserts in a matter-of-fact register a point of information: ‘Today there is no Mansoura and you won’t find it, it has been wiped out, it no longer exists, and in its place there is just a road, eucalyptus trees, and some stone ruins’. 

Whereas in mentioning Mansoura’s destruction it is clear that Yizhar abruptly departs from the historicist unfolding and jumps to the post-1948 era, in another example he intentionally oscillates between what is happening right now and what the narrator knows or, more confusingly, assumes would happen in the future. It is the 1921 Arab uprising and Yizhar’s family is seeking shelter together with other Jewish settlers in a house in Neve Tzedek, a southern Tel-Aviv neighbourhood on the edge of Jaffa. The child narrator opines:

Recklessness. The whole idea of a Jewish neighbourhood next to Jaffa, living from each other by day and separating at night, the enlightened, the clean, the cultured, the builders of the Land on this side and the natives, the backward, the filthy, who have caused the desolation of the land on that side. Not just Jews (Daddy calls them ‘our brethren’) against Muslims (whom Daddy calls ‘Mohammedans’), not just immigrants against indigenous people, not just the progressives against the primitives, Europeans against Asiatics, but as if it were as simple as that, as if they could sort out their differences peacefully here of their own accord, without a wall between them, without iron gates between them, without weapons for the day of reckoning—what is this: naivety, folly, or criminal behaviour?
While the term ‘future perfect modality’ put forth by Miron is apt and insightful, its solely temporal dimension fails to capture the spatial dimension of Yizhar’s remembrance. In this sense it is possible to provocatively suggest that Yizhar’s memory is morphologically – not ideologically – more Palestinian than Zionist. With one important exception, the novel Giluy Eliyahu (Discovering Elijah, 1999), which is set in the 1973 war, Yizhar never wrote a piece whose referential context is post-1948. Yizhar’s narrators may, implicitly or explicitly, be reminiscing from a statehood vantage-point (i.e., after 1948), and they may also employ, as in Preliminaries, the future perfect modality that introduces awareness of what would transpire, and we shall immediately see for what purpose; but nothing in Yizhar’s writing actually occurs after 1948.

The narrators’ statehood vantage-point and the introduction of the future perfect modality fulfil the same function: they afford Yizhar the estranged irony vis-à-vis the settler project of which he is a part, and they are used invariably to lament the erasure of rural Arab Palestine and to summon the buried landscape. In ‘A Story that has not Begun,’ (1963), for example, the narrator keeps lamenting to his interlocutor the disappearance of Arab Palestine from the landscape as an existential state of mind, recalling with intimate familiarity what had been, avoiding sentimentalised portrayals of what was buried, and – with irony so biting that he himself struggles to bear it – commenting on the rationally modernised, technological reality that is his world’s disinheritance. ‘I am but one seeing man’, he falters, ‘and his heart aches too much to see. Here is a place that has left its place and is not. Neither enemies here, nor non-enemies, just a story of that which happened in the past tense’.31 Now, everything is outwardly painted anew. New names also given to all. More civilized of course, and from the Bible too. They covered and disinherited him on his way to exile, and may there be peace upon Israel. Masmiyye has become Mashmi`a Shalom [Peace Announcer], Qastina I don’t know, perhaps Keshet-Te’ena [Fig-Bow] and more probably Ka`as ve-Tina [Anger and Resentment]. Let’s not go on.32
It should now be clear why I suggested that the morphology of Yizhar’s remembering is more Palestinian than Zionist, especially when one thinks of the memory of Palestinians who live in exile either in other countries throughout the Middle East or in Western Europe and America (see for instance the historic-geographical life-project of Salman Abu-Sitta, or the novel *Gate of the Sun* by Elias Khoury, even though he is not Palestinian). Like them, he almost physically cannot extricate himself from pre-1948 Palestine; like them, he is consumed by the disappearance of rural Arab Palestine, whereas the urban part enters neither his consciousness nor his imagination. In his beautifully moving afterword to *Khirbat Hiz’a*’s recent English rendering, David Shulman captures the point, observing that ‘Yizhar is perhaps the greatest poet of Palestinian landscape in modern Hebrew’.

I have already mentioned the crucial difference between the (ethnic) plantation and the pure settlement colony, and I shall return to it more thoroughly when Amos Oz’s writing enters the discussion. It is worth pointing out here too that Yizhar’s formative settler experience was the vaguely bi-national reality of the ethnic plantations (*moshava* in the singular) to the south-east of Tel-Aviv, and the pre-1948 Arab villages. His memories of that world, which was not idyllic but in which the settler-indigene fault-line was porous and messy, underlie his regret at its passing and his resentment of the project that destroyed it. Interviewing Yizhar for *Haaretz* (8 April 2005), Meron Rapoport asked: ‘Why were you the only member of your generation who saw the catastrophe that befell the Arabs?’ He replied:

The others were attentive only to relationships with other people, among themselves. I looked at the landscape, the landscape was a central part of my personality, and that’s why I saw the Arabs. The landscape was the paper on which everything was written, and afterwards it gets torn and nobody looks at the paper.
There is another reason for Yizhar’s refusal to have a post-1948 memory, which supplements the disappearance of rural Arab Palestine: the disappearance – subjectively for Yizhar this time, not objectively – of his community of first generation native settlers, especially the untimely death of his beloved maternal cousin, Yehiam Weitz. I intend to dwell on this elsewhere. Here I should briefly note that this is what occupies Yizhar most in Shimmering Light (Tzalhavim, 1993), the sequel to Preliminaries: the construction of the first native settler nucleus. Shimmering Light, which looks at these native settlers in their teens in the late 1920s and early 1930s, in a way ‘anticipates’ their resignation – especially Yehiam Weitz’s, whose oedipal resentment of the life charted for him by his father Yosef is more than hinted at – to being sacrificed for the Zionist project in the 1940s in Days of Ziklag.

The world Yizhar cared to remember consisted, then, of the mixed landscape of the Jewish ethnic plantations and Arab villages, and of the small community of the first native settlers. The Arab component of the rural landscape vanished in the wake of the 1948 war’s ethnic cleansing; the vanishing of the community was embodied, subjectively for Yizhar, in the death of Yehiam Weitz in the Palmach operation of the Night of the Bridges on 16-17 June 1946. To borrow now a Camus-related term, everything that came after the cosmos of Mandatory Palestine between Tel-Aviv and Qastina was, as far as Yizhar was concerned, an immense oubli. The contradiction that inheres in the Yizharian memory, in which the destruction of rural Palestine was carried out by the lamenting native settlers at the behest of their castrating fathers, is brutally expressed by the poet of the Palmach generation, Haim Guri (born 1923). He was a much more typical representative of that generational group than Yizhar. In his recent memoir, Guri intimates: ‘This world [rural Arab Palestine] has been destroyed forever. And my heart often cries when I recall it [...] Many of us loved the [Arab] villages we blew up’.36

Two related questions must finally be addressed: why, as I emphasise, does Yizhar achingly miss rural, never urban, Mandatory Palestine? In precisely what sense is Yizhar’s nostalgia for rural Palestine settler colonial? The first part of the question is pertinent because, as Ilan Pappé has recently asserted, urban Palestine was not less cleansed than the rural areas.37 The reason is that if and
when the settler colonial gaze notices natives, it does so because they are part of the landscape of that gaze. As Yizhar confirmed in the interview cited earlier, and as the 1963 collection *Stories of the Plain* amply demonstrates, his landscape included the pre-’48 Arab villages between Tel-Aviv and Qastina but it excluded the cities; that landscape did include Tel-Aviv, but Tel-Aviv was and remains the city most exclusive of Arabs and Muslims in the Mediterranean and Europe.

It is tempting to explain Yizhar’s nostalgia for rural Arab Palestine that is no more as a common colonial trope: craving that which one’s own colonisation destroyed, as shown by Renato Rosaldo. I think that this is truer of Guri’s brutal nostalgia than Yizhar’s. I would tentatively suggest that the explanation for Yizhar’s nostalgic pain should be sought not in literary commentary but in Veracini’s attempt to theorise settler colonialism. Specifically, in his discussion of sovereignty Veracini subtly identifies the variety of notions of sovereignty which settlers can imagine and within which they can operate, both diachronically (according to the stage of the unfolding colonisation and without the prolepsis that assumes an eventual nation-state) and synchronically (e.g., settlers can advantageously use meropole sovereignty and at the same time demand independence from it in the name of their right to obtain sovereignty). Obviously this is not a framework that entered Yizhar’s consciousness. I would nonetheless argue that he instinctively understood this: that the world for which he yearned and the disappearance of which he mourned, the landscape cohabited by the Jewish ethnic plantations and the Arab villages, was predicated upon limited (settler) sovereignty, upon something that might be crudely termed a state minus.

2. LITERARY RENDERINGS OF THE SETTLER CONTRACT

In a masterful essay, Carole Pateman puts forth the notion of the settler contract. It emanates from her collaboration with Charles Mills that brings together her book *The Sexual Contract* and his *The Racial Contract*. Their joint study broaches the extent to which the contract as such entails, perforce, domination. In the essay, Pateman offers a narrative of the term *terra nullius* in the context of the history of three settler societies: the United States, Australia, and Canada. She
explores, through this term, the ideological mechanisms used by the settlers to justify and legitimise their projects, and offers a reading of Grotius and Locke that runs against the grain of the main body of scholarship on early modern political thought.\textsuperscript{41}

Pateman explains that ‘In The Racial Contract, Charles Mills discusses an expropriation contract appropriate to “the white settler state”, where “the establishment of a society thus implies the denial that a society already existed”’.\textsuperscript{42} She then offers a succinct definition:

The settler contract is a specific form of the expropriation contract and refers to the dispossession of, and rule over, Native inhabitants by British settlers in the two New Worlds. Colonialism in general subordinates, exploits, kills, rapes, and makes maximum use of the colonized and their resources and lands. When colonists are planted in a \textit{terra nullius}, an empty state of nature, the aim is not merely to dominate, govern, and use but to create a civil society. Therefore, the settlers have to make an original – settler – contract.\textsuperscript{43}

I propose that the opening passages in \textit{The First Man} and \textit{Preliminaries} are literary instances of what Pateman calls the settler contract. I do not suggest that either Camus or Yizhar had the settler contract as such in mind. They were also well aware that something had already existed in the world into which they came. My point is that the way they chose to set the stage for their autobiographical novels evinces settler consciousness and narrative structure. In that consciousness, there has to be an element of firstness that establishes, or at least reasserts, the settler/indigene fault-line spatially and, by implication, temporally (what is being created is civil society, whereas what existed is state of nature, to use Pateman’s terminology of political thought). In the narrative structure, there has to be a meaningful beginning not just chronologically, but in the sense of genesis.
Both *The First Man* and *Preliminaries* open with ominously threatening situations in the very early lives of the authors. Both narratives are set in a wilderness strewn with small islands of cultivation; in both, the father’s deed is foundational and the mother’s more instinctive and biological. Camus entitled the beginning of his novel ‘In Search of a Father’; Yizhar divided his into ‘Wasp’, ‘Sting’ and ‘Doctor’.

On an autumn night in 1913, Henri (a Frenchman) and Lucie (a Spaniard) Cormery had arrived on a third class coach of the train from Algiers to Bône, where an Arab awaited them. He takes them on a wagon pulled by a pair of horses to the Saint-Apôtre property, of which Henri had been hired as manager. The property is in fact the familiar French Algerian unit consisting of vineyards and a winery. The pregnant Lucie is closer to giving birth than was calculated. On the way, the frequency of her contractions grows, as does her pain. Upon their arrival in the farm, Henri improvises a bed for Lucie, leaves her with the Arab and his daughter-in-law, and rides to the nearby village to get the doctor. By the time Henri and the doctor return, Lucie has already given birth; the Arab woman decided to leave for the doctor the task of cutting the umbilical cord. Since Henri was directed to the doctor’s home by the owner of ‘Mme Jacques’s Farm Canteen’, he names the newly born boy Jacques. It is not clear whether ‘the First Man’ is the giver of the name or the named, or perhaps both.

The way to Saint-Apôtre feels like wilderness (state of nature), with few reassuring reminders of civilisation (civil society), all of them related to French settlers. The rain shone in the weak light of the lamp [lit by the Arab], and, all around, it peopled the utter darkness with its soft sound. Now and then the wagon skirted spiny bushes; small trees were faintly lit for a few seconds. But the rest of the time it rolled through an empty space made still more vast by the dark of night. The smell of scorched grass, or, suddenly, the strong odour of manure, was all that suggested they were passing by land under cultivation.
The only identifiable human habitation is that of French settlers; where Arabs live is unclear. It is the Arab who points out the settlement for them. ‘Indeed they could see, to the left of the road and a little farther on, the lights of Solférino blurred by the rain’.45

Since the seventeenth century, both materially and ideologically, cultivation was a pivotal marker of the settler/indigene fault-line, as well as one of the main mechanisms through which the former claimed ownership over the latter’s land.46 The signifiers of cultivation, striation of the land by dividing it into plots, and fields ploughed into straight furrows, are fundamental components of a settler Manichean imagination, which divides the landscape into a state of nature like wilderness and rationalised civil society. It might be helpful to cast this Manichean imagination in the language of Deleuze: the striated garden of sedentary man versus the smooth, libidinal space of the nomad. These signifiers appear in The First Man when Jacques Cormery remembers his father, that first eventful autumn night in 1913, and French colonial settlement in Algeria.

Trying to conjure up his father ‘on the dock at Bône among the emigrants’, Jacques sees Henri ‘there, resolute, sombre, teeth clenched, and, after all, was this not the same road he had taken from Bône to Solférino, almost forty years earlier, on the wagon, under the same autumn sky?’.47 Only at that time the settler contract had yet to be crafted, for

the road did not exist for emigrants: the women and children piled onto the army’s gun carriages, the men on foot, cutting by guesswork across the swampy plain or the spiny brush, under the hostile eyes of occasional groups of Arabs watching them from a distance, accompanied almost constantly by a howling pack of Kabyle dogs, until at the end of the day they reached the same country his father had forty years earlier – flat, surrounded by distant heights, without a dwelling, without a single plot of cultivated land […] nothing but bare empty space.48
Camus then reassures us that this state of nature would be replaced by civil society: ‘The houses would come later, they would be built and the land would be portioned out, and work, blessed work would save them all’. Having reminisced and described the act of first settlement, Camus (via Rasteil) returns to the trope of oblivion and to the settler’s need for serial firstness. He has Jacques ‘wandering through the night of the years in the land of oblivion where each one is the first man’.

The comparable passage in Preliminaries is much longer, not so much because there is more to tell, but because of Yizhar’s expansive writing, in which narrative description is frequently suspended in favor of interior monologues, landscape portrayals, and political and existential observations, and because of the future perfect modality, which, as explained earlier, makes it possible for Yizhar’s narrator to remember in a non-historicist manner. The toddler narrator is with his father, who is plowing a field not far from Rehovot in late July 1918. ‘There is no weight at all to any child who sits like him on the edge of the furrows that Daddy is making’, the narrator observes. Unfortunately, the child has been seated under a carob tree and incurred the wrath of an entire nest of wasps, which attack him ferociously. Horrified, the father scuttles home, and with the mother joining him they rush the toddler to the doctor in a cart pulled by a pair of mules. The way seems to last forever, meandering as it does in the landscape which Yizhar’s narrator, unlike Camus’s, charts by identifying both Arab villages and Jewish settlements.

As always with Yizhar, the opening passage of his autobiographical novel is also ambivalent. It starts with what may seem an unequivocal settler statement, evincing the consciousness I have been examining; yet at the same time the narrator also conveys ironic distance (note the mule’s perspective in the quotation below). It is never clear whether he completely shares the pathos and the ideology, or whether he just ethnographically reports them in order to reconstruct the Zeitgeist faithfully. The child narrator describes his father tilling the land with much physical hardship. It is unclear, he intimates whether it is hard because the compacted surface of this stubborn soil has not been touched for thousands of
Piterberg, ‘Literature of Settler Societies’.

years, if ever, and no man has touched it, or assailed its innocent wholeness or sniffed its touch, or because of the contempt of the mule which has had no part in the decision to make a field here, because there is no land that can be dismissed as not worth this effort […] and Daddy has only to finish this one rectangle, as a final act of possession of the ground and the ploughing like a last signature on the deed of ownership.\textsuperscript{52}

Yizhar’s ambivalence is, as I have already argued, fundamental. One of its main manifestations is precisely, using Pateman’s terminology again, to question the moral and existential desirability of transforming a state of nature into civil society. This questioning, however, is the ultimate confirmation of Yizhar’s settler consciousness, for it shows time and again that in his vision Palestine really had been in a state of nature, and the Zionist settlers truly were transforming it into civil society. It is in this context that the narrator raises the question, which I mentioned earlier as a synecdoche for Yizhar’s life and work, ‘What is it like to be the child of a settler?’\textsuperscript{53} Whatever it may have been like, the child of a settler he certainly was.

The significance of the wasps’ attack on the toddler should be seen in light of this ambivalence. One possibility is that the toddler survived the deadly onslaught of the environment upon which colonisation is enacted, where, to recall Camus, ‘each one is the first man’. But there is another possibility for understanding the message of the venom injected by the wasps into the narrator’s body. This message is conveyed by Yizhar – here as on many other occasions throughout his oeuvre – through the reification of Palestine’s state of nature into something that has its own desire and aesthetic sensibility, and whose violation may have grave consequences for the violator. Yizhar’s consciousness and imagination is settler colonial to the core. He gives agency to a reified landscape of which the indigenous Palestinians are a part, just like the fauna and flora, but never to the indigenous Palestinians as human subjects.

‘And what is it like?’, the narrator further asks before he proceeds to have an epiphany:
As though you are suddenly seized by a realization that maybe it was a fundamental mistake. That maybe this land doesn’t want us at all, really. Because we came here to make changes that it doesn’t want. It doesn’t want any Herzl Forest. It doesn’t want any citrus groves on a sandy clay hill. It doesn’t want the sandy clay to change at all, but to be left as it is, including this miserable halfa, and for this dried-up halfa covered in white snails to continue to cover this hillside, with all kinds of miserable thistles, that may be centaurea, and that is precisely what it wants there to be here...and this is precisely the beauty that we are incapable of comprehending: that what has been created here over a thousand years or perhaps two thousand is wiser, more right and true, and even more beautiful than anything that might occur to the impatient minds of all those who have come to change everything here only because they have strength, a lot of strength, and limited intelligence or none at all, even though they might have read every kind of book in the world.  

It is also evident that this fixed agelessness can contain within itself the natives who are part of the landscape:

and even the plain behind ought to remain huge and empty, without anything on it, hardly even any dust, only it alone, gigantic, open and empty, without anything on it, no tree no shade and no road, only perhaps a few flocks of sheep here or herds of goats there scattered unnoticed, swallowed up in the total infinity, or perhaps also a low-built Arab village, that changes nothing in it and does not compel it to change in any way, and on which the passage of time leaves no traces [...] and nothing changes in it [...] and it is so right for it to remain just so, without any change, because what there is is entirely whole and even, and no one should start
travelling along roads here, no carts hurrying along, no one absentively doing something and doing things to compel this place to become something it would be a pity for it to become.²⁵

At one level, this is a manifestation of the not unfamiliar view that those who violate primordial nature might pay for it. Although cast differently, a similar dichotomy is observed by Goldie in his analysis of Australian, Canadian and New Zealand settler literatures: ‘Recent overtly environmentalist texts reflect this absolutist opposition between indigene-nature and white-technology, often with one or two white characters who go through a process of indigenization which leads them to swear allegiance to the holistic cause of indigenous ecology’.²⁶ At another level, this is the ultimate fantasy of an aging native settler who likes neither statehood nor modernisation nor immigrants, and wishes he could return to the small community of the early ethnic plantations and hold on to its landscape.

3. LIBERAL COMMENTARY

I would like to end the discussion on the autobiographical settler novels by Camus and Yizhar with an observation on how liberal critics have written about these two novels in particular and the authors’ oeuvre in general. At the beginning of this essay I pointed out three fundamental features which typify hegemonic settler colonial narratives. The third of these is the supposed inconsequence of the natives to the form each settler society takes; in other words, the conflict with the natives is not denied, but the pivotal role that this conflict has played in shaping the identity of the settler nation is written off. The more liberal expressions of hegemonic white settler consciousness take on board the settler-indigene interaction and conflict. This consciousness, however, is bifurcated into two parallel narratives, which, like in Euclidean geometry, never meet. One narrative is the domain of settler-indigene relations (‘what we have done’); the other narrative is the ambit of the settler nation’s formation and identity (‘who we are’). The anxiety over the presence of the former in the latter is intense. I submit that the liberal commentary on Camus and Yizhar is essentially a particular manifestation of this anxiety.
The commentary on Camus is, of course, voluminous. For the limited purpose of the present discussion, it is worthwhile to note that the English texts which most clearly insist that Camus was a colonialist writer are Conor Cruise O’Brien’s *Albert Camus* (1970) and Edward Said’s *Culture and Imperialism* (1993). The notable liberal reactions have come from Michael Walzer (1988), Tony Judt (1998), and most recently, David Carroll (2007), and Robert Zaretsky (2010). I focus on Caroll and Zaretsky because they evince the recent (i.e., post September 11) liberal American interest in Camus.

Significantly, Carroll already makes it clear in his preface that it was a rereading of *The First Man* that distanced him from O’Brien and Said:

> Reading the novel led me to question both my own assumptions about Camus and those of his most vocal critics and to reread all of his work. In rereading his essays on Algeria and the novels and short stories that take place in his homeland and discovering that they give a much more complex view of French-Arab relations under colonialism than has been generally acknowledged, I became convinced that what is most interesting in Camus’s writings and missing from the picture of the ‘colonialist Camus’ constructed by his most militant postcolonial critics is what Camus himself called ‘the Algerian’ in him.

Putting aside the utter misunderstanding (or willful misrepresentation) evinced by the attribution of ‘postcolonial’ to O’Brien and Said, Carroll strikingly cannot bring himself to see that Camus’s Algerian-ness, from the moment he toyed with a Mediterranean vision in the late 1930s, was a European-settler Algerian-ness in which the place of the native Algerians was, to put it mildly, rather unclear. In his 1937 lecture, ‘The New Mediterranean Culture’, for example, Camus offered this hilarious observation: ‘Protestantism is, actually, Catholicism wrenched from the Mediterranean, and from the simultaneously pernicious and inspiring influence of this sea’. Representative of the text as a whole, which
offers a couple of empty gestures to the fact that there are Arabs in North Africa, Camus’s observation makes it patently clear that what he had in mind was to re-invoke a Christian Latin Mediterranean, extended to the sea’s southern littoral and distinct from Protestant northern Europe. Referring to the same 1937 text by Camus, Zaretsky too speaks of his ‘Mediterranean nationalism’.60 I am mystified by a reading of Camus’s Mediterranean vision of the 1930s that finds in it an accommodation of his would-be Arab Muslim fellow citizens.

The point about the bifurcation of settler-indigene relations on the one hand and settler colonial identity on the other, can be brought to the fore most effectively by looking at Carroll’s interpretation of Camus’s best known work, The Stranger (L’Étranger, 1942). The interpretations he challenges – Pierre Nora’s and O’Brien’s – are not identical, but their upshot is similar. For O’Brien, The Stranger, in which the murdered Arab is nameless like most Arabs in much of Camus’s oeuvre, serves ‘to indict Camus for being a colonialist writer who accepts the myth of and chief justification for colonialism, the superiority of the colonizers over the colonized’.61 Nora praises Camus as a highly gifted and honest author, whose imagination ‘avoids the repression of the French-Republican super-ego’,62 and therefore genuinely expresses the French Algerian consciousness. In The Stranger, according to Carroll, ‘Nora finds evidence that allows him to indict an entire pied-noir community for its violent hatred of the colonised, while at the same time praising Camus’ “genius” and honesty for expressing the blood lust of his people and portraying their guilt for their unjust treatment of Arabs – and even worse, for their repressed desire for genocide’.63

Carroll’s alternative interpretation is the following. Meursault, the novel’s petit colon protagonist who had murdered a nameless Arab on Algiers’s beach, is tried, found guilty and executed. The murder, Carroll avers, is of secondary importance in the novel, a narrative device that facilitates, as it were, the trial. It is there that ‘Meursault loses his place as a French citizen in colonial society and over the course of the second half of the novel is increasingly identified with and put in the place of the colonized Arab, the anonymous indigenous Arab’.64 What Camus did, according to Carroll, was “Otherise” Meursault, and put into question ‘his
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birthright and identity as a French citizen’. Given that this was a colonial society, by Otherising Meursault, Camus ‘Arabized’ him.

Carroll goes on to argue that Mersault’s trial was not about the actual crime he had committed, otherwise extenuating circumstances should have resulted in the accusation of manslaughter rather than pre-meditated murder (which is a bit puzzling, since Meursault shot the Arab five times from close range; how much more murderous does a murder have to be, with or without the blazing North African sun?). Rather,

[t]he trial is tagged to prove that Meursault is not French and in fact is not even human, not in legal terms but, more importantly, in moral, religious, and metaphysical terms. During his trial, Meursault is judged not for what he did but what for what he is, for what the judicial system represents him as being or [...] transforms him into being through the prosecutor’s reconstruction of his life and the stories told by witnesses.

What unites Camus and Carroll is the need to distance the indigene from the discussion of who we – the settlers, the colonisers, the Europeans, the West – are. If Carroll’s interpretation is plausible (that Camus ‘Otherised’ Meursault to make his circumstance that of an indigenous colonised Arab), surely he should have gone on to ask why on earth couldn’t Camus write directly about an Arab, one who would have a name and subjectivity? Why is it that Camus needed the circumvention of an ‘Arabized’ French Algerian in order to write a novel on his colonial society? The point for my argument is not the extent to which Carroll’s reading of The Stranger is credible, but the fact that it evinces the colonial anxiety – an anxiety he shares with Camus – of the colonised becoming an intrinsic part of the colonising society’s identity. This is what explains why in Carroll’s reading the murder is of secondary importance: once the indigene has facilitated the narrative’s unfolding by being murdered, he must disappear from consciousness.

The context of the War on Terror is present in Carroll’s analysis. This is indicated not only by the book’s sub-title
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(‘Colonialism, Terrorism, Justice’) and his own comments. It is evident, with less self-awareness perhaps, in the quotation above, that ‘Meursault is judged not for what he did but what for what he is’. It is impossible not to note how this resonates with one of the central slogans of the War on Terror, whereby ‘they hate us for our way of life’ – i.e., for who we are; implicitly, not for what we do.

Zionist Israeli critics have endeavored to make sure that Yizhar’s work is not read as an attempt to collapse into a single narrative the settler-indigene struggle on the one hand, and the forging of Zionist Israeli identity on the other. They labour to de-historicise and de-politicise Yizhar’s writing by constantly resorting to the allegorical interpretation. Yizhar’s ultimate goal, so goes this line of argument, is never the concrete historical reality to which he refers and out of which he emerges, but always some general and philosophical statement on the human condition or on the timeless and placeless struggle of the individual to retain his freedom vis-à-vis the collective. Let me illustrate this through two authoritative scholars of Hebrew literature, recipients of the Israel prize, Dan Miron (mentioned earlier) and Gershon Shaked.

On several occasions, Yizhar has alluded to the accident in the 1930s that killed both his older brother, who was dashing around on his motorcycle, and an Arab friend who was riding behind him, in the setting of the bi-national landscape of the ethnic plantation and the Arab village in pre-48 rural Palestine. Dan Miron comments:

In another late story [‘A Story that has not Begun’] [...] Yizhar goes almost the point [sic] of ceremonious splendor in describing a motorcycle dash, which ends in collision with a train and death. This is the most extreme embodiment, in Yizhar’s work, of the tension between human collective existence (the train) and the individual liberated in the momentum of his freedom (the motorcyclist). Here there is not a hint of possible compromise; and as to submission, we are led to understand that death, especially that which comes during a dash of freedom, is better.67
That the dashing motorcyclist was Yizhar’s older brother, that behind him on the dashing motorcycle was his Arab friend (who doesn’t even exist as an abstract figure in Miron’s interpretation), that the motorcycle was dashing in the concrete landscape shared by the moshava and the Arab village matter not at all. They are all stripped of concretely historical and political—even personal—significance, and recast solely as an abstract allegory of the individual’s search for freedom from the collective.

Shaked was probably the most influential scholar of Hebrew literature of his generation (like Yizhar, he died in 2006). In an essay on Preliminaries, Shaked too resorts to the individual’s struggle with the imposing collective as a way to allegorise Yizhar’s concretely historical allusions to this general thematic. He further allegorises the individual’s guilt for being aloof from the collective, and for looking at it from an extrinsic vantage-point, expressed in a register of estranged ethnographic curiosity. Like Miron, Shaked ultimately dismisses the concretely historical foundation of Yizhar’s literature and its political ramifications. Shaked does not ignore the fact that, for Yizhar, the colonial struggle between settlers and indigenous people is significant (though he reduces this significance to a bare minimum), but he empties it of any concrete consequence, and indemnifies Yizhar against the possible ‘charge’ of being too critical of the collective. And in doing so he reveals his own colonial sensibility.

Shaked addresses one of the most powerful passages in the entire novel, one in which Yizhar wonders whether the whole settler project is ephemeral because of its foreignness to the environment and its aggression against the land and its indigenous dwellers and cultivators. It is a truly compelling text – at once a statement on a settler-colonial situation and a modernising project in general, and an allusion to a very concrete settler-colonial situation occurring in a particular environment in which, for instance, erased villages are named, as was shown earlier.

Shaked robs the passage of its force by attributing to it, again, an allegorical meaning. Yizhar’s child narrator is unforgiving of civilisation undoing nature, and of the settlers taking away ‘the land’s innocence and virginity’. This wrecks ‘the dream of eternal childhood of the naïve child, in whose life eternal childhood [...] is bound with
the assimilation into the completeness that exists in complete [sic] nature alone'. In this interpretation, Yizhar’s ostensible resentment of ‘the settling Jews’ is also allegorical. Shaked reads Yizhar’s prose not as resentful of the destruction of an actual natural and human landscape by particular settlers with a nameable ideology, but instead as allegorically indignant: they represent the element that facilitated the ‘swallowing up’ of nature by civilisation, in the struggle between nature and civilisation, which is beyond or without history.

For Shaked, ‘Yizhar’s only drama is the drama between the settlers and the land’. Shaked is a scholar who is ideologically committed to a settler society, so this observation confirms Patrick Wolfe’s argument that, in a pure settlement type of settler formation, it is ‘difficult to speak of an articulation between colonizer and native since the determinate articulation is not to a society but directly to the land, a precondition of social organization’. Later, Shaked seems to recall that perhaps the land came with an annoying appendix, and here the colonial mindset becomes manifest. ‘As an adult’, Shaked opines, Yizhar ‘thinks that man’s struggle with nature is futile and the land (and the Arab world is part of that land) would inevitably overcome those who disturb it’. Shaked’s fidelity to his calling as one of the Zionist project’s gate-keepers does not permit him to be content with neutering Yizhar through the allegorical strategy. To remove lingering doubts, he has to wind up stating that Yizhar is a good Zionist and that all the rest is secondary at best. Thus, Shaked avers that these yearnings for the destruction of the ‘Zionist’ entity and for the return of the Israeli landscape to the bosom of great mother nature come out of an extraordinary libidinal power, a power which shows that that under-current, which appears chiefly in the reflections of the narrator from the vantage-point of narrative-time, is not part of the foundational layer of the novella, which is suffused and overflowing with love for Eretz Israel and love for the founding fathers.

And after this acrobatics he concludes:
Beyond all the ideologies, chronicles and histories Yizhar celebrates in this novella the remembrance of his childhood and erects in its honor and memory—a beautiful Eretz Israel of words. Fiction overwhelmed reality here, and like in Goethe’s work the Dichtung (fiction) is more interesting, complex and rich than Warheit (reality).  

What is at stake in this liberal attempt to undermine, if not deny altogether, the centrality of the colonial situation for the understanding of literature? I would venture that at stake is white liberal segregationism, in the widest possible sense of the term. The exclusionary fundamental that inheres in that mindset lies not in the denial of colonialism altogether or even of the wrong that was done to the colonised who had been disinherted or enslaved (though this happens too). Instead, it lies in denying that the interaction with the colonised is the history of who the colonisers collectively are, be they settler or metropole, but especially the former. What is ultimately denied is the extent to which the non-white world has been an intrinsic part of what is construed as Western history and culture. To admit, in other words, that the literatures of Camus and Yizhar are incomprehensible without the settler-indigene struggle is tantamount to admitting that ‘our’ interaction with the indigenous people and ‘our’ collective identity and history are inextricably intertwined. This admission would be too unsettling to bear.

ECSTACIES WITH NO NATIVES: CAMUS AND OZ

At the heart of both ‘The Adulterous Woman’ and ‘Nomad and Viper’ are women who at the climactic end of the stories experience sexual ecstasy in settler colonial situations; in both cases, these female experiences were written by settler colonial men. In ‘The Adulterous Woman’, Janine and Marcel are French Algerians who reside in one of the main coastal cities, possibly Algiers. In the inter-war period, Marcel had given up the study of law to take over from his parents their dry-goods business. Ordinarily, he preferred the comfort of his shop, but as business slowed down after the Second World War,
Piterberg, ‘Literature of Settler Societies’.

Marcel decided to travel to the inland areas and, selling directly to Arab-Algerian merchants, to traverse the villages of the upper plateau and the south. Janine accompanied him at his behest. At the end of a taxing bus ride they stop at an oasis. In the middle of the night Janine, wide awake, sneaks out of their hotel room and returns to the top of a fort she had climbed earlier that evening with Marcel. Alone in a cold cosmic night, she has a liberating, ecstatic experience, after which she goes back to the hotel. The story ends with Janine ‘weeping copiously, unable to restrain herself’.76

The narrator of ‘Nomad and Viper’ reports that following a devastating drought in southern Israel sometime between the 1948 and 1967 wars, the Bedouins were permitted by ‘the military authorities’ to move north for a ‘whole population […] could not be abandoned to the horrors of starvation’.77 A Bedouin tribe thus sets camp in the vicinity of an unnamed kibbutz. The narrative then splits into two related sub-plots. An allegation that the Bedouins were stealing and damaging property leads to a meeting between Etkin, a veteran kibbutz member and its secretary, and the head of the tribe, in which the latter takes responsibility for some thefts, pays for them, and also apologises for the misconduct of the tribe’s youth. The kibbutz’s young members, however, refuse to accept what they deem Etkin’s soft reaction and decide on a punitive raid against the tribe. Geula, a single female member of the kibbutz, is known for the excellent coffee she prepares during the collective’s assemblies and for what looks like an affair she may be having with the narrator. Just before the kibbutz assembly in which the generational conflict over how to respond to the Bedouins’ presence is played out, Geula, while wandering in the fields, encounters a young Bedouin shepherd with whom she has a rather vacuous exchange. Lying on the grass overtaken by an emotional mixture of rage and rejection, she hallucinates that the young Bedouin tried to rape her, and dies after being bitten by a viper. As she lay dying, Geula ‘watched the gang of youngsters crossing the lawn on their way to the fields and the wadi to even the score with the nomads’.78

1. COLONIAL FEATURES

Both stories contain numerous familiar colonial features that are comparable to other colonial (con)texts. The Arabs are in both cases
nameless, a stereotypical group devoid of any subjectivity or individuality. In fact, they have no existence that is independent of the settler perspective and gaze. Noteworthy is the extent to which the colonial observer is unsettled and ultimately threatened by what seems to her the silent impassivity of the (Arab) natives. During the long trip on the bus, Camus’s narrator notes:

The bus was full of Arabs pretending to sleep, shrouded in their burnooses. Some had folded their legs on the seat and swayed more than the others in the car’s motion. Their silence and impassivity began to weigh on Janine; it seemed to her as if she had been travelling for days with that mute escort.⁷⁹

Less than a century earlier Mark Twain conveyed a comparable sentiment, in *Innocents Abroad* (1872), with a more explicitly violent consequence:

They [Arabs surrounding the travellers’ camp in Palestine] reminded me much of Indians [...] They had but little clothing, but such as they had was fanciful in character and fantastic in its arrangement. Any little absurd gewgaw or gimcrack they had they disposed in such a way as to attract attention most readily. They sat in silence, and with tireless patience watched our every motion with that vile, uncomplaining impoliteness which is so truly Indian, and which makes a white man so nervous and uncomfortable and savage that he wants to exterminate the whole tribe.⁸⁰

Comparable instances abound in ‘Nomad and Viper’ too. The descriptions of the kibbutzniks’ violence and of the punitive company on its way to wreak havoc with the Bedouin camp resemble Twain’s in both the justification of the white man’s aggression and the irony of the respective narrators:
In defense of the perpetrators of the aforementioned act of vengeance I must state clearly that the shepherd in question had an infuriatingly sly face. He was blind in one eye, broken-nosed, drooling; and his mouth—on this the men responsible were unanimous—was set with long, curved fangs like a fox’s. And the Bedouins would certainly not forget this lesson.  

Describing the ethos and actions of the young settler generation in the kibbutz, the narrator explains that ‘We are not the kind to take things lying down. We are no believers in forbearance or vegetarianism [...] Decency constrains me not to dwell in detail on certain isolated and exceptional acts of reprisal [...] such as cattle rustling, stoning a nomad boy, or beating one of the shepherds senseless’. This would not be an inappropriate description of the ethos and actions of the Jewish settlers in the post-1967 Occupied Territories.

As the story is brought to an end, the narrator joins the posse: ‘We were carrying short, thick sticks. Excitement was dilating our pupils. And the blood was drumming in our temples’. Several of these descriptions are also reminiscent of numerous examples of violent actions taken by white settlers in Australia, amply quoted and discussed by Henry Reynolds in one of his studies of the Australian settler project. ‘By Fear Alone’ is a section in which Reynolds surveys the ‘logic’ used by the settlers to justify their murderous violence against the Aboriginals. His quotations are uncannily interchangeable with those the kibbutz youngsters deploy to reject Etkin’s moderate approach and justify their brutality. Thus, a Tasmanian settler opined that the only way to deal with ‘the blacks’ was to ‘dismay them so that revenge may be drowned in terror’. A newspaper editor in north Australia stated in 1877 that the capability of the police force had to be ‘equal at least to terrifying the blacks to such an extent that they would not venture to interfere with either the settlers or their property’.

Oz experienced kibbutz life as a member. He grew up in Jerusalem in a petty bourgeois Revisionist – later Herut, which would become Likud’s nucleus – family, and after the tragic suicide of his mother in 1952, he moved to Kibbutz Hulda (on the old road from...
Tel-Aviv to Jerusalem). This was also an oedipal rejection of his father and of Revisionist Zionism, and a concomitant metamorphosis into a Labor Zionist organic intellectual; without this, he could not have had a successful literary career. *Where the Jackals Howl*, the collection of stories which included ‘Nomad and Viper’, was written in the period 1962-1965 and was Oz’s first published work. Had he used the sub-title of Reynolds’s study, *Reports from the Edge of White Settlement*, it would not have been inappropriate.

Oz seems to have had a long fascination with settler punitive posses. Reminiscing in 1993 about his childhood in Jerusalem, he manifested that fascination and retrospectively revealed how desperate he was for Labor Zionist – that is, settler – trappings and pedigree. He told an adoring audience at Berkeley:

> The new Jews were no more familiar to me [than the old kind], perhaps less. They were just the opposite, but I never saw them; they were not to be seen in Jerusalem. They were far away. They breed in the kibbutzim, in the Palmach, in the Negev and Galilee. Always elsewhere. They were tough and blond and tender and powerful and uncomplicated. They toiled over the land all day and in the evening, made wild love to the kibbutz girls, and then later at night picked up their submachine guns, and dashed out to smash the hostile red Indians or Arabs, before calling it a day.86

Then there is Geula’s hallucination of rape by the Bedouin shepherd she had encountered in the grove. This requires a philological comment. *Where the Jackals Howl* appeared in two editions: the original is from 1965, and the second from 1975. In the latter’s cover page, a note was inserted stating that ‘The stories had been written in the years 1962-1965 and were corrected in 1975’. The English translation is based on the 1975 edition. The detailed comparison I have conducted between the original version of ‘Nomad and Viper’ (composed in 1963) and the corrected version from 1975 reveals meaningful differences. Concerning the hallucinatory rape, both versions convey a sort of sexual excitement on Geula’s part.
during her exchange with the Bedouin shepherd, and the narrative of neither version would sustain the veracity of an actual rape. However, in the original version (which, again, is unavailable in English) her sensation of an actual rape – and account thereof in an interior monologue – is significantly more detailed and tangible, as is the attendant justification it lends to punitive violence in a way that is also comparable to Reynolds’s reports on Australia’s white settlers. Also, in the original version, after the shepherd had swiftly gathered his flock and vanished, the narrator states that the ‘young girl’s body was flooded by nausea, even though the nomad had not touched her at all’. This statement was omitted from the 1975 corrected version.

2. SETTLER COLONIAL FORMATIONS

From the settler colonial moments in ‘The Adulterous Woman’ and ‘Nomad and Viper’, I now turn to highlight two important differences between them. The first relates to the history, sociology and economy of settler societies, while the second is more literary.

In addressing first the socio-economic taxonomy of settler colonies, I remind the reader of the pertinent comments at the beginning of this article. One of the striking differences between ‘The Adulterous Woman’ and ‘Nomad and Viper’ – given that what they share is the settler situation – is movement in space. In the former story, the settlers are on the move in search of livelihood; Marcel must find the Arab merchants in their own dwellings to try and do business directly with them. In contrast, in ‘Nomad and Viper’ the settlers are already stationary and the indigenes are on the move in a desperate attempt to survive. It should be clarified that the fact that in the story the indigenes are Bedouins does not account for movement, for according to the narrative itself they are far away from their traditional grazing habitat in the Negev Desert, having been permitted by the army to go north. This is not the place to discuss the treatment of the Bedouins by the settler state. It can only be noted that it comprised cleansing in the 1948 war, followed by massive appropriation of grazing land, forcible resettlement in the Galilee of some, and later forcible settlement of most Bedouins in shanty towns in the south. The Bedouins who chose to create their own small communities live in what the state calls ‘unrecognized settlements’, to which it denies water, electricity and sewage, to say
nothing of education. In recent years, it has simply been destroying them.

As with the comparison with Yizhar, here too this difference is fundamentally linked to the success and strength of each settler project, or lack thereof. French Algeria ultimately collapsed and disappeared, and though there are no direct indications in the story of a consciousness of this eventuality, the uncertainty of its fate must have weighed on Camus. That is why in ‘Nomad and Viper’, the indigenous Bedouins seem superfluous in the land-labour formation, whereas in ‘The Adulterous Woman’, the impression is diametrically opposite (I shall return later to the land-labour formation in greater detail). The Janine and Marcel whom Camus depicts are insecure and completely isolated among Arabs during most of the narrative (no self-respecting Labor Zionist Israeli would share a bus with so many Arabs at the time of the story – late 1950s most probably – much less so nowadays). The characterisation of the settlers in ‘The Adulterous Woman’ seems to have anticipated the petit colon memory Camus would be trying to construct two years later in The First Man: hard-working, hard-done-by (the metropole, the indigenes, and life in general) people, trying to survive. When the narrator looks at Janine pondering during the long bus ride, he tells us that among other thoughts, she was rehearsing what she liked and disliked about Marcel when she had married him two decades earlier. She disliked several of his features, but ‘she liked his courage in facing up to life, which he shared with all the French of this country’.87

To further explain the difference, it is helpful to look at the opening passage of ‘Nomad and Viper’:

The famine brought them. They fled north from the horrors of famine, together with their dusty flocks. From September to April the desert had not known a moment’s relief from drought [...] The military authorities gave the situation their urgent attention. Despite certain hesitations, they decided to open the roads leading north to the Bedouins. A whole population – men, women, and children – could not simply be abandoned to the horrors of starvation.88
Yizhak Laor implores us to compare this particular story with the non-fiction account of the expulsion of Arabs through Ayn Husub to Jordan in May 1950, and with the *Hasbarah* (propaganda) pamphlet circulated in the 1950s that described in an idyllic fashion how the immigrants from Middle Eastern countries were being settled in the country’s empty spaces. ‘Now return to Oz’s story’, he asks his readers.

Not only ‘we were here already’ and ‘they come from the desert’, but note also the army’s good will, its being overcome with compassion (‘we were already here and we are right/righteous’). How closely the world described here resembles a colonial narrative.89

I would submit that ‘the world described here’ does not just resemble ‘a colonial narrative’; rather, it is a colonial narrative.

This difference between the two stories prompts a wider observation. As stated earlier, the taxonomy of settler colonialism is based on various land-labour formations. Two important types are the plantation colony and the pure settlement colony. In both types of colonial settlement, land must be obtained and wrested away from its indigenous dwellers one way or another. The essential difference is that whilst the plantation is predicated upon the use of indigenous labour (or at any rate, of labour that is not exclusively a white settler one), the pure settlement purposefully eschews any labour that is not settler white; and what is ideally desired from the indigenous society is its land and subsequent disappearance (hence Wolfe’s observation that in the pure settlement type the articulation is not so much between coloniser and colonised as directly between coloniser and land). Drawing on this taxonomy, Gershon Shafir added a variation he called the ethnic plantation (also mentioned earlier), with which he perceptively analysed the initial phase of Zionist settlement (1882-1904). This was a phase in which, informed by the model of the French plantation colony in Algeria that was applied in Palestine by Rothschild’s experts, cheap Arab labour was sought and used. In Hebrew, the contemporaries called this type of colony *moshava*;
Piterberg, ‘Literature of Settler Societies’.

Yizhar was born and spent much of his life in this kind of colony. With the ascendancy of Labor Zionism, colonisation and settlement shifted irrevocably to its own version of the pure settlement colony in the form of the kevutzah, kibbutz (obviously the best known) and moshav.90

With this distinction in mind, I wish to suggest that, in a fundamental sense, an analogous distinction can be drawn between Oz’s ‘Nomad and Viper’ on the one hand, and the other three texts on the other. Oz’s story reflects his experience in Kibbutz Hulda, some of which is recounted in his autobiographical novel A Story of Love and Darkness (Hebrew 2002, English 2004). It so clearly conveys the forcefully demarcated fault-line, so rationalised and orderly, between settler and indigene. Since, unlike other cases of pure settlement colonisation such as North America and Australia, the attempts completely to eliminate Palestinian Arabs have been thus far unsuccessful, the material and discursive ability to maintain a hermetic separation both within and without the Green Line has been quintessential in determining what Israel actually is. There could not be a Zionist — i.e., settler — state unless the settler community was kept racially pure and physically insulated. ‘Nomad and Viper’ drives home not only the separation, but also the sense of a frontier ethos, which the existence of a state and an exponentially growing asymmetry of power relations do nothing to remove.

In stark contrast, Yizhar’s Preliminaries and Camus’s two texts ought to be understood in the context of the (ethnic) plantation colony in these two respects: the objective reality to which these texts relate or within which they are set, and the experience and imagination of the authors. This does not mean that the material reality of the plantation colony’s land-labour formation corresponds in a simple point-to-point manner to the literary artefact; strictly speaking, only Yizhar’s is a precise plantation colony world, whereas in The First Man there are instances of it, and in ‘The Adulterous Woman’ none at all. Figuratively, however, the context of these texts is one in which the settler-indigene fault-line is much more porous and messy than in Oz’s pure settlement kibbutz. Whether owing to a different land-labour formation or because of a less unequal power structure (or both), the settlers in these three texts have to interact
with the indigenous people around them in a meaningfully different way.

3. SEXUAL EXCITEMENT

If the first difference between the two short stories brought to the fore the theme of settler colonies as material formations, the second is a more literary commentary on the climax of the two stories, in which Janine and Geula experience sexual excitement. As mentioned earlier, what ‘The Adulterous Woman’ and ‘Nomad and Viper’ share is the fact that the colonial women’s intimate moments were written by male colonial authors and were set in colonial contexts. They are also both – though difference begins to matter here – predicated on the appearance of the colonised and their subsequent disappearance as something that facilitates the colonial sexual moment. To use the chilling euphemism of the Israeli bureaucracy in the process of looting Palestinian land after 1948, it is as if the indigenes being present absentees was a prerequisite for colonial sexual excitement.

If the foregoing is what the texts share, what sets them apart is the relative caution of ‘The Adulterous Woman’ and the fact that it is open to more than one reading, versus the uncouthness and vulgarity of ‘Nomad and Viper’ and the fact that it is one-dimensional.

Janine climbs to the terrace atop the fort for the first time in the early evening of their arrival to the oasis. What prevents her from having the elation she would have late at night, what hinders the completion of her union with a cosmic stretch of nature that is tinged with a sexual possibility, is the presence of Marcel and, in a vaguer way, the presence of Arabs. The sensation conveyed during her first time on the terrace is that she is almost there but not quite. She is accompanied by Marcel and his mere presence is a coitus interruptus; and on the way up, there was an old Arab, and from the terrace she could vaguely see and hear things Arab. ‘Her exaltation had left her. Now she felt too tall, too thick, too white too for this world she had just entered’.

The absolute solitude of the night removes all these. ‘Not a breath, not a sound […] disturbed the solitude and silence surrounding Janine’. The description of Janine sneaking out of the hotel room is one of a woman en route to an illicit rendezvous. The
Piterberg, ‘Literature of Settler Societies’.

depiction of her achieving perfect unison with the vastness around her can be interpreted as a sort of sexual ecstasy, an impression Said shares in *Culture and Imperialism*, but it is subtle, open-ended and delicate.93 ‘Janine could not tear herself from contemplating those drifting flares. She was turning with them, and the apparently stationary progress little by little identified her with the core of her being, where cold and desire were now vying with each other’.94 She feels perfectly in tune with the ‘sky above her’ that ‘was moving in a sort of slow gyration’.95 Then,

[her whole belly pressed against the parapet as she strained toward the moving sky [...] the water of night began to fill Janine, drowned the cold, rose gradually from the hidden core of her being and overflowed in wave after wave, rising up even to her mouth full of moans. The next moment, the whole sky stretched out over her, fallen on her back on the cold earth.96

The account of Janine’s nocturnal experience in the Algerian plateau opens itself up to two readings, between which tension inheres. In a colonial (or anti-colonial) reading, Janine is a settler woman who needs the colony’s vastness, the ‘strange kingdom [...] that would never be hers’, in order to reach ‘the hidden core of her being’. Moreover, she needs the sights and sounds of the colonised, the sights and sounds that signify Arabness to her, but at the same time her experience cannot be complete unless the night cleanses them. In a feminist reading, Janine is a woman seeking liberation from a stifling married life. Lying awake next to Marcel, just before running into the night, Janine ‘drew back from Marcel. No, she was overcoming nothing, she was not happy, she was going to die, in truth, without being liberated’.97 In this reading, which is closer to the surface of the text, the (sexual) elation is liberating because a man is not needed, because Marcel, the husband, is absent. The tension between the two readings should not be allayed.

No such luck for Geula. Not to belabour the obvious – the Bedouin shepherd as the stereotypical native conduit for realised and unrealised colonial sexual fantasies, the subsequently necessary
disappearance of the native for the unfolding of the colonial fantasy, and so forth – I would like to return to the difference between the original (which appeared in 1965 and was written in 1963) and the corrected, 1975 versions of ‘Nomad and Viper’. I have already alluded to this difference earlier, but it is truly striking in the description of Geula being bitten by the viper as she is lying in the grass after the encounter with the Bedouin. The original version, which is inaccessible to the non-Hebrew reader, had contained three pivotal things that were omitted or unrecognisably altered in the corrected version (on which the English translation is based). Firstly, the memory of the sexual intercourse (that never occurred) with the Bedouin is enhanced. Secondly, the ‘encounter’ with the snake – the phallic symbol *par excellence* – is highly sexualised, to put it mildly (in Semitic languages nouns are gendered, and both snake and viper are masculine nouns). Thirdly, a clear connection is established between Geula’s morbid sexual ecstasy and the departure of the punitive posse. It would seem that someone told Oz in the process of preparing the second edition to curb the libidinal enthusiasm.

Some of these passages in the original version are worth citing to understand how Oz evolved as a writer. Lying in the grass after the encounter with the shepherd, Geula’s complete relaxation ‘did not yet reach post-coital contentment [*purqan* in Hebrew, which has a clear, though literary, post-orgasm connotation], but she seems mildly conciliated […] That savage who had brought her to submission and conquered her body is irremovably on her mind. It is for his ears that she is humming her tunes. Momentarily she shuts her eyes and scolds him sadly’.98 A few minutes later, as the furious viper approaches (she is blocking its hole), ‘owing to the poetic excitement the young woman might not notice the snake at all’.99 Even after it bites her, Geula just feels a momentary pain, and fatally assumes that a thorn got stuck in her ankle. Note Oz’s viper: ‘Since he [I am intentionally following the gendered Hebrew noun here] had released his venom, the snake reached post-coital contentment [*purqan*, again]. Coiling lazily, he removes himself from the scene. The extent of his fatigue forbids him from moving too far. Satiation leads to slumber’.100

The viper’s victim can now experience what she had not reached moments earlier. Like the snake’s, ‘Geula’s eyes are open
too [...] A faint pain, tender pain, spreads in her blood and appeases her entire body [...] A shuddering of pleasure makes her quiver. She now listens to the sweet wave spreading through her body and intoxicating the blood flow. Geula responds to the sweet wave with utter submission.¹⁰¹ Now the lads are on their way to wreak havoc with the Bedouins, Geula is dying in the grass and the story is brought to a closure:

Owing to the gushing pleasure Geula does not come forth to wish us luck and extend us her blessing. The girl is brimming over with pleasure, which covers her with soothing chill. She is still crushing with her fingers a dry twig. Her fingers are very soft. Soft and replete with pleasure.¹⁰²

The themes that had appeared in ‘Nomad and Viper’ (and other stories in Where the Jackals Howl) – vulgar sex from a putatively female perspective, hyper-masculine and tortured Israeli men, white women fantasising about wild sex with brown, colonised men – were developed and enhanced in Oz’s subsequent novels. This development has vindicated comments such as Perry Anderson’s, that what Amos Oz’s literature offers is ‘the mixture of machismo and schmaltz’.¹⁰³ Tellingly and mischievously, Laor entitled a chapter he wrote on this writer ‘The sex life of the security forces: The corporality of the handsome and military Israeli in Amos Oz’.¹⁰⁴ The novel that launched Oz’s career to fame and glory was Mikha’el Shely (My Michael, 1968). As he has revealed more than three decades later in Story of Love and Darkness, that early novel too was autobiographical, especially through the tedious and verbose character of Michael himself, whom Oz likened to his father. What Oz has not divulged, nor most likely would he, is that in My Michael commenced the construction of his most significant ‘Other’: the Mizrahi Jew, whom Oz has feared and hated, and has done so with growing vengeance after Likud came to power in 1977 in several novels.

Interestingly, in My Michael too, this construction brought together (settler) colonialism and gender. Michael’s wife in the novel,
Hannah Gonen, is a white middle-class Jewish Israeli from one of the more affluent neighborhoods in West Jerusalem. Hannah Gonen is also Oz's narrator. She is constantly having dreams about wild, sometimes violent, sometimes orgiastic sex with non-white men, sometimes Arab, sometimes Mizrahi Jews, sometimes both. Hannah recounts these dreams in great detail. Most of these dreams are rather familiar to the reader of colonial literature.

Oz's colonial imagination did not stop with that rather frequent trope. In an interesting twist towards what I have called elsewhere 'domestic Orientalism', his female protagonist not only has fantasies about wild sex with 'Orientals', but later in the novel having these wild sexual fantasies is predicated upon imagining herself an Oriental woman. And not just an Oriental woman in general, but an Oriental, Jewish Israeli one:

The poet Saul leaned over to intoxicate me with his moustache and his warm odor. Rahamim Rahamimov the handsome taxi driver came too and clasped me round the waist like a wild man [...] Hands pressed my body. Kneaded. Pounded. Probed. I laughed and screamed with all my strength. Soundlessly. The soldiers thronged and closed round me in their mottled battle dress. A furious masculine smell exuded from them in waves. I was all theirs. I was Yvonne Azulai. Yvonne Azulai, the opposite of Hannah Gonen. I was cold. Flooded.105

For the uninitiated into Israeli culture, it should be clarified that Yvonne Azulai signifies a North African Jewish woman, most probably a Moroccan one. It would not be a huge interpretive intervention to suggest that in order to experience the sexual fantasy described above, Hannah Gonen, the proper white woman, must become a Moroccan slut. Oz's anxiety about the disappearance of Ashkenazi, Labor Zionist Israeliness was exacerbated, and its main expressions were the fear of the penetration (literally and figuratively) of 'foreign elements' like exilic and Mizrahi Jews into what had been the pure body of the settler community/nation. Novels such as Perfect Peace
(1984) and *Black Box* (1987) are expressions of this anxiety, for which the Palestinian Arabs are too excluded to even be the ‘Other’.

Attention should be drawn to the fact that Oz’s writing seems to fit well with settler colonial literature on theme of sexuality. For example, Hannah Gonen’s need to dream of orgiastic sex as Yvonne Azulai may be a particular instance of the way in which male settler authors view white women as repressed and anti-sexual versus the pure, yet libidinal and uninhibited indigenous woman. More generally, Goldie offers an apt summation:

> There have been a series of transformations in the various aspects of the commodity of sexuality. The [indigenous] maiden has ranged from ethereal goddess to voracious succubus. In her capacity as the agent of indigenization she has been perfect temptress and perfect terror. The [indigenous] male has been a captor, the phallic rage of the wilderness, and an incubus as agent of feminist liberation, an indigenizer to equal his sisters. Yet throughout the indigene remains the same commodity, the same object of white desire and white fear.

**CONCLUSION**

The treatment of settler colonialism as a discrete global phenomenon has become increasingly appealing. The buoyancy of comparative settler colonialism is evidenced by the growing number of studies that adhere to its ‘language’, as well as by the inauguration of an international journal, *settler colonial studies*, which emanates from one of the chief settler colonial societies, Australia. In this article I have begun to extend the analysis of settler colonialism as a distinct historical formation from – to use Marxist terminology – the base to the superstructure, specifically to literature.

I have put forward a twofold insistence. On the one hand I showed that a reading of literary texts must be placed in precise material contexts that differ from one another in the land-labour formations. For this purpose I have made use of available taxonomies.
of settler colonial colonies, several of which gave birth to settler nation-states. On the other hand, I illustrated how literature offers invaluable insights that cannot be gained from a purely structural reconstruction of the material formation. I underscored, in other words, the complimentary nature of the approach I propose.

The usefulness of approach I pursue can be highlighted if we briefly mention a stimulating discussion of settler literature by Caroline Rooney. She starts from the recognition that settler literature is distinctive by arguing that the ‘Southern African farm novel’ constitutes a literary sub-genre. Rooney then identifies the canonical Anglophone texts in Olive Schreiner’s The Story of an African Farm (1883), Doris Lessing’s The Grass is Singing (1950), and J.M. Coetzee’s In the Heart of the Country (1977). She characterises the canonical novel as one of ‘entrapment or regression’ and interestingly shows how it is informed by its metropolitan counterpart, George Eliot’s first and foremost. Finally, Rooney reads a watercolour painting of a Zimbabwean farm, which she uses to point out an alternative farm narrative that ‘offers a pioneering myth and logic’.

Rooney’s essay is pregnant with stimulating possibilities to further develop research on settler literature. Significantly, however, when Rooney sets out to provide a context for her reading of the painting, it soon become evident that the context she charts is strictly literary. Rooney is unconcerned with what precisely ‘the Southern African farm’ is as a socio-economic formation, whether there is more than one type of ‘farm’, what the farm is in relation to settler colonial formations in other geographies, and so on. My hope is that this article illustrates that the conversation between the material context and the literary text may be as revealing as the one between Eliot’s The Mill on the Floss and Schreiner’s The Story of an African Farm.

Rooney’s intervention is a brief, stimulating sketch. More systematic works have tried to survey and systematise settler colonial literature. This corpus is helpful because it starts from an acute awareness of the discreteness of settler colonialism as a historical formation; this awareness has in turn led to important observations on the discreteness of the literatures of the societies that resulted from this historical formation. Especially fruitful is the
tension created by the dual dialectic that underpins the settler situation: imitation of the metropolitan centre and search for material and cultural independence from it; and disavowal of the natives and desire for them. Problematic, in my view, is the frequent placement of settler colonial literature in larger bodies of discussion on post-colonial literature. This placement creates a tension, which is scholarly, political and moral. On the one hand numerous scholars insist that settler colonialism is discrete as both a historical formation and literary field; on the other hand, however, they also insist that settler literatures are a legitimate part of post-colonial literary studies.¹⁰⁹

To return to Wolfe, one of the most distinctive features of settler colonialism—materially and culturally—is arguably its ‘present perfectness’ (‘invasion is a structure, not an event’). In precisely what sense is this formation post-colonial? And, momentarily putting aside Gaza and the west Bank, how does one convince the Israeli Palestinians in the Galilee or the Triangles that theirs has been a post-colonial experience after 1948?

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BIOGRAPHICAL NOTE

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NOTES

² Quotations are from Patrick Wolfe, Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event (London: Cassell, 1999), pp.1-3.
⁴ Veracini, Settler Colonialism, p. 11.
⁵ Veracini, Settler Colonialism, pp. 11-12.
⁶ Veracini, Settler Colonialism, p. 12.
⁷ All these texts have English translations, to which I ordinarily refer unless stated otherwise. Albert Camus, The First Man, Translated by David Hapgood (London:
Piterberg, ‘Literature of Settler Societies’.


10 For a recent contribution see Robert Zaretsky, Albert Camus: Elements of a Life (Ithaca: Cornell University Press, 2010).


13 Laor, Narratives with no Natives, p. 50. Palmach is an acronym which stands for storm troops. It was the elite component of the Hagana, the main pre-state Jewish military organization, and the backbone of the IDF in the 1948 war. Ben-Gurion disbanded the Palmach in 1948 because most of its high-ranking officers were affiliated with competing labor parties.

14 Yizhar, Preliminaries, p. 52.

15 S. Yizhar, ‘First Sermon’, Stories of the Plain (Tel-Aviv: Hakibbutz Hameuhad, 1963) [Hebrew].

16 Yizhar, ‘First Sermon’, p.101


Piterberg, ‘Literature of Settler Societies’.

24 Camus, *The First Man*, p. 22.
26 Camus, *The First Man*, p. 22.
28 See Miron ‘Introduction’.
29 Yizhar, *Preliminaries*, p. 64.
34 David Shulman, ‘Afterword’, S. Yizhar, *Khirbet Khizeh*, Translated by Nicholas de Lange and Yaacob Dweck (Jerusalem: Ibis, 2008 [1949]), p. 120.
35 Meron Rapaport, ‘Yizhar’s Landscape’, *Haaretz*, 08/04/05.
40 Veracini, *Settler Colonialism*, Chapter Two.
41 Carole Pateman, ‘The Settler Contract’, Carole Pateman, Charles W. Mills, *Contract and Domination* (Cambridge: Polity Press), pp. 35-78. This is not a co-authored book in the conventional sense: each author wrote her/his chapters, and these are brought together by a dialogue between them in the opening chapter.
44 Camus, *The First Man*, p. 5.
46 Pateman’s discussion of this point is subsumed under the right to husbandry.
47 Camus, *The First Man*, p. 188.
48 Camus, *The First Man*, p. 188; emphasis added.
51 Yizhar, *Preliminaries*, p. 46.
52 Yizhar, *Preliminaries*, pp. 43-44.
54 Yizhar, *Preliminaries*, p. 86.
56 Goldie, *Fear and Temptation*, pp. 36-37.
58 Carroll, *Albert Camus the Algerian*, p. xiii.
60 Zaretsky, *Albert Camus*, p. 39. For an insightful interpretation on this ‘Mediterraneanism’ and on attempts to construe French Algeria as a ‘return’ see

61 Carroll, *Albert Camus the Algerian*, p. 25.
63 Carroll, *Albert Camus the Algerian*, p. 25.
64 Carroll, *Albert Camus the Algerian*, pp. 31-32.
65 Carroll, *Albert Camus the Algerian*, p. 32.
66 Carroll, *Albert Camus the Algerian*, p. 33; emphasis in the original.
72 See n. 2 above.
73 Shaked, ‘A Beautiful Eretz Israel of Words’, p.198; emphasis added.
85 Reynolds, *Frontier*.
88 Oz, ‘Nomad and Viper’ 1975, p. 21.
90 The crucial parts in Shafir, *Land, Labor, and the Origins of the Israeli-Palestinian Conflict* are chapters three, six and seven.
95 Camus, ‘The Adulterous Woman’, p. 32.
99 Oz, ‘Nomad and Viper’, 1965, p. 40 [Hebrew].
100 Oz, ‘Nomad and Viper’, 1965, p. 40 [Hebrew].
101 Oz, ‘Nomad and Viper’, 1965, p. 40 [Hebrew].
102 Oz, ‘Nomad and Viper’, 1965, p. 41 [Hebrew].
104 Laor, Narratives with no Natives.
105 Amos Oz, My Michael, Translated by Nicolas de Lange (New York: Harcourt, 1972), p.174; emphasis added. Laor too was struck by this passage (Narratives with no Natives, p.80).
106 See Goldie, Fear and Temptation, p. 77.
107 Goldie, Fear and Temptation, p. 84.
Developing a Decolonisation Practice for Settler Colonisers: A Case Study from Aotearoa New Zealand

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Lorenzo Veracini suggests that the coloniser does not yet know ‘how settler decolonisation should appear’. I offer in response an account of how settler decolonisation has appeared in Aotearoa New Zealand and developed over the past three decades, particularly within the field of what I call ‘education work’. This article reports a case study of how Pakeha and other non-indigenous groups began to contribute their own stream of decolonisation work to the efforts of indigenous Maori. Pakeha decolonisation practice has developed through continual adjustments in theorising the local situation in response to Maori analysis, and through undertaking interventions co-intentionally with Maori. Specific features of a Pakeha decolonisation practice, as I have experienced it, include (i) revisiting history, (ii) responding emotionally, (iii) undertaking collective cultural work, and (iv) working toward mutually agreed relationships with Maori. Framing each of these as types of decolonisation ‘work’ – ideological, emotional, cultural and constitutional work – I suggest how a decolonisation practice for settler colonisers could appear.

The message [from Maori] was clear: start by educating yourselves and your own people. If Maori were going to receive justice, Pakeha had to change.¹

Indigenous scholar Linda Smith reminds us that decolonisation originally referred to the formal process of handing over the instruments of governance to the indigenous inhabitants of a colony.² However, in former colonies where the colonisers now form a majority settler population, the indigenous experience is one of continuous and ongoing processes of colonisation, exemplified in indigenous poet Bobbi Sykes’ iconic rejection of the phrase ‘post-colonial’ to describe contemporary Australia: ‘What? Have they left?’
Huygens, ‘Developing Decolonisation Practice’.

In respect of the indigenous experience of such continuity between coloniser and settler, I adopt the term ‘settler coloniser’ throughout this article. Thus, decolonisation in the former colonies of New Zealand, Australia, Canada and the United States is more usefully considered a ‘long-term process involving the bureaucratic, cultural, linguistic and psychological divesting of colonial power’. With other indigenous activists and scholars, Smith insists that the part to be played by the settler coloniser is to cease perpetuating the colonising of indigenous peoples by these means.

Thus, this study responds to a central concern in settler colonial studies – to explore ‘distinct ways out of structurally dissimilar situations’, that is, to theorise decolonisation specifically in situations where colonialism is now held in place less by external military or economic control than by internal processes of majoritarian democracy and by an ideological consensus of a benign, and inevitable, colonisation. The question becomes how, in settings such as the Anglophone majoritarian democracies of the United States, Canada, Australia and New Zealand, may the critical settler participate in an agenda of decolonisation?

Early decolonisation theorists were sceptical about the coloniser undertaking decolonisation themselves. More recent theorising remains sceptical. Reflecting on evidence that suggested shifts in political direction have not proved sufficient to change bureaucratic, cultural and psychological formations, Patrick Wolfe concluded that settler colonialism has remained ‘impervious to regime change’.6

Albert Memmi emphasised the impersonal nature of structural relations between coloniser and colonised, and directly implicated the psychology of the coloniser in the outcomes of colonisation. He considered that the coloniser maintains the status quo through usurpation, falsification and conceit. The psychology of the coloniser who accepts the part of colonialist is that of a ‘usurper’ who:

needs to absolve himself [...] He endeavours to falsify history, he rewrites laws, he would extinguish memories – anything to succeed in transforming his usurpation into legitimacy.7
As a final act of distortion, to justify and reassure himself, the coloniser achieves a double reconstruction of the colonised and himself, by seeing himself as custodian of the values of civilisation and history, as someone who brings light to the colonised darkness. The colonialist can now ‘relax’, and ‘live benevolently’ since the colonised could only be grateful to him. Applying Memmi’s institutional and psychological analysis to Aotearoa New Zealand, the legal and political actions undertaken by Pakeha from 1840 to the present can be seen as examples of such distortions and conceits to achieve legitimacy. For the coloniser who becomes a settler, usurpation and falsification become a permanent process. Further, the ensuing social order receives personal and psychological legitimation by the majority of settler colonisers. The early theorists of colonisation emphasised the racism inherent in colonial systems ‘as a consubstantial part of colonialism’.

Memmi allowed that some colonisers may ‘vow not to accept colonisation’, but he was pessimistic about their political impotence. He considered them to be in an ‘impossible historical situation’. Observing his own Jewish community in 1950s North Africa supporting the colonisers, Memmi articulates the conflict experienced by the critical or self-rejecting coloniser. This study offers an answer to a question left unaddressed by Memmi – is the self-rejecting coloniser in an impossible historical situation when they live in a majoritarian democracy?

This paper presents the part played by a social movement of critical and activist settlers in a majoritarian democracy who developed a decolonisation practice among their own cultural group. In doing so, the paper examines the process and practices with which settler colonisers may begin to participate in the work of bureaucratic, cultural, linguistic and psychological decolonisation. In particular, this paper focuses upon educational work undertaken by activist Pakeha educators in recent decades.

A BENIGN COLONISATION?

Aotearoa New Zealand, in concert with other Anglophone former colonies, has a history of oppressive colonisation that structures
contemporary relationships. From the signing of the Treaty of Waitangi in 1840, the British-appointed governors and later settler governments proceeded as though they had been granted sovereignty over a subject people, drawing political and constitutional justification from an English treaty draft in which the British gain sovereignty. Alienation of land through confiscation and the courts, and assimilationist policies in education, health and social services has left Maori economically dispossessed and struggling to maintain cultural institutions. Maori political movements have been characterised by a restless search to recover their lost sovereignty.\(^{11}\) From the early 1900s, by which time Maori were a minority, Maori politicians made attempts to improve the situation through representative democratic processes but with little success against an indifferent settler majority. Settler dominance had become, in Morgensen’s terms, ‘naturalised’.\(^{12}\) Indeed, Pakeha complacency at the triumph of British government and civilisation is discernible in early texts.\(^{13}\) By 1940, at the centenary of the signing of the treaty, Pakeha speechmakers were able to boast of the ‘best race relations in the world’.

The economic and social order in Aotearoa New Zealand is held in place by a hegemony based on the notion that indigenous sovereignty was ceded and images of a benign colonisation. A settler coloniser majority now marshals new arguments such as multiculturalism and global economic imperatives to continue to deny indigenous claims and title.

However, this hegemony is not seamless, and there are always sites in which alternative political outlooks may be proposed.\(^{14}\) Maori have consistently challenged the notion that by signing a treaty with the British their leaders ceded sovereignty over their country. In the 1970s, modern media began broadcasting to perplexed Pakeha viewers the Maori protest marches and occupations contesting continuing land and cultural loss. The complacent settler view was further disturbed by the publication of several books which took a less self-serving view of settler history.\(^{15}\) Maori protest and challenge continued, and in 1985 the Waitangi Tribunal began hearing Maori claims of Treaty breaches and making recommendations for compensatory settlements. During the 1980s, a series of formal reviews critical of the impact of Pakeha institutions on Maori
wellbeing set in train institutional reforms. Contemporary Pakeha debate and scholarship is now turning towards the signed treaty text in the Maori language, *Te Tiriti o Waitangi 1840*, in which ‘tino rangatiratanga’ (sovereignty) is retained by Maori, and ‘kawanatanga’ (a more limited power of governorship) is granted to the British.

During these years, a Pakeha antiracism movement began listening to Maori critiques, and learning about the history and texts of the Treaty of Waitangi. The movement has provided a sustained challenge to the contemporary social order.

**A COGNITIVE PRAXIS APPROACH**

The ‘cognitive praxis’ approach to social movements, suggested by sociologists Eyerman and Jamison, guides my attempt to address the question of how settler decolonisation may appear. Cognitive praxis is the theorising and practices developed by a social movement in the context of local intellectual history and political culture, which in turn shapes the movement’s ‘project’ for change. I will follow particularly the praxis around educational work undertaken by activist Pakeha educators. Education work occurred alongside acting as allies to Maori in public protest, contributing to institutional reforms, writing submissions on draft laws and lobbying for policy and law changes.

Since I was myself a member of anti-racism and Treaty educator groups, I was able to use an insider action research approach over several years to gather material for publication and archiving in national archives. I was also able to verify and extend aspects of the written records through consultation with longstanding activists in the Auckland region, giving my account a northern focus. Similar and unique theorising occurred in groups all over the country, through interaction at annual gatherings, newsletters and working together on projects.

I construct a genealogy of decolonisation praxis among Pakeha in Aotearoa New Zealand, retracing the mutual dependencies between the praxis and its contexts in the four decades from 1960-2000. To affirm the credibility of the genealogy, I foreground primary sources such as ephemera and reflective writing by fellow activists, and draw upon the theory they used at the time. Following the
cognitive praxis approach, I asked of the records: What were key contextual and intellectual influences in the early theorising of the antiracism/Treaty movement? What were key developments in practice?

A GENEALOGY OF ANTIRACISM AND TREATY THEORISING

Theorising about the local situation developed in concert with taking action to change it. In my interpretation, the key theoretical and practical steps were to:

1) perceive the injustice of the Maori position and attempt to ‘help’;
2) listen to Maori and Pasifika challenges about pervasive racism, and search for new theory to fit the local situation;
3) begin to use an institutional racism analysis to develop theory and strategy about Pakeha responsibility for the racist outcomes of New Zealand’s institutions;
4) develop an antiracism education practice for Pakeha;
5) listen to Maori calls for Pakeha to understand the Treaty;
6) adopt the Maori vision of the ‘honoured Treaty’ as a strategic goal to remedy structural, institutional and cultural racism;
7) undertake a nationwide education project for Pakeha to revisit colonial history and learn about the Treaty;
8) engage with communities and organisations working to implement the guarantees of the Treaty agreement;
9) listen to Maori critique of the limits to institutional change, and their insistence on the primacy of the Maori text of the Treaty;
10) turn eventually to a project of constitutional change based on the implications of the kawanatanga and tino rangatiratanga clauses in *Te Tiriti o Waitangi*. 
These steps are points along a developing and continually emerging praxis, in which each step represents a response to the success or failure of previous theorising and interventions. At each point, activists responded to feedback from Maori, and equally, to shifts in government and public discourse, and to new legislation.

1960s: AN ASSIMILATIONIST APPROACH

Pakeha awareness of racism as injustice emerged in a new way when the rugby union acquiesced to a ‘white’ All Blacks team to tour South Africa in 1960. There were widespread protests under the slogan ‘No Maoris No Tour’, bringing together churches, unions, Maori committees and organisations, public servants, students and staff of several universities and teachers’ colleges.\(^{20}\)

In 1961, assimilation policies aimed at Maori in previous decades were evaluated in the Hunn Report, revealing that Maori were not achieving in education, employment, housing and health.\(^{21}\) For Pakeha attuned to racism in international sport, the report brought startling news that New Zealand had racist policies in place, and that sustained coercive force had been applied to Maori to assimilate in these areas. Mitzi Nairn, former Director of the Conference of Churches Programme on Racism, recalls that this was the first time that official information had been published suggesting to Pakeha that all ‘is not as rosy as our myths suggest’.\(^{22}\)

As a result, protestors against racism in sport joined organisations like the Citizens Association for Racial Equality (CARE), with Maori and Pakeha, secular and religious members. These organisations set up homework centres for Maori children and provided support in court. Although sympathetic to Maori, the activists’ interventions nevertheless remained within an assimilationist framework, summarised by Nairn as: ‘we will all try harder and be more sincere and it will come good, the Maori people will catch up’.\(^{23}\) She remembers: ‘We wasted a lot of time in the 1960s trying to make an old analysis work’, and recalls that their analysis and praxis felt increasingly inadequate.\(^{24}\)

In 1967, the Kotahitanga Movement, a long-standing Maori unity movement for self-determination and the ratification of the Treaty of Waitangi, was revived in response to further land alienating
legislation. In 1968, a new radical Maori newsletter *Te Hokioi* began to publicise an unacceptable situation, and the newly formed Maori Organisation on Human Rights (MOOHR) revealed discrimination in housing, employment, sport and politics. Their revelations of ongoing colonial oppression and cultural loss alerted activists that interventions such as homework centres needed to be run in ways that maintained (and re-introduced) Maori cultural forms. ‘Helping’ and ‘meaning well’ could be dangerous offers by the coloniser group, since Pakeha people assumed Pakeha cultural norms, and their involvement further eroded Maori language and culture.

1970s: AN ANTIRACISM ANALYSIS

Critical analyses from overseas now opened up new possibilities. The report of the Kerner Commission about racial unrest in the U.S. helped identify institutional racism as the basis of white power.25 The same analysis was being offered by Black Power leaders in the U.S., particularly Malcolm X and Stokely Carmichael. Along with other American theorists, they interwove their analysis of structural and institutional racism with critiques of historical colonisation, and of the resulting internal colonialism affecting both Native and Black Americans.26 Local understanding grew of how institutional, cultural and personal forms of racism operate, and how the impact of historical colonisation may be structured into a contemporary democracy.27

The growing black consciousness in America and South Africa influenced Maori and Pasifika activists, and books by Frantz Fanon and Paulo Freire, critical of colonisation in North Africa and South America, were widely read.28 Pakeha activists began asking themselves a previously unimaginable question: ‘Is oppression happening in our country?’29

To theorise an active response to oppression by their own group, Pakeha activists found Freire and Antonio Gramsci useful, among others. Gramsci’s notion of modern societies held in place by ideological consensus helped us appreciate our particular task. As Michael Billig explains, ideology comprises the habits of behaviour and belief that combine to make any social world appear to those who inhabit it as the natural world: ‘By this reckoning, ideology operates to make people forget that their world has been historically
Huygens, ‘Developing Decolonisation Practice’.

constructed’.  

Gramsci recommended pitting an ‘educational politics’ against a colonial hegemony. Freire recommended ‘conscientising’ dialogue with others to reveal and name the situation. Freire’s notion of the ‘cultural labour’ required to allow the conscientised person to enter a ‘demythologised reality’ helped to focus Pakeha attention on the need for collective cultural change.

Alongside Maori and Pasifika groups, Pakeha activists began to develop a practice that was identified, after Freire’s visit to New Zealand in 1974, as ‘co-intentional processes of education and action’. Drawn from liberation theory, ‘co-intentional’ refers to the oppressed and the coloniser working towards the same end in different ways according to the unique needs of each group, and with each group taking responsibility for their own work. While indigenous groups might work on cultural restoration and asserting legal and constitutional claims, settler groups might undertake institutional reform and re-education about their self-serving myths.

In 1975, a Maori Land march against further land alienation arrived at the New Zealand Parliament under the banner ‘Not an Acre More’. By the late 1970s, widely televised occupations at Bastion Point and Raglan golf course further highlighted historical claims of land alienation. By the late 1970s, Pakeha antiracism activists were undertaking analyses of institutional racism, and embarking on small-group antiracism education with communities and workplaces. Maori, Pasifika and Pakeha groups in Auckland formed a joint educational arm called New Perspectives on Race (NPR) to offer what amounted to ahistorical antiracism work. As Nairn explained of the mid-1970s, ‘We did not yet have the material with which to re-examine New Zealand’s history. We hadn’t indigenised our approach to the New Zealand situation’. As in the 1960s, Pakeha theorising was proving inadequate – an awareness of oppression caused by contemporary institutional racism did not explain many of the challenges presented by Maori. The need for education about the history of our local situation was growing urgent.

Nevertheless, in these early collaborations, practices were developed that would serve later decolonising work well. With institutional racism on the agenda for both indigenous and coloniser activists, discussions turned to how their groups could work safely together. Pakeha were told how difficult and destructive their
individualism was when working in coalition. Pakeha needed to become conscious of the ways in which they operated so as not to exhaust, manipulate or sabotage indigenous energies. Guided by feminist praxis for consciousness raising and collective action, Pakeha groups made collectivity a conscious project, and included feminist values of accountability and emotionality in their practice.\textsuperscript{36} For instance, the Pakeha in NPR resolved on a ‘principle of acting collectively for support, to keep each other honest, to guard against “stars”, and individual lack of accountability, and in recognition that the end of the process was empowerment [of Pakeha] [...] to make changes’.\textsuperscript{37} Colleagues’ methods were critiqued where these appeared to immobilise rather than empower towards action for change.\textsuperscript{38} Following the small-group format of American white-on-white antiracism work made emotional support available, as activists or workshop participants became acquainted with new, acutely uncomfortable information about the coloniser worldview.\textsuperscript{39} Activists and educators increasingly realised that they needed to work in Pakeha-only groups with Maori and Pasifika activists acting as ‘consultants’ or monitors:

\begin{quote}
It became obvious that [mixed groups] blurred responsibilities. The primary dominant group responsibility is to unlearn and dismantle its dominating institutions and social constructions, such as institutional and cultural racism. We kept hearing this quite clearly from the consultants.\textsuperscript{40}
\end{quote}

An ethic developed of Pakeha working together, and then ‘speaking with one voice’ when dealing with Maori.

\textbf{1980S: A PAKEHA TREATY EDUCATION PROJECT}

With practices of consultation and response in place among Maori, Pasifika and Pakeha groups, a major shift now occurred among the various streams of theorising. In 1981, the anti-apartheid movement achieved a mass mobilisation of New Zealanders against the tour of a South African rugby team that excluded South Africans of non-white
Huygens, ‘Developing Decolonisation Practice’.

heritage. Many Pakeha felt that racism had been dealt a significant blow. But the counter-challenge from Maori activists was swift – what about domestic racism? Pakeha were challenged to ‘look to their own history for evidence of the racism they had so fiercely opposed on the anti-apartheid barricades’.41 Robert Consedine, jailed after the tour protests, met so many Maori in prison that he experienced an intense turning point in perspective:

While my work for Corso [a New Zealand charity: Council of Organisations for Relief Service Overseas] in the 1970s had kept my focus overseas, that experience, combined with the emotional impact of being in jail in 1981, brought into question all that I had assumed about poverty and racism. Why did I know so little about colonisation in New Zealand and what had happened to Maori?42

Antiracist Pakeha now undertook to ‘educate themselves about New Zealand history and to begin to dispel the myth that New Zealand had the best race relations in the world’.43 Pakeha began joining the annual protests at Waitangi initiated by Maori activist groups such as Waitangi Action Committee (WAC), under Kotahitanga banners including ‘The Treaty is a Fraud’.

The Maori Council of Churches declared in 1983: ‘we question the celebrations which are held at the Treaty House which claim to speak of nationhood and unity but from our perspective speak of dominance and oppression’.45 In 1984, a major gathering was held at Ngaruawahia, with submissions that ‘the Treaty implied two sovereign peoples’ and calls to ‘teach the history of the treaty from a Maori perspective’.46 Dialogue in Maori circles, particularly between elders and younger activists, resolved that to respect the ancestors who signed the Maori text in good faith and intelligence the banner should become ‘Honour the Treaty’. In that year, Pakeha men’s and women’s groups organised the first Open National Gathering of Antiracism workers (its forerunner was called by lesbian feminists) to discuss ‘white racism in Aotearoa, Pakeha responsibility under the Treaty of Waitangi’, and ‘responses to the Hui at Turangawaewae, and communication, structure and networking in the movement’.47 Pakeha groups were coming to see
themselves as a connected social movement needing to develop with Maori a mutual agenda to honour the Treaty.

Pakeha, Pasifika and Maori groups all over the country were now responding to each other’s analyses and educational material. For instance, work by the Auckland Maori Council on laws that breached the Treaty was expanded by WAC into ‘timelines’ of oppressive coloniser legislation and widely disseminated in their circulars.48 These timelines were extended by community and tertiary educators to cover their diverse sectors, and have remained a key conscientisation tool for Pakeha and, in recent times, for other non-indigenous New Zealanders.

In the mid 1980s the focus became firmer around the Treaty as a dishonoured agreement between indigenous and coloniser peoples. Pakeha groups such as People Opposed to Waitangi (POW) formed coalitions with Maori groups, and included in their aims:

1) stop the [Treaty] celebrations;
2) encourage dialogue between all peoples within Aotearoa about the effects the Treaty of Waitangi on the whole population;
3) ensure [that] education of people about the Treaty of Waitangi happens year-round.49

The Maori Council of Churches called for dialogue, healing and reconciliation between Pakeha and Maori regarding the Treaty of Waitangi. However, a major problem was that Pakeha knew virtually nothing about the Treaty, nor about the Maori experience of subsequent colonisation. The Director of the National Council of Churches’ Programme on Racism said in a letter to the Pakeha Caucus of the Waitangi Coalition:

It seems clear to me and others within the anti-racism network that a vital step in promoting a bi-cultural society is that pakeha spend some time and energy learning about and considering the obligations laid on pakeha people by the Treaty of Waitangi and responsibilities since then [...].50
The upcoming sesquicentennial in 1990 helped focus official attention on the Treaty. The wide memberships of the various coalitions created a favourable climate in which to lobby the government for a national education programme. In 1985, a Core Group was formed of church organisations, union representatives, women’s organisations, and community and antiracism groups to plan for a ‘nationwide debate on the Treaty of Waitangi’ called Project Waitangi – Pakeha Debate the Treaty.51 The project’s intent was to inform Pakeha about ‘having a clear place in Aotearoa, a place determined by and conditional upon the honouring of the Treaty of Waitangi’.

The (slightly abridged) aims of Project Waitangi were:

- That Pakeha will study and debate the Treaty of Waitangi in order to understand Pakeha commitments under the Treaty: by getting to know the texts and historical context, and examining misconceptions, fears and confusions about these commitments.

- That Pakeha will recognise Maori as tangata whenua [people of the land]: by learning about the meaning of tangata whenua in the Maori sense; by beginning to look at the basis of this country in terms of a tangata whenua/Pakeha contract for a shared nation; [...] [by examining] Pakeha status when the Treaty is honoured and what that will mean for all the institutions and structures in New Zealand society; [and by] beginning to look at Pakeha culture, tracing Pakeha history and ancestors.

- That Pakeha will study the history of New Zealand since 1840, and by coming face to face with our history, will begin to move towards a genuine bi-cultural and eventually multi-cultural society: by studying the Treaty and the subsequent land dealings and legislation that go against the whole meaning and essence of the Treaty, becoming aware of the true history of this country; [...] [by recognising] the history of racism personal and institutional; by becoming aware of Pakeha culture and
feeling confident within it; by expressing feelings of threat or confusion about racism, going beyond guilt in coming to terms with racism; and by deciding to act, make goals, challenge racist structures and practices.53

Emotional and cultural issues surface when structural and cultural racism is confronted. The philosophy of conscientising dialogue is also evident in the encouragement of Pakeha people to become aware of critical new information, to debate it, and to make up their own minds. Project Waitangi’s aims illustrate that Pakeha activists now accepted the Maori vision of the honoured Treaty as a strategic remedy for Pakeha racism. They had formulated their own project around this shared vision.

Seen by the government as a ‘middle ground approach’ to avoid the demands of radical groups like WAC and POW, the national education campaign received funding in 1986 for a small national office and a coordinator to be maintained until 1990.54 The project resourced the existing antiracism groups with educational material and training, and encouraged further groups of activist educators to offer education for Pakeha.55 By 1988, there were 22 groups offering Treaty education for Pakeha around the country.56

The major institutional reviews of this time presented a clear Maori viewpoint of historical, institutional and cultural racism. They both drew upon and contributed to the activist educators’ work and helped create a context in which Pakeha professionals and service workers felt challenged to learn about the Treaty, its history and the impact of colonisation.57

The early ethics of co-intentional praxis such as ‘action by members of the oppressor group should be consultative’ had flourished by the late 1980s into praxis about relationships between Pakeha and Maori as implied in the Treaty.58 Many groups strengthened their ethics around consultation with, and accountability to, Maori. For instance, Otepoti Project Waitangi published a baseline for their numerous member groups:

Because our actions against racism have consequences for Maori people, we must be accountable to them. We
seek to work in consultation with [local Maori groups]. Sometimes we may need to consult with other Maori groups affected by our actions [...] well before the time we take any action. Decisions will be made through discussion.\textsuperscript{59}

Once a Pakeha activist group began working closely in a consultative relationship with a Maori group, they became more likely to take account of the consultants' advice and to appreciate their aspirations for the future.\textsuperscript{60}

Typical practices used by Treaty educators at this time were:

1) **Building relationships with an independent Maori group or individuals who acted as funded monitors to the delivery of antiracism and Treaty education.** Members of a Maori monitoring group, usually groups who were themselves involved in activism and education, were invited to attend antiracism/Treaty education aimed at Pakeha, and to co-facilitate where they deemed fit. Maori monitors ensured that a Maori perspective on the Treaty and colonisation was observed, and led separate caucuses for Maori participants when they deemed necessary. For instance, the differing emotional responses for Maori and non-Maori participants when creating a timeline of settler government legislation often required work in separate caucuses, as did the early phases of strategic planning for change in an organisation.

2) **Consulting with Maori within a sector or organisation prior to undertaking educational work.** Activist Treaty educators also sought briefing from Maori staff of an organisation planning a Treaty workshop. Maori staff often gave guidance about issues of concern for them, helped the educators identify desirable outcomes, and sometimes chose to act as monitors and caucus leaders within a workshop.

Relying on all these developments in theorising and praxis, most activist anti-racism/Treaty educators in the 1980s and 1990s used
Huygens, ‘Developing Decolonisation Practice’.

essentially the same pedagogical approach: firstly, facilitating responses to a critical revisiting of New Zealand’s colonial history; secondly, encouraging a sense of collective Pakeha responsibility for the structures and procedures of their organisations; and, finally, supporting them to undertake personal and professional actions for change.

The plan for a two-day workshop that was delivered in 1989 as professional development for early childhood educators is typical of the time:

1) Timeline of Aotearoa New Zealand’s history compiled by course participants [...] five sheets of paper [...] rotated between five small groups formed for this exercise.

2) Discussion of the colonisation process evident in the history of Aotearoa New Zealand and how this process becomes engrained (sic) in a country’s institutions – in the large group.

3) Discussion of the invisibility of Maori history and the fact that it was not represented in the school history books that course participants had read [...] in the big group.

4) Definition of racism and institutional racism by the facilitator [...] discussed in one large group.

5) The facilitator outlines the institutional racism inherent in the education system [...] participants discussed this in small groups.

6) These small groups then discussed the implications [...] for the early childhood sector of the education system.

7) The larger group then discussed their collective and individual commitments to working in an antiracism way.61

Six participants interviewed several months later reported feeling ‘apprehensive’ beforehand, as they feared that their values and beliefs would probably be challenged: ‘I felt threatened and on guard’. They commented that they knew very little of Maori and Pakeha early history, and experienced strong reactions to this realisation. One noted: ‘I discovered how little I know and I was angry about this’, while another said she was appalled at her ‘ignorance, in fact ashamed of it really’. Participants described how their empathy was aroused: ‘The historical events gave credence to the emotional
response that I feel now, about the injustices of the system that has kept the Maori race at a low ebb’. The workshop also brought Pakeha culture into critical focus for many participants. One commented: ‘We are a dominating culture all the time, and repressing the other cultures, not just Maori. I would like to see more understanding’. Affirming and claiming cultural identity at the beginning of the workshop appeared to be a critical part of the process. One participant explained: ‘I would have been shattered [...] but with my own culture strengthened I felt I could cope [...] better’.

Participants agreed that the workshop had a profound effect upon them: ‘It was more than just evangelising, it was not that at all [...] I found it spine tingling in that it was so revealing’. Several came to a critical understanding of the impact of a colonial version of history: ‘It was useful to have a reminder that we don’t always look at the other’s history; that we always have British history thrust in front of us’. As a result, attendees felt emotionally drained: ‘We all went home quite exhausted, because it is an emotional thing, because you are all the time inwardly digesting stuff’. Over time, attendees were able to consider the impact of this new information:

There just seemed to be an overall suppression of Maoridom right from the Treaty, as though we had signed it with the Maoris and that would keep them quiet and get on with our way [...] It was Pakehas that made the decision [...] It was things like that that I found hurtful.62

In 2001, similar evaluations were reported from Treaty workshops held with public service organisations. For instance, a staff developer commented: ‘What I had vaguely felt to be unjust I now knew to be real. Although shocked, I felt a sense of relief at knowing the truth and a real challenge to do more in future’. A Director General of a government ministry observed that as his staff learned about ‘the injustices inflicted upon Maori by the government of New Zealand’, the realisation that their knowledge of the true situation has been so sketchy tends to make people suddenly
more open to viewing things in a different way, and receptive to the idea that their presumptions of the equality of the treatment of Maori and non-Maori have been all wrong.63

1990S: PREPARING FOR CULTURAL AND CONSTITUTIONAL CHANGE

As Pakeha activists and educators drew upon contemporary scholarship and Treaty jurisprudence, they came to appreciate the issues of historical interpretation involved and to theorise their preference for the Maori version of the Treaty (Te Tiriti o Waitangi). Educators began to use various devices in workshops to legitimate the Maori text, such as arguing for its pre-eminence as the document under discussion by Maori during 1840, the number of signatures, the contra proferentum principle in international law (a rule of contractual interpretation that goes against the proffering party), and the link with terminology from the 1835 He Whakaputanga declaration.

During the 1990s, efforts to reform institutions got underway. Changes were made to mission statements, policies, programmes and staffing. A few organisations changed their constitutions to reflect Te Tiriti o Waitangi, notably churches and women’s, adult education and health services, while others sought Maori partner organisations with which to build a Treaty-based relationship.64

However, Maori consultants insisted that restructuring Pakeha institutions to provide services for Maori did not constitute an adequate reading of what Te Tiriti promised – according to their reading it guaranteed that Maori would retain self-constituted polities to which settler institutions would relate.65 The ongoing difficulty of making changes to monocultural institutions highlighted that Pakeha were continuing to draw on colonial ideologies to maintain the status quo.66

Discourse in government institutions began to erode the meaning of useful terms such as ‘biculturalism’ and ‘partnership’, using them to justify further denial of Maori interests. These co-options stimulated Pakeha Treaty workers to begin emphasising the bilateral nature of the Treaty agreement. In Network Waitangi, the successor to Project Waitangi, we settled on using the terms
‘relationship’ between two sovereign parties or ‘Treaty-based relationship’, in order to focus on the constitutional relationship envisaged by the Maori leaders who had signed.\textsuperscript{67}

In the mid-1990s, the Waikato/Bay of Plenty-based Kawanatanga Network proposed that Pakeha prepare themselves for a bi-lateral constitution through changes to their deepest cultural values.\textsuperscript{68} Their key theorist, John Kirton, saw that changing institutional outcomes was not enough if the settler coloniser group remained in control. Another step was needed:

We face making changes to our institutions and to our collective ways of being in that order. This is not about us being personally less monocultural, or more ‘culturally sensitive’ [...] it is about ourselves constructing and using collective discourse of relationships and ‘ways of being’ that generally are unlike Pakeha/Tauiwi [an inclusive term covering all post-Treaty immigrants] today use in public arenas.\textsuperscript{69}

The strategic focus on the Treaty, which in the first place required Pakeha to appreciate the past relationship between coloniser and indigenous peoples in Aotearoa New Zealand, now required Pakeha to contemplate their future relationship with Maori. The practices of critically analysing past colonisation and intervening in institutional racism in the present now gained a visionary, future-oriented thrust. This stage of theorising, which continues into the present, addresses the connections between cultural and constitutional racism

By 1997, Network Waitangi had spent two years at national gatherings agreeing on resolutions for a report to the United Nations Treaty Rapporteur. They introduced their formal resolutions with: ‘an insistence that Te Tiriti o Waitangi, as an ongoing covenant between the Crown and Iwi/Hapu, be the basis for our constitutional relationship’.\textsuperscript{70} Their press release effectively summarises the strategic focus of the Treaty movement as it had developed by the late 1990s:
A commitment to Treaty of Waitangi-based constitutional change was endorsed at the weekend by a national conference in Wellington of Pakeha involved in treaty education and related issues [...] such a constitution would fully recognise the position of Maori as Tangata Whenua, and non-Maori as Tangata Tiriti. The practical effect of such a move could mean that national decisions were made on an equitable, or consensus, basis between the Treaty partners.71

2000 AND BEYOND: TE TIRITI ON THE AGENDA

In 2000, a national conference to bring together ‘tauiwi communities to affirm the Treaty of Waitangi and explore the future of Aotearoa’ gave Treaty-honouring organisations the opportunity to present their journeys of institutional and constitutional change.72 Refugee and migrant leaders took the opportunity to formulate a Treaty education project with Pakeha educators using second language methods.73 The Tangata Tiriti-Treaty People day is the best attended workshop at New Zealand’s largest migrant service centre in Auckland. It receives positive feedback for revealing ‘what really happened’ and ‘why Maori are angry’.74 Many newer settlers relate their learning to awareness of colonisation in their home countries and elsewhere.

I would summarise the general atmosphere in Aotearoa New Zealand as one of Pakeha grumbling and complaining about Maori claims and assertions, rather than a solid wall of public ignorance or resistance. The New Zealand Values Survey and other attitudinal surveys confirm a considerably higher level of public awareness of the Treaty and Maori experience of Pakeha colonisation than in the 1970s.75 An unpredicted consequence of greater awareness is that some high-profile politicians draw upon the English version of the Treaty to legitimate the status quo. The media has also emerged as a powerful tool of misinformation and reactionary response, and is now receiving critical attention.76 Official publications, while still glossing over the issue of sovereignty, now present colonial history as more conflicted than they did in the past.77 Organisations like the Race Relations Office and Human Rights Commission have undertaken to develop a human rights approach compatible with the Treaty.78 Requests for more education about the Treaty were consistent in a
nationwide Treaty Community Dialogue process sponsored by the Human Rights Commission.\textsuperscript{79} At least two political parties declare their commitment to the Maori text, and support the need to renegotiate constitutional arrangements. The Waitangi Tribunal is currently reporting on a hearing (WAI 1040) to clarify the Maori and British views of the treaty at the time of signing.\textsuperscript{80} An upcoming constitutional review called by the government will no doubt encourage further developments in decolonisation praxis.

The hegemony of the ‘benign colonisation’ notion of 1960s New Zealand forced Maori protest and critique.\textsuperscript{81} By 2000, the praxis of Treaty education had helped facilitate the discourse and practices of ‘honouring the Treaty’ in the public, social service and professional sectors.\textsuperscript{82} Without the past four decades of decolonisation practice by Pakeha and other non-indigenous educators, the Maori focus on Te Tiriti would have remained incomprehensible to most Pakeha. In my interpretation, antiracism and Treaty education helped create alternative outlooks and practices towards a decolonised future.

**DECOLONISATION WORK FOR SETTLER COLONISERS**

Following Eyerman and Jamison’s argument that the reflective practice of social movements is a crucial source of both emergent theory and social innovation, I here reflect on how settler coloniser decolonisation could appear.\textsuperscript{83} The Aotearoa New Zealand experience illustrates how the intentional practice of a different, more negotiated, relationship between Pakeha and Maori activists shaped all other aspects of theorising and practice. By listening and responding to indigenous analysis and critique, the Pakeha educators undertook, and encouraged in workshop participants, the following key practices:

1. Revisiting the history of the settler coloniser relationship with indigenous people;
2. Sharing and supporting emotional responses to a shift in worldview about the colonial relationship;
3. Building a critical sense of cultural collectivity among settler colonisers;


I conceive of decolonisation practices as ‘work’ in the sense of Freire’s ‘cultural labour’ required for change to an oppressive system, or the ‘cultural work’ described by community psychologist Verne McArthur. I describe below each of the four key practices as types of decolonisation work for settler colonisers – ideological, emotional, cultural, and constitutional work. Our praxis suggested that in a co-intentional decolonisation agenda, each aspect requires attention, and together they form an integrated decolonisation practice for settler colonisers.

**RE-VISITING THE HISTORY OF THE RELATIONSHIP: Ideological work for decolonisation**

A key decolonisation practice for settler colonisers appears to be the ideological work of critically revisiting the history of their relationship with indigenous people in order to appreciate that colonial ideologies have shaped their worldview. Ideologies of a settler coloniser group’s history are self-legitimising, intended to obscure the violence, usurpations and distortions required to construct the present social order. The reassuring ideology that inevitable historical processes have delivered a benign outcome for indigenous people is confronted by a new, less comfortable worldview.

Ignacio Martin-Baro, a non-indigenous psychologist who worked with the people of El Salvador, identified ‘the recovery of historical memory’ as one of the urgent tasks of a Latin American liberatory psychology. Re-telling history provides the settler coloniser with necessary ‘alternative knowledges’ about the colonial past, just as it does for indigenous peoples. Key features for the settler coloniser appear to be that the revisited history puts a greater emphasis on the experience of indigenous people, and gives a less flattering portrait of themselves. Furthermore, the critical revisiting of history needs to be led by members of the settler coloniser group. Indigenous scholar Terry Kessaris reminds us how important it is for
white colonists’ voices to speak ‘to their own mob’ as allies with indigenous people.\textsuperscript{87} She notes that when beneficiaries of colonisation use critical counter-narratives, they tell the story of colonisation while helping to dismantle it.

**SHARING AND SUPPORTING EMOTIONAL RESPONSES: Emotional work for decolonisation**

Since re-telling history brings to settler colonisers notice of their ignorance and complicity, it creates both intellectual and emotional shock waves. Another key decolonisation practice for the settler coloniser appears to be the emotional work of responding to uncomfortable new information about society. They may experience many of the same emotions indigenous groups experience when undergoing critical conscientisation: anger and blame at how much has been hidden. However, more prominent for Pakeha learners were fear of change and feelings of responsibility and guilt about their cultural group asserting control of society to the detriment of Maori. Settler colonisers need quite some emotional assistance to accept that the cultural group to which they belong has been active in maintaining ignorance and racial oppression. Rather than expecting assistance from the indigenous people, Pakeha educators committed themselves to providing such support with settler coloniser collectives.

**BUILDING A CONSCIOUS COLLECTIVITY: Cultural work for decolonisation**

The cultural implications of revisiting history are different for settler colonisers and indigenous people. Addressing the oppressed, Martin-Baro explains that recovery of historical memory means ‘recovering [...] a tradition and a culture [...] rescuing those aspects of identity which served yesterday, and will serve today, for liberation’.\textsuperscript{88} In contrast, recovery of historical memory for a settler coloniser group implies critiquing those aspects of yesterday’s identity, culture and tradition which will \textit{not} serve today for liberation from oppression. For instance, settler coloniser ideologies have the effect of naturalising indifference to the experience of indigenous peoples, while allowing the settler coloniser to espouse cultural values of equality, justice and human rights. Revisiting history challenges a settler coloniser’s internalised self-attributions of decency and...
fairness, and gives a sense of urgency to reviewing their cultural inheritance. Indeed, as Freire notes ejecting the dominator’s values ‘must be achieved by a type of cultural action which negates culture’.89

Ideologies and practices, such as indifference and individualism, need to be recognised as cultural and as collectively maintained – hence the need for deliberately collective processes to change them. In Gramsci’s terms, just as hegemony is consensually produced, so must counter-hegemony be consensually produced. Coming to consider ourselves as a cultural collective helps settler colonisers take responsibility for the impact that settler colonial culture has on indigenous people.

PREPARING FOR AN ACCOUNTABLE, MUTUALLY AGREED RELATIONSHIP: Political and constitutional work for decolonisation

Mutually agreed relationships were both a practice and a goal in decolonisation work. A mutually agreed relationship with Maori, as recorded in Te Tiriti, was an overarching goal for Pakeha Treaty educators seeking a more hopeful future. The praxis of working in consultative and accountable relationships with indigenous activists became a search to develop a mutually agreed relationship between coloniser and indigenous groups. The entire development of a decolonisation practice for settler colonisers relies on responsiveness to the indigenous party. The indigenous view of the shared situation was the stimulus for seeking new practices to facilitate change. The indigenous agenda for change serves as a strategic check of practices and goals for the coloniser group. The political and constitutional work implied by indigenous aspirations leads settler colonisers beyond majoritarian processes and towards constitutional changes in their society.

CONCLUSION

The specific trajectory of decolonisation practice in Aotearoa New Zealand for settler colonisers can be attributed to the dialogue with Maori and Pasifika theorists and their analysis of colonisation. Pakeha activists came to view colonial racism as having its most devastating impact in its cultural and institutional forms. More
recently, we have come to appreciate the Maori call for constitutional transformation.

The undertaking by Pakeha to develop a decolonisation praxis that ‘transforms ourselves as well as transforming reality’ is expressed by Nairn as: ‘We need to become the Pakeha that Maori had in mind when they signed Te Tiriti’.90 Thus, I concur with Veracini’s suggestion that decolonisation for settler colonisers must emphasise a practice rather than a process. In contrast to the pessimism of the early theorists of decolonisation about the colonialist’s motivations and abilities, the local settler coloniser activists were highly motivated to seek change through conscious practice. Focusing on change to the culture and institutions of our coloniser group, we searched for other ways to be Pakeha than as Memmi’s colonialists. Theorising as self-critical colonisers, Pakeha Treaty educators positioned the settler coloniser group as potent agents for the task of divesting colonial power. These settler colonisers were theorising and practising the dismantlement of the colonial relationship in situ.

Beneficiaries of colonisation contributing to decolonisation work is a significant and much-needed form of liberatory work around the world. The New Zealand experience gives an example of how decolonisation practice for settler colonisers has and may appear in a particular political and cultural context. This article invites a conversation with practitioners of decolonisation work in other settings.

**BIOGRAPHICAL NOTE**

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**NOTES**

Huygens, ‘Developing Decolonisation Practice’.

3 Tuhiwai Smith, Decolonising Methodologies, p. 98.
5 Frantz Fanon, The Wretched of the Earth (London: MacGibbon & Kee, 1965); Albert Memmi, The Colonizer and the Colonized (Boston: Beacon Press, 1965).
7 Memmi, The Colonizer and the Colonized, p. 52.
8 Memmi, The Colonizer and the Colonized, p. 76.
9 Memmi, The Colonizer and the Colonized, p. 74.
10 Memmi, The Colonizer and the Colonized, pp. 19, 39.
19 I am indebted to Mitzi and Ray Nairn for sharing their recollections of early anti-racist praxis. Many crucial relational arrangements were only obliquely mentioned in written records.
28 ‘Pasifika’ is a term used locally to identify people with ancestry from the islands of the Pacific. The Polynesian Panthers was a Pasifika group active at this time,


31 Adamson, *Hegemony and revolution*, p. 4.


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HB 645, Settler Sexuality, and the Politics of Local Asian Domesticity in Hawaiʻi

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Hawaiʻi House Bill 645 proposed a permitting system to allow local residents to fish overnight at Kaʻena Point, the northwestern tip of Oʻahu. The bill is a response to a State Department of Land and Natural Resources regulation against ‘camping paraphernalia’ in wildlife sanctuaries, which effectively prohibited overnight fishing at Kaʻena. If they allow camping in state parks, State administrators caution, ‘tent-cities’ and the dangerous people who live in them may spring up and threaten nesting native birds and tourists. Local fishers, who are and are not Native Hawaiian, protested the regulations as colonial impositions by the ‘tourists’ who run the Department of Land and Natural Resources, incursions against their State-protected traditional cultural lifestyles, and they sought to differentiate themselves from homeless persons who are supposedly the real threat to the wildlife sanctuaries. This paper considers how this situation arises under the rubric of Asian settler colonialism, a framework that identifies the complicity of Asian settlers with the colonial dispossession of Hawaiians. Many ‘homeless’ in this area are Hawaiian and many of the State’s protections are explicitly afforded to Hawaiian traditions. To approach local fisher land use struggles, I propose ‘settler sexuality’ as an optic through which claims to Hawaiʻi as a ‘home’ diffract into workings of colonial power.

Life in the colony is endlessly complex and sometimes surprisingly gentle. Literally, ‘gentling’ is a subtle coercion – taming, making docile, and domesticating. Not put together only by the violence of dispossession, settler colonial societies incorporate these gentle technologies to assert a ‘home’ on Native lands. Largely as a legacy of its plantation history, Hawaiʻi is ‘home’ to many Asian settlers. This essay considers the colonial complicity of Asian settler home-making in the context of local fisher protests against Hawaiʻi State prohibition of overnight fishing at Kaʻena Point, a wildlife sanctuary park on the northwest tip of Oʻahu, Hawaiʻi.
For Asian settlers, home-making in Hawai‘i has been cross-hatched with projects of US citizenly-becoming, upward class mobility, struggles for, and attempts to articulate, cultural community belonging. These histories situate Asian settlers on a tangent with white settler colonialism and Hawaiian decolonisation struggles.¹ This essay concerns one tangent, in which the State is anxious to protect endangered species and tourists from invading tent-cities of houseless people that might attempt to pass as ‘campers’. Local fishers counter that they have rights to exercise traditional, cultural practices (whether or not they, or their traditions, are Hawaiian) and to pass them onto their families, that state administrators do not know the land they purport to care for, and that fishers are easily distinguished from the ‘homeless’. I approach this impasse in three ways. First, I question whether and how settler and Hawaiian relationships to land, specifically relations of ecological stewardship and home-making, can align towards decolonisation. Second, and closely related to the first, is a concern with local Asian settlers’ sentimental aggression, of a ‘loving the land’ that can come to contest indigenous claims to territory, cultural practice, and natural resource rights. Third, the essay circles back to the complicity between modern sexualities and settler home-making by considering the gendered and sexualised terms of ‘home’, and whose homes are recognised as such.²

Settler home-making constellates property regimes, investments in single family-homes, *jus sanguinis* doctrines of citizenship that create family ties to the settler state, and personal things, such as bodies, feelings, and family, that are supposed to mean the most to and about us. These are the substrates of a *settler colonial* sexuality that instructs the reproduction of settler colonial home-making in everyday life. Their constellation puts that which is supposedly most within our reach, our desires, selves, and bodies, towards a means of asserting ourselves within the settler nation. I seek to show that what may appear to be emblems of normative domesticity (driver licenses, residences, and waged-employment), is also, and more actually, a colonial administration of (settler) sexuality. Settler sexuality parallels Lauren Berlant and Michael Warner’s index of ‘national heteronormativity’, a jumbled hegemony that directs subjects from a normalising script that embeds sex into the everyday.³ The citizen’s paradigmatic lifestyle is rife with signs of
public sexual culture: ‘paying taxes, being disgusted, philandering, bequeathering, celebrating a holiday, investing for the future, teaching, disposing of a corpse, carrying wallet photos, buying economy size, being nepotistic, running for president, divorcing, or owning anything “His” or “Hers”’.

Pausing to name the normal ways that communities participate in sexual cultures alerts us to the highly intimate forms through which settler colonialism governs its citizens. Part of what makes public sexuality’s imbrications with the colonial so elusive is that it takes up concepts, categories, and activities that organise settler society – those things that implicate sex practices but do not turn us on.

In what follows, I suggest the queerness of a “tent city” serves as a foil to settler sexualities oriented towards residence and home-making. Tent cities elicit anxieties in a state imagination of unruly subjects who fail to organise their lives as residents, taxpayers and within private spaces at proper times. The houseless persons who live in tent cities are presumed to neither continue a culture, nor to contribute to political community. Neither presumption is accurate, but they are taken to be true within a US settler colonial discourse that uses ‘home’ as a unit of measurement for citizenly identity. While resonant with gender and domesticity, settler sexuality is distinguished because it presses them into a particular political configuration. The political here configures the proximity between the sentimental aggression of settlers that call Hawai‘i ‘home’ and colonial power. This sexuality is a Foucauldian ‘technology of self’ – it is a particular handle whereby we may announce our fitness as a political settler subject that is keyed to our historical moment.

As I discuss, local fishers employ settler sexuality – as heteronormative families, residents, citizens and carriers of cultural tradition – to carve out spaces within the state. We should attend to these spaces, and the ways they are claimed, because insofar as local fisbers base their claims on fitness for modern sexual citizenship, they naturalise settlement by keeping categories set out to monitor those who take part in the political.

ASIAN SETTLERS IN HAWAI‘I: A ‘TWICE TOLD TALE’ OF COLONIALISM
Hawai‘i has been a US state since 1959 and a settler colony under military occupation since the US-backed overthrow of the Hawaiian Kingdom in 1893. This ongoing history of colonial occupation situates Asian settlers, many of whom are descendent of economic migrants to Hawai‘i’s plantations in the late nineteenth and early twentieth centuries. As labourers and later, labour organisers, Asian settlers challenged white racism and planter control. Asian, particularly Japanese, settlers have not only been resistant subjects. They have also been patriotic ‘model minorities’ who enlisted in the US military during World War II and returned to take advantage of veteran educational benefits and, consequently, expanded professional opportunities. By 1954, many Asian settlers held elected office, civil service positions, and professional employment in legal, architectural, financial, and real estate firms. As such, they were well positioned to profit from Hawai‘i’s postwar economic boom, based in a burgeoning military defence industry, real estate development, and tourism.

In the 1970s and 1980s, many working class Asians and Hawaiians resisted this economic development. They organised as ‘locals’, claiming a way of belonging to Hawai‘i tied to rural landscapes, subsistence and agricultural traditions, and against state-backed resort and high-end residential development projects meant to accommodate US mainland haoles (whites), Japanese investors, tourists, and military personnel. A Native Hawaiian renaissance flourished within and against these local land development struggles. Calls to defend a local way of life, while valorising Hawaiian culture, came up short in response to questions about whether that way of life was based on indigenous self-determination or ethnic minority claims to civil rights. Politically, the local tended to manage Native difference by holding out optimism for US multiculturalism and thus problematically patched together an American community fractured by settler colonialism. The Hawaiian sovereignty movement continues to challenge local Asians to see their status as settlers within a Hawaiian nation as opposed to racial minorities in a US one. Hawaiians may share interests with ‘locals,’ but non-native locals cannot claim the status of indigenous peoples.

Although many Hawaiians also identify as ‘locals’, the concept has been particularly important to Asian settler efforts to articulate a
distinctive experience of Hawai‘i. Many Asian settlers eschewed an ‘Asian American’ identity in favour of a ‘local’ identity that reflected their histories in Hawai‘i. Yet, the very capacity of a local identity to articulate non-indigenous belonging lends it towards ‘render[ing] Hawai‘i an emptied space open to settler claims of belonging’. This ‘neocolonial complicity’ complicates efforts to create coalitions between Hawaiians and Asian settlers based on local identity. Nevertheless, I suggest that ‘local’ is also an ongoing project whose limits for Hawaiian sovereignty remain un-worked out for the future. We should attend to the un-worked-out-ness of projects that continue to compel allegiance, particularly when they make sense for people despite their limits. As we see in Ka‘ena, the ‘local’ remains a widespread and usual way of cohering communities around a tacit agreement about the kind of ‘home’ that Hawai‘i should be. This essay considers the stakes of staying with this mode of coherence in order to work out its beleaguered relation to decolonisation.

KA‘ENA POINT

[N]ature has been the primary target through which bodies and populations—both human and nonhuman—have been governed, and it has been the primary site through which institutions of governance have been formed and operated.


When Hawai‘i was admitted into the US in 1959, the state became responsible for all public lands, including those ‘ceded’ to the US upon the overthrow of the Hawaiian Kingdom. The State of Hawai‘i Department of Land and Natural Resources (DLNR) was commissioned to manage these lands, which include the Ka‘ena Point Natural Area Reserve. Ka‘ena holds sacred dunes, ancient Hawaiian burials, and a wahi pana (sacred place): the Leina ka ‘uhane, the place where souls leap toward the next world. Fishers, hunters, Hawaiians, and others have contested state regulation of Ka‘ena Point since at least the 1980s, when the DLNR’s Division of Forestry and Wildlife (DOFAW) erected a concrete barrier to prevent
illegal dumping and off-road vehicles from entering the park. Although the state had a good reason to stymie illegal dumping and four-wheel drive enthusiasts, whose vehicles erode the lands into mud that suffocates tidepools and poisons the coasts, the barrier became a touchstone for local hunters and fishers who protested ‘another state land grab’ and ‘elite territorial control’.

In 2010, the DLNR again sought to limit activity at Ka‘ena by promulgating regulations against ‘camping paraphernalia’ such as ‘backpacks, tents, blankets, tarpaulins’, in wildlife sanctuaries. Hawai‘i Administrative Rule §13-126 (2009) effectively prohibited overnight fishing at Ka‘ena. Local fishers, many of mixed Asian, Hawaiian, haole, and multiracial descent, raised four points in their opposition to the prohibition on camping paraphernalia: overnight fishing is a traditional practice that is protected by the state constitution, they need camping paraphernalia to care for their children and wives, the DLNR is full of US mainlanders who know nothing about fishing, and their officers act out of line. In response, the State argues that if they allow camping in state parks, tent-cities and the dangerous people who live in them may spring up and threaten nesting native birds and tourists.

Like the concrete barrier, the camping regulations express one of the DLNR’s basic assumptions. As Ollie Lunasco, a local fisherman, observes, ‘I think they think, the less people there, the less they have to worry’. In both instances, the DLNR’s approach posits fishers as nuisance populations instead of stewards. This approach is recalcitrant to critiques of ‘fortress conservation’ – environmental management approaches that presume an opposition between nature and people. Indigenous groups have been particularly active in positing this critique. Re-articulated in terms of indigenous conceptions of natural resource management and cultural practice, environmental protection means that those who live closest to the land know best how to care for it and retain a right to land use. These shifting conceptions of indigenous environmental management have been taken up in Hawai‘i as well. The Lawai‘a (Hawaiian Fisher) Community Stewardship Proposal advocates management of Ka‘ena land that would reserve the area for people who will care for it, including lawai‘a – cultural practitioners qualified by their knowledge of, and respect for, Hawaiian traditions, values, ecologies, site-
specific histories. By focusing on land and how one acts towards it, the proposed stewardship system also invites non-Hawaiians to take responsibility for Hawai‘i’s lands. Enacting this proposal would require new indices of evaluating claims to land. In this context, as I later imply, sexuality is a relevant index to be considered.

LOCAL FISHERS AT KA‘ENA

I like tourists. I really do. believe me. I do.
we are a tourist destination remember.
be nice to the tourist. they make our economy
go round and round and up and down.
but what I do not like is when the tourist
come to Hawai‘i
and forget to go home.
make house and tell us locals how we supposed to live.

Sandra Park, ‘Ode to the DLNR’ (2010).

Park’s protest against DLNR ‘tourists’ cannily critiques the recognisably colonial situation in which outsiders rule and Hawai‘i problematically depends on the ecologically, culturally and economically unsustainable tourism industry. Another fisher, Lawrence Yusumura said:

You know, I question Laura Thielen [former-chairperson of the DLNR] – how many of your board members in your department are born and raised in Hawai‘i? How many of your board members are fisherman and hunters? You know what she told me: none. They all come from the mainland. How you going [sic] to bring people from different areas of the U.S. to control Hawai‘i? How they [sic] going to understand our culture? They don’t understand the religion that we have? They

don’t understand nothing. And they enforcing their rules on us?25

Yusumura makes a good point about the irrationality of colonial racism, a point that sustains a local, if not Hawaiian, project of self-determination.

Yet, their criticism stops short of addressing the difference between local and Hawaiian relationships to US colonialism. The problem is that local fisher struggles stake out a political space within a liberal multicultural settler state as opposed to focusing their protest against the very legitimacy of that state. Whether and how home-grown board members would redress the colonial misappropriation of Hawai‘i’s natural resources remains unexplained in their critique. What is needed is to interrogate the de-colonial politics of a scenario in which locals rule. In other words, how would local governance differ from a colonial administration? I argue that this decolonising difference must consist in redressing the settler state’s sexualisation of citizenship.

When local fishers identify as Hawaiian, and even when they do not, they cite the Hawai‘i State Constitution’s protections for ‘rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua’a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778’ (Hawai‘i Const., Art. XII, § 7), and ‘the cultural, creative and traditional arts of the various ethnic groups [of Hawai‘i]’ (Hawai‘i Const., Art. IX, § 9).26 Several fishermen cited the constitution in their protests: One noted: ‘Most of the [DLNR] officers shouldn’t be officers because they do not follow the constitution. Thielen has no clue what the constitution of Hawai‘i. I like see her resign and go back from where she came from – the mainland’.27 Keith Sienkiewicz also frames the problem in constitutionally protected terms: ‘we are no longer able to enjoy or practice our traditions, culture, fish at night or to pass this knowledge on to the next generation […] of our unique island lifestyle’.28

Local fisher claims to ‘traditional cultural practices’ are weird and problematic, but not necessarily because local fishers, some of
whom are Hawaiian, are ‘playing Indian’.²⁹ The issue is a subtle one. Local fishers did not claim to be Hawaiian, except when they were. When they were not, they asserted constitutionally protected right to fish as locals with particular knowledge of the land. Local fishers are saying that what they already are (i.e., ‘locals’) should define the cultures of Hawai‘i. These claims confirm the ‘local’ identity’s insensitivity to the political singularity of Hawaiians. But ‘locals’ do not assert that ‘this is America and I can fish here’, either. Local fisher claims to Hawai‘i are not simple extensions of US settler colonialism.

While acknowledging local fisher’s singular relationship to Hawai‘i and Hawaiians, we need to understand the ways that their misappropriation of Hawaiian constitutional protections can serve to buttress US settler colonialism. The settler state’s multiculturalism brings local fishers, like Sandra Park, to question the presumption that state-protected cultures should be Hawaiian: ‘we same same [sic] no matter the colour of our skin’, she notes. Briefly, the presumption that a state-protected culture is a Hawaiian cultural practice has a distinct political genealogy in a complex and unequal negotiation between US legal systems and Hawaiian Kingdom common law.³⁰ Park’s proposal – that all cultures should be equally protected – forecloses questions about the state’s assumed authority as a protector in the first place. Her appeal to the State relies on a fantasy that the latter will finally achieve social coherence and disavows the fractured political genealogy that sets Hawaiians apart from a local-only Hawai‘i. I am concerned with the kind of social coherence that such appeals push forward.

When local fishers claim that their fishing practices are the traditions the state constitution protects, they seek to fit the settler state’s twinned imperatives of ecological and cultural management. Far from benign, the state’s ‘sovereign and juridical attempts to assert state power over the lives of wild animals and the scientific attempts to regulate the environment through the husbanding of ‘natural’ processes both partly exclude or deny and partly glorify the indigenous subject and indigenous values’.³¹ Cultural and environmental stewardship are exercises of police power in the interest of a settler colonial public that only ‘partly’ protects indigenous values and (some) Hawaiian subjects. We should
approach this selective process by focusing on what falls out of these protected realms. ‘Houseless squatters’, for example.

HOUSELESSNESS IN HAWAI’I

We are not homeless. Hawai‘i is our perpetual home, for thousands of generations. The land on which we are living as stewards belongs to the independent government of Hawaii, which was illegally deposed by the United States in 1893, and which remains under illegal military occupation to this day.

Kaleo ‘Ohana to the Hawai‘i State Legislature (2004).32

In 2009, local fishers turned their support towards HB 645, which would have instituted a permitting system to regulate overnight camping at Ka‘ena. HB 645 specifically recognised that Ka‘ena Point ‘has long been a place where local residents can exercise and enjoy their cultural practice of fishing’.33 After two years in legislative committees, HB 645 is now defunct.34 Too many questions remained about the permitting process, the ecological impacts of any camping, whether cultural practices should require permits, and about the political future of Ka‘ena, which changed after the haole DLNR chair Laura Thielen was replaced by William Ailā, Jr., a Hawaiian activist and fisherman.35 While HB645 proved politically impracticable, it generated important discussions about relationships between state administrators, local fishers, and Hawaiian cultural practitioners.

Although many local fisher opponents of HAR §13-126 supported HB645, not all fishers endorse permitting as a solution. The Lawai‘a Community Stewardship Network, a group of fishers identified with traditional Hawaiian fishing practice (lawai‘a), explicitly denounced HAR §13-126 for failing to provide ‘realistic access’ to fishing grounds. It also rejected permitting as a solution.36 Their dissent appeared unreasonable to Thielen, who lamented:
We met with fishers and offered to create an overnight fishing permit that allow[s] a limited number of tents at Ka'ena Point [...]. We set up an advisory group including fishers who have been meeting for a year to discuss solutions. To date, the fisher representatives have not accepted any proposals or offered any solutions that would allow managed overnight tents. They simply keep saying we should just let fishers have tents and no one else – which we can’t legally do.

In their Community Stewardship Proposal, the Lawai‘a Network rejected the state’s equal-access mandate as improper to lawai‘a practice. Permits allow access to the ‘āina (land) to people who don’t know how to be stewards, and most importantly, they noted, ‘[c]ultural practitioners do not legally need permits for [state] constitutionally-protected access. They only need to be left alone’. 37

What HB645, HAR §13-126, and local fishers that support permitting hold in common is an antipathy towards a ‘homeless population cluttering our beaches’. 38 Thielen defended HAR §13-126 means of guarding against ‘tent cities’. Even the State’s Office of Hawaiian Affairs echoed Thielen’s anti-homeless view in its own opposition to HB645: ‘without its ability to enforce camping rules, the state would have difficulty managing the homeless who may return to Mākua Beach if this bill passes’, it noted. 39 The concern with homeless people on beaches is linked to Hawai‘i’s tourist economy. HB 645 itself cautions that state regulation is necessary to protect ‘tourists, who are unfamiliar with the area and not aware of the dangers of the illegal activity occurring at Ka‘ena point’.

The State sees the problem as one of selective enforcement. Thielen said:

The problem is the law does not allow the state to discriminate between different people. We can’t allow tents only for fishers – we have to allow them for anyone [...] In order to manage parks so they remain safe and open to the public, we either have to prohibit tents
overnight or only allow a specific number of tents at a given time without discriminating between applicants.\textsuperscript{40}

The solution that HB 645 proposed was to create a permitting mechanism to differentiate between the two groups. Sandra Park agrees with this solution: ‘They [DOFAW] say we cannot camp there because they cannot tell if we are homeless. But [they could] just ask for our ID – it says our home address, where we are working’.\textsuperscript{41} In other words, local fishers suffer the side effect of a law that really meant to get homeless people off of ‘our’ beaches. We should question this framing of the problem.

The DLNR’s anxieties about tent-cities are linked to concerns for public safety, maintaining natural resources for tourist-ready use, and endangered species conservation. These concerns have a history in a longer and larger campaign of evicting ‘houseless squatters’ – people living on state land and public beaches. Importantly, the division between HB 645 supporters and the houseless does pit settlers against Hawaiians. Many Hawaiians work for the state, fish, and view homeless persons as threats to natural resources. Most of the houseless in Hawai‘i who receive services are not Hawaiian and usually come from the US continent and Pacific Island states.\textsuperscript{42} Evictions of the “houseless” disproportionately impact Hawai‘i. As such, many recognise the state’s eviction campaigns as part of a targeted program of ongoing settler colonisation.\textsuperscript{43} Many of these evictions occurred on beaches in the surrounding areas of Ka‘ena (Mokule‘ia, Ke‘eau, Wai‘anae and Mākua beach parks).\textsuperscript{44} Marie Beltran’s family (the Kaleo ‘ohana), was living in Mokule‘ia. They were evicted pursuant to Act 50, which criminalised ‘houseless squatting’.\textsuperscript{45} As reported at the beginning of this section, the Kaleo ‘ohana statement to the 2004 Hawai‘i State legislature cannily re-writes the state’s eviction notice, substituting the term ‘homeless’ for ‘houseless’ and thus makes the connection between settler colonialism and their displacement explicit.\textsuperscript{46}

The conflation of ‘home’ with the ‘house’, a domesticated, state-protected property, is fundamental to the misrecognition of the Kaleo ‘ohana’s stewardship of Mokule‘ia as houseless squatting. Without the solidity of an enclosed structure and a residential address, the homeless lack a crucial component of the Western
public citizen – the private self. The home harbours an intimate private sphere, the political production of which Jürgen Habermas links to the public spheres of eighteenth century England, Germany and France.\textsuperscript{47} The private sphere was crucial to Enlightenment ideals of political organisation and civic life because it supposedly served as a catch-all foil for private concerns that threaten to sully public interests. The active suspension of a private self allowed for the supposedly dis-interested and free public sphere of transcendental ideas, even as the public production of privacy created a regulatory structure for sexuality and domesticity.\textsuperscript{48} Euro-American conceptual postulates about political subjectivity are mobilized to literally push the ‘homeless’ out of public space (public beaches). In asserting political claims to Mokule‘ia, the Kaleo ‘ohana challenge the public/private geography of a Western citizenly subjectivity spatialised by the home.

After Act 50 was repealed in 2006, the Kaleo ‘ohana returned to Mokule‘ia only to be evicted a second time by a Neighbourhood Board in 2008. The Board cited ‘public health and safety concerns’ due to the lack of permanent restroom facilities. This citation specifies what is required to be on the side of the public and the extent of police powers exercised in the public interest. The Kaleo ‘ohana offend this public by being in a state park without bathrooms at night.\textsuperscript{49} These regulations of public membership are also regulations of a settler sexuality that is outlined in the unsexy terms of residency, class, and geography. In the next section I outline settler public culture in a public required to be on private land with toilets at night.

**QUEER TENT CITIES AND LOCAL FISHER COLONIALISM**

Local fishers distinguish themselves from ‘tent city’ denizens by claiming that their cultures are more worthy of state protections. Far from diversifying Hawai‘i’s cultures, this move constrains conceptions of culture to those adapted to settler society. The local Asian fishers’ appropriation of Hawaiian culture’s protected status, as part of their claim to state protection, is not wrong only because they are not Hawaiian, but also because their definition of recreation, culture, and citizenship exclude the Kaleo ‘ohana. The larger problem of the
colonial state’s administration of settler sexuality does not necessarily equate *only* to expressed anxieties about homelessness. But, focusing on homelessness and sexuality allows a framing of local fisher protests that connects class disgust, Hawaiian dispossession, and claims to exemplary cultural land use worthy of state protections. Park’s comments exemplify the local fishers’ identification with settler colonialism. She complains: ‘They [the DLNR] told us straight out – they cannot tell if we are fishing or homeless. I take this as a low thing – that they cannot tell if we are fishermen or homeless’. To take something as low is to be disgusted. To be disgusted, Berlant and Warner note, is also a sexual practice of public culture. Julia Kristeva also elaborated disgust as a sexual disposition – disgust separates the body from the abject. Citizenly appeals toward state recognition, such as producing a driver’s license, are ways of participating in a public sexual culture and, in so doing, Park can contour her legitimacy as a political subject. She thus abjects a space outside of the settler state that might have been her common ground with the Kaleo ‘ohana. What if, instead, Park had rejected the distinction between homeless and fishermen as irrelevant to the issue of Ka'ena stewardship? What if she had focused on the land and how one acts towards it – embracing the lawai’ā tradition of knowledge of, and respect for, Hawaiian cultures, values, ecologies, site-specific histories and other lawai’a that the Lawai’a Community Stewardship Network insists are the proper terms on which Hawaiians and non-Hawaiians might take care of Ka'ena? To realise a decolonising difference from the settler state’s land management, her disgust must be interrogated as it is embedded in presumptions about the constitution of home, the political and who can claim a place in either. Settler sexuality and domesticity – i.e., being part of a mononuclear family, buying a house – constitute what is quietly vicious and tenacious about settler colonialism in Hawai‘i.

Colonial sexuality, Mark Rifkin writes, concerns the ways in which ‘a particular configuration of ’home’ and ’family’ is naturalised and administratively implemented’. Rifkin elaborates federal Indian policy as ‘a heteronormative emplotment [that] works to deny the possibility of registering indigenous residential and kinship formations as political’. Extending Rifkin’s argument, I read state ecological and cultural conservation policies as heteronormative
emplotments, but not only because they explicitly require marriage or prohibit homosexuality. As the Kaleo ‘ohana argue, the state fails to recognise their residential and kinship formation as a political assertion. ‘Squatting’ is the settler state’s emplotment of the kind of citizen who can obtain a permit under HB 645 and avoid an Act 50 eviction notice. This also emplots sexuality. In our contemporary context, sexuality is administered through different mechanisms than those enforced in nineteenth century Hawaii.56 In contrast to early colonial modes of exacting enforcing decorum, contemporary sexuality draws a boundary around a settler colonial public against indigenous families that reside on the beach. A public citizen has a driver license, a ‘workplace’, a home address, and a home that can be verified to, for instance, acquire an overnight camping permit. These characteristics define Asian settler sexuality – a sexual organisation of political subjectivity – because they signal management of a unit defined by sexual relations within the intimate sphere of the private family home. Like a marriage announcement, it is an outline of a sexual practice that can appear in public. Although some local fishers are Hawaiian, my concern lies with the particular complicities of Asian settler operations of local identity, which are distinguished by their separate stakes in articulating non-indigenous-based claims to Hawai‘i.

Local fisher claims to Ka‘ena land use link collective sexual practices like living in single-family homes, kin-based property inheritance, and even family fishing trips to claims to being the protected subject of US police power in Hawai‘i. State regulation specifically intrudes upon fishermen’s ability to care for their family. They point out that it is their wives, girlfriends, and children that most need cots, tents, and sleeping bags. According to Keith Senkiewicz, ‘these restrictions have hurt us traditionally and culturally, we can no longer have our kids with us at night – our wife or girlfriend [...] [We] cannot make them comfortable’. Likewise, Yusumura testified that ‘I cannot bring my grandkids in there because of the camping paraphernalia restrictions. I cannot protect them against the weather’.57 What is settler colonial about the fishermen’s heteronormativity is not its affirmation of reproductive kin-based identities – as grandfathers or husbands. Kin-based roles can be inhabited in many ways, and not just as reasons to affirm state agendas for public safety and anti-homeless initiatives.58 The
problem arises where reproductive kinship is made into an exhibit of citizenly settler sexuality.

Pointedly resistant to the kind of home recognised by US colonial power, the Kaleo ‘ohana claim a home based on a genealogical relationship to land and within Hawaiian nationhood. Their heterosexuality, implicit in their reproductive familiarity, is oriented towards an indigenous nationhood that Andra Smith recognises as ‘already queered’.59 This concept of queerness challenges settler colonial organisations of sexuality and is thus distinguished from, for example, the queer of Lee Edelman’s No Future: it does not exclude heterosexual reproductive kinship from its ambit.60 Local fishers’ references to heterosexual familial arrangements are not a Native queer problem; the problem is that these heterosexual identities are gathered toward being the proper subject of the settler state. The political difference of Native queerness also resonates with the Kaleo ‘ohana claims to family. Their ‘ohana are not the ‘guarantor[s] of the reproductive future of white supremacy’ but, ‘the nit that undoes it’.61 Native queer studies push towards a ‘historical relation to futurity’, including generationality, reproduction, intimacy, coupling, and kinship that is not only not heteronormative, but is also not seduced by trajectories of emancipation promised by modern sexualities that fail to address their complicity with settler colonial power.62

This distinction between what hetero-reproduction pushes into the future allows me to analyse Asian settler attachments to the settler state. Asian settler sexuality is specifically not sexy. It is fit for public display and thereby feels to be a way of being an appropriate citizen. Affective registers can trade on the appeal of institutional recognition, which, amongst other things, relieves marginalised groups from the experience of being a social contradiction. Judith Butler schematises this dynamic: ‘the appeal to the state is at once an appeal to a fantasy already institutionalised by the state, and a leave-taking from existing social complexity in the hope of becoming “socially coherent” at last’.63 This desire for relief is read retroactively (for example, after citizenly recognition is achieved), as an occasion to reinvest in optimism for the US. Through this affective relay, stories of Asian settlers’ ongoing and historical civil rights struggles are enlisted into the work of maintaining Hawai‘i as a US
settler colony. At Ka‘ena, local fishers enact citizenship by articulating their private interest in fishing as a matter of public concern. They claim standing as people who embody the cultures that define ‘us’.

CONCLUSION

Local fishers articulate a relationship with Hawaiian land that amount to the awkward claims of settlers to living the cultural practices that the state professes to protect. These claims are not inauthentic, opportunistic or merely tactical. They are strategic mobilisations, and the languages with which communities speak to the state are tailored to the categories that the state sets out to recognise. Yet, it is the very process through which the settler state shapes its subjects that needs to be interrogated. To approach the ways in which the settler state controls land use and creates the conditions of possibility for non-Hawaiian cultural practice and stewardship, we must also attend to the ways in which sexuality is used to manage those conditions.

What is unresolved is the relationship between non-Hawaiian claims to Hawai‘i and the settler colonial state’s disavowal of Hawaiian sovereignty. This calls us to consider Asian settler home-making as also a mode of space-making for a politics that has not worked out its relationship to decolonisation. Dismissing the indirect contributions of home-making to colonial power as opaque to analysis, politically inexpedient, or simply irrelevant may make us miss the ordinary and definitive forms through which the settler colony exists. Instead, I look to rectitude as convention, and conventionality as the regulation of a colonial order. Conventional forms, such as residency, houses, and permits are the micrological textures of a settler sexuality that stitches Asian settlers into a US-occupied Hawai‘i. I work from this oblique angle on colonial power to shake our certainty about the forms that colonialism takes, like family fishing trips. This means undoing the settler colonial labour of making selves intelligible as market segments, emotionally-appropriate citizens, and, in my examples, living receptacles of local traditions that absorb colonial contradictions in order to let a colonial order live on.
BIOGRAPHICAL NOTE

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NOTES

1 In Hawai‘i, ‘Hawaiian’ is assumed to refer to a Native Hawaiian and not merely a state resident. I use this convention out of recognition for the space from which I write.
5 I am indebted to Chad Shomura for this comment.
8 In Land and Power in Hawai‘i Cooper and Daws explore the colonial complicity of local politics in their account of Hawai‘i Democrats’ rise to power in the context of land development. George Cooper and Gavan Daws, Land and Power in Hawaii: The Democratic Years (Honolulu, HI: Benchmark Books, Inc., 1985), p. 205. Many of these well-connected Democrats were Asian, particularly Japanese, males who were also realtors, bankers, and investors that stood to gain from burgeoning land development, tourism, and defense industry growth.
16 The State legislature passed Act 139 in 1970, which created the Natural Area Reserve System to conserve Hawai‘i’s threatened native ecology. Earlier, in 1904, a
Board of Commissioners of Agriculture and Forestry was commissioned to protect the 1.2 million acres of forest throughout the islands and established the first Forest Reserve in Hawai‘i. The Hawai‘i government came to manage 68 percent of the forest and watershed regions, with the rest held by private owners. See Cynthia Josyama, ‘Facilitating Collaborative Planning in Hawai‘i’s Natural Area Reserves’, Research Network Report, 8 (1996), Available at: <http://www.mekonginfo.org/mrc_en/doclib.nsf/0/9F38F5220E3C041947256D8 A0008FA7B/$FILE/FULLTEXT.html>. Accessed 1 March 2011.


20 Many of the complaints against DLNR enforcers are levelled against a game warden, Henry Haina (accused of unauthorised enforcement of arbitrary rules and of pointing his gun at a child who was fishing with his father at night). In response, the DLNR reassigned Haina to another district. Eloise Aguiar, ‘State reassigns game official’ Honolulu Advertiser (14 November 2008).

21 With an area of 12 acres of coastal dune lands, it is the smallest of the State’s Natural Area Reserve System and harbours eight federally endangered plants and rare animals such as the Laysan albatross and Hawaiian monk seal. Josyama, ‘Facilitating Collaborative Planning’.


24 Hawai‘i Fishing News (February 2010), pp. 6-7.

25 ‘Fishermen Speak Up’.

26 Despite the Constitution’s messy slippage from Hawaiian to ‘ethnic’ protections, case law has been attentive to the political difference – broadening protections for Hawaiian cultural practice in particular. See, P.A.S.H. v. Nansay Corp. & Hawai‘i Planning Comm’n, 903 P.2d 1246 (1995), Pele Defense Fund v. Paty, 73 Haw. 578, 620 (1992), and State v. Hanapi, 970 P.2d 485 (1998). The state legislature also enacted Act 50 in 2000 to require cultural impact assessments as part of the permitting process for any significant land uses. Act 50 applies to ‘identify and address effects on Hawaii’s culture, and traditional and customary rights’ and thus repeats the Constitution’s equivocal recognition of both Hawaiian and local settler cultures.

27 ‘Fishermen Speak Up’.


30 In 1978, the state organised an Office of Hawaiian Affairs after a constitutional referendum. In the 1970s, Hawai‘i Supreme Court Chief Justice William S. Richardson reasoned that Hawaiian common law should be adopted alongside U.S. generic common law in Hawai‘i courts. ‘The common law of England, as ascertained by English and American decisions, is declared to be the common law
of the State of Hawai‘i in all cases, except as [...] established by Hawaiian usage’, Hawai‘i Revised Statutes § 1-1 (1978) (emphasis added).


34 Both the Hawai‘i House Bill 645 and its Senate version were unanimously approved in the 2009 session, but were not taken up during the 2010 session.

35 In 1995, the DLNR formed the Ka‘ena Point Advisory group, which suggested implementing a similar permitting system.


37 Lawai‘a Network, ‘Lawai‘a Community Stewardship Partnership Proposal’.

38 State of Hawai‘i Legislature, ‘HB645_TESTIMONY_WLO_01-30-09’.

39 State of Hawai‘i Legislature, ‘HB645_TESTIMONY_WLO_01-30-09’.


41 ‘Fishermen Speak Up’.

42 A 2008 study found that 60% of homeless receiving services have lived in Hawai‘i for less than ten years. Trisha Kehaulani Watson, ‘Homelessness’, in Craig Howes and Jon Kay Kamakawiwo‘ole Osorio (eds), The Value of Hawai‘i: Knowing the Past, Shaping the Future (Honolulu: University of Hawai‘i Press, 2010), p. 128.


45 Act 50 contained a provision that made entering or remaining unlawfully on public property after a warning or request to leave by owners/lessors or police officers into an offense of criminal trespass in the second degree. Watson, ‘Homelessness’ p. 129. In April 2005, hundreds protested the bill at the capitol, and HB806, which amended Act 50 to focus on the homeless, was passed in the following legislative session. This was no victory because it still allowed police to arrest ‘squatters’ (like Beltran) and the ACLU sued the state. Act 50 was repealed altogether in 2006 when the main advocate for the anti-homeless initiatives, Senator Bunda, was unseated as Senate President. See Honolulu Star-Bulletin (17 June 2008).

46 Beltran, ‘Statement of the Kaleo ‘Ohana’.

49 Leila Fujimori, ‘City forces homeless to leave Mokuleia’, Hawai‘i Star-Bulletin (17 June 2008).
50 ‘Fishermen Speak Up’.
57 ‘Fishermen Speak Up’.
61 As her example, Smith cites Colonel John Chivington, the leader of the famous massacre at Sand Creek, who charged his followers to not only kill Native adults but to mutilate their reproductive organs and to kill their children because ‘nits make lice’. Smith, ‘Queer Theory and Native Studies,’ p. 48.
62 Warner, Publics and Counterpublics, p. 194.
Speaking of Opium: 
Ownership and (Settler) 
Colonial Dispossession

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This article will first examine colonial dispossession by highlighting the relationship between the British opium trade and intellectual property law – i.e. legal discourses of ownership – in the eighteenth and nineteenth centuries. Analysis will then proceed to settler colonial dispossession ‘then’ and ‘now’ in twentieth and twenty first century advertising techniques – i.e. cultural discourses of ownership - for medications containing or derived from opium in the United States such as patent medications and Oxycontin. In the history of the commodification of opium in the US, we see a shift from the appropriation of indigenous culture, to the mobilisation of late liberal notions of autonomy. Tracing the history of opium across these seemingly disparate geographies and discursive registers will work to analyse discourses of ownership in US settler colonialism by addressing their relationship to discourses of ownership in earlier forms of British colonialism. This approach is taken in the spirit of Veracini’s contention that if it is to be carved out as a distinct theoretical concept, settler colonialism should be considered within a dialectical relationship to colonialism.

At the beginning of the eighteenth century, the British Empire had run into a potentially devastating international trade problem. The majority of the Empire’s tea was being imported from China, along with a series of other luxury resources including porcelain and silk. While Britain relied on China for the majority of the very resource that had come to define British identity, Britain was supplying considerably less in return. This was the age of mercantilism, and the British imperial government was growing extremely uncomfortable with such economic asymmetry. Mounting debt to China might have brought catastrophic consequences to the future prominence of Britain. Two interrelated issues barred such catastrophe for imperial authorities: the victory of the British East India Company in 1757 and the resulting opium trade. At this point
in history, India had the world’s largest opium crop. Once the British had colonised the land, they were able to appropriate the crops for exploitation in international trade as well as domestic medication. Indeed, India had been exporting opium for centuries before this, but not nearly to the extent that the resources of the British Empire allowed. Given that their greatest debts were to China and that there was already an opium demand due to the small supply generated in the southeastern region of the country (primarily Sichuan), the country began to see a massive influx of opium.\(^1\) While the revenue generated from this strategy certainly worked to settle the debt with the Chinese, there was a wide series of consequences that were to play out over the next 250 years.

First, it should be noted that the import and sale of opium had been explicitly forbidden by the Chinese Imperial government since 1729. Nevertheless, the British Empire was determined to reap the benefits from its latest colonial project in India. The illegal sale (i.e. smuggling) of opium to China by the British continued for roughly 80 years. British smuggling was primarily conducted by private merchants such as Jardine Matheson & Co, whose partners became extremely wealthy. James Matheson became the second largest landowner in The British Empire, constructing Lewis Castle off the coast of Scotland in 1844. In the decades following the war of 1812, increasing demands for opium in China caught the interest of the US. The grandfather of Franklin Delano Roosevelt (Warren Delano II) prospered immensely as head of the American firm Russell & Company who bought up opium crops in Turkey meant for sale in China. The Chinese never stopped viewing people like Matheson and W. Delano as criminals, and the conflict eventually escalated into war. The First Opium War ended in British victory in 1842, as did the second in 1858. This finally resulted in the legalisation of the sale of opium in China, ending a nearly 100 year struggle over Britain’s supposed right to sell opium to China.\(^2\)

The combination of the British Empire’s expropriation of the world’s opium supply with the rise of global industrial capitalism in the second half of the nineteenth century not only led to a vastly increased availability of opium in China, but also within Europe, as well as in the settler colonies like Australia and the United States. As Marx also noted, ‘the application of chemistry to industry’ opened up
a new transnational capitalist market. Medication was a key product in this context, particularly the highly marketed elixirs with names like ‘Bateman’s Drops’, ‘Dalby’s Carminative’, and ‘Godfrey’s Cordial’. These three and many others were marketed as ‘cure all’ formulas, purported to ease symptoms of ailments as disparate as malaria and boredom; in essence, they were no more than opiates (such as morphine), or even pure opium disguised in an array of plant based ingredients that masked opium’s bitter taste.

As these medications began to circulate more widely in the transnational market during the latter decades of the nineteenth century, savvy marketers created competing brands, and the drive for control over the capital generated by the pain relieving effects of opium led to the tightening of the legal ‘patents’ of these medications. In the Europe of the 1400s, patents originally functioned as a means for the sovereign monarch to arbitrarily grant monopolies over the profit of a given resource or product. Patents were granted over resources as ubiquitous as salt to chosen members of the aristocracy as a means of maintaining power. The epistemological shift of the Enlightenment changed all this.

**DISPOSSESSION AND PROPERTY IN EMPIRE**

There are many ways to think about the foundational principles of liberalism and the Enlightenment as they relate to property. One especially fruitful way would be to refer to two foundational philosophers of property and the Enlightenment. Here I am first thinking of John Locke’s Second Treatise of Government in which we get the classic formulation of property defined as the product of labour.

> Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property.\(^5\)

Here Locke is referring to material property (i.e. land). Through Locke’s formulation, land becomes property when it is taken out of a
‘state of nature’ through physical toil and labour. Once the land has been worked on – and here Locke was referring to non-migrational, generally agricultural modes of existence – it becomes propertied. In order to transfer Locke’s ideas of private property to immaterial (i.e. intellectual) properties such as the formulas for ‘Dalby’s Carminative’, a conception of a universal, autonomous self-capable of ‘intellectual labour’ – i.e. not just physical labour – is necessary.

One of the canonical writings to turn to in attempting to understand the nature of the universal liberal self is Immanuel Kant’s ‘What is Enlightenment?’. In this essay, Kant defines enlightenment as ‘man’s ability to release himself from his own tutelage’. Tutelage here is defined as man’s inability to make sense of his world without the guidance of another person. In other words, enlightenment is defined as the transcendence of social obligation by carving a private space (as opposed to public space) in which one’s ‘true’ self is allowed to exist without social concerns. As these two ideas coalesce in the seventeenth and eighteenth centuries, they are codified into intellectual property law. What is known as the ‘public domain’ is codified into law as a space that is free from private influence. It is a space that is equally available to all people for the purposes of ‘mixing’ objects or ideas from that space with intellectual labour. Through this logic, intellectual labour is now capable of rendering newly propertied objects in the world by extracting raw materials from the public domain.

The aristocracy was no longer to be rewarded by the good graces of the monarch. Individual invention, innovation, creativity and (most importantly) applicability to industry were the new criteria for the granting of a monopoly. In the context of opium, the logic of intellectual property law assumes that value has been added through the process of chemical isolation of opiates such as morphine, or through mixing opium with alcohol or herbs and creating a marketing campaign. Rendering the natural world as property was certainly not unique to European history up to this point, but the global and individualistic nature of such an assertion absolutely was. The most savvy of the marketers of these newly commercialised forms of opium applied for and were granted patents by the US, British and Australian governments in order to protect their appropriation (i.e., theft) and their supposedly unique elixirs. By the end of the
nineteenth century, elixirs and tablets containing opium were circulating widely throughout Europe and its settler colonies.

The shift from granting monopolies to the aristocracy through nepotism or preference to granting monopolies to individuals on the basis of originality and contribution to industry laid the groundwork for the contemporary global intellectual property regime. The coalescing of liberalism and private property marked the beginning of a regime of intellectual property predicated on the notion that natural resources such as opium can be appropriated, propertied and sold through a discourse of individual ownership and innovation. However, indigenous political critique has begun to articulate the workings of what it has termed ‘biocolonialism’, which includes the colonial appropriation and circulation of natural resources.\textsuperscript{7} In addition, many legal scholars have argued that intellectual property law is itself a reflection of the history of colonialism as a mechanism of exploitation through commodification. For example, legal scholar and anthropologist Rosemary Coombe has articulated a critique of intellectual property law through a discussion of individualism and Orientalism.\textsuperscript{8} Borrowing the idea of the ‘European Art/Culture system’ from historian James Clifford, Coombe reviews the ways in which the terms ‘art’ and ‘culture’ shifted their meanings as part of the larger historical project of colonialism, global capitalism and the distribution liberal ideas of autonomy and creative expression.\textsuperscript{9} Before this shift, art referred primarily to what we would today understand to be craft. A highly specialised skill in a specific industry such as that of the cobbler or luthier fell under the idea of art, while culture referred to an organic growth such as a yogurt culture. Art with a capital A develops in the nineteenth century as the product of the expressive faculties of an autonomous self, often referred to as a ‘genius’. Similarly, culture as an organic growth morphs into Culture (capital C) – which refers to the progress of civilisation. Raymond Williams has categorised the nineteenth century notion of Culture into three categories; Culture as ‘a process of intellectual, spiritual and aesthetic development’ Culture as ‘a particular way of life, whether of a people, a period, a group or humanity’ and Culture as ‘the works and practices of intellectual and especially artistic activity’.\textsuperscript{10}
Coombe discusses Art (capital A) as well as Williams’ first and third concepts of Culture under the rubric of what she terms ‘possessive individualism’. More than anything else, the European Art/Culture system develops as a method of asserting ownership over a wide variety of artifacts, products of creative expression as well as natural resources (such as opium). Art is no longer the product of years of the development of a craft, but an expression of autonomy and individuality that works to assert ownership over that expression. Culture – in Williams’ first and third senses, development of the self and/or works and practices of intellect – is also a technology of ownership that is legitimated through colonial notions of the unceasing progress of civilisation. This unceasing progress – which can also be understood as the logic of development – is to be mirrored through a similar progression of the self and its intellectual and artistic expressions. Here we have the fusing of the aforementioned Lockean notions of property with Kantian notions of the ‘private’ self that exists in contrast to, but as a necessary part of, public life. Liberal autonomy and private property are necessary components of Art as an expression of creative genius and Culture as a sign of the progress of civilisation and the self.

And then there is Williams’ second notion of culture as a way of life that corresponds to particular ‘peoples’ that are defined by collective practices as well as a specific geographical location. This is the definition of culture that corresponds to the creation of anthropology as a scholarly field of inquiry. Coombe designates this understanding of culture as circulating with a lower case ‘c’. Here, culture is understood not under the sign of liberal autonomy or property, but as a collection of values and practices to be attributed to a ‘people’ rather than to a single author/individual. If Art and Culture represent a possessive individualism that is reflective of the coterminous phenomena of colonialism, liberalism and property, culture (lower case c) underpins an Orientalism that imagines societies that are the inverse of Western Culture. Important for our discussion here is the way in which culture (lower case c) is often viewed as the ‘raw materiel’ for Culture or Art. Or, in the case of opium, ‘Medicine’ (within the logics of intellectual property law). For example, there is a clear division in intellectual property law between private works and the public domain. The resources available within
the public domain are imagined to be freely available to all producers of Art or Culture.

And yet, indigenous culture is often appropriated under the idea that it exists in the public domain. Legal and science studies scholar Laurelyn Whitt has argued that the public domain operates within intellectual property law as a nexus of power that works to delegitimise indigenous creative and intellectual expression as ‘raw materiel’.\textsuperscript{12} We see this across artistic mediums and throughout the nineteenth and twentieth centuries. Whether we are referring to Picasso’s use of aboriginal imagery, new age musician Enigma’s use of Taiwanese aboriginal singing in his un-self consciously titled international hit ‘Return to Innocence’, or the British appropriation of opium in India, it is exceedingly clear that the public domain is far from a neutral space that is free from the power relations within colonial histories.\textsuperscript{13} Liberal notions of the autonomous genius that derives raw materials from the public domain as a mode of individual self expression are not only manifest throughout the logics of intellectual property law, but they are necessary elements of empire.

These \textit{legal} discourses of ownership in the context of a colonial dispossession laid the groundwork for later \textit{settler} colonial dispossession in the context of \textit{cultural} discourses of ownership. The following sections will work to theorise the advertising techniques of the US medicine shows in the latter decades of the nineteenth century and at the beginning of the twentieth century, as well as those of contemporary pharmaceutical ad campaigns as modes of settler colonial dispossession. Through the appropriation of Native American culture, the medicine shows worked to assert ownership over medicines containing opium or morphine, while displacing the South Asian origin of opium. As we will see, the cultural appropriations upon which empire rests can also work in ways much more covert than direct expropriation or even settler or coloniser identity formation. The cultural appropriation of indigeneity in the medicine shows in the US worked to \textit{displace} the colonial appropriations of the eighteenth and nineteenth centuries – i.e. the British appropriation of opium from India – through settler colonial appropriations of the nineteenth and twentieth centuries – i.e. cultural appropriations of indigeneity. From this theory of displacement, I will move to a comparison of these historical
advertising techniques with the contemporary ‘Partners Against Pain’ campaign launched by multinational pharmaceutical company Purdue Pharma. Through this comparison, I will find that within the process of the commodification of opium in the US, the necessity to exploit economically the appropriation and absorption of indigenous culture shifts to a paradigm that exploits distinctly late, liberal settler desires to be free from social constraint.

SETTLER DISPOSSESSION THEN: MEDICINE SHOWS

The medicine shows of the nineteenth and early twentieth century in the US were merely one act among a line-up of juggling, music, theatre, dance, circus performances and freak shows that travelled the country to perform in the emergent settler nation’s small towns. Most of the entertainers were based in large northeastern cities like New York – and like many in the popular entertainment industry – reaped great profits by taking their acts on the road.¹⁴ These entertainers freely admitted to searching out the most isolated towns whose only exposure to live entertainment was often the annual visit of travelling popular entertainment shows. The audiences of these medicine shows were often middle to working class US citizens, and generally white. The pitchman in the travelling performance troupe fell toward the end of the show. Once the audience had been appropriately wooed by the variety of entertainment, the medicine pitchman would take the stage. The best pitchmen were rhetorical craftsmen, waxing philosophic on the nature of mankind and exploiting the fear of death to such an extent that the contemporary reader can only laugh. Take the opening pitch of pitchman, T.P. Kelley:

You are all dying, every man, every woman and child is dying; from the instant you are born you begin to die and the calendar is your executioner. That, no man can change or hope to change. It is nature’s law that there is no escape from the individual great finale on the mighty stage of life where each of you are destined to play your farewell performance. Ponder well my words then ask yourselves the questions: Is there a logical course to
pursue? Is there some way you can delay, and perhaps for years, that final moment before your name is written down by a bony hand in the cold diary of death? Of course there is, ladies and gentlemen, and that is why I am here.\textsuperscript{15}

Fear of death, however, was not the only affective and effective device employed by these pitchmen. Difference – specifically racial and cultural difference – was a vital mechanism in the rhetorical toolkit of the pitchman. The medicines advertised by the pitchmen (many of which contained opium) were often presented as being from a nebulous ‘far away land’.\textsuperscript{16} Mystery and exoticism were often manifest into the pitchman himself as a vessel of a sacred and foreign knowledge that would provide health in a way that common medical knowledge could not. For example, take the following account of pitchman sales techniques by patent medicine historian James Harvey Young.

The oriental theme was [...] popular. One ‘professor’ [pitchman] spent his first evening in a new town saying not a word. Swathed in robes, he sat silent as a statue, staring straight ahead, while two aides, one on either side, pounded away at kettledrums. Phosphorescent banners bore his name and a weird mixture of unintelligible letters and symbols. The scene was illumined by green fire.\textsuperscript{17}

These medicine shows were a veritable hotbed for performances of difference. In this context, the figure of the ‘Indian medicine man’ was central. Not every patent medicine contained opium or opiates, nor did every variety show entail such overt performances of difference. However, the performance of difference in the service of the sale of medicines that contained opium was an extremely common occurrence in the US for the entire nineteenth century and roughly half of the twentieth century.\textsuperscript{18} It is these moments of articulation between the sale of opium and opiates and the performance of altereity that this analysis is critically engaging.
Specifically, I will argue that through the performance of a domesticated indigeneity, the South Asian origin of the opium in the medicine was *displaced* into an ‘Indianness’ that was also working in the formation of settler identity (as well as serving what Patrick Wolfe has called ‘the logic of elimination’).

John Healy and Charles Bigelow were the founders of the Kickapoo Indian Medicine Company. Healy was from New Haven, Connecticut with a background in business, and Bigelow was a farmer from Texas. Bigelow eventually ‘rejected the plow for a chance to tour with a[n] [...] Indian medicine man, Phil Grant, known as Dr. Yellowstone’. Healy had worked to promote a liniment called ‘The King of Pain’, and also founded and promoted a novelty variation of the blackface minstrel show called ‘Healy’s Hibernian Minstrels’. In 1873, Bigelow was ‘pitching herbs on street corners’ in Baltimore, barely making enough money to pay the rent. Healy came to Baltimore two years later and it was then that the two men hatched the idea for the Kickapoo Indian Medicine Company. The company moved around in the years between 1875 and 1881 from Baltimore to Boston, then to New York, and finally finding a permanent home in New Haven, Connecticut. The products of the company would be ‘Sagwa’s, Salves, Remedies and Cures’ that would claim relief from ‘constipation, liver disease, dyspepsia, indigestion, loss of appetite, scrofula, rheumatism, chills and fever etc.’. Healy and Bigelow were not the first to invoke the specter of the Indian in order to sell medications, but their effort was by far the most exhaustive. It became the standard for later Indian medicine companies until the practice died out in the 1950s.

While the two men initially argued over the place of ‘Indians’ in their business, they agreed that traveling with a group of Native Americans was an absolute necessity. Healy originally wanted them to be set up beside the pitchman’s stage in a teepee with the medicine ‘simmering like a witch’s brew in a great iron pot’ to be ladled into individual patrons bottles. Bigelow preferred that the medicine be sold in individual bottles, but the two agreed that a group of Indians performing songs and dance and a teepee were necessary props for their show. That none of the Native Americans hired by Bigelow and Heath were actually Kickapoo is perhaps no surprise. According to Brooks McNamara – a performance studies
Hammond, ‘Speaking of Opium’.

schor and expert on the nineteenth century medicine shows – ‘over the years, most of Healy and Bigelow’s so-called Kickapoos were from small bands of New York Iroquois and Canadian Indians, together with a mixture of Pawnees, Crees, Sioux, Blackfeet, Chippewas, Cherokees and Peruvian Indians’.22

In much the same way that contemporary advertisers launch campaigns across media types with a wide array of strategies and techniques, Healy and Bigelow exploited all forms of media at their disposal in order to sell their products. These efforts went far beyond labels on bottles or posters in drugstores, and even included efforts outside the traveling show. Through their circulation of a series of pamphlets on the origins of the Kickapoo medicines, the pair keyed in to a larger literature on ‘Indian Medicine’ that was circulating throughout the nineteenth and early twentieth century. In the words of McNamara:

_The Indian Doctor’s Dispensatory, The Indian Guide to Health, The North American Indian Doctor, or Nature’s method of Curing and preventing Disease According to the Indians_ and many similar works capitalized on the power of the Indian medicine idea over those who shared the popular enthusiasm for botanic medicine or distrusted the educated white physician.23

While the travelling variety shows mixed entertainment with medical advice, testimonials and advertising, the free or inexpensive Kickapoo publications took a similar ‘meditainment’ approach by featuring a set of reoccurring characters whose adventures were slowly revealed over a long series of magazines, almanacs or pamphlets. Through their literature, Healy and Bigelow worked to build up a mythology around the origin of their medicine that was centred upon the classic American desire to ‘know’ (and possess) a pure indigeneity untouched by civilisation.

Crucial for this mythology to fully function was a genre of story that positioned a familiar presence – generally a white male – as the bearer of a guarded Indian knowledge that had been revealed to him under some extraordinary circumstance. This popular genre of
storytelling in advertisement was not unlike the genre of academic ethnography developing in early anthropology at the time. We see this in the literature distributed by the Kickapoo Company, but it is most commonly referred to in accounts of the Kickapoo Medicine Shows. In the pamphlets, Bigelow was the centre of the stories, generally referred to as ‘Texas Charlie’. Texas Charlie’s adventures on the frontier would always lead to near death experiences for which the Indians would provide a miraculous cure along with the secret formulas of their mysterious medicines. In the Kickapoo shows, once the crowds had been drawn in by the entertainment, an (almost always) white male pitchman would begin a story about adventures on the frontier that had allowed access to the generally guarded secrets of ‘Indian Pharmacology’. Beside the stage, a group of Native Americans would stand ready to perform their indigeneity, or to distribute the medicines along with the other performers to members of the crowd ready to buy or trade on the distinctly American phantom of the Indian medicine man.

There are a number of ways in which we might analyse the cultural appropriation of Native American healing practices in these medicine shows. That assertions of ‘Indianness’ have been a necessary element of the construction of an American identity is well documented. Whether despised as savages or desired as noble and pure, the contradictory specter of the noble savage has been ubiquitous throughout the history of the construction of American identity. Phil Deloria has deftly pointed to the contradictory poles of the imaginary of the noble savage as more widely representative of two intertwined histories – both crucial in the formation of the US – the history of the enlightenment, and the history of colonialism. Rousseau’s rejection of the trappings of bourgeois society was equally informed by a fantasy of a noble and pure ‘state of nature’ as Hobbes’ obsession with progress was by a fantasy of ‘savages’ as the inverse of civilisation. As these two poles played themselves out throughout the history of America, the colonial imaginary requires the notion of the cultural supremacy of the civilised white European male as understood in contrast to ‘the savage’, while the liberal or ‘enlightened’ imaginary requires the notion of the ‘purity’ of the Indian as representative of some lost element of civilised society. Patrick Wolfe has theorised this liberal desire for aboriginality in the context of Australian multiculturalism. Both Wolfe and Deloria posit
Hammond, ‘Speaking of Opium’.

this liberal desire as not only a societal desire to retain a lost purity, but also as a mechanism of differentiating the settler colonies of Australia and the US (respectively) from the European motherland through an assertion of indigeneity as vital to national identity.

The appropriation of indigenous culture is a necessary element of settler colonialism. Once the settler colony has seized indigenous land, the next phase of the settler project is to eliminate the indigenous population. While the most obvious instantiation of indigenous elimination in the American history lies in the genocidal foundations of the US as a nation, the genocide does not stop with physical violence. What Patrick Wolfe has referred to as ‘structural genocide’ might also be considered under the purview of structural violence. Through systematic cultural appropriations that work to unevenly distribute resources across the population, one way that settler colonialism works to eliminate indigenous culture is by claiming it as its own. It does this by appropriating indigenous culture through a wide array of mimetic practices, and then incorporating those practices into settler culture. If we think through this lens – which is a direct cue from Patrick Wolfe’s model of settler colonialism – the blatant appropriation of Native American cultures in order to sell patent medications containing opium by a host of companies throughout the nineteenth and twentieth century constitutes one instantiation of an attempt to eliminate Native American culture as something distinct from the settler population by positing it as a symbol of ‘American’ (i.e. settler) culture.

I would like to pose a third way of thinking about the appropriation of Native culture in medicine shows, an approach that complements Deloria’s and Wolfe’s theories of settler identity and structural elimination. To begin, we can refer back to the history of the British appropriation of opium in India in the middle of the eighteenth century. In the case of the patent medicine companies who used opium in their medications while appropriating Native American culture in their performances and advertisements, the physiological effects of opium – including the medicinal ones such as pain relief and euphoria as well as the dangerous ones such as withdrawal or addiction – were suddenly being attributed to Native American culture (falsely – opium had been used in Asia and the Middle East since before recorded history). This worked to key in to a
larger political discourse that posited ‘Indianness’ as crucial to a new settler identity. While working in the service of the formation of a national identity as well as the enactment of structural elimination, the specific instance of appropriating Native culture in the service of commodifying a resource – opium – which was gained one hundred years prior through the British colonial project in India, works to displace the South Asian origin of the active ingredient of the medicine.

This displacement is required in order for the formation of a new object such as an ‘Indian Sagwa’ marketed by the Kickapoo Company. Merely calling opium by a different name or claiming a monopoly through legal discourses of ownership would not be sufficient in the project of the commodification of a resource gained through empire. The cultural discourse of ownership that underpinned the advertising strategies of the patent medicine companies of the latter decades of the nineteenth century worked to displace the origin of the active ingredient. Through assigning the origin of the medicine to the indigenous peoples of North America, these discourses keyed in to the larger forces of elimination and settler identity formation in order to deny any relation of the medicine to India. So, here we have a double seizure that extends through 100 years of history: the colonial structure of the British Empire works to appropriate the opium of India (starting roughly in 1757), while the settler colonial project of the US continues this appropriation by attributing the physiological effects of opium to ‘Indians’ (Native Americans) in order to promote the settler project of indigenous elimination cum domestication.

Here we have a perfect example of what Lorenzo Veracini has referred to as the dialectically opposed, but not necessarily conceptually distinct relationship between structures of colonialism, and those of settler colonialism. If we consider the relation to the indigenous population, settler colonialism and colonialism are indeed dialectically opposed to each other. In the case of the commodification of opium, the British relied on indigenous labour in India to harvest and export opium to China, while in the case of the medicine shows, Americans relied on indigenous cultural appropriation to sell opium. While both these relations to the indigenous population worked to assert ownership over opium, the
indigenous population served a very different function at very different points in the process of appropriation. The seizure and exploitation of opium in both the British colonial project in India in the eighteenth and nineteenth centuries and in the US settler colonial project of the nineteenth and twentieth centuries rely on an original appropriation.

Of course, entrepreneurs such as Healy and Bigelow were not consciously doing this work of displacement. In the moments when opium and/or morphine were used in these patent medications, their geographic origin was most likely not considered. However, this theoretical analysis is not about the intentions of the practices of cultural appropriation in question, but more specifically on the ramifications of those practices as they crystallise into discursive formations of ownership and modes of colonial and settler colonial dispossession. The cultural appropriation of indigenous culture in the US is most fundamentally driven by the aforementioned forces of elimination and identity formation. In the case of the medicine shows, a white fantasy of indigenous practices of health as holding the untapped resources of civilisation brings us the white pitchman and his performance of domesticated Indians. Domestication can also be understood through the lens of assimilation. In this instance, the assimilation occurs through a denial of radical alterity – the denial of an impasse – through the selective representation of indigeneity by the pitchmen. The white and the Indian become quite similar, and the Indian’s only difference lies in what he can offer the white. In this case, the Indian has something very distinct to offer the white; and that is the euphoria and pain relief of opium. Seen in this way, some of the first experiences of white settlers in the US with the physiological effects of opium were inextricably linked to the practices of indigenous cultural appropriation. In a symbolic reversal of Columbus’ famous mistake, the opium of India was mistakenly attributed to the Indians of North America.

**SETTLER DISPOSSESSION NOW: PARTNERS AGAINST PAIN**

We will now move to critical theories of late liberalism that will work to unpack the relation between the use of race in asserting ownership over opium in the medicine shows of the late nineteenth and early twentieth century, and the use of ‘freedom’ in contemporary
advertisements for pharmaceutical narcotics. Specifically, I will draw from the discussion of the Kickapoo Indian Medicine Shows in order to compare the use of the cultural appropriation of indigeneity in asserting ownership over – rendering a new object from – opium to the rendering of the fantasy of ‘a life free from pain’ in the Partners Against Pain campaign launched by the pharmaceutical company Purdue Pharma. The exploitation of notions of charity is contextualised within liberal notions of the universal and autonomous self (see my discussion of its genealogy above) that demands recognition and freedom from social constraints.

Purdue Pharma is a multinational pharmaceutical company that owns the patent to the drug Oxycontin. Oxycontin is an opioid pain medication synthesised from the opiate alkaloid thebaine. Until the controversy over Purdue’s misrepresentation of the risk of addiction culminated in a costly lawsuit in 2007, Oxycontin was one of the most commercially successful drugs in the history of the pharmaceutical industry.28 Sales of Oxycontin rose from $44 million (316,000 prescriptions dispensed) in 1996 to nearly $3 billion (over 14 million prescriptions dispensed) in 2001/2002. Oxycontin was much more commercially successful than other equally effective opioid medications on the market at the time.29

The most obvious explanation for the reasons why Oxycontin was so much more successful than drugs that do essentially the same thing is that Purdue Pharma launched an extremely aggressive, $200 million advertising campaign that misrepresented the risk of addiction to the public and to medical professionals. Purdue claimed that Oxycontin carried a ‘less than one percent’ risk of addiction. This is now a laughable claim considering the ubiquitous reference to the problem of addiction to Oxycontin in the press and in popular culture. The presence of Oxycontin as an illicit and addictive drug has even made it into hip-hop lyrics, framing prescription medications like Xanax, Vicodin and Oxycontin as illicit drugs in the same category as heroin or cocaine.30 In addition, the use of opioids in the treatment of pain was largely reserved for cancer patients in the US until around the year 2000. It is no coincidence that this was exactly the time when the Oxycontin advertising campaign had reached its high point. Doctors were invited to conferences sponsored by Purdue that were billed as ‘professional education on
Hammond, ‘Speaking of Opium’.

the newest innovations in analgesics (pharmaceutical pain medicines)’. These conferences were little more than pitches to doctors that encouraged a much wider use of opiates and opioids in the treatment of pain. Of course the opioids that the doctors were to use would be Oxycontin. This was not only because of the free samples provided to attendees of the conferences, but because the ‘discovery’ of the potential uses of opioids as general analgesics (pain relievers) rather than solely for use on cancer-related pain was ostensibly relayed to them by Purdue sponsored researchers. While the misrepresentation of addiction and the pseudo conferences launched by Purdue have been the main point of focus in critiques of the advertising campaigns of Oxycontin, this analysis will focus on the imagery and language that is used in Purdue advertising campaigns for the wide array of opium derived drugs offered by the company.

Partners Against Pain (PAP) is a website launched by Purdue with the purported dual aim of informing patients and medical professionals about the latest innovations and studies in the management of physical pain.31 Partners Against Pain ally themselves with philanthropic organisations such as the American Pain Foundation and the American Pain Society by providing a wide array of ‘educational’ literature and content on their website. The website is divided into information that is available for patients, and information for medical professionals. ‘Pain. It’s not something you need to face alone. You have partners’, is the tagline of PAP, accompanied by images of elderly men and women with their younger family members, x-ray images of a lower back, ‘soldiers’ in front of a US flag and international celebrities like Naomi Judd. There are links to .pdf files with names like ‘understanding pain’, ‘tracking pain’ and ‘measuring pain’. On first, or even second glance, this site would not appear to be an advertising campaign of Purdue at all, but a philanthropic organisation whose mission is to educate the public on the latest innovations in pain management. And yet, the long lists of possible pain treatments always seem to insist that pharmaceutical medication is the safest, most tested, and most reliable method for managing pain. There are entire sections of ‘alternative’ forms of treatments such as meditation, yoga and homeopathic medicines, but they are always careful to frame these
approaches to pain management as ‘supplemental’ to the more reliable, safe and tested pharmaceuticals prescribed by physicians.

If people experiencing pain or doctors seeking information about pain treatment were to stumble upon this site, they may or may not realise that the sole funding source for the project is from Purdue Pharma, a company that clearly has a vested interest in convincing doctors and patients that the best way to treat pain is with pharmaceutical narcotics derived from opium; preferably those offered by Purdue.32 So why did campaigns like this work so well? There are two related dynamics at play in the discursive strategies of PAP. First, while PAP is not a charitable foundation, it utilises the language of philanthropy in the sense that at first or second glance, the site would seem to exist solely out of the good graces of its anonymous creators. Helping people to lead lives with as little physical pain as possible would seem to be the sole mission and purpose of the organisation. Second, given the assertion that those in pain ‘no longer have to face pain alone’, PAP is suggesting that they have a specialised knowledge about human physical pain that will most likely lead to the relief of that pain. This is supported by the images on the PAP website. While this is an organisation that purportedly seeks effective treatments of pain, nobody in any of the images seems to be in pain. On the contrary, they seem to be elated. This may seem a bit too obvious of a point to make. We are all used to advertisements for Celexa that feature actors who don’t seem to be depressed at all, or for Viagra where men seem to be suffering form the opposite of erectile dysfunction disorder. And yet, the semiotic work of these images is immense. The fantasy of a life with little or no physical pain is framed as the logical end to heeding the advice of PAP. But what is a life free from physical pain? It is more fundamentally, a life free from circumstance, a life free from obligation, it is a life where one is physically unencumbered, and thus exercises free will.

By utilising the discourse of charity and freedom in order to promote their product through PAP, Purdue Pharma has worked to mobilise what Elizabeth Povinelli has theorised as the autological and genealogical discourses of late-liberal settler colonial societies in order to re-present opium in the form of pharmaceutical narcotics. Povinelli frames the discourse of the autological subject as pitted
against the discourse of the *genealogical society*. Autological discourses are ways of framing a reality through language that demand an adherence to the notion of a self that is free from social obligation. This not only posits that one can separate modes of being into social and asocial categories (often framed in terms of public and private), but that there is a portion of one’s existence that is purely one’s own. In other words, there exists an autonomous self that is free from social constraint. Genealogical discourses on the other hand demand an adherence to the notion of a purely social self that is entirely determined by one’s past (genealogy) as well as one’s present social obligations. In Povinelli’s words:

Autological and genealogical discourses are not [...] different in kind even though they are used to differentiate kinds of people, societies, and civilizational orders. They both presuppose a liberal humanist claim that what makes us most human is our capacity to base our most intimate relations, our most robust governmental institutions, and our economic relations on mutual and free recognition of the worth and value of another person, rather than basing those connections on, for example, social status or the bare facts of the body.\textsuperscript{33}

By mobilising the discourse of charity, Purdue has activated a potent trope that circulates in contemporary liberal settler colonies. It asserts that ‘what makes us most human’ is the ability to recognise the autonomous will of another person. Povinelli theorises these discourses within the larger project of thinking about the relation between intimate love and empire. What this analysis is posing is a gesture toward thinking about the relation between another type of normative love and empire; namely the requirement to love strangers who are suffering through acts of charity. Through the evocation of such a requirement, Purdue does the work of commodification *and* object formation by exploiting a liberal desire to respect the rights of others through charity.
Here we can begin to think about a comparison between discourses of ownership in the medicine shows of the late nineteenth century and contemporary campaigns by companies like Purdue. Of course, in both contexts there is a great deal of deception. Without a fair amount of research, one would not even know that they were being marketed to in the PAP context. Because the work of Purdue was to change the professional and popular views about the proper use of medicines derived from opium, they had to launch a much more subtle campaign that worked to change the views of both doctors and those experiencing physical pain. In some ways, it would seem more apt to compare the pharmaceutical advertisements on television to which many of us are accustomed to the early medicine shows. Seen one way, the only aspect that has changed between the medicine shows and pharmaceutical advertisements on television is that there is a much more comprehensive scientific discourse legitimating the claims of the advertisements. Images of a life free from depression, pain, venereal diseases or erectile dysfunctions have replaced the exoticised images of the old medicine shows, but the relative tactics of the advertisements have not.

The crucial factor that separates PAP from television advertisements is the way in which it aligns itself with ideas of charity and philanthropy. In addition to everything else on the PAP website, we learn about the possibility of ‘becoming a pain advocate’. While the extent to which PAP actually participates in pain advocacy is unclear, there is a clear attempt to associate the organisation with other foundations and philanthropic organisations whose mission statements involve raising awareness about the latest developments in pain medication and treatment. In this sense, we can begin to theorise the ways in which exploiting the desire to engage indigeneity has been replaced by exploiting the desire to respect the individual rights of each person to an autonomous existence. In other words, in the evolution of the commodification of opium from the second half of the nineteenth century until the present day in the US, we have seen a shift from the use of a domesticated indigeneity to the use of notions of individual rights that presuppose an autonomous self. We can see the ways in which a monopoly over the physiological effects of opium is asserted (in part) through a discourse that – in much the same way as the racialising discourses of the medicine shows worked a hundred years before – works to displace the origin of the active
ingredient. Opium from India in the eighteenth century became the Indian (Native American) ‘Sagwas and Elixirs’ of the nineteenth century, which then became the pharmaceutical narcotics of the twentieth and twenty-first century.

CONCLUSION

The performance of indigeneity in the nineteenth century medicine shows and the mobilisation of liberal discourses of freedom and obligation in contemporary advertising campaigns work to normalise a set of beliefs and practices around the ingestion of opium that carry a number of assumptions. First, there is the very important work of separating the opium from its origin in South and Central Asia. We should always be reminded that the opium sold in medicine shows as well as by contemporary pharmaceutical companies would have not been available if not for the history of British colonialism. If we fast-forward to the contemporary advertisements such as PAP, we find an even greater distance between the sign ‘opium’ that is displaced through liberal ideas of innovation, progress, freedom and charity. In other words, in the process of forming opium into various objects such as ‘Sagwas’ and ‘pharmaceuticals’, much more than a chemical process had to have taken place. Discursive formations of ownership were required, which in turn relied on both colonial and settler colonial modes of dispossession.

Finally, we have a new way of thinking about contemporary settler colonial society by focusing the center of our analysis on discourses of ownership and processes of commodification rather than directly on settler/indigenous relations, or even on processes of indigenous decolonisation. Of course, decolonisation is the ultimate hope in crafting a theoretical conception of settler colonialism. Nevertheless, it is extremely important to be reminded that an understanding of settler colonialism requires an understanding of all aspects of settler society, not just those that may seem on the surface to be related to indigeneity. As we have seen, rendering opium as a new object such as ‘Oxycontin’ in contemporary settler society for the purposes of commodification absolutely relied on colonial practices of indigenous labour and resource extraction in the British Empire, and on settler colonial practices of assimilation and absorption in the US. colonial and early settler colonial practices laid
the foundation for contemporary settler commodifications that on the surface may seem unrelated to the oppression of indigenous peoples, but are historically infused with such oppression. I echo Andrea Smith’s concern that ‘Native Studies is often ethnographically entrapped within the project of studying the Natives’. If decolonisation is indeed the project of settler colonial and native studies, it is necessary to widen the scope of native studies through an acknowledgment that settler colonialism is not only a phenomenon that is harmful to native people, but to all people.

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BIOGRAPHICAL NOTE

Jay Hammond completed an MA degree in the department of anthropology at Columbia University in May 2011.

NOTES

2 Courtwright, *Forces of Habit*, pp. 30-42.
Hammond, ‘Speaking of Opium’.

11 Presently, this notion of culture has changed, with international bodies such as the UN or the World Intellectual Property Organisation (WIPO) advocating for the ‘rights’ of indigenous peoples to ‘cultural heritage’. We might read this notion of culture as fusing notions of autonomy through a language of rights with notions of collectivity through a language of ‘traditional knowledge’.
15 McNamara, Step Right Up, p. 45.
16 Among the patent medicines that contained opium were ‘Bateman’s Drops’, ‘Dalby’s Carminative’, ‘Godfrey’s Cordial’, and ‘Mrs. Winslow’s Soothing Syrup’.
17 Young, Toadstool Millionaires, p. 199.
18 For accounts of the performance of difference in medicine shows, see Young, Toadstool Millionaires and McNamara, Step Right Up. For information of patent medicines containing opium see Young, Toadstool Millionaires, pp. 68-9, 221-222, 226, 227, 237, 240, 244, 247.
19 It should be noted that my use of the term ‘Indian’ is deliberate. While I am aware of the politically incorrect contemporary nature of the term, ‘Indian’ was in fact the predominant term used at the time to refer to Native Americans.
21 McNamara, Step Right Up, p. 81.
22 McNamara, Step Right Up, p. 94.
23 McNamara, Step Right Up, p. 87.
Hammond, ‘Speaking of Opium’.


32 The opioids currently offered by Purdue are: Butrans, Dilaudid, and MS Contin. Oxycontin has been discontinued as of 9 August, 2010 (presumably because of the continued controversy that links Oxycontin to addiction). See: <http://www.purduepharma.com/Products/Prescription/Pages/default.aspx>. Accessed 27 May 2011.


Mother and the Other: Situating New Zealand Women’s Captivity Narratives in a Transcolonial Settler Culture of Anxiety

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This article analyses nineteenth-century women’s captivity narratives in the white settler colony New Zealand. It asks how white femininity and indigenous masculinity are represented and how these notions relate to representations of white masculinity and indigenous femininity. Moreover, the article examines the relationship between colonial gender identities and British bourgeois ideals of respectable gender images. By comparing the New Zealand case with the early modern North American narrative of Mary Rowlandson and the Australian Eliza Fraser stories, the author argues that New Zealand can be included in a transcolonial culture of captivity, as it shares a transcolonial repertoire of discursive rhetorics, strategies and anxieties.

When the weekly New Zealand newspaper *N.Z. Truth* in July 1929 published the story of a woman who had been reported missing for decades, it stood in a long transcolonial tradition of popular interest in captivity narratives:

Fifty four years ago, when the wheel of racial hatred between Maori and pakeha still was spinning, though slowly, a little girl of eight years was whisked away from her happy playgrounds in the bush-encircled homestead of her father and mother.

The Maoris who thus requited what they deemed just revenge for a pakeha wrong, made her one of themselves, and the little girl never saw her parents again. Her mother died with a broken heart.1
More than a hundred years before, Samuel Marsden, an Anglican priest of the Church Missionary Society and probably the best known missionary in New Zealand and Australia, had expressed a widespread belief:

The character of the New Zealanders was considered even more barbarous than that of any other savage nation, so that few [missionaries] would venture out to a country where they could anticipate nothing less than to be killed and eaten by the natives.²

New Zealand in the early nineteenth century was considered a dangerous space inhabited by ferocious savages. Both quotes deal with themes of indigenous violence and captivity. These were themes that made visible the vulnerabilities of the British Empire in general and of the developing settler community in New Zealand in particular.

This article is situated in the field of gender and imperial studies and examines female captivity narratives from the nineteenth century New Zealand frontier between the 1830s and 1870s.³ I use the term ‘captivity narratives’ to describe both published and unpublished historical sources, usually written in the first person, that deal with the seizure of Europeans by non-Europeans in a colonial setting. Captivity narratives typically describe being captured by indigenous people, the captive’s experiences, and eventually the end of captivity.⁴ I focus on sources written by and about women. Even if they are highly specific narratives, they are part of, as Linda Colley has noted, ‘a much broader, miscellaneous and markedly persistent culture of captivity’.⁵

Compared to the vast amount of research on American and, increasingly, on Australian captivity narratives, there is a research gap on this topic in New Zealand. Indeed, Trevor Bentley’s Captured by Maori: White Female Captives, Sex and Racism on the Nineteenth-Century New Zealand Frontier remains the only analysis of New Zealand women’s captivity narratives.⁶ Hence, his contribution, though rather a work of popular historiography, has opened up a new
field of research in New Zealand history. Notwithstanding its merits, Bentley’s analysis also shows several decisive weaknesses: although he presents neglected and partly unpublished historical sources displaying women at the centre of events, his work lacks a thorough theoretical and methodological foundation.

References to ‘discourse’ are ubiquitous in studies of cultural history. It is generally used in a variety of definitions, which are not always stated explicitly. ‘Discourse’ is here used to indicate practices that organise and define the perception and the action of individuals. Historical discourse analysis aims to expose discursive rules and discover discourses as well as their historical, spatial, cultural and social contexts by analysing certain corpora of historical sources (written, spoken or non-textual). As a result, this approach requires detailed attention to recurring discursive statements within the source material, in particular regarding themes like knowledge, constructions of meaning, and identity formation. What knowledge is necessary as a precondition? Which categorisations, causalities, and hierarchies are discernible? What knowledge is repressed, not admitted, or not considered? What conflicting statements can be seen in different sources? Who tries to position certain statements with which means? How do these themes change over time?

If captivity is really an ‘integral part of Britain’s overseas experience’, as Colley suggests, why is there a neglect of historical research on this topic in New Zealand? Indeed, compared to other regions the number of well-known captivity cases is rather insignificant. Nevertheless, the captivity discourse was publicly visible. The few cases of captivity generated a high public interest in the New Zealand and Australian presses. Moreover, European women’s captivity in different geographical areas of the British world, however distant in time and space, cannot be easily separated, as they were connected by important imperial networks. Bentley’s work on New Zealand women’s captivity narratives neglects the question of how the source material is embedded in a wider colonial and transcolonial discourse. The first part of this essay looks at transcolonial discursive elements by focusing on two narratives from other settler colonial backgrounds in a comparative view: the early modern North American Mary Rowlandson narrative, and the nineteenth century Australian Eliza Fraser stories.
In the second part I will argue that New Zealand can be included in a transcolonial culture of captivity sharing a transcolonial repertoire of discursive rhetorics, strategies, and anxieties. I will address the following questions: what images of white femininity and indigenous masculinity are expressed in these narratives? How do they relate to images of white masculinity and indigenous femininity? What relationship do these gender identities have with British bourgeois ideals of respectable masculinity and femininity? My argument will expand on Colley’s conclusion that captive bodies ‘mark out the changing boundaries over time of Britain’s imperial aggression, and the frontiers of its inhabitants’ fears, insecurities, and deficiencies’.12

**TRANSCOLONIAL DISCURSIVE TRADITIONS**

The tradition of the Indian captivity narrative in North America is as old as British colonialism. The first narrative written by a woman was Mary Rowlandson’s (1682).13 Born in 1637 in England, she was two years old when her family migrated to Massachusetts. In 1653 Rowlandson’s family moved to the frontier settlement of Lancaster, Massachusetts, the location of her later capture. It was territorial expansion that eventually brought European newcomers and Native Americans into conflict.

As the earliest captivity narrative to become a bestseller in America, Colley argues, Mary Rowlandson’s text decisively influenced future readers’ expectations of how captivity writers were expected to narrate their stories.14 Starting a transcolonial tradition of female captivity narratives, these texts were read for much more than just their informational value; as Colley asserts, they ‘focused attention on and prompted discussion about much broader constraints, embarrassments and fears’.15 Metacom’s War, part of the historical background of Rowlandson’s narrative, and the ongoing struggle between British settlers and local Indians, created the need for a textual form that ‘helped the European culture struggle through questions of cultural and gender identity during periods of extreme change and uncertainty’.16 In a wider sense, Rowlandson’s text offered a moral justification for the European side in this conflict, contrasting European civilisation against the perceived barbarity of Indians.
The second example considered here, a set of related stories about the shipwreck of the Stirling Castle in 1836, is located in Australia. While the main protagonist, Eliza Fraser, developed into a source of legend and myth in Australian history, the factual basis of the narrated events, according to Kay Schaffer, is less decisive than the representation of Eliza Fraser and her captivity story in various discourses and fantasies circulating in different colonial and metropolitan settings. These depictions – textual, historiographical, biographical, literary, and visual – produced, sustained, challenged, promoted, and helped regulating various representations of difference, such as class, ‘race’ and gender. Moreover, when Eliza Fraser eventually returned to England, her captivity story travelled with her. It did so in further dramatised ways, as the Eliza Fraser stories became more dramatic with each retelling.

These narratives were not limited to the Australian colonies and metropolitan England, however, but quickly spread to other regions in colonial magazines, broadsheets, and, as early as 1837, in the form of an American captivity narrative. This textual translation into a classic captivity narrative was set in an environment that rather resembled the American context, including feathered heads and wigwams. According to Kay Schaffer and D’Arcy Randall, it was accompanied by ‘transglobal conversations’ with other captivity narratives like Rachel Plummer’s and Cynthia Ann Parker’s, as demonstrated by a noticeable synchronicity, a shared cultural production, and even identical illustrations.

These textual translations of the Eliza Fraser story serve as an example for the way captivity narratives as discursive strategies were used across time and colonial locations as instruments which helped to come to terms with unstable cultural and gender identities in situations of change. The 1830s were a decade of significant shifts in the British Isles, with respect to an emerging British Victorian identity and a developing middle-class consciousness. Questions of gender roles and national identity, as they were played out in distant locations, became especially significant. In a comparative view, the Eliza Fraser stories are particularly important because they resulted in a wider and more enduring public interest in the colonial and British presses than other contemporary captivity narratives. According to Schaffer, the several stories share similar elements,
while constituting different narratives. These circulated in different forms and were read for various reasons by a varied audience. Schaffer argues that, unlike their reception in the British Isles, the colonial Australian interest was particularly determined by intercultural contact in an emerging white settler/invader colony. This was, therefore, a concern with a ‘liminal narrative of first contact’, which ‘fed the fears of an insecure settler population’. As opposed to this, the attraction in Britain was rather popular, political, and scientific. Thus, this captivity narrative both fed actual fears and fulfilled a popular desire for narratives of intercultural contact.

Both Eliza Fraser and Mary Rowlandson are represented (or represent themselves) as mothers who had to face the loss of a child or a temporary separation from her. They were not able to protect their children, what their role as mothers demanded. Furthermore, a second loss which both had to face was the death, or the prolonged absence, of their husbands. Hence, they were deprived of one possible source of protection in situations of intercultural conflict. This situation might have further enhanced in the readers the interest in themes of sexuality and sexual abuse of European women by indigenous men. Although most clearly visible only in narratives and relating illustrations of the late eighteenth and nineteenth centuries, ‘captivities confront their readers with real or potential sexual relationships across racial and cultural lines’. In Rowlandson’s case this point was confined to the readers’ imagination. Similarly, the American captivity narrative about Eliza Fraser left deliberately open the possibility of sexual abuse; the readers could only speculate.

Although the distinction between Self and Other is obvious in both cases, the representations of the local population differ significantly. As a permanent settler, Mary Rowlandson was to a certain extent familiar with the language and customs of the Indians. She was therefore able to communicate with her captors. Nevertheless, her background would have not allowed her to openly express sympathy for them. Subconsciously, however, she tentatively began to identify with the indigenous society, as the description of Indian food indicates. While she would probably have despised eating raw horse liver and cooked horse feet in her settler community, she found it savoury as a captive. As a contrast to this rather ambivalent
portrayal, the 1830s stories about the presumed captivity of Eliza Fraser remain one-sided, and the Badtjala Aborigines are silenced and racialised.

Finally, while Mary Rowlandson can be characterised as a survivor character, she shows both traits of a victim and a victor, Eliza Fraser lacks Rowlandson’s physical and mental strength, as well as her ability and will to adapt to life in the indigenous community in order to survive.28 Eliza Fraser can be characterised as a ‘frail flower’ or a ‘damsel in distress’, a woman facing the threat of a villain or monster, who is in desperate need of a male rescuer. This type of woman captive character was, according to June Namias, most typical for nineteenth century women’s captivity narratives.29

And yet, even if these narratives should be analysed within their specific historical contexts, I suggest that certain elements of the discursive terrain of female captivity were persistent in the British world over time and space.

REPRESENTATION OF PAKEHA WOMEN’S CAPTIVITY IN NEW ZEALAND

1. REPRESENTING MAORI THROUGH CAPTIVITY NARRATIVES

Settler handbooks are important sources in the transcolonial analysis of settler discourse.30 A recurring theme they approached was the ‘ranking’ of indigenous people according to their ‘racial’ classifications. In this racialised view, what distinguishes Maori from other non-European populations was the treatment of women. According to a popular work by Joel Samuel Polack, the

superior civilization of the New Zealanders compared to the Australians [...] arises from the different treatment of their females, and history has invariably taught us the assertion, that absolutely the rise, progress, and decline of nations, has depended principally on the treatment of the weaker sex.31

Rather positive statements about Maori, however, are usually found near others which put them into perspective. The effect of these
recurring discursive representations on intending emigrants must have been twofold: Maori are not as ‘civilised’ as Europeans, yet not as ‘barbarous’ as other ‘savage races’. Measuring a society’s treatment of women as a criterion for determining its degree of civilisation was especially helpful in creating a moral justification for the superiority of civilised British colonialism. This discursive refrain, as Philippa Levine has noted, ‘assumed that a critical function of society was to care for and protect women, an idea which logically ensured that women be defined by men and compared against male behaviour’. The supposed treatment of women was thus also used in arguments about conflict against Maori in more conventional terms. With reference to a well-known comment about Russia attributed to Napoleon one settler guide warned that ‘with equal justice it might be said, if you “scratch the Maori you find the savage”’. A key discursive element in these representations is the construction of difference between the Self and the Other. Originally applied to the study of European relations with the Middle East, Edward Said’s argument about the Western representation of the Orient can also be transferred to the New Zealand context. Said describes Orientalism as a discourse that constructs the Orient as the West’s imagined Other – something that is constructed by the West through a system of knowledge production, exists for the West, and helps to shape its own identity. Some commentators, Lieutenant-Colonel Godfrey Mundy on his visit to New Zealand in 1847-48, for example, even established a direct link between the Maori and ‘the Oriental’: ‘There appears to me a good deal of Orientalism in the character of the Maori’. In the middle of the nineteenth century the discourse of Orientalism was common sense: ‘One could speak in Europe of an Oriental personality, an Oriental atmosphere, an Oriental tale, Oriental despotism, or an Oriental mode of production, and be understood’. How naturalised or in other words self-evident was this discursive strategy in a recently acquired colony like New Zealand?

Part of this system of representation, the captivity discourse allowed the British to make sense of a specific colonial setting. The captivity discourse is characterised by the elements of violence, cannibalism, and slavery as primary elements of Othering as a
discursive strategy. Maori violence and brutality were constructed as a binary opposition to the peaceful intentions of defenceless British settlers, as news about the captivity of Elizabeth (called Betty) Guard on the coast of Taranaki show. It was reported that ‘[e]very new arrival brings intelligence of the committal of fresh atrocities by the Natives of that country upon the defenceless Settlers and Traders’. Nouns like ‘atrocities’ were a set element of the captivity discourse. Alternatives in synonymous usage were ‘horrid murder’, ‘outrages’, ‘massacre’, ‘barbarities’, ‘cruelty’, ‘slaughter’ or ‘murderous attack’.

If violent attacks on male settlers or castaways were not enough to convince the readers of the ‘savagery’ of the ‘Natives’, violence towards European women, or even worse mothers and their young children, would have surely fulfilled the purpose. Betty Guard, twenty years old at the time of the event in 1834, was, according to an article from the Sydney Herald, miraculously saved by her hair comb:

During the skirmish Mrs. Guard was twice knocked down by the savages, with a child at her breast, and but for her comb would have been instantly killed; she was however taken prisoner by the monsters in our retreat with her two babies.

This statement is part of Betty Guard’s husband’s, Captain Jacky Guard’s observation reported to the Sydney paper. Stressing the suffering of his entire family helped him ensure that a considerable rescue party was dispatched to the West coast of the North Island. It also guaranteed the generosity of the Sydney public – a strategy which Eliza Fraser may have learned from this prior incident. European womanhood and motherhood, besides cargo, land and security, were elements that sparked European protection and rescue efforts.

Violence, a crucial ‘savage’ characteristic constantly stressed by European sources, was not considered a response to European invasion. It was rather seen as an endemic, traditional element of Maori culture, a trait inscribed into their way of living. An article
from the *Sydney Gazette* and *New South Wales Advertiser* from November 1834, reporting the captivity of Betty Guard, tells readers about the ‘exceeding ferocity of the New Zealand savage, and that inherent treachery and rapacity which has distinguished them from the horrible slaughtering of the ill fated crew and passengers of the Boyd to the present period’.\(^4\)

Description of violence in the published sources, however, often went beyond. Descriptions like the following *Sydney Herald* article from November 1834, regardless of its veracity, further increased settler bias against the Maori ‘Other’: ‘Mrs Guard states, that [...] [t]hey [her Maori captors] voraciously licked her blood, and when it ceased to flow, attempted to make an incision in her throat for that purpose, with part of an iron hoop’.\(^4\) The image of the cold-blooded and blood-thirsty Maori, reported in indirect speech by the woman captive herself, vividly illustrates the process of Othering. While the exhausted state of the captive alone must have ensured the readers’ sympathy, the Maori Other does not seem to care at all. In contrast, the behaviour of the locals is portrayed as animal-like, using the image of the ‘wild beast’ – a common strategy of dehumanising captors in captivity narratives.\(^4\) Both in newspaper articles and in other published works, however, opposing voices can be found. Indeed, this discourse was not uncontested, and the colonisation of New Zealand proceeded in the context of increasing and genuine concerns for the wellbeing of the indigenous population. However, in the white settler colonies, these objections could only remain a minority.

A second dominant element of Othering can be found in the depiction of cannibalism, a classic trope in travel writing and fiction about the Pacific. Representations of cannibalism, however, often reveal more about their authors than about their subjects. According to Barbara Creed and Jeanette Hoorn, ‘Europeans constructed – consciously or otherwise – the myth of the “cannibal” through journals, literature and other forms of story-telling in order to denote indigenous people as primitive savages’.\(^4\) In the discourse on women’s captivity in New Zealand cannibalism was prominent in the sources published in the 1830s and early 1840s. Afterwards, it quickly diminished. For instance, the 1859 edition of the *New
Zealand Handbook already lists cannibalism as an extinct custom of Maori New Zealanders.46

Descriptions of cannibalism were brief, but frequent, as in the journal of Lieutenant Henry Gunton, a day-by-day account of the expedition to rescue the Taranaki captives in 1834. Gunton notes: ‘the savages killed twelve of the crew, put them into their ovens, roasted and ate them’.47 The offering of human flesh to the captives, which they believed to be the bodies of their relatives or fellow seamen, was considered even worse than the descriptions of cannibalism, these sources insisted. Cannibalism, like the love of war and violence, was considered a natural characteristic of the Maori. In the early period of European settlement, the myth of cannibalism in the captivity discourse was ubiquitous. Increasing systematic colonisation, however, and increasing intercultural contact, rendered this theme less frequent. Given that most captivity sources leave the indigenous population silent, occasions in which the Maori are actually given a distinct voice are particularly interesting. Captain Guard’s account of the encounter with Taranaki Maori contains scenes which are presented as conversations; for example, when the Maori ‘with the most abominable threats and gestures, said they would “eat our hearts!” &c’.48 Passages of indirect or direct Maori speech were reserved for cannibalistic threats in order to render the scenes even more intimidating and dramatised.

Similarly to the Eliza Fraser story in the Australian context two years later, the captivity narrative of Betty Guard travelled to England, even though the metropolitan interest did not seem to have been as high. An 1835 article in The Times mainly consists of copied parts of a Sydney Herald article from November 1834. The heading focuses on ‘Cannibals’, and the article focuses on the ‘sufferings’ of Betty Guard and her children.49 What was less interesting to the reading public was filtered out. Interestingly, the short introduction to Mrs. Guard’s narrative notes that as the ‘islanders were cannibals’, her ‘escape may be better imagined than described’.50 Cannibalism remained a well-known topic of stories set in the Pacific region and a crucial element in the captivity discourse of the 1830s.

Cannibalism remained a well-known topic of stories set in the Pacific region and a crucial element in the captivity discourse of the 1830s.
‘uncivilised’ world. Slavery was presented as a practice completely detrimental to Britishness, and was therefore another key form of ‘Othering’. In his 1838 travel narrative Joel Polack treated the situation of a Maori ‘slave or taurekareka’ in the same chapter dealing with the treatment of European captives. The existence of enslaved Europeans threatened the idea of a superior European civilisation. ‘Liberty’ was one crucial ideological tenet of a British ‘empire of rights’, and the possibility that Britons could be taken captive and forced into slavery was bound to raise attention. When two young women became victims of a ‘forcible abduction’ in Wangaroa in 1866, a European ship Captain (with the help of a Maori chief and a ransom) ‘rescued the poor girls from the horrible fate in store for them’ – a life as enslaved captives. Slavery, cannibalism and violence were thus the most effective and most frequently used elements of a discursive Othering. As opposed to these characteristics, British settlers were generally represented in terms of peacefulness and superior civilisation, and without the means of defending themselves against Maori ‘atrocities’.

2. REPRESENTING GENDER THROUGH CAPTIVITY NARRATIVES

According to Angela Woollacott, captivity narratives and narratives of colonial sexual assault ‘contributed to the emergent nineteenth century European bourgeois definitions of respectable masculinity that emphasized reason, self-control and protective behaviour towards bourgeois women’. Moreover, ‘they helped shape European bourgeois definitions of respectable femininity as delicate and vulnerable’. How far does this assertion hold true for women’s captivity in New Zealand?

Catherine Hall and Eleonore Davidoff initiated a debate about the gender ideologies of the British middle-class, which is most often remembered for the emphasis on the notion of separate spheres. The Victorian domestic ideology of the middle-class constructed a clear division between a public sphere, reserved for men, and a private sphere, the domain of women. This separation was perceived as common-sense at the time. Bourgeois women were thus urged to concentrate their social activities around home and family. This definition, as Hall argues, was already well established by the 1830s and 1840s. Despite the ideological power of the notion of separate
spheres, this dichotomy has always been challenged, the authors assert, by women who felt restricted in their social life. How did this dominant gender ideology, as a construction with specific meanings, translate into colonial contexts? Research on gender and empire has shown that these gender prescriptions circulated extensively. Respectable femininity in the colonies was similarly characterised by ‘women’s confinement to a notional private sphere and their supposed incapacity for productive labour, education, professional work or political citizenship’, though this was not uncontested.

In New Zealand, as in other white settler colonies, there is a noticeable gender imbalance in the first generation of European immigrants. Before the Treaty of Waitangi in 1840, New Zealand was not even considered a suitable place for European women at all. Levine notes how peopling ‘such colonies with greater numbers of women became a desirable social policy intended to domesticate, to Anglicize, and to mollify some of the excesses of masculine societies at the frontier’. ‘Making a new home’ was thus the main purpose for women in white settler colonies, linking female migration closely to ideas of domesticity and also respectability. ‘New Zealand with its reputed openings for aspiring farmers’, James Hammerton argues, ‘remained a convenient literary escape route to sturdy manhood and domesticated womanhood’. The ideology of a woman as the colonial ‘helpmeet’, as Raewyn Dalziel has shown for nineteenth century New Zealand, required that pakeha women, as their husbands returned from ‘the sordid outside world’, ‘maintain a pure and gracious atmosphere, an unruffled serenity and strong moral purpose’.

One major function of captivity narratives in New Zealand was to ‘excite pity and indignation in the breast of every man of moral principles in the community’, as the *Daily Southern Cross* describes it. The frequent use of nouns like ‘sufferings’ or ‘hardships’, or of adjectives like ‘poor’ or ‘unfortunate’, highlights the supposed vulnerability of captives in general, and of female captives in particular. Most captivity sources reinforce this observation: only a minority of them are written in a first-person perspective, which theoretically would have allowed former captive women to express their own agency. Instead, most captivity incidents are accounts
mediated by male authors. As it subjects women’s voices to male authorities, this discursive technique shares certain characteristics with the silencing of indigenous voices.

Accordingly, female captives, both during their captivity as well as in descriptions of their rescue, are generally described as passive objects in contrast to male agency. They rarely act, but are acted upon. They show strength of heart and courage, and, of course, a desire to be taken back to European civilisation. Most of the captives are described in terms of their motherhood, which is another link to a transcolonial anxiety. Separation from one’s child (besides being subject to whakataurekareka, acts of intimidation and degradation, and sometimes violence) was another pitiful element of representation of their captivity. On the other hand, vulnerable femininity required heroic male rescue, and a demonstration of European power and masculinity, and these further sustained ideologies of gender division.

There always was the possibility that captive women did not want to be taken back to European society. How was their resistance rationalised? Incidents of this kind, which are often described as ‘going native’, did not occur as frequently as with male New Zealanders and were presumably even less often recorded. The example of Mary Bell, who was taken captive and lived as a taurekara, a cook slave, with a Maori community on Mana Island near Wellington for several years, shows how desires of going (and staying) native could be explained away within the captivity discourse. Settler John Anthony Knocks reports about her fate in his reminiscences:

Mr. Bell and lady took to excessive drinking which ultimately killed him and destroyed his wife, who became helplessly beridden [...] when she resisted all Mr. Murphy’s offers of kindness to have conveyed to her friends or relations, or to place her amongst Europeans – saying No – she had become and felt so degraded she could not bear to be brought into union with Europeans again – she was therefore left.
Excessive alcohol consumption and feelings of degradation as a result of the prolonged state of slavery were used as an explanation for Mary Bell’s reluctance to be brought back to a European community. According to this representation, captivity had transformed the woman and this change was now irreversible. This type of rationalisation allowed a specific discourse to survive together with the notion of European cultural superiority.

How were changes to the captives, women who had been ‘exposed to the mercy of these ferocious savages, and carried away into such a wild country, far from human interventions’, sketched in the discourse? In representations of female captivity the description of the ‘rescued’ is often as, or even more, detailed than descriptions of captivity itself. In the case of Betty Guard, for example, the main emphasis in describing her was put on her Maori clothes, as the assistant surgeon William Barrett Marshall’s *Personal Narrative of Two Visits to New Zealand* shows:

She was dressed in native costume, being completely enveloped from head to foot in two superb mats, the largest and finest of the kind I have ever seen [...] She was, however, barefooted, and awakened, very naturally, universal sympathy by her appearance.

Marshall, a humanitarian Philanthropist, describes her in sympathetic terms while noticing a change in her outward expression – she was dressed in traditional Maori clothing and appeared barefooted. Other commentators, Edward Markham, or Lieutenant Henry Gunton, for example, directed their attention more on the beauty of the rescued captive, describing her as ‘dressed rather oddly [...] her hair long and black [...] and rather good looking’ or ‘looking beautiful in the Native Cacahow and Hair loose’. In their descriptions one can sense the effects of living with Maori communities: Mrs. Guard’s hair flowed freely, and above all, as Markham observes, there was ‘a Wild look about her’. These descriptions, while principally sympathetic, display a certain kind of exoticism and interest in what I would call the stain of wilderness.
Andreas Brieger, ‘Mother and the Other’.

This discursive technique presents the changes a captive could possibly undergo – change in dress, change in manners, being tattooed – as a perceived menace to prevailing ideas of masculinity and femininity. One thing was sure: life as a Maori captive was not what contemporary readers understood by ‘respectable’ femininity. These New Zealand captivities threatened images of delicate, decent, and caring domestic wives.

On the one hand, representations of pakeha women’s captivity between the 1830s and the 1870s are structurally similar to their Australian counterparts (even though they did not find the metropolitan media market that the Eliza Fraser stories found). On the other, it is important that according to the New Zealand captivity discourse, in particular during the wars of the 1860s, mixed-descent women or Maori women legally married to respectable Europeans settlers were actually included in the definition of respectable femininity. Their captivity was treated in much the same way as the captivity of European women, even though their descent or family status needed to be made clear. Important to the settler population was, therefore, not only the captivity of European women and European children, but rather the captivity of all ‘the wives and children of European settlers’. As can be expected, these husbands included their Maori wives and mixed race children into their anxieties regarding prescribed gender roles. That their anxieties could be widely represented in the New Zealand press sets New Zealand apart from the other white settler colonies.

The abduction of Caroline Perrett, also called Queenie, as a young girl by a group of Maori gum-diggers in 1874, is a good example of the limits of the New Zealand captivity discourse in the period of examination. The contemporary press reports covered the unsuccessful search activities, mentioned the reward for the restoration of the little girl, and reported the mother’s suspicion that ‘the natives have got her in the bush inland’. Caroline Perrett’s ‘rediscovery’ in July 1929 (she was then named Mrs. Ngoungou) was intensively reported in the New Zealand press, although not always in an accurate way, as Perrett clarifies in an exclusive interview with the Auckland paper, The Sun. I have included Caroline Perrett’s captivity in this analysis because it indicates what could not be written about 50 years before or earlier. Cases of complete
transculturation were not allowed in the public domain between the 1830s and 1870s. The historical circumstances and prevailing gender ideologies suppressed this crossing of boundaries. The expression ‘I do not know if I would have been any happier living as a European’, would have not been possible.\(^{75}\) Namias’ argument that captivity narratives in North America fulfilled the purpose of helping the European American settler population struggling ‘through questions of culture and gender identity during periods of extreme change and uncertainty’, can be applied to the New Zealand context as well.\(^{76}\)

While the representation of Maori violence in the captivity discourse can clearly be related to indigenous masculinity, female members of the Maori community are rarely visible in the discourse, except as a sexual attraction distracting Betty Guard’s rescuers. In her case, it is reported that ‘a number of women added enticement to those invitations, by dances of the most unequivocal character’.\(^{77}\)

In one instance, however, Maori women contribute to a discursive statement, which positions them in a more favourable light than their male relations. This can be observed in the captivity narrative of Maria Bennett, in which the help of a Maori slave woman saves the European captive.\(^{78}\)

In the report of the *Sydney Herald* about the rescue of Betty Guard, the captive is quoted in indirect speech, telling the readers about her first rescuer - a Maori woman and wife:

Mrs Guard states [...] They then stripped her and her children naked, dragged her to their huts, and would have killed her, had not a Chief’s wife kindly interfered in her behalf, and when the bludgeon was raised with that intention, threw a rug over her person, and saved her life.\(^{79}\)

Betty was saved by the initiative of a Maori woman. Interestingly, according to a Maori historian, it was not the interference of a chief’s wife, but the initiative of one of the Chiefs, Oaoiti, which saved her life.\(^{80}\) How can one explain this difference?
It seems to me that Betty’s version was more in accordance with the rules of the discourse. Firstly, the kind interference of a Maori man would have undermined the prevailing description of Maori as violent, ‘ferocious savages’, which had clear masculine connotations. Secondly, it was common ethnographic knowledge at the time that women captured in battle could be taken as wives by their captor. This would have further undermined male European authority, and contested pakeha gender roles. Betty’s description, independently of its historical veracity, fulfilled European readers’ expectations, sustaining their curiosity, their attention and confirming stereotypical images pertaining to gender roles.

It is no wonder that references to the marriage of a pakeha female captive to a Maori chief and sometimes to the resulting offspring are characterised by their brevity. In Maria Bennett’s narrative, for instance, only one short sentence is required to spark the imagination of the readership: ‘I was married to a chief, whose name was Orleu, by whom I had one child’. This textual reticence was not untypical for nineteenth century sexual discourse, as Dalley shows, where ‘sex, like danger, was everywhere’. Bennett’s statement condenses the forced marriage of the European captive to the Maori chief, sexual activities, the captive’s pregnancy, the motherhood of a Pakeha woman in a non-European environment, and, above all, the violation of racial boundaries and female vulnerability. Its shortness demonstrates how this remained a very painful topic in the context of a colonial sensitivity.

In relation to Betty Guard, The Sydney Herald reports that, after initial acts of whakataurekareka, the Maori ‘did not afterward ill-use her’. That she became pregnant some time after her return to Sydney generated some discussion about the origin of the pregnancy. Who was the father? A glimpse into these concerns can be found in the autobiographical work of Edward Markham. The author, in contrast to Betty’s own statement, reports that a ‘Chief threw his Cacahow over her and she became his Mistress’. Markham questioned Betty’s respectability: ‘before I left Sydney,’ he writes, ‘I heard that she was brought to bed of Twins & they were rather dark’. These stains of wilderness might have also influenced others. Travel author John Shaw, for example, described her as a ‘drunken, degraded, and most miserably fallen woman’ and as a
‘female tigress’. Failure to fulfil gender expectations of respectable European femininity was not easily forgotten.

CONCLUSION

In this paper I have aimed to address a research gap in New Zealand historiography and the comparative study of settler-indigenous relations: European women’s captivity narratives. Experiences of settler female captivity were less common in New Zealand than in North America and were less often published in the form of the classical American captivity narrative. Moreover, transcolonial interest in New Zealand captivity stories was significantly less intense than in the case of the Australian Eliza Fraser stories. Nevertheless, captivity as a transcultural encounter was constantly present in the colony’s discourse on settler-Maori relations from the 1830s to the 1870s. This analysis of the captivity discourse has touched on closely interrelated notions of gender, ethnicity, and the construction of British imperial identities. In turn, the circulation of captivity narratives helped these discursive constructions. As a result, New Zealand women’s captivity narratives addressed concerns about wider anxieties, vulnerabilities, and fears both in the metropolitan centres and in the settler peripheries. Moreover, they functioned as textual vehicles for constructing settler cultural and gender identity in times of severe change and uncertainty.

Together with other white settler colonies, New Zealand can be included in a transcolonial culture of captivity as it shares certain discursive themes and strategies. And yet, while New Zealand captivity narratives shared important elements with captivity narratives produced in other settler contexts, crucial differences can be found in the fact that in the New Zealand captivity discourse mixed-descent women or Maori women legally married to respectable Europeans settlers were included in the definition of respectable femininity, and in the fact that in New Zealand captivity narratives the possibility of sexual intercourse between white woman and indigenous man was treated slightly more openly than elsewhere.
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BIOGRAPHICAL NOTE

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NOTES

1 ‘Lost white woman, kidnapped 50 years ago, found as wife of Maori’, N.Z. Truth (18 July 1929), p. 7.
3 I use the term ‘frontier’ in accordance with June Namias, who acknowledges the ethnocentric deficiencies of the term. She uses it as a signifier for a group of European American-Indian contact zones. See June Namias, White Captives: Gender and Ethnicity on the American Frontier (Chapel Hill: Univ. of North Carolina Press, 1993).
5 Colley, ‘Going Native, Telling Tales’, p. 174.
7 See Achim Landwehr, Historische Diskursanalyse (Frankfurt am Main: Campus, 2008), pp. 21-22.
9 Colley, Captives, pp. 3-4.
12 Colley, Captives, p. 12.
13 For the first American version, see Mary Rowlandson, The Sovereignty and Goodness of God, Together with the Faithfulness of His Promises Displayed: Being a Narrative of the Captivity and Restoration of Mrs. Mary Rowlandson and Related Documents (Boston: Bedford, 1997). I have relied on the first London publication of Rowlandson’s narrative: Rowlandson, A True History of the Captivity and Restoration of Mrs. Mary Rowlandson.
14 See Colley, Captives, p. 150.
15 Colley, Captives, p. 141.
16 Namias, White Captives, pp. 10-11.

Narrative of the Sufferings and Miraculous Escape of Mrs. Eliza Fraser (New York, 1837).


Schaffer, *In the Wake of First Contact*, p. 21.

Schaffer, *In the Wake of First Contact*, p. 44.

Schaffer, *In the Wake of First Contact*, p. 31.

Schaffer, *In the Wake of First Contact*, pp. 24, 79.

Colley, *Captives*, p. 12.


Kathryn Zabelle Derounian-Stodola and James Arthur Levernier suggest five dominant images of women captives in the history of captivity narratives: as victims, as victors, as part of a female network of mothers, daughters and sisters, as emotionally traumatised, and finally as transculturalised. See Kathryn Zabelle Derounian-Stodola and James Arthur Levernier, *The Indian Captivity Narrative* (New York: Twayne, 1993), pp. 118-66.


Settler guides or handbooks, directed primarily at future immigrants, widely available, and sold for a comparably low price, form one important source of knowledge about New Zealand. Most of these guides included at least parts, if not a whole chapter, on ‘the natives’ - the most common term for the Maori population of New Zealand at the time. Their enduring popularity can be seen in the existence of various reprints. See for example *The New Zealand Handbook, or, Emigrants’ Bradshaw: A Complete Guide to the ‘Britain of the South’*, 3rd ed. (London: Edward Stanford, 1859).

Joel Polack, *Manners and Customs of the New Zealanders: with notes corroborative of their habits, usages, etc., and remarks to intending emigrants, with numerous cuts drawn on wood* (London: J. Madden, 1840), pp. 131-32. During his first stay in the colony, Polack was himself on very favourable terms with the Bay of Island Maori, being able to speak Maori, buying land, and successfully trading with them. He is even reported to have lived together with a Maori woman. See also George Lillie Craik, *The New Zealanders* (London: Knight, 1830), pp. 286-388.


Courier (12 December, 1834), p. 2; The Sydney Herald (8 December, 1834), p. 4; The Saturday Magazine 353 Supplement (December 1837), pp. 258–64; The Wellington Independent (23 September, 1869), p. 3; 'Supreme Court', The Evening Post (28 September, 1869), p. 2; 'Supreme Court: Criminal Sittings', The Wellington Independent (28 September, 1869), p. 3; Maria Bennett, A Narrative of the Suffering of Maria Bennett (Dublin, 1846), Alexander Turnbull Library, Pam 1846 BEN 152; 'Poverty Bay massacre', Auckland Punch 1 (14 November, 1868 - 8 May, 1869), p. 28.

41 The New Zealand handbook, or, Guide to the 'Britain of the South', p. 21.
44 Maria Bennett, A Narrative of the Suffering of Maria Bennett.
45 Barbara Creed, Jeanette Hoorn (eds), Body Trade: Captivity, Cannibalism and Colonialism in the Pacific (New York: Routledge, 2001), pp. xviii.
46 The New Zealand Handbook, or, Emigrants' Bradshaw, p. 11.
47 Henry Gunton, Diary of an expedition to New Zealand, 30 August 1834 - 30 November 1834, Alexander Turnbull Library, MS-Papers-0960.
50 'Cannibals', The Times (11 May 1835), p. 4.
51 'Native Outrage at Wangaroa', The West Coast Times (21 May, 1866), p. 2.
53 Woollacott, Gender and Empire, p. 42.
54 In Britain, middle class respectability, Davidoff and Hall have shown, was constructed through a complex set of social values, among which the family was probably the most central to social organisation, as well as through gendered power relations. These were, they argued, ideological constructions, which had concrete and immediate effects on social, political and economical life. Moreover, they claim that women were themselves crucially important in imagining certain prescribed patterns of family life. Eleonore Davidoff, Catherine Hall, Family Fortunes: Men and Women of the English Middle-Class 1780-1850 (London: Routledge, 1987).
55 Davidoff and Hall, Family Fortunes; p. 454; and Catherine Hall, White, Male and Middle-Class: Explorations in Feminism and History (Cambridge: Polity, 1992), p. 96.
56 Hall, White, Male and Middle-Class, p. 75.
57 Davidoff and Hall, Family Fortunes, p. 33.
58 See Woollacott, Gender and Empire, p. 43.
59 Woollacott, Gender and Empire, pp. 52-3. On the notion of respectability also see Kirsten McKenzie, Scandal in the Colonies: Sydney & Cape Town, 1820 - 1850 (Melbourne: Melbourne Univ. Press, 2004), pp. 11-12, 180-81.
64 ‘Native Affairs’, The Daily Southern Cross (16 May, 1863), p. 3.
Andreas Brieger, ‘Mother and the Other’.

68 William Barrett Marshall, *A Personal Narrative of Two Visits to New Zealand in His Majesty’s Ship Alligator, A.D. 1834* (London: James Nisbet, 1836), p. 188.
70 Markham, *New Zealand, or Recollections of it*, p. 128.
71 See Angela Wanhalla, ‘Interracial Sexual Violence in nineteenth-century New Zealand: Reconsidering the NZ Wars’, unpublished paper (Massey University, Palmerston North, New Zealand Historical Association Conference, 27 November, 2009), pp. 6-7. Of all publicly reported cases of women’s captivity during the 1860s around one third involved mixed-descent women or girls, or Maori women legally married to male European settlers.
72 ‘Native Affairs’, *The Daily Southern Cross* (16 May 1863), p. 3.
74 This interview has been reprinted in Caroline Perrett, ‘My Life Among the Maoris’, *Historical Review: Bay of Plenty Journal of History* 14, 1 (1966), pp. 28-37.
75 Perrett, ‘My Life Among the Maoris’, p. 35.
77 Marshall, *A Personal Narrative of Two Visits to New Zealand in His Majesty’s Ship Alligator, A.D. 1834*, pp. 184-5.
78 Maria Bennett, *A Narrative of the Suffering of Maria Bennett*.
85 According to the departure list of *The Sydney Herald* the Guard family left Sydney for New Zealand in February 1836 together with three children. Given the fact that their daughter Louisa died shortly after their return to Sydney, Betty must have become mother of twins. See ‘Shipping Intelligence’, *The Sydney Herald* (22 February 1836), p. 2.
86 Markham, *New Zealand, or Recollections of it*, p. 78.
87 Markham, *New Zealand, or Recollections of it*, p. 78.
Review Essay:
Talking in Tongues:
Genocide and the San in the
South African Imagination

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Post-apartheid South Africa adopted a new coat of arms with a brand new motto on Freedom Day (27 April) in 2000.⁴ There are two significant features in the new coat of arms and motto that are relevant to the subject of this review article. The first feature is incorporated in the shield and is a representation of a San rock painting depicting two masculine figures that are mirrored.² The second feature is the motto itself which is in the language of the /Xam!. Translated, the motto reads ‘diverse people unite or people who are different join together’.³ President Thabo Mbeki’s speech on the occasion of the unveiling pays homage to the San as the ‘very first inhabitants of our land’.⁴ According to President Mbeki, the /Xam! language was chosen because it is

an ancient language of our people. This language is now extinct as no one lives who speaks it as his or her mother-tongue. This emphasises the tragedy of the millions of human beings who, through the ages, have perished and even ceased to exist as peoples, because of peoples [sic] inhumanity to others.⁵
There are several aspects of this rationale given by President Mbeki that deserve closer attention and which this article will return to at a later point. Of immediate relevance is the implication of genocide in Mbeki’s speech. Ten years later, the idea that the destruction of the Cape San was genocide is raised again by a scholar. Mohamed Adhikari’s most recent publication, *The Anatomy of a South African Genocide*, argues that the destruction of Cape San people and society was nothing less than genocide.

Adhikari suitably takes as his starting point a clarification of his understanding of genocide. He adopts a definition of genocide that places emphasis on the ‘intentional physical destruction of a social group’. This destruction can be complete or partial enough for the group to be unable to reproduce itself either biologically or culturally, or unable to sustain any independent economic life. This definition is further elucidated by detailed explanations of key terms he uses throughout the book, such as ‘intentional’, ‘social group’, or ‘physical destruction’. This definition of genocide is followed by a list of definitions used by, among others, Raphael Lemkin, who originally coined the word in 1944. The list of definitions also includes the one that is most popularly known: Article II of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, adopted in 1948.

Adhikari eschews any of the terms used in the UN Convention such as ‘ethnic, racial or religious’ and opts instead for the use of ‘social group’ in identifying the victims of genocide. The significance of the term ‘social group’ rather than ‘ethnic’ group can be linked to the historical debate around differentiating between Khoikhoi and San based on physical features, language, culture and occupation. But as Shula Marks has shown in her seminal article on Khoisan resistance, the markers of differentiation were complex, fluid and inherently unstable. An ethnic identity was thus not firmly fixed as many Khoikhoi joined bands of San hunter-gatherers, while captured San were often called Khoikhoi by settlers.

The issue of naming in relation to the San is controversial and has been keenly debated in scholarship with various appellations such as Bushman, San and Khoisan being used interchangeably. In his introduction Adhikari explains his use of the San as being less pejorative and gender specific than Bushman. It is also the term that
is used by most San leaders, organisations and advocacy groups such as the pan-San Working Group of Indigenous Minorities in Southern Africa (WIMSA), or web organisations like the Southern African San Web Community.9

In chapters one, two and three – historical surveys of Dutch colonial expansion, frontier conflict and change under British colonial rule, respectively – Adhikari revisits existing scholarship on the Cape Colony during the eighteenth and nineteenth centuries. This book differs from earlier scholarship because Adhikari brings a very different analytical framework to it: genocide. Chapter one provides the historical context in which the Dutch settlement at the Cape began to increase and encroach on hunter-gatherer societies (peoples who had already faced displacement by the Khoikhoi); and together with the two chapters following it, it provides the historical context and discusses the nature of Dutch and British colonial rule and the conflict that arose between the indigenous peoples of the Cape and the settlers. These chapters are the foundation on which the final chapter is laid: chapter four finally gets to the question of whether the extermination of the San was genocide or not.

The destruction of the San and San society has been widely acknowledged in scholarship, literature, as well as in other media. Laurens van der Post’s two novels, A Story Like the Wind (1972) and A Far off Place (1974), as well as the 1956 BBC series Lost World of the Kalahari, which was later published as a book under the same title (1958), fixed a particular myth of the San; timeless, unchanging and primordial, connected to the land and nature: ‘noble savages’. Popular culture in the form of Jamie Uys’ film The Gods must be Crazy (1980) and its sequels have not only entrenched this stereotypical myth but also, unintentionally one suspects, represented the depressingly contained world of the San. As the film depicts, the pre-colonial unlimited vistas of the San world are so sharply limited that the end of the earth is reached within a matter of a few days of walking.

More recent documentary films such as the Foster brothers’ The Great Dance: A Hunter’s Story (2000) or The Bushman’s Secret (Rehad Desai, 2006), among others, continue to represent the San as mystics whose medium is the land and all it nurtures. With breathtaking cinematography, these films invariably begin with
opening sequences of San walking, striding purposefully and confidently, in a desert landscape with unlimited horizons thereby fixing a spiritual union between land and San. *The Great Dance* in particular draws blatantly on van der Post’s romanticism with the following voice-over narration in the opening sequences: ‘A story is like the wind, it comes floating from a far off place’. This narration is accompanied by a visual sequence of walking San, cut to a praying mantis, back to a San raising a melon to his mouth and cut back to the walking San, seen as though it is a mirage.

What is problematic about these films is not the link between the San and land; after all, land and what it contained was the reason for their victimisation by competitors, whether these were European settlers or fellow African peoples. Rather, what is questionable is the manner in which this union is represented and the contradiction between voice-over narration and visual representation. Desai’s film, as the name suggests, is about the Bushman’s secret, Hoodia, which is being commercially marketed as an appetite suppressant and weight-loss miracle. The San have had no monetary gain from having their traditional medicinal plant and knowledge exploited for commercial purposes. Desai’s narration veers between lamenting the lost world and identity of the San and taking aim at multinationals profiting from San knowledge. The visual representations once again create an unproblematised relationship between San and the land. Loss of identity, culture and way of life, in other words, historical change, are acknowledged in the narration and interviews. Visual representations, however, continue to perpetuate the romantic myth of a timeless people spiritually connected to land, plants and animal life around them.

Adhikari’s reframing of the destruction of the San as genocide represents a marked departure from the extant literature and media on the Cape San which has clearly identified destruction, extermination and killing but has stopped short of using the term. Before Adhikari, the framing of these encounters as genocide was simply non-existent in South African historiography.

*The Anatomy of a South African Genocide* also brings into sharp relief the link between genocide and settler colonialism within a distinctly South African context. The central argument of the book, which is not a lengthy tome but rather an introduction to the subject,
is that Dutch settler society at the Cape became genocidal in its conflict with the San over land and resources. Dutch settlers organised vigilante commandos, sometimes with the complicit support, other times with the implicit knowledge of the Dutch colonial state. They engaged in brutal massacres. This genocidal impulse turned to ethnocide under British colonial rule, as it tried to absorb and assimilate the San into existing colonial society.

Settler colonial studies as an area of scholarship independent of colonial studies is relatively new, and growing. This growth is being aided in no small measure by the concomitant growth in genocide research scholarship. While studies of the genocides of indigenous peoples at the hands of settler colonists abound for areas such as Australia or the United States, in South Africa there has been an absence of similar scholarship and this despite the colonial commonalities South Africa shares with other locales. Adhikari’s book, as introductory as it is, attempts to provide a different lens with which to view the conflict and clashes between the Dutch settlers and the San. Hopefully, it will generate some debate and increased critical engagement with the subject.

The point of course is whether one accepts this different lens as valid or not. Genocide as a concept has and continues to create controversy and debate despite the increasing amount of scholarship that is being produced in genocides studies. It is a given that most genocide scholars find the UN Convention definition of genocide problematic. One of the biggest bones of contention is that of victim identification. The UN Convention limits itself to a ‘national, ethnical, racial or religious group’ and appends to this these two words ‘as such’. Excluded from these identified victim groups are political groups, gender groups or sexual groups (for example, the deliberate and brutal killings of African lesbians in South Africa is excluded from its definition).

Despite the proliferation of genocide research, or perhaps because of it, scholars do not agree on how best to work with the UN Convention. A recent debate within the pages of the Journal of Genocide Research re-visits what is controversial in the UN Convention. For Armenian scholar Paul Boghossian, a distinct flaw is that the UN Convention fails to fully capture the essence of Lemkin’s original term, i.e., genocide as a distinctive crime, namely
the murder of a people. Nor does the UN Convention meet the expectations of setting genocide aside as a particularly ‘heinous’ crime that can be graded as the worst on a moral barometer of heinousness. Boghossian concludes that the UN definition is ‘flawed’ and yet he cannot see how it could be improved.

Given these perceived ‘flaws’ in the UN Convention it is not surprising that a significant amount of genocide studies has focused on defining genocide. An acceptable definition remains elusive as many scholars, like Adhikari for example, adapt the existing definitions to suit the particular case studies they focus on. This process of adapting can be positively dynamic as each adaption adds another dimension and enriches what is already extant. Viewed in this light, Anatomy of a South African Genocide is a beginning point for a fresh debate on the history of the destruction of hunter-gatherer societies at the Cape. The process of adapting concepts can, however, also be a counterproductive exercise when scholarship deteriorates to the level of semantic one-upmanship or obfuscates key issues.

Both Boghossian and William Schabas agree that controversy, debate, and ‘complication’ often ‘distract from the main issue’. The main issue is that large numbers of human beings were wilfully destroyed in the past and this has to be recognised while future occurrences must be prevented. Both Schabas and Boghossian make a distinction between the UN Convention, which is a legal text and therefore makes genocide punishable by law, and the concept of genocide. This distinction becomes crucial when there is a case of retroactive identification, as in the case of the Cape San. The UN Convention cannot be applied retroactively, a crime committed centuries before a law was promulgated cannot be punished. The concept of genocide, however, is another matter entirely, and is not subject to the same legal strictures. This distinction is not discussed in any great depth by Adhikari but is manifest in his awareness that there is no possibility of ever punishing the perpetrators of the genocide of the San.

The issue of retroactive application of the concept genocide is a contentious one in pre-1944 case studies such as the extermination of the San or the killings of Armenians in 1915. Adhikari notes that this has been one of several criticisms raised
against applying the term genocide to the destruction of the Cape San. In brief, the argument is that a distinctly twentieth-century term, denoting a twentieth century phenomenon, cannot be applied to events which occurred long before the word was coined and gained popular usage. Critics who argue against a retroactive application of the term genocide invariably draw on the Holocaust as the paradigmatic genocide which spurred Lemkin to coin the term. With the Holocaust in mind, genocide is understood as a state-sponsored, mechanised program of systematic elimination. Adhikari’s response to this criticism is succinct and persuasive (and echoes Boghossian’s suggestion): we need to separate the legalistic terms of the UN Convention from the concept genocide.

Retroactive identification is one criticism. Other challenges to identifying the extermination of the San as genocide revolve around the question of numbers. How many San were killed, was there intention, how can killings that were spread over almost two centuries and gradual be considered a genocidal event? Adhikari addresses all these challenges rather succinctly, due perhaps to the introductory nature and scope of his book. This is not a major fault; what needed more substantial and explicit discussion, however, is the issue of the politics of silence and genocide denialism.

Robert J. Gordon’s study on the ‘forgotten’ genocide of the Bushman in Namibia raises a similar issue of silence and invisibility. In his case study, the genocide that has claimed the lion’s share of attention has been the 1904 genocide of the Herero and Nama, while the destruction of Namibian San has remained obscured and forgotten. Clearly evident in Gordon’s article is the link between reparations and silence and/or denialism. For the Herero it appears to be a case of losing a local monopoly on genocide, and resulting reparations paid by the German government. For the Germans, a focus on the war against the Herero overshadows the nature and duration of the killing of Namibian San.

Gordon’s case study raises numerous parallels, despite differences in time and place, with the case study of the Cape San. Firstly, at the most obvious level, both societies were settler societies: German and Dutch, and both were intent on establishing and entrenching their respective cultures and rule. Secondly, in both instances, labour and resources were primary motivations for striking
out at the indigenous peoples. Patrick Wolfe’s pithy phrase, ‘[l]and is life’, speaks volumes about the nature of clashes between settlers and indigenous peoples. According to Norbert Finzsch, settler ‘imperialism’ is unashamedly a form of land acquisition ‘driven by the war machine of settlers at the fringes of white settlements that is external to the state apparatus’. Settlement is about repeatedly transgressing borders.

They [settlers] stake, claim, fence, farm and graze, clear trees, are met with resistance from indigenous peoples who attack settlers, kill animals, burn crops, steal, which in turn elicits violent reaction from settlers who form bands of militia or frontier guards and begin exercising vigilante justice.

Both Wolfe and Adhikari acknowledge that though settler colonialism is not inherently genocidal it has a propensity for genocide. Settler colonialism is ‘inherently eliminatory’: in order to build, to imprint permanence and stake ownership, it has to eliminate all other claimants and it has to destroy what was already in place. This impulse to eliminate in order to acquire is often disguised and clothed in terms of race, or becomes a ‘discourse of savagery’. The indigenous people are cast as savages and utterly beyond redemption by European civilisation. As savages, ‘vermin’ and irredeemable, it was easy to eliminate them entirely. In German South West Africa for example, the San were considered even lower than the Herero or the Nama because they appeared to own no territory, were peripatetic and incapable of working. A similar worldview was operative in the Cape Colony, where San occupied the lowest rung of a social hierarchy, below the Khoikhoi. Thirdly, in both instances, genocide is vehemently denied, although the history of clashes between the Cape San and settlers is better documented than is the case with the Namibian San. Given these similarities, one wonders whether similarity extends to motivations for silence and denial.

In South Africa, legal prosecution is no longer possible, it would seem, given that so much time has elapsed. But, as Adhikari
points out, ‘issues of recompense, memorialisation, apology and recognition of past suffering’ are pertinent and relevant. And yet, the question of who should bear responsibility remains. Should recompense and apology come from erstwhile metropolitan centres? How much of this recompense and apology should come from a majority black government, especially if one recognises and accepts that the San have been brutalised by European settlers as well as by fellow African groups?

By way of conclusion it would perhaps be instructive to revisit Thabo Mbeki’s speech on Freedom Day 2000. The speech gives recognition for past suffering, however inadequate that recognition may be. The new coat of arms and motto are a form of memorialisation. Well, so what? How has this improved contemporary San conditions? It has, in fact, one may argue done the opposite: it contributed to effacing the San from public consciousness, despite the looming presence of San cultural symbols on the coat of arms and in the motto. It would be surprising if many South Africans even knew that the coat of arms and motto were drawn from San culture. As Alan Barnard points out, South Africans in any case would not be able to read or pronounce the motto. He concludes that since no South African would be able to read the language or pronounce the motto, the /Xam! language was actually used as an equaliser in the context of South African diversity.

In terms of recompense, the South African government awarded almost sixty-five thousand hectares of land in and around the Kalahari Gemsbok National Park to the #Khomani San in 1999. This historic award, coupled with increased awareness of the plight of San communities and San activism should ideally have brought some amelioration. The San, however, continue to remain an exploited underclass: whether they survive as farm labourers, domestic servants, or whether they continue traditional foraging activities they remain dependent on state relief.

The ANC government has been overwhelmingly focused on the historical narrative of the anti-apartheid struggle. The antecedents of apartheid, European imperialism and settler racism were not invited to participate in the parade of reveal, repent and reconcile that was so potently embodied in the Truth and Reconciliation Commission. In the lengthy TRC Report, the San appear in a submission by the
‘Bushmen Battalion’ or Battalion 31, a special tracking unit of !Xu San. This submission comes in the context of SADF activities in neighbouring countries rather than in the context of a dedicated focus on San society itself. In view of this, former president Thabo Mbeki’s attempt to recognise and memorialise falls short of what Adhikari may have in mind. It also falls short of what the San have expected since 1994.

ACKNOWLEDGEMENTS

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BIOGRAPHICAL NOTE

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NOTES

1 Many thanks to Professor Mogobe Ramose for drawing my attention to the coat of arms, thereby getting me to re-think aspects of this article.
3 President Thabo Mbeki’s translation of the motto, cited in Barnard, ‘Coat of Arms’, p. 10.
4 Quoted in Barnard, ‘Coat of Arms’, p. 6.
5 Quoted in Barnard, ‘Coat of Arms’, p. 10.
10 Rupert Isaacson has used the word genocide in describing the destruction of South African San. His work, however, lacks the detailed analysis that Adhikari provides. See Rupert Isaacson, ‘Last Exit from the Kalahari: The Slow Genocide of the Bushmen/San’. Available at:


22 Finzsch, ‘Extirpate or Remove’, p. 220.
Review:
Law and Politics in British Colonial Thought

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Shaunnagh Dorsett and Ian Hunter (eds), Law and Politics in British Colonial Thought, New York: Palgrave Macmillan, 2010 (276 pp.)

In 2009 a group of scholars with interests in the ‘transposition’ of European legal doctrines and practices onto ‘colonial settings’ held a symposium on the subject in the Monash Centre, Prato. Their foci were the processes by which territory was appropriated, indigenous people subdued and subjugated, and governance established. As most of the participants tended to be addressing British experiences, the editors of this volume selected largely those papers that had in common this attention to the ‘political improvisations and innovations’ in the governance of British frontier settlements and indigenous people.

Ian Hunter’s lead essay asks and answers this question: Is it historically sound for post-colonialists to critique British jurists and colonial officials of the seventeenth, eighteenth and nineteenth centuries for applying an existing *jus naturae et gentium* that was Eurocentric, in the subjugation of indigenous peoples? He points out that Pufendorf’s *De jure naturae et gentium* of 1672 offered no such justifications for ignoring indigenous rights, as Duncan Ivison argues as well of Immanuel Kant’s *jus gentium* as it was crafted in such works as *Perpetual Peace* (1795) in the era of British colonial activity. (A significant problem with Ivison’s observations, however, is that, unlike Hunter, Ivison offers no evidence that any British jurist or official paid any attention to what this philosopher was saying.)

Hunter attributes the British failure to apply with equanimity a relatively benign Law of Nations to Joseph Chitty who presented to
English readers a translated edition of Vattel’s 1758 *Droit des gens* in 1834. Chitty drew attention to Vattel’s stress on the legitimacy of treaties, and glossed the text with ‘a dense mesh of comments, [English] authorities and case law’. This, Hunter argues, was sufficiently Eurocentric to be of use to British colonial authorities establishing state sovereignty, the rule of law, and agricultural, maritime, and commercial dominance.

One might read the contributions of Chris Tomlins and Mark Hickford with profit after Hunter’s, inasmuch as they address the same issues. Tomlins (who with John McLaren represent the only essayists to focus on Britain’s extensive American colonies) reviews the Spanish and English sixteenth-century exponents of the *jus gentium* and finds clear signs in the English Crown’s letters patent that the New World, being non-Christian, was subject to conquest. He draws attention to the ‘improvement’ standard in early seventeenth-century English justifications of possession and title, quoting John Donne’s sermon before the Virginia Company on the subject. He also notes the Avalon patent’s reference (after the suppression in 1622 of the Rappahannock’s attack upon the Jamestown settlement) to the conquest of ‘Pirat[es] and Robbers’, sanctioning their being put to death ‘by the Lawe of war’, echoing Gentili’s ‘common enemies’ categorisation of those beyond *societas gentium*.

Hickford identifies an influential treatise with a different, but comparable, authority on the *jus gentium* — Joseph Story’s *Commentaries on the Constitution of the United States* (1833), which was utilised by New Zealand Company officials like Henry Chapman to lay claim to the land of the Maori ‘by discovery’. As had been the case in the American colonies and the United States, the customary laws to ‘unsettled’ places of the indigenous people were ignored by all but a small (but interesting) handful of English missionaries. And a ‘language of claims’ emerged, crafted by political decisions rather than judicial ones.

Mark Walters offers a fine example of how one can combine contextual- and ethno-historical approaches in his study of the meanings that British and Canadian First Nation people gave to the term ‘father’ in treaty-talk. The Anishinaabeg associated the ‘Crown as father’ relationship with notions of clan and kinship, whereas the British, associated it with common law notions of *parens patriae*, and
hence of sovereignty. Savvy culture brokers like Sir William Johnson would explain that ‘no Nation of Indians have any word which can express, or convey the Idea of Subjection [...] They [...] acknowledge the [...] King to be “our Father”’, but ‘our People too readily adopt & insert a Word [sovereign] very different in signification, and never intended by the Indians’. Walters shows that over time Crown officials lost sight of that distinction.

Damen Ward’s contribution concerns a related issue – the admissibility in court of the testimony of indigenous witnesses. A long-standing rule banned the acceptability of such testimony from one who did not appear to regard the act of taking an oath to be truthful on a bible with trepidation. Some colonial governors became advocates of alterations of the rule to allow such testimony; George Grey in New Zealand, Ward notes, urged magistrates to employ ‘equity and good conscience’ in resolving Pakeha-Maori disputes and lobbied for a formal change in the rule. Ward finds Grey’s efforts to have been instrumental in securing the Colonial Evidence Act in 1843, authorising colonial ordinances that would render such testimony acceptable, and he shows how this was utilised in the Australasian colonies in different ways for different purposes.

The chapters by Lisa Ford, John McLaren, and Mark Finnane concern the colonial courts themselves. Ford recounts the trial in 1795 of three New South Wales Corps soldiers for assault. One had killed a pig in the street, and its infuriated owner had insulted the man who thereupon responded violently. The soldier maintained that he was acting in accord with the maintenance of ‘The King’s Peace’ as directed by an order from his ‘Commander in Chief’ (a Major Grose, the Lieutenant Governor) to shoot any unyoked pig at large. The aggrieved plaintiff maintained that whatever the order may have been, it did not entitle the soldier to engage in violent police action without further measures, such as a reading of the Riot Act by a magistrate, and that the assault was itself a violation of ‘The King’s Peace’. This view was essentially the one adopted by the court, a step, Ford offers, symbolic of the flexibility of local legal and executive authorities in this penal colony to adjust metropolitan constitutional standards to suit a convict-related polity and economy.

John McLaren also notes the importance of judicial rulings in shaping constitutional limits on Crown authority and colonial
governance, but he also notes that for decades colonial jurists lacked the independence of their counterparts in the mother country. They tended to act as loyal subordinates of colonial governors in some colonies, as in Lower Canada in the early nineteenth century, but not as supinely in others, as in Upper Canada in the same era, or British Guiana in the 1860s. In those domains jurists did seek to impose the rule of law despite opposition, sometimes resulting in their being amoved.

Mark Finnane’s contribution is a fine example of the ‘Law & Society’ approach – in that it tracks a rule found in a ‘leading case’ into the future to see how scrupulously it was observed by trial judges and magistrates. He reminds us that Rex v Jack Congo Murrell, a decision of the New South Wales Supreme Court in 1836, is said to have brought to an end the application of indigenous law and customs in trials of Aboriginal people. Finnane found that Aboriginal customary law was revived in northern Queensland and the Northern Territory in the twentieth century. Law officers there were distressed at the ways local white juries were acting with bias in cases involving Aboriginal and white defendants charged with criminal assaults on Aboriginal people. They lobbied for and secured the abolition of trial by jury there in all but capital offenses in 1921. They secured an amendment in 1934 to the Crimes Ordinance sanctioning the introduction of evidence of ‘relevant native law or custom’ in the sentencing phase of trials. And they obtained an ordinance in 1937 protecting the ‘consorts’ of Aboriginal men from being compelled to give testimony. The Howard Government blocked these measures in 2007 with a statute abolishing the ‘customary law defence’, but one wonders with Finnane whether the tires on this legislation may blow out in time.

P. G. McHugh, Andrew Sharp, and Shaunnagh Dorsett offer chapters on individuals active in the Antipodes. Sharp’s is a sound revision of the standard views of the Rev. Samuel Marsden, who may have been hard on the transported souls in New South Wales, but was a concerned Protector of the Maori from European colonisation schemes. McHugh provides a nuanced study of William Pember Reeves, Kiwi social democrat and proto-Fabian. His State Experiments in Australia and New Zealand (1902) celebrated the social legislation of the Antipodes and led to his being embraced by Fabian Britain.
Dorsett compares George Cornewall Lewis and Henry Chapman, two advocates of Crown sovereignty over indigenous people in colonial lands. Lewis, an admirer of John Austin, penned *Government of Dependencies* (1841), and emphasised the supremacy of ‘the King-in-Parliament’. Chapman, who plays a role in Hickford’s chapter, was a New Zealand Company patron before his appointment to the New Zealand Supreme Court. He bitterly criticised the Colonial Office’s view that the Crown had not acquired sovereignty there before the Treaty of Waitangi, as that would render the Company’s claims and purchases suspect or void.

Along with Ivison’s, Andrew Fitzmaurice’s contribution seems a less than perfect fit with the rest of the collection, but its rich detail and peripheral relevance offer redemption. Fitzmaurice tells us of Sir Travers Twiss’s paid legal justifications for King Leopold’s rape of the Congo by Leopold’s ‘International African Association’. He argues that Twiss altered his view regarding the incapacity of private companies. He had argued in *The Oregon Question Examined* (1846) that Astor’s American Fur Company in the Pacific Northwest could not serve as grounds for establishing an American claim to sovereignty there, but argued the opposite once in the service of Leopold. But it is worth pointing out that his argument in *The Oregon Question* could also be characterised as a lawyer’s brief for a client, in that it supported British claims to the Oregon territory against those of the United States.

*Law and Politics* achieves its editors’ objectives; its contents are rich and worthy contributions to the literature on settler colonial law and societies. My only regrets were that there were not more chapters that dealt with the American colonies, that there were none dealing with British India or British Africa, and that there were none dealing with the ‘Law and Anthropology’ approach – that is, that there were none addressing the tension between formal law and popular norms.

**BIOGRAPHICAL NOTE**

Peter Karsten is Professor of History at the University of Pittsburgh, and the author of *Law, Soldiers and Combat* (Greenwood Press, 1978), *Heart versus Head: Judge-Made Law in 19th Century America* (University of North Carolina Press, 1997),
Karsten on Law and Politics in British Colonial Thought.

The Hidden History of the Americas: The Destruction and Depopulation of the Indigenous Civilisations of the Americas by European Invaders

DANIEL N. PAUL
Mi’kmaq Elder, C.M., O.N.S.

The following is a modified version of an Anti-Racism Lecture delivered on 22 March 2011 at Saint Mary’s University, Halifax, Nova Scotia. It is here presented as a speech and without supporting references. A more extended version of this lecture is available here.

Until the Lion has his historian, the hunter will always be the hero.

Unknown.

The Lion today will be the American Indian, and on his behalf I will present an American Indian perspective about the European Invasion of the Americas, and the consequent near fatal disastrous results it had for our civilizations (in this paper the term ‘American Indian’ is applicable to all of the Indigenous Peoples of the Americas).

The main topic of my commentary today will be about the Hidden History of the Americas, and the Conspiracy of Silence that keeps it out of Eurocentric Education Systems, and hidden safely away in the Archives of Canada, the United States, the Vatican, France, Great Britain, Spain, Portugal, and far too many other countries to mention here. Yesterday, 21 March 2011, was the date that the United Nations set aside in 1966 to remind humanity each year thereafter that we have a moral obligation to work diligently for the Elimination of Racism around the world. Today, I’ll provide you
with some of the highlights of the true histories of the invasion and colonizing of the Americas by Europeans, which I hope will provide a small forward step in that direction. My presentation is designed to put on the table for discussion a long denied fact: the dispossessing of the Indigenous Peoples of the Americas by Europeans, and the near extermination of them in the process, is the greatest inhuman barbarity that this World has ever known.

The following are some of the major tragic consequences that stem from the European invasion. First and foremost, the suffering that it caused American Indians over the centuries is beyond measurement, and the number that perished because of it is so immense that uncountable millions is the only reasonable estimate that can be given! Beside out and out Genocide, starvation, which was caused by the deliberate destruction of Indigenous trading patterns and food supplies, took a heavy toll. Another item that took a heavy toll was malnutrition. It started shortly after the invasion’s onset, slowly became universally widespread among the Indigenous Peoples of the two Continents and continued until recent times. Initially, it was caused by food supply destruction, but later the major cause was the near starvation rations passed out to Indigenous peoples by Caucasian governments – in a weakened state even common illnesses were very often deadly. People sold into slavery were also a huge factor. Then we must not forget the hundreds of thousands of American Indians who died at the hands of brutal Caucasian governments during the 1900s in such places as Guatemala, where they were the majority population fighting the minority for representation. Notable is the fact that Caucasian Canadian and American politicians turned a blind eye to the atrocities that their peers were committing in these countries, probably justifying their non-interference by labelling the rebellions communist-inspired.

Before laying out some facts to support my previous statement I’ll provide a sampling of pre-Columbian American Indian statistics and accomplishments.

In 1492, when the European invasion of the Americas was instigated by a human error that saw Christopher Columbus get lost at sea while trying to reach the Indies, and making landfall instead in the Americas, the two continents were not, as some would have us
believe, two vast and vacant land masses that were created by the Great Spirit for the specific purpose of enriching Europeans. In fact, both continents were widely populated by humans who were citizens of hundreds of well established diverse civilisations – a statement of fact that may not sit well with those who buy into the White Supremacist belief that the inhabitants of the two continents were not civilized human beings but savage animals.

Unfortunately, because of the lack of reliable statistics the number of humans that were residents of the Americas in 1492 can only be estimated. Thus, over the eons, using various methods, experts have made estimates that vary widely – a few million to a hundred million. However, I believe, due to the fact that the vast land mass was populated from the Arctic to the tip of South America, including deserts, islands, swamps, Jungles, and mountains, that a total population estimate of 100 million would not be far off.

The citizens of these Nations spoke hundreds of different languages and resided in societies that covered the spectrum – hunter-gatherer to sophisticated city dwellers. Farms that fed thousands of citizens of these Nations existed, and many cities had large populations. The norms of human interaction such as marriage, divorce, social assistance, etc., were in place. Such disciplines as engineering, astrology, medicine, etc., were available for educational pursuit in many societies. Calendars, suspension bridges, and record keeping, etc., were also part of the fabric of many societies. Trading patterns between most Nations were developed and well established.

Politics ranged from democratic to autocratic. For instance, the Aztecs, Inca and Maya lived under emperors, while most of the North American Nations were democratic. In fact, shortly after the invasion started, the democratic ideals of these Nations soon gave rise to the democratic aspirations of long oppressed Europeans. Proof of it lies in the fact that both the Constitution and Bill of Rights of the United States of America were modelled to a large extent on the democratic ideals and laws of Indigenous American Nations, in particular an Iroquoian law entitled ‘The Great Law of Peace’ (and it took until a Resolution of November 1988 for the US Congress to recognise these American Indian democratic values and ideals).

Over ten thousand years ago American Indian horticulturists engineered a plant they christened ‘maize’, commonly known today
as corn. In modern times the harvest of corn provides approximately twenty-one per cent of human nutrition across the globe. Interestingly, it took until 2010 before modern science could finally figure out how they did it. Further, American Indians were very ingenious in domesticating food sources; including corn, they domesticated nine of the most important food crops that feed and sustain the modern world’s population.

Another long ignored fact to ponder is this: over five thousand years ago the Indigenous People of California, utilising a process they had perfected to take the bitterness out of acorns, were milling flour out of them. To assure a reliable supply of acorns they grew and groomed large orchards of oak trees. This was a time in history, forget not, in which many Europeans were still hanging out in caves.

This is just a tiny sample of some of the positive societal information that is readily available about the Nations of the pre-Columbian Americas. But, of course, it is not taught in schools or widely publicised. In fact, I venture to state without hesitation that just about everybody attending this session did not know any of the facts just relayed until I mentioned them. Which begs the question: in view of the fact that the information just mentioned is readily available to teach, why is it not taught? The answer will be revealed by the time I finish.

* * *

QUESTION: Why does the racism that degrades American Indians continue to blatantly exist within the fabric of the modern Nations of the Americas? The answer is simple; most of the modern Nations of the Americas, due to their Eurocentric founding, will not willingly do what good conscience and justice demands: that is, to teach the truth about the European invasion and colonisation of the two continents. This course of action, no matter how demeaning to the European founders of their societies it is, is a moral obligation that these modern Nations, if they ascribe to being civilised societies, should no longer ignore and resist!

In his discourse, ‘Lessons at the Halfway Point’, Michael Levine accurately identifies with this gem of wisdom why intolerance exists:
‘If you don’t personally get to know people from other racial, religious or cultural groups’, he writes, ‘it’s very easy to believe ugly things about them and make them frightening in your mind’. A sound piece of wisdom. If after 1492, instead of illegally appropriating and colonising the territories of the sovereign Indigenous Nations of the Americas, Europeans had followed the advice it contains, and had gotten to know and had accepted Indigenous Americans as equals, peaceful interaction between American Indians and Europeans would have occurred. However, instead of civilised interaction, they adopted White Supremacist racist beliefs that were responsible for the depiction of American Indians, and later of the Africans they imported into the Americas from Africa to be their slaves, as bloodthirsty inhuman savages – false depictions of both peoples that have been passed along from generation to generation, among Caucasians, for the better part of five centuries. Had White Supremacist attitudes not prevailed, both peoples of colour would not have suffered the indescribable hells that they suffered across the Americas until recent times and, in far too many cases, still suffer.

However, had at that time in history Europeans been civilized enough to accept all fellow human beings as equals, as American Indians did, they wouldn’t have been occupied in the first place with ‘discovering’ and stealing the properties that belonged to other sovereign Nations. But, with notions of racial superiority prevailing, the European invaders utilised two very effective White Supremacist creations to justify their invasion of the generally peaceful Nations of the Americas, and the pillaging of them. Without conscience, demonising propaganda was created and used to dehumanise American Indians, and the Doctrine of Discovery – a Papal document that stated that non-Christians could not own land – was used to give a smidgeon of legality and a Christian blessing to the stealing of American Indian National territories, and to the carnage that the invaders visited upon the citizens of the land they stole.

Therefore, in view of the onslaught that they were facing, it should come as no surprise that the citizens of the American Nations, who were being butchered, robbed and dispossessed by invaders that were armed to the teeth with lethal weaponry, fought back heroically to preserve their freedom and countries. The twisted
result of all of this, in view of White Supremacist attitudes prevailing, does not surprise either, but it does defy logical rational reasoning. Because American Indians fought the brutal European invaders to preserve the territory and freedom that the Great Spirit had given them, the American Indian resisters were, and still are depicted by many as the villains. Thus, when a logical and reasonable person, with honesty, contemplates the result, he/she cannot help but conclude that it is incredible in the extreme to find that in the overall scheme of things the American Indian victims are the villains, while the European bandits are the heroes. Such an outcome makes as much sense as would a murder victim’s family being ostracised and victimised because they caused discomfort for the murderer.

Related to the prevalent White Supremacist attitudes that predominated among Caucasians during colonial times, it was rare indeed to find a prominent colonial official who had the humanity to see, and the courage to discuss openly, the justification of American Indians fighting tooth and nail to keep their Nations intact and to preserve their freedom. In fact, the only written statement that I’ve come across during my reading of hundreds of thousands of pages of history books, colonial documents etc., which acknowledges the right and the justice of the American Indian’s fight for their land and for their freedom, was the following one, made in 1867 by Nova Scotia’s Honourable Joseph Howe:

The Indians [Mi’kmaq] who fought your forefathers were open enemies, and had good reason for what they did. They were fighting for their country, which they loved, as we have loved it in these latter years. It was a wilderness. There was perhaps not a square mile of cultivation, or a road or a bridge anywhere. But it was their home, and what God in His bounty had given them they defended like brave and true men. They fought the old pioneers of our civilization for a hundred and thirty years, and during all that time they were true to each other and to their country, wilderness though it was.
Greed was the main motivation for the horrors that were visited upon the Peoples of the Americas by the European invaders. Their thirst and craving for power and riches were insatiable; the more they acquired the more they wanted. Sioux Chief Sitting Bull aptly described it:

The love of possessions is a disease with them. [...] They take tithes from the poor and weak to support the rich who rule. They claim this mother of ours, the Earth, for their own and fence their neighbours away.

If North America had been twice the size it is, there still would not have been enough; the Indian would still have been dispossessed. The only modern comparison I can think of, without the carnage of course, is Wall Street bankers, who almost brought the world economy down in 2008 by the irresponsible actions they took to enrich themselves over the prior decade or so. During that period, in careless disregard of their financial responsibilities to society, they designed and implemented schemes that were geared almost entirely towards trying to satisfy their blind senseless greedy desire to accumulate more wealth than they needed. The human suffering from it has been tremendous worldwide, massive unemployment, tens of thousands have lost their homes, and in 2011, millions are still unemployed.

Conversion to Christianity did not help American Indians to survive. In fact, the atrocious treatment that they suffered at the hands of Caucasians before conversion continued unabated after conversion. For instance, the Mi’kmaq began to convert in 1610, but, during the 1700s their land was still being taken without their consent and without compensation, and they were subjected to attempts to exterminate them. Within the records of the modern Nations of the Americas rest many accounts of some of the gruesome methods utilized by Christian stalwarts to convert the ‘Pagans’.

Germ Warfare was used by the colonials to try to exterminate American Indian populations; the preferred method was smallpox infection. The following quotes from July 1763 are extracted from
exchanges between the Commander-in-Chief of British forces in North America, General Jeffrey Amherst, and Colonel Henry Bouquet. They give an excellent example of inhuman racist mentality in action:

Amherst: Could it not be contrived to send the Smallpox among the disaffected Tribes of Indians?

Bouquet: I will try to inoculate the Indians with some blankets that may fall into their hands, and take care not to get the disease myself.

Amherst: You will do well to try to inoculate the Indians by means of blankets.

Amherst’s favourite degrading label for American Indians was that they were an ‘execrable race’. In spite of the before-mentioned, and the fact that after they exchanged their memos many citizens of American Indian Nations began dying from the disease, Amherst defenders state it is only circumstantial evidence.

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Before I get to the Mi’kmaq experience, I want to provide a few examples of other atrocities suffered by American Indians.

The Cherokee of Georgia were rounded up in 1838, and during the winter months herded to Oklahoma (the ‘Trail of Tears’). *En route*, out of a starting number of approximately 15,000, over 5,000 perished. Many Nations were exterminated by the invaders, such as the Beothuk and the Taino. So many disappeared that Shawnee Chief Tecumseh observed: ‘Where are the [...] many other once powerful tribes of our people? They have vanished before the avarice and the oppression of the white man, as snow before a summer sun’. A comprehensive list of the barbarities visited upon the Indigenous Peoples of the Americas, which would also include many horrors that occurred during the more enlightened 1900s, would require many works of encyclopaedic proportions! The following statement, ‘No state can achieve proper culture, civilization, and progress [...] as long as Indians are permitted to remain’, although articulated by
U.S. President Martin Van Buren in 1837, lays bare the predominant White Supremacist genocidal mentality that the Indigenous Peoples of the Americas have had to contend with since Columbus landed in 1492.

Canada is a country that was created by the British by dispossessing thirty-four American Indian Tribes of their territories; it is also a land that includes genocidal efforts in its history. For instance, there were three scalp proclamations issued by British colonial authorities in efforts to try to exterminate the Mi’kmaq. The first, issued by Massachusetts Bay Colonial Governor William Shirley in 1744, included bounties for the scalps of men, women and children. The second, issued by Nova Scotia Colonial Governor Edward Cornwallis, also included bounties for women and children. A third, issued in 1756 by Governor Charles Lawrence, was for men only; however, it is not too far-fetched to state that many bounty hunters would have still believed that the all inclusive bounties for Mi’kmaq scalps were still in effect.

I’ll use the Mi’kmaq experience of life under Caucasian rule to demonstrate how American Indians suffered from neglect and declined in numbers because of it.

On June 25, 1761, a Burying of the Hatchet Ceremony was held at the Governor’s farm in Halifax; the British representative was Governor Jonathan Belcher; the Mi’kmaq were represented by several Chiefs. As the Ceremony progressed, several Peace and Friendship treaties were signed between the parties. It did not spell relief and prosperity for the Mi’kmaq. From this point to the late 1940s they lived in a state of near starvation – malnutrition was rampant. The following are a few examples of the extent of the suffering of the People under British rule, which are quoted from reports that widely respected Caucasian Indian Superintendents submitted to Colonial Governments.

In 1774, ‘a Bill to prevent the destruction of moose, beaver, and muskrat in the Indian hunting ground was introduced in the legislature, but was defeated’. The majority of legislators did not want to provide the Mi’kmaq with even this small measure of comfort. However, White settlers in many instances did supply some relief to the destitute and starving People. While they did so the government disregarded petitions and reports coming in from across
Paul, ‘Hidden History of the Americas’.

the province depicting the horrifying state of affairs that existed. Even reports of people living in wigwams completely naked and without sustenance in winter brought no relief.

George Monk, Superintendent of Indian Affairs at the time, had forwarded many petitions from settlers that begged the government to help the Mi’kmaq. The government responded by providing only minimal rations from a budget of £100 per year. One settler described in a petition of January 1794 just how desperate the situation was:

A great many Micmac have died for want of victual [...] notwithstanding the little they get from the Superintendent [...] if they have not some more general relief they and their wives and children must in a few years all perish with cold and hunger in their own country.

Joseph Howe, who was Indian Superintendent in 1843, said of the Mi’kmaq plight in a report he made to the Nova Scotia colonial government:

At this rate [of population decline] the whole Race would be extinct in 40 years, and half a Century hence the very existence of the Tribe would be as a dream and a tradition to our Grandchildren, who would find it difficult to imagine the features or dwelling of a Micmac, as we do to realize those of an Ancient Breton. [...] Assuming the statistics of 1838 as a basis of a calculation, and deducting 10 percent, your Lordship will perceive that there must be at least 1,300 Souls still in this Province, appealing to the sympathies of every honourable mind by the contrast of their misfortunes with our prosperity, their fading numbers with our numerical advancement, their ignorance and destitution with the wealth and civilization which surrounds and presses upon them from every side.
The Superintendent of Indian Affairs in 1848, Abraham Gesner, was condemnatory of the meagreness of government assistance offered to the Mi’kmaq in the reports he sent to the British colonial government about the population decline of the Mi’kmaq. Gesner was a medical doctor and a fellow of the Geological Society, a scientist, inventor and author. His most famous output was the development of kerosene, which laid the foundation for our modern petrochemical industry. The following are excerpts from his reports:

Unless the progress of their annihilation is soon arrested, the time is close at hand, when [...] the last of their race, to use their own idea, ‘will sleep with the bones of their fathers’. Unless the vices and diseases of civilization are speedily arrested, the Indians [...] will soon be as the Red Men of Newfoundland, or other Tribes of the West, whose existence is forever blotted out from the face of the Earth.

It might be supposed that after their wars [...] and encounters with the whites had terminated, the Aborigines would multiply, yet experience has proved exactly the reverse. [...] Exposed to the inclemency of the weather, and destitute of the proper diet and treatment required for contagious diseases, numbers are swept off annually by complaint unknown to them in their state. [...] 

From the clearing and occupation of the forests, the wild domain of the moose and caribou has been narrowed. Being hunted by the dogs of the back settlers, these animals have become scarce - thus the Indian has been deprived of his principal subsistence, as well as the warm furs that in olden times lined his wigwam. Indigenous roots once highly prized for food have been destroyed by domestic animals. [...] These united causes have operated fearfully, and have reduced the whole tribe to the extreme of misery and wretchedness.
Almost the whole Micmac population are now vagrants, who wander from place to place, and door to door, seeking alms. The aged and infirm are supplied with written briefs upon which they place much reliance. They are clad in filthy rags. Necessity often compels them to consume putrid and unwholesome food. The offal of the slaughter-house is their portion. Their camps or wigwams are seldom comfortable, and in winter, at places where they are not permitted to cut wood, they suffer from the cold. The sufferings of the sick and infirm surpass description, and from the lack of a humble degree of accommodation, almost every case of disease proves fatal.

During my inquiries into the actual state of these people in June last, I found four orphan children who were unable to rise for the want of food – whole families were subsisting upon wild roots and eels, and the withered features of others told too plainly to be misunderstood that they had nearly approached starvation.

The Mi’kmaq population of Nova Scotia remained almost stationary, approximately 1400, until the Canadian government started providing more nutritious diets and better medical care in the mid-1940s. As a result, the population in 2011 is around 15,000.

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But if survival is assured, ongoing invisibility remains a problem. Dalhousie University Professor Susan Sherwin concisely identifies the type of racism that American Indians are contending with in modern times: ‘the greatest danger of oppression lies where bias is so pervasive as to be invisible’. Her short concise statement is by far the best I’ve ever read on the subject.

In a nutshell, the pervasive invisible bias that still victimizes American Indians with the unwarranted designation ‘savage heritage’, a designation originating from the demonizing propaganda
of European colonial times, has been so deeply imbedded in the subconscious of succeeding generations of Caucasians that it is almost impossible to get Caucasian society to recognise and accept that the systemic racism which victimises First Nations Peoples today actually exists. In plain English, the unwarranted, racist ‘savage’ designation that we suffer from, because of its centuries-old passage from generation to generation, is subconsciously considered by many as the true depiction of American Indians.

The before-mentioned assertion of Caucasian denial of American Indian civility, and of Caucasians having little awareness of American Indian history, is a fact highlighted by the following examples of American Indian invisibility – incidents which occurred in Nova Scotia while I was Executive Director of the Confederacy of Mainland Mi’kmaq. However, it should be kept in mind that if one were to transcribe all similar types of incidents that have occurred over the ages in and around the Americas, it would take volumes to do it.

Signs stating ‘Annapolis Royal: Established 1605, Canada’s Oldest settlement’ were placed at exits from a newly constructed bypass express highway of the village of Annapolis Royal. The message did not recognize this fact: Canada had First Nation settlements for uncountable centuries before Europeans began to establish their settlements after 1492. After hearing about it, and viewing it, I contacted the mayor of the Town of Annapolis Royal, the Warden of Annapolis County, and the Department of Transportation, and voiced my outrage. To their credit, after they were reminded about First Nation existence, the Mayor and Warden were shocked that they had supported the wording of the sign, and that they had not even briefly considered the existence of American Indian civilisations. Within a few days of my intervention the signs were removed, and I was invited to a joint meeting of the councils, where both formally apologised for the racist oversight. The sign now reads: ‘Annapolis Royal: Established 1605, Stroll Through the Centuries’.

Signs on highway 102 stated: ‘Bedford: A Stopping Place Since 1503’, which ignored the fact that the Mi’kmaq had been using the Bedford location as a stopping place for tens of centuries before Europeans did. The sign wording was recommended for adoption by the Town Council of Bedford by author Elsie Tolson. To find out why
Elsie had not acknowledged Mi’kmaq usage when she coined the phrase, I met with her, and pointed out the erroneous message that it portrayed. She was appalled by the fact that she had not taken into consideration the existence of our ancestors. With her cooperation, and the progressive attitude of Bedford’s Town Council, the sign now reads, ‘Bedford: A Traditional Stopping Place’.

In the 1990s I attended a businesspersons’ meeting at the Holiday Inn in Dartmouth. The keynote speaker was an internationally respected CEO from the United States. He started off his presentation with a statement that came across something like this: ‘When our ancestors first arrived in the Americas they found two vast and vacant Continents, loaded with immeasurable wealth for the taking’. Taking exception to the insulting erroneous statement, I immediately rose to my feet and pointed out the error of his ways. He responded by turning red, apologising profusely for his systemic racist statement, and later he correctly placed the blame for his ignorance where it so rightly belongs: the White Supremacist education systems of the Americas, which all but ignore the existence of the robust civilizations that prospered and flourished in the Americas prior to the European invasion.

To have Eurocentric education systems still in place in the Americas in 2011, which by and large ignore the real history of American Indians, is the result of wilful ignorance! I state this because teaching the truth of what transpired during colonial times would not bode well for the reputations of the European colonials, who brutally dispossessed the original inhabitants of the two continents of their properties and civilisations, and in many cases, their very existence. It should be noted that the destruction was universally successful: of the hundreds of robust civilisations that existed in the Americas in 1492, not one survives intact today.

In 1993 I wrote the first of three editions of a book entitled We Were Not the Savages. The latest edition was published in 2006. The title, which I used with slight variations for the three editions, poses a question that someday has to be truthfully answered by Caucasians, which is: If not the American Indians, who then were the savages? I think the truthful answer is very unspeakable and painful for a great many Caucasians to contemplate and acknowledge.
The continued degrading of American Indian civility that ensues from not teaching the history of the Americas and from journeying on with the Eurocentric lies that have passed to-date for history, is unacceptable in societies that proclaim themselves democratic and just. Such an indefensible course only reinforces the systemic racism that was created by colonial propaganda, which will continue to victimise the victims into eternity if not refuted and discarded.

If you wish to test the veracity of what I’ve relayed, I suggest that you journey down Barrington Street to the site where Governor Edward Cornwallis’s statue is located in Cornwallis Park, across from the Westin Hotel, and contemplate and honestly answer the following question (for those from other areas of the Americas: do the same with statues of such barbarians as Columbus, Cortez, Colonel John Chivington, General George Armstrong Custer, et al.). If the victims of the Governor’s self-admitted attempt to exterminate their race had been from a White race, and not American Indians, would the statue erected in his honour be there? I believe that Caucasians of good conscience would come up with the same answer that I did when I pondered this question several decades ago: it would not be there! In my opinion, no nation that self-describes itself as civilised can honour such a man. Honouring him, in view of what he tried to do to the Mi’kmaq, signifies that racism is alive and well in Nova Scotia. And the same can be said for jurisdictions across the Americas that honour colonial barbarians.

**BIOGRAPHICAL NOTE**

*Mi’kmaq Elder Dr. Daniel N. Paul, C.M., O.N.S., is a passionate advocate for social justice and the eradication of racial discrimination. He is an outspoken champion for First Nations Peoples and all other disadvantaged members of society. He has widely publicised the proud heritage and history of the Mi’kmaq Nation.*
Photo Feature: Orania

ALAN AUBRY

CBD, near the town entrance of Orania, with a sign commemorating the Battle of Majuba

Community Hall
Aubry, ‘Orania’.

View from the Community Hall: the rugby field

Kids’ playground, next to the Orania Akademie
Aubry, ‘Orania’.

A car in Orania’s garage

The supermarket: no competition
Aubry, ‘Orania’.

Map of Orania mounted at entrance of town

A road in the ‘rich’ part of Orania (‘Grootdorp’).
BIOGRAPHY

Alan Aubry is a French photographer. He lives in Normandy, near Rouen (France). He has lived in a number of countries, including Greece, Iran and South Africa, is a graduate of the Fine Arts College of Rouen, and obtained grants from the French Cultural Department in 2002 and 2007. His work, in various mediums, has featured in several magazines and galleries, and can be sampled online at www.alan-aubry.com.
Afterword: Orania as Settler Self-Transfer

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This commentary discusses the photographic evidence presented in the Photo Feature, in this issue’s cover, and an article on Orania published in 2006 in Anthropology South Africa.¹ F. C. de Beer’s piece constitutes an extended apology of Orania and is here discussed as a settler colonial document.

The fall of Apartheid was not unexpected; indeed, the possibility of losing control had haunted for decades the imagination of Afrikanerdom. By the end of the 1980s Afrikaner concerns over the possibility of preserving political autonomy in a future multiracial South Africa had prompted increased reflection on the possibility and advisability of establishing an Afrikaner separate sovereign entity: a volkstaat. In the context of a growing debate, a private company (Orania Bestuursdienste) was set up as a means to acquire real estate for the purpose of establishing a segregated community of Afrikaners. When Orania Bestuursdienste purchased it in 1991, Orania was a semi-abandoned settlement: during the 1960s it had been part of a Department of Water Affairs irrigation project but work had been discontinued in 1979 and many residents had subsequently left. Shortly after the original purchase by Orania Bestuursdienste, the remaining inhabitants were relocated elsewhere. Their claims would be eventually settled in 2005. Now, de Beer notes, only ‘white people live in Orania’.²

Nearby properties were added in later years; perhaps one day, de Beer fantasises, this inland Northern Cape Province settlement will extend westward to the Atlantic Ocean. Orania has a flag and issues a local currency. However, as Orania seeks autonomy within
Veracini, ‘Orania as Settler Self-Transfer’.

the context of the South African institutional framework, the attitude is ostensibly non-confrontational. Likewise, the authorities of post-apartheid South Africa have developed a non-interference policy towards Orania.

At first, de Beer sets out to contextualise the Orania enterprise in the context of minority and even indigenous struggles elsewhere (he refers, for example, to the International Labour Organization Convention 169, which promotes ‘the right of indigenous or aboriginal groups’).\(^3\) He then performs a similar discursive move in relation to South African realities:

funding for the Forum of the Indigenous Peoples of Africa Co-ordinating Committee (IPACC) and the Volkstaatraad by the newly-elected ANC government, gave rise to expectations of some measure of self-determination [for Afrikaners]. However, these expectations are increasingly being countered by provisions in the Constitution and by policy and statutory measures to enforce equality and to prohibit discrimination. Because of this dualistic approach to policy by the government and the uncertainty that the application of its policy has created among minority groups in South Africa, people such as those in Orania and Kleinfontein near Pretoria in Gauteng Province of South Africa see no alternative but to establish their own form of autonomy, however rudimentary, in an area which they purchased themselves.\(^4\)

References to indigeneity and minority status, however, are only accessory to de Beer’s primary claim: Orania can only be understood if it is placed in the wider context of Afrikaner history. Seen in this light, Orania is, de Beer argues, an inherently Afrikaner response. An identification with Afrikaner history is ubiquitous in Orania, as conveyed, for example, by the narrative that underpins Orania’s monumental park (see this issue’s cover): on the one hand, the veld is personified as the heterotopic locale from which the inhabitants of Orania are coming, on the other, a collection of founding ideological
fathers appear in chronological order. In front of all this, the kid symbolising Orania is a youngster about to start his work, while Orania itself lies below, the final outcome of a narrative sequence.

However, if Orania is to be contextualised in Afrikaner history, the whole enterprise is premised on a very specific conception of it. Two elements are prominent in de Beer’s reconstruction. On the one hand, the post-Apartheid dispensation is perceived to be nothing new, and Afrikaner attempts to rationalise a multiracial political order have repeatedly stressed that, again, Afrikaners were under ‘foreign’ domination. On the other, an identification with a specific narrative of Afrikaner history is accompanied by a fundamental critique: it is the incapacity to free itself from reliance on ‘foreign’ labour that has doomed Afrikanerdom to foreign domination. As authority, de Beer quotes a Freedom Front publication’s summation of Afrikaner history and predicament:

The most critical issue is Afrikaners’ historical inability, since 1658, to do things on their own, without predominance of foreign labour. That resulted in foreign political domination. As long as dependence in economic and other spheres continues, the degree of self-determination that can be achieved will be too limited to be of any significance [...] State formation depends on the will of Afrikaners to free themselves from entwinement through sacrifice, not by moving to another country, but by moving to their own land where development has to be brought about through their own labour.5

Thus, Orania is simultaneously about similarity and difference: it is similar to previous Afrikaner responses to foreign domination (i.e., it is the result of a renewed decision to move to the frontier), and it constitutes a radical departure from previous experience (i.e., Afrikaner reliance on ‘foreign’ labour must come to an end). These two registers comprehensively shape Orania’s existence.

They especially shape its governance, which is structured around two fundamental organising principles. Firstly, the awareness
that the successful staging of a settler pioneer re-enactment can only be organised through a closely supervised effort. Management can confer or withdraw the right to reside. De Beer describes how Vluytjeskraal Aandeleblok Beperk, Orania Bestuursdienste’s subsidiary, enforces a comprehensive system of corporate governance:

All residential property in Orania is shared and no title deeds are available. Full title, however, is available on agricultural land. One becomes a shareholder through the selection process. Any dispute between shareholders or between a shareholder and the company is referred to mediation, and ultimately to arbitration if the dispute is not solved during the mediation process.

Moreover, Vluytjeskraal Aandeleblok’s constitution clearly states that once a person and his or her family have been approved by a selection committee, they become subject ‘to the jurisdiction of the Board of Directors of Vluytjeskraal Aandeleblok or its authorised representatives’. It is a centralised operation; management is in charge.

Secondly, the consciousness that a fundamental departure from Afrikaner history can only be secured through a rigid observation of the “people’s own labour” principle (volkseie arbeid). According to de Beer’s definition, volkseie arbeid ‘requires that people should do their own work or should only make use of fellow Afrikaners as workers’. It is ‘not only recommended’, he notes; it ‘is applied in practice without exception’. Thus, while local residents must perform all labour, volkseie arbeid can also confer or withdraw the right to reside: ‘Anyone who applies for citizenship in Orania must observe the “people’s own” labour rule. Non-compliance means disqualification to stay in Orania’. In other words, an Afrikaner sovereign entity must be premised on enacting a localised ‘conquest of labour’. If, as recently demonstrated by Gabriel Piterberg in Returns of Zionism, important sectors of the Zionist movement had looked at South Africa for inspiration and guidance in carrying out their localised conquest of labour in pre-Israel Palestine, Orania is premised on a conscious or unwitting attempt to learn from Zionist
practice (Orania also imports advanced irrigation techniques from Israel, not only an exclusionary labour ideology).  

In the end, an inflexible system of corporate governance and the ‘rigid and consistent application of the labour rule’, which means that poorer Orania residents are being systematically exploited by richer ones, have prompted accusations of ‘monopolistic’ control and unfair treatment. As there is no avenue for recourse and the only way out is to move out (again), ‘even staunch believers in a volkstaat have left Orania’ (de Beer thus mentions the absolute need to ‘recruit a higher quality of labourer’).

And yet, I would like to suggest that, as well as a reflex steeped in Afrikaner history, Orania is also an inherently settler colonial response. In Settler Colonialism: A Theoretical Overview (2010), I argued that settler colonialism and transfer are intimately connected and that if colonialism can be defined as exogenous domination for the purpose of exploitation, settler colonialism can be defined as exogenous domination for the purpose of transfer. Orania fits in with this interpretative framework. This enterprise is especially premised on transfer: the prerequisite transfer of prior inhabitants, for example, and the transfer of settlers to a specific locale. More generally, references of Afrikaners as being indigenous to the land, a claim that opens de Beer’s account, are also an instance of a type of transfer that I have called ‘settler indigenisation’ (relatedly, the very perception of post-Apartheid South Africa as a reiteration of ‘foreign’ domination is premised on yet another transfer: according to this characterisation Black South Africans are “foreigners”, and therefore not indigenous to southern Africa). Crucially, if it is a vision of post-Apartheid South Africa as subject to ‘foreign’ domination that prompts the transfer of settlers into a ‘demarcated area’, the fundamental critique of Afrikaner history that underpins the whole Orania enterprise also ends in transfer. It is the need to be free from ‘entwinement’ between settler and indigenous person that prompts the establishment of a self-segregated community. Orania is a settlement.

Most importantly, the very dynamic underpinning the origins and development of the Orania project constitutes a characteristically settler colonial progression. De Beer refers to founder of Orania Carel Boshoff’s ‘prophetic vision to lead a group of
Afrikaners away from a stressful situation’, and that stress, prophecy, and displacement are recurrent and typical settler colonial refrains should be emphasised.13 At the same time, Orania should not be seen as a throwback or an aberration. It is not in the global context of minority struggles for self-determination that it should be understood. On the contrary, Orania should be seen as a settler colonial response and part of a global movement towards segregated sovereign enclaves supervised by communities’ acceptance committees.14 Of course, there remains one crucial difference: if the golden age of ‘settlerism’ was characterised by people deciding to ‘move out’ and establishing themselves on a variety of frontiers, the current dispensation is characterised by people ‘moving in’.15

BIOGRAPHICAL NOTE

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NOTES

2 de Beer, ‘Exercise in Futility’, p. 110.
4 de Beer, ‘Exercise in Futility’, p. 106.
6 On re-enactment as an important manifestation of a settler colonial consciousness, see Vanessa Agnew and Jonathan Lamb (eds), Settler and Creole Re-Enactment (Houndmills: Palgrave Macmillan, 2009).
7 de Beer, ‘Exercise in Futility’, p. 111.
8 Quoted in de Beer, ‘Exercise in Futility’, p. 111.
9 de Beer, ‘Exercise in Futility’, p. 110.
13 de Beer, ‘Exercise in Futility’, p. 113.
14 See, for example, Mike Davis and Daniel Bertrand Monk (eds), Evil Paradises: Dreamworlds of Neoliberalism (New York: The New Press, 2007). On South African gated communities, see D. Hook, M. Vrdoljak, ‘Gated Communities, Heterotopia
Veracini, ‘Orania as Settler Self-Transfer’.
