Karangatia: Calling Out Gender and Sexuality in Settler Societies
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edited by Michelle Erai and Scott L. Morgensen

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Calling

‘Karangatia’, a Maori term:

1. karangahia, karangatia (verb): To call, call out, shout, summon.

2. karanga (noun) formal call, ceremonial call – a ceremonial call of welcome to visitors onto a marae [i.e., meeting house], or equivalent venue [...]. The term is also used for the responses from the visiting group [...]. Karanga follow a format which includes addressing and greeting each other and the people they are representing and paying tribute to the dead, especially those who have died recently. The purpose of the occasion is also addressed. Skilled kaikaranga [a role traditionally reserved for women elders] are able to use eloquent language and metaphor and to encapsulate important information about the group and the purpose of the visit.

Adapted from the online entry of Te Aka Maori-English, English/Maori Dictionary and Index. Available at: http://www.maoridictionary.co.nz

Editor’s note: The choice of a verb, karangatia, at once a call and an invitation for a response, establishes a protocol for the discourse in this special issue. It is intended to historicise racialised, gendered and sexualised labours in intellectual production, and to facilitate multiple literacies (Michelle Erai).
Theorising Gender, Sexuality and Settler Colonialism: An Introduction

SCOTT LAURIA MORGENSEN
Queen’s University

‘Hoke-tee’, the cover image offered to this issue by Taskigi/Diné artist Hulleah J. Tsuinhajinnie, presents a protean site for considering how our contributors advance theories of settler colonialism. Taken from the series Portraits of Amnesia, ‘Hoke-tee’ portrays juxtapositions that interrupt any narrative of the moon as terra nullius. Whose human existence becomes legible once the moon appears as a site traversed by humans: in body, but also in memory, or in history? We know his – a white heteropatriarchal national manhood achieved here by having mined rare earths, fabricated massive technologies, and invested in capital’s projection to send him and his white brethren to this place. But what crosses the frame, unnoticed by a gaze he directs always forward, and elsewhere: a child, whose dress may be elevating, whose chair may be transporting a historical awareness and multi-generational presence long-defiant of his Manifest Destiny?

The child’s interruption of ‘empty land’ reminds us that the ontology of settler colonialism has been premised on its own boundlessness: always capable of projecting another horizon over which it might establish and incorporate a newest frontier. Projecting onto the moon this fiction known as the United States is a specifically settler-colonial act; and not merely in its long-term vision, in which after taking the moon back in his suitcase, his kind intend to return here to be emplaced. For in doing so, this act ignores and thinks to erase that both he and the moon bear a relationship to this...
child of her nations – a child, perhaps, with a potential to be any gender in her nations – and, as a youth, one through whom the people sustain a future relationship to this land, regardless of whether he notices. In its break from the settler-colonial narrative, the image invites irruptive possibilities for imagining alternative viewpoints and passages through time and space that centre a critical awareness among those whom settlers attempted to eliminate. Yet, Tsinhnahjinnie tells us, against amnesia: the people survive, and do not forget.

This collection extends the effort of settler colonial studies to explain the specificities of settler colonialism by centering analysis of gender and sexuality. The insight that colonialism is produced, extended, and illuminated by gendered and sexual power is a hallmark of colonial studies, but that body of scholarship has left the power of settler colonialism under-theorised and in need of distinctive accounts. Gender and sexuality are intrinsic to the colonisation of indigenous peoples and the promulgation of European modernity by settlers, whether in pursuit of what Patrick Wolfe has theorised as a logic of indigenous ‘elimination’, or of what Lorenzo Veracini, Philip Deloria, and scholars in indigenous studies have examined as the indigenisation of settlers. Theories of settler colonisation will remain incomplete if they do not investigate how this political and economic formation is constituted by gendered and sexual power.

Addressing this demand, contributors to this collection critically and creatively engage knowledges generated among colonised indigenous peoples who resist settler rule. In doing so they displace the epistemic frame of settlers and enhance theory of the relationality of indigenous and settler subjects in colonial situations. Contributors argue that to centre the knowledges of the colonised does not posit that the colonised think uniformly or never become complicit with or co-responsible in colonial rule. Indeed, if we understand heteropatriarchy on stolen land to be a settler-colonial project, then arenas for conforming to settler rule will extend beyond those typically marked by anti-colonialism and will foreground gendered and sexual spaces. Nevertheless, the contributors share an intention to enhance indigenous peoples’ capacity for liberation by opening the societies established by ‘invaders/settlers’ (in Brendan
Hokowhitu’s formulation) to radical change. This intention is enhanced by the collection’s array of cases theorising Palestinians under Israeli occupation alongside Māori in New Zealand, and Creek, Ho-Chunk, and many more indigenous nations and alliances in the United States and Canada. The essays advance knowledge of settler colonialism and indigenous resistance by examining these disparate national contexts nearby, or at times through explicit comparison. Settler colonial studies, indigenous studies, Palestinian, Arab, and Middle East studies, and all related fields can learn how settler colonialisms may be theorised comparatively and interdependently, and how gender and sexuality immediately inform efforts to comprehend and challenge settler-colonial power.

**THEORISING GENDER, SEXUALITY, AND SETTLER COLONIALISM**

Indigenous feminist and LGBTQ/Two-Spirit criticisms have established the ineluctably gendered and sexual quality of settlers’ attempted conquest of indigenous peoples. This literature teaches that heteropatriarchal colonialism has sexualised indigenous lands and peoples as violable, subjugated indigenous kin ties as perverse, attacked familial ties and traditional gender roles, and all to transform indigenous peoples for assimilation within or excision from the political and economic structures of white settler societies.\(^1\)

Although these lessons are recorded in scholarly texts, the violences they name have been challenged by indigenous women and LGBTQ/Two-Spirit people who organise for their own and their people’s liberations. Among many examples, the Aboriginal women’s movement in Canada, Two-Spirit organising across North America, and takatapui organising in Aotearoa New Zealand offer grounded theories of gendered and sexual colonisation and of indigenous resistance.\(^2\)

Crucially, such movements do not restrict their address to persons so-identified, for they argue that colonial heteropatriarchy structures the lives of all indigenous persons, and that divesting from it will be necessary to collective work for decolonisation.

Activist and intellectual legacies such as these make possible this collection and its investigations of gender, sexuality, and settler colonialism, and recur continually in our accounts. ‘Calling’, *Karangatia*, invokes the opening of an exchange of words in which
many will listen and may eventually speak, but within a context first defined by indigenous women who call a diversity of gendered and sexual subjects into conversation. This title, by Michelle Erai’s suggestion, positions both the issue’s contents and our collaboration as co-editors. Whereas I write this introduction as sole author, I do so to present my response as a white settler critic to a context of speaking, listening, learning, and acting that has been defined by the calls of indigenous feminist and LGBTQ/Two-Spirit scholars and activists.

With these histories in mind, this introduction and our collection theorise gender, sexuality, and settler colonialism by advancing beyond similar scholarship in colonial studies. For some time now, the very ubiquity of feminist and queer accounts in colonial studies has appeared to explain gender and sexuality in settler-colonial situations. Yet as recent scholarship indicates, the specificity of settler colonialism is obscured if it is presumed to have been explained by general theories of ‘colonialism’. All such theories must be revisited to ask if they erroneously generalise specific colonial situations, and to provincialise all such situations by positioning them comparatively.

Scholars in colonial and postcolonial studies long have observed that colonial rule comes into being by mobilising gendered and sexual power. Yet this observation in itself does not denaturalise gender or sexuality, as is apparent when even major texts in these fields leave the impression that a natural gendered or sexual order underlies what colonial violence produced. Anticolonial feminist and queer accounts show that colonisation’s sexual and gendered methods are inventive, not foreordained; and that liberation will follow disturbing all that colonisation taught, so that distinctive ways of life might be recalled or imagined. Such accounts position ‘gender’ and ‘sexuality’ alongside ‘race’ and ‘nation’ as analytical categories that are freed from any universal referent, in that they designate power-laden arenas of contested knowledge and embodied practice that call for critical and creative engagement.

While such insights appear diversely without cohering in any single body of work, they were made possible by the signal contributions of critics within feminist antiracist and anticolonial movements. Indigenous, Black, US/Third World, and women of
colour feminisms synergised with feminists engaged in anticolonial and postcolonial nationalism to displace white settler and Western feminist thought: a history that at the end of the 20th century produced postcolonial and transnational feminisms as arenas where scholars across the global north and south could form alliances in critiquing colonial, racial, gendered, and sexual power.\(^5\) The scholarly projects of queer of colour and queer diasporic critique formed in relation to these lineages, as have transnational queer studies that trouble racial or diasporic identity to address the global and imperial scales of sexual power.\(^6\) Denaturalising gender, sexuality, race, and nation is a hallmark of such work, as when Chandra Mohanty’s review of writings from the 1980s argued for ‘the inherently political definition of the term women of color’ as designating ‘a political constituency, not a biological or even sociological one’ that coheres around ‘a common context of struggle’.\(^7\) Jacqui Alexander joined Chandra Mohanty in emphasising their commitments to decolonisation, arguing that if ‘decolonization involves thinking oneself out of the spaces of domination’, then this will transpire only ‘through praxis’, which they sought by holding their work responsible to ‘the concrete analyses of collective and organizational practice within feminist communities that offer provisional strategies for dismantling the psychic and social constellations put in place by colonization’.\(^8\)

Explicit admissions such as these of the politics of academic knowledge conditioned the late 20th century moment when accounts of race, gender, and sexuality expanded in the study of colonialism. Historians analysed cases of gender and sexuality structuring colonial regimes.\(^9\) Especially productive work emerged when scholars reinterpreted the colonial conditions of postcolonial nationalisms.\(^10\) Complementary projects examined gender and sexuality within imperialism, as in accounts of white women’s roles in colonial regimes.\(^11\) Signal theorists presented comparative frameworks for understanding colonialism and its relation to modernity.\(^12\) At times, accounts of the colonised locations of non-indigenous racialised people within settler states resonated with colonial studies, as in the case of Black history in the United States.\(^13\) Scholars of the colonisation of indigenous people in what were, or in what would become settler states marked this context for discussion; but a general pull to integrate theories of colonialism encouraged
correlating these with other colonial situations. Much of this literature did not present itself as responsible to social movements; but I emphasise that it emerged in a moment already troubled by antiracist, postcolonial, and transnational feminist and queer critiques to suggest that this literature’s appearance may be interpreted in relation to the activist impetus and effect such concurrent critiques.

An especially productive theoretical direction in colonial studies of gender and sexuality proceeded from Ann Stoler’s accounts of the ‘intimacies of empire’. In some synergy with Mary Louise Pratt’s reading of colonial situations as ‘contact zones’, Stoler invested her historical work with an ethnographic attention to colonialism’s production within localised, relational situations defined by the power of gender, sexuality, race, class, and nation. Intertwining accounts of global political economy with studies of embodiment and desire, Stoler grounded accounts of broad social processes and simultaneously insisted that localised research engage global scales. Stoler thus wrote against misreading her emphasis on gender and sexuality as ‘intimate’ complements to empire or capital, whereby the latter conversely (and erroneously) appear ‘non-intimate’ until the former are discussed. For if gender or sexuality ever seem aligned with the intimate, this is not ‘natural’ to them but accrues as if they constitute a nature through and against which politics and economics take shape. Moreover, in a colonial world, race exemplifies the consignment of structural relations to myths of embodied nature; and accounts of racialised sexuality and gender, including Stoler’s, decidedly demonstrate that power relations are at once eminently institutional and immediately embodied.

The broad array of scholars examining ‘intimacies of empire’ demonstrates this model’s productivity for colonial studies, as do ongoing adaptations of Stoler’s work within indigenous studies. My concern, however, regards the degree to which the model does or does not yet account for settler colonialism. Stoler’s work was premised on her key case of the Dutch East Indies, a colony defined by plantation agriculture and the extraction of resources for global trade. In that context, Stoler foregrounded relations in the homes of officials and in everyday social life; notably, as labour, governance,
concubinage, and marriage forged ties among coloniser and colonised while defining ‘mixed-caste’ constituencies as significant to colonial society. Many similar qualities have obtained in settler societies. But citations of Stoler have tended to extrapolate from conditions that Patrick Wolfe has called ‘franchise colonialism’ without asking if settler societies function at all distinctly. This returns us to a broader set of questions regarding the conflation of various modes of rule within theories of colonialism. Do conditions specific to colonial franchise ground theories of ‘colonialism’ as such? If this occurs, is settler colonialism excluded from study; is it ever included, but only as a manifestation of some deeper principle; and, in either case, what inaccuracies enter social theory? Conversely, has a conflation of franchise and settler colonialisms ever positioned a settler society as a model of colonialism, as such? In that case, were settler-colonial power relations misrepresented, or extrapolated into a general theory without acknowledging their distinct origin? Among many more, such questions must be addressed if colonial and postcolonial studies are to fully engage the implications of theory in the emergent field of settler colonial studies. I contend, and explain below, that a methodological attention to specificity in the literature on ‘intimacies of empire’ may assist us in clarifying how franchise and settler colonialisms are both distinct and relational. Yet regardless of the routes we take, scholars of settler colonialism – and this collection, by centreing gender and sexuality – request a hermeneutic that will specify settler-colonial power and show how its operation distinctly structures social life.

Among extant theories of settler colonialism, this essay and collection foreground those that felicitously re-evaluate scholarship in colonial studies to illuminate settler rule at work. Patrick Wolfe’s argument that settler colonialism is premised on a ‘logic of elimination’ foregrounds the genocidal erasure of indigenous peoples as a governmental basis for their replacement by settlers. He clarifies that the necessity of indigenous elimination to settler colonial rule differentiates this mode of power from a colonial franchise, which governs by preserving a subject people for racialised labour exploitation. He also notes that settler colonialism’s genocidal effects result not only, or even in all instances from mass death, but also from governmental methods that recast indigenous peoples as subject to, or amalgamated within the body of a settler nation.
Elimination thus can be understood to follow any effort to erase indigenous nationality as a status that can interrupt the preeminent or sole nationality asserted by settlers. Indeed, as Glen Coulthard has argued, settler polities may grant indigenous nations ‘recognition’ precisely to contain them as a domesticated difference that facilitates state authority over land and the definition of indigenous identity.

The distinction of a settler polity is foregrounded by the process Lorenzo Veracini examines as the indigenisation of settlers, which he says ‘is driven by the crucial need to transform an historical tie (“we came here”) into a natural one (“the land made us”). Framing settler colonialism around the necessary principle of ‘transfer’ – both the transfer of indigenous peoples out of the settler polity, through removal and elimination, and the in-transfer of settlers – Veracini argues that this places settler colonialism ‘in dialectical tension’ with projects he calls ‘colonialism’. Given that (in Wolfe’s terms, ‘settlers come to stay; invasion is a structure, not an event’), we see here that a settler polity forms as an agent for settling invaders, their political and economic governance, and their metaphysics, so that all may be thought to originate from the lands where they arrived by force. Philip Deloria explains this as an effect of European settler-colonists facing metropolitan perceptions of them as uncivilised, which they may address by impersonating indigenous difference to resist imperial rule, only to replace it by ruling in the name of civilisation on lands to which they now belong. Yet as Veracini’s work indicates, beyond the adoption of imaginaries of indigenous people, settler indigenisation invokes any process that makes settlers and their polity appear to be proper to the land: a process I also explain as the naturalisation of settler colonialism. Stories that narrate settlers or their state as naturally belonging to settled lands also governmentally naturalise invaders in a place that their own tales admit was not originally theirs. In narratives of legal or cultural naturalisation, settlers record their own illegitimacy and efforts to resolve it: by asserting a civilised nature marked by race, gender, or sexuality that defines their own national character or universality.

This collection immediately calls settler colonial studies to investigate how indigenous elimination and settler indigenisation
transpire through explicitly gendered and sexual processes. I submit that the evidence on this point is in: they do, as our contributors illustrate. Moreover, a re-evaluation of literature on gender and sexuality in colonial studies elicits broad evidence of distinctly settler-colonial power relations, which synergises with extant theory in indigenous studies. Indeed, gendered and sexual power relations appear to be so intrinsic to procedures of indigenous elimination and settler indigenisation that these processes will not be fully understood until sexuality and gender are centred in their analysis.

Indigenous elimination manifestly proceeds through settler regulation of sexual relations, gender identity, marriage, reproduction, and genealogy, and all similar means for restricting resistant indigenous national difference. Governmental procedures in settler law demonstrate this, as when Canada’s Indian Act in 1876 established gendered exclusions to ‘Indian status’. The Act’s ascription of status always correlated with a capacity to remove status. Alongside emancipation – status removal through conferral of citizenship – the Act imposed a form of patrilineal inheritance that denied status to indigenous women with status and their children if they married or bore children with a person without status. Bonita Lawrence explains that as settlements expanded and the state divided nations into bands on isolated reserves, women and their families who lost status – and with it, access to reserve land or community – became progenitors of mixed-blood urban constituencies and countless descendants with no recognition of their indigenous heritage. Lawrence calls this effect of the Act ‘statistical genocide’: with over 25,000 women having lost status between 1876 and 1985, anywhere from one to two million of their descendants are now incapable of asserting any legally-recognised indigenous identity in Canada. Yet the eliminatory logic of settler governance manifests here, as inventing and recognising ‘Indian status’ precisely created a basis for erasing indigeneity within the horizon of settler society.

Just as the Indian Act’s sexual and gendered modes of elimination defined and regulated a racial status (‘Indian’), tracing ascriptions of ‘race’ to indigenous people will reveal the gendered and sexualised methods of settler colonialism that presume or seek indigenous elimination. For instance, Australian policies of
assimilation targeted mixed-blood children for adoption into white families, work roles, and marriages, as key to larger efforts to amalgamate indigenous racial difference into whiteness.\textsuperscript{28} Whereas in the United States, where the color line’s logic of hypodescent defined blackness as racially impurifying, nations such as the Lumbee and the New England tribes that embraced African American familial ties and descent were policed as mixed-race constituencies and faced obstruction in their efforts to gain recognition as indigenous nations.\textsuperscript{29} Indeed, assigning the racial logic of ‘blood quantum’ to define indigenous membership specifically produces laws that regulate affinal and familial life. For as J. Kehaulani Kauanui demonstrates, racialising kinship contradicts traditional definitions of indigenous nationhood based on genealogy, which may include adoption as well as biological descent, and without making ‘race’ a determinant of degree of relationship.\textsuperscript{30} These processes illuminate Israel’s Citizenship Law, which bars residency or citizenship to Palestinians from the occupied territories who become spouses to Israeli citizens (Palestinian or otherwise), thereby attempting to police state borders and Palestinian ties through marriage. For this law conforms to more constitutive settler-colonial efforts to produce Israel as a racial state by denying Palestinians the right of return: a denial that reclassifies refugee descendants as subjects of foreign governments, thereby pre-empting land claims that would be defensible by invoking the integrity of Palestinian familial ties and descent.

Settler governance racialises gender and sexuality among indigenous peoples by applying law within intimately institutional settings, as demonstrated by extant scholarship on colonial history. Settler projects of elimination have used methods of containment, such as reservations and reserves, to deny indigenous peoples a land base and to create settings for forced re-education. This was exemplified by the residential and boarding schools in Canada, the United States, and Australia, which, as demonstrated by Margaret Jacobs, Tsianina Lomawaima, and Celia Haig-Brown (among others), were focused on transforming bodies, desires, and relations to eliminate indigenous national identity and achieve assimilation.\textsuperscript{31} Bonita Lawrence, Kim Anderson, and other indigenous scholars document how the gender violence and sexual abuse that defined institutional life for indigenous children produced trauma that can be
inherited by descendants while specifically affecting gender and sexual identity and familial relations.\textsuperscript{32} In recognition of this, community-based efforts to address legacies of residential/boarding school trauma in North America often focus on renewing traditional knowledge and governance of gender and sexuality, which may include unlearning heteropatriarchy, empowering women, or reclaiming Two-Spirit histories as first steps towards the decolonial resurgence of indigenous nations.\textsuperscript{33}

All such cases of settler efforts towards indigenous elimination also demonstrate the gendered and sexualised indigenisation of settlers. As argued by scholars of imperial intimacies, such as Jacobs or Cathleen Cahill, settler participants in residential/boarding schools, US Indian agencies, religious education, and other sites of settler governance gained gender and sexual identities through asserting control over indigenous people.\textsuperscript{34} Cahill notably explains how U.S. Indian agents became ‘federal fathers and mothers’, who compelled accommodation from indigenous people by positioning them as subordinate kin, while simultaneously investing in gendered and familial identities to enact colonial governance and its violence.\textsuperscript{35} Cahill’s work interrupts any effort to read settler colonialism and gender/sexuality separately, for here we find them to be profoundly co-constitutive. In turn, studies such as these that address institutional intimacies in fact demonstrate a broader quality of settler colonialism: that settlers are intrinsically \textit{relational} subjects, defined by a perpetual process of indigenous replacement. One place where settler indigenisation will become evident, then, will be in spaces where settlers arise as managers of indigenous people; both in their presence, and in their putative disappearance.

A major theme in recent works on gender, sexuality, and settler colonialism has been the construction of indigenised settlers in relation to indigenous gender/sexual difference. Mark Rifkin’s rendering of indigenous-settler conflict in the nineteenth century US demonstrates that settler sexual modernity arose as a method to contravene indigenous sovereignty, even as settlers achieved their own landed modernity by positing its relationship to the difference of indigenous kinship.\textsuperscript{36} My own work explains how imagining ties to indigenous authenticity has produced queer non-natives as settlers, whose ‘liberation’ by achieving citizenship and belonging to stolen
land comes at the expense of alliance with the decolonial aspirations of Two-Spirit/LGBTQ indigenous people and their nations.\textsuperscript{37} Such routes to belonging to land and the state – as settlers claim, and transcend ties to indigeneity – are common to settler subjects, as Philip Deloria and Renee Bergland have demonstrated in the recurrence of ‘Indians’ as history or memory among US settler subjects. Yet, as they argue, correlations of indigenous people to settlers represent only a step towards settlers’ indigenisation, which is to say, their seemingly inherent belonging to settled land, and that land’s capacity to represent them and their way of life.\textsuperscript{38} Extant scholarship suggests that routes to settler indigenisation will be explicitly gendered and sexualised.

Given that indigenisation establishes settler epistemology as a social norm, a ready example of this process is the European establishment of Western heteropatriarchal and binary sex/gender systems in settler societies, as a condition of their religious, economic, and political life. Any naturalisation of Western heteropatriarchy or binary sex/gender also naturalises settler colonialism. This statement may seem readily defensible within a settler society; but I intend it to reach more broadly. Settler colonisation performs the West’s potential universality, by transporting and indigenising Western governance upon territories far from Europe: in settler states that then may appear not to be perpetual colonisers, but rather to be natural sites of Western law.\textsuperscript{39} Under these conditions, the indigenisation of settlers and the universalisation of the West are one. Yet Western law also is universalised whenever settler societies come to be structured by a heteropatriarchal binary sex/gender system. That colonial system (which presumes racial distinctions of primitive from civilised gender/sexuality) becomes proper not just to settlers, much less to the indigenous nations they occupy, but to the whole world. For to indigenise Western heteropatriarchy and binary sex/gender on new lands is to prove their own premise that the totality of human life can conform to them. In this sense, to promise that Western logics of gender and sexuality are universal is to enact the logic of settler colonisation: and not only when addressing occupied peoples in settler states, but also whenever the potential indigenisation of such logics anywhere on earth implies their capacity to universally describe human nature.
We know that settlers indigenise when they imagine that their replacement of indigenous peoples is ordained by the progressive expansion of universal principles. Jean O’Brien recounts how New England settlers perceived indigenous disappearance amid their religiously-validated efforts to improve the land for civilisation – a reading that also might illuminate Zionist legitimations of Jewish settlement as bringing life to the desert.40 We also know that whereas settler indigenisation appears to supplant indigenous presence, this will proceed in multiple ways. In the Anglophone settler states, qualities of indigeneity are absorbed to represent the settler nation, as in the case of place names (Kanata → Canada) or, as Allaine Cerwonka illustrates for Australia, the protection of indigenous ecosystems as settler patrimony.41 Yet in Israel, as Meron Benvenisti recounts, state efforts to assert Jewish indigeneity assiduously erase evidence of Palestinian histories simultaneous or prior to the Jewish narratives inscribed on the land.42

The gendered and sexual indigenisation of settlers performs all these registers, as it presumes the replacement of a primitive culture by modernity, even as it obliterates or appropriates indigenous gender/sexual difference to defend its primacy on settled land. Deborah Miranda and I have argued that in the Americas, the targeting of persons who today might be called Two-Spirit for violent elimination instantiated colonial heteropatriarchy and a sex/gender binary as a precursor to establishing a new economic and legal system, while acting to educate the indigenous peoples who remained in the structural relations they and colonists now would enter.43 This historical account was initiated by Two-Spirit activists, who for generations have critiqued the false universalisation and legal/scientific legitimation of Western systems of gender and sexuality as settler colonial. Two-Spirit people simultaneously present their revitalisation of tradition as a basis for principled leadership in indigenous national liberation struggle. In light of their work, critics would do well to interrogate the formative role of heteropatriarchy and a sex/gender binary within past and present formations of European settler colonialism.

This introduction has argued that forthright analysis of gender and sexuality will clarify and deepen theory of settler colonialism. Yet it also suggested a more profound claim: that gendered and sexual
power condition, or even generate the power relations we call ‘settler colonialism’. While my brief essay emphasised the former claim, I allowed it to veer towards the latter – a claim that, once made, merits more discussion – to speak against a function that feminist and queer projects typically provide to academic fields, and one that we hope this collection will obviate for settler colonial studies. All-too-often, feminist and queer accounts get marshalled within fields that self-define as accounts of ‘the social real’, but that at some point decide to augment this by interpreting gender or sexuality: whether as something previously thought to be ‘natural’ and thus opaque to analysis, or thought to be ‘cultural’ and thus of lesser import than some primary economic, legal, or ontological concern. We who contribute to settler colonial studies have the chance to build an intellectual space that does not present gender or sexuality as secondary or additive to some deeper, and presumably separate principle. We must agree that gender and sexuality already inform every quality raised by the discussion of settler colonialism, making it incumbent upon scholars in this field to consider how and in what way this is so. The promise in making such a shift is that our theory will illuminate our object in its depth, in ways that would not have been possible and would have remained unknown until we dared to begin this work.

**OUR CONTRIBUTIONS**

The special issue opens with Brendan Hokowhitu’s ‘Producing Elite Indigenous Masculinities’. This essay interrogates the construction of male leadership as ‘tradition’ within forms of Maori governance managed by the settler state. Hokowhitu’s critique of state investments in indigenous governance more deeply re-evaluates the modern governance of indigenous subjectivity. We find that a restrictive notion of Maori manhood has been promulgated as ‘tradition’ at the expense of other genealogies of collective leadership: notably the urban, often working-class Maori women and men whose roles in Maori revitalisation disappear when the state affirms heteropatriarchy to constitute a domesticated form of indigenous governance. In synergy with Coulthard, Hokowhitu demonstrates that indigenous elimination may proceed from the very
demand by the state that Maori be Maori, while the inculcation of colonial heteropatriarchy as ‘indigenous’ subjectivity also effectively pre-empts assertions of national difference that could trouble settler rule.

Nada Elia then illuminates the sexualisation of settler governance in ‘Gay Rights With a Side of Apartheid’, which examines the ‘pinkwashing’ of Israel’s occupation of Palestine. Elia explains that this category of Palestinian queer critique reframes the Israeli defence of gay rights in international relations as investing in Western sexual modernity to obscure settler colonial violence against Palestinians – and to erase the existence of queer Palestinians. In turn, we learn that pinkwashing as a civilising discourse indigenises Israel as an extension of the West in the Middle East – a settler-colonial tactic that Elia suggests is inspired by the US claiming to defend the West through its perpetual occupation of indigenous nations. Elia thus joins Palestinian queer activists in centreing sexual politics as grounds for Palestinian national struggle, while the critical apparatus of pinkwashing positions Palestinian queers as leaders in that fight.

The gendered structuring of settler rule and the need for a creative activist response are examined further by Andrea Smith in ‘The Moral Limits of the Law: Settler Colonialism and the Anti-Violence Movement’. Smith plies a tension among anti-violence activists who confront the US state as the very condition and agent of colonial and racial violence: participation with it seems anathema, yet the necessity to meet immediate needs impels some engagement. For activists in a settler colonial situation, Smith argues, dispelling belief in the morality of law can reposition law as a field of power to be strategically directed in accord with deeper political commitments. Smith cites cases in recent indigenous women’s anti-violence activism and indigenous resistance to settler incursions on traditional lands, which shift from appealing to the morality of the state to making the indigenous targets of settler rule ungovernable by its moral force.

The issue continues with two essays that attend to cases of indigenous narrative resistance to settler rule that articulate tribally-specific and transnational registers. Mishuana Goeman’s ‘The Tools of a Cartographic Poet: Unmapping Settler Colonialism in Joy Harjo’s
Poetry’ reads Harjo as one among many contemporary indigenous women writers who compose ‘narrative maps’ for journeys to personal and collective decolonisation. Situating Harjo within the landed legacies of Creek survival and within the border-crossing travels of diasporic indigenous people, Goeman frames Harjo’s poems to her granddaughter as traversing gendered spaces – of land, home, kin, nation, and settler colonisation – to envision indigenous resurgence beyond the power of settler conquest.

Renya Ramirez then interprets possibilities for resistance within the intimate dynamics of settler rule in ‘Henry Roe Cloud to Henry Cloud: Ho-Chunk Strategies and Colonialism’. Countering recent writing about Cloud as a model of historical assimilation, Ramirez reinterprets the colonial traps laid for Cloud’s participation in early twentieth century US society by illustrating the targeting of indigenous manhood for elimination via reformation as a hallmark of settler rule. Ramirez’s archive also portrays the invention of settler identity as educative and amalgamating, in the gendered and quasi-familial intimacies of Cloud’s patronage by Mary Roe. By asking how Cloud amid these pressures could have retained a discrepant Ho-Chunk identity, Ramirez announces her intention to propose modes of travel within settler societies that will sustain indigenous resistance. These two essays are complemented with a poem contributed by Qwo-Li Driskill, ‘Measuring the Distance between Seattle and Texas’, wherein the narrator affectively traverses the bordered landscapes of settler states in a creative imagining of relationship on decolonial terms.

The concluding essays explicitly compare the situations of indigenous nations in Canada to Palestine as a basis for generating new insight into the terms of settler rule as well as possibilities for allied struggles against settler colonialism. In “‘From Jerusalem to the Grand River, Our Struggles are One’: Challenging Canadian and Israeli Settler Colonialism’, Mike Krebs and Dana Olwan dispel settler efforts to align indigenous peoples in Canada with supporting the state of Israel by tracing how alliances have formed, and can form among indigenous peoples in Canada and Palestinians. By comparing settler rule in Canada and Israel, and by explaining why alliances in Canada linked Palestinians to indigenous activists, Krebs
and Olwan provide crucial bases for understanding and deliberating the future of activist solidarity.

My essay, ‘Queer Settler Colonialism in Canada and Israel: Articulating Two-Spirit and Palestinian Queer Critiques’ then asks what insights we gain into settler rule or possibilities for anticolonial alliance by intersecting activist critiques by queer Palestinians and by Two-Spirit people in North America. The essay maps how these critiques call settlers, and notably queer settlers to challenge their complicity in conquest, in this time when Israeli pinkwashing and Canadian and US homonationalisms make sexual politics central to entrenching and extending the rule of settler states. The essay then engages insights into these processes in North America to illuminate queer settler colonialism in Israel, so as to illustrate the anticolonial knowledge and activism that may follow once settler situations are read comparatively and relationally. The essay thus responds to both critiques’ aspirations for national liberation, as depicted in the accompanying image by Hulleah J. Tsilhjehnie, which portrays We’wha, ‘the beloved’, honoured ihamana and representative of the Zuni nation in 1886 to US President Grover Cleveland. Among the many resonances of this image – created for the 20th anniversary International Two-Spirit Gathering (2008) – I note the synergy of its vision of national resurgence with the aspirations of Palestinian queer activists who speak in the name of their people’s freedom. The collection thus ends by suggesting lines of solidarity among movements and their allies that may concertedly challenge heteropatriarchal and settler-colonial power. Michelle Erai closes by taking up the call of the issue in ‘Responding’ and indicating ways forward from the journey these essays have taken.

I conclude on the theme of alliance because both the content and implications of the essays model this for settler colonial studies. The field’s intellectual and political work can be inspired by, and made accountable to the theories-from-practice of indigenous peoples who are challenging settlement and its naturalisation. This special issue, by appearing early in the publication of settler colonial studies, also reflects the relative newness of ‘settler colonialism’ as an analytical category with a corresponding body of theory. In light of this, the array of contributions in this issue indicates that the intellectual content that will be important to this field will not all
claim – nor need to claim – a place ‘inside’ it. As Linda Tuhiwai Smith has argued, indigenous scholars who reject imperial methods of knowledge production may trace their intellectual genealogies along distinctive ‘dissent lines’, which will be grounded in collective practices of cultural memory and liberation struggle as well as in various modes of academic writing. All of these trajectories of knowledge will articulate settler colonial studies without being subsumed within that field. Alliance suggests one model for forming responsible relationships among distinct, yet potentially linked intellectual histories. Specifically, settler colonial studies can take up a responsibly allied relationship to critical scholarship in all fields (indigenous studies, Palestinian studies) that centre the knowledges of peoples resisting settler colonialism, and in this way gain its impetus as a relevant response to landed struggles for decolonisation.

BIOGRAPHICAL NOTE

Scott L. Morgensen is the author of Spaces between Us: Queer Settler Colonialism and Indigenous Decolonization (University of Minnesota Press, 2011) and co-editor of Queer Indigenous Studies: Critical Interventions in Theory, Politics and Literature (University of Arizona Press, 2011). He is an Associate Professor in the Department of Gender Studies at Queen’s University.

NOTES


2 See, for example: Anderson, A Recognition of Being; Brian Joseph Gilley, Becoming Two-Spirit: Gay Identity and Social Acceptance in Indian Country (Lincoln, NE: University of Nebraska Press, 2006); Clive Aspin, ‘Exploring Takatapui Identity within the Maori Community: Implications for Health and Well-Being’, in Driskill, Finley, Gilley, Morgensen, Queer Indigenous Studies.


4 For instance, critics observed that accounts of sexualised feminisation in Orientalism by Edward Said or Malek Alloula did not necessarily trouble the existence or function of a gendered order that produced sexualised violence or silenced women’s voices. Whereas similar critiques were directed at Fanon’s


14 This quality is apparent in Pratt, Imperial Eyes, and McClintock, Imperial Leather.

15 Ann Laura Stoler, Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule (Berkeley: University of California Press, 2002); Ann Laura Stoler, Race and the Education of Desire: Foucault’s History of Sexuality and the Colonial Order

16 See, for example: Burton, Gender, Sexuality, and Colonial Modernities; Smith, Conquest; Ann Laura Stoler (ed.), Haunted by Empire: Geographies of Intimacy in North American History (Durham, NC: Duke University Press, 2006).


22 Veracini, Settler Colonialism: 33; 7.

23 Wolfe, ‘Settler Colonialism and the Elimination of the Native’: 388.


25 See, for example, David Kazanjian, The Colonizing Trick: National Cultural and Imperial Citizenship in Early America (Minneapolis: University of Minnesota Press, 2003); Scott Lauria Morgensen, Spaces between Us: Queer Settler Colonialism and Indigenous Decolonization (Minneapolis: University of Minnesota Press, 2011): 43-44.


27 Lawrence, ‘Real’ Indians and Others.


32 Lawrence, ‘Real Indians’ and Others; Anderson, A Recognition of Being.

33 See, for example, the work of the Native Youth Sexual Health Network (Toronto). Available at: http://www.nativeyouthsexualhealth.com/ Accessed: 01/04/12. Additionally, Kim Anderson and Robert Innes are conducting research on community-based efforts to address indigenous masculinity in response to trauma: ‘Indigenous Masculinities, Identities, and Achieving Biimaadiziwin’, in coordination with the Ontario Native Friendship Centres Association. Available at: http://artsandscience.usask.ca/nativestudies/research/ Accessed: 01/04/12.
34 Myra Rutherdale, Katie Pickles (ed.), Contact Zones: Aboriginal and Settler Women in Canada’s Colonial Past (Vancouver: University of British Columbia Press, 2005); Stoler, Haunted by Empire.
37 Morgensen, Spaces between Us.
40 Jean M. O’Brien, Firsting and Lasting: Writing Indians Out of Existence (Minneapolis: University of Minnesota Press, 2010).
41 Allaine Cerwonka, Native to the Nation: Disciplining Landscapes and Bodies in Australia (Minneapolis: University of Minnesota Press, 2004).
43 Miranda, ‘Extermination of the Joyas’; Morgensen, Spaces between Us.
Producing Elite Indigenous Masculinities

BRENDAN HOKOWHITU
University of Otago

As the archaeology of our thought easily shows, man is an invention of recent date. And one perhaps nearing its end. If those arrangements were to disappear as they appeared, if some event of which we can at the moment do no more than sense the possibility [...] were to cause them to crumble, as the ground of Classical thought did [...] then one can certainly wager that man would be erased, like a face drawn in the sand at the edge of the sea.

Michel Foucault, *The Order of Things* (1966).¹

This article asserts that elite indigenous tribal masculinity is a particular type of masculinity that has developed since colonisation, in part at least, mimicking dominant forms of invader/settler masculinity. While most commentators have outlined that the dominant forms of invader/settler masculinities were held to be inversely related to the mind of indigenous men, the productive nature of power imposed a different set of rules that challenged this dialectic so that aspects of invader/settler masculinity were necessarily imbibed into burgeoning post-contact indigenous masculine leaders. This masculinity has since been allocated disciplinary and authoritative power through notions of tradition and authenticity. Further, indigenous masculinity was often asserted as reflecting the collective will for liberation; in reality, elite indigenous masculinities have habitually served to exclude alternative forms of indigenous masculinity and indigenous women from leadership roles. Via a post-hegemonic analysis of indigenous masculinity, this article appraises the Janus-faced and ambivalent figure of the indigenous heterosexual patriarch; both oppressor and oppressed. The dialectics between hetero-patriarchal masculinity and feminism, and colonised/coloniser become complicated, as indigenous masculinities are both imbibed with privilege and denied it; both performing colonial hetero-patriarchy and resistant to it.
In the postcolonial context, indigenous nationalist movements have inadvertently served to reproduce disciplinary forms of indigenous masculinity. The project of ‘decolonisation’ focused the rocky ship of indigenous ontological plight via cultural renaissances underpinned by notions of liberation and rights. The project sought to unveil colonial oppression, whilst ‘it remained the task of identity politics to emancipate, free or liberate a true, or more essential, individual or collective self’.² It was often forms of indigenous masculinity that, in their cultural authenticity, were asserted as reflecting the collective will for liberation; in reality, elite indigenous masculinities have often served to exclude alternative forms of indigenous masculinity and indigenous women from leadership roles. While it is true that many indigenous women have been at the forefront of the indigenous liberation movement, it is also true that the radical female voice has often met resistance via the discursive formation of indigenous structures framed by indigenous masculine power and located within the ‘tradition’ of tribal organisations.

In terms of self-discipline then, Foucault may ask indigenous cultures: ‘who is speaking and who is authorised to speak?’, and thus what forms of indigenous subjectivity are being produced while others are subjugated? A prominent example of how disciplinary coercions produce indigenous subjectivities occurred during the distribution of a fisheries settlement (NZ$ 250–$350 million) awarded by the New Zealand State via a Treaty of Waitangi claim. In 1989, the State awarded ‘pre-settlement’ fisheries assets to ‘all Maori’ through the Maori Fisheries Act and in 1990 Te Ohu Kai Moana, or The Maori Fisheries Commission, was established to manage the allocation process. Te Ohu Kai Moana was comprised of influential Maori men including Sir Tipene O’Regan, Matiu Rata, Sir Graham Latimer, and Sir Robert Mahuta. The Treaty of Waitangi (Fisheries Claims) Settlement Act, 1992 ‘directed the commission to allocate the pre-settlement assets to its beneficiaries’; in it, ‘while the act occasionally refers to these beneficiaries as “all Maori” the role of Maori iwi had been given new prominence’.³ Yet, the Act did not proffer a definition of ‘iwi’. Here it is important to understand that ‘iwi’ can mean both ‘people’ in the general sense of the word and thus could relate to ‘all Maori’, whilst, ‘iwi’ can also refer to ‘peoples’ in the sense of large genealogical formations (i.e., tribes). The
ambiguity meant that the term became the ‘focus of conflict and litigation – primarily between Maori – ever since’.⁴

Without juridical definition, Te Ohu Kai Moana took it upon itself to determine indigenous contemporary rights via postcolonial imaginings of pre-colonial ‘traditional’ culture. It decreed that ‘iwi’ referred to tribes as the original social formations under the Treaty, and that settlements would be divvied out accordingly. It defined ‘iwi’ as a composite of: ‘(i) shared descent from tipuna [ancestors]; (ii) hapu; (iii) marae; (iv) belonged historically to a takiwa [geographical district]; and (v) an existence traditionally acknowledged by other iwi’.⁵ For all intents and purposes, Te Ohu Kai Moana outlined what has become the common understanding of a ‘traditional’ tribal conglomerate. Under this decree it was argued that ‘all Maori’ would gain advantage from the allocation as derivatives of original iwi. Importantly, inherent to the juridical process was the determination of what was traditional and historical. In August 1998, for instance, the Court of Appeal concluded:

> The implementation of the settlement accords with Maori traditional values, although it will necessarily utilize modern-day mechanisms [...]. The settlement was of the historical grievances of a tribal people. It ought to be implemented in a manner consistent with that fact. With all due respect to UMA [Urban Maori Authorities], who are formed on the basis of kaupapa [practice] not whakapapa [genealogy], they cannot fulfil such a role.⁶

What is perhaps surprising here is the complicity of the postcolonial complex with this ethnic fundamentalism at the expense of other more individualised, non-gendered subjectivities. This complex is complicit with both postcolonial assimilation and neo-liberalism. While indigenous studies scholars, such as Kevin Bruyneel⁷, have highlighted the challenges to postcolonial temporal, spatial, and political models that indigenous tribal formations have brought to bear in postcolonial politics, seemingly tribal formations are less feared in New Zealand than in other contexts. Put another way, the indigenous subjectivities produced via the ‘Partnership’ process, far
from inherently challenging understandings of sovereignty produced by the postcolonial complex, in reality are complicit with them. Indeed, because the Treaty of Waitangi is a historical document that has produced a grievance mentality, the ‘rehabilitative’ approach presumes physical, spatial, spiritual, and epistemological displacement and loss and, therefore, its discordance with the immediacy of indigenous peoples serves to debilitating indigenous existentialism. Along similar lines, Jeffrey Sissons has noted that ‘[w]hereas settler nationhood required Maori to become Pakeha (i.e., white), post-settler nationhood requires Maori to become Maori’.

The renaissance of indigenous ontological authenticity flies in the face of tacit nineteenth and twentieth century settler understandings of the nation state: that the most effective method to modernise and assimilate the indigene into being a citizen of the nation was to detribalise. ‘Tribalism, in particular, was perceived to be inimical to the interests of the liberal State because it promoted historic “we-they” attitudes and thereby militated against the liberal conception of one language, one culture, one state’.

In contrast, the modernised indigenous subject has become a corrupted and inauthentic form of indigeneity, due to its devolution out of traditional culture and space. It is, thus, unworthy of being a ‘Treaty Partner.’ Likewise, the claiming process of Maori to rights, grievances, and even the ability to call oneself Maori (or at least an ‘authentic’ Maori), has been attached to the development of what Robert Niezen calls ‘ethnic formalization’.

FOUCAULT AND INDIGENOUS MASCULINITY

Typically, in the colonial context power is very much seen as something that is performed on the indigenous subject. Yet as Foucault says, each society has its regime of truth, its ‘general politics’ of truth: that is, the types of discourse, which it accepts and makes function as true. In relation to a key underpinning of Foucault’s work, then, I ask the question: how do indigenous cultural truths enact a variety of operations on indigenous bodies, thoughts and conduct to enable self-understanding as an indigenous subject? What indigenous subjectivities came to fill the postcolonial field and, in particular, how did indigenous masculinities manifest to be
nameable and desirable and, in terms of necropower, function to symbolically kill other forms of indigenous subjectivity? How have discursive formations within indigenous cultures themselves functioned to discipline indigenous subjectivities? Particularly, how do tactics of tradition and authenticity determine indigenous self-definition, subjugation and exclusion?

The influence of Friedrich Nietzsche upon Foucault is clear, not merely because of the common nomenclature (i.e., ‘genealogy’), but more fundamentally because of a desire to render knowledge as a strategic formation. What strategic function does the production of certain formations of knowledge and subjectivities serve? Through a conscious attempt to reject totalising and singular discourses, Foucault interrogates discourses in terms of the ‘strategic possibilities’ that enable disparate statements to be perceived as natural accumulations. In terms of indigenous masculinity studies, this suggests a shift away from the conception of subjectivities as traditional and towards an understanding that indigenous ontologies have no permanence, but are subject to a morphing biopolitical milieu. As Foucault puts it, while the linear historian seeks to describe ‘the evolution of a species and [...] the destiny of a people’, the genealogist commits himself or herself to dissipating ‘the roots of our identity’.11

The concept of ‘sovereignty’ is central to understanding the production of an indigenous ‘partner’ capable of dialoguing with the developing colonial state. There are various meanings to sovereignty, but I use the idea in a Foucauldian sense, focusing in particular on the way he describes its transformation from ‘sovereign power’ (i.e., the power to take life or let live) to ‘biopolitical power’.12 In the context of this article, it is the power to produce authentic indigenous subjectivities and de-authenticate others. Here Foucault argues that we have

a legislation, a discourse, and an organization of public right articulated around the principle of the sovereignty of the social body and the delegation of individual sovereignty to the State; and we also have a tight grid of disciplinary coercions that actually guarantees the cohesion of that social body.13
Essentially, Foucault would suggest here that indigenous subjectivities have been ‘made to live and let die’ via the juridification and production of an indigenous subjectivity given recognition as the legitimate voice of the indigenous community.

Central to understanding the transformation of sovereignty outlined above is the notion of ‘biopower’, which I believe is critical to thinking about indigenous masculinity. Biopower refers to ‘a power whose task is to take charge of life’, requiring ‘continuous regulatory and corrective mechanisms’. Such a power ‘has to qualify, measure, appraise and hierarchize, rather than display itself in its murderous splendor’; the ‘juridical institution is increasingly incorporated into a continuum of apparatuses whose functions are for the most part regulatory’. The interconnection between biopower, genealogy and elite indigenous masculinities is thus the central concern of the present article. A genealogy in this regard teases out the discursive formation by asking: what are those heterogeneous statements that bind elite indigenous masculinity together? In the words of Robert Young: ‘What are its surfaces of emergence? What are the group of rules proper to its discursive practice? How does it order its objects?’

In *The History of Sexuality* Foucault argues that the biopolitical regulation of a population operates beyond the conscious production and control of knowledge. That is, crucial to biopolitical control is internalisation; the self-imposition of regulatory mechanisms so that the material, the corporeal and ethos function in unison, albeit a unison tethered together via heterogeneous statements. In the context of the present article then, it could be argued that the conditioning of elite indigenous masculinities throughout colonisation has not only a symbolic genealogy but a material existence also. Here, the etiological importance of the word ‘genealogy’ should not be underestimated, for it does not merely refer to a textual genealogy. Foucault’s nomenclature is literally referring to the material and biological descent of corporeality, where the body is ‘totally imprinted by history’. To frame the following section, I thus draw upon one of Foucault’s most significant questions: how, ‘in particular historical moments, people become objects of knowledge’? This is a question that indigenous studies has, to date,
not sincerely engaged with. How does the indigenous subject become a subject? Who is given an indigenous voice or, rather, what voice is chosen to represent indigeneity? Concurrently, who is afforded ‘indigenous rights’ and the right to call themselves ‘indigenous’?

**INDIGENOUS MASCULINITY, TRADITION AND GENDER**

Indigenous masculinity can and should be treated as a largely untapped rubric for examining the propagation of power in the settler colonial context. In serving two essentialised master binaries (i.e., colonised/coloniser and man/woman), indigenous masculinity enables a model for looking at postcolonial power. The two essentialised notions associated with the dominance of colonised man over the indigenous man, and man over woman, create the ambivalent figure of the indigenous heterosexual patriarch; both oppressor and oppressed. This Janus-faced analysis permits us to form a post-hegemonic and more productive understanding of settler colonial power. In this context, the dialectics between hetero-patriarchal masculinity and feminism, and between colonised and coloniser become complicated, as indigenous masculinities are both imbued with privilege and denied, both performing colonial hetero-patriarchy and resistant to it.

What do I mean when I say ‘masculinity’? It probably goes without saying that my view of masculinity is anti-essentialist and that masculinity cannot be treated ahistorically, aculturally, or apolitically. My determination to question masculinity is thus opposed to the typically ontologically oriented endeavour of indigenous studies, of defining indigenous identity. Such a shift in enquiry intuitively directs us away from the belief in a true, deep and essential masculine core. It leads us to separate masculinity from men and indigeneity away from biological conferment. That is, and to paraphrase Simone de Beauvoir, ‘One is not born but becomes a woman’, which could be rephrased in this context as ‘One is not born but becomes an indigenous subject’. Implicit within this analysis, then, is the sense that masculinity does not exist, other than through historically constructed performance.
Here Foucault’s line of questioning becomes important to how indigenous studies could develop because it does not ask what is authentic, what is traditional, what was originally true and real prior to the arrival of the colonial invader/settler, but rather why have authenticity and tradition, for instance, come to play such a central role in how indigenous cultures discipline subjectivities? The notion of tradition is especially dangerous when it is predicated on the concept of authenticity simply because it relies on the idea that a homogenous indigenous culture ever existed and that this cultural monolith is knowable, predictable, and can be authenticated. In the New Zealand context, the recent spate of self-created pseudo ‘identity scales’ rating Maori identity would suggest that the process of cultural self-discipline has been internalised. Typically, these scales rate one’s Maori identity in relation to a number of key authenticity determinants such as fluency in the Maori language, visits to one’s marae or homelands, involvement in activities such as kapa haka, commitment to community groups, etc. Whilst I must highlight that none of these performances of culture are in any way oppressive in and of themselves, the idea that an indigenous person must enact certain behavioural performances to be considered authentically indigenous is extremely repressive.

Clearly then, tradition is a strategic object that serves to protect dominant forms of indigenous masculinity and, for the neo-colonial project, reifies a focus on the past, promoting nostalgia at the expense of an existential immediacy. This dialectic between reverence for the past and discontent in the present persists as the absence of a putative purity arising from the pre-colonial past is lamented in the polluted present. The discursive formation of a pure and authoritative masculinity serves to immobilise alterity. As a biopolitical strategy, then, tradition has served to kill variant forms of indigenous subjectivity. Alternative forms of masculinity became anomalies, deviant; they were excluded from community, from ritual, from existence. As Judith Butler puts forth, gender is a construction that regularly conceals its genesis; the tacit collective agreement to perform, produce, and sustain discrete and polar genders as cultural fictions is obscured by the credibility of those productions – and
Hokowhitu, ‘Producing Elite Indigenous Masculinities’

the punishments that attend not agreeing to believe in them; the construction ‘compels’ our belief in its necessity and naturalness.²⁰

Likewise, the heteronormativity of indigenous masculinities through the idea of tradition and the search for origins, in producing the indigenous hetero-patriarch or elite male leader who embodies an authenticated subjectivity serves to conceal its genesis as a cultural fiction. For indigenous peoples, the punishment of not acceding to such fictions is disbarment through de-authenticating tactics, which serve to drive such subjectivities from communities.

Important for the purpose of the present article is the comprehension that the biopolitical ethnic formalisation process that, for instance, helped determine the ‘tribal structure’ as an ‘original social formation’ has a gendered postcolonial genealogy. That is, the postcolonial tribal hierarchy was/is a cultural fiction underpinned by gender. In the Te Ohu Kai Moana case described above, for example, the individual indigenous leaders relied on to determine who qualified as being Maori, or rather who were to be afforded rights under the Treaty, were male and, in some cases, deemed ‘chivalrous’ (many of the members of the original Commission were knighted by the Queen of England, including Sirs Tipene O’Regan, Robert Mahuta, and Graham Latimer). O’Regan was also named by the right-wing National Business Review as one of the ‘New Zealanders of the Year’.

The leading advocates opposing this circumlocution of definitional power to recognised tribes were Urban Maori Authorities who often strongly voiced their dissatisfaction with being excised from the Treaty process in gendered terms. One leading spokesperson, John Tamihere, for example, labelled the Commission ‘new corporates, the Knights of the Brown Table – and their new weapon – money’.²¹ Interestingly, in his summation of the 1998 Court of Appeal decision, Judge Paterson clearly outlined the development of an iwi partnership ideal though the juridical process: ‘The government has encouraged the iwi concept over the last 20 to 30 years [...] decision making is now more from the top down rather than from the bottom up’.²² The implication is clear here. In formulating the best procedure to manage the Maori problem, the
state concluded that a hierarchical model was most ‘re-cognisable’, with tribal male leadership at the apex, a hierarchical structure that would facilitate the funnelling of power and resources downwards and outwards via hapu (sub-tribes) whanau (families), eventually reaching the indigenous citizen. Such a construction is commonly thought to be the constituent scaffold of ‘Maori society’. In reality, the structure reflects a patriarchal social assembly, an ‘old-boys network’ able to work with the upper echelons of state power. It is a configuration that merely reinforced the general conception of indigenous cultures as patriarchal, sexist and structured by male heredity. Hence, while it was often underprivileged Maori women and men who championed indigenous rights in the 1970s under the banner of the Treaty of Waitangi, two decades later the ‘Treaty Partner’ was male and wealthy.

The production of male leadership at the expense of women leaders at the vanguard of the 1970s political conscientisation movement eventually led to a claim being brought to the Waitangi Tribunal (the state body authorised to determine the validity of Treaty of Waitangi claims) lamenting

actions and policies [that] have resulted in an undermining of Maori women so that their status as rangatira [chiefs] has been expropriated due to the Crown’s failure to accord Maori women status and power within the political, social and economic structures it has created.23

As will become clear below, the use of the word ‘rangatira’ was pointed. Unfortunately, as the submission solely blamed ‘the Crown’, the complicity of Maori male leadership went unnoticed.

I would argue that this elite indigenous form of masculinity (and its associated ‘traditional’ cultural plaudits) is in actuality a particular form of masculinity that has developed since colonisation, in part at least mimicking dominant forms of invader/settler masculinity. This is not to say that indigenous men unwittingly fell into hetero-patriarchy and innocently enjoyed its benefits; there must be more responsibility than that. To paraphrase Stuart Hall,
indigenous cultures have come to a point where we can no longer translate our collective identities through the notion of an ‘innocent’ indigenous subject. Indigenous hetero-patriarchal men have willingly enjoyed a dividend through association with dominant forms of colonising subjectivities. Regardless of the atrocity of colonisation, eternally pointing the moral finger at the ethical corruption of colonisation is out of place. In this instance, the contemporary hetero-normative patriarchal face of many indigenous cultures subjugates women and alternative forms of indigenous masculinity. Yet, rather than villainise hetero-patriarchal tribal formations, we should trace a biopolitical historiography that ushered in traditional Maori masculine subjectivities. That is, power produced an indigenous masculine subjectivity apposite to its context, not an indigenous subject replete with power.

PRODUCING ELITE INDIGENOUS MASCULINITIES

Foucault famously noted that

[p]ower is not something that can be possessed, and it is not a form of might; power is never anything more than a relationship that can, and must, be studied only by looking at the interplay between the terms of that relationship. One cannot, therefore, write the history of kings or the history of peoples; one can write the history of what constitutes those opposing terms.24

In much of my previous work I have treated indigenous masculinity generally. That is, I have deconstructed the tropes that belie the complexity of indigenous men. In this article, however, I am particularly interested in the production of an indigenous masculinity that functions as the indigenous voice at the boundary of postcolonial politics. As I argue here, while most commentators have understood the dominant forms of invader/settler masculinities to be inversely related to the mind of indigenous men, the productive nature of power imposed a different set of rules that challenged this dialectic. Aspects of the invader/settler masculinity were necessarily imbibed
into the burgeoning post-contact form of indigenous male leadership. This masculinity construction has since been allocated disciplinary and authoritative power through notions of ‘tradition’ and ‘authenticity’.

The indigenous objects of colonisation that emerged in conjunction with the biopolitical management of Maori were dependent on producing colonial apparatuses designed to dialogue with a Maori voice made recognisable to the colonial state. The disordering of indigenous epistemologies that proceeded from the colonial complex compelled indigenous masculinities to interweave with colonial beliefs about indigenous men, and with the patriarchy and hetero-normativity of dominant forms of invader/settler masculinity. The dominant invader/settler masculinity was inherently tied to European humanism. As David Goldberg notes, the

voices of Rousseau and Kant reverberate not just through the Enlightenment but across the moral domain of modernity [...] self-commanding reason, autonomous and egalitarian, but also legislative and rule-making, defines a large part of modernity’s conception of the self.\(^{25}\)

The liberal humanist appeal to the individual is, more succinctly, an appeal to an idealised universal European masculinity, where European bourgeois masculinity came to represent humanity: ‘this Man, rational, self-determined and, since Descartes at least, the centre of his universe, serves as the privileged unmarked term against which all humans are measured’.\(^{26}\) The production of indigenous men who mimicked (but not fully) this world of European masculine forms infiltrated and disordered the indigenous worlds.

While bearers of postcolonial signs of indigenous masculine tradition seem authentic, they are preconditioned on an imposition upon the subjectivities of indigenous people. For instance, the introduction of technology influenced how Maori male leaders chose to enforce their power. In his comprehensive discussion of colonial and postcolonial Maori masculine leadership, Maharaia Winiata
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outlines in *The Changing Role of the Leader in Maori Society* the imbrication of settler technologies and methods within chiefly habits:

The period [1800-1840] is important as showing traditional leaders keenly and actively experimenting in their dealings with Europeans. The result was a general widening in the horizons of the chiefs. They now had before them a range of European goods, techniques, codes, systems of value, and institutions to consider. The outstanding leaders in this period were the warrior chiefs, whose fame rested primarily on the possession of muskets [...]. While the uneven distribution of muskets was largely responsible for the exaggerated emphasis on this type of leader, they were nevertheless men who would have gained prestige under the old regime. That is, the muskets came into the hands of the men with superior kinship background. Moreover, the foundations of traditional leadership were sufficiently flexible to incorporate the newer status-giving ingredients without creating a new category of leader altogether.27

Needless to say colonisation changed the way indigenous peoples view the world. The quote that opened this article is especially pertinent here, for, undoubtedly, perceptions of indigenous subjectivity, were, under colonisation, systematically altered and eroded: ‘like a face drawn in the sand at the edge of the sea’.28

To understand how colonisation produced an elite form of indigenous masculinity we need to appreciate how the dialogic colonial process concentrated on producing a small number of male leaders at the tribal level while simultaneously eradicating the power of sub-tribal rangatira. According to Winiata the ‘*ariki* [tribal leaders] and *rangatira* [sub-tribal leaders] were the social and political leaders in [pre-colonial] Maori society, and they also played a part in the organization of economic affairs’.29 Winiata goes on to outline the structure of pre-colonial Maori socio-political life:
Hokowhitu, ‘Producing Elite Indigenous Masculinities’

The tribe itself was made up of several subtribes, each of varying size but perhaps averaging some two to three hundred people. The subtribe or hapu was located in the village and had therefore the basis for a more compact organization... Undergirding the more physical aspects of the subtribal village were the genealogies which joined all members to a common ancestor who may have lived up to nine generations back, and through him to the eponymous ancestor of the tribe twenty or more generations away. The subtribal ancestor (from whom the name of the hapu usually derived) was generally the one where the branch line stemmed away from the main ridge pole of the genealogy.30

The ‘Ariki’ – ‘the one in whom the senior lines of the genealogy converged’ – was recognised as the head of the tribe, but actual community leadership was the domain of rangatira.31

Significantly, the Treaty of Waitangi specifically guaranteed ‘te tino rangatiratanga’ (Article 2), which essentially afforded rangatira the right to exercise their power over their hapu lands, kainga (villages) and ‘taonga katoa’ (property and/or treasures). Not only does the Treaty of Waitangi’s text signify the importance of rangatira in 1840, it also points to the degradation of Maori social organisation since, and to the misrecognition of an ariki-like masculine person as the rational conduit between a confederacy of hapu (i.e., a tribe) and the State.

The production of a ‘tribal consciousness’ with the simultaneous naturalisation of an elite masculinity to helm the tribe is, like Foucault’s ‘organism with its own needs, its own internal force and its own capacity for survival’,32 Central to this organism are notions of ‘tradition’ and ‘authenticity’. While the production of an elite indigenous form of masculinity has been internalised, it is/was a matter of survival in terms of interfacing with an invader/settler state hell-bent on re-ordering the Maori world to resemble a hierarchical patriarchy that it could politically recognise and thus converse with. Here I align with Paul Meredith, who suggests that ‘tradition’ within the context of ethnic formalisation ‘is not only utilised as a normative guide but also to establish and sustain a citizenship which is
structured around subordinate/dominant power relations and inclusive/exclusive membership’. 33

This does not mean Maori were non-agents within the development of this re-ordering process. In the latter half of the nineteenth century many hapu quickly reacted to the changing socio-political landscape by reconstituting ‘runanga’ (political assembly of the hapu) so as to enable them to interact with the colonial system. In the Waikato region, for instance, Winiata notes that many hapu attempted to create a system to interpret the imperial system:

The chiefs designed their movement on parallel and even converging lines with the wider governmental institutions of the country [...] [although] kinship remained an important factor in status. On the other hand, the influence of the resident magistrate was often thrown on the side of men qualified in the more technical requirements of the position [...] Another problem [...] was the existence of men of rank who were near-illiterate and therefore unable to discharge their duties as magistrates in accordance with the regulations. This was solved by the appointment of educated Maori officials as advisers to the chiefs. Thus there were brought into the scheme two classes of leaders, the hereditary and the educated. Frequently, however, such educated officials were also men of superior kinship background. 34

Of note here is, firstly, the recognition by Maori that they had to create a juridical system able to interact with the laws imposed by the invader/settler state, particularly for Maori who lived in rural areas beyond the scope of European law (i.e., the majority of the population at the time). ‘The runanga was therefore made the basis for an institution to frame laws and dispense justice’. 35 Secondly, and more importantly, Winiata makes it clear that Maori leaders recognised the need for their political bodies to include ‘educated’ Maori men able to interpret and administer European procedures. Inadvertently, this also meant that at least a significant portion of
Maori male leaders were schooled in Victorian style boarding schools. It was them who, subsequently, authenticated a hybrid form of masculine leadership as the ‘natural’ and traditional form of elite masculinity: part indigenous; part Victorian.

Dominant forms of Victorian masculinity were focused around the rational achievement of mind over body, ‘whether through self-restraint or disciplines of power and strength’. The valorisation of reason and rationality in the eighteenth century Enlightenment is decisive to the formation of invader/settler masculinities: ‘Reason and feeling were separated and masculinity came to be associated with the objective, the practical, the scientific and the technological’. Colonisation, thus, brought with it the productive and repressive nature of nineteenth century bourgeois orthodoxy, stoicism and clearly demarcated gender divisions determined by heteronormativity. Hegemonic British culture, in particular was in a constant apprehensive state regarding the contamination of the masculine by the feminine, leading to the production of private boys’ schools and the explicit inculcation of stoicism through sports such as cricket and rugby. In the New Zealand context, it is no coincidence that colonial authorities attempted to create a Maori gentry modelled on their British counterparts through the creation of Maori boys’ private boarding schools. Te Aute, St Stephens, Hato Paora, and Hato Petera, for instance, were characterised by ‘muscular’ forms of Christianity resonant of Victorian British public boys’ schools. The colonial policy of creating a cultural divide between generations, and the increasing desire by Maori to be able to converse with the colonial system, led to the education of a select few Maori boys in elite British-style colonial institutions. Subsequently, an elite group of Maori men was created and crucially shaped by a specific type of British masculine leadership system.

Founded in 1854, for example, Te Aute was conceived as a place where young Maori men could be groomed in the fashion of the English gentry. Te Aute presented:

an extraordinary blend of various colonial legacies. Over the past 120 years, Anglicanism, Maoritanga [Maori culture] and rugby have combined to form a unique New Zealand institution ... [where Maori] families sent their
chosen sons to be educated in a replica of the nineteenth century English boarding school.\textsuperscript{39}

In effect, the colonial system, and in particular the education of indigenous male leaders, was designed specifically to create an ‘old-boy’ indigenous masculinity, that is, a burgeoning form of hybridised masculine leadership, which would enable more effective assimilation based on the premise that, once schooled, the indigenous ‘old boy’ would return to provide administrative leadership in their communities in the rural margins. Thus, Winiata notes that the intermediary between the tribe and the state mirrored this subjectivity and points to the juridical production of indigenous citizens:

If there is by negotiation concerning land-transfer, or commercial transactions, or any legal matter in which the relationships of the tribe with the Europeans are involved, then the educated leader comes into action. He is usually found as secretary, frequently as chairman or clerk, in various committees. He may write petitions, or other documents of interest to the tribe. The educated class of leader forms a specific group within the community, assisting the \textit{ariki} and the \textit{kaumatua} in those parts of their duties which touch the European.\textsuperscript{40}

While this might point to a necessary component of colonised indigenous life (and it was), nonetheless, it also signals the production of elite British styled indigenous masculine leadership, the fragmentation of the indigenous social order and, in particular, the degradation of hapu based politics and leadership. As Winiata asserts:

In tribal leadership the most striking change is the disappearance of the \textit{rangatira} leader of the \textit{hapu}. The term is now used as a courtesy title... the responsibilities formerly exercised by the \textit{rangatira} have
now been assumed by the *kaumatua* [the head of the family, as defined by Winiata].

Interestingly, Winiata also notes the loss of the sub-tribal level of Maori leadership or, rather, the devolvement of responsibility from the core social structure of pre-colonial Maori society (i.e., the hapu) to the hetero-patriarch of the modern Maori family. Essentially, such an outcome mirrored the bourgeois European family with its focus on economic rationality and normativity:

Through much of the nineteenth century the family was accepted as an essentially patriarchal institution. By law, men controlled the property in any marriage and the family was seen as a functional economic unit under the leadership of the male.

The production of two levels of leadership also mirrored the social stratification of leadership within European life in general, where a chasm existed/exists between the leadership provided by the state and the leadership of the nuclear family.

One of the purposes of inculcating indigenous cultures with hetero-patriarchy was to produce men who would conceive of paternal responsibility as a natural way of being. Moreover, ‘as long as the nineteenth century patriarch provided for his family, he could regard himself a “good father” and was, thereby, licensed to absent himself emotionally and, in the process, wreak huge damage on his family’. The governance of indigenous men into patriarchal roles was ratified through the organisation of European bourgeois domestic life; the ideology and practice of ‘separate spheres’. So called ‘traditional’ indigenous culture came to reflect gender-role separation where a domestic sphere of action was defined for women, whereas men (but not all men) controlled the finances and importantly the political and public spheres. In New Zealand, for example, even today as these pseudo traditions are maintained, seldom (if ever) are women allowed to talk in the ‘traditional’ public sphere. The assimilation of invader/settler masculinity into indigenous masculinity led to the public and traditional face of power.
at least to be exclusively male. Therefore, indigenous masculine leadership came to reflect modernity’s masculinity.

Whilst there is nothing inherently malevolent with the representation of indigenous culture through tradition, it is the fixated and arrested nature of so-called authentic indigenous masculinities that causes me to be most anxious. Such is the repressive and silencing nature of tradition and authenticity in indigenous discourses. The recourse to ‘origins’ has produced an invented tradition of hetero-patriarchy that serves to deauthenticate other forms of masculinity. Such foundational insecurity has led to ritual displays of physical manliness and hyper-masculinity, along with the traditionalisation of heterosexuality, homophobia, and patriarchy in Maori masculine culture (here patriarchy is defined as including crude acts of aggression, but more importantly as ‘men’s control of women’s bodies and minds [...] deeply entrenched in rituals, routines and social practices’.

Here it is important to draw attention to the idea of ‘dominant masculinity’. What Pierre Bourdieu refers to as masculine domination or *libido dominandi* and what Bob Connell refers to as hegemonic masculinity is, while limited, still important to deconstructing dominant forms of indigenous masculinities. Both, in their differently theorised ways, refer to an ideologically dominant form of masculinity discursively produced through practice and materialised/engendered in male bodies:

This inter relation of the gender order is kept alive through the dynamic principle of alterity or otherness, always constructed in relational opposition to each other [...] masculinity and femininity can float free from men and women per se and take on a quality that is simultaneously present in bodies, structures, practices, discourses, and ultimately symbolic universes that provide material for the ontological fabric of gender relations and gender identity in everyday life.

Thus, masculine domination is a discursive formation produced, internalised and effected through male bodies, but it is not male
domination per se. Put more positively, there is nothing biologically determined nor culturally essentialist about masculine oppression, yet the men produced through ideologically dominant forms of masculinity are very real and have very real consequences for women, other men and, indeed, for the ways in which indigenous life is ordered.

**NECROPOLITICS AND ‘FOURTH SPACE’**

When one thinks of Bhabha’s conception of ‘third culture’, it is easy to romantically imagine neo-indigenous cultural formations unsettling the national narrative to the point that these cultural expansions gain a foothold and disrupt the entrenched binary. Yet, for too long indigenous scholarship has located itself within the coloniser/colonised binary so that even as we set about to ‘decolonise’ we tend to romanticise the forms of resistance occupied and the resultant postcolonial social formations. In doing so, we forego an indigenous responsibility within the postcolonial complex, we forget to hold indigenous people accountable for their choices, for the complicity of indigenous identity formations, and for the necropolitics that such complicity enables.

In the controversies surrounding the Maori Fisheries Act and the establishment of The Maori Fisheries Commission, the primary argument against allocating power to a few tribal leaders was based on the suggestion that the Treaty referred to ‘hapu’, not ‘iwi’, and that, as ‘traditional iwi [were] intermittent and non-territorial formations […] iwi tended to be arbitrarily defined by those in power with regard to current political and economic opportunities rather than merely by kinship or descent’.46 Certainly Winiata’s view reflects this understanding:

There remain today a number of recognized waka amalgamations that are rooted in their ancient boundaries... The amalgamations have no political importance, but certain administrative arrangements tend to give firmness to the waka outlines. For instance, Trust Boards set up to administer compensation monies
for alienated lands and marine rights, coincide in several cases with waka cluster of tribes then the Maori Parliamentary electorates, the circuits of the Maori Land Court, the Tribal Committee organization, all impose a formal framework on the waka grouping.47

Likewise, according to Manuhuia Barcham, for the majority of the twentieth century, ‘[i]wi [tribes] were relatively weak politically, being more a cultural institution than a political one’. Then, ‘in the mid-1980s, with the implementation of new government policies, a period of re-iwiisation began’.48 In Foucauldian terms, colonisation effected the death of a particular type of indigenous subjectivity and the production of another. In existential terms, however, it was influential Maori who in comradeship with the State wilfully enabled the production of a tribal consciousness.

The production of a masculine tribal elite enabled the unsettling nature of hapu collectives to be removed by the settler state. Their removal represented a foreclosure on the capacity of indigenous communities to produce intellectuals sufficiently grounded in local politics and culture, who also reside beyond hetero-patriarchal and state sponsored leadership. Hapu intellectuals or rangatira represented what settler conceptions of indigeneity feared the most: the production of indigenous subjectivities that acted beyond the panoptical vision of the State and the biopolitical coercion of state institutions (such as education). Of central importance, then, is how the definition of indigenous subjectivity is related to the processes of postcolonial ‘ethnic formalisation’ and, subsequently, how the production of an indigenous masculine elite functions to fulfil settler conceptions of the colonial state.

Yet, I think it is unwise to envisage postcolonial power hierarchically, that is, as a mere function of the state’s will, as somehow possessed by individuals (i.e., the so-called ‘neo-tribal elite’), and/or as inherent to any one collective. Rather, and paraphrasing Foucault, I see the postcolonial context as ‘a complex strategic situation’.49 To be an ‘authentic’ indigenous person, thus, is to be one with the prevailing discourses that construct indigeneity, which denote inclusion on the basis of exclusion. As National Party
MP Hekia Parata of Ngati Porou (a North Island East-Coast tribe) put it, ‘without tribes there is no Maori’. 50

In the *Archaeology of Knowledge*, Foucault describes discourses as based on interrelated systems, processes, languages, and institutions that allow the emergence of ‘truth’. Thus, rather than accepting the naturalness of indigenous male leaders, this article demonstrated the constructed nature of indigeneity, suggested that an elite indigenous masculinity did not just occur, and that it did not mirror a pre-colonial structure. While it may be argued that such a conception renders indigenous agency meaningless (i.e., how can we resist if indeed we are mere reflections of dominant discourses?), I fervently believe that to envisage new forms of resistance, self-critical awareness is key. This is especially so because indigenous politics has become overly determined by ‘authenticity’ and ‘tradition’. The logical outcome of a fundamentalist notion of indigeneity is that there can only be one authentic indigenous subjectivity. It is apparent that, via the juridical and biopolitical processes mentioned above, rangatira have been written out of political recognition. More important than the actual exclusion from access to colonial coffers, however, is the exclusion of what rangatira represented (and, thus, what their exclusion achieved symbolically).

It is, therefore, unwise to appropriate the idea of ‘third space’ without also understanding how the discursive nature of power works within this space to produce subjectivities. Simply being indigenous, or adhering to ‘traditional’ cultural practices, or even resisting the neo-colonial state does not naturalise a sovereign space located beyond the postcolonial complex. It is in this context that I critique some of the tacit understandings offered by Bruyneel. In his analysis there is a tendency to accept uncomplicatedly that indigenous forms of resistance inherently challenge neo-colonial structures. For instance,

In resistance to this colonial rule, indigenous political actors work across American spatial and temporal boundaries, demanding rights and resources from the liberal democratic settler-state while also challenging the imposition of colonial rule on their lives. This resistance engenders a ‘third space of sovereignty’ that
resides neither simply inside nor outside the American political system but rather exists on these very boundaries exposing both the practices and the contingencies of American colonial rule.\textsuperscript{51}

Too often in indigenous studies we fall into a coloniser/colonised binary, which debilitates our ability to see the density of the postcolonial complex. Too often indigenous studies scholars envisage indigenous acts as inherently sovereign acts against an omnipresent hegemonic colonial state; in so doing, they valorise the reactionary productions of indigenous subjectivities the binary creates. Lost, in this battle of good and evil, is the idea that the postcolonial complex produces both non-indigenous and indigenous citizens, whilst other subjectivities are excluded.

In quite a radical critique of the innate unsettling qualities of simply just ‘being’ indigenous, which is evident in both Bhabha’s and Bruyneel’s conceptions of ‘third’ spaces, I would argue that the postcolonial complex, through a force-field of discursive strategies, produces forms of indigeneity complicit with its agenda, which indeed are produced by the mere fact that they are more recognisable to the postcolonial state and are very much ‘inside’ it and complicit with postcolonial liberalisation. While acknowledging that postcultures are an implicit production of colonisation, it is imperative that notions of self-critique and responsibility underpin these new cultural spaces, together with a will to investigate what is being included and thus excluded under the name of ‘indigeneity’. Typically, the exclusion involves those who have been most displaced by colonial rule.

Hence, I propose a concomitant fourth space of necrosovereignty, a dead space or a void of possibility where those excluded subjectivities are encouraged to die, yet simultaneously are freed from the will to be recognised. I argue that, for indigenous scholars, this space is as important as the third space of sovereignty. Indigenous political intelligence requires indigenous people to foresee the outcomes of the paths of political recognition. One must question: what narratives elite indigenous masculine formations serve to unsettle? Does their complicity as ‘Treaty Partners’ reside within or outside the postcolonial political imaginary? And,
subsequently, what benefits does their political recognition lead to? What is the cost of recognition? In the act of desiring recognition, what choices do we lose? Conversely, what freedoms are enabled via the necropolitics outlined above? Is a ‘fourth’ sovereign space a space of possibility? Ultimately, will political recognition through state bodies (which inherently re-locate indigenous groups within the coloniser/colonised binary) lead to outcomes of self-definition, choice, and responsibility?

Thus, I ask: is indigenous masculinity entirely historically contingent? Have indigenous masculinities only formed in the wake of colonisation? Are they complicit with invader/settler subjectivities? If the answers are yes, then the challenge indigenous peoples face is to realise that traditionalised elite indigenous masculinities have now become an encumbrance, and that often we are left holding on to false traditions, which only serve to exclude and limit indigenous men to hetero-patriarchal, hyper-masculine, stoical, staunch, violent, and often destructive behaviours. The task of indigenous masculinity studies is to help realise ‘that sense of choice and variety in self-definition that so many women have embraced as a means of personal and social liberation’. That is, to help indigenous men realise that they ‘are much freer than they feel’.

BIOPGRAPHICAL NOTE

Of Ngati Pukenga descent, Brendan Hokowhitu is an indigenous person from Aotearoa/New Zealand. Hokowhitu is currently an Associate Professor in Te Tumu, School of Maori, Pacific and Indigenous Studies at the University of Otago. Brendan teaches indigenous critical theory and methodology, and indigenous media. He is also Associate Dean (Maori) for the Division of Humanities. Brendan’s research interests include indigenous and critical theory, masculinity, media and sport.

NOTES

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Hokowhitu, ‘Producing Elite Indigenous Masculinities’

43 Beynon, Masculinities and Culture: 129.
44 Beynon, Masculinities and Culture: 85.
46 Webster, ‘Maori Retribalization’: 366.
49 Foucault, The History of Sexuality: 93.
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Gay Rights with a Side of Apartheid

NADA ELIA
Antioch University, Seattle

April 22, 1889, dawned bright and clear upon the hordes, an estimated fifty thousand strong, that surrounded the Unassigned Lands. As noon approached, horsemen and wagons crowded forth to positions on the line, among them a few hardy women [...]. April 22, 1889, was a day of chaos, excitement, and utter confusion. Men and women rushed to claim homesteads or to purchase lots in one of the many new towns that sprang into existence overnight. An estimated eleven thousand agricultural homesteads were claimed.

Stan Hoig, The Oklahoma Land Rush of 1889.

Everybody has to move, run and grab as many hilltops as they can to enlarge the settlements, because everything we take now will stay ours. Everything we don’t grab will go to them.


Colonialism and dishonesty have always gone hand in hand. Nineteenth and twentieth century colonial powers sought to justify their imperial designs through a myopic denunciation of the circumstances of women in the colonised societies. These imperial countries pretended to ‘save
brown women from brown men’ by dispossessing and disenfranchising entire peoples. Twenty-first century colonialism has evolved to justify occupation and apartheid as a new and improved ‘civilising mission’, one that distinguishes itself as gay-friendly, while the downtrodden societies are represented as homophobic. On the other hand, Palestinian queer activism, and the non-violent Palestinian strategy of BDS, which seek equality for all people regardless of their ethnicity, sexuality, or religion, present the model for a queer state, which allows individual citizens to define themselves as they wish, without losing power, entitlement, or safety.

I intentionally preface this essay, which will address current Israeli strategies to obfuscate both its past and present, with a set of quotes that reveal the parallels between the histories of the United States of America and Israel as settler colonial states founded on the dispossession and ethnic cleansing of indigenous populations. I do so because the official Zionist narrative negates Israel’s identity as a colonial state founded on the ethnic cleansing of the indigenous population. Instead it presents the newly-minted country as a morally redemptive democracy, ever needing to defend itself from hordes of violent Arabs who belong elsewhere, in Jordan, Lebanon, or Syria, yet act like they don’t know it. The parallels between Israel and the USA – a country that embraces its settler colonial origins – thus shed a necessary light on Israel’s own closeted beginnings.

The democratising of media, and the gushing flow of information coming from Palestine, have dealt a serious blow to Israel’s image as a thriving democracy, prompting that country to adopt new strategies to distract from its practices. As a result, in 2005, Israel officially adopted the ‘Brand Israel’ campaign, created by US-based public relations experts concerned with fixing Israel’s image. ‘Brand Israel’ promotes the country’s technological accomplishments and its cosmopolitan culture, projecting it as a land of innovation and First World luxury under the blissfully warm Mediterranean sun, and distracting from its problematic image as a battleground for justice and equal rights for all citizens. One particular aspect of this rebranding campaign is pinkwashing, Israel’s attempt to present itself as a gay haven, an oasis of gay freedom in an otherwise violently homophobic backwards region. Pinkwashing, then, is the twenty-first century manifestation of the Zionist colonialist narrative of bringing civilisation to an otherwise backwards land – a narrative that sanitises the violence of occupation while erasing indigenous experience, struggle, and resistance. And
just as the Zionist myth of ‘making the desert bloom’ completely distorted the reality of the ethnic cleansing of Palestine, by failing to mention that native olive trees were uprooted so that imported pine trees could be planted, so pinkwashing distorts the reality of Israel’s violence against all Palestinians, regardless of their sexuality.

HISTORICAL BACKGROUND

A discussion of Israel as a settler colonial state is important before I elaborate on pinkwashing as the latest morphing of colonialist discourse, and on the Palestinian resistance to pinkwashing as a logical move towards queer sovereignty. As Patrick Wolfe convincingly argues, settler colonialism hinges on the elimination of the native people and Israel has indeed sought to completely obliterate our presence as the indigenous people of the land which Zionists started to settle at the turn of the nineteenth century.\(^1\) Israel’s semantic erasure of the Palestinian people of the land it occupies – Israel refers to its Palestinian citizens as ‘Arabs’, denying them their national identity – was for a long time accompanied by official denial of our existence. Thus, for example, then-Prime Minister Gold Meir, speaking to a British reporter in 1969, ‘explained’:

> There were no such thing as Palestinians. It was not as though there was a Palestinian people in Palestine considering itself as a Palestinian people and we came and threw them out and took their country away from them. They did not exist.

Prodded to explain who these people now clamouring for their rights were, she elucidated: ‘Southern Syrians’\(^2\).

Oklahoma earned its nickname, the Sooner State, from the unbridled enthusiasm of the latter-day settlers, some of whom were so eager to grab the best plots of land that they rushed into the ‘Unassigned Lands’ ‘sooner’ than the official starting time of 12 noon on April 22, 1889. A similar enthusiasm for ‘grabbing’ the hilltops was expressed and encouraged almost a century later by Ariel
Sharon, Israel’s former prime minister, nicknamed ‘the bulldozer’, and known as his country’s ‘settlement czar’. In the broader context of Israel’s colonisation of Palestine, then, the land grab that Ariel Sharon called for in the closing years of the twentieth century, just as the land runs that led to Oklahoma statehood, represent a later stage of settler colonisation: in both cases, the indigenous people have already been disenfranchised, and the colonising power seeks to dispossess them of their land. Should it be officially sanctioned, the absorption into Israel of the illegal settlements built within the territory designated as a future and much amputated Palestinian state would mirror the later stages of Euro-American annexation of Native land in North America.

Despite the seemingly spontaneous nature of the ‘hilltop grab’, the Zionist colonisation of Palestine was at all stages a carefully planned settler colonial endeavour that, at least in the early years, did not shy away from naming itself as such. The early Zionist leaders consciously modelled their own conquest of Palestine upon the European settlers’ conquest of North America. Writing in 1923 about the European Jewish colonisation of Palestine, Vladimir Jabotinsky, founder of ‘revisionist Zionism’, the precursor to the right-wing Zionism represented today by Benjamin Netanyahu, reveals his full understanding of the violence associated with the dispossession of indigenous people:

Every reader has some idea of the early history of other countries which have been settled. I suggest that he recall all known instances. If he should attempt to seek but one instance of a country settled with the consent of those born there he will not succeed. The inhabitants (no matter whether they are civilized or savages) have always put up a stubborn fight [...]. It is of no importance whether we quote Herzl or Herbert Samuel to justify our activities, colonization itself has its own explanation, integral and inescapable, and understood by every Arab and every Jew with his wits about him. Colonization can only have one goal. For the Palestinian Arabs this goal is inadmissible [...]. Zionist colonization, even the most restricted, must either be terminated or
Elia, ‘Gay Rights with a Side of Apartheid’

... carried out in defiance of the will of the native population.³

More recently, Israeli historian Benny Morris also compared his country’s colonisation of Palestine to the European conquest and ethnic cleansing of North America, noting that ‘[e]ven the great American democracy could not have been created without the annihilation of the Indians. There are cases in which the overall, final good justifies harsh and cruel acts that are committed in the course of history’.⁴

Yet just as the Native American peoples of North America were decimated, but not ‘annihilated’, as Benny Morris would have it, so Palestinians are still alive today. And they are speaking truth to power in novel ways. After decades of mostly failed attempts at disrupting the dominant discourse which would deny our very existence, Palestinians today – as indeed most disenfranchised communities around the globe – have found alternative channels to convey our stories. In the 1960s, the emergence of ‘identity politics’ and ‘ethnic studies’ on North American campuses allowed for the voices of the socially and politically marginalised to challenge the dominant discourse. The late Professor Edward Said’s oeuvre made it impossible to claim expertise in the history of the Middle East without addressing ‘The Question of Palestine’. More recently, new media have opened up venues of information once unattainable to most, enabling the Palestinian narrative to pierce through and challenge the dominance of the Zionist discourse outside the confines of academia, amongst non-scholars, grassroots activists, media makers, organisers, cultural workers, and others.

From calling us ‘Southern Syrians’ to referring to us as ‘present absentees’, the contortions of the Zionist master-narrative are impressive indeed, as they seek to erase our existence.⁵ Yet there is power in simple language. The United Nations definition of ethnic cleansing is clear: ‘rendering an area ethnically homogeneous by using force or intimidation to remove from a given area persons of another ethnic or religious group’. Turning Palestine into Israel necessitated such a protracted act of ethnic cleansing, the removal of Palestinians from approximately 450 villages, and the consequent erasure of these villages, between 1947 and 1949. This ethnic
cleansing, which we refer to as *Al Nakba*, the Catastrophe, is ongoing, as Palestinians are daily losing more homes to Jewish settlements. And those Zionists who ask why the Palestinian refugees can’t be absorbed into one of the neighbouring Arab countries are basically still advocating ethnic cleansing, since they are denying us the Right of Return as they call for other countries to take us in, away from our ancestral homes.

Apartheid is no less hideous of a crime, and it, too, is defined quite simply by the United Nations: ‘inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them’. Israel privileges its Jewish citizens over non-Jews, and has officially created two different designations for the two groups: *le’um* (nationals), which only Jews qualify for, and *ezrahut* (citizens), a larger category, which includes Jews and non-Jews. The distinction is not merely semantic: ‘nationals’ have greater rights and benefits. British writer Ben White has produced a detailed and itemised analysis of the separate and unequal rights of the two ‘citizen’ communities in Israel, and numerous South Africans who had lived under apartheid and then visited Palestine have declared Israel’s system an even worse form of this crime against humanity.6 Thus former South African President Nelson Mandela, speaking in Pretoria in 1997 on the International Day of Solidarity with the Palestinians, noted: ‘The UN took a strong stand against apartheid; and over the years, an international consensus was built, which helped to bring an end to this iniquitous system. But we know too well that our freedom is incomplete without the freedom of the Palestinians’.7

The dual nature of present-day Israel, namely its identity as a settler colonial and apartheid state, is important for our analysis, because it provides both the foundation for a strategy for liberation, as well as a novel vision for indigenous sovereignty that could be replicated in other settler colonial states around the world. The strategy, a global campaign of support in the form of boycott, divestment, and sanctions (BDS) on Israel until it abides by international law, is modelled upon the successful South African struggle to end apartheid in that country. The vision of indigenous sovereignty in a settled postcolonial state will necessitate a creative
redefinition of sovereignty that rises above nationhood and its always-already exclusionary trappings. That vision is articulated by director of Al-Qaws (Arabic for Rainbow) in Jerusalem Haneen Maikey:

Motivated by a vision of a non-hierarchical society that recognizes – and values – the diversity of sexual and gender identities, Al-Qaws, aspires to play a pioneering role in helping to build a just Palestinian society based on tolerance, equality, and openness. [...] Our move towards independence is an exciting change, and we believe that it will open new opportunities for LGBTQ Palestinians – and also, if less directly, for all Israelis and Palestinians – to imagine, and create, a future based on equality and respect for our differences.8

Israel cannot be at once the ‘Jewish homeland’ and a democracy, when Palestinians are finally allowed to enjoy their inalienable human right – the right to return to the towns and villages they were expelled from. Yet just as we are confronting and challenging a violent system with non-violent means, so we must also replace apartheid with multiplicity. The two state ‘solution’, if it must be called that, would be replacing one apartheid state with two such states, by transferring communities from one area to another, depending on their religion and perceived ethnicity.9 The non-violent Palestinian strategy of BDS, which does not propose a specific outcome with regards to the outward characteristics of the final state(s), seeking only equality for all people regardless of their ethnicity or religion, would thus present the model for a queer state, which allows individual citizens to define themselves as they wish, without losing power, entitlement, or safety.

CULTURE AS A BEAUTIFUL MASK

Israel has long been considered a democracy in the West because the West has not questioned the Zionist narrative, while the Zionist apparatus was careful not to allow for a Palestinian counterdiscourse. Today, as information becomes rapidly more
democratic and much of social media evades Zionist and corporate censorship, news of Israel’s egregious violations of human rights and international law have seriously tarnished Israel’s image. Consequently, Israel is working on a number of non-military (cultural) fronts to ‘fix its image’ by projecting itself as a vibrant society characterised by artistic and technological accomplishments, rather than by ongoing conflict.

Academic and cultural accomplishments are Israel’s glamorous, ‘non-military’ face, a mask it uses to distract from its reality of institutionalised discrimination. It is the façade Israel is consciously fashioning and promoting through the government-sponsored re-branding effort, commonly referred to as the ‘Brand Israel’ campaign. ‘Brand Israel’ is the brainchild of a conglomerate of American marketing firms which specialise in image making and is funded by Israel’s three most powerful ministries: the Foreign Ministry, the Prime Minister’s Office, and the Finance Ministry. ‘Brand Israel’ was officially adopted in October 2005, only a few months after the Palestinian call for BDS was issued, when the directors of these three ministries examined research conducted by American marketing executives over the previous three years. The driving concept behind this re-branding is that Israel will win supporters only if it is seen as relevant and modern rather than as a place of fighting and religion. The target audiences, therefore, come from among the more ‘liberal’ and secular social groups rather than religious fundamentalists, since the latter, whether ultra-Orthodox Jews or Christian, are already solidly in the Zionist camp. One of the main campus organisations engaged in presenting Israel as a land of innovation rather than occupation is Hillel, the international campus Jewish organisation. Speaking in 2005, when he was executive vice president of Hillel, Wayne Firestone explained that the campaign aimed to portray Israel as a place ‘where there are cool, hip people’. Firestone is currently the president of Hillel International; the 2010 Hillel annual report reveals the implementation of his vision.

Another organisation closely associated with ‘Brand Israel’ is AIPAC, the American Israel Public Action Committee, which, along with the public relations organisation ‘Israel21c’, is generating collaborative content for academic and cultural events. According to
its website, Israel21c is a ‘non-profit educational foundation with a mission to focus media and public attention on the 21st century Israel that exists beyond the conflict’. The company explains that it was created by philanthropists in 2001 to fill a need: ‘If Israel wants to improve its image around the world, it must be seen through the lenses of its humanness, its diversity and all that it contributes through medical advances, technological innovation, art, culture and acts of human kindness’. It bears emphasising that there is no discussion whatsoever of changing the practices that have tarnished Israel’s image. Instead, the ‘Brand Israel’ campaign is one that seeks to merely distract from those practices, by shining a bright light on Israel’s supposed diversity (with no discussion of discrimination), its humanness (with no mention of the dehumanising treatment of Palestinians), and its academic and cultural accomplishments (with no mention of the fact that most are inaccessible to non-Jewish citizens).

‘Brand Israel’ has been over eight years in the making, as it started gelling in 2002. In 2009, in the aftermath of Operation Cast Lead, Israel’s full-scale military assault on the besieged Gaza Strip which killed 2300 civilians, Israel made a further push at improving its image, and increased its funding of the Brand Israel campaign. Speaking shortly after the Gaza massacres, Arye Mekel, the Israeli Foreign Ministry’s deputy director general for cultural affairs, explained: ‘We will send well-known novelists and writers overseas, theatre companies, exhibits. This way you show Israel’s prettier face, so we are not thought of purely in the context of war’.

**THE GAY MARKET**

It is within the context of ‘Rebranding Israel’ that pinkwashing must be understood as an official strategy to distract from Israel’s apartheid policies. The following case studies will hopefully illustrate this strategy and help prevent the exploitation of queer allies’ best intentions. The essentially racist colonialist impulse behind Israel’s pinkwashing campaign is aptly articulated by Jasbir Puar:
Israeli pinkwashing is a potent method through which the terms of Israeli occupation of Palestine are reiterated – Israel is civilised, Palestinians are barbaric, homophobic, uncivilized, suicide-bombing fanatics. It produces Israel as the only gay-friendly country in an otherwise hostile region. This has manifold effects: it denies Israel’s homophobic oppression of its own gays and lesbians, of which there is plenty, and it recruits, often unwittingly, gays and lesbians of other countries into a collusion with Israeli violence towards Palestine.

In reproducing orientalist tropes of Palestinian sexual backwardness, it also denies the impact of colonial occupation on the degradation and containment of Palestinian cultural norms and values. Pinkwashing harnesses global gays as a new source of affiliation, recruiting liberal gays into a dirty bargaining of their own safety against the continued oppression of Palestinians, now perforce rebranded as ‘gay unfriendly’. The strategy then also works to elide the presence of numerous Palestinian gay and lesbian organisations, for example Palestinian Queers for Boycott, Divestment, and Sanctions. ¹⁷

Indeed, there are numerous Arab LGBT organisations that have long negotiated the personal and political spheres of sexual identity under occupation and apartheid. Israel may be gay-friendly for its tourists, because it needs them, financially, and for its ‘branding’. However, by denying Palestinians their basic inalienable human rights, it remains above all the greatest purveyor of institutionalised violence and oppression for all Palestinians, regardless of their sexuality.

Queer Palestinians thus engage in a struggle against homophobia within their own culture, as indeed queers of all nationalities do, but also against Israel’s colonisation, occupation, and apartheid. The 1948 Nakba did not spare queer Palestinians, whose basic rights and civil liberties are suppressed just like those of all Palestinians. Israel discriminates against all Palestinians, regardless of sexuality, within ‘Israel proper’, where they have been second-class citizens for 63 years, within the West Bank, where they
have lived under a brutal military occupation for 44 years, within the
Gaza Strip, where they have been subjected to a genocidal siege after
decades of occupation, and in the global diaspora, where they are
denied their UN-recognised Right of Return. And pinkwashing, which
distracts from Israel’s violence against queer Palestinians,
reproduces an essential aspect of settler colonialist discourse: the
erasure of the native experience of displacement, dispossession and
disenfranchisement, by the so-called ‘gay haven’.

It is hard to pinpoint exactly the first instance of pinkwashing,
but activists involved in queer politics noticed a growing trend over
the past few years, beginning in the late-2000s – on the heels of the
official launch of the ‘Brand Israel’ campaign – of Zionist infiltration
of queer cultural events. One of the early documented instances is
the Toronto Pride parade in 2010, when the organisers banned the
group Queers Against Israeli Apartheid (QuAIA) from marching, after
sponsors threatened to pull funding from the parade if the term
‘apartheid’ appeared on banners. At about the same time, our
mailboxes started receiving a steady trickle of commercials
advertising Tel Aviv as a world-class gay tourism destination, and
Israel as a haven for gays and queers in the Middle East. As I write
this, pinkwashing has snowballed to surprising dimensions, with Joel
Lion, Israel’s consul for media affairs in New York City,
acknowledging in 2010 that ‘gays are actually one of our target
markets’.\(^{18}\) It is therefore important to look at a few examples of
pinkwashing, the challenges it presents, and the responses to it. The
examples below are neither an exhaustive list, nor even fully
representative of Israel’s manipulations, as pinkwashing is happening
world-wide, and in projects ranging from personal interactions to
infiltration on the national level. Nevertheless, these examples
illustrate the way Israel strategically uses gay rights as a tool of
propaganda to justify its apartheid policies.

**NO PRIDE IN APARTHEID**

An active front in the pinkwashing tug-of-war has been the annual
Pride Toronto Pride parade, where the term ‘apartheid’ has been
banned on and off, thus initially preventing QuAIA from participating
and marching under their banner in 2010, when QuAIA’s
participation was challenged by B’nai Brith and the Canadian Jewish Congress, two groups who have never been supportive of gay rights, yet felt entitled to interfere with a gay march because some of its members opposed Israel’s policies. Indeed, one of the particularly egregious aspects of pinkwashing is that it is not a gay-friendly movement. Instead it uses the sad reality of homophobia in Palestinian society to promote hatred of Palestinians, Arabs, and Muslims generally. For example, many of the sponsors of pinkwashing globally are closely affiliated with conservative Christian homophobic leaders, such as John Hagee and Charles McVety. Pinkwashing, then, contrasts the experiences of Palestinians with those of more ‘liberated’ Jewish Israelis, as if there were no Israeli homophobia, and no Palestinian agency and activism. Pinkwashing makes no mention of the homophobic attack on the Tel Aviv branch of the Israeli GLBT Association, on August 1, 2009, in which two gay youths were killed, and 15 injured, four critically. It is silent about the strong opposition to the annual Jerusalem gay parade by orthodox Jews who consider homosexuality an abomination and a violation of the religious character of the city. In 2005, for example, an orthodox Jewish anti-gay protester stabbed three parade marchers. The overall climate of fear of these Jewish protesters is such that marchers in the subdued 2010 parade noted how ‘opposition [against them] has forced [the] Jerusalem [gay] community underground in most parts of the city’.\(^{19}\) Pinkwashing, instead, focuses on the plight of queer Palestinian, as if their circumstances were radically different from those of LGBT Israelis, who supposedly live in total safety and free from their society’s homophobia.\(^{20}\)

Back in Toronto, Rabbi Reuven Bulka, one of the co-presidents of the Canadian Jewish Congress, which opposed the participation of QuAIA in Toronto Pride, sat on the advisory committee of NARTH, the US-based National Association for Research and Therapy of Homosexuality, an organisation that believes that homosexuality is a psychological condition that can be ‘cured’ through conversion therapy. Such deeply homophobic organisations, then, cannot possibly have the good of Palestinian queers in mind, or the good of any queers in mind, when they engage in pinkwashing. Instead, their motivation stems strictly from a desire to improve Israel’s image
amongst gays worldwide, as these are one of the new ‘target markets’.

The censorship and banishment of QuAIA led to unprecedented mobilisation of the Toronto queer community, long known for a principled stance against all censorship. Twenty-four former honorees returned their statuettes in protest, even as anti-censorship activists organised meetings to discuss the Zionist infiltration of the politics of Toronto Pride. Moreover, the public debate around the march highlighted the crux of the matter: this censorship was an attempt to stifle discussion of Israel’s policies against Palestinians. As the debate around censorship raged, the Simon Weisenthal Center got involved, calling the expression ‘Israeli apartheid’ hate speech, and asking the City of Toronto to banish QuAIA because it made participants feel unsafe. QuAIA responded by organising a number of community events, educating Toronto about pinkwashing, and about the reality of life for all Palestinians – straight and queer – in Israel. Ultimately, the Toronto Pride committee relented and allowed QuAIA to march in 2010, and the hundreds of people who joined QuAIA made it the largest group marching for Palestine solidarity in the history of the Toronto Pride parade. The following year, in the summer of 2011, the City Manager of Toronto stated that the term ‘Israeli Apartheid’ does not violate the city’s anti-hate speech policies and allowed QuAIA to participate in the parade. Nevertheless, facing threats from conservative City Councillors to de-fund Toronto Pride, QuAIA itself opted against participation, choosing instead to hold a number of educational community events over a week in July 2011.

**MEN OF ISRAEL**

While gay rights were being manipulated and exploited in North America to distract from the lived reality of Palestinians, Russian-born Michael Lucas was busy distorting history in his adopted country, Israel. A ruined Palestinian village serves as a backdrop to ‘steamy scenes’ in Lucas’ gay porn movie, *Men of Israel*, which has the dubious honour of being the first such movie to feature an all-Jewish cast. Lucas, a gay porn mogul and staunch Zionist who once owned a travel agency, is also heavily involved in pinkwashing, with a special interest in projecting Israel as a gay tourist destination, one
to which queer Western tourists can flock for fun, frolicking, and taking in the stunning Mediterranean scenery. *Men of Israel*, filmed in Tel Aviv, Haifa, and inside the cordoned-off ruins of a Palestinian village which viewers have identified as Lifta, has been described as a ‘pornographic stimulus plan’ for Israel. The film’s official homepage confirms this:

The global media has created an image of Israel as war-torn nation, which streets are lined with destroyed debris and crumbling ruins. Publicly broadcasted footage is always filmed in either Gaza or the West Bank, regardless of whether or not the story has a pro or anti-Israeli angle. Never are we shown Tel Aviv, Haifa, the Red Sea, the Dead Sea resorts, the beautiful beaches, the amazing architecture and the embracing culture that allows its citizens to thrive. For this reason, other than showcasing the raw, sexual prowess of Israel men, Lucas also has completed *MEN OF ISRAEL* as a bold move to promote Israeli culture and tourism.

This focus away from religion, history, and politics, a diversion that underlines all ‘Brand Israel’ initiatives, is taken to extremes in pinkwashing, which zooms in narrowly on the supposedly liberal gay scene in Israel, while obscuring the rampant injustice in the country. The promotional language behind *Men of Israel* seems to be that of Lucas himself, as he later explained, noting that his film ‘is free PR for Israel, and [that] it’s much better than the PR they’re getting on the news’. He then added:

Nobody goes to Israel for Golda Meir, I’m so sorry. [...] Gay people, and straight people, want beautiful beaches, beautiful nature, beautiful men and women, good food, good hotels. Israel shouldn’t be mistaken about why people go there. They need me.
Elia, ‘Gay Rights with a Side of Apartheid’

With his focus on Israel’s beauty – the film is directed by Israel fashion photographer Ronen Akerman – Lucas completely rewrites the settler colonial country’s past. In a brief video promoting the film Lucas states:

we went to an abandoned village just north of Jerusalem. It was a beautiful ancient township that had been deserted centuries ago [...] however, that did not stop our guys from mounting each other and trying to repopulate it. Biology may not be the lesson of the day but these men shot their seeds all over the village.

Of course, contrary to Lucas’ claim, Lifta has not been deserted for centuries, but was ethnically cleansed in April 1948. Additionally, as many Palestinians point out, there is no need to challenge biology in order to repopulate Lifta. Its original inhabitants are refugees, many living minutes away from the cordoned village, and longing to return to their homes.

The reported success of *Men of Israel* notwithstanding, the male gay porn film could not, by its very nature, reach out beyond certain communities, and other Zionist organisations have been actively reaching out to larger communities.

**StandWithUs AT THE USSF**

Another example of the broad national outreach of this pinkwashing strategy is the attempt by StandWithUs to infiltrate the United States Social Forum in 2010. Founded in 2001, StandWithUs is a right-wing Israel advocacy organisation whose mission, as stated on its website, is to ‘ensure that Israel is accurately portrayed and justly represented on college campuses, in the media, and in communities around the world’. StandWithUs, which had never before been known for gay activism, nevertheless submitted a proposal to run a workshop entitled ‘LGBTQI Liberation in the Middle East’ at the 2010 USSF in Detroit, Michigan. The workshop proposed to connect participants with ‘Middle Eastern LGBTQI non-profits’, and offered
information collected by such organizations as Amnesty International for participants to walk away with, so that they can better educate their own communities about the realities of the Middle East’. Arab queers immediately responded with a Letter, ‘Arab Queers Say No to Israel’, in which they explained:

Since Israel’s brutal wars on Gaza and Lebanon in 2006 and particularly after the recent unprovoked attack on the flotilla of activists going to Gaza, the Israeli government has found itself increasingly marginalised by international condemnations and weakened through the growing success of the Boycott, Divestment and Sanctions (BDS) campaign. To remedy this, it has launched a massive PR campaign using organizations such as StandWithUs to convince the world that Israel is not a brutal settler-colony state, but rather a free democracy where human rights in general, and LGBT rights in particular, are respected and upheld. StandWithUs deceptively uses the language of LGBT and women’s rights to obscure the fact that institutionalized discrimination is enshrined within the state of Israel.25

From half a world away, in Palestine and Lebanon, as well as here in the US, Arab queers challenged the USSF organisers over their decision to allow this workshop to speak for us, when StandWithUs has no record of working for queer rights, and when the workshop facilitator himself, Brett Cohen, is neither a member of our community, nor was open, when approached about that option by USSF organisers, to having co-facilitators who are known Arab queer activists.

Meanwhile, a battle raged on the USSF Facebook page, with close to 17,000 members learning about pinkwashing.26 The education about pinkwashing that USSF participants gained from this discussion was significant, as thousands of activists learned, through our efforts to have this workshop cancelled, that their own best intentions were likely to be manipulated by right-wing Zionists. Ultimately, the USSF decision to cancel the SWU workshop proved to
be a highly valuable public rejection of the exploitation of civil and political rights for the purpose of normalising apartheid. After all, as queer Palestinian activist Sami Shamali puts it: ‘there is no magic pink door in the Apartheid wall’. Representing Al-Qaws, Shamali toured the US in 2011 with fellow Palestinian activists Haneen Maikey (director of Al-Qaws in Jerusalem) and Abeer Mansour, from Aswat (Arabic for Voices), to challenge pinkwashing and present the Palestinian perspective on queer liberation.

Palestinian women and queers have long organised to counter sexism, homophobia, and colonialism, and have been extremely eloquent in their response to Israel’s exploitation of their challenging circumstances. There are no excuses for feminists and gay rights activists in the US to accept Israel’s propaganda, unless it is because these ‘allies’ are not truly comfortable with Palestinian agency, and with our analysis of our oppression as it intersects with living under apartheid and occupation, or in the diaspora. Indeed, as the group PQBDS recently wrote in a petition calling on the International Gay and Lesbian Youth Organization to move its 2011 General Assembly out of Israel:

Israeli policies and occupation do not distinguish between queer and straight. All Palestinians – queer and straight – must deal with the effects of the apartheid wall, checkpoints, and illegal settlements, and settler violence, not to mention living under Israeli military law that strips them off their rights as civilians. All Gazans, including queers, live under an illegal siege in the de-facto open-air prison that is the Gaza strip. And like all Palestinian citizens of Israel, queers are subject to institutionalized discrimination in laws, education, and throughout their public and private lives.27

As a strategy, pinkwashing is clearly not working. Members of the Palestinian queer community in Israel have long known that they are disenfranchised in Israel not because they are gay, but because they are Palestinian. Their politicisation has always been complex, addressing macro- as well as microenvironments of oppression. As
for queers around the world, they too are understanding that gay rights are being used as an excuse to cover up human rights violations. But gay rights cannot be served alongside apartheid, and civil rights must not be used to trump human rights.

CONCLUSION

A settler colonial country that openly violates another people’s inalienable human rights, a country that engages in at least two internationally-recognised crimes against humanity, namely ethnic cleansing and apartheid, is a country likely to have an image problem. And there are ways to fix that image. One way requires justice: admit that the indigenous population has been wronged, redress the wrongs, end the human rights violations. The other way is strictly cosmetic: camouflage the ugliness, distract from the crimes. As it persists in its desire to be a ‘Jewish state’, Israel can only engage in the latter. Its efforts to rebrand itself as a vibrant democracy that respects civil rights is then by necessity a cover-up for the crimes it is unrepentant for. Yet what is needed is a remedy that goes beyond a smokescreen. A change in the very system is necessary, so that Israel is no longer practicing apartheid, and attempting to distract from it. As a settler colonial state, Israel also needs to respect the sovereignty of its indigenous population. The only viable option is that of one state – from the river to the sea – where everyone has equal rights, where apartheid is a thing of the past, and where sovereignty is redefined for the twenty-first century, so that the acquired rights of Israelis are not pitted against the inalienable human rights of the Palestinians.

POSTSCRIPT

Bringing this essay to conclusion proved extremely challenging, as the ‘ending’ could only be arbitrary, considering the proliferation of pinkwashing events, along with their repercussions, as I undertook my research. The only certainty is that Israel is exploiting queer politics for propaganda purposes, and that there is strong, organised resistance to this pinkwashing. Historical models show that Boycott,
Divestment, and Sanctions, the resistance strategy being used today to pressure Israel into abiding by international law, has succeeded in accomplishing its goals in similar contexts around the world. We shall overcome.

BIOGRAPHICAL NOTE

Nada Elia is a Diaspora Palestinian who teaches Global and Gender Studies at Antioch University, Seattle. A scholar-activist, she is a member of the Organizing Collective of USACBI, the US Campaign for the Academic and Cultural Boycott of Israel. Nada has served on the Steering Collective of AWSA (Arab Women’s Solidarity Association), and the national steering collective of INCITE! Women of Color Against Violence, where she co-chaired the Anti-Militarism and Anti-Occupation taskforce. Nada is the author of Trances, Dances, and Vociferations: Agency and Resistance in Africana Women’s Narratives (Routledge, 2000) and guest-edited a special issue of Radical Philosophy Review: A Journal of Progressive Thought (2001). Nada’s essays have appeared in anthologies such as Food for our Grandmothers: Writings by Arab-American and Arab-Canadian Feminists (South End Press, 1994), Arab and Arab American Feminisms: Gender, Violence, and Belonging (Syracuse, 2011), The Case for Sanctions on Israel (Verso, 2012), in magazines such as Make/Shift and Left Turn, and The Electronic Intifada. She is currently at work on Who Are You Calling Demographic Threat?, a book about Diaspora Palestinian activism.

NOTES

2 The Sunday Times, 15/06/69.
3 Vladimir Jabotinsky, ‘The Iron Wall: We and the Arabs’. Available at: http://www.marxists.de/middleast/ironwall.htm Accessed: 05/05/12.
5 The latter is a legal designation for Palestinians who remained within the boundaries of the newly-minted Israeli state in 1948 but were dispossessed of their property when they could not be physically present on it for two weeks as a result of Israeli-imposed restrictions.
9 While one may question the existence of ‘actual ethnicity’ as distinct from ‘perceived ethnicity’, I speak here of a ‘perceived ethnicity’ because Judaism is a religion, and a culture, but not an ethnic monolith. ‘Semitic’ itself is a linguistic designation that has come to refer to the people who speak Semitic languages. Yet even if we were operating within the modern-day understanding of ‘Semitic’ as someone of Middle Eastern extraction, a significant percentage of Israelis are non-Semitic, while most Arabs are Semites. Nevertheless, Zionism has equated Israel
with Jews, whom it pits against ‘Arabs’, as if the two were mutually exclusive poles of an ethnic or racial binary. Zionism then privileges this constructed ethnicity, ‘world Jewry’, over Muslim and Christian Palestinians.


11 With the exception of ‘Naturae Karta’, a very small fringe movement in Orthodox Judaism.


20 Obviously, the fact that Israeli law does not discriminate against anyone on the basis of their sexuality does not mean there is no de facto homophobia in that country, despite official efforts to project Israel as gay-friendly.


23 Kaminer, ‘Pornographic Stimulus Plan’.

24 See: http://www.standwithus.co.il/ Accessed: 04/05/12.

25 ‘Say no to pinkwashing at the USSF’. Available at: http://www.alqaws.org/q/content/say-no-pinkwashing-ussf Accessed: 12/05/12.

26 I have written in more detail about the ‘Standoff with StandWithUs’ on the INCITE! Blog. See ‘Reflections from Detroit: Standoff with StandWithUs’, 02/08/10. Available at: http://inciteblog.wordpress.com/2010/08/02/reflections-from-detroit-standoff-with-standwithus/ Accessed: 17/12/05.

The Moral Limits of the Law: Settler Colonialism and the Anti-Violence Movement

ANDREA SMITH
University of California, Riverside

Anti-violence advocates in the United States often find themselves working with the contradictions of struggling for a vision of justice within the constraints of the US criminal legal system. Perhaps the greatest contradictions may be felt by many Native advocates who understand the US to be a settler colonial state. This article explores these contradictions and the limitations that this framework imposes on genuine attempts to address injustice. It also proposes a possible way out of a constraining paradox.

Sociologist Luana Ross’s germinal book on Native women and prison, Inventing the Savage, critiques uncritical approaches toward legal reform, noting that Native genocide has never been against the law.1 Similarly, as Native studies scholar Sandy Grande states:

The United States is a nation defined by its original sin: the genocide of American Indians [...]. American Indian tribes are viewed as an inherent threat to the nation, poised to expose the great lies of U.S. democracy: that we are a nation of laws and not random power; that we are guided by reason and not faith; that we are governed by representation and not executive order; and finally, that we stand as a self-determined citizenry and not a kingdom of blood or aristocracy [...]. From the perspective of American Indians, ‘democracy’ has been wielded with impunity as the first and most virulent weapon of mass destruction.2

At the same time, violence against Native women is at epidemic rates. The 1999 Bureau of Justice Statistics report, American Indians
and Crime, finds that sexual assault among Native Americans is 3.5 times higher than for all other races living in the US. Unlike other racial groupings, the majority of sexual assaults committed against Native American women are inter-racial.\(^3\) In particular, the majority of people who perpetrate sexual assault against Native women are white. Because of the complex jurisdictional issues involving tribal lands, the majority of sexual assaults against Native women are committed with impunity. Depending on the tribe, non-Native perpetrators of sexual assault on Indian reservations may fall out of state, federal and tribal jurisdiction. And tribes themselves have not developed effective means for addressing violence in their communities.

The intersections of gender violence and colonialism in Native women’s lives force Native anti-violence advocates to operate through numerous contradictions. First, they must work within a federal justice system that is premised on the continued colonisation of Native nations. Second, they must work with tribal governments that often engage in gender oppressive practices. In addition, as Native studies scholar Jennifer Denetdale argues, many tribal governments act as neo-colonial formations that support tribal elites at the expense of the community.\(^4\) Third, they must also address women who need immediate services, even if those services may come from a colonising federal government or a tribal government that may perpetuate gender oppression.

Given the logics of settler colonialism, it may seem to be a hopeless contradiction to work within the US legal system at all. In fact, many social justice advocates eschew engaging in legal reform for this reason. Consequently, we are often presented with two dichotomous choices: short-term legal reform that addresses immediate needs but further invests us in the current colonial system or long-term anti-colonial organising that attempts to avoid the political contradictions of short-term strategies but does not necessarily focus on immediate needs. This essay will explore possibilities for rethinking this dichotomous approach by rethinking the role of legal reform in general. The essay foregrounds alternative approaches using a Native feminist analytic towards engaging legal reform that may have a greater potential to undo the logics of settler colonialism from within.
As I have argued elsewhere, Native feminism as well as Native studies is not limited in its object of analysis. Rather, in its interest in addressing the intersecting logics of heteropatriarchy and settler colonialism, it is free to engage with diverse materials. In looking then towards alternative strategies for undoing settler colonialism through the law, I contend that it is important to engage important work that might not seem to be directly about Native peoples or settler colonialism if this work helps provide new resources for how we could strategically engage the law. Consequently, I engage the work of legal scholars and activists that address very different areas of law as a means to challenge some of the current assumptions that undergird both reformist and revolutionary approaches to the law.

**DECOLONIAL REALISM**

Critical race theorist Derrick Bell challenged the presupposition of much racial justice legal reform strategies when he argued that racism is a permanent feature of society. While his work is generally cited as a critical race theoretical approach, I would contend that his work implicitly suggests a settler colonial framework for understanding legal reform. That is, many of the heirs of Derrick Bell do not follow the logical consequences of his work and argue for an approach to race and the law that seeks racial representation in the law. However, Bell’s analysis points to the inherent contradictions to such an approach. Rather than seeking representation, Bell calls on Black peoples to ‘acknowledge the permanence of our subordinate status’. Espousing the framework of ‘racial realism’, Bell disavows any possibility of ‘transcendent change’. To the contrary, he argues that ‘[i]t is time we concede that a commitment to racial equality merely perpetuates our disempowerment’. The alternative he advocates is resistance for its own sake – living ‘to harass white folks’ – or short-term pragmatic strategies that focus less on eliminating racism and more on simply ensuring that we do not ‘worsen conditions for those we are trying to help’. While Bell does not elaborate on what those strategies may be, he points to a different kind of reasoning that could be utilised for legal reform. In his famous story, ‘Space Traders’, aliens come to planet Earth promising to solve the world’s problems if world leaders will simply
give up Black people to the aliens. This story narratively illustrates how thin white liberal commitments to social justice are. First, the white people of course do give up Black people to the aliens without much thought. But what more dramatically illustrates this point is that the reader knows that, almost without a doubt, if this were to happen in real life, of course Black people would be given up.

Within this story, however, is a little-commented scene that speaks to perhaps a different way to approach legal reform within the context of white supremacy. Gleason Golightly, a conservative black economics professor who serves as an informal cabinet member for the President, becomes embroiled in a fight with the civil rights legal establishment about the best means to oppose the proposed trade. Golightly had previously pleaded with the President and his cabinet to reject it. When his pleas are not heard, he begins to reflect on how his support for conservative racial policies in the interests of attaining greater political power had been to no avail. He realises the strategy behind his appeal to the President was doomed to fail.

In retrospect, though [his] arguments were based on morality [...] [i]nstead of outsmarting them, Golightly had done what he so frequently criticised civil rights spokespersons for doing: he had tried to get whites to do right by black people because it was right that they do so. ‘Crazy!’ he commented when civil rights people did it. ‘Crazy!’ he mumbled to himself, at himself.11

Realising the error of his ways, Golightly interrupts this civil rights meeting in which activists plan to organise a moral crusade to convince white Americans to reject the space traders proposal. Instead, he suggests that they should tell white people that they cannot wait to go on the ship because they have learned they are being transported to a land of milk and honey. White people, argues Golightly, so oppose policies that benefit Black people, even if they benefit white people, that they will start litigating to stop the space traders’ proposed plan.12 The civil rights establishment rejects this strategy as a moral outrage and begins a racial justice campaign, ultimately to no avail.
What this story troubles is social justice movements’ investment in the morality of the law. Despite the US legal system’s complicity in settler colonialism, patriarchy, capitalism and white supremacy since its inception, they advocate strategies for change that rest on the presupposition that the law can somehow be made to support the end of sexism, racism and classism. Historically, as more radical racial and social justice organisations were either crushed or co-opted by the US governments during the 1970s, these movements shifted from a focus on a radical restructuring of the political and economic system to a focus on articulating identity based claims that did not necessarily challenge the prevailing power structure. If groups were not going to directly challenge the state, they could then call on the state to recognise their claims to equality and redress from harms perpetrated by other social actors. Ironically, then, the same US government that codified slavery, segregation, anti-immigrant racism, and the genocide of indigenous peoples, now becomes the body that will protect people of colour from racism. The fact that the US itself could not exist without the past and continuing genocide of indigenous peoples in particular does not strike liberal legal reformists as a contradiction.

Bell suggests that it may be possible to engage in legal reform in the midst of these contradictions if one foregoes the fantasy that the law is morally benevolent or even neutral. In doing so, more possibilities for strategic engagement emerge. For instance, in the ‘Racial Preference Licensing Act’, Bell suggests that rather than criminalise racial discrimination, the government should allow discrimination, but tax it. Taxes accrued from this discrimination would then go into an ‘equality’ fund that would support the educational and economic interests of African-Americans.

As I have argued elsewhere, the law enforcement approach has been similarly limited in addressing the issues of gender violence when the majority of men do, or express willingness to engage in, it. As a result, criminalisation has not actually led to a decrease in violence against women. Anti-violence activists and scholars have widely critiqued the supposed efficacy of criminalisation. As I will discuss later in this essay, Native women in particular have struggled with the contradictions of engaging the legal system to address the legacies of colonial gender violence.
While there is growing critique around criminalisation as the primary strategy for addressing gender violence, there has not been attention to what other frameworks could be utilised for addressing gender violence. In particular, what would happen if we pursued legal strategies based on their strategic effects rather than based on the moral statements they propose to make?

**DISTRUSTING THE LAW**

Aside from Derrick Bell, because racial and gender justice legal advocates are so invested in the morality of the law, there has not been sustained strategising on what other possible frameworks may be used. Bell provides some possibilities, but does not specifically engage alternative strategies in a sustained fashion. Thus, it may be helpful to look for new possibilities in an unexpected place, the work of anti-trust legal scholar Christopher Leslie. Again, the work of Leslie may seem quite remote from scholars and activists organizing against the logics of settler colonialism. But it may be the fact that Leslie is not directly engaging in social justice work that allows him to disinvest in the morality of the law in a manner which is often difficult for those who are directly engaged in social justice work to do. This disinvestment, I contend is critical for those who wish to dismantle settler colonialism to rethink their legal strategies.

In ‘Trust, Distrust, and Anti-Trust’, Christopher Leslie explains that while the economic impact of cartels is incalculable, cartels are also unstable. Because cartel members cannot develop formal relationships with each other, they must develop partnerships based on informal trust mechanisms in order to overcome the famous ‘prisoners’ dilemma’. The prisoner’s dilemma, as described by Leslie, is one in which two prisoners are arrested and questioned separately with no opportunity for communication between them. There is enough evidence to convict both of minor crimes for a one year sentence but not enough for a more substantive sentence. The police offer both prisoners the following deal: if you confess and implicate your partner, and your partner does not confess, you will be set free and your partner will receive a ten-year sentence. If you confess, and he does as well, then you will both receive a five-year sentence. In this scenario, it becomes the rational choice for both to
confess because if the first person does not confess and the second person does, the first person will receive a ten-year sentence. Ironically, however, while both will confess, it would have been in both of their interests not to confess.

Similarly, Leslie argues, cartels face the prisoners’ dilemma. If all cartel members agree to fix a price, and abide by this price fixing, then all will benefit. However, individual cartel members are faced with the dilemma of whether or not they should join the cartel and then cheat by lowering prices. They fear that if they do not cheat, someone else will and drive them out of business. At the same time, by cheating, they disrupt the cartel that would have enabled them to all profit with higher prices. In addition, they face a second dilemma when faced with anti-trust legislation. Should they confess in exchange for immunity or take the chance that no one else will confess and implicate them?

Cartel members can develop mechanisms to circumvent pressures. Such mechanisms include the development of personal relationships, frequent communication, goodwill gestures, etc. In the absence of trust, cartels may employ trust substitutes such as informal contracts and monitoring mechanisms. When these trust and trust substitute mechanisms break down, the cartel members will start to cheat, thus causing the cartel to disintegrate. Thus, Leslie proposes, anti-trust legislation should focus on laws that will strategically disrupt trust mechanisms.

Unlike racial or gender justice advocates who focus on making moral statements through the law, Leslie proposes using the law for strategic ends, even if the law makes a morally suspect statement. For instance, in his article, ‘Anti-Trust Amnesty, Game Theory, and Cartel Stability’, Leslie critiques the federal Anti-Trust’s 1993 Corporate Lenience Policy that provided greater incentives for cartel partners to report on cartel activity. This policy provided ‘automatic’ amnesty for the first cartel member to confess, and decreasing leniency for subsequent confessors in the order to which they confessed. Leslie notes that this amnesty led to an increase of amnesty applications. However, Leslie notes that the effectiveness of this reform is hindered by the fact that the ringleader of the cartel is not eligible for amnesty. This policy seems morally sound. Why would we want the ringleader, the person who most profited from the
cartel, to be eligible for amnesty? The problem, however, with attempting to make a moral statement through the law is that it is counter-productive if the goal is to actually break up cartels. If the ringleader is never eligible for amnesty, the ringleader becomes inherently trustworthy because he has no incentive to ever report on his partners. Through his inherent trustworthiness, the cartel can build its trust mechanisms. Thus, argues Leslie, the most effective way to destroy cartels is to render all members untrustworthy by granting all the possibility of immunity.

While Leslie’s analysis is directed towards policy, it also suggests an alternative framework for pursuing social justice through the law, to employ it for its strategic effects rather than through the moral statements it purports to make. It is ironic that an anti-trust scholar such as Leslie displays less ‘trust’ in the law than do many anti-racist/anti-colonial activists and scholars who work through legal reform. It also indicates that it is possible to engage legal reform more strategically if one no longer trusts it.

As Beth Richie notes, the anti-violence movement’s primary strategy for addressing gender violence was to articulate it as a crime. Because it is presumed that the best way to address a social ill is to call it a ‘crime’, this strategy is then deemed the correct moral strategy. When this strategy backfires and does not end violence, and in many cases increases violence against women, it becomes difficult to argue against this strategy because it has been articulated in moral terms. If, however, we were to focus on legal reforms chosen for their strategic effects, it would be easier to change the strategy should our calculus of its strategic effects suggest so. We would also be less complacent about the legal reforms we advocate as has happened with most of the laws that have been passed on gender violence. Advocates presume that because they helped pass a ‘moral’ law, then their job is done. If, however, the criteria for legal reforms are their strategic effects, we would then be continually monitoring the operation of these laws to see if they were having the desired effects. For instance, since the primary reason women do not leave battering relationships is because they do not have another home to go, what if our legal strategies shifted from criminalising domestic violence to advocating affordable housing? While the shift from criminalisation may seem
immoral, women are often removed from public housing under one strike laws in which they lose access to public housing if a ‘crime’ (including domestic violence) happens in their residence, whether or not they are the perpetrator. If our goal was actually to keep women safe, we might need to creatively rethink what legal reforms would actually increase safety.

**REVOLUTIONARY REFORMS**

As mentioned previously, there has been insufficient evaluation of the strategic effects of legal strategies opposing gender violence. However, the work of Native anti-violence scholar and activist, Sarah Deer, points to possible new directions in engaging legal reform for the purpose of decolonisation. Deer notes that the issues of gender violence cannot be separated from the project of decolonisation. For instance, currently, tribal governments are restricted to sentencing tribal members to three years in tribal prison for even major crimes such as rape. Much of the focus of the anti-violence movement has been on increasing the number of years tribal governments can incarcerate members. Because of this effort, the *Tribal Law and Order Act* of 2010 increased the length of sentences from one to three years.

However, Deer notes that prior to colonisation, violence against women was virtually unheard of, even though tribes did not have prisons. Instead, tribes utilised a number of social mechanisms to ensure safety for women and children, and none of these mechanisms are prohibited by federal legislation. Because the federal government restricts the amount of prison time allowed for sexual offenders, tribes primarily call on the federal government to expand tribes’ ability to incarcerate. However, as a variety of scholars have noted, expanded sentencing has not actually led to decreased violence. Thus, rather than focusing their attention simply on incarceration, Deer suggests that tribes look to pre-colonial measures for addressing violence and begin to adapt those for contemporary circumstances. At the same time, Deer notes that it is not necessarily a simple process to adapt pre-colonial measures for addressing violence. Unfortunately, many of the alternatives to incarceration that are promoted under the ‘restorative justice model’
have not developed sufficient safety mechanisms for survivors of
domestic/sexual violence. ‘Restorative justice’ is an umbrella term
that describes a wide range of programs that attempt to address
crime from a restorative and reconciliatory rather than a punitive
framework. As restorative justice frameworks involve all parties
(perpetrators, victims, and community members) in determining the
appropriate response to a crime in an effort to restore the
community to wholeness, restorative justice is opposed to the US
criminal justice system, which focuses solely on punishing the
perpetrator and removing him (or her) from society through
incarceration. These models are well developed in many Native
communities, especially in Canada, where the legal status of Native
nations allows an opportunity to develop community-based justice
programs. In one program, for example, when a crime is reported,
the working team that deals with sexual/domestic violence talks to
the perpetrator and gives him the option of participating in the
program. The perpetrator must first confess his guilt and then follow
a healing contract, or go to jail. The perpetrator is free to decline to
participate in the program and go through the criminal justice
system.

In the restorative justice model, everyone (victim, perpetrator,
family, friends, and the working team) is involved in developing the
healing contract. Everyone is also assigned an advocate through the
process. Everyone is also responsible for holding the perpetrator
accountable to his contract. One Tlingit man noted that this
approach was often more difficult than going to jail:

First one must deal with the shock and then the dismay on
your neighbors faces. One must live with the daily humiliation,
and at the same time seek forgiveness not just from victims,
but from the community as a whole [...] [A prison sentence]
removes the offender from the daily accountability, and may
not do anything towards rehabilitation, and for many may
actually be an easier disposition than staying in the
community.
These models have greater potential for dealing with crime effectively because, if we want people who perpetuate violence to live in society peaceably, it makes sense to develop justice models in which the community is involved in holding him/her accountable. Under the current incarceration model, perpetrators are taken away from their community and are further hindered from developing ethical relationships within a community context.

However, the problem with these models is that they work only when the community unites in holding perpetrators accountable. In cases of sexual and domestic violence, the community often sides with the perpetrator rather than the victim. As Deer argues, in many Native communities, these models are often pushed on domestic violence survivors in order to pressure them to reconcile with their families and ‘restore’ the community without sufficient concern for their personal safety. In addition, Native advocates have sometime critiqued the uncritical use of ‘traditional’ forms of governance for addressing domestic violence. They argue that Native communities have been pressured to adopt circle sentencing because it is supposed to be an indigenous traditional practice. However, some advocates contend that there is no such traditional practice in their communities. Moreover, they are concerned that the process of diverting cases outside the court system can be dangerous for survivors. In one example, Bishop Hubert O’Connor (a white man) was found guilty of multiple cases of sexual abuse but his punishment under the restorative justice model was to participate in a healing circle with his victims. Because his crimes were against Aboriginal women, he was able to opt for an ‘Aboriginal approach’ – an approach, many argue, that did little to provide real healing for the survivors and accountability for the perpetrator.

Deer complains that there is a tendency to romanticise and homogenise ‘traditional’ alternatives to incarceration. First, she notes traditional approaches might, in fact, be harsher than incarceration. Many Native people presume that traditional modes of justice focus on conflict resolution. In fact, Deer argues, penalties for societal infractions were not lenient – they entailed banishment, shaming, reparations, physical punishment and sometimes death. Deer notes that revising tribal codes by reincorporating traditional practices is not a simple process. It is sometimes difficult to
determine what these practices were or how they could be made useful today. For example, some practices, such as banishment, would not have the same impact today. Prior to colonisation, Native communities were so close-knit and interdependent that banishment was often the equivalent of a death sentence. Today, however, banished perpetrators could simply leave home and join the dominant society.

While tribes now have the opportunity to divest from the US colonial system, many Native women remain under violent attack. They may need to use the federal system until such time that more advanced decolonisation becomes possible. Thus Deer advocates a two-fold strategy: 1) The short-term strategy of holding the federal government accountable for prosecuting rape cases; and 2) encouraging tribes to hold perpetrators accountable directly so that they will eventually not need to rely on federal interference. This approach can be misread as a simple formula for reform. However, it is important to remember that the project of prison abolition is a positive rather than a negative project. The goal is not to tell survivors that they can never call the police or engage the criminal justice system. The question is not, should a survivor call the police? The question is: why have we given survivors no other option but to call the police? Deer is suggesting that it is not inconsistent to reform federal justice systems while at the same time building tribal infrastructures for accountability that will eventually replace the federal system.

If we focus simply on community accountability without a larger critique of the state, we often fall back on framing community accountability as simply an add-on to the criminal justice system. Because anti-violence work has focused simply on advocacy, we have not developed strategies for ‘due process’, leaving that to the state. When our political imaginaries are captured by the state, we can then presume that the state should be left to administer ‘justice’ while communities will serve simply as a supplement to this regime. To do so, however, recapitulates the fundamental injustice of a settler state that is founded on slavery, genocide and the exploitation of immigrant labour. Further, we are unable to imagine new visions for liberatory nationhood that are not structured on hierarchical logics, violence and domination.
Smith, ‘The Moral Limits of the Law’

We face a dilemma: on the one hand, the incarceration approach for addressing sexual/domestic violence promotes the repression of communities of colour without really providing safety for survivors. On the other hand, restorative justice models often promote community silence and denial under the rhetoric of community restoration without concern for the safety of survivors. Thus, our challenge is to develop community-based models that respond to gender violence in ways that hold perpetrators accountable. Unfortunately, in this discussion advocates often assume only two possibilities: the criminal justice system or restorative justice. When anyone finds faults with the restorative justice model, it is assumed that the traditional criminal justice approach must be the back-up strategy. Deer’s approach, by contrast, is to work with the criminal justice system while continuing to develop effective strategies for addressing violence. These will eventually eliminate the need to rely on the criminal justice system.

Of course, the trap of pursuing reforms is that they can create investment in the current US legal system and detract from building new systems of governance that are not based on violence, domination and control. At the same time, we are not going to go from where we are now to revolution tomorrow. Thus, it becomes important to strategise around what may be called ‘revolutionary’ reforms. Other abolitionists have argued that the only reforms that should be supported are those that diminish the criminal justice apparatus. Other abolitions have argued that this approach leaves people vulnerable to the ‘crimes of the powerful’, such as rape and domestic violence.27

It is in this context that we can understand Deer’s current projects. She has worked on building tribal infrastructure by encouraging and assisting tribes to develop tribal civil protection orders. Her strategy is not so much based on the rationale that civil protection orders will in themselves provide protection for women. Rather, by developing these orders, tribes gain the practice of developing their own systems for addressing violence. Deer notes that this is one area that is not likely to be interfered with by the US federal government. At the same time, it is not an approach that is directly tied with investing tribes in the project of incarceration. Thus, it becomes a reform that tribal communities may adopt now as
they develop creative responses for addressing violence. The reason for this suggested reform is that many tribal governments incorrectly think that the federal government is already adequately addressing gender violence and do not take initiative to address it themselves.28

In the end, the importance of Deer’s recommendation is not so much an investment in that particular strategy, but the manner in which it encourages us to think of short-term strategies that are not simply based on increased incarceration, strategies that will more likely fall under the federal radar screen so that tribal communities have more time to practice new ways of supporting accountability for violence. This will encourage communities to develop better decolonial practices in the future. As Deer notes, a ‘long-term vision for radical change requires both immediate measures to address sexual violence and a forward-looking effort to dismantle the culture of rape that has infiltrated tribal nations’.29 At the same time, many other Native activists are engaging community accountability strategies that do not work with the current system at all. These strategies are not broadly advertised because these activists do not want to gain the attention of federal authorities. Yet, many communities have developed informal strategies for addressing authorities. For instance, one man who assaulted a relative was banished from his community. As he was simply able to move to the city, tribal members would follow him to various work places, carrying signs that described him as a rapist. Again, this may be a strategy that we may or may not support. But the point is that it is important to engage the experimental and ‘jazzy’ approaches for developing community-based accountability strategies.30

In his recent book X-Marks, Scott Lyons engages with Native activists and scholars who call for decolonisation as a central focus for organising.31 Those who call for decolonisation often do not effectively engage in any short-term reformist strategy, even though they may save the lives of indigenous peoples who are currently under immediate attack. As a result, the immediate needs of people often get sacrificed in favour of articulating seemingly politically-pure ideals. Conversely, those who do engage in short-term reform strategies often decry the goal of decolonisation as ‘unrealistic’. In doing so, they do not critique the manner in which these strategies often retrench rather than challenge the colonial status quo. Lyons
Smith, ‘The Moral Limits of the Law’

affirms the need for decolonisation, but notes that decolonization happens with pre-existing materials and institutions. He calls on Native peoples to think creatively about these institutions and about the ways in which they can be deployed not just for short-term gains but for a long-term vision of liberation.

**BEYOND SHAMING THE SYSTEM**

Legal reformists who often focus on shaping the law to reflect their moral values and those who focus on extra-legal revolutionary strategies often share the same goal. Often the presumed ‘radical’ strategy adopted by social justice groups is to engage in civil disobedience. While these groups ostensibly break the law, they often do so in rather ceremonial fashion; they essentially want to shame the system. People are supposed to get arrested, and those in power are supposed to be so shamed by the fact that an unjust system required people to break the law. The expectation is that they will then change the laws. Acts of civil disobedience often are not targeted toward changing a policy directly or building alternative systems to the current one.

Many Native groups in the southwest US, however, have developed an alternative framework for extra-legal social change. Rather than breaking the law to change the system, they propose to make Native communities ungovernable. For instance, during the passage of SB1070, Native groups with the Taala Hooghan Infoshop, O’odham Solidarity Across Borders, and others occupied the Border Patrol Office. However, rather than engaging in the occupation with the expectation of getting arrested, they chained themselves to the building so that the office could not perform its work. This approach has continued with their efforts to stop the US government’s desecration of the San Francisco Peaks through the construction of a ski resort. While they have not eschewed legal strategies for stopping this desecration, they have focused on preventing tourists from visiting the area so that the ski resort will no longer be economically viable. According to their promotional material on TrueSnow.org:
For the last decade defenders of the peaks have used every legitimate way they could think of to try to stop the US Forest Service from allowing treated sewage effluent to be sprayed on the Peaks to make snow. More than 20,000 people took part in the Forest Service Environmental Impact Statement process with letters and appeals asking them not to spray treated sewage effluent on the peaks to make snow. Thousands of us went to Flagstaff City Council meetings to voice our opposition to the sale of treated sewer water for the project. Yet still they approved it – before even an environmental impact statement was done. They were the most clueless of all.

Currently the Hopi tribe is seeking lawsuit against the city because of this treated sewage effluent sale. A group of tribes and environmental and social justice organizations took a lawsuit all the way to the steps of the Supreme Court. The lawsuits have only called into question the legitimacy of what is loosely termed the ‘justice’ system. For it seems there is no justice in this system. It is just us, IN this system.

There is also yet another lawsuit in play which I have termed ‘Save the Peaks Coalition vs The Snowbowl Movement’ which may have the possibility of stopping this project in the long term. But if we wait for a verdict, all the trees will be cut and the pipeline installed. This has not stopped the politically connected ski area from going ahead with their project right now and they have already clear-cut 100,000 trees (or more) and have already buried a few miles of pipeline along Snowbowl road. If they lose in court they would be expected to repair the damages. How do you get back 400 year old trees? Greed and hatred seems to be Snowbowl’s only motivation [...]..

But isn’t there some way to stop it? Well we could hit them where it hurts! In the pocketbook. If you live in the Fort Valley area of Flagstaff you must see by now how little Arizona Snowbowl really cares about the ‘economic benefits’ it brings our fair town. I know some of us had a good deal of trouble even going to work when the snow was good and Snowbowl was busy. The traffic jam was incredible. Stretching more than 15 miles. They took our livelihood away and hope to make that
Smith, ‘The Moral Limits of the Law’

a daily occurrence by having a ‘predictable’ ski season using sewer water to make snow.

This jam up gave us an idea! Why don’t we do the same thing? Arizona Snowbowl does not own the mountain, and it is perfectly legal to drive up to the area for any permitted public lands use. This means hiking, camping, praying, skiing, sitting, loving, mushroom hunting, etc.

So what do I do? It is time to stop waiting for a government entity, an environmental group, or any of the people you have come to expect to save the peaks for us. The time has come to show them how much power the people have! And believe me, you are the most powerful people in all of the world! You! Yep you! You can do it!

All summer the Arizona Snowbowl is open Friday, Saturday, and Sunday for scenic skyrides, food, and alcohol. They do get a pretty good business up there and it would have an impact if the mountain was just ‘too busy’ with people doing all the other things our Public Forests are for. There is nothing illegal about it and it would send a clear message to the forest service that we don’t need Snowbowl to ‘recreate on the mountain’. Heck, we don’t even need a ski area up there to ski! In essence, take a vacation. Just do it up on the peaks and don’t use Snowbowl.

Our government officials are forgetting what ‘all power to the people’ really means. You cannot wait any longer for someone else to save the peaks for you. It will take of all us together to do this. So what are you waiting for? Pack a lunch this Saturday morning and Converge on the Peaks!33

What these activists suggest is to divest our moral investment in the law. This will affect not only what legal reforms we may pursue, but what revolutionary strategies we might engage in. Rather than engaging in civil disobedience to force legislators to change laws to conform to our moral principles, we might be free to engage creatively in strategies that build political and economic power directly.
CONCLUSION

In the debates prevalent within Native sovereignty and racial justice movements, we are often presented with two seemingly orthogonal positions – long-term revolutionary extra-legal movements or short-term reformist legalist strategies. Short-term legal strategies are accused of investing activists within a white supremacist and settler colonial system that is incapable of significant change. Meanwhile, revolutionaries are accused of sacrificing the immediate needs of vulnerable populations for the sake of an endlessly deferred revolution. The reality of gender violence in Native communities highlights the untenability of these positions. Native women’s lives are at stake now – they cannot wait for the revolution to achieve some sort of safety. At the same time, the short-term strategies often adopted to address gender violence have often increased violence in Native women’s lives by buttressing the prison industrial complex and its violent logics.

While this reformist versus revolutionary dichotomy suggests two radically different positions, in reality they share a common assumption: that the only way to pursue legal reform is to fight for laws that reinforce the appropriate moral statement (for instance, that the only way to address violence against Native women is through the law and to make this violence a ‘crime’). Because the US legal system is inherently immoral and colonial, however, attempts to moralise the law generally fail. It is not surprising that the response to these failures is to simply give up on pursuing legal strategies. However, the works of Derrick Bell, Christopher Leslie, and Sarah Deer, while working in completely different areas of the law, point to a different approach. We can challenge the assumption that the law will reflect our morals and instead seek to use the law for its strategic effects. In doing so, we might advocate for laws that might in fact contradict some of our morals because we recognize that the law cannot mirror our morals anyway. We might then be free to engage in a relationship with the law which would free us to change our strategies as we assess its strategic effects.

At the same time, by divesting from the morality of the law, we then will also simultaneously be free to invest in building our own forms of community accountability and justice outside the legal
system. Our extra-legal strategies would go beyond ceremonial civil disobedience tactics designed to shame a system that is not capable of shame. Rather, we might focus on actually building the political power to create an alternative system to the heteropatriarchal, white supremacist, settler colonial state.

BIOGRAPHICAL NOTE

Andrea Smith is Associate Professor of Media and Cultural Studies at UC Riverside, and is the author Conquest: Sexual Violence and American Indian Genocide, and Native Americans and the Christian Right: The Gendered Politics of Unlikely Alliances.

NOTES

8 Bell, ‘Racial Realism’: 308.
9 Bell, ‘Racial Realism’: 307.
10 Bell, ‘Racial Realism’: 308.
12 Bell, Faces at the Bottom of the Well: 175-176.
14 Bell, Faces at the Bottom of the Well: 55.
Smith, ‘The Moral Limits of the Law’


20 Matsuda, ‘Looking to the Bottom’.


26 Deer, ‘Decolonizing Rape Law’: 156.


28 Deer, ‘Decolonizing Rape Law’: 162.

29 Deer, ‘Decolonizing Rape Law’: 162.


31 Scott Lyons, X-Marks: Native Signatures of Assent (Minneapolis: University of Minnesota Press, 2010).

32 For more info, see: http://bsnorrell.blogspot.com/2010/05/occupation-of-border-patrol.html Accessed: 19/07/12.

The Tools of a Cartographic Poet: Unmapping Settler Colonialism in Joy Harjo’s Poetry

MISHUANA GOEMAN
University of California, Los Angeles

This essay looks at alternatives to the Cartesian forms of mapping that have come to structure settler colonial geographies. The poetry of Joy Harjo enables an engagement with concepts of spatial justice from an Indigenous feminist practice. I place Harjo’s poetry into multiple conversations with various tribal stories and geographies, thus illuminating constellations of human relationships to each other and to land and their complexity. Settler colonialism is about putting into place settler understanding of geography. These are always gendered practices. Language and concepts of storied land enable us to push for a spatial justice that unpacks settler produced knowledges. It is this type of focus on land that engenders my desire to (re)map socialities that will materially and mentally sustain future Indigenous generations.

Whereas many maps are intended for political purposes, such as nation-building, and later become unquestioned universal truths, Muscogee Creek poet Joy Harjo speaks a ‘truth’ openly founded on her particular location as a colonised woman who continues to pass down knowledge to the next generations.¹ In her (re)mapping of the settler state, Harjo draws on her ‘politics of location’ to reaffirm her understanding and place in the world and that of future generations.² Her knowledge is an embodied and a complex ‘truth’, as was that of the milieu of women-of-color, feminist activism and theory-making from which she emerged as a poet. In the work of writers Adrienne Rich, Audre Lorde, bell hooks, Jewelle Gomez, Helena Maria Viramontes, Cherríe Moraga, June Jordan, and Gloria Anzaldúa, to name just a few, we see a resituating of forms of knowledge through
language that shift women from the margins to the centre of activist reconfigurations of societal, political, and economical structures.³

Rather than advocating submission to dominant settler structures in order to achieve ‘success’ – so that an individual may ascend out of the ghetto, barrio, reservation or other places constructed as degenerative – these women poets positioned their arguments in the everyday reality of their communities to improve on the quality of life for all. From the vantage points of their writings comes a critique of dominant forms of power, yet not a full assessment as to how these powers are exerted through settler colonial structures. This situation renders a Native feminist critique of movements for social justice important and necessary. Harjo, like the women-of-color feminist movement, does not adhere to a simplistic identity politics for which Native people are too often dismissed. In this essay I examine the geo-politics in Harjo’s poetry in relation to settler colonialism to make visible the importance of a Native feminist critique in working toward spatialised justice. I am arguing not for more representative voices, but, rather, for engagement with the gendered geo-politics of race and settler colonialism at the local and global levels. The essay advocates that we examine the poetic tools of Joy Harjo as part of this effort, and that we specifically include a critique of settler geographic constructions. Reclaiming Native cartographies is key to decolonising the spatial disruptions caused by settler colonialism and to promoting broader forms of spatial justice. Harjo reminds us through her decolonised poetics that Native people possess the right cartographic tools for this work.

I interpret the construction of maps by utilising an Indigenous method of spatial justice that consistently struggles over geography. In his research on the city of Los Angeles, geographer Edward Soja redefines justice as having a consequential geography, ‘a spatial expression that is more than just a background reflection or set of physical attributes to be descriptively mapped’.⁴ Native forms of justice are inherently spatialised accounts of geographies made consequential by histories of settler colonialism that continue to impact on Native communities and individuals. Understanding geographies and justice as existing within a dynamic interrelationship also enables an understanding of the spatial ties
between colonisation, imperialism, and what is now called globalisation. All this is reflected in the series of axioms that comprise the poetic spatiality of Harjo’s poem, ‘A Map to the Next World’. The poem’s sayings, which dart in and out of time and place, are intended as advice to her granddaughter – her link to the next generation. The narrative is a map for future survival which will help her granddaughter negotiate her way through a world that is often contradictory in its violence, sadness, and beauty. Harjo projects a model of spatial justice that seriously considers Indigenous peoples. According to Soja, justice needs to be redefined away from liberal concepts that are rooted in the state and that operate around categories of difference, for instance, race, gender, and nationality. While Soja argues that in the era of globalisation, redefining forms of justice is critical to transcend ‘homogeneous and often exclusive group or community identity’, Harjo provides a vision that can recognise ‘unequal power relations in a common project’ without forgoing her belonging to her nation, which is far more than a mere identity category.

Alternative ways of producing knowledge emerge in ‘A Map’, as Harjo twists the elements and images found on Western maps. The poetic versions of legends, the symbol of the X, print, names, instructions, navigation, paper, and celestial elements of the earth, sun, and Milky Way – components of many Western forms of mapping – are embedded in Harjo’s one-sentence stanzas. The map is a text and the turn to a play with language is a natural move towards upsetting imposed spatial concepts that figure so prominently in daily life. In ‘Texts, Hermeneutics, and Propaganda Maps’, geographer John Pickles claims that

maps have the character of being textual in that they employ a system of symbols with their own syntax, that they function as a form of writing (inscription), and that they are discursively embedded within broader contexts of social action and power.

Harjo focuses her map-making on this textual character, quite literally bringing the map into the form of text. By using the language of mapping in a poetic form, new meanings appear, revealing
imagined settler geographies, exposing the conditions that map-making produces, and rewriting the map from the vantage point of view of a Creek poet living and travelling throughout the world. Harjo positions these elements in the Creek context of an emergence myth. With each new day, an emergence can occur, keeping possibilities for cultural growth open. The implications of this literary strategy are a significant contribution toward asserting a Native feminist spatial practice that does not close down possibilities, as would thinking purely (pun-intended) in terms of an exclusive nation-state.

**HISTORICISING CREEK SPATIALITIES**

To situate the contemporary relationships designated within Harjo’s maps, we must address the history of the colonial spatial restructuring legislated upon the Creeks, as well as the Creeks’ story of migration that enabled them to work through the restructuring of lands and bodies. These histories are mutually constitutive and should not be understood as exclusive. In this regard, they reflect the day-to-day experience of mapping lands and bodies that produces and is productive of human interaction.

The Creeks’ engagement with the burgeoning United States was intensely spatialised and gendered in multiple ways. Contact between whites and Natives led to health epidemics which, in turn, were exacerbated by militarised governmental restrictions on the movement of Native peoples. US jurisdiction over former Creek territory and the subsequent privatisation of land into individual lots for white settlement perpetrated land theft in two different centuries. Creek people were forced to travel in a treacherous and deadly march away from traditional lands to the outskirts of the newly-forming settler state. These significantly spatial injustices and their historic restructuring of Creek life continue to influence communities today.

Having developed their holdings for centuries, the Creek Nation was occupying very desirable land during the early history of the United States. The war of 1812 was a time when various Creek townships were divided into the ‘upper’ and ‘lower’ Creeks because of their geo-political positioning in the US South. For Creeks (often
referred to as the lower creeks) living in closer proximity to white homesteads, an alliance with the Americans had become a rational choice. The encroachment of white settlers – both male and female – created uneasy living relationships amongst different racial groups, notably Native peoples from various tribal nations, confederacies, and townships, whites with varying geographical origins and temporal immigrant status, and blacks with various statuses as kin, free, and enslaved (this variety resulted from long histories of intermarriage and slaveholding). David Chang, in speaking to the historical fluctuations around the war of 1812, recognises that alterations within the Creek Nation resulted from the influence of private property, in that, traditionally, among Creeks, accumulation was culturally problematic so long as others were in need. Just as in many other Native communities at the time, tensions grew from shifting ideas regarding the ways in which land was conceived and its population organised. As the US implemented policies to centralise Creek governance, it chose to back those Creek representatives who were in closer proximity to white settlers and who therefore had the most incentive to privatise land and black bodies as property and labor. Chang also indicates that ‘Creeks with black ancestry – people who had escaped slavery and their descendants – had reason to fear the rise of the slave order [...]. After all, to defend the rights of the owners of property was to protect the rights of the owners of people’.8

Eventually, disagreements over land, property, and governance within Creek society and disagreement between colonial entities led to the Creek War of 1813-1814 and its resolution in the Treaty of Fort Jackson. Twenty-three million acres, over half of the remaining Creek land, was lost to the United States. ‘In such a context’, Chang remarks, ‘no Creek side can be said to have won, but the Lower Town forces and advocates of private property and centralised authority did prevail’.9 The US government continued its process of spatially restructuring Native lands into private property while dislocating the Native population. Today, trips home to the stomp grounds by Harjo and others demonstrate the original southeastern peoples’ ability to maintain their identities in the wake of colonial spatial restructuring.

The United States would wrest land from Native people by labeling communal land as surplus land, subsequently privatising it,
and imposing Western gendered norms onto the constructed landscape of the settler nation. Bethany Berger’s account of Federal Indian Law and Native American women between 1830-1934 portrays the gendered spatialities at play during this era. According to her, the construction of the domestic sphere was pivotal to the Jacksonian era. Whereas women’s labor had been necessary during the unstable colonial era, the idle white woman maintaining domain over the middle-class home became a status symbol of wealth, progress, achievement, and a stable nation. By way of contrast, Berger argues, Indian women’s rights to control property became entangled with settlers’ redefinition of the way property was distributed and inherited. As women’s power became eroded by the imposition of the ‘Cult of Domesticity’, Indian women’s traditional autonomy was interrupted, which in turn disrupted relationships to land and community among their peoples.

New codifications of gendered relationships were instrumental to colonial spatial restructuring. As noted by Berger, soon after, Native people were forcibly shifted away from living as tribal communities with a communal land base; and a series of court cases disinvested Native women of their property and citizenship rights if they married white men. Referencing these cases, Berger notes how ‘[f]rom each understanding of history the judge provides, comes a shaping of history. By articulating assumptions and rules regarding the relationships of Indian women to their partners and children, the judges transform those relationships’. Shifting gender norms were as necessary to supporting an imagined US liberal democracy as was the spatial constructions of land bases too small to support Native communities and the ever-surveilling eye of the government ready to exert terrifying military force. I situate Harjo’s poetic work as a response to these histories of settler colonialism remapping land as property and Native bodies as detribalised, landless, racialised, and gendered individuals, all of which Harjo answers with calls for a decolonisation that engages with spatial justice.

DESIRED MAPS

Harjo’s map-making narrative upsets basic components of cartography through a series of carefully-balanced images of
intertribal origins. She calls into question the composition of a map as object and Native peoples and lands as the objects of settlers’ desires. More importantly, Harjo takes cartographic elements and uses them in intertribal ways to make a new sense of the ordering of the universe – especially the ordering of our nations.

Harjo’s map-making is born out of desire, awakening, and emergence. ‘A Map’ opens with these lines:

In the last days of the fourth world I wished to make a map for those who would climb through a hole in the sky.

Unlike supposedly ‘objective’ settler state mapping, Harjo’s map does not presume a representation of the real, or ignore the larger forces of politics, economics, and foreign policy. She presents a map of possibilities connected to human agency and relationships. She is forthright about her purpose, telling the reader that she intends to construct a map that can break barriers for her family, her community, Indigenous people, and all those who ‘desire’ new directions.

For Harjo, the emergence of maps is predicated on those who would climb through the hole in the sky. The supposedly ‘objective’ reality of the map is deeply contested by Indigenous people who deal with the power structures set up through the settler state’s mapping of lands and bodies. Harjo’s use of the conditional tense stresses the human desire and agency involved in this narrative mapping process. ‘It’s difficult to walk through the illusion without being awed and distracted by it’, Harjo reminds us, and part of the distraction is spatial. Observing settler monuments, settler namings of streets, schools or buildings, and settler definitions of what is rational, Harjo states: ‘It is a system of buying and selling. Power is based on ownership of land, the work force, on the devaluation of life’. She, however, proceeds to (re)map our desires and to redefine power as something that is not ‘amass[ed] through the pain and suffering of others’.
Goeman, ‘Tools of a Cartographic Poet’

Shunning any pretense of an ‘objective’ or ‘scientific’ ideal, Harjo’s map-making process continually confounds the normative map of the state. Notably, her map is dated not in the Western calendric sense, but by using the Diné conception of the fourth world. The fourth world is a cycle of events, not a period of linear time or an age that can be confined by a set of dates; it is delineated by actions that take place in cycles. Anthropologist Bill Grantham explains how the emergence of myth and time are inextricably linked:

Many cultures view sacred or cosmic time as cyclic. It begins, ends, and begins again. This concept is more comprehensible when it is understood that time itself only came into existence with the original creative act; thus, the reactualisation of the divine creative activities recounted in myth, in effect, restarts the cosmic cycle. To some cultures time and cosmos are so intertwined that they are considered synonymous.\textsuperscript{11}

In using cultural tools to conceive of time, poets often provide the material to redefine the relationship between time and space. Harjo’s narrative (re)mapping upsets any belief in the objective existence of timeless space; space for her is not passive or blank, and the lines often drawn around or through communities, for instance, become acts that define subjectivity in deliberate ways. Harjo’s framework of time and space, referencing Diné and Creek registers, performs the event of creation over and over again, merging traditions with cultural innovations to structure maps with new meanings.

For instance, ‘climbing through a hole in the sky’ in the first stanza and throughout the poem refers specifically to Creek and Navajo creation myths, her granddaughter’s intersecting tribes. In the cosmologies of many tribes, emergence connects people to a specific landscape and to cyclic conceptions of time. The place of emergence is a sacred space. Grantham states that

sacred space, any space where the sacred manifests itself on earth, can be thought of as an axis mundi: the center of the
Goeman, ‘Tools of a Cartographic Poet’

world. It is the world axis that provides the orientation for the world and connects the three planes.¹²

Creek and Diné concepts of space are particularly tied to the act of balance or recreation of the emergence myth. In ‘Emergence’, the narrator states:

I remember when there was no urge
to cut the land or each other into pieces,
when we knew how to think
in beautiful.

Beauty exists beyond the merely physical in Diné philosophy, for it refers to balancing a relationship with those around you. Emergence in Harjo’s poem thus is tied to a long and complex history of migration, birth, spatial conceptions, and subject formation from our multiple interactions in the world. Harjo provides spatial and historical depth to her map by invoking Native spatial signifiers, such as those in the painting entitled *Four Directions*, by Hopi artist Linda Lomahfetewa reproduced on the front cover her book. In fact, the book of poems operates as an atlas, pointing out a way to live in this world. While there may be a centre, as found in the emergence myths, the stories emanate in the four directions to create a map that then connects to others, as opposed to one that distinguishes territory or property or a specific moment in time.

Harjo names the sites and directions in her map by emphasising agency and addressing gender, as when the second stanza of the poem states:

My only tools were the desires of humans as they emerged
from the killing fields, from the bedrooms, and the kitchens.

The emergence recurs ‘through the desires of humans’ and the consequence of their actions. Harjo remaps gendered spaces and
social lives by juxtaposing typically male-associated spaces of war (‘the killing fields’) with spaces associated with women (‘the bedroom’ and ‘the kitchen’). In doing so, she also advocates for spatial justice on a local Creek scale and on a global scale. Like many Native writers, Harjo brings war into the domestic space of the nation and locates personal politics along national and global scales in ways that shatter expectations that Native peoples’ lives fit neatly within the binary spatial divisions imposed by settler culture.

Gillian Youngs’ ‘Breaking Patriarchal Bonds: Demythologizing the Public/Private’, elucidates the power relations of the public/private divide that are at work in Western conceptions of gendered spaces:

One of the strengths of the feminist public/private critique is that it overtly associates power relations with particular definitions of social spaces and activities. As a strategy, it encourages the attention to the primary locations of social existence and the ways in which social meanings are generated and maintained in definitions of that existence. It seeks to break into the patriarchal forces which work towards the representation of society as unified, and actively undermines the hierarchical opposition of public over private which abstracts the former from the latter. In order to understand gender inequalities and gendered identities, it is essential to investigate how they are constructed across public/private divides, and to recognise that these divides are not fixed but themselves transform according to wider political processes.\(^\text{13}\)

By applying a spatial analysis to societal constructions, Young and Harjo both trouble the public/private divide as it is still largely applied to Indigenous peoples. Settler colonisation causes Indigenous people to experience local and global scales as interactive and connected. In the violent history of colonisation, the killing fields enter both the private and public realm: they are a very real part of ‘home’. Food is contaminated, water polluted, and forests cut down
as a result of the environmental disasters that Native people disproportionately experience because of the way our lands have been redefined. Our lands are the places where the contradictions in liberal democracy meet and the public/private divide breaks down. The sanctity of private property becomes the means to destroy whole communities, even as it criminalises tribal ways. One need only examine the legacy of Federal Indian Policy to note that this is not hyperbole, but the very foundation of settler conceptions of space and mappings of our lands.

But public/private distinctions also affect Native people within a globalised world. The United States practices settler colonialism by separating Native peoples as a ‘domestic’ problem from ‘foreign’ affairs on a global scale. Simultaneously, the state uses its control over ‘domestic’ Indian lands to mine resources for carrying out war abroad, such as the uranium mining on Laguna Pueblo that enabled nuclear warfare. In *The Ruptures of American Capital* Grace Hong examines how labour and women-of-colour organising took note that “private sphere” and “private property” are inextricably linked and mutually constitutive, a concept foundational to the spatial justice women often sought within the gendered spaces produced by a history of colonisation and, as Hong notes, fomented by the history of capitalism. In kind, whereas in many feminist analyses the kitchen suggests an oppressive and confining space, Harjo questions the very notion of private space that maps Native women’s lives. In her poem, the spaces of the kitchen and bedroom (private) and war (public) reflect Hong’s and Youngs’s feminist critiques while simultaneously breaking down the coloniality of the public/private divide for Native people.

Harjo deliberately employs the space of the kitchen in a Creek cultural context to argue that a willingness to emerge from these spaces or an ability to derive different meanings from new contexts can be a liberating process. While the spatialising of our everyday lives deeply affects our actions in the world and material reality, this experience is not wholly oppressive nor indissoluble. In fact, Harjo’s ‘Perhaps the World Ends Here’ empowers gendered spaces. The poem begins with these lines:

The world begins at a kitchen table. No matter what, we must
Goeman, ‘Tools of a Cartographic Poet’

eat
to live.

She speaks throughout the poem of the life that takes place at the kitchen table and its importance to community and cultural survival, closing with,

Perhaps the world ends at the kitchen table, while we are laughing and crying, eating of the last sweet bite.\(^{18}\)

In Harjo’s poems, women’s spaces hold the sweetness and sustenance of the community from beginning to end. In fact, women often occupy places in their community that are fluid and that have many components, their multiplicity resting in the fact that ‘the soul is a wanderer with many hands and feet’. Harjo suggests that making connections with each other is necessary to survive spatialised violence.

Harjo creates a map through desire, memory, and telling – all components of the poet’s language – to reveal the contradictions of a liberal democratic state that relies on the continued production of inequalities. In doing so, she defies the brute force of a Western construction of maps through the physical and mental erasure of complex histories and differences; Harjo constructs her map not out of paper, but from material that emphasises the importance of orality and remembrance: ‘The map must be made of sand and can’t be read by ordinary light. It must carry fire to the next tribal town, for renewal of the spirit’. Sand easily can blow away and is fluid in its materiality; thus a process of remembering is key to reading the map. While the sand in this stanza refers to the southwest or to Navajo villages, Harjo also invokes descriptions of past communication systems between Creek villages that existed before removal.

Her emphasis on oral communication is elaborated further by the image of a runner carrying news between Creek villages, which
also evokes the transmission of knowledge between generations as well as among her granddaughter’s multiple tribal contexts. During wartime, the runner warned the next towns of encroachment, allowing them to prepare for war. This historical image is recycled as a contemporary metaphor that not only stresses the persistent importance of orality across generations, but also acts as a call to action. Telling, or verbal forms of communication, requires a listener or a focus on a relationship; it also is a temporal form of mapping relationships and producing new ways of telling the story. In this passage, the poetic voice is conveying to her granddaughter how to find her way. Preceding the poem is a narrative in which Harjo states:

I try to remember the beautiful sense of the pattern that was revealed before that first breath when the struggle in this colonised world threatens to destroy the gifts that my people carry into the world. But we cannot be destroyed.

While maps written down on paper – lease maps, reservation boundaries, maps of states, maps of national borders – all carry a force, they also can be destroyed. The histories of the Muscogee Creeks and Harjo’s poetics stress the importance of memory: ‘Trees of ashes wave good-bye to good-bye and the map appears to disappear’. Inevitably, what we remember and pass down through the generations holds the most promise in providing spatialised justice in this colonised world.

Thus, instead of focusing on Indigenous erasure and absence in Western mapping, Harjo appropriates the language of a map to speak of the consequences of forgetting and of its detriments to tribal continuity. The poem sets up the necessary components for creating a map that will guide Harjo’s granddaughter through life, reminding her that the consequences of forgetting are immense for Native communities:

In the legend are instructions on the language of the land, how it was we forgot to acknowledge the gift, as if we were not in it or
Goeman, ‘Tools of a Cartographic Poet’

of it.

Take note of the proliferation of supermarkets and
malls, the altars of money.

They best describe the detours from grace.
Keep track of the errors of our forgetfulness; the fog
steals our children while
we sleep.

With the expressions ‘[i]n the legend’, ‘take note’, and ‘keep track’, followed by the consequences of not doing so, Harjo provides her granddaughter with skills for surviving in a world in which Native people are forcefully forgotten or made to forget. John Pickles argues for reading maps as textual, non-linear, and always laden with meaning. He claims that:

mapping is an interpretive act, not a purely technical one, in which the product – the map – conveys not merely the facts but also and always the author’s intention, and all the acknowledged and unacknowledged conditions and values any author (and his/her profession, time, and culture) brings to a work. Thus like all works, the map carries along with it so much more than the author intended.19

Harjo’s text/map refers to forgotten histories and lost memories, emphasising human error and loss of knowledge:

We no longer know the names of the birds here, how to speak
to them by their
personal names.

The Western form of mapping is treated as an objective and realistic depiction, as I discussed earlier; in it there is little room to
acknowledge human error. Yet Harjo’s map is a non-linear, complex product of human experience, and the human qualities of error and forgetfulness can be recovered and rectified through language, forgiveness, and acknowledgement.

The infinite possibility of human interaction and experience in place recalls – and, from an Indigenous perspective, troubles – Michel de Certeau’s concept of the ‘grammar of space’. In de Certeau’s work, place correlates to the arrangement of rules and regulations, while space invokes everyday practice. The grammar of space – for example, the nation-state or the Indian Territory, or the subsequent state of Oklahoma – is structured around a settler order we all inhabit, inherit, or have imposed upon us, Indigenous and non-Indigenous alike. But we can still play with this grammar, and often do, to reflect our own ‘desires and goals’. For instance, de Certeau reminds us:

Renters make comparable changes in an apartment they furnish with their acts and memories; as do speakers, in the language into which they insert both the messages of their Native tongue and, through their accent, through their own ‘turns of phrases’, etc., their own history; as do pedestrians, in the streets they fill with the forests of their desires and goals. In the same way the users of social codes turn them into metaphors and ellipses of their own quests. The ruling order serves as a support for innumerable productive activities, while at the same time blinding its proprietors to this creativity [...]^{20}

‘Renters’ in the context of settler colonialism is an apt phrase. If grammar provides a social code and mode of governance, it does not determine the way we act. Harjo’s poetic mapping uses the structures of language and the rules of map-making to navigate the colonial world. But by recounting the everyday practices of Indigenous people and the infinite possibilities that come through the tactical art of language and remembering, she (re)maps the grammar of settler place-making.
Goeman, ‘Tools of a Cartographic Poet’

Analysing an earlier poem by Harjo (from In Mad Love and War, 1990), Native literary critic Craig Womack contends that often Native tribes reenacted a spatial consciousness when they were forcibly relocated. Maps can reappear because of desire, memory and imagination. He offers insight into Harjo’s spatial memory:

As Harjo indicates, however, ‘the sacred lands have their own plans’, and this can be witnessed by comparing Creek geography in Alabama to Oklahoma. As Louis Oliver discusses [...] towns in Indian Territory were given their old names, and even the spatial and cultural relationships between upper and lower Creek towns were duplicated, as well as settlement patterns along rivers [...]. Thus the poet’s phrase ‘Nothing can be left behind’ is evident even by a cursory comparison of a map of eastern Oklahoma and Alabama, where many of the town names are replicated by Creek memory reinventing itself in a new landscape.21

Womack provides a sample of how cultural memory actively creates space that connects memory, remembering, and space and to emphasise how this is reflected in Harjo’s poem.

Important facets of cultural survival thus include the unpacking of settler forms of place-making, which are largely motivated by the need to turn land into property, and open up creative forms of social practice. But while places provide the context for our practices, the act of remembering is practice itself. So what does it mean to recall the places of emergence and stories tied to them and pass that on to the next generation? And even if some elements of memory and cultural transmission are not recovered in that moment, does this mean complete loss, if we accept the fact that place is never stable or immutable, but rather comprised of reiterative practices? Harjo advocates a map that examines the reiterative practice of emergence, birth, renewal, and recreation with ‘no beginning or end’. For mapping the future, ‘[a]n imperfect map will have to do’; what is important is retaining tribal concepts and relationships to ensure a material and social place in the world.
A new way of looking at Native practices emerges by examining Creek continuity in comparison to the structuring of space on a global scale. Many geographers also have noted immigrant and migrant spatial practices that recollect traditional lands and help to maintain cultural continuity, such as when large immigrant populations congregate in certain areas of cities or small towns. Whether space is restructured through traditional memory or through new relationships to landscapes, for many Native communities this activity is a move toward self-determination. Rather than regarding Native concepts of spatialisation as romantic notions of the past or as essentialist markers of identity, the practices of remembering and of playing with language surface as strategies for continuance and political power. In a discussion on the value of experience in forming theories of the construction of identity, Womack states:

Land is central to many Native cultures. The reasons are many, the subject of another essay, but land is at the center of religious belief and practice, definitions of sovereignty, and current court battles to get back home territories. In terms of theory, land is a way of avoiding universal claims or irresponsible essentialism because we can ask the question ‘how well does a given philosophy meet the needs of the people in a particular locale?’

For Womack, specific pieces of land place us and give a context to struggles. While I agree with Womack, Harjo inspires us to think of land not merely as the place marker for discrete territories with specific histories, but as inherently connected to other lands, crossing rigid borders among individual communities, Native and non-Native. It is this type of focus on land that engenders my desire to (re)map socialities that will materially and mentally sustain future generations.

The poem enables a (re)mapping of settler geographies in its incorporation of oral traditions to map realities of the present day context. By putting into conversation important tribal stories about the emergence and birth of tribal nations, Harjo’s poetry illuminates
the complexity of the constellations of human relationships to each other and to land. In her framing, Creek and Navajo territories are dissociated from notions of tribal purity that have been imposed by settler structures of property rights to legitimate racialised ‘Indian’ bodies (although Harjo is very careful in her poetry to continually recognise the material reality of tribal jurisdiction). The many stories and retellings of the emergence and travel of the Creek, Navajo, and Hopi people evoked in the poem resonate with rich historical and cultural connotations that do not discredit tribal maps, but support the many centres that reverberate and are recognised by tribal peoples:

Fresh courage glimmers from planets.
And lights the map printed with the blood of history, a
map you will have to
know by your intention, by the language of suns.

The various centres of Native traditions, symbolised in multiple suns and planets, do not adhere to a master narrative as we see in Western history and map-making.

Diné geographer Holly Youngbear-Tibbets addresses the intersections between landscape and discourse and the making of places for Native people by arguing that place is not made from the ‘margins’ or ‘periphery’, nor does place have to be fixed and contained. Rather, place is a working relationship between space and humans. She states:

The landscape of the Upper Great Lakes, sculpted by volcanoes, glaciers, floods, sea-floor spreading, and tectonic up-thrusts, is not merely the backdrop for the drama of human life [...]. People and place are inextricably joined, and this most profound relationship to the land is told and retold in stories, songs, oral histories, and predominates in our everyday mundane conversations, as it probably has for a millennia.23
The tribal stories – especially brought together – co-exist, and this storied cartography unmoors place or land as a mere object for claiming or one simply with multiple description. The possibilities in incorporating and dialoguing with oral traditions are boundless.

The narrator’s own wanderings in life through the simultaneous existence of traditional landscapes and landscapes of colonisation were sustained through the art of sharing her stories. The poem itself is written at the granddaughter’s birth in the hopes of giving her the tools she will need in a settler colonial context. She tells the next generation:

When you emerge note the tracks of the monster slayers where they entered the cities of artificial light and killed what was killing us.
You will see red cliffs. They are the heart, contain the ladder.
A white deer will come to greet you when the last human climbs from the destruction.
Remember the hole of our shame marking the act of abandoning our tribal grounds.
We were never perfect.24

In one of the Diné creation stories of our world, the monster slayers are the heroic mythic figures born from Changing Woman, the entity that creates the world we live in and landscapes we depend upon with her gendered body. These stories and landscapes will mark her granddaughter’s belonging, even though Native belonging is often coded through a Western mapping in the form of residence or identity cards issued by settler agencies (and here I include the majority of tribal council structures introduced since the nineteenth century). Monsters generated from human conflict threaten the
survival of the people, and the ‘artificial light’ employed in the poem contemporises this destruction. The monster-slayers not only eventually save the Diné from destruction in the mythic story, but as they decimate the monsters they are transfigured into the landscape and the sacred mountains that mark the Diné homelands.

The spatial metaphors of ‘planets’ and ‘suns’ in the above passage interact with the lower-world mythic figures of the monster-slayers who represent creativity and innovation. Creek philosophies between the three worlds come into play here, where the upper world of planets and stars connotes stability and fixity, the middle world one of human fallibility, and the lower world one of chaos and fertility. All three are without judgment and keep the world in balance. The Diné philosophy of bringing the world in balance through Hozho, or concepts of beauty and ways of being, also mark Harjo’s map as modelling a journey that does not depict the ‘Truth’, as in Western attempts to stabilise power. In place of discrete territorial possessions, Harjo’s map presents an interactive conversation that occurs in remembering and listening. Her mapping is an act of remembering that we are all born into situations where we try to achieve balance, even as it is an act of forgiveness for the imperfections we all carry as human beings.

Harjo deliberately rewrites roads, usually flat lines on a map, as a three dimensional spiral leading along the course of lives and dependent on relationships to mothers, fathers, ancestors, and the decisions we make. Birth and death are continual cycles:

The place of entry is the sea of your mother’s blood,
your father’s small death
as he longs to know himself in another.
There is no exit.
The map can be interpreted through the wall of the
intestine – a spiral on the road of knowledge.
You will travel through the membrane of death, smell
cooking from the en-
campment where our relatives make a feast of fresh
derm meat and corn soup,
in the Milky Way.
They have never left us; we abandoned them for science.

Harjo deeply personalises and embodies her spatial practices by depicting the process of birth and nurturing of life very differently from Western cartographers who seek to represent ‘the real’. In her poetic acts, Harjo remembers and abandons science as she travels, in this instance, through the spiral found in her mother’s body. The embodied map disrupts national narratives that trace spaces full of Native absence: from active erasure such as in ‘the frontier’ and in the reservation, to the naming of Native women through written, linear one-dimensional signs, to coded historical narratives found on the printed page. Harjo’s map remembers the lives before her and greets the life being born that is proof of renewal and continuance.

CONCLUSION

Language carries the weight and contradictions of history and of living in the present settler-colonial moment. By constructing complexities, for ‘at birth we know everything, can see into the shimmer of complexity’, Harjo moves us away from a tautological structure of space. Space no longer has an essentialised essence, nor can it dictate a racial essence. As the poetic voice navigates her way through ‘this world apparently driven into craziness by violence and greed’, she is recontextualising herself and the place of future generations. She tells her granddaughter, and the reader of the poem,

And when you take your next breath as we enter the fifth world
there will be
no X, no guidebook with words you can carry.
You will have to navigate by your mother’s voice, renew the
Goeman, ‘Tools of a Cartographic Poet’

song she is singing.

There are no marks written down on paper, only the voice, a desire to remember traditions, and the will to sing your own song. Harjo repeatedly uses the particular lexicon of mapping, words such as ‘navigate’, ‘X’, and ‘guidebook’, positioning them within tribal texts. In doing so, spatial metaphors transform the meanings of these social codes while a gracefulness of meaning is established.

Harjo ends the poem with the following deeply personal and tribal lines: ‘Humans are imperfect in their forgetting and in their remembering’. Like a spiral that never returns to the same exact point, but is still connected to the origin, Harjo suggests that the only method for making a map useful is to construct your own. The mapping process for Harjo is not a one-to-one relationship of tracing borders and territories, but rather a series of second-degree signs such as the re-actualisation of the emergence myth. Yet, because of the effects of colonisation on the passing down of knowledge, the meanings of the signs are not always evident or interpretable. Harjo ultimately asks what tools her granddaughter may need in life to grow and remember her place in the world – a question we should all be addressing.

We, and here I am not just speaking to Native peoples, need to (re)create a spatial practice which mediates the displacement created through colonial conceptions of land and bodies, by maintaining, recognising, and if necessary reformulating networks and knowledge systems that provide an alternative to the conscriptions of race, bounded nations, and conquered people. Harjo, imagining solutions to displacement, alienation, and spatial restructuring, creates a guide for more than just a granddaughter. By the use of the tools of the emergence myths and by creating metaphors out of the material tools of the coloniser, she is able to (re)map space and guide us in the ways to make our own maps in this new world. In conceiving of her place and her own map, Harjo provides tools for our journey, struggle and resistance. Rather than a stable sum of her contexts, pigeon-holed in ethnic entrapment, she is a mobile subject in process and connected to others. Part of this journey will be to encounter other people who will carry with them their own imaginings and stories – and thus possibilities.
BIOGRAPHICAL NOTE

Mishuana Goeman (Tonawanda Band of Seneca) is Assistant Professor in the Gender Studies Department at the University of California, Los Angeles. Her book, Mark My Words: Native Women Mapping Our Nations, is with University of Minnesota Press, forthcoming in 2013.

NOTES

6 Harjo, ‘A Map to the Next World’: 23.
12 Grantham, Creation Myths and Legends of the Creek Indians: 7.
Goeman, ‘Tools of a Cartographic Poet’

(Tucson: University of Arizona Press, 2011). These authors who rigorously combine scholarship and activism.

15 The image of the kitchen as a private and political space recurs frequently in Native scholarship. In a sense Native women are recovering the kitchen from a space that has been relegated to drudgery and subordination. One of the best examples occurs in Donna K. Goodleaf, *Entering the War Zone: A Mohawk Perspective on Resisting Invasions* (Penticton, B.C.: Theytus Books Ltd., 1995). Goodleaf relates the story of Oka and Mohawk resistance, where women who fed and cooked acted as a focal point, a command centre, passing on information and instructions. This gendered site was fundamental to resistance.


26 Goeman, ‘From Place to Territories and Back Again’: 22.
Poem:
Measuring the Distance
between Seattle and Texas

QWO-LI DRISKILL
Oregon State University

(For Michael)

32,000 feet above
you’ll see
Coast Salish Territory
as deep green hills
embraced by water
silver as salmon scales

From here you cannot
smell the spores of moss
that reimagine sidewalks
as lush pathways
or the decomposition
of cedar rising from
an urban forest

32,000 feet above
and I am reimagining the distance
between Seattle and Texas
If an arrow in flight
in each instant of time
is motionless then
my movement through
space at 500 miles per hour
can't be perceived and

when I unlock the door
to my brick cottage
in Tonkawa and Towakoni Territories
I remember that
physicists say
there are dimensions so small
they can't be perceived

But I know how to bend
spacetime
I know it opens
when I hold you
up through dreams
where I am flying
back to you

and I know the distance between
Seattle and Texas folds into itself
like I curl into your warm arms
collapse against your soft belly
Driskill, ‘Measuring the Distance’

I measure the distance between
Seattle and Texas in
the soft peach of your
earlobe
in kisses
I still feel
on my throat
still see on
my right shoulder blade

Measure the distance
between Seattle and Texas
with breath
skin
my fingers relishing
each soft brown hair on your cheek
Measure it by the sweet sting of your sweat on
the tip of my tongue
and the scent of iron
at your wrist

I will calculate the distance
between the brown and hazel
of your eyes
the space between sleep and dreams
with a two-step I sing to you
from halfway across the continent
on a hand drum painted
with sweet gale
Driskill, ‘Measuring the Distance’

and manroot

The distance between Seattle
and Texas is not 2,229 miles
not 3,588 kilometers
The distance between Seattle
and Texas is not far at all

When I come home to you
darling
you'll see

BIOGRAPHICAL NOTE

Qwo-Li Driskill is a Cherokee Two-Spirit/Queer writer, scholar, and performer. S/he is the author of Walking with Ghosts: Poems, and the co-editor with Chris Finley, Brian Joseph Gilley, and Scott Lauria Morgensen of Queer Indigenous Studies: Critical Interventions in Theory, Politics, and Literature and, with Daniel Heath Justice, Deborah Miranda, and Lisa Tatonetti, of Sovereign Erotics: A Collection of Two-Spirit Literature, a winner of the Silver Medal from the Independent Publisher Book Awards and a finalist for the Lambda Literary Award and ForeWord Book of the Year Award. Qwo-Li is Assistant Professor in the Women, Gender, & Sexuality Program at Oregon State University.
Henry Roe Cloud to Henry Cloud: Ho-Chunk Strategies and Colonialism

RENYA K. RAMIREZ
University of California, Santa Cruz

This essay examines the gendered settler colonial aspects of Henry Roe Cloud’s relationship with his informally adoptive ‘mother,’ Mary Roe. It argues that Cloud, my Ho-Chunk grandfather, an intellectual, activist, and policy-maker, defied colonial reality by appropriating the white notion of the self-made man, and by relying upon his Ho-Chunk masculinity, his partnership with his wife, Elizabeth, his Christian identity, and Ho-Chunk-centric hubs. It also argues that Cloud’s Ho-Chunk warrior training contributed to his intellectual abilities. Finally, it critiques Joel Pfister’s The Yale Indian, arguing that his ‘colonial’ claim to Cloud’s letters prevents an adequate discussion of Indian-white settler colonial relations. Pfister’s focus on Cloud’s ‘individuality’, dismissing Cloud’s Ho-Chunk-ness, resembles the settler colonial policies of removal.

Henry Roe Cloud (c. 1884-1950), my Ho-Chunk grandfather, was an activist, policy-maker, and intellectual in the early twentieth century. As a young child, a policeman took him to Genoa, a federal boarding school, and, later, he attended the Santee Indian mission school. After being accepted, he traveled to Mount Herman College Preparatory School, and then to Yale University. He was the first ‘full-blooded’ Native to graduate with a bachelor’s and a master’s degree. During his first year at Yale, in 1906, he met Walter and Mary Roe, a white couple. They were Christian missionaries, and worked closely with Native peoples. Soon after they met, Cloud was informally adopted. Even though whites surrounded Cloud, he used creative Ho-Chunk strategies to thrive in a settler colonial environment.¹ These included his white and Ho-Chunk senses of masculinity, Christian identity, Ho-Chunk-centric hubs, and partnership with his wife, Elizabeth Bender Cloud, an Ojibwe.² His Ho-Chunk warrior culture and identity helped him develop a Ho-Chunk intellectual lens.
First, I will introduce Pfister’s book, *The Yale Indian*, who wrote about Henry Roe Cloud. Second, I will discuss Cloud’s engagement with and resistance to gendered settler colonialism. Finally, I will critique *The Yale Indian*.

**THE YALE INDIAN: A CASE STUDY OF INDIVIDUALITY**

Pfister uses Henry Roe Cloud as a case study to support his argument about individuality and Native Americans. Initially, Pfister’s analysis of Cloud’s life was to be one third of another book. Pfister explains that his two books, *The Yale Indian: The Education of Henry Roe Cloud* (2009) and *Individuality Incorporated* (2004) share some connections, including the history of shaping individualism, and conversations between Indian-white relations. *Individuality Incorporated* (2004) examines how the mission of the first Native American federal boarding school, Carlisle, was not just to civilise Native students, but also to ‘individualize’ them. Later, he removed the chapter about Henry Roe Cloud as part of *Individuality Incorporated* and decided to use it as a basis for another book. The main goal of *The Yale Indian*, according to Pfister, is to use Henry Roe Cloud to discuss ‘interconnected reproductive processes of emotion making, race making, class making, and incentive making’.

Indeed, the primary conceptual objective of the book is the exploration of interconnected socialising processes. Pfister further explains that he chose not to discuss Cloud’s Ho-Chunk educational training because this information was not available in his published writings or in the letters held in the public archive of the Sterling library at Yale University. In the following article, unlike Pfister, I discuss how Cloud’s Ho-Chunk educational training enabled him to become an important indigenous activist, policy-maker, and intellectual, enabling him to not only survive, but to help his tribal community survive in the midst of settler colonialism.

Growing up, my mother discussed how important Cloud’s Ho-Chunk name, Wo-Na-Xi-Lay-Hunka, meaning ‘War-Chief’ or ‘the Chief of the Place of Fear’, was to him. He was a member of the Thunderbird Clan – the clan, Cloud explains, which ‘obstructed and permitted war’. Cloud’s name and clan membership were central to
his identities as a Ho-Chunk man, leader, and modern day warrior. She also discussed how her grandfather told a significant prophecy about her father. During a winter when food became very scarce, his son did not eat for ten days, because there was no food for anyone. Then his father found a frozen beaver hut, killed the animals, traded some of their skins for corn, boiled the beaver meat, and prepared a feast. During the feast, his father discussed his prophecy. He told his son: ‘Eat, War Chief, for I am hungry but will not eat until you have tasted food. I am old and it makes no difference if I starve, but you are young. The future of the Ho-Chunks lies within you’.8 His words encouraged him throughout his life always to fight as a Ho-Chunk warrior for the survival of his people. This story outlines a core value of Ho-Chunk warrior identity: to put the survival of the young, who represent the future and continuance of the tribe, before one’s own continued existence. Indeed, Cloud’s Ho-Chunk warrior identity provided him with a strong cultural resource to fight back against gendered settler colonialism, while helping him develop an indigenous analytical lens.

Colonialism infiltrates the most intimate places, even the relationships indigenous peoples experience with others.9 It is through these ‘intimacies of empire’, Ann Stoler argues, that racial classifications were created and challenged, and where relations between coloniser and colonised could powerfully defy and/or strengthen colonial power.10 Gendered settler colonialism involved US federal policies regarding the boarding school system, which worked to destroy indigenous kinship systems, trying to supplant them with the heteronormative and partriarchical Euro-centric kinship model of the nuclear family. In the following, I discuss how Cloud resisted gendered settler colonialism by discussing his involvement with Mary Roe, his white adoptive ‘mother’.

MARY ROE, A COLONIAL ‘MOTHER’

In 1907, when Cloud was in his early twenties, the white woman who would become his unofficial adoptive mother, Mary Roe, used colonial tactics to begin her relationship with him during his first year at Yale University. These tactics included flattery and sympathy in order to try to create a psychological wedge between him and the
memory of his Ho-Chunk grandmother, as well as playing upon his vulnerability, his loneliness and a depression brought on from living among whites and away from his extended Ho-Chunk family and tribe. In this way, Mary Roe as an agent of settler colonialism attempted to destroy Cloud’s sense of his Ho-Chunk kinship system.

Mary Roe describes her maternal role in a 1909 letter to Cloud. Colonialism is apparent. She wrote:

Oh Henry, If I had you here this very minute I believe I could make you see the strength and power of that marvelous mother love which has been born in my soul and is gathering up all the repressed motherhood and instinct which have always been part of my nature but have never been given outlet [...]. I know I am a changed woman with a love for all little children, a yearning that is almost pain over unmothered boys, all because the picture of my beloved little son [Cloud] running barefoot ragged and neglected possibly around and around a stump crying with natural fright as the arrows whizzed by that dear little head amidst the laughs of drunken revelry. Darling, I will make up to you and for your sake to every unhappy child for all those children’s sorrows.

Mary Roe describes all the repressed ‘mother-love’ she has kept inside of her, which, she argues, needs an outlet. She then writes about her role as a mother to Cloud, a Ho-Chunk and an orphan. From a white woman’s perspective, she describes Cloud ‘running ragged and neglected’. She imagines Ho-Chunks as ‘drunken’, violent and careless, who shoot arrows near little boys’ heads, assuming that Cloud was ‘neglected’ by his people. In this way, she privileges her own ability as a white woman to take care of children over Ho-Chunk peoples’ capacity. Indeed, she presumes that Ho-Chunks are not only negligent, but also uncaring of their children’s welfare. This portrayal comes from her imagination, since Cloud had a loving, and caring family. This colonial ‘maternal’ assumption must have been difficult for Cloud, who loved and respected his Ho-Chunk people, yet another strategy to weaken his sense of Ho-Chunk kinship. According
to Margaret Jacobs, white women, unfortunately, relied upon these kinds of gendered settler colonial assumptions when they were involved in the removal of Native children and placed them in federal boarding schools.  

Mary Roe’s romantic advice to Cloud touched on race, class, and gender, adding another layer of colonialism for Cloud to deal with, including being treated as an exotic Native man. She wrote that Bessie, his white ‘cousin’, Mary Roe’s niece, was upset with him because he had responded to her correspondence incorrectly, sending a telegram rather than a letter. In contrast, ‘well-taught’ white girls, she explains, understood how men should communicate with them, while girls he was used to, including ‘Indian girls’ and ‘half-educated [white] girls’, did not understand how to act appropriately. Mary Roe placed Cloud ‘higher’ on the social evolutionary ladder than both ‘Indian girls’ and ‘half-educated [white] girls’. She encouraged him to find ‘appropriate’ companions, who understand proper social graces. By encouraging him to find a suitable white, upper class woman for companionship and potentially marriage, she again works to sever his ties to a Ho-Chunk sense of kinship. She warned that Vassar girls were only attracted to him because of his race, not acknowledging his intelligence, handsome features, and charming nature. Instead, she focused only on his ‘exoticism’ as a Native young man. She encouraged him to use his ‘exotic’ qualities to further his Christian mission. Rather than choosing to follow Mary Roe’s romantic advice, which does not recognise the possibility of a well-educated Native woman, in 1916, Cloud married my Ojibwe grandmother, Elizabeth Bender Cloud, strengthening his sense of indigenous kinship connection.

His relationship with Mary Roe was also difficult because she treated him as a child when he was a grown Ho-Chunk man. Out of loneliness as a Yale student, he had asked her to write him frequent letters. She wrote back, calling him a ‘chump’. She wrote:

You dear ridiculous old chump! The very idea of asking me to send you a little message (forsooth) now and then – yes, quite frequently. Walter [his ‘father’] roared [...]. I write to you often, not because I have so much to say
Ramirez, ‘Henry Roe Cloud to Henry Cloud’

but because I’m lonesome for you [...]. That is an advantage of having such a large child [...].

In this letter, Mary Roe discusses how she sees Cloud as a large child, even though he was in his early twenties, which fits within a colonial model of viewing Native adults as children and all Natives as positioned lower than whites on the socio-evolutionary scale. She calls him a ‘chump’, which also means a dupe or a sucker, for asking her for frequent letters, alluding to her view of his ‘weakness’, and not being masculine and/or adult enough to handle his loneliness. She combines her colonial treatment, calling him a large child, and a derisive putdown, with a declaration of love. This colonial mixture of maternal love and ridicule could be very confusing and difficult for a Ho-Chunk man in his early twenties, especially since her remarks are a direct challenge to his sense of manhood.

Indeed, in 1920, his wife, Elizabeth, discusses in a letter how the ‘white race’, including Mary Roe, viewed Cloud as a child, who was seen as unfit to be the leader of the college preparatory Christian high school for Native boys, the American Indian Institute he had founded in 1915. Elizabeth wrote:

I suppose mother [Mary Roe] wrote recommending you be the one to raise the money on the outside while perhaps someone else to be put in charge of this school to have direct charge [...]. There is this thing about it dearie. If you are not made principal of this enterprise and people do not think you have the ability to head this enterprise for our people, then the graceful thing for us to do is to step out. It is evidence enough that the white race still thinks the Indian in the childhood stage of development and Henry Cloud is not meant for the leader of his people [...].

Referring to Mary Roe’s recommendation of placing him in the role of fundraiser for the school, rather than principal, Cloud’s wife aligns herself with her husband. She expresses her love and respect for him, saying that she would also leave if needed (she also worked at
the school). By underlining his name and not including the surname Roe in the middle, she emphasises his Ho-Chunk identity before his involvement with his white ‘parents’. This vignette illustrates how this loving couple shared the challenges of living in a racist world, including the colonial beliefs of those close to them. His marriage to Elizabeth was absolutely central to Henry Cloud’s resilience in the face of colonial adversity. Furthermore, his indigenous kinship ties to his life-long partner, Elizabeth, helped Cloud maintain his sense of Ho-Chunk manhood.

Elizabeth wrote another letter to Henry about Mary Roe. She referred to Mary Roe’s lack of support for Henry in his bid to become school principal. Elizabeth wrote:

After you wrote what she said, ‘Letting Henry down easy, etc.’, I just felt that I do not want to even see her again [...]. Mother loves very intensely or else does everything in her power to undermine who she has loved if she thinks her love is being cast aside. If she comes down here when school is nearly out, I do not want to see her and I will go down on our family farm if she does come. I wish she had never come into our lives.18

This letter again shows Elizabeth’s willingness to stand by her husband during times of stress caused by his dysfunctional relationship with his white ‘mother’. Her expression of support, including her fierce rejection of Mary Roe, points to how angry Elizabeth was, and how difficult this colonial maternal relationship could be.

Mary Roe had written an earlier letter a few months before to Cloud, complaining about his behavior towards her. She wrote:

Therefore, dear, whenever, hereafter I seem not to respond or to turn away remember my own assertion of finding a dual personality in you, one of which draws one by the bonds of a tender, a pure, and a faithful affection,
Her discussion of Cloud’s ‘double personality’, alludes to his mixed feelings towards Mary Roe, including his positive and dutiful treatment of her, on the one hand, and his defensive strategy, drawing a boundary between them, and providing him with some distance. It also shows her attempt to use rejection as a reprisal for his creation of a protective space between them. Furthermore, it could point to her rewarding Cloud for ‘white’ behavior, while punishing him for his indigenous ‘behavior’ – again, a possible rejection of his embrace of a warrior identity, and role in life as a spokesperson for his people.

In light of the pressure this correspondence reveals, Cloud’s ability to keep his Ho-Chunk warrior identity strong, even before meeting his Ojibwe wife, Elizabeth Bender, becomes very clear. An explicit example of this occurs when Cloud wrote to Bessie in 1907:

I have discovered a name that you must call me…. it suits my heart. It is ‘wah gi g ah nah’. The first ‘g’ hard as in (give) the second ‘g’ dotted, as in german ‘ch’ in machen. This is its meaning. In time of war among the Winnebagoes [Ho-Chunks], there is a young man, usually the nephew of the war-chief, who does anything, which the war-chief requests him to do. He will be the scout of the war party if it is so requested. He will cook. He must carry the war-chief’s burden on his back during the long marches. The hero of that story […] was a ‘wah gi g ah nah’. He had to cook, scout, and carry burdens. But of all purely Indians stories I have heard no character [who] appeals to me so much as that one does.20

Cloud wrote this letter to Bessie one year after meeting the Roes and before meeting his future wife, Elizabeth. This letter is evidence of how important and central his sense of Ho-Chunk warrior identity was to him as a Ho-Chunk man, and shows he was strongly resisting the colonial tactics of the Roes, who, according to Pfister, were
Ramirez, ‘Henry Roe Cloud to Henry Cloud’

working hard to assimilate him and turn him into an ‘individual’. Indeed, his request to be called by an ancestral Ho-Chunk warrior name is a powerful strategy of resilience that testifies to Cloud’s sense of himself as part of a larger struggle to preserve and protect his people. The passing down of Ho-Chunk names is an honour and a way for us as Ho-Chunk people to perpetuate our culture. It is central to one’s identity as a Ho-Chunk person. It is also evidence of the centrality of Cloud’s sense of Ho-Chunk warrior identity that revolved around taking care of others, and serving his people. Indeed, Cloud’s request was a creative way for him to maintain a connection to his Ho-Chunk past, present, and future, as well as his Ho-Chunk cultural lineage and male identity, while away from his people.

Furthermore, Cloud’s request was a direct challenge against settler colonialism. In Imperial Eyes, Mary Pratt discusses how the very first thing the coloniser did when stepping foot upon the land in the Americas was naming it, using European names. Similarly, whites gave young Native children English language names as part of the assimilation project in federal boarding schools. Cloud’s use of Ho-Chunk naming was a way for him to carve out a Ho-Chunk-centric environment, or hub, in the midst of his white, missionary family, while keeping his sense of Ho-Chunk kinship strong. This Ho-Chunk-centric hub was a valuable strategy, a foundation for the development of his indigenous intellectual ability and perspective. Fundamental to developing one’s identity as a Native intellectual is the ability to see the world through Native eyes. This is similar to the strategies of urban Indians who create hubs of Native-centric interaction while living in the city, thus challenging the purpose of the federal government to use Natives’ relocation into cities to assimilate them.

HENRY CLOUD: HO-CHUNK WARRIOR AND INTELLECTUAL

Cloud’s reliance on his Ho-Chunk warrior identity was inextricably linked to his analytical lens as a Ho-Chunk intellectual, encouraging him to fight back against settler colonialism. In a letter to Mary Roe he asserts his Ho-Chunk warrior identity by using ‘warrior talk’ while discussing General Pratt, the founder of the first government
boarding school for Native Americans, Carlisle. It was founded in 1879 and focused on vocational rather than college training, since Native Americans were viewed lower on the social evolutionary ladder, and therefore not intelligent enough to participate in college preparatory education. He wrote:

General Pratt has shown himself a venomous creature and we need to treat him as such. The poor old man is to be pitied for his long lost fight for Carlisle and his one idea. He has the Indian Office in general against him; all the missionaries who know actual conditions are one against him. All he can do is to join forces with people of like mongrel feathertails and there are many of them – all willing to come down to the lowest kind of muckraking methods. I would not have anything to do with him. If he gets in my way I’ll hit him hard and knock him out and go on. The trouble with Pratt is – he is selfishly egotistical [...], he would take the responsibility of recreating the Indian race if he thought he had the power. He little realizes what great harm he has done the Indian race by posing as their greatest friend. He was the man who in the first place limited the Indian education down to the eighth grade.25

Cloud uses warrior language by describing General Pratt as ‘the enemy’ of the Indian race, although I do not think that he would physically hit Pratt, but rather that he would ‘hit him’ with rhetorical blows if he got ‘in his way’. Cloud criticises Pratt’s paternalism, thinking he had the right to ‘recreate the Indian race’. Cloud also adapts the highly racialised and white supremacist term ‘mongrel’ to use against whites who supported Pratt and Carlisle and as a challenge against the impact of colonialism and racism on Native people. The quotation points to how Cloud’s warrior education was fundamental to his anti-colonial strategies, since this education instructed him to protect his people, and fight fiercely against the enemy. It also taught him a Ho-Chunk intellectual perspective, enabling him to critique Pratt as paternalistic and disrespectful of
Native intellectual abilities, assuming that an eighth grade education was sufficient for indigenous children.

Later in his life, in 1944, Cloud also taught Bessie how to examine history from a Native American perspective, once again demonstrating his ability as a Ho-Chunk intellectual. She had sent him her chapter about Indian and white relations in Virginia in the 1600s and asked for his feedback. In response, he wrote:

After ten or more points you bring out as to why the Indians attacked the English so violently in 1622 in Va. [Virginia], I think more should be made of the fact of the Indian dispossessed. Show how this process can be so painful to them.

According to the English Diaries the English looked upon the Indians as inferior, fit to be servants to the English and as the Indians occupied the best corn lands, most fertile spots to be found in the country enjoyed the deer and wild fowl, the English longed for these very lands and as shiploads of them came over there was need for more and more of this land. Then too their domesticated animals ran all over the place destroying cornfields causing disturbances not only in Va. but also in other settlements. If there is one thing an Indian resents, it is to be thought of as inferior. As a matter of fact he thinks or measures himself as superior [...]. Hence pride is one of the most outstanding [facts] of Indian nature. Yet was it not Yardley who took Opechancanough [chief of the Powhatan] by the lock of his hair and utterly humiliated him for corn? No man can do that to a chief and not hear from it later. An Indian never forgot such arrogance. He was humiliated by that act [in front of] the whole tribe. [...].

They prospered on corn, tobacco, cattle, swine and poultry on lands which the Indian considered rightfully his own. They ruthlessly disinterred the bones of Powhatan [the leader of the Powhatan federation] in 1621. The resting place to the Indian is terribly sacred
Above all things to alarm the Indians were their imported epidemics [...] In these times, Indians are losing their lands by the loans ostensibly made as a gesture of friendship on the part of the whites, and then find themselves dispossessed of their lands later when unable to repay [...] If you put these very strong elemental feelings of the Indians which interpreted by the Indians as jeopardizing their existence then the attack assumed economic, racial and rancor from high handed treatment as Casus Belli rather than cruelty per se. 26

Cloud is able to build a persuasive analytical case against settler colonialism, discussing how the behavior of the English should be viewed as justification for acts of war. By relying on an indigenous warrior perspective, he discusses how the English’s disrespectful behavior would encourage Natives to fight back. Certainly, his Native-centric and Ho-Chunk warrior view of history attacks the underlying assumptions that work to normalise settlers’ behaviour. Settler colonial histories tell a heroic struggle between good and evil, viewing indigenous peoples as evil and settlers as good. Cloud subverted this good versus evil binary by arguing that indigenous peoples were justified to attack the English and that their actions were not ‘cruelty per se’. He challenged viewing settler behavior towards Natives as based upon goodness, friendship, or benevolence by describing the land loss when Natives could not repay the loans given to by the English ‘ostensibly’ as gestures of friendship. 27 Indeed, he reveals how the settlers profited from their occupation of stolen indigenous land. Moreover, Cloud’s astute analysis of how the English’s tactics revolved around land dispossession and economic interest exposes how settler colonialism works.

Cloud’s discussion of the English’s colonial tactics, his emphasis on a Native warrior perspective, and his overall ability to discuss an indigenous approach to history, shows how his Ho-Chunk cultural lens was central to his intellectual analysis. In these ways, his intellectual work is foundational to the development of Ho-Chunk studies, which includes later scholars, such as Amy Lonetree, Truman Lowe, Tom Jones, David Lee-Smith, his daughter, Woesha
Cloud North, George Greendeer, and Allen Walker. Cloud works to open lines of communication between him and Bessie, encouraging her to understand how Natives had a rightful cause to retaliate against unfair treatment. By trying to sensitise Bessie to an indigenous perspective of history, Cloud works again to create a supportive indigenous hub or network in the midst of his white ‘family’, remaining strong and maintaining his identity as a Ho-Chunk man and an intellectual.

As a Ho-Chunk warrior and Christian, Cloud’s appropriation of the popular rhetoric of white masculinity, of the ‘self-made’ man, was yet another strategy of indigenous resilience, helping him to intensify his masculine power in white society. In his autobiographical narrative, Cloud discusses his growing up on the Winnebago reservation in Nebraska, learning traditional Ho-Chunk culture. He discusses being taken by a policeman to a government boarding school, refusing to forget his Ho-Chunk language even though using it was strictly forbidden, attending a mission school where he converted to Christianity, and finally attending Mount Herman, a college preparatory school. He describes how he had to leave Mount Herman for one year in order to make enough money to pay his way. He worked for an entire year on a farm in New Jersey to earn money. He discusses learning to pay for what he received and to understand the value of money, the meaning of hard work, and the worth of time. These are all values that proved he was closer to the ‘modern’ Indian ideal, not a ‘dirty beggar’, a popular stereotype about reservation Indians. Cloud was also applying traditional Ho-Chunk concepts about the hard work of being a warrior – the ‘cooking’ and ‘carrying burdens’ type of warrior apprenticeship.

By emphasising his humble beginnings and his drive to support himself, he appropriates the popular white masculine notion of the ‘self-made’ man, but he as well infuses his identity with the Ho-Chunk notion of warrior as servant. Benjamin Franklin, and later in the century Horatio Alger Jr., were ‘self-made’ men, who became heroes as part of justifying the individualistic spirit of self-interest. During the late nineteenth and early twentieth century, racial justice movements created leaders into examples of heroic masculinity. These pivotal and influential leaders, including Frederick Douglas, Booker T. Washington, and W. E. B. Dubois, were brave and heroic
fighters for racial equality. What made these figures heroic was not only their ability to rise above humble beginnings to gain personal success, but also, more importantly, their public work and very strong dedication to their racial communities, which is a huge divergence from white ideals of individual improvement. In the same way, Cloud as a warrior appropriated a white ideal, but used it as a kind of camouflage for deeply held indigenous concepts of self and community.

Similarly, by highlighting his personal success, humble beginnings, and strong commitment to his Native people and Ho-Chunk identity, Cloud claims his sense of a Native heroic masculinity during a time period when whites had worked hard to greatly reduce Native male power by treating them as defeated non-men. For instance, even though it was Natives who had defeated Custer in defense of their homelands, it is Custer who is highlighted as dying on his feet, asserting his white male masculinity. Cloud’s emphasis of his ‘self-made’ masculine character was an innovative strategy to increase his masculine power so that he would not be viewed as a Native ‘non-man’. Cloud subverted the gendered settler colonial tactic of trying to take away his manhood. It was a Ho-Chunk warrior strategy, a crucial element in his Native male resilience in the face of colonial adversity.

Cloud’s letter to Mary Roe shows the positive impact of his published autobiography, which highlights his identity as a self-made man. In 1916, Cloud describes an instance of racism he experienced with his newly married wife, Elizabeth. He also discusses their fundraising for his college preparatory high school for Indian boys. He writes:

That noon in going to the hotel for lunch we were taken for Negroes and sent to the kitchen for our lunch. When I asked for the ladies wash room and dressing toilet room the proprietors pointed to a slop bucket place and told me to wash there. When I asked her if that was all they had, she said ‘yes’. Needless to say we did not eat in the kitchen nor wash in the slop place. We ate in the dining room with all the members of the Harvard club. Elizabeth and I felt pretty blue for these two days. The
first time she went with me to make an appeal [for money] I got such brusque treatment and such insult from piggish folk.

The world has its two sides but Christian philosophy melts it all. We took it as part of the game. We reported to the McCormick’s and I shouldn’t be surprised if they raised their gift to $3500. One of the finest experiences in my life came after this affair at Lake Geneva […]. Mr. McCormick invited Elizabeth and me to dinner. […] To my great surprise he said, ‘We will drive over to my mother’s place and see her [for] five minutes!’ As soon as she came out she said, ‘Why, Henry Cloud I know all about you. I have read [about] your beautiful life in the Southern Workman’. I am so happy to meet you and Mrs. Cloud.’

Cloud emphasises his sense of power and elevated class status as an educated Native man by discussing how he refused to eat in the hotel’s restaurant because of racist treatment, choosing instead to eat at the Harvard club. He highlights his and his wife, Elizabeth’s resilience, quickly recovering from ‘feeling blue’, and seeing their racist treatment as ‘part of the game’, while highlighting their excellent fundraising abilities. Cloud discusses two sides of white society – one that racialises him, and the other that treats him with respect. Rather than viewing Cloud through the lens of racism, Mrs. McCormick refers to his published autobiography, and describes Cloud’s life as ‘beautiful’. Cloud attributes his respectful treatment to Christianity, since the McCormicks were Christians. Indeed, his rhetorical use of the self-made man and Christian identity in his life story very likely supported an elderly Christian woman’s positive impression of him. Cloud’s creative use of dominant discourses, including the self-made man and Christianity, was, therefore, a useful strategy to challenge how settler society had worked to disempower Native men in general.
A CRITIQUE OF THE YALE INDIAN: THE EDUCATION OF HENRY CLOUD

I have discussed how Cloud resisted gendered settler colonialism. In the following section, I critique Pfister’s book, The Yale Indian. The Yale Indian is in the public eye, which influences how Henry Cloud is remembered. The title, The Yale Indian, elucidates the central problem of the book, and that is to view Cloud as an individual, ‘The’ Indian, removed from his Ho-Chunk people. Pfister portrays him mainly as a product of white cultural and institutional education, especially Yale and his adoptive white family.

Pfister removes Cloud from his tribe and Native people. As Pfister himself admits, his book is primarily based upon Cloud’s personal writings and his letters to his adopted white family. However, many of these letters very likely discuss what Cloud strategically chose to write in the context of colonial dynamics related to race, class, and gender. Indeed, these power dynamics can make a subordinated person feel uncomfortable to express one’s true feelings or perspectives. Even so, there is correspondence in the Yale archive which emphasises Ho-Chunk viewpoints missed by Pfister entirely. Pfister even makes a mistake about Cloud’s clan, calling him a member of the Bear clan. This error shows his lack of care regarding a pivotal Ho-Chunk cultural attribute and his lack of knowledge about the powerful importance of clan membership in Ho-Chunk educational training and upbringing. He also makes a mistake about Elizabeth’s tribal affiliation. She grew up on the White Earth Ojibwe (Chippewa) reservation in Minnesota and was not a Bad River Chippewa.

His choice to focus his research only in one archive means he did not take into account Cloud’s correspondences held in many archives throughout the United States, including the US National archives in Kansas City, Washington DC, and Seattle, and the Presbyterian Church archives. The Cloud family also has many of Henry’s letters. Pfister’s decision to concentrate mostly on Indian-white relations, and not to discuss adequately Cloud’s relationships with other Natives, including his wife, is especially problematic, since Pfister argues that his marriage to Elizabeth was a defining moment in his life, encouraging him to follow a ‘I-am-We’ self-definition and
In this way, Pfister seems to portray Cloud as an emotional/psychological ‘captive’ within the individualising colonial dynamics of a white missionary family (until he met and married Elizabeth). Thus, Pfister minimises Cloud’s cultural strength and power as a Ho-Chunk man raised and educated as a Ho-Chunk warrior. Despite his thorough research in one archive, the book is incomplete also because he decided not to interview Cloud’s descendants and other Ho-Chunk people, and not to use the dissertation of Woesha Cloud North, Cloud’s daughter, which emphasises Ho-Chunk traditional education. Because of Pfister’s limited scope, the book does not incorporate the pivotal influence of his Ho-Chunk educational upbringing.

Furthermore, Pfister’s methodological approach as an American studies literary scholar has colonial implications. I spoke to him on the phone when the book was soon to be published, and he called the Roe/Cloud letters a ‘theoretical goldmine’. The word ‘goldmine’ has a colonial connotation, and alludes to viewing these letters as knowledge to be extracted, similar to mining resources on indigenous land. I discussed how there were elements of the Roe/Cloud relationship we wanted kept private – a Cloud family concern he did not respect. He seemed to view these letters as knowledge for the taking, with or without Ho-Chunk or family knowledge or consent. In the book’s preface, for example, Pfister discusses that the archive at the Sterling Library at Yale University was accessible since the 1980s and that at least one descendant, Cloud’s daughter, Woesha Cloud North, knew about these letters. Then, he asserts that Cloud’s descendants could choose to write their own volume about Cloud. Pfister does not discuss the importance of collaborating with Cloud’s descendants and/or the Ho-Chunk tribe from the very start of his archival research. His distinctly colonial attitude – his ‘ownership’ – rules out important Ho-Chunk insights into white-Indian power dynamics. Ethnographic observations of indigenous peoples were assertions of the imperial power to scrutinise indigenous peoples without taking indigenous peoples’ analysis seriously and without consent. Likewise, archival researchers, who use an imperial gaze to analyse indigenous peoples’ letters without taking Native analytical perspectives seriously and without consent, are using a colonial methodology.
Because of Pfister’s many choices, including not discussing Cloud’s Ho-Chunk upbringing, and not relying upon appropriate Ho-Chunk sources, contemporary Ho-Chunks might not recognise Cloud as a Ho-Chunk man. Pfister’s portrayal of Cloud could be in effect an attempt to eliminate Cloud as a Native. Patrick Wolfe discusses how anthropology was for a long time a soliloquy of Western discourse talking to itself without ever engaging seriously with Natives.\(^4\)

Similarly, Pfister did not incorporate enough of Cloud’s descendants’ analysis of his letters, or Ho-Chunks’ understandings of him.\(^4\)

Ultimately, Pfister needed to ‘remove’ Cloud from his family and tribe in order to support his argument about Cloud becoming an ‘individualist’.

Finally, Pfister chooses not to face the full implication of Mary Roe’s colonial maternal behavior. However, according to Margaret Jacobs, it is essential to face the full colonial implications of white women’s behavior towards indigenous peoples.\(^4\)

Indeed, Pfister describes Mary Roe’s maternalism as ‘sentimental mothering’, which should be understood, he argues, ‘compassionately’.\(^4\)

Pfister neglects to emphasise Cloud’s unhappiness, and his work to remove himself from the emotional consequences aspect of her ‘maternalism’.\(^4\)

It was an ultimately effective defensive tactic, a choice showing his resilience as a Ho-Chunk young man.\(^4\)

In sum, my analytical approach is Ho-Chunk-centric, an approach that is equally aware of Mary Roe’s colonial maternalism and of Cloud’s resistance in the face of gendered settler colonialism. Cloud defied colonial reality by appropriating the white notion of the self-made man, and by relying upon his Ho-Chunk masculinity, his partnership with his wife, his Christian identity, and a cluster of Ho-Chunk-centric hubs. His Ho-Chunk warrior training contributed to his Native intellectual abilities. Pfister’s colonial claim to ‘own’ Cloud’s letters prevents a serious discussion of Indian-white settler colonial power dynamics. Pfister’s focus on Cloud’s ‘individuality’, while not adequately discussing Cloud’s Ho-Chunkness, resembles the settler colonial process of removal, separating Cloud from his Ho-Chunk people. In this way, Pfister participates in a soliloquy within non-Ho-Chunk literary discourse and his theoretical discussion never enters into a responsible conversation with Ho-Chunk and Native perspectives.
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BIOGRAPHICAL NOTE

Renya K. Ramirez, an enrolled member of the Winnebago Tribe of Nebraska, is Associate Professor of anthropology at the University of California, Santa Cruz.

NOTES

1 Renato Rosaldo discusses how subordinated groups’ rely upon creativity in order to deal with power relations. See Renato Rosaldo, Culture and Truth: The Remaking Social Analysis (Boston: Beacon, 1989).
2 I use the Paiute activist, Laverne Roberts’ concept of the hub, which explains how urban Native Americans maintain their indigenous senses of culture, community, identity, and belonging, in order to discuss Cloud’s diasporic experiences, living away from his tribal homelands. Hubs are based in geographic space, including meetings, and virtual space, including phone calling. See Renya Ramirez, Native Hubs: Culture, Community, and Belonging in Silicon Valley and Beyond, (Durham, NC: Duke University Press, 2007).
5 Pfister, The Yale Indian: xiv.
6 Pfister, The Yale Indian: 16.
7 Henry Cloud to Mary Roe, 18/07/07, Box 67, Folder 1078, Yale Sterling Library, Roe Family Papers.
8 Woeshia Cloud North, Notes, Woeshia Cloud North files, author’s possession, no date, no page number.
9 Deborah Miranda, Bad Indians (Lincoln, NE: University of Nebraska Press, forthcoming), Margaret Jacobs, White Mother to the Dark Race, (Lincoln, NE: University of Nebraska Press, 2009).
Ramirez, ‘Henry Roe Cloud to Henry Cloud’

11 Mary Roe to Henry Cloud, 30/01/07, Yale Sterling Library, Roe Family Papers.
12 Mary Roe to Henry Cloud, 11/12/09, Yale Sterling Library, Roe Family Papers.
13 Pfister, The Yale Indian: 101
14 Jacobs, White Mother to a Dark Race.
15 Mary Roe to Henry Cloud, 11/09, Box 67, Folder 1098, Yale Sterling Library, Roe Family Papers.
16 Mary Roe to Henry Cloud, 18/07/07, Box 67, Folder 1078, Yale Sterling Library, Roe Family Papers.
17 Elizabeth Cloud to Henry Cloud, 12/03/20. Letter in author’s possession.
18 Elizabeth Cloud to Henry Cloud, 23/03/20. Letter in author’s possession.
19 Mary Roe to Henry Cloud, 21/12/19. Letter in author’s possession.
20 Henry Cloud to Elizabeth (Bessie) Page, 06/10/07, Yale Sterling Library, Roe Family Papers.
21 Woesha Cloud North, Informal Education in Winnebago Tribal Society with Implications for Formal Education (Lincoln, NE: University of Nebraska Phd dissertation, 1978). My mother writes about the importance of our family’s Ho-Chunk naming ceremony, which occurred on the Winnebago reservation in Nebraska. When a Ho-Chunk person is born, children are named in accordance with their birth order. After a Ho-Chunk person grows older, a name related to one’s clan affiliation is chosen with the help of an elder.
23 Ramirez, Native Hubs.
25 Henry Cloud to Mary Roe, 09/02/15, Yale Sterling Library, Roe Family Papers.
26 Henry Cloud to Elizabeth (Bessie) Page, 24/09/44. Letter in author’s possession.
31 Basso, McCall, Garceau (eds), Across the Great Divide: 1-2.
32 Henry Cloud to Mary Roe, 06/08/16, Yale Sterling Library, Roe Family Papers.
Pfister’s title – ‘The Yale Indian’ – uses ‘Yale’ as a modifier, and by using the definite article Pfister emphasises Cloud’s singularity. In other words, for Pfister Cloud is the ‘only’ Yale Indian. In a way, he becomes Yale’s property.


Lucy Maddox, Citizen Indians: Native American Intellectuals, Race, and Reform, (Ithaca, NY: Cornell University Press, 2005). Maddox argues that Cloud’s contemporaries, who were members of the Society of American Indians, had to be strategic about what they wrote and spoke about because of racial and other power dynamics.

Furness, ‘Challenging the myth of indigenous peoples’ “last stand”’. Furness discusses the difference between deliberate and repressive silence in regards to power dynamics.


Even if my sister, Mary McNeil, told Pfister about this powerful partnership, her analysis is not referred to in his book. Papagianni, ‘Pfister’s The Yale Indian’.


Patrick Wolfe, Settler Colonialism and the Transformation of Anthropology.

While Cloud’s descendants did read and gave Pfister feedback regarding his manuscript, his overall argument and approach did not change. His approach was not one of collaboration. He did not work with the Cloud family and/or with Ho-Chunks people from the very beginning of his research. We heard about Pfister’s manuscript right before it was to be published from a Native friend who had seen the manuscript. A copyright lawyer was hired. As a result of their research, Cloud’s descendants determined that they own the copyrights in Cloud’s letters. This is why Cloud’s letters are not quoted in The Yale Indian. I read Pfister’s manuscript and gave him feedback, but he did not seem to be interested in my analysis of the Roe/Cloud correspondence. Anthropologists have been working collaboratively with indigenous communities for decades. I argue that this kind of collaboration with indigenous communities should be carried out by archival researchers as well. Ramirez, ‘Henry Roe Cloud’.

Margaret Jacobs, Mother to a Dark Race.


Pfister, for example, does not emphasize Cloud’s letter to Mary Roe where he works to extricate himself from the ‘sentimental’ aspect of her mothering. Pfister writes: ‘Two months before the ailing Walter died in 1913, Henry wrote her again [...] He observed that his tie to her was not romantic and that she, in truth, was not his biological mother’. Pfister, The Yale Indian: 111.

Henry Cloud to Mary Roe, 0901/13, Letter in author’s possession. My mother collected this letter when she visited the Sterling library’s Yale archive.
‘From Jerusalem to the Grand River, Our Struggles are One’:
Challenging Canadian and Israeli Settler Colonialism

MIKE KREBS
Boycott Israeli Apartheid Campaign
DANA M. OLWAN
Syracuse University

This article explores the possibilities and histories of indigenous solidarity struggles against the settler colonial states of Canada and Israel. Throughout this work, we examine activist and political movements from Canada that make connections between the struggles of indigenous peoples in Canada and Palestine. We ask: In light of efforts to usurp indigenous identities in the service of settler colonial states, how do Palestine activists in Canada create lines of solidarity with indigenous peoples? And how can we foster global solidarity with Palestinians that are attuned to local native struggles for sovereignty and self-determination? We attempt to address these questions by utilizing a comparative framework that addresses the gendered and racialised aspects of the settler colonial projects of Canada and Israel.

In 2005, Phil Fontaine, former National Chief of the Assembly of First Nations in Canada, and Ed Morgan, founding National Chair of the Canadian Academic Friends of Israel, co-authored an opinion piece entitled ‘Aboriginals, Jews Stand Together’. Published in the Canadian daily, The Globe and Mail, and circulated widely through the internet, the article redresses the controversy surrounding the anti-Semitic statements made by David Ahenakew, former national chief of the Assembly of First Nations.1 Throughout the piece, the authors offer examples of solidarity and alliance that challenge the perception of a ‘negative’ relationship between aboriginal and Jewish communities in Canada.2 While issuing a strong condemnation of
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racism and anti-Semitism, Fontaine and Morgan emphasise the similar histories of dispossession and dispersal between Jewish and aboriginal people. In order to strengthen alliances and solidarities amongst the two communities, the authors suggest ‘exploring the possibility of shared study missions, both to the state of Israel and to First Nations communities in Canada’.  

Shortly after the publication of this article, a group of native men and women traveled to Israel from Canada on a trip funded by the Canadian Jewish Congress (CJC). In a heavily distributed media release that boasted about the significance of the mission, the CJC highlighted the ‘educational’ aspect of this trip and listed some of the planned excursions to cultural, religious, and historical sites in Israel. The trip also included a meeting with Moshe Kastav, former president of Israel, and Donald Sinclair, Canada’s ambassador to Israel at that time. In their joint statement to the press, Fontaine and Morgan emphasised the importance of aboriginal and Jewish resilience in the face of racist threats. Building on the claim to shared histories, the official media release extended Fontaine and Morgan’s political call for affinity between Jewish and native communities living in Canada in order to construct a naturalised relationship of alliance between natives and ‘the people of Israel’.

This article opens with a discussion of the AFN visit in order to explore how settler colonial states usurp indigenous identities. We are invested in exploring the possibilities and histories of indigenous solidarity struggles against the settler colonial states of Canada and Israel and in ongoing efforts to reclaim indigeneity as a site of mutual struggle and ongoing solidarity. Throughout this work, we examine activist and political movements from Canada that make the connection between the struggles of indigenous peoples there and in Palestine. In our political desire to connect solidarity struggles between indigenous peoples, we ask: How do Palestine activists in Canada create lines of solidarity with indigenous peoples? How can we foster global solidarity with the Palestinian people while addressing native struggles for sovereignty and self determination? We ask these questions while addressing the gendered and racialised aspects of the Israeli and Canadian settler colonial projects.
RECLAIMING INDIGENITY

The 2006 visit to Israel by the Assembly of First Nations took place against an erased backdrop of normalised Israeli violence against the Palestinian people. It was a political coup for Zionism in Canada, Israel, and beyond. In an article published in the Israeli newspaper, *The Jerusalem Post*, Gil Zobar highlighted the significance of the visit, writing that it fostered a ‘common language’ and encouraged ‘dialogue’ between the ‘18 aboriginal leaders’ and the Israeli state. On the question of the Israeli occupation, Zobar asserts: ‘The group largely refrained from discussion of the Israeli-Palestinian conflict’, even though the aboriginal leaders were ‘intrigued by the plight of the Beduin [sic]’. Several years after the visit, the Israeli embassy in Ottawa continues to dedicate a page on its website to celebrate the alliances and solidarities between native people and the Israeli state which such visits inevitably suggest and seek to foster.

Marketed as cultural visits that are based on the assumption of natural solidarity between native peoples and Israelis, these developments make clear how these alliances are secured at the expense of indigenous peoples and their struggles against settler colonial states. In the various interviews given after the visit, for example, Phil Fontaine constantly refuted the connection between natives and Palestinians, arguing, instead, that it is with Jewish people and the Israeli state that native peoples have most in common. In one interview, he states the following: ‘The purpose of our trip was not to delve into the Palestinian situation. We came here to learn about the Jewish experience and witness very directly the transition of this country [... Jewish People have] secured their homeland against tremendous odds’. While these statements flip the categories of settler and colonial, coloniser and colonised, they also operate by obscuring the material and historical legacies of colonialism in both Turtle Island and Palestine. Moreover, these visits provide important opportunities for both the Canadian and Israeli states to extend the logics and powers of settler colonial states.

Although its success was claimed and celebrated in Canadian media and on Zionist websites, this visit garnered strong opposition and negative responses from pro-Palestine solidarity activists and
native allies in Canada. To understand this opposition, one needs to contextualise the extent of Israeli occupation and systemic colonisation in the year 2006 when this visit took place. In its summary of annual statistics for the year 2006, B’Tselem, the Israeli Information Center for Human Rights in the Occupied Territories, reported that between January 2006 and December 27, 2006 Israeli forces had killed 660 Palestinians, demolished a total of 334 homes in the West Bank and Gaza Strip, held 9,075 Palestinians in custody, including 345 minors, and that it maintained 54 permanent checkpoints and 160 ‘flying checkpoints’. Commenting on the issue of restrictions of movement in the West Bank and Gaza, the report also noted that Israel had erected various barriers, dirt piles, and trenches that impeded Palestinian movement. In light of this context of the deepened colonisation of Palestine, a context which the AFN leaders refused to acknowledge or witness, it is not surprising that Phil Fontaine’s remarks and the AFN’s visit have been so heavily criticised by indigenous and Palestinian activists engaged in solidarity work between indigenous peoples.

In an ‘Open Letter’ issued to the Assembly of First Nations (AFN) by Hanna Kawas of the Canada Palestine Association (CPA) that was signed by over thirty organisations across Canada, the CPA stated the following: ‘We are saddened, hurt and shocked by the visit of a delegation of the Assembly of First Nations (AFN) to Israel’. Strongly worded and impassioned, the letter makes direct references to the settler colonial projects that led to the establishment of Canada and Israel. It invokes long and shared histories of genocide, ethnic cleansing, and land theft and provides the ‘chiefs, elders, and leaders of the Assembly of the First Nations’ a very explicit account of the history of the Zionist movement and its European settler colonial predecessor. The letter delivers an unequivocal moral condemnation of this visit and ends with the cautionary note that ‘indigenous peoples must never be a party to genocide’ against any ‘oppressed people’.

In a similar vein, influential native author Lee Maracle’s ‘On the AFN Visit to Palestine’ speaks of the author’s ‘shame and chagrin’ at the visit. Maracle questions the AFN leaders on their desire to share ‘language and culture’ and asks: ‘Just exactly what values is the AFN sharing?’ Likening the act of visiting Israel to
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placing a wreath on apartheid South Africa’s President Balthazar Johannes Vorster’s grave or joining the Custer Committee to celebrate the massacres of native people at Wounded Knee, Maracle’s letter offers a damning critique of the visit from an indigenous perspective. Leaving no doubt about her support of Palestinians and their struggles, Maracle ends her letter with the following:

The traditional values we hold dear are freedom, the end of oppression and justice for all...We want to assure the ‘Indians of the middle east’ that we will continue this support despite the bizarre behaviour of the AFN puppets.11

In her writing, Maracle makes a clear link between fighting apartheid in South Africa and Palestine and the liberation and self-determination of native people. More than that, her letter names Palestinians as the ‘Indians of the Middle East’, thus extending indigeneity as a site of solidarity, commonality, and shared struggle. Her letter thus echoes the sentiment raised in the CPA letter, as they both invoke settler colonialism as a paradigm for linking indigenous peoples from one context to another.

What is striking about such statements is the ways in which indigeneity becomes a principal tenet of solidarity. Such accounts both limit and extend what it means to be indigenous. To be indigenous, they claim, is to stand in solidarity with other indigenous peoples. It is to resist their occupations and the conditions of injustice to which they are subjected. It is to recognise, understand, and resist settler colonialism in its various manifestations and to make historical links between its interconnected racial logics. It is to refuse to support, enable, or sanction settler colonialisms in any context. It is precisely through an appeal to this shared history of struggle and indigeneity, an appeal that the AFN’s visit undercut, that solidarity between indigenous peoples is enacted in these statements.
SETTLER COLONIALISM FROM TURTLE ISLAND TO PALESTINE: THE DEFINING LOGICS

In order to explore our interest in solidarity movements and struggles between Turtle Island and Palestine, we will define what we mean by settler colonialism. In their article on the long histories of U.S. and Israeli colonialisms, David Lloyd and Laura Pulido define settler colonialism in this way:

Settler colonialism is the practice of conquering land and then populating it with the victorious people, the settlers. Such a population shift may be triggered by the need for space for an expanding population, or it may be prompted by the need to assert economic and political control in the new territory; regardless, it results in the dispossession and often the extermination of large parts of ‘native’ populations and the subsequent cultural, economic, and political subordination of the remainder.  

Lloyd and Pulido’s definition helps provide a framework for understanding how settler colonialism functions in various contexts. It is important to identify the systemic and interconnected nature and histories of the practices of settler colonialism that work to erase native populations and make room for settlers. While it dispossesses native peoples if their lands, it simultaneously asserts ‘a right of possession, legitimated by appeals to manifest destiny, divine dispensation, or merely a civilizing mission’, and enacted through force and violence.

We find this definition helpful for understanding how settler colonialism functions and for analyzing how this complex process shapes our experiences as indigenous peoples. Yet this definition ignores how the process of settler colonialism is both gendered and sexualised and that it is reproduced along the interconnected axes of gender, race, sexuality, and class. In what follows, we will provide some general similarities between the settler colonial projects of Canada and Israel while recognising that settler colonialism does not
operate independently of the histories and legacies of genocide, gendered and sexual violence, cultural appropriation, and land confiscation. While we focus on the similarities of the settler colonial projects of Canada and Israel, we do not seek to underplay the differences or to suggest that settler colonialism articulates itself in identical ways from one context to another.

The first and defining aspect of both Canadian and Israeli settler colonialism is the displacement of indigenous people from their land, and theft of that land and all its possible resources for the use and benefit of the settler population. In the case of Canada, this was done through the establishment of the reserve system. In most of what is now ‘Canada’ the British and the Canadian governments established treaties to demonstrate that they had seized sovereign control over the lands of indigenous people by diplomatic means and with the ‘consent’ of indigenous people. However, there are also areas such as the majority of the province of British Columbia where the colonisation of indigenous lands and the establishment of reserves took place with very few treaties. This is one of the ways in which the process of colonising indigenous land by the Canadian government and corporations continues. In British Columbia, for example, ‘modern day’ treaties are settled through the permanent extinguishment of inherent aboriginal land rights in exchange for fee-simple reserve lands.

Israel’s colonisation of Palestine also proceeds crucially through land theft. Zionist settlement began in earnest during the first decades of the 20th century, a process culminating with the 1948 Nakba (the Arabic word for ‘catastrophe’) which saw the displacement of over 750,000 Palestinians from what then became the state of Israel. This trajectory of land theft deepened after 1967 with the expansion of Jewish-only settlements in the occupied territories, which continues in the present and includes interconnected and highly-developed policies of land confiscation, annexation, alteration, and fragmentation. In 2001, this process of ‘spatial regulation’, as John Collins labels it, ‘became increasingly sophisticated and calibrated’. One of its most ‘visible’ markers is the creation of the apartheid wall which ‘[snakes] into the West Bank in order to effect a unilateral annexation of the territory occupied by Israeli settlement colonies’. In both Palestine and Canada,
struggles against settler colonialism continue to be defined by ongoing settler land appropriations and thefts.

Importantly, land theft from indigenous communities often was secured through the terrorising of indigenous girls and women and their subjection to the technologies of sexual harassment, intimidation, punishment, and rape. The rape and murder of indigenous women in Canada was part and parcel of colonialism and was a ‘tool of genocide’. In her crucial work on gendered and colonial violence, *Conquest: Sexual Violence and American Indian Genocide*, Andrea Smith explores how colonialism was enacted and maintained through regimes of sexual violence. Smith’s work demonstrates that acts of gendered and sexual violence are not singular, coincidental, or exceptional occurrences in the logics and actions of settler colonial states. They are, instead, constitutive and foundational aspects of settler power, control, and domination that work hand-in-hand with colonial practices of land theft, cultural and linguistic genocide, environmental racism, and spiritual appropriation. In her extensive writing on gendered violence as a tool of conquest and domination, Smith reminds readers that ‘It is through sexual violence that a colonizing group attempts to render a colonized people as inherently rapable, their lands inherently invadable, and their resources inherently extractable’.

In Canada, colonial power was maintained through both explicit and implicit acts of sexual and gendered violence against indigenous peoples. Colonial domination depended upon a legacy of past and ongoing violence against native men, women, and children buttressed by discriminatory, racist, and sexist legislations and laws, collectively known as the “Indian Act.” As various indigenous activists and scholars have shown, the Indian Act not only structured native life in Canada but also shaped and delimited it by defining indigeneity according to ‘Indian status’ and then exerting the power to assign or revoke it. Writing on the gendered effects of the Indian Act on native peoples, Bonita Lawrence demonstrates how as early as 1869 native women who married white men were stripped of Indian status and band membership through the ‘Gradual Enfranchisement Act’. This law, which was not modified until 1985, meant that by that time at least 100,000 native women and their descendants were left without legal status as indigenous persons.
Their subsequent denial of band membership and access to indigenous lands also for many people resulted in alienation from native cultures and ways of being.

Cultural genocide in the case of Canada also depended on the residential schooling system. Through its extensive state networks and apparatuses, indigenous children were stolen from their families and cut off from their communities, languages, and cultures. As various testimonies have revealed, sexual violence against indigenous children occurred throughout residential schools, with the last school closing its doors in Canada in 1996. And, as the late Patricia Monture writes, ‘it is notable, that as the prominence of the residential schools began to decline, the child welfare system began to scoop more and more aboriginal children’. Today, the percentage of indigenous children in child welfare systems ranges from 60% to 78% in some provinces and territories.

Such examples reveal how cultural genocide is maintained not only through the use of brute force but also through the application of egalitarian and liberal conceptions of the law, ostensibly designed to protect the very subjects it deems dangerous and unworthy or ones it simultaneously scripts as nonexistent. The move from explicit to more implicit forms of colonial violence, however, must not obfuscate the reality that sexual and gendered violence against native peoples are still practiced in Canada. As Andrea Smith reminds us, ‘while the era of Indian massacres in their more explicit form has ended in North America, the wholesale rape and mutilation of indigenous women’s bodies continues’. Although they may be less apparent, with the aid of laws that facilitate land confiscation, denial of services, and ghettoisation, they also have become more insidious, less visible, and thus more routinised and pervasive. The case of the over 580 missing and murdered native women in Canada is evidence of how the legacy of sexual violence against indigenous women continues to shape the ways in which indigenous bodies are targeted for disappearance and death while indigenous experiences of violence are erased.

Similarly, in colonised Palestine, land theft was secured not only by military force but also by laws that sanctioned the terrorising of indigenous Palestinian girls and women and subjected them to the technologies of sexual harassment, intimidation, punishment, and
death. This is why acts of gendered and sexual violence often accompanied the various massacres committed by Israel, including the massacre of the village of Deir Yassin where at least 300 Palestinian villagers were murdered at gun point by Zionist forces in 1949. In this massacre, Palestinian women were molested, raped, and then killed. In one example of such gendered and sexualised violence, the womb of a nine months pregnant Palestinian woman was cut open before she was murdered. In her study of Palestinian history, Rosemary Sayigh notes that this act reflects how ‘an atrocity particularly calculated to horrify’ was used to send a message to Palestinian men who ‘now had to choose: their country or their family’. The message was simple but with considerable political consequence. The use of women to break local patriarchal rule and facilitate the colonisation of lands and peoples of course is not new. As the anti-colonial psychologist and theorist Frantz Fanon explains, the targeting and collective punishment of women is ‘a precise political doctrine’, one that is intended to break the political and social fabric of a colonised society and diminish its capacity for resistance.

Although they now take less explicit forms, tactics of gendered and sexual violence continue in Palestine today. In addition to effectively eroding the gendered ties on which Palestinian life has depended for decades, Israeli colonialism has subjected Palestinian women to a double patriarchal rule that renders them susceptible to violence outside and inside their homes. As a report published by the World Bank states,

> Violence in the public sphere – through checkpoints, body searches, settler violence, and so forth – has intruded into the domestic sphere, and men and women have had to cope under conditions of tremendous anxiety and incertitude to ensure family survival.

While the report addresses the politics of gendered patriarchal violence in Palestinian households, it also makes clear that private acts of violence are shaped by public, historical, and political circumstances created first and foremost by the conditions of Israeli
occupation. These acts include restrictions placed on Palestinian movement via the building of apartheid walls, the destruction of livelihoods, the confiscation of lands and natural resources, and the military prison complex which in 2012 incarcerates, according to Addamer, Prisoner Support and Human Rights Organization, at least 4,659 Palestinian men, 6 women, 192 Palestinian children – 36 of whom are under the age of 16. Together, these interconnected webs of public and private acts of gendered violence reveal how Israeli colonialism, subjugation and control are continually secured.

A second crucial tool from the early stages of Canadian settler colonialism was the control of movement of indigenous people through what was known as the ‘pass system’. Enacted in 1885, it dictated that indigenous people required written permission from the local Indian Agent to leave their reserve. This written permit stated the reasons for moving from one place to another. The pass system was put into place during the Northwest Rebellion of 1885, and was justified by the Canadian government as a means by which to monitor indigenous people who were potentially participating in or supporting the rebellion. The pass system, though initially described as a temporary measure by the Canadian government at the time, was in fact used against indigenous people at least until the 1940s. This model of restricting the basic human rights of indigenous people to mobility within their own lands lives on today in Palestine. This includes the extensive systems of permits, checkpoints and the apartheid wall restricting and regulating movement of Palestinians in the West Bank and East Jerusalem, along with the hermetic siege of Gaza as the most extreme expression of control over movement from and within Palestinian reserves.

Another element of settler colonialism in Canada that has been perfected by Israel is the use of ‘negotiations’ as a means to entrench occupation and control of indigenous lands and resources. To give but one example from Canadian colonial history, when Treaty 7 was negotiated between the Canadian government and representatives of the Blackfoot confederacy, Tsu Tiina nation, and a number of Nakoda and Assiniboine communities, the Crown representatives brought a sizeable contingent of Northwest mounted police who pointed their cannons directly at the indigenous encampments and occasionally fired them as a show of force. In an
oral account of the signing of Treaty 7, Stoney Nakoda elder Morley Twoyoungmen recalls: ‘The chiefs said, “You talk of peace while there are guns pointing at me. This is not peace, please lay down your guns”’. 

Besides making indigenous people ‘an offer they couldn’t refuse’ with this particularly dubious form of peace negotiations, another colonial approach used by the Canadian government involves granting of permits or licenses to corporations. These licenses authorise the exploitation of natural resources from traditional indigenous territories prior to consulting with or gaining the consent of local communities. If native communities mount effective opposition and resistance to such projects, be it by direct action in the form of blockades or more conventional forms of registering opposition (band council activity or court cases), the Canadian government will begin ‘negotiation’ processes or public consultations. Such processes usually only serve to tie up the community in directionless negotiations that do not address its actual demands, while the theft of land and resources continues unabated.

One of the most notorious examples of this is that of the Lubicon Cree, who have been fighting for recognition from the Canadian government and reserve lands, and against oil and gas exploitation on their traditional territory, for over a century. The Lubicon Cree, whose traditional territory is located in Northern Alberta, were not included in the negotiations of Treaty 8 in 1899, and as a result the Canadian government never recognised the limited rights and establishment of reserve lands afforded to surrounding Cree communities. The Lubicon Cree applied for a land settlement in 1933, and the Canadian government agreed – after extensive negotiations – to grant them a reserve in 1939. As of 1952, however, when the provincial government started granting rights to conduct oil and gas exploration on Lubicon territory, no agreed-upon reserve lands had been established. By the 1980s gas and oil were being extracted from Lubicon territory at an alarming rate. In 1985 the provincial government averaged $1.2 million a day in royalties earned from the extraction of resources from Lubicon’s traditional territory.
After decades of consultations, judicial inquiries, court hearings, and a blockade of access roads by the Lubicon, the provincial government initiated yet another round of negotiations in 1988, which yielded neither a ratified agreement nor a halt to oil and gas exploitation.\textsuperscript{34} The last attempt to negotiate a settlement between the Lubicon and the federal government on territorial rights, compensation, and royalties for resource extraction ended in 2003 after the federal government withdrew from talks. Throughout this time and up to the present day, the exploitation of gas and oil resources by multinational corporations has continually intensified, and the result has been decades of destruction of Lubicon Cree lands, health, and traditional way of life.\textsuperscript{35} In the case of the Lubicon, and in many other indigenous communities across Canada, this use of endless negotiations has not only thwarted and circumvented assertions of rights over traditional lands, but ultimately assisted in extending the power of the settler colonial society and furthering its national and corporate interests.

Israel has employed the tactic of negotiations as an extension of war and settler colonialism with similar success at the expense of Palestinian aspirations. We can look at ‘Oslo 1’, ‘Oslo 2’, the ‘Roadmap to Peace’, the ‘Annapolis conference’, and other ‘peace processes’ sponsored by the US, EU, and ‘The Quartet’: in each case, not only does the Israeli settler project continue in its colonisation, war, brutality, and murder of Palestinian people in their lands, but the most basic demands articulated by Palestinians – ending the occupation, guaranteeing the right of return, granting equal rights for Palestinian Citizens of Israel – are invariably left out of the negotiations. Writing on the meaning of Oslo for Palestinian independence, Joseph Massad explains:

What Oslo aimed to do, therefore, was change the very goal of Palestinian politics from national independence from Israeli colonialism and occupation to one where Palestinians become fully dependent for their political and national survival on Israel and its sponsors in the interest of peace and security for their occupiers.\textsuperscript{36}
Subsequent negotiations after Oslo also utilised this political model, producing similar linguistic, national, and international effects. Displacement of the language of colonialism and occupation among Palestinians by the language of statehood and recognition effectively squelched Palestinian resistance, reframed and weakened Palestinian solidarity movements against Israeli occupation, and shifted Palestinian attention from civil mobilisations and anti-colonial struggle to focus, instead, on the promise of statehood.37

A final example we wish to examine here is the ways in which both Israel and Canada are guilty of the crime of apartheid. The definition of apartheid as laid out by the Rome Statute can be applied to Israel.38 The same holds true when comparing Canada and Israel and their similar but different uses of apartheid as part of their settler colonial projects. The Rome Statute, the international treaty which allowed for the establishment of the International Criminal Court, lists apartheid as a crime against humanity ‘committed in the context of an institutionalised regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime’. This is undoubtedly a fitting description of the basic logics of both Israeli and Canadian settler colonialisms.39

**SOLIDARITY IN CANADA: NATIONAL AND GENDERED FRAMEWORKS**

Illustrating the similarities between the settler colonial regimes of Canada and Israel helps Palestinian solidarity work. The history of solidarity work against apartheid South Africa undeniably serves to advance and inform the BDS-centered approach of solidarity work with Palestine.40 Given, however, that this solidarity work against settler-colonial Israel is being performed within a ‘fellow’ settler society, the movement doesn’t necessarily need to reach to an example as spatially- and temporally-distant as South African apartheid. Moreover, failing to inform Palestine solidarity work in Canada with an understanding of native struggles is inherently detrimental, both to amassing effective support for the Palestinian struggle and to advancing liberation struggles within Canada for indigenous and non-indigenous people alike.
An example of how failing to challenge Canadian settler colonialism can negatively impact Palestine solidarity work appears in the tendency of groups in Canada to rely on non-Palestinian speakers when organising local public forums and national tours. The lack, or at least underrepresentation, of Palestinian voices in educational work about Israel in Canada leads to solidarity work being less directly informed by the aspirations of Palestinians themselves. It is important to note that this phenomenon is experienced along gendered lines as well. Often, white male allies are asked to speak on behalf of the Palestinian cause in Canada. Women’s voices remain few and marginalised. We argue that questioning this mode of representation is crucial because the lack of Palestinian voices both reflects and reinforces the normalisation of settler colonialism through its exclusionary gendered, racialised, and national logics.

Fortunately, and to the credit of both local indigenous and Palestinian activists living within Canada, connections between the two struggles have been articulated at least since the 1970s in ways that inform political organising. In Vancouver, for example, there was a working relationship between the Canada Palestine Solidarity network and the Native Study Group as member groups of the Third World Peoples Coalition. In recent history, Palestinian solidarity groups across Canada, including Solidarity for Palestinian Human Rights (SPHR), Coalition Against Israeli Apartheid (CAIA), and Students Against Israeli Apartheid (SAIA), have worked hard to establish links between indigenous struggles of Turtle island and Palestine. Palestinian solidarity activists have also physically supported various indigenous struggles. This section examines an example of concrete support in the work of SPHR, CAIA, and Niagara Palestinian Association, who in 2006 offered material and physical assistance to Six Nations occupiers during the Haldimand Tract Reclamation. We interpret this political moment as a key example of the gendered political of transnational solidarity among indigenous peoples in the Americas and Palestinians.

*The 2006 Haldimand Tract Reclamation*
On February 28, 2006 the Six Nations Iroquois Confederacy became involved in a dispute with Henco Industries Ltd. when a group of native protesters from the Grand River Territory reserve occupied the construction site. The company had planned to develop Douglas Creek Estates, a housing development on lands that were part of an unresolved land claim. Susan M. Hill describes the history of this land reclamation struggle in this way:

A small group of Six Nations people moved onto a construction site on land between the contemporary boundaries of the Six Nations of the Grand River Territory and the town of Caledonia. The land had been municipally approved for a housing development. But long before Henco Industries’ suburban vision formed, the land was part of Haudenosaunee Territory, recognised by the British Crown in the Haldimand Proclamation of 1784 and the 1701 Albany Treaty. This parcel and thousands of other acres in the Grand River Territory are part of land claims clearly articulated to the Crown, in some cases for over two hundred years. 41

The struggle to reclaim the Six Nation land unfolded into a long encounter involving the Canadian state, the Ontario Provincial Police (OPP), the non-indigenous residents of Caledonia, and the indigenous communities and non-indigenous communities that joined this struggle. The occupation of the Grand River Territory and the Six Nations’ opposition to urban sprawl quickly became a national news story. Various media reported that the Six Nations land reclamation struggle challenged the authority of the Ontario government and carried ramifications on indigenous resistance in North America and beyond.

In an article on the different types of solidarity enacted at the site of the occupation, Tom Keefer notes:

With the people of Six Nations fighting to regain ownership of the 950,000 acres of the Haldimand tract originally granted to them by the British crown in 1784, the outcome of the struggle at Douglas Creek Estates has major implications for white settlers, the Canadian state, the Iroquois Confederacy, and indigenous peoples throughout North America. 42
The Crown’s recognition of the authority and power of the traditional government of the Grand River Haudenosaunee, including the central role of the Haudenosaunee clan mothers within the traditional longhouse system, signalled that the state would have to contend seriously with land claims and contestations. How it interacted with this would also have consequences for future encounters with indigenous struggles in Canada. The land reclamation struggle intensified on April 20, 2006, when the OPP raided the occupation site, and attacked, tasered and pepper sprayed protesters. This attack by state officials was met with resistance from native activists who eventually drove the OPP off the occupation site and called for reinforcement and solidarity from native and non native allies.

While providing a longer discussion of the history of this land reclamation struggle falls beyond the scope of this paper, there are two important dimensions of this reclamation that concern us here. The first is the gendered process inherent to both the colonisation of Haudenosaunee lands and the resistance to settler colonialism posed by the reclamation of the Haldimand Tract. Second, we use this moment to speak about the ways in which Palestinian solidarity activists responded to this call for solidarity and how their response posed a challenge to the actions of the Canadian state against Six Nations peoples.

_The Role of Indigenous Women in Reclaiming the Land_

One of the key aspects of the Canadian colonisation of the Haudenosaunee people and their lands was the imposition of the Indian Act band council system by force in 1924, which directly undermined the status of Haudenosaunee women (and weakened their society as a whole) by removing the positions of authority they previously held. A 2008 report by the Six Nations Traditional Women’s Council Fire And Haudenosaunee FORWARD, submitted to the United Nations Committee to End All Forms of Discrimination Against Women (CEDAW), clearly articulates this process:
The Clan mothers traditionally wield great influence in the well-being of their Clans and Nations [...] It is to be a matriarchal society as women are sacred as they are life givers, are title holders to the land, and that women instinctively know the price of war. With the European Contact, their roles were almost diminished with the genocidal policies of the European oppressive systems of law, politics, and social inequalities towards their women. With that, a lot of our men started practicing inequalities towards our women.\textsuperscript{43}

Rather than viewing the imposition of European patriarchal values as a by-product or incidental result of the colonisation of the Haudenosaunee people, the process of undermining the power of Haudenosaunee women is understood to be inherent to colonisation, a necessary aspect of imposing Canadian settler colonial rule over their lands. Further, this passage directly relates the day-to-day inequalities Haudenosaunee women experience within their own communities due to the process of colonisation.

Given that the imposition of Canadian settler colonialism was an inherently gendered process, it is not surprising that the Haudenosaunee authors of the report also see their project of resistance to the continued theft of their lands as one where the empowerment of Haudenosaunee communities starts with, and depends on, the reassertion of power and decision-making by Haudenosaunee women:

The governments of Canada do not recognize the Clan mothers’ legitimate and equal role in traditional politics, for example in the Six Nations Confederacy which is a matriarchal society. However, because women are the traditional leaders, it is women who are leading many of the current struggles for land rights in Canada. As a result, women are disproportionately affected by the police brutality and other forms of repression with which the state targets these struggles.\textsuperscript{44}
Here the role of Haudenosaunee women are positioned within struggles against Canadian settler colonialism, not simply as equal partners alongside indigenous men, but in providing unique perspectives as indigenous women that enables them to occupy particular leadership roles. This results in Haudenosaunee women being disproportionately feared by the Canadian government as a threat, and become more likely targets of state violence.

The central role of the Clan mothers in the Six Nations reclamation also disrupts understandings of resistance to settler colonialism that fail to incorporate a gendered analysis. The Clan mothers’ roles challenge the commonly held perception of the ‘Native standoff’ as being led by (or exclusively) a male-dominated, militaristic ‘warrior’ style organisation. In a Toronto Star interview of one of the spokespeople for the reclamation, the report addresses how ‘mainstream society misunderstands the term “warrior”’, associating it with gun-toting males. ‘The warrior spirit is in all of us’, the spokesperson says. ‘It’s not a male thing. It’s not a female thing. It’s about love. It’s about harmony’.45

From Six Nations to Palestinian Solidarities

The Six Nations reclamation that started in 2006 is also significant because of the ways in which connections between Canadian and Israeli settler-colonialisms were directly highlighted through the support provided to the reclamation by Palestine solidarity organisations. On May 3, 2006, the Niagara Palestinian Association (NPA), a southern-Ontario based coalition, responded to the call for support from the reclamation organisers by visiting, and later occupying, the site with indigenous men and women. With them, the Palestinian solidarity activists brought food and reinforcements to support the indigenous occupiers. In addition to such assistance, the group provided Palestinian scarves and a Palestinian flag. This flag was presented to ‘Onkwehonweh clan mothers, chiefs, braves and [the] solidarity community who are camped out at the blockade’.46 Shortly after, the Palestinian flag was raised on the same pole below a Mohawk flag. The symbolic significance of this moment of solidarity was enormous in that it showcased how indigenous peoples
and Palestinian solidarity activists in Canada supported each other and that their struggles are aligned.

Speaking at an event entitled ‘The Politics of Six Nations-Palestinian Alliances’ held in 2008 at McMaster University, Jamilla Ghaddar, former member of SPHR and one of the occupiers at the site, recounted her feelings of pride at this display of solidarity:

One of the proudest moments in the lives of the McMaster SPHR and of my life and the Palestinian solidarity movement was the day the Palestinian flag was raised over the reclamation site. That day the Niagara Palestinian Association along with the Haudenosaunee people hoisted and raised the Palestinian flag along side the flag of Haudenosaunee... In the months following, through cold and mud, moments of exhaustion and worry, we would raise our eyes to the swaying of the flags and think, we are one, and the winds carry our colours together from Jerusalem to the Grand River [...] Our struggles are one.47

As an Arab woman witness, leader, supporter, and active participant who put her body on the line at the Six Nations reclamation site, Ghaddar reveals the importance of solidarity in thoughts, deeds, gestures and actions. Her moving words have consequence for settler colonial states and our solidarity struggles against them. By connecting the struggles of indigenous people at the Six Nations reclamation site with those of Palestinians, Ghaddar and others challenge the assumption of the Canadian state’s innocence and link its actions to those of other settler colonial projects at a global level.

THE POSSIBILITIES AND CHALLENGES OF SOLIDARITY STRUGGLES

The example we discuss above does not contest that Palestinian organising in Canada has a long way to go by way of supporting indigenous struggles and forming real alliances that do not mimic or reproduce settler colonial relationships between colonisers and the colonised. There is still some resistance to making explicit
connections between these struggles within Palestine solidarity circles in Canada. It is also our view that Canadian Palestinians have not yet confronted their own relationship to settlement in Canada and have not yet clarified how they position themselves in relation to the European settler project here.\textsuperscript{48}

Although some Palestine solidarity organisations in Canada have made efforts to employ a comparative analysis of settler colonialism when fighting Israeli apartheid and have fostered alliances with indigenous peoples, these efforts have not always been successful. For example, it is now common to invite indigenous allies to speak at Palestine events. While we believe this is an important and necessary turn, we are concerned that the inclusion of indigenous spokespersons at Palestine solidarity events can, at times, be tokenistic. What does it mean to issue such invitations and what material consequences do they have on the organisational structures of Palestine solidarity efforts in Canada? Do the current directions and initiatives incorporate a gendered analysis of Canadian or Israeli settler colonialism? Are these inclusions and invitations accompanied with serious analytic and structural changes in Palestinian solidarity organising? These questions are complex and do not have singular answers. It is our view that, although in many ways Palestinian solidarity in Canada has attempted to forge important and necessary alliances with local indigenous struggles, it has done so unevenly and to varying degrees of success. These alliances need to be improved and deepened, because we believe that solidarity between indigenous and Palestinian struggles is paramount for challenging the settler colonial states of Canada and Israel.

Throughout this article, we have attempted to state the importance of a comparative framework for indigenous struggles from Turtle Island to Palestine. We have argued that Palestine solidarity work in Canada has, to some extent, recognised the importance of forging connections and alliances and between indigenous struggles of Turtle Island and Palestine. We have provided a few examples of solidarity to show how these moments are part of long and continuing efforts to create meaningful and sustainable solidarities between indigenous peoples. We are aware that these alliances must be meaningful, because we know that
Our motivation in writing this piece is to further the conversation between solidarity activists about the importance of centering indigenous alliances.

To be effective, this conversation must begin by asking difficult questions about the gendered and racialised politics of current solidarity efforts. An example of how this conversation can begin is the 2011 visit to Palestine by a delegation of Indigenous and women-of-colour feminists who went to Palestine to witness Israeli colonialism and stand in solidarity with Palestinian men, women, and children. In their commentary on what they witnessed, the authors drew links between life in Jim Crow South, apartheid South Africa, and Indian reservations in the United States. The group also issued a statement expressing their support for the Palestinian call for Boycott, Divestment and Sanctions (BDS). The group’s visit, which included forming alliances with women academics and women’s organisations throughout Palestine, signals an important shift in women-of-colour and native feminist organising in the academy.

In explaining the reasons behind her joining this delegation, Waziyatawin, a Dakota scholar and activist currently based in Canada, writes,

I traveled with the delegation as an Indigenous woman living under US occupation seeking to understand how another Indigenous population struggled under settler colonialism. Sometimes it takes seeing the suffering of others to realise the full magnitude of our suffering.

Waziyatawin demonstrates the power and significance of indigenous solidarities against settler colonialisms. Her visit to Palestine puts into motion a politics of solidarity attuned to the complexities of
race, gender, citizenship and belonging. Waziyatawin’s comments reveal how a comparative approach to settler colonialism can enable indigenous people to better understand their own struggles. Her partaking in this solidarity visit is instructive as it reminds us of the importance of fighting settler colonialisms wherever they exist and stands in stark contrast to the AFN visit we discuss at the beginning of this paper. For us, this form of indigenous solidarity is crucial because it enacts both a comparative gendered analysis of settler colonialism and contests the racialised logics and politics of solidarity efforts. It is therefore a critical example of international solidarity and resistance between indigenous people.

Commenting on the significance of Six Nations reclamation struggle, Jamilla Ghaddar has said, ‘A victory for the American Indians of Palestine is a victory for the Palestinians of North America, and a victory for the Palestinians of North America is a victory for the American Indians of Palestine’. We want to celebrate these hard earned victories in the Canadian context. We want to join hands in struggle. But we do not want this at the expense of asking difficult questions of one another or demanding respect, recognition, and reciprocity. We want to build solidarity without reproducing and enacting the same colonial logics and asymmetric relationships of power on which settler colonialisms hinge. We believe that our futures are connected and that we are especially powerful when we enact solidarity by words and actions. To expect solidarity, we must be willing to give it, share it, and maintain it. To do otherwise is to risk producing solidarity on the very colonial terms that our movements seek to challenge and undo. As Jamal Juma wrote in ‘An Open Letter to the People of Six Nations’, we believe that ‘the future will look substantially better than the past only when the people of the world stand together united by their solidarity’. This is our small contribution to beginning the difficult work of making indigenous solidarities.

BIOGRAPHICAL NOTE

Mike Krebs is an indigenous activist of mixed Blackfoot and European descent who is currently focused on Palestine solidarity work as a member of the Boycott Israeli Apartheid Campaign. He resides on the unceded Skwxwu7mesh, Sel’i’twetulh, and Xwmetskwiem territory known as Vancouver, BC in ‘Canada’.
Dana M. Olwan is a Palestinian researcher, teacher, and activist. She is Assistant Professor of Women’s and Gender Studies at Syracuse University. Dana is a member of Faculty for Palestine.

NOTES

2 For an overview of consequences of statements made by Ahenakew, see ‘Ahenakew stripped of Order of Canada’, *CBC news*. Available at: http://www.cbc.ca/news/canada/story/2005/07/11/ahenakew050711.html Accessed: 29/06/12. Also, for news on Ahenakew’s acquittal of hate crime in second trial in 2011, see Troy Fleece, ‘Ex-First Nations head acquitted in hate trial’. Available at: http://www.thestar.com/news/canada/article/591647 Accessed: 29/06/12. It is important to note that this the connection between the controversy surrounding Ahenakew’s statements and the visit was made in an article published in *The Jerusalem Post* which notes that the visit took place six months after Ahenakew was stripped of his Order of Canada. Quoting Jewish Congress President Ed Morgan, the article states, ‘If that [David Ahenakew’s sentence] was a catalyst for our communities getting to know each other, then there’s a silver lining’ (sic). See Gil Zohar, ‘Finding a common language’. Available at: http://www.jpost.com/LocalIsrael/InJerusalem/Article.aspx?id=14899 Accessed 29/06/12.
3 Fontaine, Morgan, ‘Aboriginals, Jews Stand Together’. Moshe Kastav resigned from presidency in July 1, 2007 due to allegations of rape. He has been convicted of two counts of rape and other sexual offenses and sentenced to seven years in prison. This conviction has been upheld by the Supreme Court in Tel Aviv in November 2011. See Yanir Yagna and Tomer Zarchin, ‘Legal sources: Unlikely that former Israel President Katsav will be pardoned’. Available at: http://www.haaretz.com/news/national/legal-sources-unlikely-that-former-israel-president-katsav-will-be-pardoned-1.395938 Accessed: 06/11/11.
4 Within this article we use the term ‘Turtle Island’ to refer to indigenous North America. Though originally rooted in the belief systems of indigenous Algonquin and Haudenosaunee people, ‘Turtle Island’ has over time also taken on a distinct ‘pan-indigenous’ meaning as a way in which to conceptualise the continued existence of indigeneity in North America. We have thus chosen to use Turtle Island at times to describe the traditional land of indigenous people living in what is now ‘Canada’ to reflect the need to challenge the legitimacy of the settler state that we live in/under (as opposed to the highly problematic and paternalistic language of ‘Canada’s indigenous people’), which is additionally necessary when taking into account that the traditional territory of many indigenous nations stretches far across both sides of the Canada-US border. We recognise that this pan-indigenous use of ‘Turtle Island’ is also problematic and not universally recognised among indigenous people (both within and outside of the Algonquin/Haudenosaunee traditions from which the term originates), but within the ongoing project to redefine our indigeneity and how we reassert our rights to this land it is currently the most useful anti-colonial term.
5 Zohar, ‘Finding a common language’.
This is not to imply that there are not schisms within Israeli or Canadian settler society (including but not limited to those along lines of class, gender, and/or race). It is certainly arguable, however, that when it comes to colonial approaches towards the indigenous population, under most circumstances the need for ‘inter-settler unity’ proves greater than the very-real contradictions within the settler society. For an analysis of class politics in Israel, see Moshe Machover and Akiva Orr, 'The Class Character of Israel', International Socialist Review, 23 (2002). Available at: http://www.isreview.org/issues/23/class_character_israel.shtml Accessed: 02/11/11.


The Native Women’s Association of Canada has documented 582 cases of missing and murdered indigenous women in Canada. For more information, see: http://www.nwac.ca Accessed: 4/11/11.


45 Peter Edwards, “The warrior spirit is in all of us”; Clan mothers play significant role’, The Toronto Star, 22/04/06. Available at: http://sisis.nativeweb.org/actionalert/updates/060422torontostar-a.html Accessed 25/10/11.
46 ‘Palestinian Flag Raised in Support of Caledonia Land Claims Dispute’, 03/05/06. Available at: http://mostlywater.org/node/5718 Accessed: 28/10/11.
48 We are aware of the academic debate regarding the value, relevance, and usefulness of the term ‘settler of colour’. See, for example, Bonita Lawrence and Enakshi Dua, ‘Decolonizing Anti-Racism’, Social Justice, 32, 4 (2005): 120-143, Nanditha Sharma and Cynthia Wright, ‘Decolonizing Resistance, Challenging Colonial States’, Social Justice, 35, 3 (2008-2009): 120-138. Our paper focuses on indigeneity as a means of fostering solidarity. We believe it is crucial to interrogate the uneven and asymmetric relationship of people of colour to the European settler colonial project manifested in the Canadian state. To foster solidarity between native peoples in Canada and Palestinians, that relationship needs to be stated, acknowledged, and clarified.
We’wha, The Beloved

HULLEAH J. TSINHNAHJINNIE
University of California, Davis
Tsinhnajinnie, ‘We’Wha’

BIOGRAPHICAL NOTE

Hulleah Tsinhnajinnie was born into the Bear Clan of the Taskigi Nation, and born for the Tsinajinnie Clan of the Diné Nation. Exhibited nationally and internationally, Tsinhnajinnie claims photography and video as her primary languages. Creating fluent images of Native thought, her emphasis is art for Indigenous communities. She has been a recipient of the Eiteljorg Fellowship for Native American Fine Art, a Chancellor’s Fellowship at the University of California, Irvine, the First Peoples Community Artist Award, and a Rockefeller artist in residence. She is currently Director of the C. N. Gorman Museum at University of California, Davis and Associate Professor in the Department of Native American Studies at University of California, Davis.
Queer Settler Colonialism in Canada and Israel: Articulating Two-Spirit and Palestinian Queer Critiques

SCOTT LAURIA MORGENSEN
Queen’s University

This essay plies potential connections among Two-Spirit and Palestinian queer critiques to advance a comparative analysis of queer settler colonialism in Canada and Israel. A broad literature in indigenous studies and at its intersections with queer studies now centres the intellectual and political interventions of Indigenous LGBTQ/Two-Spirit people in North America. In turn, after years of organising among Palestinian LGBTQ people in Palestine, Israel, and the diaspora, a broad array of queer critiques of gender and sexuality in Israel/Palestine recently has appeared in social movements and scholarship. This essay compares Two-Spirit and Palestinian queer critiques so as to newly examine the sexualisation of settler colonialism in Canada and Israel. The essay cites an extensive literature on queer settler colonialism in the Americas, and its comparability with queer Palestinian critiques, to illuminate the specificity of queer settler colonialism in Israel. An extended analysis of Eytan Fox’s 2006 film The Bubble assists in diagnosing the complicities and investments in settler colonialism that characterise contemporary Israeli LGBTQ politics. The essay concludes by demonstrating how such comparisons deepen knowledge of the relational formation of settler colonialisms, and of their inherently gendered and sexualised formation.

Conflicts over ‘queer solidarity’ meaningfully inflect contemporary settler colonialisms and their global interconnections. As the protection of sexual/gender diversity becomes a hallmark of liberal modernity, while homonationalism compels queer communities to act in concert with state authority, ‘queer solidarity’ becomes an axis around which settler colonialisms form, interconnect, and propagate in the worlds that queer activists cross. These effects proceed from settler colonialism acting as a primary condition of queer politics within settler states, as argued in the critical theories-from-activism of Two-Spirit people (Indigenous LGBTQ people in North America)
and queer Palestinians. Their work centers critiques of heteropatriarchy and homonationalism within colonised peoples’ struggles for decolonisation, and calls all participants in settler societies, queer or otherwise, to respond.

This essay plies potential connections among Two-Spirit and Palestinian queer critiques to advance a comparative analysis of queer settler colonialism in Canada and Israel. My comparison is motivated by a current political situation that links these two states. Canadian queer politics recently have been focused on debating their relationship to racism and settler colonialism, in the wake of the formation of Queers Against Israeli Apartheid (QuAIA). QuAIA mobilises queer people in Canada – Jewish and Palestinian, people of colour and white people – to critique ‘pinkwashing’, or efforts to deflect criticism of Israel and its occupation of Palestine by calling for international queer solidarity with Israel as protector of gay rights in the Middle East (see Nada Elia, this volume). QuAIA argues that queers in Canada should form solidarity with queer Palestinians who challenge Israeli racism and settler-colonisation of the Palestinian people and their lands. Conflict over their critique within Canadian queer politics led to the ban, readmission, and withdrawal of QuAIA from the Toronto Pride celebration, with reverberations throughout Canada as provincial and federal representatives used this conflict to further their attempt to ban references to ‘Israeli apartheid’.1 This public conflict over queer complicity in racism or settler colonialism follows forty years of Indigenous LGBTQ and Two-Spirit people already having demanded that queer non-natives challenge their complicity in settler colonialism in Canada. Such efforts continue today, as in the defense of indigenous nations and work for indigenous decolonisation by the Toronto-based Native Youth Sexual Health Network and its founding director Jessica Danforth. Yet even their dynamic Two-Spirit activism has not raised the same degree of response in Canada as the question of queer complicity in settler colonialism ‘elsewhere’.

Interrupting any disconnect among queer critiques of settler colonialism, this essay compares Two-Spirit and queer Palestinian critiques so as to newly examine the sexualisation of settler colonialism in Canada and Israel. The essay uses this comparison to ask how an extensive literature on queer settler colonialism in the
Americas might illuminate the specificity of this process in Palestine/Israel. On this basis, the essay concludes by asking how comparison may deepen knowledge of the relational formation of settler colonialisms – in this case, in Canada and Israel. The relative attention given to settler colonialism in Israel/Palestine vis-à-vis in Canada indicates one way that settler colonialism may function relationally to perpetuate its naturalisation. In turn, the application of a critique of queer settler colonialism from the North American context to both Canada and Israel denaturalises that power and the manner in which it may connect across multiple locations. My analysis proceeds from my having been called as a white and non-Jewish settler critic in Canada, long responsible to Two-Spirit people when interpreting queer settler colonialism, to confront how this process imbibes current political linkages between Canada and Israel. In this context, I interpret how Two-Spirit and queer Palestinian critiques diagnose settler colonialism from the perspectives of peoples subjected to it. Therefore, while this essay arises in relation to alliance politics, its stakes are in tension with mythologies of ‘queer solidarity’. Centering anticolonialism parochialisces and displaces the global gestures of ‘queer solidarity’: whether bespoken by Israelis or by Canadians, in defense or in critique of the state of Israel. By contrast, my alliance politics engage the responsibility of queer settlers in Canada and Israel to the peoples whom those states occupy and displace: and, in a queer analysis, peoples who are collectively queered by the sexual civilisationalism that settlers assert and rule. The sexualisation of settler colonialism is denaturalised by the decolonising critiques of queer Palestinian and Two-Spirit people. Settlers must respond by applying these critiques to challenge the colonial conditions of their lives, societies, and politics and in that way open them to radical change.

**TWO-SPRIT CRITIQUES AND QUEER SETTLER COLONIALISM IN NORTH AMERICA**

A broad literature in Indigenous studies and at its intersections with queer studies now centers the intellectual and political interventions of Indigenous LGBTQ people in Canada and the United States.² On first organising nearly forty years ago, LGBTQ people from
indigenous nations across these territories generated knowledge about their lives and their nations’ traditions. In 1990, this led to reclaiming their belonging in indigenous traditions by complementing or displacing European gender and sexual categories with the indigenist identity ‘Two-Spirit’. Within ‘Two-Spirit critiques’ (Qwo-Li Driskill’s phrase), Indigenous LGBTQ people described the colonial inculcation among indigenous nations of binary sex/gender and heteronormativity, and their current assertions of gender and sexual diversity (as in the term ‘Two-Spirit’) as a resurgence of tradition and a catalyst for their nations’ decolonisation.³

Inspired and affirmed by Indigenous feminist thought, Two-Spirit critiques explain settler colonialism as sexual colonisation. Indigenous feminists have argued that impositions of heteropatriarchy through the nuclear family, private property, and capitalist economics attempt to isolate, disperse, and eliminate indigenous modes of kinship and relationship to land.⁴ This colonial process targeted for elimination persons whose gender or sexuality deviated from settler norms; but this was done to ‘queer’ indigenous peoples and to make the ‘straightening out’ of their nations and cultures (in Mark Rifkin’s formulation) a hallmark of colonial rule.⁵ In this context, when Indigenous LGBTQ people form Two-Spirit movements – as when the Native Youth Sexual Health Network organises in Canada and the US to promote gender/sexual diversity and sexual and reproductive choice – they pursue not a ‘gender’ or ‘sexual’ politics, alone, but a renewal of indigenous traditions of personhood and governance that can spark and lead collective work for decolonisation.

My scholarship answers the model of Two-Spirit organising – resisting colonial discipline; leading indigenous national resurgence – by examining how queer politics and ‘queer solidarity’ are conditioned, or indeed produced by settler colonialism.⁶ In the multiracial spaces of white settler states that practice state multiculturalism, gender and sexual minority movements can pursue freedom by securing minority rights. As I explain in Spaces between Us, during the twentieth century multiracial queer politics in the US and Canada formed as normatively white, non-native, and settler-colonial by making the settler state their horizon of freedom, thereby failing to heed Two-Spirit activist calls for decolonising settler
society. This effect followed whether non-native queer politics entirely ignored Two-Spirit people – echoing the settler logic that indigeneity has ‘disappeared’ – or adopted Two-Spirit people into a ‘queer solidarity’ that centered shared gender/sexuality over national differences, while promising indigenous people ‘freedom’ if they align with settlers. Two-Spirit activists long argued what I reiterate: queer settler colonialism readily follows if queer politics in settler states propose that gender or sexuality bridge or supersede indigenous national differences, thereby making queer freedom compatible with perpetuating settler colonialism.

Increasingly, settler states appeal to gender and sexual diversity to secure their rule, in the era of state multiculturalism absorbing social differences so as to neutralise their capacity to disturb national unity. Queer politics ply multiculturalism by representing as a minority analogous to the racial or national groups the state domesticates through ‘inclusion’, just as professing their own diversity (such as, by ‘including’ Two-Spirit people) makes them representative of the very racial/national differences that the state seeks. Only a strong critique of multiculturalism as settler-colonialism will disrupt queer politics that remain normatively white and settler-colonial from securing protected inclusion in the settler state. I refer to all such processes as evidence of ‘settler homonationalism’, and all as disrupted by Two-Spirit activists who, by aligning with their own nations, hold queer non-natives to their sustained national differences on occupied indigenous lands. In answer, non-native queer critics of settler colonialism will trouble the legitimacy, integrity, and permanence of settler states, accountable not just to Two-Spirit people but to the resistant nations to which they belong.

While these characterisations of Two-Spirit critiques call for political responsibility from theorists and activists, my historical and cultural analyses specify how queer settler colonialism comes into being and how settler hegemonies persist and may be displaced. I take particular inspiration from scholarship in colonial and Indigenous studies on settler subjectivity as a liminal space between civilisational modernity and a primitivity it must supplant. Settler subjects and societies are defined by the contradiction of seeking to disavow and transcend that which exists in perpetual relationship to
them: the landed memories and persistent survival of indigenous peoples, coded in colonial discourse as a primitive root of settlers’ modern lives. Writing in the US context, Philip Deloria sourced settler citizenship to a seemingly contradictory demand to control primitive drives for civilised society, and to use Indian impersonation to express opposition to the terms of rule thereby reconciling settlers to settler society. In like manner, queer settler colonialism forms by claiming a kind of kinship with indigenous gender and sexual diversity – including, its appearance of ‘opposition’ to settler norms – while adapting this kinship to secure non-native inclusion in the civilisational future of a settler nation.

For all subjects positioned as settlers, queer or otherwise, alignment with the progressive future of settler modernity naturalises and secures their emplacement on occupied indigenous lands, making their presence seem inevitable and incontestable. To critique settler subjectivity, then, is consonant with broader political critiques of settler-colonial governance, for all these must start by denaturalising the ruse of permanence that undergirds settler societies. Belief in the necessity of settler colonialism continuing unchallenged into a progressive future stands in the way of opening the existence of settler societies to radical critique and transformation. My scholarship indicates that if this critical recognition can follow from a structural analysis of political relationships, it also can follow from a studied analysis of the subject of settlement. For, ultimately, the subject’s affective investments in emplacement are at stake, and only once the subject constructed as a settler is unsettled of its attachments to occupation will, I argue, any broader political transformation become possible.

Such calls often elicit a response that the entrenchment of settler states in the Americas prevents their fundamental transformation: in effect, the political decolonisation of indigenous nations seems impossible. Indigenous activists already recognise that decolonisation must take many routes, so that at times decolonising culture or intra-community relations will be centered. Yet actual political independence remains on the table, as when the Ka’Lahui Hawaii or the Owe Aku International Justice Project lobby the United Nations to honour international treaties guaranteeing independence to (respectively) the Kanaka Maoli and Lakota peoples.
 Crucially, persons who defend traditions that today may be called Two-Spirit help lead such work, such as Hina Wong (Kanaka Maoli), who lives within the traditional Hawaiian role of mahu while organising for Hawaiian sovereignty, or Kent Lebsock (Lakota), co-director of Owe Aku and former leader of New York City’s first Two-Spirit organisation WeWah and BarCheeAmpe.9

I submit that the seeming intractability of settler colonialism in the Americas and the Pacific buttresses defenders of Israel to propose that Israeli settlement in Palestine cannot be changed. Indeed, the normalisation of Israel as a Jewish settler state throughout the late twentieth century, despite UN recognition of Palestinians as a displaced people, demonstrates how readily settler colonialism can become naturalised. This also results if states defending Israel, such as Canada, frame Israel as permanent because to do so insulates their own past and present settler-colonial formation from question. To suggest that indigenous decolonisation in one settler state is impossible naturalises settler colonisation in other settler states, making the claim complicit in the occupation it names and in all others reinforced in its wake. As a result, how queer non-natives respond to Two-Spirit critiques in Canada will inform how they comprehend any instance of settler colonialism elsewhere, such as in Israel. Yet I submit that Israeli settler colonialism will be undone only if we are willing also to consider the undoing of Canadian settler colonialism; and, in turn, learning how to displace the Israeli settler subject may teach us how to more effectively displace Canadian settlers as well.

I therefore pursue a comparative reading of queer settler colonialism in Israel not only because it has been elicited by Canadian queer politics, but also in the hope that its comparison will be informative of queer settler colonialism in both locations. As indicated, a broad literature exists for readers to reference on Two-Spirit critiques and queer settler colonialism in North America, which I have reviewed to set up my presentation of more recent Palestinian queer critiques, and on that basis attempt (to my knowledge) one of the first accounts of the specificity of Israeli queer settler colonialism. Not having done research in Israel, I adapt knowledge produced in the Americas to comparatively (re)interpret narratives of
Israel and engage scholars of Israel/Palestine and of comparative settler colonialisms in new analysis.

PALESTINIAN QUEER CRITIQUES AND QUEER SETTLER COLONIALISM IN ISRAEL

After years of organising among Palestinian LGBTQ people in Palestine, Israel, and the diaspora, a broad array of queer critiques of gender and sexuality in Israel/Palestine has appeared in social movements and in queer studies. Al Qaws (founded 2001), Aswat: Palestinian Lesbian Women (founded 2003), and linked networks in 2010 responded to a homonationalist turn in Israeli politics by allying to form Palestinian Queers for Boycott, Divestment, and Sanctions (PQBDS). The group’s web presence and 2011 US tour raised the profile of Palestinian queer critics of the occupation, notably through their critique of pinkwashing and their calls to queers internationally to honour the BDS movement.

Simultaneously, new work appeared in queer studies authored by Israeli and international scholars who are responding to Palestinian queer activist work. Together, these works signal a new moment in which queer Palestinians are redefining life in Israel and Palestine while leading an international political response. Across the diversity of gender, class, citizenship/legal status, and residency evident in the membership of Al Qaws, Aswat, and other groups, their allied efforts have generated shared analyses that I refer to here as ‘Palestinian queer critique’. Internationally, its most evident themes are the critique of pinkwashing and the call for boycott, divestment, and sanctions of Israel. Yet queer Palestinians also critique power within Israel/Palestine: in the sexualised racialisation of all Palestinians under Israeli rule; in the racism and settler colonialism structuring Israeli queer communities; and in the homonationalism of even Left/progressive Israeli queers who do not follow Palestinian critics in prioritising ending the occupation.

Broad recognition has accrued to the international scope of Palestinian queer critiques, which focus on disrupting Israeli state racism and settlement by critiquing pinkwashing. As Nada Elia explains, Palestinian queer critics argue that linking Israel to the
defense of LGBTQ human rights ‘pinkwashes’ Israel’s violations of the human rights of Palestinians, while simultaneously attempting to align international queer communities with Israel rather than with queer Palestinians who critique the occupation as a condition of their oppression. In turn, the impossibility of finding justice under Israeli law for Palestinians who live under occupation precludes any putative Israeli protection of queer Palestinians: for, as Aswat member Sami Shamali says, ‘there is no magic pink door in the Apartheid Wall’.13

Palestinian Queers for BDS pursues this critique in its international tours and its web presence, which include video public service announcements calling for international solidarity. A key effect of such critiques has been the formation of international activist groups such as QuAIA that specifically target pinkwashing. The concept of pinkwashing has been compelling for solidarity work because it correctly names that promoting Israel as a gay-rights haven already invokes international solidarity, albeit to align queers worldwide with the Israeli state. When queers in other countries critique pinkwashing, they refuse to let their solidarity be distorted to sustain the oppression of queer Palestinians. QuAIA also allies with queer Israelis who join Palestinians in critiquing pinkwashing and in calling for an end to occupation, thereby seeking solutions whereby queers join across divisions in common cause. That said, any queer critiques of pinkwashing follow queer Palestinian demands, and all such critiques remain responsible to the defense of their lives in the racialised and sexualised spaces of occupied Palestine and the diaspora.

Less widely-known is the scope of critique by queer Palestinians and their allies in Israel: notably, of the sexualisation of racism and settler colonialism practiced by Israel, which illuminate how sexual, racial, and settler-colonial power operate in other contexts. Among such critiques, one with broad recognition in Israel names the racism in Israeli LGBTQ communities. Israeli and Palestinian LGBTQ organisations have recognised that Palestinians seeking access to Israeli groups face racism in the form of perceived threats, policing, or expulsion. Palestinians also argue that when participating in Israeli LGBTQ spaces, they face a racial/colonial fetishisation within Israeli sexual economies that projects mystery and sexual availability upon Palestinian bodies. Mark Ritchie notes
that the capacity of Israeli LGBTQ leaders to recognise that Palestinians face racial exclusions does not extend to asking what happens if Palestinians ever are included, given that some Israelis desire the integration of Palestinians into their racialised and exploitative sexual culture. In turn, tracking racial exclusions may be amenable to liberal Israelis, given that it frames racism as situational rather than systemic, making their communities appear opposed to racism even if they fail to offer a structural analysis of why or how the Israeli state and society become racial and colonial in the first place.

Palestinian and allied critics also locate the marginalisation of queer Palestinians in a broader racialisation and sexualisation of Palestinians, all of which produces Israeli queers and the state as homonationalist. Israel’s twentieth-century imagining as a Jewish state racialised its modernity as European and Western, and sexualised it by assuming modern heteronormativity. In both spatial and temporal terms, Israeli modernity then racialised and sexualised Palestinians as premodern by linking them to perversion and to a barbaric heteropatriarchy that the modern heteronormative Israeli society supersedes. Israeli queer critics mark that a recent political moment shifted the heteronormativity of Israeli society to embrace LGBTQ people. Gil Hochberg explains that after years of challenging their marginalisation by the state, Israeli LGBTQ activists were surprised in the early 2000s to find conservative Israeli government representatives proposing to protect them as a testament to their enlightened rule. In retrospect, this shift can be seen to coincide with the post-second intifada expansion of Israeli settlements and the stepping-up of pinkwashing campaigns, when Israel’s ‘brand’ called for major overhaul.

In this context, if Israeli LGBTQ people accepted overtures of civic inclusion, achieving their long-sought goal affirmed conservative leadership and its entrenchment of the occupation. Marking this homonationalist convergence of queer aspirations and state designs is a hallmark of queer Palestinian critique, just as it resonates with international scholars of homonationalism who, following Jasbir Puar, argue that this mode of power produces queers ‘as regulatory’ over racialised sexual Others who are perceived to threaten the state that secures sexual rights. Israeli homonationalism – whether
promoted by Israeli LGBTQ people or by the state – recapitulates accounts of Palestinians as a queered, racialised group that remains colonised due to its primitive endangerment of the sexual, racial, and national modernity that Israelis embody and enjoy. To the extent that this homonationalism arises to perpetuate the occupation and settlement of the Palestinian territories – not to mention the colonial processes that let Jewish settlers establish Israel in the first place – then it functions precisely as an Israeli form of settler homonationalism.

The queer Palestinian critiques examined here bear many potential resonances with Two-Spirit critiques. Palestinian critiques of European Jewish settlement as a project that proliferates colonial modernity link strongly to Two-Spirit critiques of colonial heteropatriarchy. Both affirm the Foucauldian insight that modern sexuality functions as biopower. Sexualisation enabled what Foucault called modern ‘state racism’ to racialise entire peoples as part of the life of the nation or as threats to be contained and eliminated: or, in Agamben’s terms, to be placed in a state of exception, as ‘bare life’ perpetually subject to death. Indigenous Americans and Palestinians appear conquered and displaced when sexualisation acts as an axis of colonial intervention. This implication is present in the critique of pinkwashing, which specifically challenges the idea that Israel represents ‘modern’ sexuality and sexual rights in the Middle East. Two-Spirit and queer Palestinian critiques also resonate in calling for decolonisation: by marking that Indigenous Americans and Palestinians are nations controlled by settler-colonial powers; and by asserting membership and leadership for Two-Spirit and queer Palestinian people in their nations, which by bridging divisions caused by heteropatriarchy forges stronger anticolonial resistance. In the process, queer Palestinian and Two-Spirit critiques expose queer settler colonialism in the societies that occupy them, and hold queer movements accountable across sustained national differences.

Recognising such resonances requires countering any sense of unbridgeable difference among Two-Spirit and queer Palestinian people. This perception could arise if claims by Two-Spirit people on a traditional acceptance of gender/sexual diversity seem incomparable to the relationship of queer Palestinians to tradition. Israeli critics of queer Palestinian activism already tell Orientalist
stories of heterosexist Arab societies riven by premodern and patriarchal sexual systems that bear no capacity to embrace queer people. Such narratives appear to justify portraying Israel as queer Palestinians’ only protector. The critique of colonial discourse in queer Palestinian and Two-Spirit critiques offers a strong basis for suspicion of Israeli stories about Arab or Muslim sexual cultures, just as (amid ongoing debate) scholars in Middle Eastern and Islamic studies are tracing histories of gender/sexual diversity in Middle Eastern and Muslim societies that colonial accounts obscure. Yet, as noted, this entire line of discussion is a distraction from the call by Two-Spirit and queer Palestinian critics to members of the settler societies that occupy them: to critique their colonial power and to reject the authority it grants them to dictate colonised people’s lives. Two-Spirit and queer Palestinian activists clearly argue that they should achieve liberation in their nations, so that if anyone else were to attempt to liberate them – even in the name of queer/feminist ‘solidarity’ – this would extend the power of settler colonialism. Again, any perception of Palestinian queers as improbable subjects or as incomparable to Two-Spirit people tracks Orientalist and homonationalist stories that reinforce settler rule. In contrast, whenever Two-Spirit people or queer Palestinians frame sexual colonisation as conditional of the colonisation of their peoples, they become principled leaders of anticolonial critique; and in Palestine, critiques of pinkwashing as a locus of Israeli power make queer Palestinians crucial interlocutors in advancing the national struggle.

Finally, in the racial and settler colonial frames of both Canadian and Israeli society, a seeming contrast between the gender/sexual traditions of Palestine, or of Indigenous American nations also characterises the distinct ways in which queer settlers engage them. I agree that on settler-colonial terms, Indigenous Americans and Palestinians seem to be opposed along an axis (respectively) of traditional acceptance vs. traditional rejection of gender/sexual diversity. Yet, I argue, this apparent difference informs the specific kinds of queer settlers on their respective lands who enact queer settler colonialism by inheriting them as their history. In Spaces between Us I argue that queer non-natives in North America tell stories about traditional indigenous acceptance of gender/sexual diversity to satisfy their own desires to belong to stolen land and settler society. When queer non-natives consume
Two-Spirit histories as their settler patrimony, they exemplify Deloria’s argument that settlers incorporate the ‘primitivity’ of those whom they believe they supplant as a history that they must possess and transcend to attain their own modernity.\textsuperscript{20}

Taking inspiration from this reading, I am interested in the possibility that Israelis narrate an Orientalised Arab sexual history as that which they simultaneously desire and transcend when arguing their belonging to Israeli sexual modernity. In this progression, Israeli queer settlers realise their modernity by progressing past sexual limitations in Palestinian, Arab, or Muslim societies, while simultaneously imagining those societies’ sexual cultures to be part of their own history and desires. I now pursue this analysis by considering the specificity of queer settler colonialism in Israel as portrayed by an especially nuanced representation: Eytan Fox’s 2006 film \textit{The Bubble}. In this visual text, and in its resonance with queer Palestinian critiques, I perceive the Israeli queer settler forming as a subject caught between a modern Jewish future it seeks and a primitive Palestinian history it inherits on ‘its own’ land, even while positioning that history in a past that does not displace the Israeli present. This subject traverses guilt and denial to ameliorate both by imagining non-colonising queer kinship with its Palestinian precursors; and, hence, a reconciliation of settlers to past \textit{and} future settlement.

**POPPING THE BUBBLE**

The titular character of \textit{The Bubble} is the LGBTQ and liberal Jewish community of Tel Aviv: a ‘bubble’, which Fox suggests has insulated the human characters’ carefree middle-class-consumer lives from the Palestinian occupation, which remains largely out-of-sight.\textsuperscript{21} In this respect, the film may be read as a critique of liberal Israeli complicity in sustaining state violence. Fox marks his intentions when the film opens not amid the languorous urban pleasures that will dominate its first half, but in a brief, gripping scene at a West Bank checkpoint. Nearing the end of his military service, the Jewish protagonist Noam (played by Ohad Knoller) assists in detaining a pregnant Palestinian woman, and then meets the film’s Palestinian protagonist, Ashraf (played by Yousef Sweid) for the first time. The
scene’s importance rests partly in its portrayal of the trauma of detention, which resolves as the Palestinian woman enters labour and symbolically gives birth to a healthy child with the collective aid of other detained Palestinians. The scene affirms Mark Ritchie’s claim that the phobic surveillance of Palestinian queers in Israel is comparable not to the privatised Western metaphor of ‘the closet’ but to the public Israeli practice of ‘the checkpoint’: as when Ashraf answers soldiers’ demands to show that he is not carrying weapons by provocatively lifting his shirt to expose his muscular chest to Noam’s view in an exchange that is at once homoerotic and colonial. Yet Fox ultimately frames this scene to establish Noam as a sympathetic character, in his assistance of the birth and, I would argue, his attraction to Ashraf: for the audience is invited to perceive Noam’s desire to ‘join’ with a subject Palestinian man as a promise to ameliorate the violence that places them in a relationship.

The film’s plot, which I must immediately spoil, follows Ashraf’s tour to the Tel Aviv gay community, where he and Noam begin a sexual relationship until Ashraf suddenly returns to his family in Nablus after being identified as a Palestinian illegally residing in Israel. Noam’s obsession after Ashraf’s departure leads him to sneak in disguise into the West Bank and gain access to Ashraf’s family home, where before returning to Israel he privately confronts Ashraf with his love only to be caught kissing him by Ashraf’s older brother, Jihad. This discovery sets off a chain of events in which Ashraf’s family members reject him. On the presumptive inadmissibility of Ashraf’s sexuality, Jihad, a member of Hamas, coerces Ashraf to serve as a suicide bomber. The film ends with Ashraf traveling to the Tel Aviv neighborhood where he shared loving memories with Noam. Noam approaches him in the street and they share a longing look before the bomb Ashraf is carrying explodes, obliterating them both.

I narrate this plot quickly and unsympathetically not only because I read it as having set a series of traps for Ashraf, queer Palestinians, and the film’s Israeli and international audiences, but also because it is framed by a second plot that, while appearing for only a few moments, suggests to me the actual core of the film. Fox presents three flashbacks that reimagine Noam and Ashraf as boys growing up as neighbors in post-1967 Jerusalem. Fox thus situates what at first appears to be a recent, chance romance within a deeply
historical narrative of lost and renewed ties. Significantly, Fox names the childhood that he ascribes to Noam as semi-autobiographical. Thus, I interpret his film as communicating an Israeli queer relationship to settler colonialism, not only in that it portrays racism in Israeli queer culture (including by perversely scripting Ashraf as destroyer of his own future), but also by framing this as Fox’s meditation on how a settler-colonial inheritance conditions his queerness and his capacity for relationship to queer Palestinian men today.

The invitation to relationship offered in the flashbacks is premised, of course, on the traps that the plot sets for characters and audience. Despite the seeming progressivism of telling a queer story within the Israeli/Palestinian conflict, the film recapitulates narratives that serve Israeli defensiveness by framing Palestinians as a premodern threat to Israeli national, racial, and sexual modernity. Palestinian women and men appear irredeemably heteropatriarchal by only responding to a queer relative with violence – emotional exile or murder/suicide – while Ashraf’s end-point as a human bomb simultaneously gives new life to the queer suicide script and empties Palestinian resistance of any conviction but hopelessness. Yet Fox muddles through these layers of stereotype to attempt a self-critique of Left/progressive Israel. Ashraf in Tel Aviv experiences anti-Palestinian racism, which later we find is a factor in his decision not to seek out life with Noam as an alternative to suicide. Fox also connects the protagonists to a queer Israeli anti-occupation movement, although this reads hollowly after its key action is a beach dance party. Thus despite the film’s attempt to criticise Israeli racism and occupation, it ultimately affirms pinkwashing by concertedly siting queer community in Israel: however untrustworthy or self-deluded this community might be, it is the only game in town. This representation is possible only because both Tel Aviv and Palestine remain entirely empty of queer Palestinians, aside from Ashraf. Their nonexistence prevents them from being available to offer Ashraf, other characters, or the audience any alternative future for Ashraf’s or Noam’s life. The Bubble thus effectively agrees with Shamali that there is no ‘magic pink door in the Apartheid Wall’: but in the film, this is because nothing finally awaits on the Israeli side for queer Palestinians – or, for that matter, for the Israelis who love them – other than death.
I nevertheless find this film intriguing in that after laying out these problematic narratives, it tries to resolve them by turning to history: in a queer call to Israelis to confront their inheritance of settler colonialism. Having destroyed the primary relationship it portrayed, the film suggests in the end that Jews and Palestinians finally may coexist only once the former admit and embrace their historical kinship ties with the very Palestinians they wish to displace. Earlier in the film, the flashbacks to Ashraf’s and Noam’s childhood portray Palestinians as an absented presence in Israelis’ lives. The context for the first flashback, recalled by Ashraf, is the young lovers’ discovery that they grew up near one another in the post-1967 occupied territories of East Jerusalem – Noam atop French Hill, Ashraf in Al-Issawiya. Ashraf recalls his grandmother and parents building their home in Issawiya only to have it razed by the Israeli authority, after which his family quits Jerusalem to move to Nablus. In the second flashback, Noam recalls growing up near a playground that Jewish and Palestinian families shared, and that he suggests Ashraf may have visited. The flashback recounts Noam’s father receiving an order to bar Palestinian children from the playground, a prospect rejected by Noam and his mother who then host a ‘reconciliation party’ for all the Palestinian and Jewish parents and children: but no one but they attend. Noam later observes his mother crying, and in recollection he asserts to Ashraf that this was the day he believes his mother’s fatal illness first afflicted her, a sentiment that leads Ashraf to comfort him.

By mourning lost connections, and making this mourning multi-generational, this flashback builds on its counterpart earlier in the film to deepen Noam’s and Ashraf’s union in an implication that fulfills childhood and familial ties. Fox thus invokes history, first, to portray Ashraf and Noam’s queer male love as redeeming the relational histories of Jews and Palestinians. These themes then are solidified in the briefest, final flashback, immediately after the death of both characters and as the film’s last scene. The camera returns to the French Hill playground to portray Noam and Ashraf as boys playing together in the sandbox, while their mothers watching nearby stand side-by-side. Noam’s voiceover asks, ‘I wonder if we ever really had a chance’. Having destroyed all hope of reconciliation in the present, Fox suggests with this last image that potential still remains
in the redemption of an intimately familial and national history that Israeli Jews share with Palestinians.

Fox directs this call for reckoning to Israeli Jews by framing them as settlers. If Ashraf’s and Noam’s adult relationship appears to be destroyed by Palestinian heteronormativity and the effects of the occupation, the flashbacks affirm that their love was interrupted in the first instance by rampant Israeli settlement erasing an original relationality of Jews with Palestinians. In turn, in a sexualised and settler-colonial move, the fantasy answers stereotypes of Palestinian heteropatriarchy with an image of shared motherly affection for gay sons, thereby framing historical Palestinian culture as compatible with the roots of Israeli modernity. Fox appears to call Israelis to repent of the contemporary oppression of Palestinians and in its place admit broken ties. Here Fox fascinatingly portrays the Israeli state and Jewish settlers post-1967 as practitioners of conquest, containment, removal, and elimination: the hallmarks of settler colonialism within Patrick Wolfe’s thesis of the ‘logic of elimination’. Yet, ironically, this attempt to admit settler-colonial complicity simultaneously normalises settler colonialism, in that portraying current circumstances in Jerusalem as a context in which bonds are broken implies that they once were not, and that Israeli Jews were not colonisers but kin. Fox’s phantasmagorical nostalgia for harmony in the past fails to portray how settler-colonial violence enabled Jews to define Israeli sovereign capacities after 1948. Fox thus appears willing to critique Israeli settler colonialism in its seeming abuse, but not its fact; in its extensions, but not its inception. I emphasise that Fox’s decision not to extend his critique to Israel’s foundation is performed in the film precisely by the turn to kinship. In his tale, even the recognition by Israelis as settlers of the violence they inherit is resolved, affectively, if they elect to unite with the occupied rather than separate from them. Thus, this remains a settler-colonial story: guilt and responsibility for violence resolve when settlers stay, and, indeed, naturalise actually-colonising relationships by imagining the history of an original loving kinship.

Settler literatures retroactively narrate colonial relations as kin relations, in a way that at once assuages settler guilt/responsibility and grants settlers peace with themselves by implying that they bear a genealogical relationship to the peoples whose lands they never
leave. In *The Bubble*, this kinship becomes queer – and, I argue, portrays queer settler colonialism – by centering on the figure of Ashraf. The possibility that revisiting Noam’s childhood may grant redemption rests on Ashraf: without the existence of this original twin brother/lover, the queer Israeli settler (Noam? Fox? Fox’s audience?) remains out of place, not yet truly at home. This message is reinforced in the final flashback when Noam’s voiceover longs for the living depiction of Noam and Ashraf playing as children side-by-side, in sharp contrast to the prior scene portraying their destroyed bodies covered by sheets lying next to one another in a Tel Aviv street. In the final flashback, viewed from Noam’s perspective, Noam recalls his queer Palestinian counterpart, or recalls him just long enough from beyond his spectacular death to join him in a final message of hope for Israeli-Palestinian union.

In *The National Uncanny* Renée Bergland examined the recurrence in US settler narratives of the ‘Indian ghost’, which appears at once as the memory of a lost past supplanted by the settler present, and as a voice of conscience demanding audience – albeit, as a ghost, only written into existence within the settler’s narrative. In *Spaces between Us*, I examine how queer settlers argue for and gain their embrace in the settler state after first narrating a history of kinship and union with queer native counterparts, thereby gaining a sense of historical integrity when arguing for national belonging. Ending *The Bubble* in union with Ashraf – the queer Palestinian man who is, in fact, a figment of Fox’s queer settler imagination – confers to this character the agency to recall, invoke, and compel a future of Israeli-Palestinian reconciliation. But in this future, of course, queer Israeli settlers still will be who they are and will live where they live: by having secured their belonging to Jerusalem, and Jerusalem’s belonging to them, through a (queer) Palestinian memory of their own imagining. Here, Israeli queer settler colonialism links queer settlers to the desired colonial object that otherwise appears to have been eliminated by settler violence. Fulfilling that relationship convinces queer settlers that they may represent part of a healing future for a society founded on settler conquest, when doing so actually assuages settler guilt and lets them practice settlement in perpetuity.
LINKING CRITIQUES OF QUEER SETTLER COLONIALISM

Queer settlers must take responsibility for examining how their gendered and sexual existence is conditioned by settler colonialism. Both their marginality and its redress are structured by settler-colonial power, such that every articulation of their existence on stolen land sustains that inherent interrelationship. Whether read as an empirical or an ethical demand, to acknowledge this conditioning by settler colonialism is a necessary response to queer Palestinian and Two-Spirit critiques. Queer Palestinian and Two-Spirit liberation will not be found within queer politics that have been organised in the interests of settlers, no matter how much they profess their ‘solidarity’. From commitments to national liberation, Two-Spirit and queer Palestinian critiques call for the formation of transnational ties across sustained national differences that will subject settler-colonial societies to radical challenge and transformation. Queer settlers cannot be part of such projects so long as they remain caught in webs of guilt and complicity that produce them – like all settlers – as subjects who know at once precisely what they are and construct elaborate fantasies justifying their past and future settler-colonial existence. My initial reading of queer settler colonialism in Israel joins my work on Canada and the United States in asking how we can unsettle affective ties to settlement among queer subjects, so that in being dislodged they become available to actively respond to anticolonial queer critiques.

My argument was enabled by comparison: articulating Two-Spirit and queer Palestinian critiques, and linking queer accounts of settler colonialism in the Americas to Israel. Yet those comparisons were sparked by an underlying political situation that links Canada and Israel today and calls me to respond. As such, my essay suggests to the field of settler colonial studies that pursuing the benefits of comparing settler colonialisms will confront more deeply the relationality of settler colonialisms. I conclude now by considering the implications of comparative and relational accounts of settler colonialism, and notably as they are sparked and answered by engaging sexual and gendered power.
Comparing settler colonial situations energises scholarship because doing so breaks a key tenet of settler colonialism: its naturalisation. Comparisons shatter the insular national frame asserted by the settler state, and mark all its iterations—even its critique of its own history—as entrenching settler rule until that frame is displaced. Two-Spirit and queer Palestinian critiques achieve this by displacing settler storytelling with the national differences of colonised peoples. My scholarship extends this effect by engaging their critiques in comparisons of different settler states. In Canada and (as I argued) potentially in Israel, settler colonialism conditions queer politics when settlers recall and embrace the sexual histories of colonised people as an affective amelioration of colonial violence. Their very desire for reconciliation between coloniser and colonised is queer settler colonialism, and never more so than if it posits that queer settlers perform ‘solidarity’ with queer Palestinians or Two-Spirit while folding them into the self-justifying history of a queer politics wedded to the settler state.

The imagined bridge of queer kinship or love across two nations lets queer settlers feel that they can turn their exile into membership in ‘their own’ nation: still a settler nation, but restored by having incorporated its queer members and their ties to indigeneity. My account of this process in North America was inspired by Two-Spirit critiques; but read alongside queer Palestinian critiques and engaged with queer Israeli storytelling, it also invites broader comparisons in Israel/Palestine and North America, as well as in other settler societies worldwide. My account marks ‘queer solidarity’ as a key arena through which settler colonial power acts within and among states in international relations today. It is based on Two-Spirit and queer Palestinian theorists having shown how settler colonialism is characterised by inherently gendered and sexualised power relationships, which will be displaced only by centering a critique of colonial heteropatriarchy, and an inquiry into settlers’ specifically sexual and gendered complicities in conquest.

Yet these comparative insights arose secondarily to a prior admission that queer settler colonialism in Canada and Israel already exist in relationship. In the era of pinkwashing, from my location in Canada, queer Palestinians mark my queer politics as their settler-colonisation unless my politics refuses to be co-opted by Israeli
designs and calls them to account. My response then hinged on my awareness that Canadian queer politics already enact the settler-colonisation of Two-Spirit people and all Indigenous peoples on these still-occupied lands. This will remain so until LGBTQ non-natives in Canada target the settler state and all settler-colonial power for critique. Thus, I interpret relationality not just in that pinkwashing links queer politics across multiple states, but more deeply in the very formation of queer settlers within settler states. Canadian queer settler colonialism facilitated pinkwashing as an international political strategy before Israel ever promoted it abroad. Queer non-natives in Canada are primed by their own complicity in settler colonialism to welcome narratives like Israel’s that wipe the colonial slate clean by appealing to gay rights; for this is the very logic along which they may think to redress a history of violence: by embracing Two Spirit people in ‘diverse’ movements or within a ‘multicultural’ state. The settler-colonial conditioning of queer politics will be perpetuated even if Canadians agree to critique the pinkwashing of Israel, if, that is, they do not first critique their own potential ‘pinkwashing’ of Canadian settler colonialism.

While my observations call for political responsibility, I make them to expose the relationality of multiple settler colonialisms. Comparison indicates to me that only by determining how one settler-colonial situation is imbricated in another will the power that sustains each one be displaced. For instance, my essay’s case might lead to asking, how are settler-colonial power relations in Canada and Israel interdependent? This is not just to ask how the action of one state facilitates settler colonialism in another; but rather, how are the specific forms of settler colonialism in each state functionally interdependent, through simultaneous and relational activity? To return to my case, how does a question of relationship to settler colonialism ‘elsewhere’ expose marked or unmarked investments in settler colonialism ‘here’? Canadian debates over pinkwashing and the category ‘Israeli apartheid’ show how non-native supporters of Israel – and, as Krebs and Olwan argue in this volume, native supporters of Israel – may naturalise settler colonialism in Canada and in Israel, effectively securing it in both states.

Yet it is troubling to consider, in turn, how non-native Canadians who challenge colonial power ‘abroad’ might do so
without mobilising against their own grounding within settler-colonial violence; or, if they do, by leaving this at the level of acknowledgement rather than committing what they do ‘elsewhere’ to undoing settler colonialism here. My argument, however, is more nuanced than merely suggesting that a critique of settler colonialism should be attached to every activist agenda. Rather, I am asking how the very impetus within solidarity politics to think that ‘Canadians’ must do something about Israel/Palestine – or, frankly, about anyone or anything ‘elsewhere’ – may already invest in the globalised economic and political power of a white settler state, indeed, within the field of power that preserves its settler-colonial structures. Not at the level of ideology, but of ontology, radical criticism in settler states will reproduce settler colonialism unless and until undermining that power becomes part of any action that it takes, ‘at home’ or ‘abroad’.

The model I invoke is elicited already by the Canadian anti-pinkwashing campaigns of QuAIA, which have acted and continue to act in synergy with Defenders of the Land, a Canada-wide network of non-native allies to indigenous decolonisation struggles. Their collaborations mutually reference links between the Indigenous Americas and Palestine. The forging of such ties is a crucial complement to calls for Indigenous American-Palestinian solidarity; but to form effectively, such ties must be directly responsible to both Palestinians and Indigenous Americans. As ties formed primarily among settler allies, they must ensure that their efforts to challenge settler colonialism in one state do not reproduce settler colonialism in that state or another. My comparison of Two-Spirit and queer Palestinian critiques invokes their potential synergy. Writing as a white settler critic, the question of whether these movements can or should ally is not mine to answer; but my responsibility to them led me to interrogate queer settler colonialism in relation to both at once. To future dialogues about possibilities for alliance, I offer my comparative claim that Canadian and Israeli settler colonialisms are not only inherently gendered and sexualised, but relational. The more our theories and movements intersect, the better we will explain the power that we oppose, and the more effectively we will stop that power from being reproduced in our work.
BIOGRAPHICAL NOTE

Scott L. Morgensen is the author of Spaces between Us: Queer Settler Colonialism and Indigenous Decolonization (University of Minnesota Press, 2011) and co-editor of Queer Indigenous Studies: Critical Interventions in Theory, Politics and Literature (University of Arizona Press, 2011). He is an Associate Professor in the Department of Gender Studies at Queen’s University.

NOTES

Morgensen, ‘Queer Settler Colonialism in Canada and Israel’

8 Deloria, *Playing Indian*.
20 Morgensen, *Spaces between Us*: 27, 45.
21 I select this tale of love between Jewish and Palestinian men because, based on my account of the US and Canadian contexts, I understand that the masculinist nationalism that rejects queer settlers incites them to respond through masculinist appeals for reintegration. My reading engages Carol Pateman’s regarding patriarchal citizenship, but it highlights that under settler colonialism, the sexualised and colonised male plays a specific role in facilitating queer male settler reunion with his nation. While in the US/Canada this was facilitated by the *berdache* as an object, in Israel the possibility exists that queered Palestinian manhood will do so. Without presuming that identical processes occur, I question how this film engages such themes even while presenting differences. See Carole Pateman, *The Sexual Contract* (Stanford: Stanford University Press, 1988), Morgensen, *Spaces between Us*: 44-49.
22 Ritchie, ‘How do You Say ‘Come Out of the Closet’ in Arabic?’.
Responding

MICHELLE ERAI

University of California, Los Angeles

Reading this body of work I am again reminded of how bringing a close attention to gender and sexuality can sharpen an analysis of race.

Brendan Hokowhitu’s searing, and yet compassionate, indictment of an indigenous masculinity created through patriarchal nationalist movements is a story I have waited a long time to hear – although I didn’t know it until I read his essay. The application of Foucault to an unassailable, authentic Maori-ness, an elitism mediated through post- and neo-colonial subjectivities, and rooted in ‘cultural truths’ has described something that has always felt inherently and painfully out of my reach. The encumbrance of the subject tradition that Hokowhitu identifies, and the violent means by which it forecloses the possibilities of a non-elitist notion of freedom, is both a calling out and a response; an act that can only come from a willingness to be academically vulnerable in a way that itself performs a whole new kind of masculinity.

And, whereas on some levels it might be possible to read Reyna Ramirez’s essay as a call to celebrate the kinds of nationalistic masculinities that might be erected in response to settler colonial desires, she challenges us to imagine how deeply a re-cognition of markers of masculinity (i.e., one that might encompass prophecies, inherited lineages of warrior responsibilities, self-deprivation for a greater good, a belief in survivorship that surpasses an individual lifetime, and a complex navigation of competing ideologies of non-blood kinship) might de-center settler notions of personhood. This is a direct challenge to neo-liberal notions of individual material successes, and offers a much more generative interpretation of the role of an individual in contributing to familial, tribal and communal sovereignties. Ramirez may be proposing a way of imagining
epistemological shifts around markers of racialised gender within the archives.

Any sense of relief we might feel in the solidity of a geography beneath our feet is destabilised in Mishuana Goeman’s reading of poetry and cartography. A spatialised kind of justice performed, as Goeman argues, in the poetry of Joy Harjo, is a call to actively un-settle notions of land and bodies. Far beyond the resurrection of a buried authenticity, Goeman argues that we must push ourselves to potentially reformulate ‘an alternative to the conscriptions of race, bounded nations, and conquered people’. Rather than a prescription, this argument might be understood as a license; permission to follow a navigational route conceived by cultural workers.

The high stakes that Andrea Smith identifies in the ideologically false, but materially accurate, dichotomy between short-term judicial accommodations and long-term revolutionary goals, reflects her insistence on focusing on violence against Native women. She sets a standard for evaluating academic and political strategies, both as regards quests for ‘justice’ within state-sanctioned systems, and in relation to revolutionary dreams that think beyond the current existential consequences of being ‘native’ and ‘woman’. The clarity she brings to examining underlying assumptions about morality and values is an example of the possibilities in interdisciplinary scholarship, and of a decades-long commitment to creating a world in which Native women will not be the default target of institutional and inter-personal violences.

Hulleah Tsinhnahjinnie’s images ‘Hoke-tee’ and ‘We-wha, The Beloved’ also disturb the seductive comfort of the tools we may have been content to wield – of tradition, archive, maps or law. Her work requires that we question the very indexicalities we may have been trained to rely on, not by an explicit refusal, but by juxtapositions that can make our assumptions feel slightly ridiculous. But the beauty of her suggestions can relieve us of a persistent shame.

The irony in Nada Elia’s title, ‘Gay Rights With a Side of Apartheid’, allows less room for absolution, not only for us as scholars and activists, but as scholars and activists committed to fully comprehending the effects of settler colonialism. How can the processes that produced critical queer and indigenous theories and theorists, also produce such a resonant historical silence around
colonial practices in Palestine? How might the practice of gay tourism – or, of consuming gay pornography set against the backdrop of violent erasures – produce an indifference compatible with perpetuating settler colonisation? Her essay establishes a new, shifting and exciting critique of the means by which ‘we’ could become the ‘they’. In challenging the limitations of a Native imaginary that could allow the silence around Palestine to continue, Elia encourages us to build a more robust notion of sovereignty itself.

This collection contains two notable exceptions to this silence: Mike Krebs and Dana Olwan’s “From Jerusalem to the Grand River, Our Struggles are One”: Challenging Canadian and Israeli Settler Colonialism’, and Scott Morgensen’s ‘Queer Settler Colonialism in Canada and Israel: Articulating Two-Spirit and Palestinian Queer Critiques’. Rather than elucidate their contributions to a growing dialogue about sovereign responses to settler colonialism in Palestine, let me just say how excited Scott and I are that this noise, this scholarly suturing across borders, oceans, continents and time has happened within this special issue of settler colonial studies focusing on gender and sexuality. Our work, and that of the journal’s contributors, is intended as a series of propositions rather than a conclusion. It has been a process of calling, and of responding, with the necessary overlaps and gaps.

Finally, it is the measuring of a distance that Qwo-Li Driskill charts, of a waiting for, and a coming home to, somewhere not entirely new.

BIographies NOTE

Michelle Erai is Assistant Professor of Women’s Studies at the University of California, Los Angeles. She was a co-founder of Incite! Women of Color Against Violence. Currently she is writing her first book, Civilizing Images: Violence and the visual interpellation of Maori women. Her tribal affiliations are Ngapuhi, Ngati Whatua, and Ngati Porou.
Recalling hundreds of cases and placing them into national and transnational political contexts, *Aboriginal Title* presents, as the book’s sub-title conveys, an exploration of the modern jurisprudence of tribal land rights. McHugh is frank and reflective about the development of the doctrine, refreshingly partisan and critical in places, apologetic for it in others – and this makes the study more than a reference book for legal scholars with interests in indigenous land rights. The book will be of value to other legal scholars. In fact, it is quite possible to regard *Aboriginal Title* as a historical study of the common law itself – as McHugh uses the doctrine to tease out the complexities and subtleties of the ‘common law enterprise’ inherited by former colonies the world over. Accompanying this analysis are a number of thoughtful commentaries about public interest litigation and the emergence of international law: topics that are generating interest among legal scholars globally.

With respect, I want to suggest that the title of this book understates the author’s finished product, however. There is more to the book than jurisprudence; this is an important contribution to the interdisciplinary field of settler colonial studies as well. In many ways, this is a genealogy of settler reason; as he puts it, an ‘intellectual history of a legal doctrine that changed forever the terms of engagement between the tribes and the Anglo-settler state’ – something that requires reference to material beyond his collection of case law.\(^1\) It is a study of rights, or more especially, *rights talk*, in popular and political discourses: a phenomenon that starts its life
confined within national domains before spreading its wings into the transnational realm. It is not (with some exceptions) about those colonies that were transformed into self-determining nations with the era of decolonisation, but a story of those settler colonial locales that performed no such transformation – where sovereignty remains held by a settler colonial state which creates the legal and political configuration for indigenous individuals to weave through in pursuit of redress and restitution. For McHugh, ‘Common-law aboriginal title was an episode in the legal history of the Anglo-settler state’s relations with its indigenous tribal inhabitants’. He develops this argument across each of his detailed chapters.

McHugh’s introductory chapter situates the study in a legal context and comes with a concise summation of the history of Anglo settler colonialism. Here he shows off his familiarity with the recent historiography on the topic. Moving on from this firm grounding, he identifies the political conditions specific to each locale that allowed for aboriginal title to emerge. McHugh wants to stress that a number of well-known developments from the 1950s to the 1970s – among them assimilation/’termination’ policies, the civil rights movement, non-discrimination legalism, and the rise of indigeneity – had been powerfully influential in the development of the legal doctrine (and he bestows these developments with considerably more causal weight than one might expect from a common law historian).

Then, the narrative continues, mentioning the publication of a few commissioned reports here and there, and the emergence of indigenous activism everywhere; before long a confident and experimental type of legalism was developed (mostly, it must be said, by non-indigenous peoples). This development occurred differently across the board. In Canada, the Indian Act, and the rigid ‘status-Indian’ reservation system that was foundational to it, was outmanoeuvred in the courts, most famously in the Calder case (1973). Following this, the possibility for Aboriginal title was scrupulously studied – mostly by scholars of the Saskatchewan school – and new cases steadily emerged thereafter. Then, in 1982, Canada’s new Constitution came with indigenous rights enshrined into it. This led to the replacement of the somewhat erratic pattern of claiming (at provincial level, with inconsistent adjudications) with a more stable and refined (if still controversial) legalism.
Over in Australia, despite the initial impediments set by Justice Blackburn in *Milirrpum v Nabalco* (1971), native title began to appear (if, however, conservatively) in state legislation, spreading from the Northern Territory to Western Australia, and then to New South Wales. Federally launched ‘independent inquiries’ into Aboriginal demands served more to stunt than foster the growth of native title (‘a pattern of policy-dodging’ rather than ‘policy-making’), before, beginning in the 1980s, a number of lawyers, academics and indigenous people in Queensland began to strategise land claims there. The first *Mabo* case (1982-6) was a failure for the claimants; the second case (in 1992) was a victory, and broke new ground.

In New Zealand, technically there was no aboriginal title doctrine in the early period – or, rather, it did exist but was manifested in very different ways. The establishment of the Waitangi Tribunal in 1975 was a huge milestone, from then onwards (particularly after the mid-1980s), the Treaty of Waitangi obligations were placed under critical independent review. In this context the principles of aboriginal title duly emerged in ways we recognise today; but it would not be until the emergence of the New Zealand foreshore and seabed controversy in 2003 that the doctrine itself came into play before the courts.

Having covered this dense ground, McHugh then becomes more analytical, and turns his focus to Australia and Canada, identifying ‘the devil in the detail of a maturing jurisprudence’. As he observes, in response to the *proprietary* nature of the claims – with historical links to *land itself*, tradition, culture and untainted aboriginality at the core of ‘the proprietary paradigm’, as McHugh describes it – the courts developed a checklist and placed the onus on claimants to tick it off: recognition (of rights consistent with Crown sovereignty), proof (of pre-invasion occupation), nature of land use (within specific territory), and extinguishment/continuity (of title by non-indigenous activity) needed to be shown in court for claimants to be awarded. This was a crucial development. Indigenous rights and the confident legalism associated with it, writes McHugh, ‘started out as broad and with the flavour of public interest about them, [but] gradually by a process of refinement and amplification ramified into more concrete forms framed by the proprietary paradigm’.
What follows is the stalling of the doctrine. ‘Twenty years of aboriginal rights litigation, and all the eddying and changes that came in that period, had confirmed the institutional limitation of the courts’. In Canada, cases became increasingly aimed towards resource rights and land use, and greater weight was placed on exclusivity of occupation. In Australia, Aboriginal ‘custom’ and ‘tradition’ became strict requirements, and a succession of native title legislation further reduced the scope for claimants.

But aboriginal title did not die. McHugh is adamant on this. In the last decade, its principles have been flirted with in places as diverse as Belize, Botswana, Japan, Kenya, Malaysia, Philippines, South Africa, Sweden and Tanzania. In a series of declarations, resolutions and treaties at the level of international law, manifestations of the doctrine have appeared, and continue to appear, as well. Depending on one’s disciplinary background, these developments may just as suitably be attributed to the transnational emergence of indigenous rights discourse as they can to the jurisprudential essence of common law aboriginal title. However one interprets these developments, it is another matter entirely whether or not they might soon offer real benefits to indigenous communities across the world. This is a matter that McHugh, perhaps out of optimism, chooses not to confront, leaving it lingering in the background instead.

It is the fifth and 87-page page chapter on ‘aboriginal title within and across disciplinary boundaries’ in which some of the most original contributions of the book appear, as McHugh engages, from a fresh perspective, as a legal scholar, with a number of debates in relation to aboriginality, land, and, more generally, the pursuit for redress, currently raging in the fields of history, anthropology, political science and philosophy. This section is not so much about jurisprudence as it is about interdisciplinary and the interpretative capacity of non-indigenous professionals. It is, however, certainly the most complex (and, I think, purposeful) part of the book. In it, he critiques the ‘claims industry’, offers a refreshing take on the ‘History Wars’, shows sensitivity towards questions of methodology and partiality, and engages with each of the ‘many political dispositions’ that aboriginal title ‘chimed with and against’ from the time of its emergence.
Before the conclusion, the reader of this chapter is then lured into a history of the common law status of colonies, mostly amended from his groundbreaking paper written back in 1998 for the *Saskatchewan Law Review*. Reading this section, one wonders whether it belongs in *Aboriginal title*, as it sticks out like the proverbial sore thumb. Thankfully, McHugh offers some justification for its inclusion at the end of the chapter. His argument in this section is worth running through. The history of English common law is one in which indigenous peoples (and their laws) were usually marginalised: settlers and natives, the commonplace imperial fantasy had it, were to live together, all of them subjects of the Crown, but with separate pathways leading them to justice. Needless to say, the fine-tuned and occasionally manipulated common law pathway existed mostly for the settlers; indigenous peoples, from the outset, following Coke, had ‘infidel’ laws (or occasionally, were deemed to have no cognisable legal regime at all; as it panned out, *terra nullius* usually went hand-in-glove with assumptions of *lex nullius*).

One of the main points McHugh wants to make here – there are other, highly nuanced ones impossible to abbreviate – is that, from the late fifteenth century up to the end of the eighteenth, the severely different experiences of settler and indigenous peoples as the common law developed became ever more ‘distinct’ in the colonial legal orders, and that this affected not only the way that the common law developed in the settler colonies, but also established a platform (albeit a sometimes rickety one) upon which indigenous groups would eventually balance themselves from the 1970s onwards in courtrooms across Canada, Australia and New Zealand. ‘However’, he goes on,

the status of property rights inside the colonial legal system was a function of systemic perceptions of justiciability and the nature of [settler] civic government. The constitutional status of a colony was concerned specifically with the relation of the Crown to its own community of subjects. Building an argument for the judicial recognition of aboriginal title from the distinction takes no account of that history. It severs the
distinction from its own history for the purposes of late-twentieth-century legal argumentation. This is not necessarily to decry that exercise (although it will be plain that I regard it as unnecessarily convoluted and long-winded), so much as to say that a contemporary spin on the distinction should not be regarded as an explanation of how it was conceived historically. This distinction has been used to generate contemporary legal doctrine. It was never seen as having any bearing upon the Crown's management of relations with the tribal inhabitants of territory over which it asserted sovereignty.  

There is another ‘distinction’ embedded into the conceptualisation of aboriginal title about which McHugh writes at length throughout the entire book, and that is the one between imperium (sovereignty) and dominium (ownership). It is not his intention to deny the historical importance of these terms, or to question their value as analytically distinct categories. Rather, and related to the other ‘distinction’ identified, McHugh is interested in showing how this separation developed over several centuries with different results for different Crown subjects. Settlers disembarked their boats with both in their baggage; indigenous people tended to be confronted either with ‘the suspension of all tribal property, a legal vacuum as it were; or continuity, some form of cognisability in the courts of the arriviste legal system’. Centuries later, for all the political specificities of each ‘arriviste legal system’ across Australasia and in North America, this very distinction would prove crucial to the ways in which aboriginal title was first conceived (and continues to be today). Common law aboriginal title

state[d] that the proclamation of Crown sovereignty, sometimes called imperium (the self-claimed right to govern), did not simultaneously exclude pre-existing property rights or dominium. Sovereignty and ownership were not to be conflated. The feudal model of Anglo settlement synthesizing imperium and dominium had to be carefully qualified (without being wholly rejected). At
its most basic formulation, aboriginal title has been founded upon this presumption of legal continuity and the separation of *imperium* from *dominium*. Whilst the Crown becomes technically the paramount owner of all land within its new colony and settler had to derive title from a formal patented grant (the retained feudal element), the tribes’ title was to be recognized as a surviving legal ‘burden’ on that ownership that could only be extinguished (ie legally discontinued) through the Crown.\(^\text{10}\)

The distinction bestowed the doctrine with a kind of ‘respectability’ and purchase in ‘legal circles’ from the very outset, but with time it probably became too rigid. Land rights and self-determination, after all, belonged to the same indigenous rights program: ‘in the political landscape beyond the courtroom door [they] were blended by claimants, politicians, and the commentariat, their inter-connection confirmed by the emergent thrust of international law’.\(^\text{11}\)

The development of the modern, ‘respectable’ legalistic distinction between *dominium* and *imperium*, then – whether or not this distinction in court corresponded accurately at all times with the realities of colonial history – transferred onto the ‘proprietary paradigm’ at the core of aboriginal title. It slowly froze the doctrine and cordoned it off from self-determination, leading indigenous people into the bind they find themselves today.

Perhaps the most eye-opening observation McHugh makes throughout the entire book relates to aboriginal title as an expression of settlers’ sovereignty: ‘The reception and jurisprudence of the doctrine in all its national variations signified neither the beginning nor the end but a distinct phase in the legalism of settler-state relations with its indigenous peoples’.\(^\text{12}\) And this phase, led by the judiciary, came at a most convenient time.

The courts were a key means of defanging rising militancy. They legitimized aboriginal claims; accepted on behalf of the Anglo state some measure of institutional responsibility for its
Cavanagh, ‘Review: Aboriginal Title’

historical treatment of tribes; and provided a venue in which the national shame could be addressed and even purged.\textsuperscript{13}

Its time had come, but it was settlers who made the decision to receive it into their own legal and political systems.

Aboriginal title’s allocation by settlers’ sovereignty is reflected in the historiography too, argues McHugh:

Law and history become entwined in moral narratives that simultaneously affirm the agency of [the Anglo] nation-state and avow its redemptive capacity whilst also condemning its present inaction and past conduct. In that sense the contemporary discourse of common law aboriginal rights remains essential inside the firmament of settler-state sovereignty.\textsuperscript{14}

The history of common law aboriginal title shows us not only that settlers always held sovereignty over indigenous peoples (if sometimes on behalf of the Crown), but also that they continue to do so. This political reality – a settler colonial one rather than a colonial one, to be sure – greatly impacted on the ways in which the doctrine was imagined (and is still imagined).

McHugh’s decision to limit his book to Australia, New Zealand and Canada may not be as startling to common law scholars as it is to historians, but certainly it is significant. The influence of the United States of America’s legal tradition post-1776 in the development of aboriginal title is notably (and quite deliberately) understated throughout the book. Interestingly, Chief Justice Marshall receives only a few paragraphs. This stands in stark contrast to the importance other scholars attribute to his decisions: recently, for example, Blake A. Watson has used it to explain \textit{entirely} the emergence of aboriginal title in Australia, New Zealand and Canada.\textsuperscript{15} McHugh’s approach, while complementary to Watson’s and others’, is very different. Whether his American readers will be more or less inclined to pick it up because of this remains to be
seen, and its reception north of the 49th parallel will be interesting to observe.

*Aboriginal Title* is an incredible synthesis of case law, recounting the rise (and, in some respects, fall) of a unique form of public interest-inspired legalism. History and politics are never kept in the background; they accompany the narrative along the way, and occasionally jump out to sprawl over several pages. This is not distracting, on the contrary, McHugh’s obsession with helping the reader understand context is entirely appreciated. One suspects this book will become just as important as his earlier tome, *Aboriginal Societies in the Common Law* (2004). Readers should also be excited by his forthcoming project, ‘provisionally entitled The Ideological Origins of Settler Sovereignty’. It is heralded in a footnote in the introductory section.16

**BIOGRAPHICAL NOTE**

*Edward Cavanagh has been a student in many of the old dominions. He has recently published a book on the Griqua people’s position in the South African historical tradition, and, with thanks to the Trillium Foundation, is a graduate student at the University of Ottawa, preparing a comparative legal history of companies within the British Empire.*

**NOTES**

2 McHugh, *Aboriginal Title*: 336.
3 McHugh, *Aboriginal Title*: 106.
5 McHugh, *Aboriginal Title*: 188.
6 McHugh, *Aboriginal Title*: 327.
8 McHugh, *Aboriginal Title*: 305-306.
13 McHugh, *Aboriginal Title*: 7.
14 McHugh, *Aboriginal Title*: 272.
16 McHugh, *Aboriginal Title*: 31, n. 8.
Review:
Grappling with the Beast

JARED MCDONALD
School of Oriental and African Studies
University of London


The collection of essays collected in Grappling with the Beast: Indigenous Southern African Responses to Colonialism, 1840-1930 brings together the contributions of a number of established and emerging scholars within a field of inquiry, which in spite of an extensive historiography, remains far from being settled. This collaborative effort is a welcome revisit of a subject which continues to be as relevant today as it was back in the 1960s and 1970s when historians first began to focus on indigenous responses to colonialism in southern Africa. However, rather than recasting the colonists and the colonised in the typical, taken-for-granted moulds of the aggressors and ‘the Other’ respectively, these essays advance a number of innovative directions in which studies of indigenous responses to colonialism may be developed in the future. The result is a well balanced reappraisal of how colonised identities were shaped and re-shaped in the fluid and highly volatile context of the colonial encounter in southern Africa, with an emphasis on indigenous perspectives.

While avoiding superficial conclusions underscored by an over-dependence on postmodern assertions of the hybridity and variability of identities at all times and in all settings, the authors have nonetheless reconfirmed the debunking of the worn out binary opposition of domination and resistance. Indeed, for those living in the past (both colonised and coloniser) there was no stable, single trajectory toward colonial subordination. African responses were
complex and ambiguous and it is this reality that this book captures so well. Following the introduction, the ten chapters are organised in two parts, the first dealing with African political, social and spatial responses to colonialism, the second focusing on responses of the literary, cultural, intellectual and religious variety.

Norman Etherington’s introduction sets a firm conceptual and theoretical foundation for the chapters that follow, simultaneously highlighting the core themes which are explored. At the heart of the research lies a plurality of analytical thought: lived experiences relating to confrontation, collaboration and even consent, exchanges of knowledge, diffusions of power, and with regards to identity politics, an emphasis on hybridities as opposed to dichotomies. ‘Resistance’ and ‘agency’ are present as organising concepts, but their nuanced handling by the authors has meant that the potential for falling into a structuralist trap, positioning indigenous responses as universally hostile and subversive, has been avoided. In this vein, Etherington sums up the rationale behind the compilation when he comments that ‘[[i]f there is a single strain of intent running through the chapters [...], it is the shared objective of making complex something widely thought to be simple’.  

In a brief critique of the foundational texts for post-colonial studies, namely those of Frantz Fanon and Edward Said, Etherington points out that while he and the contributors agree that settlers made the ‘native’, and that colonialism invented ‘knowledge’ about the native, this was not always ‘in circumstances of their own choosing’. Indigenous peoples across southern Africa, they contend, continuously challenged European settlers by ‘employing a bewildering variety of strategies: collaboration, accommodation, mimicry, religious innovation, cultural differentiation, ethnicity, communication in native as well as European languages’ and myriad others.

Certainly, the timing of the publication of this work is right on cue. After all, it is not surprising that in the early twenty-first century, historians continue to be intrigued by the diverse ways in which colonised peoples responded to European intrusions and impositions in the nineteenth and twentieth centuries. The ‘rest’, more than ever before, is ‘speaking back’ to the ‘West’ (most evidently in the rise of the ‘Global South’) and in doing so, inspiring scholars to search for subaltern voices, through close analysis of historical texts and
documents. When it comes to colonial and post-colonial studies, the subaltern has never before been more vociferous.

In addition, the crucial and complex roles played by mediators within the processes of colonialism are revealed over and over again as they appear in almost every chapter of the collection. Whether chiefs, Christian devotees, lower level colonial bureaucrats, or members of the indigenous petit bourgeois, it is apparent that these intermediaries serve the historian well as the personifications of the hybrid nature of the subjects colonialism produced. Rather than type-casting such characters as resisters or collaborators, ‘resisters and collaborators were frequently the same people’; interstitial individuals were active in inventing their own self-images by ‘adjusting their strategies to the exigencies of the moment’. Colonial intermediaries are appealing figures for historical inquiry, especially at a time when historians are grappling with the writing of history in an increasingly globalised context. Cross-cultural brokers, interstitial figures and hybrid identities are everywhere; questions pertaining to how ‘in-betweeness’ exhibited itself in the past are well placed in the contemporary intellectual milieu.

Part One of the book begins with a historiographical piece by Christopher Saunders discussing why it took so long for historians of southern Africa to investigate indigenous responses to colonialism. Saunders suggests that this is largely due to the impact of extensive settler colonialism in the African sub-continent. It was only in the 1960s and 1970s that historians began to seriously consider African reactions to colonialism. Although pioneering, much of the related canon was, however, very descriptive and in large part motivated by anti-apartheid and anti-colonial agendas, meaning that resistance was emphasised and collaboration sidelined.

Contrastingly, in a bid to demonstrate that there had been inter-racial cooperation in the past and that there was no reason why it couldn’t happen again, works in the 1980s tended to romanticise historical instances when collaboration did occur.

Saunders’ chapter neatly sets up the remainder of Part One and is followed by the stand-out contribution: Fred Morton’s ‘Fenders of Space: Kgatla Territorial Expansion under Boer and British Rule, 1840-1920’. Morton’s study of three generations of Kgatla who were consecutively subservient to the Boers of the Rustenburg District, the
Zuid Afrika Republiek (ZAR), the British South Africa Company, and finally the Bechuanaland Protectorate, captures the essence of the arguments and analyses pursued in this volume. Contrary to any linear narrative of colonialism, dispossession and resistance, the Kgatla actually increased their cattle holdings and the territory over which to graze and water them during this period. In the 1840s, they provided mercenary forces to Boer commandants plundering Africans on the ZAR frontier. During the 1850s and 1860s, they paid tax to help satisfy Pretoria’s dependence on revenue from Africans. In the 1870s, the Kgatla relocated to Bechuanaland, from where they assisted Pretoria in securing its western border from African incursions. Following 1885 and the founding of the Bechuanaland Protectorate, the Kgatla became British subjects successfully representing ‘themselves to the British as a “nation” under Linchwe’, their leader, eventually gaining ‘recognition from the Protectorate’, which resulted in the ‘creation of the Bakgatla Reserve in 1899’. During the South African War of 1899-1902, the Kgatla provided the British with military support, while gaining land and cattle for themselves. Morton argues that the Kgatla were ‘led by chiefs and advisors who understood the strategies employed by their respective colonial overlords’, so much so, that ‘they succoured both the bent of Afrikaners to stifle African assertiveness and the predisposition of Britons to feel in control’.

Morton’s chapter is followed by two equally valuable contributions. Firstly, Peter Limb has written a substantial piece on indigenous responses to colonial capitalism in South Africa between 1890 and 1920. In a period in which the first waves of industrialisation swept across the region, Limb explores the multifaceted roles played by petit bourgeois intermediaries in the creation of new regional and national African political organisations, as well as the ‘first attempts to organise black labour’. In doing so, he reveals what he calls ‘shades of accommodation’: combining political, labour and gender history, the chapter assesses how educated subalterns – re-cast as cross-cultural brokers and bricoleurs – ‘collaborated or accommodated with colonisers to facilitate colonial administration, while securing terrain to survive’.

Secondly, Dag Henrichsen’s chapter forwards a convincing reappraisal of the war between the Herero and Germans in southern
and central Namibia in the first decade of the twentieth century. Emphasising ‘territoriality’ as the primary motivating factor for the Herero to go to war, Henrichsen argues that Herero society, on the cusp of the war in 1904, has to be regarded as having been ‘a modern pastoral society that developed only from the 1860s onwards within the frameworks of mercantile capitalism and early colonial expansion’. The Herero’s concept of territoriality, which had emerged as a result, ran contrary to German attempts to physically demarcate borders and boundaries, thus triggering the outbreak of the war. Henrichsen’s central, and persuasive, argument is that ‘the war itself was not a war between a traditional African society and a modern colonial machine’, but rather between two groups who were accustomed to the challenges of modernity and fully appreciated the role of territoriality in managing those challenges.

Following on, and in an otherwise excellent discussion of the Kalanga’s experiences of, and engagements with, colonialism in south-western Zimbabwe, Enocent Msindo devotes too much attention to discrediting the available historiography. Surely it is unfair to judge as harshly as he does histories written before the cultural turn by the new theoretical impulses and criteria established by the cultural turn? Terence Ranger, in particular, comes in for several scathing rebuttals, as does Julian Cobbing. Such a refutation of histories written forty years ago may have its merits, but the caustic tone of the criticism in the chapter only serves as a distraction. It would have been sufficient to point out, as Msindo does, that the historiography, in its nationalist guise, has tended ‘to [ignore] the histories of small communities, especially their internal socio-political cultures’, and then focus more directly on the importance of ‘localised identities’ and ‘their role in shaping indigenous responses to the colonial system’. Nonetheless, in the end, Msindo succeeds in demonstrating that there was no single experience of colonialism for indigenous peoples and that resistance, when it did occur, took on multiple forms, dependent upon localised circumstances.

Closing out Part One is a chapter by Stephen Volz and Part Mgadla which deals with how the Batswana ‘increasingly employed literacy as a tool in their dealings with Europeans’. While Etherington may be right that this chapter, with its ‘emphasis on
texts’, serves as a ‘natural bridge to the second part of the book’, its unsubstantial analytical engagement with the texts comes across as more of a dependence on texts.\textsuperscript{17} Indeed, what is to be gained from a chapter wherein there is very little analysis in a volume dedicated to analysing indigenous responses to colonialism? Rather than letting the sources speak for themselves, a more robust analysis of the sources ought to have been produced, tying in the themes revealed by the dual processes of conflict and negotiation for the Batswana in the Lower Vaal River region during the mid to late nineteenth century with the pertinent, over-arching themes elucidated in the rest of the volume.

The four chapters of Part Two, as already alluded, focus on African literary, cultural, intellectual and religious responses to colonialism. The conceptual ethos of the chapters by Peter Midgley, Ntongela Masilela and Grant Christison are best summed up by Masilela’s remarks on the ‘great historical enigma’ represented by European modernity within the colonial context: ‘oppressing African people, yet at the same time providing them, however unintentionally, with the tools for their own liberation’.\textsuperscript{18} All three chapters explore the creative responses of African intellectuals and authors to colonialism, and their endeavours to articulate autonomous understandings of modernity. From Ntsikana’s ‘Ulo Thixo omkhulu’ to A. C. Jordan’s ‘The Wrath of the Ancestors’, from Samuel Mqhayi’s ‘Ityala lamawele’ to the poetry and writings of Nontsizi Mgqwetho and Robert Grendon, the political allegories and calls to figurative and literary warfare by each are deftly explored by Midgley, Masilela and Christison.

The stand out chapter in this section, however, belongs to Tolly Bradford. He explores how two ‘native missionaries’ – Tiyo Soga in the Cape Colony and Henry Budd in Canada – ‘constructed visions of the wider world and responded to colonialism’ in ways informed by the global reach their involvement with mission organisations afforded them.\textsuperscript{19} The trans-regional networks created by British mission societies tied Soga and Budd into a global frontier context, which gave them more comprehensive insight into the ways of the colonial world. Bradford’s observation that ‘scholars of Indigenous peoples have been slow to examine the possibility that Indigenous peoples were also operating in a global context during the era of
McDonald, ‘Review: Grappling with the Beast’

colonialism’ is a timely call for more work to be done on this aspect of mission history.\textsuperscript{20}

Having noted that this volume did not arise from a conference or workshop, but rather out of the individual contributors’ responses to the editors’ invitation, Etherington, has inadvertently alluded to the work’s main weakness – its lack of collaborative exchanges between the contributors. While collaboration is a dominant conceptual theme in the chapters of the book, it is unfortunately lacking in the volume’s assembly. For example, Samuel Mqhayi features prominently in Mdigley’s chapter, as one of the ‘Renaissance Men’, as well as in Masilela’s chapter, in which Mqhayi’s appeals for the preservation of African languages within the broader ‘New African Movement’ are an important focus. Yet neither author makes any reference to the other. This is a missed opportunity for exchanging notes between analyses; for making the overall work more cohesive and engaging.

One final note: Etherington’s brief discussion of the word ‘indigenous’ is far from satisfactory in a volume dedicated to indigenous responses to colonialism. That none of the contributing authors offers a more intensive discussion of this term is equally disappointing. Several authors treat the term ‘African’ as synonymous with ‘indigenous’. Historically, that may be acceptable (even so, this is dependent upon who qualified and continues to qualify as ‘African’), but in the identity politics industry of southern Africa today, ‘indigeneity’ is used to denote those who belong from those who think they belong or want to belong; the former regarded as ‘insiders’, the latter as ‘outsiders’. And yet, all ‘insiders’ in southern Africa were at one point ‘outsiders’, apart from the San, who unfortunately only feature as bystanders in this volume. ‘Indigeneity’, rather than being a given, is subject to being invented, and inventing, no doubt, occurs more vigorously at particular intervals, such as during the colonial era (Henrichsen’s chapter succeeds in demonstrating this). A more thorough discussion of the loaded nature of indigeneity, past and present, would have been welcome. Nonetheless, this is a valuable collection of excellent essays, dealing with a subject matter that has many more questions to ask and answer. It should be read by those seeking to do just that.
BIOGRAPHICAL NOTE

Jared McDonald is a PhD candidate in the History Department at the School of Oriental and African Studies, University of London. His research interests include, among others, missions and ‘First Peoples’, Christianity and identity politics, and the history of the London Missionary Society in the Cape Colony. He is also a Research Assistant for the Livingstone Online Project at University College, London.

NOTES

7 Morton, ‘Fenders of Space’: 34-38.
8 Morton, ‘Fenders of Space’: 43.
9 Morton, ‘Fenders of Space’: 23.
12 Dag Henrichsen, ‘Pastoral Modernity, Territoriality and Colonial Transformations in Central Namibia, 1860s to 1904’, in Limb, Etherington, Midgley, Grappling with the Beast: 94.
13 Henrichsen, ‘Pastoral Modernity, Territoriality and Colonial Transformations’: 94.
16 Stephen C. Volz, Part T. Mgadla, ‘Conflict and Negotiation along the Lower Vaal River: Correspondence from the Tswana-Language Newspaper Mokaeri oa Becuana’, in Limb, Etherington, Midgley, Grappling with the Beast: 162.
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