EDITORIAL: THE BORDERPOLITICS OF WHITENESS

LARA PALOMBO AND MARIA GIANNACOPOULOS

We begin this edition by acknowledging the sovereignty of the Cadigal people, upon whose land we live in Sydney, and upon whose land this ACRAWSA e-journal has been produced. However, it is against the background of the *ongoing denial* of Indigenous sovereignties as well as the unrelenting 'War on Terror', both on and off shore, that we introduce an edition of the ACRAWSA e-journal on the *Borderpolitics of Whiteness*. This edition contains a selection of papers, first presented at the *Borderpolitics of Whiteness* Conference in Sydney 2006, that contribute to discussions of the multiple ways in which borders and their attendant politics are continually transforming but still operational *as* white colonial power. The essays and literary work that comprise this edition bring to attention the historical formations and transformations of the borders of whiteness and the targeted violence that these processes produce through their concatenation with a politics of 'race'. The *Borderpolitics of Whiteness* has become a renewed politics of vengeance by processes that re-constitute their alignments via the regulation of the body, across local and national spaces, and across diasporic and transnational formations.

The *Borderpolitics of Whiteness* Conference, as the first official ACRAWSA Conference, brought together academics, performers and community activists to engage in a dialogue around issues pertaining to a field that we believe cannot but be controversial. The very terrain that the conference played out upon was and is, to use Irene Watson's term, "unsettled".[1] We adopt this term and call the space of the Conference "unsettled" because this was a space constituted by diverse intents to challenge the 'borderpolitics of whiteness' as a form of power, but it was also a space invested *in* whiteness or constructed through these same borders. In other words, complex racialised relations of power persist even in spaces that have been set up to critique and dismantle them. Discussions at the Conference and at the Community Forum "The Borderpolitics of Communities: Marking Cronulla" indicated that much work still needs to be done in order to develop strategies across community and academic spaces to continue to contest colonial relations of power. We read the controversial discussions that took place at the Community Forum as testimony to the different modes of questioning 'whiteness', but also as marking the differential effects that colonialism continues to exact upon the bodies of people from various communities. The intricate web of racialised relations that were laid bare at the Forum should be placed and understood within the broader context of the complex operations of colonialism which embeds divisions and then thrives in these very climates. In saying this we are not advocating a politics of sameness or easy unities as the way forward; instead we think that insisting on mapping the various manifestations of colonial power upon different communities *and* their interconnectedness is one way to move towards racial justice in the Australian colonial landscape. We believe this to be a difficult and painful dialogue that

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needs to continue as a way of negotiating, understanding, intervening in and contesting colonial power in the multiple forms that it takes. Discussions around the ways in which non-indigenous communities can engage with the politics of racism in the context of denied Indigenous sovereignties are particularly urgent and need to be continued.

We are very privileged in this issue to reproduce extracts of some highly poignant daily entries documenting life in immigration detention by Mina from *Mina's Diary* and a collection of poems powerfully crafted by esteemed writers Nor Faridah Abdul Manaf *The Veil My Body,* Tony Birch *Not Our Job* and *Another 113*, Anita Heiss *White and Black Poetry Readings: Distinct Differences* and Ouyang Yu *The Last Barrier*. These great works were selected by Dr Helen Koukoutsis who negotiated with each writer or their publishers, highlighting the purpose of this journal and of ACRAWSA. These works participate in current polemics of war, race, sovereignty, refugee rights and detention centres, border control, religion, white Australia and its policies. Their use of literary and poetic discourses extends, encourages, inspires and builds up links that work to interrupt dominant narratives on these issues. Meanwhile, they undo colonial 'imaginations' that affect in multiple ways all readers of this edition. It is with their gritty critical incisiveness that *whiteness studies* must connect.

In distinct ways, the essays in this edition maintain a focus on the operations of borders and whiteness through analyses of law, geopolitics, history, racial violence and citizenship. The edition opens with the articulate and critical essay by Suvendrini Perera, '*Aussie Luck': The Border Politics of Citizenship Post Cronulla Beach*, a paper first presented at the Borderpolitics of Communities Forum in December. Perera's essay meticulously maps the ways in which citizenship is deployed as a form of internal border control and policing "across" a series of "discontinuous sites and contexts". She pinpoints "a hidden but nonetheless inexorable logic of territorialisation" that binds the racialised space of Redfern to the space of Cronulla and asks that the events of Cronulla be understood in terms of this relation. Without this there is an obfuscation of the "sociospatial linkages that sustain Sydney as a city constituted by racialised and ethnicised borders within a neoliberal regime that both recodes and reinscribes colonial demarcations, scales and categories". Within this framework Perera engages with the heterogenous effects of the "watershed" of Cronulla to expose the "racist hierarchies and demarcations that are…constitutive of Australia as a nation-state". Her detailed analysis of the Tamworth council's decision to refuse resettlement to Sudanese families, the decision to ban the Australian flag at the Big Day Out, the circulation of the Cronulla 2230 Board game, and the name changes of Governmental classificatory institutions, expose the "new emphasis on citizenship" as "a technology that aims to search out the enemy within". This is a project that, in making and remaking the borders between Indigenous and other racial/ethnic bodies, "extends at an official level the project of national purification undertaken at Cronulla Beach".

In an essay where the intellectual labour and analytical rigour of painstakingly dissecting elaborate documents of the U.S. state are palpable, Joseph Pugliese's *Geocorpographies of Torture* shifts the focus of the edition to the global business of empire and war. This paper, which was originally presented as a keynote address at the *Borderpolitics*

of Whiteness Conference, unravels and lays bare the logic that informs, enables and effectively legalises, the torture of Iraqi prisoners at Abu Ghraib. Pugliese invalidates the official claim that practices of torture "have a unique nature" by establishing crucial points of connection between the practices of torture at Abu Ghraib and the U.S.'s racially supremacist history, a violent history that continues to shape and inform the contemporary U.S. nation. Pugliese argues, through his incisive analysis of the deployment of legal rationales for defending torture, that "torture is officially sanctioned along a continuum of carefully managed intensities, punctuated by levels of pain that, the reflexively disciplined torturer 'knows' must not go beyond that defined level of intensity that will place his or her victim within the domain of possible death". Therefore, officially, "torture really only comes into being, paradoxically, in the death of the victim". And it is precisely because of this violent logic, through which "Arab prisoners become metonymic adjuncts of the external terrain of Iraq", that Pugliese insists that bodies become "the ground upon which the military operations are performed and through which control of the colonised country is secured".

In the Australian context, the borders of the Plantation Camps of the 1860's and the Internment Camps of World War One were violent colonial techniques that re-affirmed an anglophlic form of white diasporic and transnational power. Lara Palombo's essay *Whose Turn is it? White Diasporic and Transnational Practices and the Necropolitics of the Plantation and Internment Camps* critically historicises the ways that the Australian Camps, by instituting forms of control "outside the law", strengthened white (anglophilic) sovereignty and its participation in a global colonial project. This paper specifically engages with the way in which the bordering of these camps controlled the local shifts from the position of non-white and white 'object of labour' to 'political subjects' or citizens of the nation. The essay foregrounds how these Camps within their specificities continued the colonial techniques used against Indigenous Australians to create "white sovereignty" but also, as Palombo argues, "these biopolitical and necropolitical processes have been enacted to suit the 'global' aims of a certain transnational form of sovereignty".

In *Nomos Basileus: The Reign of Law in a 'World of Violence',* Maria Giannacopoulos tracks the points of connection between three distinct but legally enabled enactments of white sovereign power. Specifically, she draws on excerpts from the High Court Mabo judgement, Howard's celebration of Greeks being "fully integrated" and her own experience of racial violence on a Sydney train, in order to contextualise these events in relation to the process that enables them, that is, ongoing Indigenous dispossession. She questions the claim made by scholars of whiteness studies that Southern Europeans become "fully complicit" with Indigenous dispossession by contending that "In the context of an ongoing demand to 'integrate' the claim of 'full complicity' seems to be an impossible logic" since to be "complicit" is the "unspoken script of integration". Her analysis insists that the focus stay firmly on those sites of power that produce the violent coordinates *for* complicity. Howard and Brennan in Mabo are not only "fully complicit with Indigenous dispossession but they also produce the very conditions under which other communities then become implicated in 'post-colonising' work".

Jennifer Nielsen's essay *'There's Always an Easy Out': How 'Innocence' and 'Probability' Whitewash Race Discrimination* is a harsh but necessary indictment of law's ability to deal justly with questions of race discrimination. Nielsen asserts that anti-discrimination jurisprudence reproduces whiteness "because it promotes white interests and uses white standards, attitudes and behaviours to measure what is and is not legitimate". In relation to this, Nielsen argues that the non-recognition of race discrimination by the Tribunals can be understood, in part, as an effect of the application of the "the Briginshaw test", "which is a rule about the quality of evidence that can be used to make legal findings by inference". Although normative discourses of law would say a test like this affords "equality" since everyone receives the "same treatment" at law, Nielsen lays bare the racialised operations of this logic and of the test itself by positing that this test "instils the assumption that – being so 'serious' – race discrimination is unlikely to occur". This assumption is tied to "white confidence" that prevailing practices in workplaces are "race neutral". But again Nielsen dispels this logic by foregrounding the way in which Aboriginal peoples are portrayed (within the context of her interviews) as "invaders" in the "white space of the workplace". Importantly, she asserts that "this representation of Aboriginal peoples as the usurpers of territory can only be achieved through endorsing the capitalist premise of the rightful servitude of land-less labouring classes, which in this nation, is built upon the falsehood of white sovereignty".

Bi-lateral relations re-constitute the colonial national borders of Australia. Elaine Laforteza, in her essay *White Geopolitics of Neo-Colonial Benevolence: The Australia-Philippine 'Partnership',* exposes the Australian state as one that casts itself, "performatively" in the role of the "good neighbour", and in so doing obfuscates the way in which whiteness enables the establishment as well as the occupation of this position. In particular, Laforteza deploys Orientalism as a critical frame for foregrounding the operations of whiteness to assert that the "uneven exchange" that characterises the bilateral economic relations between Australia and the Philippines are an effect of the "distinctions expounded between the 'Orient' and the 'Occident', as well as with 'white' and 'non-white'". Through her close textual analysis of official documents that are seen to be simply between two states that are "already known", Laforteza demonstrates the way in which those documents are constitutive of the Australian state since it is the "elision of Indigeneity" that "packages Australia as a white, western centric nation". Importantly, Laforteza concludes that these omissions, along with the effacement of uneven geopolitical power relations, allow Australia to act *as though* it can legitimately contract with another state. Thus, the performance of benevolence within the region, a benevolence that continues to produce Australia as "white" is indissociable from practices of "continuing Indigenous dispossession".

The next paper is an invitation to reflect on the racial harassment and murders associated, again, with the borders of whiteness. David Singh's essay *White Subjectivity and Racial Terror: Towards an Understanding of Racial Violence* seeks to comprehend the way racial violence is the predictable outcome of a whiteness that violently negates the difference of the *other* whilst preserving the integrity of racialised space. Drawing from the work of Theo Goldberg on the "identity-in-otherness" and from Aileen Moreton-Robinson's

concept of the "possessive logic of patriarchal white sovereignty" Singh argues that "… It would appear that where proprietorial claims to territory are bound up with racial subjectivity, the will to self determination appears to be especially ferocious. The whiteness that is consequently given expression in the name of space, place and self is one that must force the 'other' away or efface entirely: racial harassment or racial murder". Drawing from the fictive portrayal of racial violence in Hanif Kureshi's novel, *The Black Album* (1996), from his personal experiences as a multicultural policy advisor, and from the events of December 2005 at the Cronulla Beach, Singh's paper strongly asserts that racial violence is not exceptional or irrational, but more the logical and predictable outcome of white racial subjectivity.

The final essay of the edition posits that the abandonment of set colonial borders might not produce decolonising effects but it can operate to create a shift in the debates of the "settler nation" to envision a "decolonial" space. In her essay *Vanishing at the Border,* Robinder Kaur Sehdev argues that despite the 'formal' abandonment of the colonial myth of the *Maid of the Mist* of the Niagara Falls, the myth has nevertheless endured and functions to re-produce similar myths. The *Maid of the Mist* narrative and other similar cultural representations sustain the racialised notion of the "vanishing Indian" and become the "structuring principle of settler imagined relations with First People" that re-produce colonial borders. These borders have not simply divided Canada from the U.S., rather they have marked the settlers' power to position First Nations as both at home on their lands and as profoundly alienated from them within the settler state. In this colonial setting Sehdev argues the "The responsibility to decolonise confronts every *we*. The *we* of the settler state and whiteness, if left undifferentiated and unexamined, is not bound to a recognition of agency and responsibility".

We hope that you enjoy this of edition of the ACRAWSA e-journal. The process of putting together this edition has been challenging but also incredibly rewarding. It must be said that this edition would not have been possible without the support of many people. We would like to thank Dr Goldie Osuri who, through her hard work and strategic thinking, made the *Borderpolitics of Whiteness* Conference a reality and has continually supported the production of this edition. We also wish to acknowledge and thank Dr Helen Koukoutsis for researching, selecting and negotiating the reprinting of the testimonial and poems reproduced here. Her support for this project has been demonstrated in a multitude of ways from the outset and for this we are grateful. This edition is the result of many important conversations that we had with the presenters at the Conference and is indebted to all the people that responded to our initial call for papers. Although not all the submissions that we received are reproduced here, they all helped to make this final edition possible. We warmly thank all the contributors to this edition: it is your intellectually incisive and politically committed work that has allowed us to transform an idea for an edition into an important contribution to this field of research. We also wish to thank the Department of Critical and Cultural Studies at Macquarie University for providing intellectual support and access to resources without which we could not have completed this project. We would also like to thank all the referees who supported this project by giving authors important feedback. Thanks to the ACRAWSA editorial

collective who proof read all the essays and made important suggestions. A special thanks to Damien Riggs for editorial advice and for uploading this edition to the web.

Notes

[1] See Irene Watson 'Settled and Unsettled Spaces: Are We Free to Roam?' *ACRAWSA e-journal* Vol.1, 2005

NOT OUR JOB

TONY BIRCH

we fear them gone and
pray Amen in respect of
the missing in empty waters

we cannot search
we cannot save
the lost of no-man's sea

they lay their bodies
beyond the border of
'definitions of responsibility'

ANOTHER 113

TONY BIRCH

there are 113
800 kms off the coast
to the west of us

113 to the north
113 dropping from the sky
and 113 tunneling in

21 children, 54 women
and 38 emaciated men
are preparing to attack us

Author Note

Tony Birch is a leading Australian scholar and literary writer. His poems, "Another 113" and "Not our Job" appear on the Asia Pacific Writers' Network website, under the title *The News Today*: http://www.apwn.net. The poem "Another 113" has also appeared under the title "White Nation" in the September 2005 issue of *The Quarterly*, which is published electronically by Sydney Pen Centre: http://www.pen.org.au/docs/Quarterly0905.pdf

NOMOS BASILEUS: THE REIGN OF LAW IN A 'WORLD OF VIOLENCE'[1]

MARIA GIANNACOPOULOS

Abstract

This essay is a response to John Howard's declaration that Greeks in Australia are desirable ethnics, due to their being "fully integrated". With this colonial act disguised as benevolence as the backdrop, I also respond to the work of Toula Nicolacopoulos and George Vassilacopoulos, whose important argument about Southern Europeans being positioned as "perpetual-foreigners-within" the Australian state, is vividly brought to life by Howard's latest celebration of racial *integration*. But then I move through Nicolacopoulos's and Vassilacopoulos's further arguments in order to contest their claim that Southern Europeans can be understood as being "fully complicit" in the ongoing colonial dispossession of Indigenous peoples and their lands. While I accept that all non-indigenous peoples living in Australia benefit from the ongoing effects of Indigenous dispossession, I do not see this as "full complicity" since the very coordinates of this complicity are aporetic and violent in structure: it is complicity *with* colonial and therefore legal criminality but it is also a complicity that is produced *in* and *by* law. From this position I ask, what does it mean to be complicit with that which is demanded and enforced by law? Or put differently, what does it mean to be complicit with law from the position of being inescapably *before* the law?

Before the *(Immigrant)* Law

The High Court in Mabo, in overturning the doctrine of *terra nullius,* guarded white sovereignty as non-justiciable (Giannacopoulos 2007: 48) and in so doing it produced the coloniser, its key people and key institutions, as non-immigrant. Aileen Moreton-Robinson speaks of the way in which the British Empire imposed itself through both colonisation and waves of migrants from Britain (2003: 24). She writes that "the British claimed the land under the legal fiction of Terra Nullius -land belonging to no one- and systematically dispossessed, murdered, raped and incarcerated the original owners on cattle stations, missions and reserves" (2003: 25). This point makes visible and explicit the direct link between migration and the legally produced doctrine that effectively constructed the land as empty for filling. Moreton-Robinson's critical point is that "through the fiction of Terra Nullius the migrant has come to claim the right to live in our land. This is one of the fundamental benefits white British migrants derived from dispossession" (2003: 25).

Whilst Moreton-Robinson writes of British colonisation along with British migration as the foundational events in the illegitimate assertion of white sovereignty, Osuri and Banerjee contend that white diasporic events are rendered invisible by a series of manoeuvres including the strategic employment of the term "settler" (2004:158). They draw upon the work of Mahmood Mamdani who states that "settlers are made by conquest, not just immigration. Settlers are kept by a form of the state that makes a distinction particularly juridical-between conquerors and conquered, settlers and

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natives" (quoted in Osuri and Banerjee 2004: 158-159). Whilst Mamdani has written in the context of the African settler states, it has been argued by Ahluwalia that Mamdani's work is relevant to Indigenous dispossession in Australia since "the myth of terra nullius was dependant upon the non-recognition of the local population and the 'indigenisation' of their white conquerors" (quoted in Osuri and Banerjee 2004: 159).

For the purpose of this essay I will show with specific reference to the Mabo judgement, that the ongoing production of the colonisers as non-immigrant, a production that I argue takes place principally in the realm of the law, is a key factor in ensuring that *terra nullius* is a live, ongoing and to use Moreton-Robinson's term, "postcolonizing" technology (2003: 30&38). Further I want to draw out the way in which the Mabo judgement is a graphic example that animates Mamdani's claim: that the state *keeps* "settlers" by drawing distinctions, *particularly juridical* distinctions between categories of persons. "Settlers" and "British migrants" are not historical novelties as far as the operations of racialised power are concerned. They are generated by a law that obfuscates its status as immigrant, diasporic and racially violent. They are generated by a law that is indissociable from the operations of white sovereignty (see Giannacopoulos 2006). As such, the 'non-migrant', 'non-diasporic' white sovereign can *keep* itself as mystically un-ethnic and transcendental by asserting its jurisdiction over the bodies it *looks out* toward.

The Reign of Law in Mabo

Kafka's parable, *Before the Law*, is the story of an unnamed man whose entire life is spent begging and waiting for admittance to law. The law's doorkeeper never admits him and while at the front line of law's border-policing the man dies waiting:

> Before the law stands a doorkeeper. To this doorkeeper there comes a man from the country and asks to be admitted to the law. But the doorkeeper says that he cannot at present grant him admittance. The man considers, and then asks whether that means he may be admitted later on. 'It is possible' says the doorkeeper, 'but not at present.'…The man from the country has not expected such difficulties; the law, he thinks, should be accessible to everyone at all times; as he now takes a closer look at the doorkeeper in his fur coat, at his large pointed nose, his long, sparse, black tartar beard, he decides that it is better, after all, to wait until he receives permission to enter. The doorkeeper gives him a stool and lets him sit down to one side of the door. There he sits for days and years (Kafka 1992: 165).

Kafka's story is about the reign of law, the absolute rule of law, of *nomos basileus,* that is, of *law as sovereign*. Law needs *keepers* to *keep* it according to the story. Who are law's keepers? What is law? And who or what is external to law? The man from the country is prevented entry but is he outside of the reign of law? If his whole life is spent waiting, begging, complying, in the hope that the law will exercise its discretion and grant him entry, then I contend that the space he occupies is already *of* law in that it is a highly regulated space that demands compliance up until the point of death. Law in Kafka's parable is the place where law is *in force* even when, and perhaps because, subjects are not formally within its jurisdiction. In the same way that Kafka's law is unmarked so too does white law generate itself as ethnically neutral and as though its

jurisdiction is without limits. So if I am to unite my analysis of Kafka's enigmatic text to the Mabo decision then I need to ask: Who are law's *keepers* in Mabo? How is law *kept* in this decision and importantly what factors pertaining to the nature of law are elided in this process? Is the act of *keeping* distinct from, or an integral component of, law? Is *keeping* the decision itself? Is *keeping* the position from which discretion can be exercised and recognitions made or not made? Which meaning to the aporetic concept of *before* should be emphasised when analysing Mabo? It is with these critical questions as a conceptual framework that I turn to some key excerpts from the judgement.

Chief Justice Mason and Justice McHugh made the following 'recognition' in the much celebrated Mabo judgement:

> The common law of this country recognises a form of native title which in the cases where it has not been extinguished, reflects the entitlements of the indigenous inhabitants, in accordance with their law or customs, to their traditional lands and that subject to the effect of some particular Crown leases, the land entitlement of the Murray Islanders in accordance with their laws or customs is preserved, as native title, under the law of Queensland (Mason and McHugh in Mabo 1992: 2).

In this decision the judges are able to 'recognise' a form of native title since they have also just 'decided' to overturn the doctrine of *terra nullius*. So while they have ostensibly removed from law this much criticised doctrine, what remains firmly in place is their position of judgement. By virtue of having the power to judge, determine and decide, the judges can rule on the questions *before* the law while denying what came historically *before* white law, in fact they are able to rule precisely *because* of the denial of what came *before*. Their position of judgement can generate new laws e.g., (Mabo acts in common law terms as a fresh judgement) but the position occupied by the judges in order to make this decision, functions to *keep* an overarching white, non-ethnic, non-immigrant universalised notion of law firmly entrenched. Irene Watson has written of the ways in which the "coloniser perceived this Nunga place as available to be filled with their 'beginnings' of history and 'evolving spirit'" (2002: 254). The judges' discretion to decide which parts of the law will be overturned and under what conditions should be seen as evidence of a still 'evolving' white Australian legal system that is proceeding *as though* the land, Indigenous land, is still empty and needing to be filled with the law of the coloniser. But this 'evolution' requires that the coloniser's status be renewed, as a neutral identity at law, in order for colonial work to continue.

Justice Brennan found that:

> The people who were in occupation of these Islands before first European contact and who have continued to occupy those Islands to the present day are known as the Meriam people. Although outsiders, relatively few in number, have lived on the Murray Islands from time to time and worked as missionaries, government officials, or fishermen there has not been a permanent immigrant population (Brennan in Mabo 1992: 1).

Where is Brennan situated so that he may determine the facts of the case in this way? How can Brennan decide that there were no "outsiders" or "permanent immigrants"? Who can make the judgement about who is an "outsider" or an "immigrant" if not someone who acts *as though* he is Indigenous to the

country? I suggest that the High Court, aporetically acts as though it is Indigenous at the same time as it "recognises a form of native title… where it has not been extinguished, reflects the entitlements of the original inhabitants" (Mason and McHugh in Mabo 1992: 2). If the Court's work is to decide whether extinguishment has taken place and whether the rights of the original inhabitants have survived, then in the absence of "outsiders" or "permanent immigrants" this task would be a nonsense. What the High Court does not make explicit whilst perched up in the position of *doorkeeper*, is that it is occupying a position from where it is allowed to decide upon a dispute between two adversaries where it is itself one of those adversaries. The "outsiders" and "permanent immigrants" have instilled themselves as sovereigns who rule with law with such violent force, that they can literally write themselves out of the narrative even as they continue to "post-colonise" armed with this master script.

The final excerpt I employ from the Mabo judgement is lengthy but I have reproduced it at length as it brings to the fore the ways in which the contemporary legal system is implicated in, yet attempts to exculpate itself from, the business of colonising. Brennan states:

> In discharging its duty to declare the common law of Australia, this Court is not free to adopt the rules that accord with contemporary notions of justice and human rights if their adoption would fracture the skeleton of principle which gives the body of our law its shape and internal consistency. Australian law is not only the historical successor of, but is an organic development from the law of England. Although our law is the prisoner of its history, it is not now bound by decisions of courts in the hierarchy of an Empire then concerned with the development of its colonies. It is not immaterial to the resolution of the present problem that, since the Australia Act of 1986 (Cth) came into operation, the law in this country is entirely free of Imperial control. The law which governs Australia is Australian law…The common law of Australia has been substantially in the hands of this Court. Here rests the ultimate responsibility of declaring the law of the nation. Although this Court is free to depart from English precedent which was earlier followed as stating the common law of this country…it cannot do so where the departure would fracture what I have called the skeleton of principle…The peace and order of Australian society is built on the legal system. It can be modified to bring it into conformity with contemporary notions of justice and human rights, but it cannot be destroyed. It is not possible, a priori, to distinguish between cases that express a skeletal principle and those which do not, but no case can command unquestioning adherence if the rule it expresses seriously offends the values of justice and human rights (especially equality before the law) which are aspirations of the Australian legal system (Brennan in Mabo 1992: 29).

Brennan suggests that the Court cannot move so far in line with notions of justice and human rights if this were to have the effect of fracturing "the skeleton of principle which gives the body of our law its shape and internal consistency" (Brennan in Mabo 1992: 29). Whose law is "our" law? For Brennan it seems that "our" law is Australian law as distinct from British law and as established through the 1986 statute. Brennan is using the language of decolonisation to describe the Australian legal system as though the passing of a statute can

undo the effects of colonialism that have by 1986, coloured the structure and operations of institutions of power, particularly institutions of law which create the very skeletal structure for 'Australia'. And yet whilst Brennan and his co-judges are not bound to follow British law, they cannot depart from precedent in a way that would cause damage to the "skeleton of principle" since it is this principle, he claims, that brings peace and order through the legal system. This logic can only stand if certain questions about the legitimacy of white sovereignty remain non-justiciable. It is extraordinary that in a case that is about 'finding' that there were "original" systems of law and organisation in existence on the Murray Islands, that the Court is still able to deny the operations of such laws, even as it pertains to no longer be implicated in colonialism. Whose law is the "our" law of which Brennan speaks? Where is the peace, under law, which Brennan says is the justification for having law? If laws can change, but law, white law, must remain firmly entrenched then the notion of "equality before the law" is a legal fiction built upon the erasure and continual denial of what law came historically *before* it. If Brennan says that "equality before the law" is an aspiration of the legal system it is because he means it as an "equality" that looks only in one direction and as such it must be an equality that is evacuated of justice and constituted by violence. This is *nomos basileus*, that is, the sovereignty of law which in the Australian context is the absolute sovereignty of white law.

From "Fully Integrated" to "Fully Complicit"

It is because Australia still functions as though it can be filled and defined at the will and discretion of the guardians of white sovereignty that non-British migrants become the 'middlemen' for contemporary colonisation. When white law presides as sovereign, hovers mystically above all other forms of law and sovereignty and is securely kept in place by a violent colonial law then it is law that creates the national space of 'Australia' and in so doing makes the nation intelligible and operable as a "white possession" (see Moreton-Robinson: 2004). It is against this legal framework or "skeleton" of whiteness that notions like 'integration' and 'assimilation' need to be understood in the context of contemporary racial relations in Australia.

Prime Minister John Howard in an address at the Hellenic Club in September 2006 said that Greeks "are 'a wonderful example' of integration" (ABC News 2006). Surely I should have been happy with such a validation of the community I belong to. Instead these comments deeply disturbed me. How can an act of praise still be an exercise in racial violence? Prime Minister Howard said that the Greek community has demonstrated how to embrace Australian culture. He said "The Greeks are just a wonderful example of how you do it, you integrate fully, you become part of the mainstream…Your first loyalty is to Australia, but that doesn't mean that you don't have a place in your heart for your home culture, and that's how we want it" (ABC News 2006).

Here Howard is itemising the heart as the correct holding topos for love of Greece. The 'integrated Australian' must contain within the borders of his/her body those emotive aspects that could be threatening to the rational domain of loyalty to Australia. Howard is evoking the familiar rhetoric of the periods of integration and assimilation that defined Australia as white. The terms he employs, "integrate fully" and

"loyalty" can only be intelligible if the assumptions that drive them have become so familiar that they cease to be visible. That Howard has the right to employ language which simultaneously assumes and asserts his right to decide and declare which "outsiders" and "immigrants", apart from him and his kind, have successfully "integrated" is an exercise of sovereign power that continues to be produced at the level of law. When Howard exercises the logic of patriarchal white sovereignty (see Moreton-Robinson: 2004) he colonises in multiple ways: he produces ethnicity as something that can only be present in non-British people and their descendants; he acts to protect the white nation as produced by white law; and by silently drawing upon legal knowledge that has come to appear familiar and as common sense he colonises the space of what counts as legitimate knowledge about nation.

Howard praises Greeks because they have become part of the mainstream. He suggests that the Greeks have hit upon the magic formula for becoming good *ethnic* Australians by having worked out the correct balance between loyalty to Australia and a place in one's heart for his/her home culture. Howard says "this is the way we want it" (ABC News 2006). So according to Howard's two part formula, there are two homes. There is 'our home' and there is 'their home'. From this breakdown I draw the following equation: 'they' who are still 'they' even though 'they' have "fully integrated" must be loyal to 'our' home without it ever quite being 'their' home. This is the way "we" want it says Howard. Who are the "we" in his formulation? If Howard's statement is taken seriously then my father, who migrated to Australia from Greece in 1964 and has lived and worked here since is one of Howard's celebrated subjects. If my father has become part of the mainstream, if he has "integrated" fully but still pines, in the correct and measured amounts, for his homeland then is he part of the "we" who now validate Greeks? Is he part of the "we" that is patting Greeks on the back? Is dad patting himself on the back? After all it seems that he is the 'we' and the 'they' in this instance. Or is it that dad will only ever be capable of being patted on the back? I contend that Howard's white "we" excludes my father and not coincidentally has the same traits as white Australian law. It is a "we" that operates as racially unmarked and as being without ethnicity since Howard's "we" and white law are the epistemological centres from where the terms of these debates are produced and around which all discussions then pivot. The "we" is the person whom Nicolacopoulos and Vassilacopoulos term the "dominant white Australian". They state that "the dominant white Australian subject position does not typically represent itself in terms of the categories of 'immigrant' and 'migrant'" (2004: 45). Instead, "the presumptive association of migrancy with (some element of) non-whiteness reinforces the illusion that those who occupy the white Australia subject position have somehow always been here" (2004: 45). From this position of "we" Howard need only *look outward* to define and discipline those *before* him since this gesture continues to place him in a position of acting Indigenous. In using his discretion to praise Greeks in this moment, he erases the racialised histories of Greeks by presenting an ahistorical teleological narrative of racial equality.

Howard made these comments against the backdrop of debates about whether new migrants will be required to undertake citizenship and "values" tests (see DIMA 2006). Without entering into the discussion of what would constitute

"Australian values" under this regime, it is sufficient to say that at this historical juncture, Howard is drawing Greeks under the umbrella of whiteness in order to perpetrate racial violence against other communities in Australia. He does this by erasing the struggles, past and present, that Greeks have experienced in Australia and by actively forgetting that they once did not qualify as white enough or worthy enough to enter Australia. The officially homogenised category of people called "Southern Europeans" were considered far less capable of assimilation and so were historically far less desired than the British or Northern Europeans (Lopez 2000: 43). It was in 1964, the same year as my father's move to Australia that the Department of Immigration's Assimilation Branch changed its name to the Integration Branch (Lopez 2000: 62). The official workings of integration continued the logic of assimilation, with an added emphasis on the idea of "core values". Lopez states that "those who spoke of core values implied that the greater proportion of migrant cultural practices and national loyalties, considered not to transgress core values, could be tolerated" (Lopez 2000: 58). When Howard's comments are placed against this historical backdrop, not only is it abundantly clear that in contemporary racial politics there is a unashamed return to the period of which Lopez writes, but also that Howard is using the same logic to praise Greeks as was used to punish them at other historical moments. The *familiar* and legally generated logic of integration re-enters popular debates whilst simultaneously never having been absent from them.

Howard's celebratory words of integration in relation to Greeks are mobilising the same white sovereign logic as derogatory words uttered in periods of more explicit racism. His homogenising logic functions to place Greeks in opposition to other *others.* So in fact the validation that Howard offers can only be enjoyed if I/we ignore that this validation is in fact a form of colonial violence. Accepting praise from Howard means accepting, as valid, the white sovereign power from which that praise emanates as well as to sanction punishment of other communities who have not yet shown the compliance he says my people have shown. This benevolent *recognition* of Greeks as "well integrated" is more a strategic positioning in relation to white power than it can be a statement of fact. In fact, it is a gesture that is in line with ongoing colonial logic. Nicolacopoulos and Vassilacopoulos argue that dominant white Australia, which needs to continually generate its right to colonise Indigenous land, supplies to certain migrant groups a "subject position that is sufficiently like, while remaining suitably unlike, the dominant white Australian subject position" (2004: 45). This conferring of status functions to generate recognition by the selected 'migrant' groups of white power as legitimate. Nicolacopoulos and Vassilacopoulos argue that:

> Southern European foreigners are, firstly allowed into the country in so far as we conform our identity to that of a property-owning subject…in thus recognising the Southern European (im)migrant as a formal subject, dominant white Australia qualifies the migrant to participate in the processes of mutual recognition through which white Australia can claim rightful ownership of the country. In turn, by recognising white Australian authority, the Southern European becomes fully complicit in the ongoing violent dispossession of the Indigenous peoples and the nation-building processes that manifest our collective criminal will (2004: 46).

My contention here is that the terms "allowed" and "qualifies" used above are precisely the textual instances which betray that the behaviours *expected* of "Southern Europeans" (which also amount to being implicated in Indigenous dispossession) are actually assimilationist/integrationist demands produced at the level of law. Who scripts the conditions under which migrants will be "allowed" entry? Where is this power located? Further, where is the power to "qualify" migrants to recognise white power as legitimate located? Both of these concepts are discretionary, simultaneously able to hold migrants at bay but also able to coerce them into participation with a violent white colonial project. These conditions of entry for migrants are not *prima facie* legal rules. However, these assimilationist/ integrationist demands placed on migrants, either directly or indirectly, can only operate as they do as the result of the imposition of a violent white law which denies its "postcolonising" function. It is in this way that white laws still act as *gate-keepers,* as border police for the nation. The argument that Nicolacopoulos and Vassilacopoulos put forward here seems to undo itself. If they signal that identifying as a "property owning subject" is a condition of entry, and that migrants are 'qualified' by white power to legitimate white power, then it seems incongruous logic to name what eventuates from this a "mutual recognition". This is a relation that is, even *before* migrants have touched Australian soil, asymmetrical and coercive. Further, Nicolacopoulos and Vassilacopoulos put forward the concept of "mutual recognition" even though they have argued elsewhere in their essay that "Southern Europeans" remain "perpetual foreigners within", this being *despite* their recognition of white power which enables Indigenous dispossession. In my discussion of Howard I have tried to suggest that even when "Southern Europeans" (in this instance Greeks) are granted 'white' status, this remains a coercive relation to white sovereignty. This is a relation that demands complicity to white sovereignty/law and the proprietal rules which are circumscribed by this regime, whilst never completely allowing unqualified entry to the category of 'non-foreigner' or 'Australian'.

It is with these issues as the backdrop that I want to introduce the "personal dimension" (Said quoted in Pugliese 2003: 2) in order attempt to make sense of, as well as to mark the racialised violence I was recently subjected to on a Sydney train. The attacker did not see a *well integrated* Greek, but a Muslim woman whom he felt entitled to attack as having no rightful place in the Sydney suburb of Newtown. The white transgender attacker *recognised* and *named* me a "dumb ugly Muslim cunt" as a way of denying my right to enter the cosmopolitan inner city suburb. I was silenced. On the train, nobody else spoke. When I rose from my seat to disembark the attacker scolded me by saying "how dare you get off at *my* area". In my head I quickly organised a series of retorts, none of which I could utter. I could tell the attacker that I am not Muslim. I could tell him[2] that I am actually *Southern European*, Greek. But I couldn't utter either. If I told him I wasn't Muslim, wouldn't I be using being non-Muslim as a defence, implying that if I was Muslim I really would deserve to be attacked? If I told him I was Greek it would deny the reality that I didn't visit Greece until I was 22 and that since I was born somewhere in Paddington and have no *other* homeland to return to, I am technically Australian. I could tell him that this was not *his* area. His claim to exclusive possession ran contrary to my memories of growing up, in which working class Newtown looked and felt

like 'wog country'. This was before I understood that these neighbourhoods were predicated on deeper forms of colonial violence. These 'race' thoughts *raced* through my mind in a matter of seconds. They came quickly and fluently like thoughts come in a native tongue; but I choked on these thoughts because I couldn't translate them into speech. A few weeks later I read Howard's celebration of Greekness. How could I make sense of the disjunction between these two events? It seemed to me that official conferrals of whiteness could not conjure the type of magic that could make whiteness, that elusive property, attach to bodies that were non British. Joseph Pugliese's analysis would posit this event as a "structural contradiction generated by the power of Orientalism" (2003: 5). I was constituted by my attacker in accordance with "the paradoxical formulation: I am of Middle Eastern appearance and I am not Middle Eastern," that Pugliese foreshadowed (2003: 5). The incident in some senses also affirms the position of Nicolacopoulos and Vassilacopoulos that I/we will remain "perpetual foreigners within the Australian state", but this assertion within the context of the circulation of the descriptor "of Middle Eastern appearance" marked for me not only the impossibility of passing as 'white' or local but also the impossibility of passing as "Southern European"; a category that Nicolacopoulos and Vassilacopoulos employ as though it is unproblematic and its meaning self evident.

Nicolacopoulos and Vassilacopoulos contend that "Southern Europeans self presentation suggests that we share two basic features with the dominant white Australian subject position. Firstly, we take for granted our own whiteness and, secondly, we render it invisible as a source of certain privileges" (2004: 45). Pugliese argues in his essay *White Historicide and the Returns of the Souths of the South* that the statement by Nicolacopoulos and Vassilacopoulos quoted above is "homogenising" and "Anglocentric" because:

> whiteness is presented as though it impacts for the first time on the bodies and subjectivities of diasporic subjects only once they have entered the Australian nation. As such non-Anglo diasporic subjects are positioned in terms of ahistorical *tabula rasa,* doubly white-washed subjects devoid of prior histories of whiteness and racialised power (forthcoming in *Australian Humanities Review*).

In order to disturb this homogenising manoeuvre Pugliese tracks in haunting detail, histories of whiteness from the place of his birth: Spilinga, Calabria (forthcoming *Australian Humanities Review)*. Pugliese argues of the Australian context that even though "Southern Europeans are now, at official, bureaucratic and administrative levels, classified as white or Caucasian, the lived reality for certain subjects is much more complicated" *(*forthcoming in *Australian Humanities Review)*. If I am visually identified and publicly 'outed' on a Sydney train as a "dumb ugly Muslim cunt" then I must conclude that I am not *allowed* to take my whiteness for granted and as a result it cannot act as an invisible source of privilege. I see the inability to take my own whiteness for granted as being indissociable from Pugliese's formulation that "racialised identification is still, in this Anglocentric nation, driven by the ontology of the visible, whereby a subject's racial categorisation and belonging is also determined by visible racialised identificatory attributes such as epidermal chromaticism, physiognomics and phenotypicality" (forthcoming in *Australian Humanities Review)*. So unlike Nicolacopoulos and Vassilacopoulos

who assert that Southern Europeans become "fully complicit in the ongoing violent dispossession of the Indigenous peoples", (2004: 46) I contend that to argue "full complicity" is too reductive in that it does not allow for the complex histories and lived experiences of racialisation to be visible. The continual denial of Indigenous sovereignties is a war being waged and fought on many fronts.

John Howard's comments are not and were never really meant to be about the 'fact' of Greeks being superior to other migrant groups. His comments are about the exercising of "patriarchal white sovereign power" (see Moreton-Robinson: 2004). When Howard designates who is worthy enough to belong to Australia in this historical instance the racial violence that creates the enabling conditions for him to do so is removed from view. By being able to designate who can count as 'white' he is producing whiteness as a kind of property. Harris asserts that whiteness has actual value in a society that is structured around white supremacy and it is this that underlies the desire to pass as white (1993: 1713). Howard's words of praise for Greeks expose the way in which passing might be a tactical intervention into a racialised economy by individual subjects, but it also operates in the Australian context in accordance with the imperatives of "patriarchal white sovereignty" (Moreton-Robinson: 2004). Howard is allowing Greeks to pass as white at this historical moment and in so doing he is effectively "valorising whiteness as treasured property in a society that continues to be structured on racial caste. In ways that are so embedded that they are rarely apparent, the set of assumptions, privileges, and benefits that accompany the status of being white have become a valuable asset"(Harris 1993: 1713). So, in this particular instance, Howard's actions show the validity of Harris' claim that "whiteness and property share a common premise—a conceptual nucleus—of a right to exclude" (1993: 1714). Like a legal title to land, Howard has used his sovereign discretion to assign and transfer whiteness over into the custody of his chosen recipient. But even this does not act as a safeguard from racialised violence. The act of bestowing white status is a colonial gesture disguised as benevolence. The discretionary nature of this sovereign power requires Indigenous land, the land upon which John Howard necessarily stands in order to make his determinations (and the land upon which I stand to offer this analysis) to be treated as though it is a legitimately white possession.

Conclusion

Whilst "Southern Europeans" are expected to invest in patriarchal white sovereignty through possession, which is to say through dispossession of Indigenous land, I/we are denied whiteness as an embodied property. This is despite the changes in official classifications and definitions of who can be 'white' in Australia; a country that has been obsessed with those legally enabled systems of classification since the nation was 'founded' as a white nation, first through colonisation, British law and British migration and subsequently through the imposition of 'Australian' law through the drawing up of the Constitution and the racialised infrastructure which it established. The exclusivity and whiteness contained in Brennan's utterance of "our" when he says "our law" in Mabo is the sibling of Howard's "we" when he says this is the way "we" want Greeks to be; that is, well integrated. Both of these utterances are not only "fully complicit" with Indigenous dispossession but they

also produce the very conditions under which other communities then become implicated in "postcolonising" work. I have taken issue with the phrase "fully complicit" in this paper, not to claim that "Southern Europeans" and other migrant groups do not play a significant role in Indigenous dispossession, but rather to focus on a system of law that demands this complicity. In the context of an ongoing demand to "integrate" the claim of "full complicity" seems to be an impossible logic. If "Southern Europeans" are allowed into the country on the condition that they conform to a "property owning identity" then this is the unspoken script of "integration". Integration is not simply something that is demanded of migrants after they have arrived and started their lives here, it is built into the very conditions that enable their passage. It is too reductive to then say that integration, which is understood to be a critical way in which migrant communities are subjected to racism, is also the very reason these same communities are "fully complicit". If I/you/we are *before* the law in such a way that a level of complicity is inescapable then complicity with colonial dispossession is built into the very operations of racialised power. And it is to the institutional forms that this power takes, modes of power that continue to treat this as land empty of other law, that I/you/we must attend.

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Notes

[1] Although I am aware that Agamben has used the term *Nomos Basileus* in *Homo Sacer: Sovereign Power and Bare Life*, I employ the term in this paper in a way that derives from and is consistent with my usage of the term in my first language, Greek. The phrase "world of violence" is from Marcia Langton (2001). In an Alfred Deakin Lecture titled *The Nations of Australia* she described the world in which the Constitution was created and imposed as a "world of violence, racist violence".

[2] The attacker, who I name 'transgender' in my analysis, was someone who 'appeared' to me as now presenting as a woman. I understand that I should use the descriptor "her" rather than "him" but I deliberately use "him" to highlight the "white patriarchal" dimensions of this event, which were palpable to me.

WHITE AND BLACK POETRY READINGS: DISTINCT DIFFERENCES

ANITA HEISS

Jatz Crackers, block cheese and chardonnay sipping
Politics, emotions and conscience ripping

Big words to aid the mental masturbation
Simple message: Aboriginal incarceration

Autumn leaves falling from age-old trees
Begging for human rights on bended knee

The blackness of night and stars so bright
Chanting for basic human rights

Judging all those who dwell beneath
Laying another black death in custody wreath

Analysing another famous sporting broadcast
Denying emphatically Truganini was the last

Middle class life where the Volvo is vital
Why are we still fighting for Native Title?

I'm vegan, against anything meaty
I want sovereignty and a treaty

Worrying about the lack of sexual stimulation
Telling the truth of the Stolen Generations

Mixing with the best at the City's town hall
Tired of being the political football

The colour has contrast, context and depth
I'll be black till my dying breath

I'm not racist, a bigot or bum
I'm still trying to find my mum

I've done my bit for reconciliation
While I'm still begging for self-determination

The new tax reform is the country's biggest worry
But we're still campaigning for Howard's 'Sorry'

There is no difference between you and me
Except that you write from a position of being free.

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VANISHING AT THE BORDER

ROBINDER KAUR SEHDEV

Abstract

Literature on Canadian nationalism suggests that living in Canada is *living the border,* a frustratingly self-conscious place to be. The border divides Canada from the U.S., but this is secondary to its colonial function. In parcelling out land between the two settler nations, it acts as a colonial border, a marker of settler power and entitlement on Native lands.

First Nations are both at home on their lands and profoundly alienated from them within the settler state. Nowhere could this be more apparent than at Niagara Falls, where the image of a dying Native woman, known as the Maid of the Mist, helped to form the tourist industry. In 1996 the myth of the maid was abandoned by its chief promoter, the Maid of the Mist Steamboat Corporation. This abandonment sparks questions of visibility and representation, community and responsibility. What does the Maid of the Mist's presence obscure or render invisible? What does her absence make visible? These questions contribute to the interrogation of the settler nation, and in acknowledging them, the settler nation is challenged to become the decolonial nation.

Introduction

> *Vanishing is no metaphor*
> (Chrystos 1988: 40).

In September 1996 the Maid of the Mist Steamboat Corporation finally heeded the protests of First Nations leaders, activists, scholars and community members and stopped using the myth of the maid to sell their tour. Prior to this, tourists were treated to the tragic story of the sacrificial Indian woman which was pre-recorded and played on the tour boat and featured in promotional materials. The steamboat corporation is not alone in its use of this tourist industry myth; in fact, it is ubiquitous at Niagara Falls. The Maid of the Mist has graced everything from comic books to key chains since the development of this tourist industry, and in her many mundane appearances her origins in Native culture is simply assumed. In fact, she is a fabrication of the tourist industry, designed to give context and meaning to tourist experience at the cataract. Lelawala, another name for the maid, is a marker of authenticity in a place that is known for its theme park atmosphere. She is the mythical *Indian* princess who paddles her canoe over the brink of the waterfalls, thereby willingly sacrificing herself to appease angry gods and save her community. As authentically inauthentic as she is, she is, to borrow again from Chrystos, "such an old old story" (1988: 41).

Indian images have always been rigorously confronted and yet remain stubbornly persistent with debatably little affective purchase in dominant culture. Lelawala is the invention of the tourist industry made possible by colonial and eventually late capitalist conceptions of land, consumption and experience, to be sold to the global tourist audience. In spite of the important move to distance the image from Native cultures, she remains the shorthand for Nativeness at Niagara Falls. Here the tenacity of the

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Indian image cordons off political action in the context of contemporary colonialism. Lelawala gives us pause to look again at the process of visibility in colonial culture, at what and who her ubiquitous and unremarkable presence obscures or renders invisible. If Lelawala – or any contemporary image of the *Indian* – is to be meaningfully taken up at all it must be with full knowledge that while the image is all surface and no depth, it is a part of a community of superficial images which articulate a politics of colonisation.

The settler cultural landscape is where we find Lelawala and other *Indian* images that simplify the complex colonial histories of First Nations at Niagara Falls. *Indian* images reduce the genocide of the Neutral or Attawandaronk Nation – a nation that inhabited the Niagara region until contact (Revie 2003; Wright 1963) – to the myth of a simple and childlike people who fell prey to the allegedly warmongering neighbouring Five Nations Confederacy. These images also blot out the history of forced removal of the Tuscarora Nation from what we now call the Carolinas, and how Tuscarora communities were attacked by white settlers there and many eventually fled northward in the 1720s (Dubinsky 1999). These communities of dispossessed peoples appealed to the then Five Nations Confederacy for refuge in the Niagara area, a region they were permitted to share with the Seneca Nation (of the Five Nations Confederacy). The Confederacy eventually adopted the Tuscarora Nation, making it the Six Nations Confederacy which we know today. In these narratives the complexities of colonial history are reduced to the image of the tragic *Indian* who cannot exercise individual or national sovereignty, but can only vanish. This contingent visibility is the operation of colonialism in cultural, historical and manifestly political ways. This article is about the grounds for making people, sovereignty and responsibility visible or invisible. These contingent visibilities constitute a border separating representation and lived experience that are just as concrete as, in fact co-produce, national borders. The Canadian-U.S. border is a relatively recent imposition that bisects Indigenous communities. While the Tuscarora Nation at Niagara Falls resides on the U.S. side of the border, the nation's access to traditional lands and neighbouring communities north of the border is ensured to them by the Jay Treaty of 1794 and the Treaty of Ghent of 1814. But the recognition of this right has been hard fought (see Rickard 1973) and the increased emphasis on securing the border today has violated First People's sovereignty.

Investigating settler culture, as Sherene Razack says, is a matter of "unmapping" the ways in which dominance is socially and spatially organised, of throwing into doubt the presumed normalcy of the settler's organisation of space and society by means of the nation (2002). A necessary part of this project is questioning the way *us* and *them* structure social realities (1999). In Canada (and other settler societies) *we* is not clearly organised along racial lines, but implicates the racialised in a process of disavowal of Indigenous sovereignties. Any analysis of settler society must work to uncover the complicated positions of the racialised in the settler state, the ways dominance is confronted or submitted to. The settler state is dependant on myths of a shared origin and a palpable desire to mimic the imperial centre (Stasiulis and Jhappan 1995). The settler society, Stasiulis and Jhappan maintain (1995: 98), is a deficient notion for the purposes of structuring the nation. First People's

contributions to the development of Canada and against colonisation are rendered invisible. To this end, it is fundamentally unhelpful to leave the notion of the "settler" society or culture unexamined (1995: 98).

Terra nullius, the socio-legal concept that stated that First Peoples were stateless wanderers, in part patches over the conflict that First Nations' presence poses to the settler state's legitimacy. If they are wanderers, they have no rightful claim to land. If they are stateless they are without organisation and governance. But this patching over is only partial because colonial myths run up against the facts of First Peoples' social and legal organisation independent of, in conflict or cooperation with, settler states. The idea of an 'Indian Problem' attempts to make First Nations strange to the settler state by asking what *we* are to do with the Indian.

The settler cultural landscape is also where *we* are located, it is the home where *we* build meaning and community. My use of *we* signals a troubling of the assumption that there is a positivist *we*, a coherent community of critics and committed scholars. The U.S. Third World Women's Movement continues, decades later, to challenge us to acknowledge *we* as a corruptible collective where pristine beginnings and collaborations are pure fantasy. Within whiteness studies *we* come up against the problems of location, politics and scholarly work. These problems come from the nature of our subject: the illusiveness of power and politics, material and abstract that is whiteness.

We, as whiteness studies scholars, are haunted with the knowledge that our subject comes into existence through fundamental injustices against First Peoples; the profound dislodging of people from rights, communities from history, nations from land. Aileen Moreton-Robinson (2003) explains how dispossessions mean that Indigenous people come to find refuge on other First Nation's lands, as settler states interfere with and undermine First Nations' sovereignties and force First Peoples to move. She points out that Indigenous ontologies and practices remain centred within Indigenous nations but seldom cross over settler borders in meaningful ways (2003: 53). This makes Indigenous ways of knowing and doing strange in the settler state, and this, coupled with forced migrancies of First Peoples, produces an at-home homelessness. The unhoming of Indigenous protocols and ontologies is perpetual colonialism. The matter at hand is the centrality of Indigenous ontologies and the unhoming of settler ontologies. We are then compelled to rethink belonging, responsibility and complicity in creative ways and this begins with confronting the ways in which *we* come into existence.

Colonial history warns us to be cautious of conflating the unspoken with the natural. *We*, in the name of national dreams and global security, can pass from active criticism to passive acceptance. As *we* do, those of us who stand to be counted as *us* obscure those on the periphery, who are not permitted to move into visibility. *We* today, in the context of this article and the climate in which I write, is an altogether mystified construct. *We* can refer to scholars, settlers, nationals, activists, but the critical point is the way *we* (both the concept and the group) are mobilised.

We can be mobilised in two ways. The first is homogenising, the ideological hail that compels us to twist ourselves to match the "hey you", and respond as a coherent group. Such a *we* means that

the focus of our concern is the centre of power and how we relate to and within it. This *we* is deeply raced, classed and gendered and those of us on the periphery of this *we* can gain admission at the cost of our ways of knowing and doing. The Third World Women's Movement strongly criticised second wave feminists for reproducing modes of oppression and exclusivity which decades earlier they had condemned as patriarchal (see Amos and Parmar 1984; Anzaldúa 1990; Lorde 1981; Trinh 1986-87). Once at the centre of localised politics, the second wave feminists who are the subject of Valerie Amos and Pratibha Parmar's critique (1984), argued that Third World women's cultures were inherently oppressive and that the specific concerns of Third World women would be attended to after other, allegedly more pressing priorities. The reduction of Third World women's ways of knowing and doing, and prioritisation in the name of progressive politics is not merely the aping of oppressive politics, this grafts the vocabulary and grammar of political struggle *onto* oppressive politics.

The second mobilisation of *we* is less stable though potentially more creative and this is what I hope this article calls upon. Returning to the Third World Women's Movement, Trinh Minh-ha writes of the "inappropriate/d other" (1986-87). Trinh imagines the inappropriate/d Other as a Third World feminist who, by virtue of her Third World-ness and gender registers as Other, and by virtue of her politics is inappropriate. She is alienated, but in her alienation is the source of potential creativity and productivity. Being peripheral she is inappropriateable and her difference moves from her damnation to her strength. Audre Lorde writes that "*the master's tools will never dismantle the master's house*" (1981: 99, original emphasis). The inappropriate/d Other begins as peripheral to power and comes to work within new centres of power; hers is a political move. Ian Angus writes that Canadian philosophers experience a "radical homelessness" (1997: 126). Located between empires and myths of place, we are at the hinterland and so drawing a border means we have answered Northrop Frye's riddle: "Canadians are bedeviled not by the question *Who am I?* but by the riddle *Where is here?*" (Frye 1971: 220). *Here* is where *we* are, at the border that we have drawn and *here* becomes more about politics and less about place. Radical homelessness necessitates this border and through this kind of border, productive difference is revealed. The Other is not abject, but internal to *us*. This *we* is not about the closing down of difference, it is about an articulation of politics that is constant and so always productively incomplete.

Vanishing Indians

Daily First Peoples are confronted with vanishing. Not as a disembodied metaphor, but as a lived experience. The myth of the vanishing Indian declared that the Indian was tragically out of step with the inevitable march of progress (see Francis 1992; McKinsey 1985). Unable to adapt to white ways, the myth confidently predicted that the Indian would die out altogether or become so polluted by white influence as to be utterly unrecognisable. This myth, Daniel Francis (1992) reminds us, has not vanished but remains the structuring principle of settler imagined relations with First Peoples. Gerald Visenor's work on the *Indian* helps us to tease apart the representation and its associated logics from the lived experience of First Peoples:

> The word *Indian* [...] is a colonial enactment, not a loan [lone?] word, and the dominance is sustained by

> the simulation that has superseded the real tribal names (1999: 11, original emphasis).

Colonial representation is the process of transforming First Nations into Indians. First Nations all become Indian and with one word the specificities, histories, locatedness and agency of these distinct and sovereign nations are discursively steamrollered. Visenor helps us to understand how colonial power permeates visibility and perception. The appearance or absence of Indianness in the visual terrain are not colonialism's destination, but are signposts in the mapping of colonial power.[1]

Lelawala is a colonial cultural product who is marked by her Indianness, femininity, stoicism and remarkable ability to die with each new telling. But taken on her own she means very little and does nothing new.

This image in the context of other images indicates colonial power and clutters the visual landscape with images we simply take for granted. The absence of the image is just as important as its presence. Today, the figure of the woman in her canoe is present, in comparatively discreet forms on tourist paraphernalia but beyond this, she takes up very little space in the public tourist arena. The steamboat's now abandoned pre-recorded retelling of the myth turns out to be a very public broadcast which today is unparalleled. On the Canadian side, the Maid of the Mist Marketplace (see Figure 1) houses the tourist industry's wares but there are no images of the woman to be found. In spite of the popularity of the name, there is an abundance of *mist* and a conspicuous absence of the *maid*. Lelawala is, briefly stated, the cultural side of colonial violence, the abstracted end of oppression's materiality.

Figure 1

Maid of the Mist Marketplace, Niagara Falls, Ontario, Canada.
Photo by author, 2004.

The works of decolonial scholars teach us that colonialism *is* violence and this violence is performed in many spaces – the physical, cultural, and psychological (see Alcoff 2001; Fanon 1967a: 141-209). Outwardly privileging the visual but ultimately relying on the mind, what rests just beyond our field of vision is just as, if not, more important than on what our eyes apparently focus. Because race is always the operation of colonialism, the racial subject is alienated, locked in the colonial encounter where race materialises. Once spotted, once made visible according to the parameters of race, the racialised subject becomes invisible to herself.

The apparent ease with which one passes into and out of visibility obscures the violence that is the structuring principle of visibility in colonialism. But the 'fact of blackness' is not the 'fact of Indianness'. Blood quantum, or the notion that one drop of black blood would make a person black and so the property or potential property of a white, finds its strange sibling in the colonial definition of Indianness where one drop of white blood was grounds for assimilation, the denial of sovereignty, the abrogation of rights, the annexation of resources and lands. We see the visceral intersection of the myth of the vanishing Indian with the lived experience of First Peoples dressed in the discourse of civic engagement in Canada today just as we can trace it historically in the arena of Indian policy (to be discussed below). Put simply, visibility has market value, political power, and cultural pull.

Niagara Falls comes into colonial visibility by means of "exploration" literature in which the land and the people who inhabit it are routinely described as "savage". Letters, journals and books written by Europeans during the time of contact with First Peoples constitute this "exploration literature", which tells us less about First Peoples than it does about the fixations and mores of the authors. As with other colonial sites, Niagara Falls' "exploration" literature contributed to new cultural and political economies of colonial expansion. European monetary and imaginative investments were critical to the development of "exploration" literature, which became increasingly competitive as European presence in the area became more established.

The Falls were first represented to Europeans by the Recollet priest, Father Louis Hennepin, who arrived there with the considerable assistance of Iroquois guides on December 6, 1678. The priest's account exaggerated the dimensions of the Falls, making them three times their actual height and appreciably narrower than they are (Berton 1993; McKinsey 1985; Revie 2003). Unable to accept what he saw – a waterfall sourced from a lake, rather than a mountain as is typical of Europe – Hennepin added an upstream mountain range to his written and visual representations. The size and ferocity of the snakes in the region add to the priest's description of Niagara Falls as a classical Christian hell on earth. This narrative of terror twinned with wonder characterises the early treatment of Niagara Falls in the "exploration" literature.

The history of early habitation of the area is murky. By failing to accurately represent the yawning gaps in colonial history-production, and to challenge what exists of the historical record, popular historians have bolstered the myth of the all-seeing and omnipotent recorder of history. According to colonial history, Niagara Falls was inhabited by the Neutrals, a small nation settled between two competing and often warring confederacies: the Huron and Five Nations Confederacies. As this

history goes, the Neutrals allowed both confederacies to cross their lands, and this, according to the writers of this history, demonstrated their lack of political savvy (Coyne 1895). One historian writes, "Life was so good for the early Indians that they grew 'soft'. They were large and affable. As it turned out, they were easy prey for other Indians" (Rennie 1967: 7). Eventually, the story goes, the savage Five Nations slaughtered all the Huron and when they were done they did the same to the Neutrals.

More recently, upon announcing the corporation's decision to not use or retell the story of the Maid of the Mist, the steamboat corporation's president, James V. Glenn stated, "Since the legend is not important to the existing experience we provide our visitors to the Falls, it will no longer be described" (Ricciuto 1996). He added that the myth would be stricken from all of the corporation's literature and promotional materials. Today, tourists will hear trivia and information of a geological and historical nature when they take the tour boat (the capacity of the Falls, rock formations, the history of daredevilry and accidents, for example). They will not hear about the tourist industry's legend from the steamboat corporation. Likewise, the history of its reliance on Lelawala and the myth of the savage Indian, along with the company's initial refusal to abandon her, are also rendered invisible.

A good deal of the "exploration" literature of Niagara Falls and the area includes stories of various forms of brutality (specifically torture and cannibalism) committed by the Six Nations and Huron Confederacies, although human sacrifice was never practiced by member nations of the Six Nation's Confederacy. "We're portrayed as savages. This has to stop" (Fairbanks 1996) said Bill "Grandpa Bear" Swanson, Executive Director of the American Indian Movement's New York chapter. Some went further, explaining that the persistence of the tourist industry's myth obscured history, and damaged the esteem and integrity of First Nations. This was the position of Allen Jameson, the director of the Native American arts and cultural group, Nanto. He argued that the myth was "racist propaganda" (Fairbanks 1996). The corporation's vice president, Christopher M. Glynn objected, "To accuse us of racism is outrageous. […] And we are not real anxious to change what we've been doing for 100 years" (Fairbanks 1996). When the daytime talk show *Live with Regis and Kathy Lee* was scheduled to film on location at Niagara Falls in September, Nanto, AIM and others planned to stage a public demonstration near the filming to bring attention to their cause. Because of this, by 5 September, 1996, the corporation backed away from the tourist legend, stating that the story was best left to historians and Native Americans to retell and explain (Stephens 1996).

Throughout this confrontation with First Nations, the corporation maintained the position that it had not started the maid's myth, but was only one among many who used it. The fact that the company named itself and its fleet of steamboats after the myth in order to market its tour casts considerable light on the corporation's agency and its decision to tap an image rich in tourist industry symbolism. As Glynn stated, "We're not in the business of offending people" (Fairbanks 1996). The corporation's refusal to abandon the myth and ultimate decision to cleanse its records of all reference to the myth under threat of public scrutiny indicates something more than the desire to avoid offence. The Niagara Falls tourist industry, like all other tourist places, relies

on public opinion, and in this debate the steamboat company had nothing to gain by appearing stubborn and insensitive. Erasing Lelawala does not 'set the record straight'; it demonstrates how Indian images are viscerally connected to the practice of erasure and how casually they are called upon or cast away.

Lelawala first appeared in a guidebook to Niagara Falls by Andrew Burke (1851). She surfaced in a chapter that chronicled Indian savagery against white settlers and soldiers, tourist industry enhancements to the area, and several gruesome stories of fatal or near-fatal accidents. Burke then described "An Indian Legend", where the maid of the mist appears as a beautiful – the "fairest" – young maiden, who, according to tribal custom, must sacrifice herself to the waterfall to ensure her people's survival into another year (1851: 103). She is the daughter of the ruthless chief who must compel her to be sacrificed lest he "show his weakness" (1851: 103). Dutifully, Lelawala fulfills her obligations to her father and community, being "the only offering fitting the occasion" (1851: 103).

As Niagara Falls became a popular honeymoon destination in the mid 1800s, Lelawala blossomed into the sexualised figure that remains with us today (Dubinsky 1999: 67-71). The story still described Lelawala as virtuous and dutiful but images which accompany it typically showed her naked, with bubbles or spray strategically placed to preserve the viewer's scruples. The portrait, *The Maid of the Mist of Indian Legend* by James Francis Brown (1891) depicts Lelawala naked as her white canoe tips over the brink, her father attempting and failing to intercept her before her fall. This image was reproduced on several postcard series from the early 1900s (see Figure 2), re-titled, *The Legend of the White Canoe*, and was widely circulated.

Figure 2

Legend of the White Canoe postcard (1907). Based on The Maid of the Mist of Indian Legend (1891) by James Francis Brown. Niagara Falls Public Library.

In the 1901 Pan-American Exposition, an exposition to promote tourism and trade in the Niagara region, the Maid of the Mist serves as the reference point for Evelyn Rumsey Cary's promotional poster, "Spirit of Niagara" (Aichele 1984: 47). Rather than an Indian woman, this one is unambiguously white and wears what looks to be laurel leaves around her head; a cityscape complete with industrial smoke stacks can be seen behind her (see figure 3). The image produced a minor scandal because this woman was portrayed naked above the waist, her lower half obscured by broad brush strokes. Ultimately the Spirit was abandoned (Aichele 1984). While the Spirit was met with scandal, Lelawala in the nude, who had been in wide

circulation years longer than the Spirit, was not met with the same reaction. It is unlikely that industry carrying these images were concerned that pictures of naked women would alienate business people and tourists (both images were used in comparable ways). We are then left to speculate what this sliding scale of acceptability serves.[2]

Figure 3

Evelyn Rumsey Cary's promotional poster, Spirit of Niagara (1900) for the 1901 Pan-American Exposition.
Buffalo and Erie County Historical Society.

More recently, the 1953 Hollywood movie *Niagara*, which casts Marilyn Munroe as a sexually charged adulteress who plots her husband's murder, borrows from both the *Spirit of Niagara* and *The Legend of the White Canoe*. The movie's promotional poster depicts Marilyn as the edge over which the torrent of water flows (see figure 4). The poster illustrates the movie's theme that some dangerous women are the cataract over which daring or foolish (perhaps both) men will cast themselves, framed in the kitsch aesthetic that is now characteristic of Niagara Falls and post-war Hollywood.

Figure 4

The 1953 Hollywood movie Niagara, casts Marilyn Munroe as the sexually charged and murderous adulteress, Rose.
20th Century Fox.

Looking through Lelawala's surface to the related images of women at the Falls and the associated myth of vanishing, I am confronted with the material limitations of representation. The representations obscure the materiality of colonialism, the necessities of Indigenous labour as well as the labour of people of colour in the construction of an apparently apolitical tourist site. They obscure the flows of capital emanating from the tourist site which structure the labour and movements of First People.

Niagara Falls is a space where the tourist encounter with First Peoples is mediated, serving to disappear First Nations' sovereignty. Jolene Rickard (A&E 1998) speaks of the myth of the imperilled Indian as a grafting of Indian onto landscape at a time when the tourist, power, and manufacturing industries of Niagara Falls were significantly altering the local environment and engendering romantic ideals of landscape. What then amounted to a nostalgic gesture to save the beleaguered Indian and *his* natural environment (because the Indian is often depicted as a man), is localised on Indigenous women and their work. Rickard reminds us that Niagara Falls, as part of the Grand Tour – or European and American bourgeois travel circuit – relied heavily on Tuscarora women to produce beadwork, which, in the early to mid 1800s, served as proof of having made the trek to the famous cataract and as a curiosity or artifact which permitted the tourist to own something that was surely the last of its kind (A&E 1998). The women who produced the beadwork thus became, in the minds of the tourists consuming their goods, spectral bodies whose only impact on the physical world was affected through bead and leather. They disappear, leaving the souvenir behind.

Tuscarora women's labour and the tourist dollar figure significantly when in the 1830s the U.S. federal government declared that it would deport the Tuscarora from their lands in the Niagara region[3] to Oklahoma unless they could demonstrate that they could be economically self-sustaining (A&E 1998). A rich prospector named Augustus Porter bought Goat Island[4] (A&E 1998). He charged tourists admission to enter the island and permitted Tuscarora women to sell their beadwork there (Low 2002). If not for the productivity of Tuscarora women, Porter's capital and entrepreneurial spirit, and the tourists' impulse to authenticity, the Tuscarora Nation would likely have faced a second dispossession.

The settler border appears remarkably pliable as tourists and their money routinely crossed from one side to the other. Both the United States and Canada were using Indian images, Lelawala in particular, to market tourism, but Canada's Dominion status in comparison to the U.S. revolution created a space that was amenable to the European tourist. The tourism related amenities on the Canadian side of the border reveal a conspicuous reorganisation of land, resources and people for the tourist who bitterly complained about the growing commercialism of the town. Elizabeth McKinsey (1985) points out that the construction of Niagara Falls as an appropriate tourist destination for the European and American elite of the 1800s marks the production of the venerable sublime and the crassly commercial. The desire to "master" the Falls as promised to tourists in guidebooks like Holley's (1883), the construction of tourist infrastructure, coupled with the rise of the working class holiday, threatened to make Niagara Falls a victim of the "low brow" on many levels (McKinsey 1985: 131).

The unflinching use of Lelawala as iconic of unadulterated authenticity in the context of obvious commercialism and claims of cultural vulgarity by the upper classes, who before the rise of the working-class holiday had near exclusive access to the Falls, come together at the border. Sourced from the colonial visual lexicon, referencing myths of a defeated and disappearing people, the exchange of souvenir for capital in the context of threatened dispossession embodies the troubling relationship between image and action, cultural

and material capital. This slip between the representation and the action is routine, and this is the lived experience of colonialism.

"How Does It Feel To Be a Problem?"

As "the veil" of race was cast over him, du Bois was met with this question, "How does it feel to be a problem?", and the knowledge that he was two-ed, confronted with the notion of Americanness that actively excluded him (1986: 363). As du Bois wrote this, black people had achieved emancipation approximately decades earlier in 1863. However, Jim Crow laws ensured that while black people were no longer considered property, they were most certainly not on par with the white American. Indeed, Jim Crow ensured that "white" and "American" were redundant and exclusive. The American nation depended on the labour of slaves and indentured workers, and this reliance conflicts with the national myth of the American spirit of liberty, hard work and fair play. "How does it feel to be a problem?" is a question of nation and a clear expression of national anxiety. du Bois never hears this question posed as such, as posing the question in an unambiguous way would threaten to expose the fundamental contradiction of the American national dream: liberty and justice for all but those who need it most. The discourse of the Indian Problem operates in similar ways, suggesting that the Indian is a problem for national cohesion. Bearing in mind the active role that colonial myths and images play in the construction of settler cultures, this is plainly true: the pre-existence of First Peoples, even the caricature Indian, poses a question of place that unsettles the settler claim to nation. Taiaiake Alfred says "the Indian problem is the Indian" (2005a), meaning that colonial politics reduce Indigenous sovereignties to a matter of civic engagement, rights and entitlements based on a racialised idea of who First Peoples are and should be.

The "Indian Problem" emerged in North American settler culture as the grounds for nationalism were laid and the borders of nation-states formed. Indian policies in the United States and Canada hinged on the tallying of Indian bodies to catalogue an allegedly "vanishing race". This tally was used to calculate the amount of land to which they would be granted access. The United States operated according to the principle of aggressive assimilation and relocation to lands west of the republic.

North of the border, Canada's approach to the "Indian Problem" was to procedurally enforce vanishing. Canadian policies concerning First Peoples were based on the idea that it was impossible to be an Indian in the face of 'civilisation'. The crown took it as its duty to introduce and enforce its brand of civilisation and to this end, the franchise was used as a technology of vanishing. First Peoples were granted the franchise unconditionally in 1960. Before this, they had the right to vote provided they renounce their Indian Status, which would mean they had elected to release the federal government of its Treaty responsibilities to them. The renunciation of Treaty carries with it very material consequences. Treaty ensures that First Peoples have access to reserves, health care, education, among other things. Perhaps the most significant consequence to the lives of enfranchised First Peoples was that they could no longer live on reserves and so would be physically alienated from their communities. Further, First Peoples could have the franchise imposed upon them by a jury whose decision could not be appealed (Surtees 1988). This leads Francis to say, "When Canadians said

'Indian', they meant doomed" (1992: 57). The question that rests just under the surface of Frances's statement is one that needs to be explored: who are *they*, and are *we them*?

Ian Angus maintains that Canadianness is crisscrossed by borders, both physical and abstract; necessary, not natural. English and French Canada erect a border between, Canada erects a border against the U.S., before this it erected a border against England (1997: 105-134). This constant and shifting need for an Other means that Canadian national identity is not static; *we* are shifting. Angus is arguing for a negotiation of Canadianness between the English, French and First Nations but the normative status of English and by implication, white Canada endangers any honest dialogue between these parties. The "Indian Problem" polices the border that continues to be drawn around First Peoples, that opens on the condition of Indianness but remains tightly shut against sovereign First Nations. "How does it feel to be a problem?" is posed to First Nations, making sovereignty strange while indigenising the Indian. In the meantime, the *we* who pose the question remain normative, rightful and reasonable.

When multiculturalism emerged as official policy in 1971 and was recognised in the Charter of Rights and Freedoms in 1985, the matter of racism became more and more urgent as it became less and less visible in the Canadian public sphere (Bannerji 2000). The basis of multiculturalism as we know it today was the "Just Society", which was meant to temper English-French antagonisms and in addition to entrenching bilingualism, granted 'founding nations' status to the English and French; a nod to the roles of these linguistic, and by extension, settler communities in forming Canada. The creation of the "just society" – through the recognition of the linguistic and cultural significance of the francophone, decriminalisation of homosexuality, opening the borders to people from nations beyond Britain and the United States – advanced rights discourse and was the defining feature of Trudeau liberalism in the 1970s. As part of the Just Society package, then Minister of Indian Affairs, Jean Chrétien,[5] proposed to undo the federal government's Treaty responsibilities. The implications of the notorious and ironically named White Paper were enormous.[6] It would mean that First Peoples would completely lose all rights ensured to them by Treaties, the contracts that allowed the crown to establish colonies on Indigenous territories, which made the Canadian nation a possibility in the first place. In short, there would be no legal difference between First Peoples and other visible minorities in the nation.

The borders between representation and experience are made concrete and *we* indicates the indifference to Indigenous sovereignties that binds the settler nation. This means that *we* ignore the fact that *we* live on lands leased to *us*, that *we* all are (First Nations and settlers) implicated in Treaty and therefore have responsibilities to ensure that they are attended to as living documents, not as historical relics, drained of significance. Treaties are agreements between sovereign nations and they must be read as declarations of sovereignty, not as the surrender to colonial powers (Rickard 1973). The White Paper officially died but we see it re-emerge in land claim disputes, roadblocks, government policies and proposed bills routinely. Even when First Nations were later included in the list of founding nations, their status in the confederacy was discursively sealed in the past by the implication that

Indigenous sovereignty is trumped by the Canadian nation-state.

The desire to create a just society at the expense of justice to First Nations also hints at the insufficiencies of recognising difference through official multiculturalism. Official multiculturalism identified the existence of diversity but provided no framework through which racism could be meaningfully criticised (Bannerji 2000; Miki 1998; Philip 1992). Scholars began to question the placement of multiculturalism at a time when the effects of systemic racism were most keenly felt, and while the rights of First Peoples continued to be eroded. "Multiculty" (see Bannerji 1997) as some called it, dominated public discourse and pushed serious talk about systemic racism out of the public sphere, while it further distanced *us* Canadians and *our* elected representatives from the very pressing subject of Indigenous sovereignty. So effective was multiculturalism in ensuring the status quo that one scholar declared "multiculturalism is anti-anti-racism" (Bannerji 1997). It is little wonder why *we* is considered a disingenuous claim to collectivity.

The inability to dismantle the border between unqualified Canadians and racialised Others within Canada is exactly where dominant articulations of Canadianness fail, says Angus (2005). The impulse to insist on difference from the U.S. and the threat of empire is internal to Canadian identity and yet, in its dominant form, it would colonise within the nation's borders (Angus: 2005). Access to the nation under multiculturalism means little if racism is swept under the nation's carpet, and the franchise means colonisation if it is imposed or not met with the ability to confront, refocus and change the terms of inclusion, Angus says. Yet, even as the borders fluctuate and the *we* who determine and are determined by these borders constantly shifts, the primary claim to the nation remains unspoken and deeply problematic. I do not argue that the settler nation be dismantled, after all, where would *we* go? I am instead underlining the problems and ambiguities inherent to the settler state. Further, Angus is not suggesting that inclusion for First Peoples should come at the expense of sovereignty, or that this primary nation claim is somehow normative. But as *we* question the production of the settler state *we* must also question the ways in which even the most radical articulation of inclusion is butted up against a history and culture of assimilation and genocide.

Unhoming Settler States

Colonisation is continued through the operation of this contingent visibility in the form of conditional inclusion of a people in exchange for their sovereignty. This renders us incapable of recognising how colonialism is experiential as well as representational. Indifference to colonialism's violence as well as to the sovereignties of First Nations surfaces here and is stunningly difficult, though not impossible, to confront.

To be blind to our political realities means we are blind to our agency within them. Taiaike Alfred identifies the disavowal of the responsibility to recognise this colonial reality as an injustice at the level of the relationship between Natives and non-Natives. Similarly Fanon (1967b) wrote to French people during the Algerian war of independence saying that they had responsibilities to Algerians. This responsibility is not analogous to the idea that we are all one another's keepers. That characterisation of responsibility is fundamentally unhelpful because it depoliticises the responsibility

to acknowledge the violence of colonisation by framing it as a general and apolitical state of existence. The responsibility Fanon and Alfred are referring to is deeply political and needs to be carried collectively *and* individually. Without a recognition of a fundamental wrong and the undeniable need to confront the injustice in order to recognise the ways that colonisation organises *our* relations with *others*, *our* efforts to develop an inclusive, diverse and just society can only result in failure and frustration.

The relationship between the representational and the material exposes contradictions that are inherent to any *we* in the settler state. Colonial representations, read through their histories and the context that surrounds them today, illustrate the process of making and normalising the settler state. Taken together, the inherent contradictions of the profoundly unstable and conspicuously unqualified settler nation begin to emerge. Demystifying the settler state commits *us* to factoring the unstable and indifferent into our analyses. The term *settler society* presents an opportunity to unsettle this presumed collective, to look at the coercive potential of collectivities within colonialism and the ways whiteness continues to structure *our* experience either through confrontations with it or by adopting dominant standards of success and inclusion; by accepting the reduction of justice to a matter of visibility and invisibility. The term *settler society* indicates struggle, which in the context of progressive politics and committed scholarship means constantly confronting how power in the abstracted sense and the lived experience becomes localised in this group claim.

Rinku Sen recently wrote that "white progressives don't get it" (2007). She argues that white progressives in the U.S. surface periodically to blame allegedly politically immature progressives of colour for the lack of cohesion in progressive politics. These white progressives, according to Sen, argue that the immobilisation of progressive politics happens because of racialised progressives' apparently unthinking devotion to ensuring that there are the requisite number of people of colour in any given organisation. Here the movement for racial justice is reduced to a wildly simplistic version of identity politics that is about inclusion without reflexivity. The question of racial justice is sidestepped as progressives of colour are cast as the politically damaging Other on the inside.

We see similar arguments surface in the context of multiculturalism and national security in Canada. After the arrests of 18 members of an alleged terrorist cell in the Greater Toronto Area in the summer of 2006, debates emerged concerning whether *we* had compromised *our* national fabric and the collective endeavour of making Canada a socially responsible and diverse nation by opening *our* borders too widely, by being too welcoming. (For a particularly caustic example see Wente 2006.) Had *we*, in the quest to realise the national dream of the cultural mosaic gone too far? Were *we* too multicultural? The response to both Sen's example and the case of the now famed "Toronto 18" is the same: shut down equity to protect what *we* have worked toward, be it a loose idea of progressive politics or a national myth. The terms of engagement are then set and reinforced by the impulse to sameness, the superficial inclusion of difference and the apparently justifiable right to include or exclude. It is this illogic that collapses *Muslim* into *terrorist*, *First Nation* into *Indian*, *racial justice* into *political decay*, the radical *us* into the

constricting *we*. This illogic reduces the politics of representation to visibility and invisibility, and in framing progressive politics this way, deflects meaningful critique of the terms of the argument.

Whiteness studies have helped us to develop an understanding of the ways whiteness responds to its political environment. It helps us to understand glib reductions of identity politics as a way of alienating agency from the white subject. While on the surface there appears to be little binding a white person who claims to be colour-blind and blameless to the very material benefits that whiteness accrues, given an understanding of structural racism and the normativity of whiteness, we are able to identify the currents of power that run through the act of disavowing one's blame. Similarly, disappearing Lelawala from the steamboat company's public records needs to be understood in more nuanced ways than a desire to 'make good', given that this disappearance has not been met with an apology or even an acknowledgement of a wrong done and given the community of similar images that create the appearance of settler home-ness at Niagara Falls. Whiteness studies enables us to take this long view and ask difficult questions about power, location, agency and responsibility.

The responsibility to decolonise confronts every *we*. The *we* of the settler state and whiteness, if left undifferentiated and unexamined, is not bound to a recognition of agency and responsibility. The settler state produced Lelawala, her changing context shaped her over time, and she is deeply colonial. Whiteness studies can help us in the radical repositioning of the question: "how does it feel to be a problem?" to where it rightly belongs: on whiteness itself. As we ask this question we need to continue to question our treatment of whiteness as an agent and how this impacts or obscures the location of our personal and collective responsibilities. This personal and collective location is an opportunity, an act of hope, where *we* might begin to think through agency and responsibility in ways that are not bound up with dominant articulations of race and location. *We,* rethought as agency, compels us to do this difficult work. To do otherwise is to create a discipline that is indifferent to politics and to create a politics by means of disavowal.

Author Note

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Notes

[1] I adopt Visenor's use of the word *Indian* to indicate the colonial construction, not First Nations people.

[2] Indigenous women are highly sexualised in colonial societies and cultures and a pointed argument concerning the connections between the abundance of sexualised images of Lelawala and colonial violence absolutely needs to be made. While the scope of this article does not permit such an analysis here, I directly engage this in my dissertation.

[3] The Tuscarora have a reserve on the U.S. side of the border at Niagara Falls and so were subject to U.S. Indian policies.

[4] Goat Island divides the American from the Horseshoe Falls.

[5] Chrétien would later serve as Prime Minister from 1993 to 2003.

[6] All proposed bills enter debate as "white papers" but the procedural designation used in this case poetically exposes the intersections of white supremacy and Canadian law.

WHITE GEOPOLITICS OF NEO-COLONIAL BENEVOLENCE: THE AUSTRALIA-PHILIPPINE 'PARTNERSHIP'

ELAINE LAFORTEZA

Abstract

This paper tracks the processes through which Australia is constituted as an authoritative regional power within the Asia-Pacific, and in concurrence, how Australian peoples are cited as benevolent 'neighbours' in relation to the Philippines and Filipinos. I focus on two bilateral projects: the General Agreement on Development Cooperation (GADC) and *The Philippines: Beyond the Crisis* study. Through this focus, I investigate the triumphalist narrativising of the Australian nation/self that shifts the focus from neo-colonising initiatives to a celebration of Australianness. This paper thus seeks to expose the underbelly of conspicuous compassion that governmental tracts deploy.

I concentrate on three interrelated aspects of racialisation: the projection of a "White Man's burden" as a role of neo-colonial benevolence; Orientalism as a producer and a product of a "White Man's burden", and racial performativity, wherein I implicate Australia's bilateral relations with the Philippines as (re)negotiating agency/authority through the performative enactment of (national, regional and self) identity for Australians and Filipinos. In doing so, transborder colonial permutations of Australian and Philippine imperialism can be made to answer for the reconfiguring of zones of inclusion and exclusion in relation to the making of the Philippine-Australia nexus.

Introduction

> *While on the one hand, the Australian government talks about being a "good neighbour" and bringing stability to the region, it is not adequately addressing the negative impacts these companies can have* (Oxfam Australia 2003).

The above quote refers to the impact of Australian mining companies in the Philippines and the Australian Government's inadequate response to the negative impacts that occur contrary to their blatant declarations of being a "good neighbour". Although this paper is not explicitly about Australian mining companies in the Philippines, it does track some bilateral negotiations that exist between Australia and the Philippines. This paper also investigates the means through which governmental initiatives 'speak'/narrativise Australia as an authoritative regional power within the Asia-Pacific, and in concurrence, routinely cite (white) Australians as benevolent 'neighbours' in relation to Filipinos and the Philippines. For this, I focus on two events which are taken from the booklet *Philippines-Australia Relations* issued by the Embassy of the Philippines in Canberra (2005). This booklet tracks key aspects of the Australian-Philippine relationship since the late 1950s until 21 February 2005. Although this time frame involved a multitude of events, economic relations are the predominant features of the booklet. Consequently, the view that an Australian-Philippine partnership is chiefly premised on economy is promoted.

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The events I focus on include the signing of the General Agreement on Development Cooperation (GADC) by the two countries. On 28 October 1994, both countries formalised bilateral development cooperation by signing the GADC. It was registered and recorded with the United Nations in 1998 by Romulo Roberto R. (Foreign Secretary, Philippines, 1996-2001) and Gordon Bilney, who in 1994 was the Acting Minister for Foreign Affairs, Australia.[1] "As an umbrella agreement, the GADC covers all development cooperation activities and provides general conditions for assistance" (Philippine Embassy, Canberra Australia 2005: 11). Another event I focus on began on 4 May 1998 when Foreign Minister, Alexander Downer launched a study commissioned by the Department of Foreign Affairs and Trade (DFAT) entitled *The Philippines: Beyond the Crisis* (1998a). According to Downer, this was launched "to make more visible the extent to which Australia and the Philippines are actively engaged with each other" (1998: 3). Although I situate this analysis within a bounded historical time frame, I do not mean to state that the racialising practices deployed through the GADC and *The Philippines: Beyond the Crisis* study remain unique to Australia during the 1990s. Rather, these tracts are part of broader, complex, socio-cultural imperatives that constitute Australia's *naturalised* role of benevolence in relation to the Philippines and to the broader Asia-Pacific region.

These political developments progressed through an interesting shift in the representation of the Australian Government's engagements with Asia. John Howard's 1996 election win was helped by distancing the Howard Government from Paul Keating's strategies of connecting with Asia and 'distancing' Australia from Britain through calls for a republic (Camilleri 2004). This is not to state that Keating's politics could dissolve tensions regarding Asia/Asians/Asian-Australians and their place in Australia or that Keating envisioned Australia as an 'Asian' nation. For instance, "[in] a speech to the Indonesian Foreign Policy Forum on 22 April 1992, entitled *Our Common Interest*, he described Australia as a 'European country living alongside Asia'" (cited in Stratton 1998: 194). Further, Keating's attempts to connect with Asia does not mean that Howard himself does not also seek to strengthen ties with Asian governments, as can be evidenced through the recent agreement signed by Howard and Japan's Prime Minister, Shinzo Abe to "strengthen military ties between the two nations" (Coorey 2007: 1). Yet, the public personas of each politician spoke for different things. Keating's politics threatened the normative boundaries that structured Australian society and culture while Howard was seen to restore these boundaries and norms. The GADC and *The Philippines: Beyond the Crisis* study constitute both positions. Although they purport to strengthen the bilateral relationship between the Philippines and Australia, specific racialising practices are employed to maintain Manichean distinctions between the nations.

I focus on three interrelated aspects of racialisation deployed by these governmental initiatives. The first is the projection of a conceptual and literal "White Man's burden" as a (white) Australian role of colonial benevolence. In keeping with the views deployed by academics such as Winthrop D. Jordan (1974), Stephen A. Marglin (2003) and Damien W. Riggs (2004a), I track the imperialistic implications embedded in thoughts and practices that deploy a "white (man's) burden" as the

obligation to 'colonise' and 'civilise' non-white people. Riggs states that:

> [The construction of the] 'white person's burden'… [has served as] an ongoing process of management aimed at constructing a foundational claim for white sovereignty (Riggs 2004a).

Therefore, the act of managing 'non-whiteness' by white people secures an authoritative white ontology of being and belonging in the world. Here, I do not state that those consigned as white belong to a homogenous group that uniformly take up a "White Man's burden". Whiteness involves differences in ethnicity, gender, socio-economic status, sexuality, religion and so on. Thus, it cannot be said that 'white' people embody the "White Man's burden" for all times. However, I argue that Australia's bilateral economic relations with the Philippines evoke a logic of the "White Man's burden". Further, I argue that Orientalism is a producer and a product of a "White Man's burden". I argue that the Philippines functions as part of Australia's Orient. I also discuss an Orientalist "White Man's burden" as a performative practice, and thus implicate racial performativity as a constitutive racialising initiative deployed by governmental strategies. Thus, I argue that Australia's bilateral economic relations with the Philippines (re)negotiates agency and geopolitical status through the performative enactment of national, regional and self identity.

White Burden

Take up the White Man's burden--
Send forth the best ye breed--
Go bind your sons to exile
To serve your captives' need;
To wait in heavy harness,
On fluttered folk and wild--
Your new-caught, sullen peoples,
Half-devil and half-child. Take up the White Man's burden--
In patience to abide,
To veil the threat of terror
And check the show of pride;
By open speech and simple,
An hundred times made plain
To seek another's profit,
And work another's gain…(Kipling 1899: 215-216).

By the "White Man's burden", I refer to Kipling's concept of the *dutiful* giving of services by a western power to aid the "less fortunate", or in Kipling's terms, to "serve your captive's need" (Kipling 1899: 215). I draw on Kipling's use of "white burden" to argue that whiteness within developmental initiatives between Australia and the Philippines works as a strategic geo-political negotiation between a western 'First World' space and a 'non-western' 'Third World' area, such as the Philippines. Such negotiation uses whiteness to signify a specific bodily being with a specific skin-colour and western geo-political specificity imbued with certain norms and characteristics, such as the characteristic of being a revered donor and helper, as will be tracked later in this paper.

Further, although Kipling refers to the white man as the purveyor of power, knowledge and benevolence in relations with non-white others, I do not wish to dismiss the role of white women in continuing colonial racialising imperatives.[2] Therefore, throughout this analysis I argue that Australia is not positioned in the exact terms that Kipling prescribes. Rather, it is through acts of good neighbouring that Australia positions itself as taking up a "White burden". In this context, unequal relations of power are inscribed within Australia's enactment of White burden onto the corpus of the Philippine nation. For instance, the word "captives" in Kipling's poem employs an imperial

Orientalist language whose imagery of expansion and annexation occurs through domination. This imperialist discourse positions Australia as an authoritative 'master' that has the resources and the *innate* benevolent character to work for the profit of others: "To seek another's profit—And work another's gain" (Kipling 1899: 216). In this context, unequal relations occur in terms of benevolent colonialism which entails blatant declarations of the colonial power's disposition to give generous 'gifts' to non-white individuals.

Such conspicuous philanthropy is reiterated by the goals set out by the GADC. These goals seek to facilitate diplomatic relations between Australia and the Philippines, as well as to ensure that regional projects for economic re-structure will occur under the guidelines stated by the goals. Five out of these eight goals focus on the distribution of Australian aid to the Philippines. These goals are "(1) the sending of missions to the Philippines to study and analyze opportunities for Australian assistance; (2) the granting of scholarships to nationals of the Republic of the Philippines for studies and professional training in Australia, the Philippines or a third country; (3) the assignment of Australian experts, advisers and other specialists to the Philippines; (4) the provision of equipment, materials, goods and services required for the successful execution of development projects in the Philippines; (5) the development and carrying out of collaborative research, studies and projects designed to contribute to the attainment of the objectives of this Agreement" (DFAT 1998b).

The other three goals insinuate that Australia continues to be the benevolent benefactor. Yet, there are ambiguities in these proposals which imply that Australia could be helped by the Philippines. These proposals are: "(6) the encouragement and promotion of relations between firms, institutions and persons of the two countries; (7) promotion of sound development of trade and industry; and (8) any other form of assistance, reportable as official development assistance (ODA) under the OECD Development Assistance Committee (DAC) guidelines as may be determined by the two Governments" (DFAT 1998b). In these proposals, Australia is not blatantly named as a recipient of Philippine aid. Conversely, the Philippines is repeatedly pronounced as requiring Australian help. Both nations are consolidated into a pattern of colonial benevolence wherein the white western power (Australia) 'saves' the Philippines from socio-economic depression. The GADC intimates that the Philippines embodies the role of needing *assistance*, while the role of *assisting* is foisted onto Australia.

Yet, the deployment of development aid is not necessarily altruistic. Donor nations benefit through deals made in terms of trade and through interest paid by nations who receive financial aid. As Erhard Eppler states in regards to development aid: "…developing countries became the 'markets of tomorrow'" (1972: 76), thus intimating that development aid is a profit-making strategy that enables donor nations to create market opportunities, profit from them, as well as ensure that these economic exchanges and profiteering occur under the conditional terms stipulated by the donor nation (Firth 1999: 243).

However, the categories normatively used when discussing development aid naturalise an altruistic manner which donor nations, such as Australia, supposedly embody. For instance, the categories of "donor" and "recipient" indicate that those classified as "donors"

benevolently bestow aid, while "recipient" implies that "recipient nations" are at the receiving end of donor generosity. These categories elide that "donor" nations also receive benefits from their participation in development aid, and that "recipient" nations produce financial benefits and strengthen the "donor" nation's geo-political standing in international social orders. Consequently, the categories of "donor" and "recipient" do not engage with the simultaneous giving and receiving that occurs between "donor" and "recipient" nations of development aid.

Within the guidelines and conditions of the GADC, the category of "donor" nation is applied to Australia through the blatant assertion that Australia is in charge of giving assistance to the Philippines. The descriptor of "donor" is a loaded term that implies benevolence on the part of Australia as a "donor" nation. Such an assertion of Australian benevolence denies the unequal relations of discursive, political and economic power that determine what can or cannot become recognised as "benevolence" within a white social order (Riggs 2004b). The underbelly of such "benevolence" is invisibilised within formal political practice. Hence, Australia is continually constituted as generously assisting the Philippines, while the Philippines is seen as the more hapless nation that receives Australian assistance.

Whiteness as Racialised Colour

This specified *knowledge* enables the management of both nations. But, in the same way that Australia is projected as assisting the Philippines, Australia 'takes up' the role of managing the non-western other. Such authority positions the non-white nation/people as dependent on the white nation. Here, the performative act of white benevolence works to (re)produce paternal relations of dependency on 'charity'. These relations occur through Australia's position as a white, western, First-World nation, and the consignment of the Philippines as a non-white, non-western, Third-World nation. For instance, Kipling's emphasis on "white" as denoting a specific role, intimates that identity is made apparent through (racialised) colour. This iterates that race, and whiteness in general, compels socio-cultural progress. Subjective capacities and capabilities, as well as status within the social order, become "readable" on the chromatic surfaces of the skin (Ahmed and Stacey 2001).

Skin colour thus 'speaks' of interior character, wherein pale coloured flesh denotes a *natural* disposition for munificence. The authoritative position of whiteness can be evidenced through the lack of information about non-white Australians participating with Filipinos (and vice-versa) in the Philippines or in Australia during the 1990s in the *Philippines-Australia Relations* booklet. However, such interactions abound. For instance, Solidarity Philippines Australia Network (SPAN) is an organisation founded in 1983 by Filipino migrants. This organisation continues to work with Aboriginal Australians to develop effective intercultural communication. In fact, one of SPAN's main objectives is to "support the spiritual and cultural re-empowerment of the Indigenous Peoples in Australia" (SPAN 1996).

Despite SPAN's relative longevity as a group which embodies the role of being a 'good neighbour' towards Indigenous Australians (and vice versa), this relationship (or any like it) is not outlined in the booklet. This is despite the fact that the booklet purports to explain important relations between Australia

and the Philippines/Filipinos. Intercultural and interracial solidarity, as well as being a 'good neighbour' is only made conspicuous when a white individual/institution is involved. This focus iterates Australia as a *natural* white space wherein 'white' people are able to gain positive public acknowledgement of their actions. Here, it is only 'white' individuals who are presented as having power and importance. In this context, interaction with white people is constituted as the most valid, thus positioning white people as the only source from which productive socio-cultural interventions can flourish. An Aboriginal/white/non-white migrant dichotomy is thus elided within dominant governmental practices. These practices are complicit in continuing Indigenous dispossession by arranging bilateral activities in the name of all Australians (by acting on behalf of Australia) but not taking into account many Australians who live in the nation. It is not common for Indigenous viewpoints to be represented when Australia creates and deploys governmental contracts which determine Australia's relationship with the Philippines and Filipinos. These negotiations are worked on without the input of Australian Indigenous delegations.[3]

The elision of Indigeneity packages Australia as a white, western-centric nation which is emphasised through the physical appearances of members of the Australian parliament, as well as to these people's cultural heritage which is predominantly of an Anglo-Celtic ethnicity, an ethnicity coded as white within Australia's normative social order. Key roles in Australia's government continue to be occupied by white individuals. For example, all of Australia's prime ministers have been white. Therefore, as Aileen Moreton-Robinson states, Australia is a black land positioned as a white nation state (2006). Because of this, Australia's authoritative power within the Asia-Pacific, as well as Australia's role as a "good neighbour", is tied with Australia's status as a white Western country with First-World privileges (Hardjono 1993). This First-World privilege is reiterated by Kipling's emphasis on the "white man" and "sons" engaging in a paternalistic relationship with their "captives". The repeated capitalisation of "White Man" also projects an authoritative whiteness that is befitting a 'First World' positioning.

First-World Whiteness

To be consigned as 'First-World' indicates that relations with non First-World regions involve asymmetrical relations of power that quantifies nations in terms of economic sustainability. Within such a hierarchy, the Philippines is recognised as a Third-World nation with 'lower' standards of living in comparison to Australia. Thus, to even venture into a non-white/non-First-World space is dangerous for white people. The threat of suffering inflicted by the racial/ethnic other is intimated in Kipling's poem when he describes the effects of white men (the "sons" of the white empire) migrating to a non-white locale. According to Kipling, the crossing of geographical borders is a diasporic nightmare: "Go bind your sons to exile" (1899: 215), "To wait in heavy harness" (1899: 215), and, "To veil the threat of terror" (1899: 216). The non-white space/body is packaged as a site of and for disruption, having the capacity to *threaten* the white space or inevitably push the white 'First-World' individual to witness non-white suffering.

In the launch for *The Philippines: Beyond the Crisis* study, Downer projected the Philippines as embroiled with natural Third-World suffering. He said: "The

Philippines looks set for a relatively rapid recovery from the effects of the region's recent financial difficulties" (1998: 2). Although his statement indicates that the Philippines is moving away from suffering, Downer engages in a pathological discursive construction of the Philippines by describing the nation in terms of sickness (for example, through the use of the word, 'recovery'). In this respect, whiteness is performed as a *healthy* space, wherein white individuals can *diagnose* the Philippines, prescribe what needs to be done to make the Philippines *better,* and thus compassionately act as a *selfless* benefactor who helps their "captives" (and hence, their subordinates) despite negative consequences arising through contact with non-whiteness.

In Kipling's terms, this development occurs under the figure of an omnipresent white Father. The Father is unnamed, thus emphasising those whom the "Father" lords over: the non-white other that is consigned as "half-devil and half-child" (1899: 215). From this, the "Father" becomes a familial father figure who nurtures the 'child's' development. Moreover, the "Father" becomes coded with a spiritual signification wherein the white father figure becomes synonymous with the heavenly Father (God) who 'reforms'. White bodies are thus recognised as omnipotent figures. According to Eleanor Carbonell, a Filipina woman living in Australia, deification of white bodies is common for Filipinos (2005). Such deference to white power is the consequence of the long history of Castilian Spanish colonial control of the Philippines and North American imperialism, both of which have reduced the Philippines to a state of colonial dependency (Laforteza 2007).

Although Australia is not the Spanish *amo*[4] or the North American leader, Australia's position as a white First-World country constitutes the Australian nation as an *amo* in relation to the Philippines. In fact, Australia was and remains in a better economic situation than the Philippines. In the 1990s, the Philippine peso (PHP) was an undervalued currency in context to the U.S. dollar (USD). The average exchange value from 1993-97 was 27 PHP to 1 USD, with a record low during 1997-1998 when the peso fell by over 60 percent as a result of the fallout of the Asian financial currency crisis (Bank Introduction 2006a). Accordingly, the Philippines has been plagued by low foreign investment and large public debts.

Conversely, in 1996, the Australian dollar (AUD) had an average exchange valuation of 79.7 U.S. cents (Bank Introduction 2006b). During the 1990s, Australia's economy boomed with strong annual GDP growth of four percent. This resulted in productivity growth that averaged 2.7 percent during the 1990s, a move that Bank Introduction.com describes as "one of the world's best [economic] performances" (2006b). In these contexts, Australia has better economic opportunity to assist the Philippines, rather than the Philippines financially helping Australia. The emphasis, in this context, is on the outflow of support from Australia to its South-East Asian neighbour, rather than the inflow of substantial aid coming from the Philippines to Australia. This denies that the Philippines can also help Australia, ensuring that the Philippines is fixed as a nation in constant need of western intervention, a pliable space open for western trade and governance.

White (Wo)Man's Burden

Although the focus so far has centred on the concept of a "White *Man's* burden"

as a system of enacting social relations, a "White burden", as an act of service to the non-white other, also implicates white women. This can be evidenced when white women seek to assist non-white women because it is their 'duty'. Trinh T. Minh-ha specifies that although non-white women are invited to speak at academic forums on the topic of "women's issues", these forums circulate (even if unintentionally) on whiteness as the normative "speaking" subject position (1989: 80-116). Consequently, non-whites are consigned as individuals who are defined by their perceived differences to a normative white social order.

Events which aim to foster bilateral efficiency between Australia and the Philippines and speak of Filipino-Australian and Australian relations mirror this focus on whiteness. Although they are facilitated by and/or include white women, these interactions still eventuate along conditional terms determined by the white social order. Here, I cite the mismanagement of the wrongful deportation of Filipina-Australian Vivian Alvarez Solon Young by the Immigration Department Minister, Amanda Vanstone. There are many examples to chose from, but I focus on the way that Vanstone presented herself and her involvement with Alvarez Solon Young's case. On the radio program, *The World Today* (ABC), a segment titled: *Immigration Dept handled Solon case catastrophically* was aired on 6 October 2005. Here, Vanstone said:

> AMANDA VANSTONE: Well look, there have been calls for me to step aside from, actually, March 1996. It's been a pretty consistent effort. (sound of laughter)
>
> I'm thinking of trying to buy the copyright on Elton John's song *I'm Still Standing*, but I don't want to tempt fate. So I'll just play it to myself quietly at night (2005).

During this radio broadcast, Alvarez Solon Young was still in the Philippines, dependent on using a wheelchair to move around. She was still waiting to be flown back to Australia, see her children, and return home to her friends and family. Vanstone's appropriation of Elton John's song *I'm Still Standing* is a callous message when put in conjunction to Alvarez Solon Young's difficulty in moving without the use of a wheelchair and her inability to move across nations to return home. During this radio broadcast, the Immigration Department under Amanda Vanstone and Philip Ruddock continued "to torment Vivian Solon's life through protracted arbitration" (Newhouse 2006). Yet, Vanstone posits herself as the 'victim' and 'survivor' in relation to dealing with Alvarez Solon Young. She constitutes herself as the Aussie battler who pushes through strife to come out as a triumphant survivor. From this, Australia and the Australian government do not lose their upper hand by allowing Alvarez Solon Young to claim a sense of victimhood and survival that will obligate Australia to account for their complicities in colonialist atrocities. In this context "decency and goodness acquire an almost ontological status as the focus shifts from the suffering of the [non-white] dispossessed and bereaved to a celebration of Australianness" (Perera 2004: paragraph 4). Although Perera's statement refers to the December 2004 tsunami, Vanstone's triumphalist narrativising of the Australian nation and the Australian self in the Alvarez Solon Young case, shows the ongoing validity of Perera's analysis. In this respect, a positioning of the Philippines as having the capacity to harm benevolent white people eventuates through the rubric of the white burden of assistance.

Orientalist Practices

The claim to authoritatively *know* and *respond* to the Philippines cannot be separated from the various types of authority that are combined in Orientalism. Edward Said describes Orientalism as constituting a symbolic order that gains operative effects through various socio-cultural productions (1995: 12). It is a system that creates specific perceptual practices that define the limits of the "Orient's" subjectivity. This sense of defining (and being defined) eventuates through an "uneven exchange" sustained by Orientalist thought and action. I postulate that this "uneven exchange" with and between various types of power are shaped by the distinctions expounded between the "Orient" and the "Occident", as well as with 'white' and 'non-white' in the context of Australia's bilateral economic relations with the Philippines.

It can be evidenced that conspicuous acts of 'neighbouring' operate/d within an Orientalist framework. For instance, the GADC and *The Philippines: Beyond the Crisis* study deployed geo-political awareness of the Philippines' economic underdevelopment by publishing written accounts of the Philippine's geo-political status, by holding meetings wherein Australian and Filipino political dignitaries and economists discussed the Philippines' economic situation and by announcing that the Philippines needed economic restructure. The distribution of such knowledge was filtered through a range of texts, which included the *Philippines-Australia Relations* booklet. In Orientalist form, this booklet *explains* key aspects of Australian-Philippine bilateral economic relations, thus intimating that Australia and the Philippines are already *known*. These nations are pronounced as having a "fundamental" *root* point which embodies an inherent essential being that remains unchanged. Complex economic flows from Australia to the Philippines (and vice versa), as well as flows of labour and analysis between these nations, are packaged as manageable units of study that can be defined and governed (Said 1995: 115).

Australia and the Philippines are constituted as definable through marking out their differences from one another. For instance, although the GADC and *The Philippines: Beyond the Crisis* study were launched to encourage interaction between Australia and the Philippines, this interaction has limits. Separation is reiterated through the GADC and *The Philippines: Beyond The Crisis* study by their focus on the outflow of financial aid from Australia to the Philippines, rather than including how aid is being distributed to Filipino communities within Australia. This focus demonstrates that Australia locates 'Asia' outside the body of its nation, and thereby fails to acknowledge Asian-Australians within the nation. Such a positional difference enables Australia to engage in various relationships with the Philippines (and with 'Asia' in general) without losing the relative upper hand (Said 1995: 7). To retain the "upper hand", the act of *containing* the Philippines and Australia within specific *knowledge* occurs. This sense of containment can be evidenced through Alexander Downer's address at the launch of the East Asia Analytical Unit's Report on the Philippines on 4 May 1998. Downer specifies:

> When I visited the Philippines in October last year I expressed confidence that the Philippines under President Ramos had got a number of very important things right in tackling the problems the

> President faced when elected in 1992 (1998: 1).

Downer projects himself as the purveyor of progress and failure. Although he mentions that the Philippine president at the time, Fidel V. Ramos, was influential in these reforms, he does not include Ramos' opinions on the Philippines' economic situation. Instead, it is Downer's perspective that registers the Philippines as knowable within the Australian social order. In this case, "he [the west/Australia] is never concerned with the Orient except as the first cause of what he (sic) says" (Said 1995: 21). To affiliate with the Philippines is to cite the Philippines in an Australian 'voice' and by an Australian citizen. That the Philippines makes sense within a global economic market thus depends more on the west's representation of its South-East Asian neighbour, than on the Philippines itself. Consequently, the GADC, *The Philippines: Beyond the Crisis* and its corresponding public relations events (such as Downer's public speeches) espouse Orientalism:

> Dealing with it [the 'Orient'] by making statements about it, authorizing views of it, describing it, by teaching it, settling, ruling over it: in short, Orientalism as a Western style for dominating, restructuring, and having authority over the Orient (Said 1995: 3).

In this process of constituting the "Orient", the white western self is also constituted. This development of white western identity entails the performative practice of whiteness in order to pass as white, western, and First-World.

Racial Performativity

Kipling's urging to "take up" the White Man's burden intimates that the white role of colonial benevolence is not an ontological truth. Being white and western involves strategic action to posit oneself as a specific white subject, group or nation. This (dis)embodiment of norms intimates that agency can (re)conceptualise perceptions and practices. Here, I wish to open a space for resignification by evoking awareness as to how formal Australian governmental practices situate themselves within the Asia-Pacific and with their Asian neighbours.

Taking the lead from academics such as Sara Ahmed (2000, 2001) and Nadine Ehlers (2004), I refigure Butler's conceptualisation of gender as a performative practice in terms of race. By this, I do not mean to exchange 'gender' with 'race'. I do not intend to conflate the two or imply that one can speak for the other. However, one is constitutive of the other and both (along with other factors, such as age, class, etc.) constitute individuals concomitantly. In this respect, aspects of the complex matrix of gendered or sexed (or making a person gendered or sexed) identity can be used to explore the processes which work to racialise identity.

In *Bodies that Matter: On the Discursive Limits of 'Sex',* Butler conceptualises performative acts as "forms of authoritative speech… that, in the uttering, also perform a certain exercise and exercise a binding power…" (1993: 225). Whiteness, as a performative practice, thus becomes a citational act that is contained in and recognised through speech acts. Kipling's "White Man's Burden" reiterates the need to exercise whiteness through verbalised declarations of white authority: "by open speech" (Kipling 1899: 216). "Open" in this context, refers to a public space. This 'open space' intimates that whiteness needs to be 'said' (whether by verbal enunciation or non-verbal behaviour) in a public space and

recognised by the 'public' as whiteness. Individuals thus gain credibility as white subjects through conspicuous public performance. However, things that are *not* said and *not* performed also work to assume a specific social designation. Performativity is as much about what one does *not* declare as about what one does. This performative elision can be evidenced through a 'reading between the lines' of the *Philippines-Australia Relations* booklet, the GADC, and *The Philippines: Beyond the Crisis* study. Although these texts purport to exhaustively explain Australia's economic relations with the Philippines, key aspects of these economic ties are not acknowledged as a major facet of the Philippine-Australian alliance.

One unacknowledged aspect is the 'trading' of Filipina wives. The Philippine government has promoted the export of brides as a measure that eases unemployment and generates foreign exchange. This occurs despite the Republic Act No. 6955 which criminalises the exportation of Filipinas as wives. The Act comprises a set of laws approved on 13 June 1990 by the Senate and the House of Representatives of the Philippine Congress. These laws stipulate that it is unlawful for any person, association, club or any other entity to match Filipino women for marriage to foreign nationals on mail-order basis or other similar practices. Yet, mail-order bride industries are used. Many of these businesses are established outside of the Philippines, ensuring that they remain outside the jurisdiction of Philippine law (Monte 1999). Moreover, the Philippines benefits from sustaining the mail-order bride business because of remittances gained from them. These remittances have kept the economy afloat, turning in a total of U.S. $3.16 billion in remittances (from overseas Filipino workers and mail-order brides) from January to July alone in 1998 (Monte 1999). By the term 'mail-order bride' I refer to a:

> woman whose personal details with an accompanying photograph are advertised through a printed catalogue [whether on the Internet, 'marriage' agency brochures, etc.] and whose decision to enter into marriage is made with virtually very little or no personal introduction (Cahill 1990: 133).

In this context, 'mail order bride' becomes a value-laden term coded as marking the economic and sexual marketing and/or trafficking of 'Third-World' women into 'First-World' western spaces. Here, I do not mean to conflate mail-order brides with sexual trafficking. However, under the guise of matchmaking, many mail-order bride services export Filipinas into the sex industry (Cunneen and Stubbs 2003: 76-77). For instance, the Internet site 'The Mail Order Bride Warehouse' (see: www.goodwife.com/asian/) presents Filipinas as body parts for sale. Filipinas are processed as wholesale export products that can be bought from a 'warehouse' for the buyer's sexual pleasure.

Sexual trafficking and mail order bride businesses are not included as factors of economic distribution in the GADC, *The Philippines: Beyond the Crisis* study and the *Philippine-Australia Relations* booklet. This is despite the fact, that as of 25 February 1999, there were an estimated 20,000 Filipina mail-order brides in Australia (Monte 1999). Also, Australian nationals own 15 of the 18 hotels, and 40 of the 70 bars, in Angeles City, Philippines which profit from sex trafficking (Monte 1999). However, Australia's complicity in the distribution of Filipinas as wholesale (sexual) commodities is invisibilised within government rhetoric and formal public performances of an Australian

partnership with the Philippines. In this context, the invisibilisation and visibilisation (through tacit insinuations or blatant declarations) of different forms and effects of white power are "played out *on* the body" (Ahmed 2000: 86). According to Ahmed, performative gestures that "speak" of a person's identity and its status in relation to other identities/bodies are communicated through the body of another (2000: 86). Bodies in this case refer to corporeal bodies and institutional bodies, such as government and business organisations. For instance, the constitution of the Australian nation as economically superior to the Philippines eventuates through reducing Filipinos as pliable *bodies*. Consequently, the distribution of women as sexual commodities becomes justifiable. Australia is thus consigned as the *amo* of the Philippines. The recognition of Australia as the 'boss' of the Philippines can be evidenced through the conditions of aid giving. Stewart Firth specifies:

> This is a conditionality that applies…to the way a recipient country is governed. Donors now feel confident in demanding that recipients reform public administration and political institutions along Western lines (1999: 243).

Here, whiteness discursively constitutes the subject within a racialised schema of power. This is a power that shapes bodies/spaces to conform (through the reiteration of implicit and explicit racialised knowledges) to one's consigned racial *essence*. To be white, western and First-World thus involves reiterative labour implemented to reproduce a given sociality. As can be evidenced through the lack of publicised acknowledgement of mail-order bride systems and the sexual trafficking of women, the performative enactment of a white Australian nation state invests in fostering a perceptual blindness. Such 'blindness' constitutes a reductive reality by focusing on specific social practices. This works to contain the white individual, government and nation in the role of a "good neighbour" that interacts with its racial others on the basis of compassion, not through illegal practices or money-grabbing schemes.

Yet, the premise of the GADC centres on economic demands and financial advancement, rather than focusing on the intercultural development of both nations that extends beyond or reconfigures the emphasis on monetary capital. By this, I do not mean to imply that emotional well-being is not (or cannot) be connected with financial advancement. Rather, I mean to point out that the GADC is couched in economic terms, with a strong current of economic determinism and economic rationalism packaging its aims and consequent projects. The GADC is based on producing tangible material products: reports about each country (economic infrastructure, political structure, etc.), and economic profit (trade agreements, distribution of financial aid, etc.). *The Philippines: Beyond the Crisis* study draws on these material affects to initiate future projects and frame the goals of current initiatives. Here, I do not wish to state that such re-imaginings of the flows of bilateral contact between the two nations can evoke a utopian space. Unequal relations of power structure the relations of the "discursive, linguistic, legislative and economic power that determine precisely who can or cannot speak in our culture, and who is actually listened to and authorised to speak" (Pugliese 2005). Therefore, the ways in which re-imagining the spaces in which bilateral trade can be understood, experienced and implemented are determined on uneven relations of power.

The concerns of *The Philippines: Beyond the Crisis* study to make more visible the extent to which Australia and the Philippines are actively engaged with each other is also not met. As the study is touted as an important proposal for both nations to facilitate a good and fair working relationship, it would be beneficial for the study to address and attempt to undo the injustices and illegality espoused by mail-order bride industries. Yet, only specific aspects of the Philippine-Australia connection are publicised. These include events that package both nations/governments as legitimate institutions that behave in a liberal democratic manner. *The Philippines: Beyond the Crisis* study and the signing of the GADC thus formalised a specific bilateral development cooperation, one that invests in fostering socio-cultural blindness that allows for exploitation to occur.

I argue that mail order bride systems and the sexual trafficking of Filipinas are tacitly endorsed through the GADC and *The Philippines: Beyond the Crisis* study. These tacit endorsements enable the performance of whiteness as an authoritative power that dominates over 'non-white' people and spaces. This is deployed through the reiteration of the Philippines as a Third-World nation, which, in turn, codifies the Philippines and Filipinos as pliable bodies/spaces that are open to western governance. By marking these trajectories of white Orientalism, the violent re/impositions of subject constitution can be addressed. I draw upon these violent re/impositions to stress that the political tracts I have examined here are negotiated by nations whose bilateral trade agreements are constituted through colonialist and imperialist measures. The flows of economy, labour and trade that travel from the Philippines to Australia move into stolen Aboriginal land negotiated by a colonising ethic that allows such negotiations to occur without the input of Indigenous people. This colonising ethic continues in the ways in which Australia positions itself as the authoritative nation state that has the capacity and capability to be the western power within the Asia-Pacific region. Carbonell states: "It's as if Australia is trying to be the next U.S.A." (2006). The implication here is that (white) Australia promotes itself as the economic power within the Asia-Pacific region, thus aligning itself with the economic prowess that the U.S. has. Through this, other nations within this geo-political and geographical space become an addendum to the tripartite colonising coalition of the willing: the U.S., Australia and Britain.

Here, I do not want to dismiss the Philippines as an innocent space or state that Filipinos are simply victims to Orientalist initiatives enacted by 'western powers'. The Philippines is not guiltless but perpetuates a "worlding" process that Gayatri Chakravorty Spivak notes as the process in which colonised spaces are called into being within a Eurocentric world order (Ashcroft et al. 1998: 241).[5]

The "worlding" process is deployed through bilateral negotiations such as the GADC and *The Philippines: Beyond the Crisis* study which do not solely continue the dispossession of Australia's Indigenous people but also deploy the continual dispossession of many Filipinos and the Philippines' Indigenous populations and their sovereign rights as First Nation's people. This can be evidenced through projects initiated by Australian mining companies in the Philippines. For example, in the late 1990s, Newcrest Exploration, an Australian Mining company, was conducting mining exploration in the uplands of Abra in the Philippines. Although this venture was sanctioned by

both the Australian and Philippine Governments, such mining expeditions were vehemently opposed by Philippine residents. Magno Dumas, a farmer from Tubo, Abra specifies: "It will be war if Newcrest insists on operating in the area" (cited in Codiase 1996: 1).

On the contemporary effects of mining companies in the Philippines, Jennifer Awingan, an Indigenous Kalinga-Igorot from the Philippines states: "Indigenous people are no longer able to plant fruits or vegetables because the resulting mercury poisoning, produced from massive logging and mining operations, inhibits the growth of any plant life" (cited in Sterrit 2005: 1). Both the Philippines and Australia are complicit in such practices. Austrade declared that:

> Most of the Philippine mining companies are familiar with the capability of Australia in the mining industry and already source their equipment from Australia. An example is Lepanto Mining Corporation, one of the major Philippine mining companies, which purchases more than 50 per cent of its mining equipment requirements from Australia (2007: 1).

Conclusion

These aforementioned activities do not simply create distinctions and divisions between Australia and the Philippines, but create borders between Filipinos themselves. There are Filipinos who benefit from bilateral arrangements and there are those who do not. The point in which Filipinos can prosper is through understanding and acknowledging that western initiatives for development are necessary. Thus, those who partake and promote such bilateral negotiations are perceived by normative dominant Australian and Philippine social orders as initiating progress and modern development. This is a perception that is founded on the hope of acquiring material economic profit. As the joint ministerial statement of the 2005 Inaugural Philippines-Australia Ministerial Meeting specifies:

> Australian mining companies were well placed to participate in the development of the Philippines' mineral resources. Increased Australian investment had the potential to yield significant economic and developmental benefits to the Philippines and represented a significant prospective destination for Australian investment (Downer and Vaile 2005).

The aforementioned statement intimates that through Australian-Philippine partnership both nations' geo-political and economic standing in a world market economy will be significantly bolstered. Therefore, by participating in such projects, the Philippines and Australia can insinuate themselves as necessary (economic contenders) in the global market economy and international agendas powered predominantly by North American and Anglo, Euro-centric agendas. Consequently, I state that "worlding" is an Orientalist process in which the Philippines and Australia, through the bilateral agreements I have discussed, assert themselves as valid, productive nations that authorise the powerful position of whiteness.

This is what shapes the conditions, guidelines and procedures of the bilateral negotiations I have tracked in this paper: the insidious, repetitive authorisation of western whiteness in shaping the relations (whether governmental, personal, etc.) without critique and intervention. This cannot be allowed to continue, nor can it be ignored. Maria Giannacopoulos states: "There is a violence in this act of forgetting" (2007: 45). I draw on her

statement to reiterate that violence takes shape not solely in forgetting specific events. Violence is also deployed in forgetting to speak out about them and in ignoring the ways in which people, nations, and the bilateral flows between them are spoken for and legislated as governmental contracts, projects and definitive facts that mask the underbelly of bilateral 'partnerships'.

Author Note

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Notes

[1] Bilney retired from Parliament in 1996, taking up a *Sydney Morning Herald* column from 1997-2000. Yet, his retirement did not impede him from being in a position to act as a signatory of the GADC in 1998.

[2] For more work on 'white woman's burden' see Jayawardena (1995). For a more detailed discussion on the ways in which white women contribute to colonising initiatives see Minh-ha (1989) and Moreton-Robinson (2000).

[3] These negotiations are also deployed at the expense of Indigenous Filipinos, as will be discussed later in this paper.

[4] In Tagalog, the word *amo* translates as master.

[5] For a more detailed discussion of worlding, see Spivak (1985).

THE VEIL, MY BODY

NOR FARIDAH ABDUL MANAF

It's just a piece of cloth
It rocks the world
It shapes a civilisation
A civilisation misread

It's trapping, says the untutored
It's oppressing, echoes the unlearned

The veil is my body
The veil is also my mind
The veil defines my cultural identity
The veil is who I am

Your slurs and instructions
That I rip it off my head
Is a rape of my body
An invasion of my land

It's just a piece of cloth
But after Palestine, Iraq, Afghanistan, Maluku, Kosovo
This is all I have.

Author Note

Nor Faridah Abdul Manaf is a Malaysian Muslim woman who has recently (2006) released a book of poetry called *The Art of Naming: A Muslim Woman's Journey*. Her poem, "My Veil, My Body" was first published by Seal Press in the book *Voices of Resistance: Muslim Women on War, Faith & Sexuality* (2006) and edited by Sarah Husain.

MINA'S DIARY

MINA

WOOMERA, August 22, 2000 Twenty three or twenty four have been released today. Um-Laila received her rejection letter. Poor woman, crying too much and she is very upset. Everyone argues with each other too much. Oh God! Give everyone patience. Today M's birthday and he was expecting release as his birthday gift, but we are all still here. Today they distributed cake and coffee. I want to make gloves for myself. In Zeenat's room I had an argument with my mum. She thought I was making fun of her.

WOOMERA, August 23, 2000 Some people got refusal letters today. The poor people, are they criminals? My father and Morteza (her older brother) received their blood test results today. Morteza's blood has some fault, I hope it won't be a big problem. We received a letter from our uncle today. Um-Majid was called by her lawyer and she was very scared and trembling. She asked my mum to pray for her, but nothing bad happened, it was only her signature they wanted.

WOOMERA, August 24, 2000 A few people have gone out today. In fact, this week only a few people have gone. We heard shouting in Arabic "God is Great!" They have started demonstrations and threw away fences. People were very angry and anxious. The DIMIA manager told them they can't release many people at once. Oh God, help everyone. People asked the DIMIA manager: Either your Government has to accept us or send us to another country. They also asked him: could you live here with your family? He didn't respond. But they were promised that on Tuesday many would be released. People told him that we will continue demonstrations until Tuesday. Really, life in this desert with freezing weather is very difficult.

WOOMERA, August 24, 2000 There was to be a demonstration today, but they didn't have one. ACM promised a new food menu to improve the meals, but I think it is to trick them [into not demonstrating]. Today when I wanted to go to the toilet, there was a man in there brushing his teeth. I was scared. One person has decided to go back to Iran, but he was told by DIMIA that they can't send him back, as Iranian airports are not accepting anyone. Some people say Woomera will close in a few weeks.

WOOMERA, August 25, 2000 People are demonstrating. They arrested four people on Thursday, but two were released. People decided to riot on their behalf. They have thrown away fences, and decided to do the same with the big, barbed-wire fence. They were stopped with water cannons and people responded by throwing stones. Mum is very angry, asking why Morteza and my dad participated in the riots. They gave us lamb for lunch and they gave us a nice dinner. Oh God, just you can help us!

WOOMERA, August 27, 2000 Yesterday's demonstration was very aggressive, and ACM used tear gas to disperse the people. Some people are expecting to be released next week, everyone is very nervous and angry and says that they will continue demonstrating until their release. Farid is going to the RRT

(Refugee Review Tribunal) tomorrow. I will pray to him to be accepted. Oh God! Accept everyone! Zeenat and I are learning English. They have given us a notebook with some words, we are trying to learn.

WOOMERA, August 28, 2000 Mr Jawad came today and told us some demonstrators were shifted to the high security compound with the double fences, but they are still demonstrating. We got dressed and went out to see what was happening, the numbers of demonstrators were increasing and we went to the kitchen. They have burned the school and the library and they threw stones in response to tear gas and water canons. Some people didn't riot. Everyone was very scared.

WOOMERA, August 29, 2000 They have taken Mr Jawad this morning. Zeenat was very upset and cried too much. She asked the Iranian interpreter many times about Mr Jawad. I think they took him to some other place. No-one has been released today. The situation in the camp is very tense, everyone is upset about the arson as they know it is a crime in Australia. Oh God! Help us, help everyone!

Author's Note

Mina and her parents spent two years at Villawood detention centre before returning to Iran. She was 14 when she wrote this diary. These extracts from "Mina's Diary" were first published in 2004 by Halstead Press in the book *Another Country* and edited by Rosie Scott (of Sydney PEN) and Thomas Keneally.

'THERE'S ALWAYS AN EASY OUT': HOW 'INNOCENCE' AND 'PROBABILITY' WHITEWASH RACE DISCRIMINATION

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Abstract

This paper analyses the jurisprudence in certain Australian discrimination cases to demonstrate how anti-discrimination laws function discursively to both create and reproduce whiteness through defining how and why race discrimination occurs. It demonstrates that whiteness is not only an embodied practice within mainstream workplaces, but is also embedded in its terrain as a racist ideology that supports the privileged condition of whiteness accorded by colonialism to whites. The operation of whiteness at work is then endorsed by the anti-discrimination jurisprudence because it promotes white interests and uses white standards, attitudes and behaviours to measure what is and is not legitimate. In particular, the jurisprudence constructs the knowledge that race discrimination is an inherently 'aberrant', and thus unlikely, behaviour that is probably not something that 'nice' white people do. Ultimately, these laws function to produce and reproduce the whiteness that protects our society's inequitable distribution of privilege, as yet another legal fiction that perpetuates the violence inherent in Aboriginal peoples' relationships to the colonial present (Watson 1997, 1998 & 2005).

Introduction

I acknowledge and pay respect to the Bundjalung peoples, the owners and custodians of country where this research was completed.

The case of *O'Neill v Steiller* (1994) is one of only six successful complaints[1] litigated by an Aboriginal[2] person in relation to race discrimination in employment. Mr O'Neill's complaint was that he was refused a job because he was Aboriginal, which the Queensland Anti-Discrimination Tribunal agreed constituted unlawful race discrimination.[3] He was awarded a total of $19,082.10 compensation to recognise that racially discriminatory behaviour in employment "strikes at the heart of the desire to live a useful, responsible and self-sufficient life" because a denial of work is a denial of the "basis of independence and self esteem within the Australian community" (77,245). Though I cannot agree that employment is the core of "self-esteem" or of a "useful" existence, I agree that the denial of work in a capitalist economy is an extremely serious matter given that the capital of the Australian nation is not enjoyed equally by those claimed as its citizens, and that most Australians stave off the effects of social marginalisation through access to the wage system.

As each set of national Census data reveals, Aboriginal Australians are confronted by a system of racial bias that impedes their access to the features of social health that white Australians more typically take for granted, which in turn impedes their access to the "rates of human capital" that configure "employability" in mainstream employment (Rowse 2002: 29-35). As Mr O'Neill's case demonstrates, Aboriginal peoples'

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employment opportunities are also affected by a distinct experience of race discrimination, which is promoted by an ideology of racism that produces and reproduces negative stereotypes of their selves and capacities (Collins 1996: 74-77).

However, the success of Mr O'Neill's complaint shows that the law offers a form of redress for this distinct experience, as acts of race discrimination are prohibited by Australian anti-discrimination laws. Indeed, anti-discrimination laws are venerated within Australia's mainstream liberal framework as they are said to serve the "high object of correcting centuries of neglect … discrimination and prejudice" (*Purvis v New South Wales (Department of Education and Training*), 2003: [18]) in the public domain against 'minority' and 'disadvantaged' groups. Nonetheless, the continuity and depth of Aboriginal peoples' social marginalisation calls the efficacy of these laws into question. Thus, this article questions an aspect of the practice of anti-discrimination laws to discern whether they uphold the racialised practices of the mainstream workplace which deny Aboriginal peoples' work opportunities, and thus, whether the laws function to produce and reproduce the whiteness that protects our society's inequitable distribution of privilege. As Moreton-Robinson explains, "white" is not a '"raceless and invisible" social identity because "race" is a construct by which privilege is claimed as much as it is denied (Moreton-Robinson 2004: 139). This is not to say that the privileges of whiteness are enjoyed equally by all whites, but instead that all whites can potentially claim its privileges more readily than those who are constructed as 'other' and non-white. While perhaps obviously "whiteness" refers to colour and biological identity, more fundamentally, it refers to "a colonial cultural condition" (Anderson 1996: 35) that involves a claim of the right to "settle" territory and to receive the privileges attendant upon occupation - a claim based upon the violence of invasion and the falsehood of white sovereignty (Watson 1997). Thus, whiteness is used in this analysis to signify this 'condition' and to reveal that race discrimination in the workplace is founded in the "cumulative privilege" that has been "quietly loaded up on whites" (Fine 1997: 57).

The main argument presented is that the laws function discursively to both create and reproduce whiteness through defining how and why race discrimination occurs. In the first section, I explain how whiteness is embedded in the practices of the mainstream workplace. It draws on semi-structured interviews undertaken for my doctoral thesis,[4] which involved five main groups who each had involvement in mainstream employment and discrimination complaints: 16 Aboriginal people ('Aboriginal participants'), 11 workers based in employment agencies ('Agents'), 15 employers ('Employers'), three groups of staff from the Anti-Discrimination Board of New South Wales ('Complaints-staff'), seven lawyers who practice in the jurisdiction ('Lawyers'), and three Equal Employment Opportunity specialists ('Consultants').[5] The second part of this article analyses the knowledge produced by discrimination tribunals about race discrimination, with particular focus on a trend discerned by which the jurisprudence 'knows' race discrimination as an unlikely behaviour that is the sole domain of the 'guilty'. It is based upon a critique of reported employment discrimination cases that involve Aboriginal peoples' complaints of race discrimination in mainstream

workplaces, that is, workplaces controlled by non-Aboriginal peoples.[6]
I conclude that the 'liberal promise' of equality (Thornton 1990) practiced in the discrimination laws functions to produce and reproduce whiteness and its unearned privileges in Australian society as yet another legal fiction that perpetuates the violence inherent in Aboriginal peoples' relationship to the colonial present (Watson 1997, 1998 & 2005).

The Whiteness of Mainstream Workplace Culture

The Aboriginal peoples who participated in this study reported a range of behaviours that excluded them from mainstream workplaces and/or made them feel isolated and uncomfortable within them, including overt discrimination and negative stereotyping, racist jokes, discussions, and other forms of racial harassment, being socially isolated, and not being supported when they lodged grievances against white colleagues. Similarly, the Agents reported that many employers simply refuse to employ Aboriginal peoples, or stereotype them as "risky" and as "troublemakers" who are unreliable, disinterested, unqualified, or prone to crying "discrimination" if things don't go their way. Conversely, the Employers I spoke with seemed extremely concerned to convince me that they *did not* discriminate against Aboriginal employees or treat them differently to other employees, and thus denied the existence of any 'racial politics' within their workplaces or explained occurrences of race discrimination as an aberration that could be resolved by getting "people thinking" (Employer 4).

While equality requires that everyone receive the 'same treatment', a sound practice of equality also demands that different treatment be afforded to those from particular racial groups to protect their distinct rights and to challenge the legacies of racial inequality (Graycar & Morgan 2004). However, these 'positive' approaches to racial difference were remarkably absent from the workplace practices described by the Employers. Instead, it was extremely important to them that their employees should "not need" anything special, as indicated by Employer 4's description of a former Aboriginal employee who fitted in "like anyone else would" and made "it easier for us" because she did not "wave the flag and say I'm a special needs person"'. Therefore, I gained the impression that the Employers typically "repressed" any difference from white cultural norms and treated any variation to their workplace standards as a "favour" (Gaze 2002: 346). Complaints-staff and Agents supported this impression. For example, one member of the Complaints-staff observed that employers would most likely refuse an Aboriginal worker's request for a "leave of absence … for a funeral" or support for some other type of cultural need, due to a concern that it could be "seen as reverse racism" against other employees. Agent 1 added that employers would refuse these "non-standard" needs because they would perceive them as "personal issues" that did not oblige them to go the "extra yard".

And though none of the Employers articulated explicitly racist attitudes towards Aboriginal peoples, they did express a form of 'worry' when they spoke about them. For instance, Employer 1 talked about an Aboriginal woman who had worked for her for a long time, "but we didn't know she was Aboriginal in the beginning, and it didn't bother us at all, didn't worry us when we found out". Though they were not 'worried' by *this* Aboriginal woman,

Employer 1's comment reveals that the woman's Aboriginality *could* have transformed her from the "gorgeous person" that she was. This 'worry' was also evident in the way the Agents talked about employers who would "even employ Aboriginal people", who "might be kindly disposed towards them", or might even be "comfortable with the idea".

The presence of this 'worry' signifies the 'centrality' of white culture in these workplaces because, as Reitman argues, "white culture [is] *about* white people, their daily relationships and concerns with one another" (2002: 276). Moreover, as Flagg explains, this also affects workplace decision-making because "whites rely … primarily [on] white referents in formulating the norms and expectations that become" the criteria for their decisions (1993: 973).

These white referents were made evident by the Employers' stated preference for employing only those who "fit in" by which, Agent 8 explained, they meant, "someone that's going to fit in socially, … come to work everyday, … works to the best of their abilities, not cause any trouble – yeah, it's not rocket science". Indeed, the Employers articulated the 'fit' of their workplace through specific personal traits and attributes – "somebody that you can click with straight away, even if it's not on a deep level", or:

> that warmth in somebody ... a certain level of self-confidence ... you know, that has a good appearance – but that doesn't have to be a conservative appearance, but is presented well, who can look you in the eye, who can converse on that level (Employer 7).

Within a job interview, finding the features of the 'right fit' is likely to be dependent on how employers 'hit it off' with a candidate, so that they can get "close enough … for the candidates strengths to be spotted" (Modood, 1992: 235). In fact, the employers said they often went with "gut feelings" to make their choice. So perhaps "it's not rocket science" to suggest that their choices may be affected by racial prejudice against Aboriginal peoples, and that they often reject Aboriginal job-seekers in order to protect the "team" and to keep their workplace culture pure (Modood 1992: 235; Hunyor 2003: 537-539).

Thus, while the Employers presented their workplace practices as neutral, it was clear they were not, but were instead "fully immersed in white" norms and expectations (Reitman 2006: 268): jobs were advertised solely in white mainstream networks, application procedures followed standards that privileged educational attainments and work histories enjoyed more commonly by non-Aboriginal peoples (whether essential to the job or not), "merit-based" employment procedures were infused with white cultural attributes and characteristics, and the standards of working conditions favoured white cultural norms and expectations, such as when you attend a funeral.

However, what struck me most about the Employers' responses was that they talked about Aboriginal peoples as if they were 'invaders' in the white space of the workplace, because the Employers held such confidence that they rightfully occupied workplaces and rightfully controlled who belonged within them. What this confidence reveals is that whiteness does not simply operate within the mainstream workplace as an embodied form of property (Harris, 1993), because it also functions spatially to normalise the allocation to whites of the privileges attendant upon their occupation (Moreton-Robinson 2004;

Watson 2005). However, this representation of Aboriginal peoples as the usurpers of territory can only be achieved through endorsing the capitalist premise of the rightful servitude of land-less labouring classes, which in this nation, is built upon the falsehood of white sovereignty (Watson 1998; Moreton-Robinson 2000). Accordingly, whiteness is not only practiced by those who occupy the mainstream workplace, but is also embedded in its terrain as a racist ideology that supports the structural privilege accorded by colonialism to whites. The question then is whether discrimination laws give censure or support to the operation of whiteness at work.

Proving it's Discrimination

The Act of Race Discrimination

Complaints of direct race discrimination generally require a complainant to prove an 'act' that amounts to less favourable treatment when compared in the same circumstances to the treatment of a person of a different race (who is invariably white and male), and that this act was 'caused' because of the complainant's race (e.g., s 7(1), *Anti-Discrimination Act 1977* (NSW)). My analysis of the jurisprudence indicates that both aspects of this definition involve inherent difficulties for Aboriginal complainants because the knowledge applied by the discrimination tribunals to determine what racism is and why it happens is built from the condition of whiteness and functions to endorse it.

For instance, in *Riley v Western College of Adult Education* (2003), Ms Riley alleged that her colleagues had made various comments to her to the effect that Aboriginal peoples get it easier than white people and challenged any "special entitlements", and suggested that Aboriginal peoples rort the system, all suffer from substance abuse, and that the need for cultural leave is a nonsense. Despite Ms Riley's clear position that these statements were racially offensive and amounted to less favourable treatment, the NSW Administrative Decisions Tribunal simply concluded that they were "not explicitly insulting or offensive to Aboriginal people" ([36]). Consequently, it is legitimate to make these types of derogatory comments to Aboriginal colleagues, because these acts are 'known' to not be race discrimination.

Similarly, when comparing 'acts' with the treatment of others in the workplace, the comparator chosen is invariably white so that racially-based behaviours can be 'neutralised' through the tribunal's conclusion that the behaviour could have happened to a white person too. This was the reasoning applied in *Commissioner of Corrective Services v Aldridge (No 2)* (2002), which was about Mr Aldridge's claim that he was demoted:

> because he made his views on matters known from an Aboriginal cultural standpoint which was not welcomed by the Department and specifically was not welcomed by Assistant Commissioner Woodham ([55]).

Indeed, the evidence made clear that Commissioner Woodham "behaved in an angry and aggressive manner towards several people", including Aldridge, at a particular meeting ([42]). But because those abused included several white people, the NSW Administrative Decisions Tribunal concluded that while "his employment practices may have fallen well short of the ideal'" Commissioner Woodham "abused everyone, regardless of their race" so that his behaviour did not "constitute unlawful racial

discrimination" ([73]). However, one of the Aboriginal participants explained to me that in "a situation where the only people around you are white people I felt very conscious if Black issues were being brought up". Thus, it is doubtful Mr Aldridge had experienced these abusive behaviours in the same way as did the white people who were present. Indeed, it is doubtful that a white person could ever be in *exactly the same circumstances* as an Aboriginal person. Therefore, by 'ignoring' the racialised character of the relationships within the workplace, the tribunal's reasoning instead validated the structure formed by those relationships and the condition of whiteness that they reproduce.

As the decisions in *Aldridge* and *Riley* demonstrate, 'acts' of race discrimination are thus 'known' as something that must be offensive according to white standards of behaviour, and that cannot happen to Aboriginal people when they are treated the same as white people. This is significant because "if there is no relevant differential treatment" it is not even necessary to apply the test of "causation" (Aldridge 2000: [45]) – and the complaint simply stops there. Nonetheless, it is through the test of causation that the tribunals firmly fix whiteness into the knowledge they produce about race discrimination.

The 'Insuperable' Burden of Proof

Most of the Lawyers and Complaints-staff agreed that the test of causation is the point at which most direct race discrimination complaints are likely to fail because, unless "the conduct is unequivocal", the burden of proving that that discrimination occurs *on the ground of* race "is virtually insuperable" (Thornton 1995: 90). Put simply, the classic problem is that an Aboriginal complainant may be able to say "I've been treated less favourably *and* I am Aboriginal", what they have to prove is that they were "treated less favourably *because* I am Aboriginal" (Lawyer 4).

Initially this test is difficult to satisfy because the tribunals tend to require evidence that can act as a race "hook" like the word "black", in order to make the connection between the complainant's race and the way they have been treated. For example, in *Romelo v Darwin Port Authority, Dick Adey & Danny Greig* (1999), the respondent employer had referred to Mr Romelo as that "black bastard" which the tribunal used as a "hook" to connect Mr Romelo's race to the way he was treated, and to thus be convinced that direct race discrimination had occurred.

However, it seems that employers seem to *always* have an "easy out" to these complaints in the form of "a very simple, innocent explanation" that negates the claim that they have behaved in a racially discriminatory way (Lawyer 4). This is either because they are savvy enough to cover themselves when they refuse to hire someone or they sack them so it is not 'obvious' that they have done so because of a person's race (Lawyer 6) or because their behaviour is not patently racist but is unconsciously influenced by race. Thus, it is very unlikely that an employer will offer evidence to a tribunal to form the race hook typically needed to recognise the connection between an act of less favourable treatment and the complainant's race.

Nonetheless, the tribunals regularly state in their decisions that they do not require a race hook to find race discrimination, but can properly establish that race caused an act of less favourable treatment on the basis of an inference built from the whole of the evidence

(*Dutt v Central Coast Area Health Service; Central Coast Area Health Service v Dutt* (EOD) (2003)). Instead, however, the cases indicate that when the race hook is missing, the tribunals tend not to draw an inference of race discrimination because they do not recognise *covert* or *unconscious* influences as amounting to race discrimination.

In part, this non-recognition follows from the application of the test in *Briginshaw v Briginshaw* (1938) ("the *Briginshaw* test"), which is a rule about the quality of evidence that can be used to make legal findings by inference. In deference to the authority of higher courts, the tribunals duly apply this test so as to fix the quality of the evidence required in line with the seriousness of an allegation, how likely it is to occur, and the gravity of the consequences for the person against whom it is made. Commentators note that the tribunals have "routinely" increased their evidential demands, in accordance with *Briginshaw*, on the basis that allegations of race (and other forms of) discrimination are a "serious matter", and that in some cases, the "weight of evidence" appears to have been proportionate "to the status of the respondent", particularly those "highly placed" (de Plevitz 2003: 319-325). This creates an immediate difficulty for complainants, given that most often the evidence needed remains within a respondent employer's control (Hunyor 2003: 542).

However, the tribunals' failure to draw inferences of race discrimination is not simply caused by a lack of quality evidence – in fact in most of the cases, there is a great deal of evidence presented about the workplace (eg *Williams v The State of South Australia & Josephine Tiddy* (1990)). Instead, the main difficulty created by the *Briginshaw* test is that it instils an assumption into the tribunals' reasoning that race discrimination is amongst the most serious of allegations that can be made (de Plevitz 2003; Gaze 2005).

Obviously, I agree that race discrimination is serious, as made evident by two HREOC studies that demonstrate how race discrimination significantly affects many Aboriginal peoples in their daily lives and interaction with mainstream society (HREOC 1992; HREOC 2001). Moreover all of the Aboriginal people I interviewed had experienced race discrimination in every job they had held with a mainstream employer.

However, the interpretation given to the *Briginshaw* test promotes a different type of 'seriousness' in that it casts race discrimination as a serious allegation because it holds potentially grave consequences for the person against whom it is made, and thereby prioritises the interests of the employer in the legal proceedings, as compared to the interests of an Aboriginal complainant. Moreover, it instils the assumption that – being so 'serious' – race discrimination is unlikely to occur, an assumption clearly contradicted by the HREOC studies.

Nonetheless, these are the assumptions that the tribunals typically follow, reflecting what Flagg describes as a "white confidence" that the prevailing practice in the workplace is race-neutral decision making so that the law should approach race discrimination as occurring only as an "occasional deviation"(Flagg 1993, 981).[7]

This supposed 'improbability' that race discrimination happens is then deepened as a result of the legal principle that discrimination cannot be inferred when more probable and innocent explanations are available in the evidence (*Dutt v Central Coast Area*

Health Service (2002): [70]) because this principle instils the additional assumption that race discrimination is a "guilty and aberrant" behaviour (Gaze 2005). Therefore to conclude it happened, the tribunals require some evidence of the respondent employer's "guilty" motivation or something that supports a notion of fault before a positive finding or race discrimination will be made (Gaze 1989: 732;[8] Gaze 2005).

This, then, is the particular problem inherent in the test causation because, combining the idea of unlikelihood and the evidential demands made by the *Briginshaw* test, this search for guilt and fault automatically creates an uneven competition about 'probability' and plausibility; that is, it creates an uneven competition between an Aboriginal complainant's (improbable) explanation that they were discriminated against, and the broad range of 'rational explanations' that a white employer can typically provide. Indeed, the kinds of explanations an employer might provide are 'known' to the tribunals as such a 'normal' part of workplace practice, that they automatically hold a weight of 'innocence' and 'probability' that is almost impossible for a complainant to overcome (Thornton 1995: 92).

The Probability of Innocence

The cases verify that employers commonly assert a claim to 'innocence' as part of their defence, for instance, through evidence that their best friends are Aboriginal or that they are "friendly" in their contacts with people in the Aboriginal community, or that they lack "racist attitudes" and treat "all people equally regardless of race" (*Slater v Brookton Farmers Co-operative Company Ltd* (1990): 78,185). Similarly, many employers offer evidence to explain how great and successful they are in employing *other* Aboriginal people (e.g., *Eade v Commissioner of Police, New South Wales Police Service* [2002]).

The conventional logic of the adversarial legal system is that these kinds of evidence should not be admitted because "the only relevant issue is the allegation of an unlawful act" (Ronalds & Pepper 2004: 184). By this logic, evidence of "similar conduct" cannot be admitted into evidence to *prove* a complaint. However, the cases demonstrate that these types of "similar conduct" evidence are commonly admitted to assist the *defence* of a discrimination complaint, with the reward that employers can 'invest' innocence into their defence through presenting a 'non-racist' character. This investment reflects what Moreton-Robinson calls the "moral position" by which we "put distance between ourselves" and those "who are evil and racist" because "racism is perceived as racial hatred, not as racial supremacy in which all members of the dominant group are systemically implicated" (2000: 143). And the cases demonstrate that the investment in this "distance" is likely to pay off.

Civil Relations' at Work

A claim to innocence can be successfully made when employers provide evidence that shows that every one got along, because civil relationships are 'known' to be inconsistent with the occurrence of race discrimination. This was the reasoning followed by Sir Ronald Wilson in *Howson v Telecom Australia* (1990), who concluded that the employer's "description of [Ms Howson] as 'a very pleasant person with good tone and manner'" and other "evidence to the effect that [Ms Howson] fitted in well with the other members of staff" was

"hardly consistent with a racially discriminatory approach" (78,210).

This innocence was reinforced by Sir Ronald's conclusion that Ms Howson's claims lacked credibility because he could not accept her explanation that she had risen "above the discrimination" which was why she had not complained earlier to anyone about the discrimination she suffered (78,210). Though he believed she "was sincere in lodging her complaint", he also concluded that she was so disappointed by the termination of her employment "that it led her in retrospect to invest some of the incidents which had occurred with racist implications" (78,211).

This same reasoning was applied in *Riley's* case, which (as noted above) involved Ms Riley's complaint that she had been subjected to what she described as constant "ignorant, inquiring, provocative, intolerant, and offensive" questioning about Aboriginal peoples and culture by her colleagues ([33]). One of Ms Riley's co-workers, Palmer, extended a claim to 'innocence' through her explanation that she had "asked Ms Riley a great number of questions, including questions about funerals" because she was "interested in understanding these types of things" ([19]). As already noted, the tribunal did not concur with Ms Riley's view that these questions were "offensive" to Aboriginal people ([36]), and concluded further that:

> Ms Riley was not unhappy in her work. She enjoyed her work, she wanted to do her work, she went willingly to work, and her work was unaffected by the conduct. She enjoyed civil relations with her colleagues ([37]).

This conclusion is particularly difficult to understand given that Ms Riley made clear in her evidence to the tribunal that she was quite affected by this behaviour and put a lot of time and effort into responding to her colleagues' offensive questions. But perhaps it is because, like Ms Howson, Ms Riley had 'failed' to make a formal complaint with her employer, so that her claim that the conduct affected her was 'known' by the tribunal to lack credibility.

However, her case also illustrates that the tribunal's inquiry does not simply raise a question about an employer's innocence, because the question of causation also seems to involve consideration about who – as between the complainant and the respondent – is *truly* at fault for the events that have occurred. This is again illustrated in Ms Riley's case.

The tribunal described Ms Riley as:

> a co-worker who challenged the attitudes, assumptions and in some cases the established patterns of the workplace. … a strong advocate for Aboriginal people; she was articulate, passionate, and politically aware ([22]).

It also noted that her colleagues reacted "defensively" to her manner and to the "heightened awareness of Aboriginal issues" which she introduced to the workplace ([22]). However, in assessing this "defensive" reaction – which of course Ms Riley recognised as race discrimination – the Tribunal concluded, "*no blame* attaches to anyone for this state of affairs" ([24]). Strictly this is not true, because the Tribunal *did* find someone to blame for what had taken place, because it concluded that the result of Ms Riley's efforts to enlighten her colleagues about Aboriginal culture was not the "increased level of interest or

constructive awareness" she intended, but instead "an adverse reaction to [her] *as the person responsible for raising"* it ([23]; emphasis added). That is, the tribunal concluded Ms Riley was the person at fault and thus was responsible for the "adverse reaction" she experienced from her colleagues. Therefore, she could not have suffered race discrimination.

The Importance of Being Earnest

Another form of innocent – and thus, it appears, race-neutral – behaviour is accepted when an employer has made great 'efforts' to employ Aboriginal peoples. For instance, in *Eade v Commissioner of Police, New South Wales Police Service* (2002), the Tribunal noted that "the Police were making *every effort* to employ indigenous people, but … on this occasion *their efforts were in vain* and did not work out" ([24]). Indeed the tribunal readily accepted the Police Services' reasons for dismissing Mr Eade ([24]), though it did not apply any significant analysis to those reasons.

That such a cursory analysis was made of the Police Services' behaviour tends to suggest the tribunals 'understand' that there is something so 'difficult' about employing Aboriginal peoples that employers who are 'earnest' in their attempts will not stray into the guilty realms of race discrimination. However, as explained in the first section of this article, mainstream workplace practices are unlikely to be racially neutral environments. Conversely, the tribunals' reasoning reiterates the logic that race discrimination is an 'aberrant' and isolated behaviour, rather than a systemic practice. Consequently, the tribunals see little reason to scrutinise these 'earnest efforts' to determine in whose interests they are better designed to serve.

Indeed, Thornton has pointed out that the tribunals deem employers "to know best the requirements of the job" and deem them best placed to judge a person's ability to perform a job, which accord employers "a position of structural superiority" (Thornton 1995: 92) that privileges their knowledge of the workplace and its (lack of) racial dynamics.

This is particularly well illustrated in *Williams v The State of South Australia & Josephine Tiddy* (1990). Ms Williams was employed by the SA Equal Opportunity Commission (the EOC) as its first Aboriginal conciliator, and not long after, left the position because she claimed that her needs as an Aboriginal woman were not supported by the conditions of her employment. Commissioner O'Connor acknowledged in his decision that even "well-motivated action" can constitute racial discrimination ([23]), and he noted that the EOC "recognised" that Ms Williams:

> would possibly feel unsure about her ability to fit in to the office and to a bureaucratic environment. As the job itself was a new one, she had no role model or past experience on which to rely and this would also present special difficulties ([37]).

However, he concluded that the EOC had not treated Ms Williams less favourably because of her race ([33]) because its explanations of events indicated that it had taken "r*easonable* account of her needs and took *reasonable* measures to meet them" ([37]; emphasis added). Instead, the 'real reason' Ms Williams did not succeed in this workplace was because she had suffered "culture shock" – *not* race discrimination[9] – as *she* could not reconcile her needs as an Aboriginal woman with the expectations of the 'public service environment'. As in *Riley*,

no fault could be attributed to 'reasonable' behaviours of the employer or its white employees, because Ms Williams was the person truly at fault, and thus was not the victim of race discrimination.

The Tribunals Are Well Versed In Their Culture

As these cases illustrate, the practice of these laws places no obligation upon mainstream workplace culture to reconcile itself to the needs and expectations of Aboriginal workers; indeed, as *Williams'* case shows, it is quite the opposite, in that it is the Aboriginal worker who must reconcile themselves to white workplace culture because their failure to adopt or adapt to it is simply an experience of "culture shock" – not race discrimination (Williams 1990: [68]). Similarly, *Riley's* case demonstrates that tribunals are unlikely to consider it possible that a workplace's practices are designed to prefer one set of cultural values over another, and thus, that these practices may have caused an Aboriginal worker, like Ms Riley, to have been treated less favourably because of her race. Clearly, they had evidence to consider this, because the testimony provided to them made clear that Ms Riley's colleagues engaged in their constant questioning because Ms Riley was challenging the cultural assumptions, "attitudes" and "established patterns" of their workplace – things that worked in favour of Ms Riley's white colleagues. Nonetheless, the tribunal would not see the racially offensive character of this 'ignorant, inquiring, provocative, and intolerant' questioning, and thereby endorsed its racially discriminatory effect. The same criticism can be applied to the decisions in *Eade and Williams*. Given that tribunals decisions function either to legitimise or to outlaw particular practices and behaviours, this body of jurisprudence imbeds and promotes white interests in the mainstream workplace because it uses white standards, attitudes and behaviours to measure what is and is not legitimate.

Ultimately, however, the reasoning demonstrated in these decisions appears astounding, given that the discrimination tribunals are said to be "specialist" tribunals, "well versed in the culture of anti-discrimination complaints" (Lawyer 4). Because, of course, it simply does not follow that an employer's 'civil', 'rational' and 'reasonable' behaviours are racially benign, but are instead mostly likely to be infused with the condition of whiteness expressed through "organisational and institutional antipathy towards 'otherness'" (Thornton 1995: 92). However, this antipathy really only becomes apparent through following non-white knowledges of how and why race discrimination occurs.

But clearly non-white knowledges are not followed in these cases, as the knowledge built from Aboriginal peoples' life experiences of race discrimination is absent from the reasoning applied by the tribunals, even though it is a feature of Aboriginal peoples' life experience that the tribunals are required to judge. For instance, the knowledge of both Ms Howson and Ms Riley of their experience was disregarded by the tribunals because these two Aboriginal women were perceived as so 'hypersensitive' that they used race discrimination as their excuse for why certain things didn't happen, rather than being regarded as women who had a sophisticated knowledge of race discrimination through being "amongst the nation's most conscientious students of whiteness and racialisation" (Moreton-Robinson 2004: 142).

Instead, these cases demonstrate how this jurisprudence acts discursively to create an operative white 'knowledge' about racism. And what they 'know' is that race discrimination is an inherently 'aberrant', and thus unlikely, behaviour as they 'know' it only when it occurs in an 'uncivilised' or 'unreasonable' form. In other words, if race discrimination is the domain of the aberrant and guilty, it is probably not something that 'nice' white people do. This helps to explain the search for the "race hook", because calling someone a "black bastard" is easily recognised as a patent symbol of individual guilt, and thus offers a 'rational', 'logical' and 'sensible' way to find that less favourable treatment was caused by the complainant's race.

Even though it is clear that the knowledge of race discrimination the tribunals apply is derived from the life experiences of those who benefit from race discrimination as opposed to those against whom it operates, they claim this capacity to produce knowledge on the basis that they are 'impartial' to the matters being judged. Indeed, this stance of impartiality functions as the tribunals' claim to be 'innocent' and 'distant' from the condition of whiteness, so that they need not acknowledge that they are implicated within it. Because of course, they can only maintain the "veneer of [racial] neutrality" (Thornton 1995: 92) claimed through "impartiality" by denying their own location within the "system of advantage and disadvantage" (Gaze 2002: 339) formed by the condition of whiteness, and by obscuring the fact that they are more likely to have experienced the upside of colonialism and racism, rather than its downside (Purdy 1996: 406-408). That is, as Flagg suggests, the whiteness inherent in their reasoning is camouflaged through "the tendency of whites not to think about whiteness, or about norms, behaviours, experiences or perspectives that are white-specific" (Flagg 1993: 957). So perhaps it is little wonder that their decisions fail to adequately grasp the racial dynamics of conflict between Aboriginal and non-Aboriginal people in the workplace, and that they rarely see the 'flaws' in employer's explanations.

These cases illustrate only a small number of the many ways in which white thinking is produced and applied by discrimination tribunals' decision-making. Nonetheless, they tend to explain why in its 30 years of operation, "Australian anti-discrimination legislation has not disturbed existing social power relations" (Gaze 2002: 328) and why the laws prove such a poor vehicle by which to challenge race discrimination. Indeed, they offer a glimpse as to why race discrimination complaints offer little in 'practical terms' to Aboriginal peoples as part of a strategy that challenges Australia's system of white "racial supremacy" (Moreton-Robinson 2000 143), nor enable society to engage in the process of decolonisation (Watson 1998). Instead, the environment of sameness fostered by the laws' white thinking will perpetuate the violence inherent in Aboriginal peoples' relationship with mainstream society and law (see Watson 1997, 1998 & 2005) because it denies Aboriginal knowledge and re-asserts the force of white colonialism and its "perceived and imposed regimes of thought" (Watson 1998: 28; Watson, 2005).

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Purvis v New South Wales (Department of Education and Training) [2003] HCA 62

Notes

[1] See 'Successful "Aboriginal employment complaints" in the Reference List.

[22] Referring to the First Nations Peoples of Australia. I am aware that this term is criticised (e.g., Melissa Lucashenko 2000), but I use it because it was preferred by most of the Aboriginal peoples interviewed for this research.

[3] O'Neill was experienced labourer who was referred by the CES for the job with Steiller, who advised him the job was already filled. When the CES checked, Steiller advised the job was not filled and would *never* be filled by an Aboriginal person.

[4] My thesis investigates the endurance of race discrimination in the mainstream workplace. Its focus was a qualitative analysis of the scope and practice of the *Anti-Discrimination Act 1977* (NSW) to determine whether law treats the practices of whiteness in the mainstream workplace with censure or support.

[5] These interviews were numbered sequentially, and are signified by the descriptors noted. E.g., 'Employer 1'.

[6] See 'Successful' and 'Unsuccessful' "Aboriginal employment" complaints in the Reference List.

[7] 'This faith, for example, views [Ku Klux] Klan and other overtly white supremacist

attitudes as extreme, perhaps pathological, deviations from the norm of white racial thinking, as if those attitudes can be comprehended in complete isolation from the culture in which they are embedded' (Flagg 1993: 981).

[8] Even though many actions in Tort law, such as the tort of negligence, are formed 'without a notion of actual fault' (Gaze 1989: 732).

[9] Mr Eade was also noted to have suffered 'culture shock': *Eade* (1999).

WHOSE TURN IS IT? WHITE DIASPORIC AND TRANSNATIONAL PRACTICES AND THE NECROPOLITICS OF THE PLANTATION AND INTERNMENT CAMPS

LARA PALOMBO

Abstract

The bordering of the Plantation Camps of the 1860s and Internment Camps of World War One (WW1) through the racialised biopolitical and necropolitical relations of the state of exception have controlled local shifts from the position of non-white and white 'objects of labour' to 'political subjects' or citizens of the nation. The borders of the Camps are violent colonial techniques that re-affirm an anglophlic form of white diasporic and transnational power. This process of instituting borders of control "outside the law" has operated to strengthen white anglophilic sovereignty and its participation and embeddedness in a "global" colonial project.

These camps became permanent "exceptional"[1] spatial arrangements that diversified but also continued the effects of the dislocation of Indigenous Australians. These camps continued the violent mechanisms that attempted to control Indigenous people's "life and death" and that in Mbembe's words have "civilize[d]" them as providers of free labour (see Perera 2002: para 11; Mbembe 2003: 14).

Introduction

A few years ago I visited the National Archives in Canberra looking for files on women who were interned during WW2. I had no clear evidence of this occurrence in relation to women of Italian origins other than shared oral histories from my hometown in Italy, where it was known that women and children had been interned in Australia. It was striking that the first file that came into my hands was that of a civilian internee from Palestine, a Prisoner of War (POW) who in 1946 had died at the Tatura Internment camp number 3 in Victoria. Her name is tallied among the 128 POWs of Italian origins who died in the camps during War World One and Two (WWI and WWiI) who are memorialized in the Ossuary-Sacrarium of Murchison for Italian War victims (Azione Cattolica Italianal: 108).

What I have come to call the F-file contains traces of this woman's racialised and ethnicicised embodiment as a female prisoner of war of Italian origins. The geopolitics of the time immediately connects this subject to an imperial Britain and its pre- war relations with Italy that allowed Italian migration to Palestine, and to a white diasporic and transnational Australian politics that during WWII negotiated to intern Britain's civilian enemy aliens. (Moore and Federowich 2002; Saunders and Daniels 2000; Lafitte 1988).

She was captured and interned in Palestine and transported to Australia where she was then separated from her husband and interned at the Tatura camp with her two children. After becoming seriously ill she spent the last 5 years of her life attempting to get permission to return home to Palestine with her family. The Australian military

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declared in the F- file that it did not make decisions to repatriate "sick" prisoners of war, but it followed British orders from authorities in Palestine. That is, her life and death in the camp was considered to be outside Australia's national jurisdiction. This file, moreover, attempted to distance the military bureaucracy running this camp from a possible link to her death. As if prisoners who were forcibly removed from their colonially adopted 'home'[2] country, separated from relatives, imprisoned and taken care of in a foreign camp, unaware of their futures, could be simply 'regulated' on foreign soil and on Britain's behalf without 'implicating' the host military institution. This is a distance that the National Archives of Australia today still insists on maintaining, arguing that in Internment Camps, like Loveday in South Australia, POWs died "due to illness and infirmity brought on by old age" while also simultaneously stating that "…there were several deaths by suicide, and at least one homicide…" (see N.A. Fact Sheet: 107).

But to follow this 'negation' in the narrative of the military and the National Archives would divert us too much from the biopolitical and necropolitical power of the Australian Camp. During WW II, as it has already been documented, POWs were carefully 'selected' by the Australian authorities to provide much needed labour in rural areas (Cresciani 1988; Saunders and Daniel 2000). Yet this did more than provide labour. It also allowed the white diasporic and transnational nation to negotiate with its natural ally Britain and with enemy countries. That is, this 'imprisoned' labour provided a stronger bargaining position to the white diasporic nation-state (see Moore and Federowich 2002). POWs were forcibly removed from their 'colonial' presence in Palestine and put into Australian camps. Here, through the state of exception, POWs were racialised and ethnicised through sexually differentiating practices that expected men to work on farms and women as domestic workers. But the woman who was the subject of this F-file could not work and she did not want to return 'home' without her children. The biopolitics and necropolitics of the Australian camp declined her last wishes to go to Palestine with her children. Apparently, it considered these children to be essential to sustain the white diasporic and transnational relations of the nation-state, its attempt at participating in western re-conceptualisations of white colonial sovereignty that ended in war disputes.

Whilst my interest is in gender relations, and specifically the internment of women of Italian origins, I will focus in this paper on historicising the techniques of the Camp. What will be foregrounded are the ways the bordering of the plantation camps in the late 19th Century and of the internment camps in WW1, reiterated diasporic and transnational practices that exercised power "outside the law" (Mbembe 2003: 23) over relations of labour within the colonies. These camps, as colonial spaces, enacted the suspension of the "control of the juridical order" and were embedded in biopolitical and necropolitical relations that controlled racialised and sexually differentiated relations of labour. The plantations and internment camps denied indentured labour the possibility of becoming citizens and removed citizenship from Northern European labourers who, through the camp, became 'enemy aliens'. The formation of the internment camps as war technology, re-asserted shifts in white diasporic and transnational relations that were committed to an anglophilic form of white sovereignty both locally and globally.

Thinking through White Diasporic and Transnational practices

What do I mean by anglophilic or white diasporic and transnational political practices? Robert Cohen's descriptive typological work has introduced a discussion of an imperial diaspora or colonial diasporic formations in the Australian colony "at the service of Imperialism" (Cohen 1997: 67). What interests me about this project is the attempt to develop the idea of a diasporic form of self-government that identifies with specific notions of a homeland while implementing a global mission:

> An Imperial diaspora…is marked by a continuing connection with the homeland, a deference to and imitation of its social and political institutions and a sense of forming part of a grand imperial design whereby the group concerned assumes the self-image of a chosen-race with a global mission (Cohen 1997: 67)

This Imperial project and global mission in Australia thus relied on the production of a diasporic form of self-government that was/is linked to British homeland and has had "deleterious effects [on] the Indigenous population" (1997: 74). Cohen argues that this produced racialised, self-governing, diasporic formations that have "attempt[ed] to cling to a unified British home through a number of practices such as economic links, or support during world wars and the Korean war or sport events" (1997: 76-77). These diasporic practices are then multiple and historically located but most importantly are imperial (diasporic) formations that have been based on dispossession. They have also informed the ways (self) governmental institutions have been developed and have been operating in Australia.

This diasporic maintenance has produced a racialised link between Britishness and whiteness. The combination of Cohen's historical work on the self-governing Imperial diaspora with Moreton-Robinson's notion of patriarchal whiteness allows for a more complete understanding of how Imperial diasporic practices institutionalized an anglophilic form of "white power" (see Moreton-Robinson 2000; 2003; 2004a; 2004b). Moreton-Robinson conceptualises and links patriarchal whiteness to a colonial "transplantation" process in Australia which has brought:

> …an English form of whiteness to its shore. English cultural, religious, political and economic values shaped the new colony (2000b: 78-79).

This English "Whiteness" that I call diasporic whiteness operates as "a regime of power" that exercises a political hegemony or sovereignty that in Moreton-Robinson's words derives: "from the illegal act of possession and it is mostly manifested in the form of the Crown and the judiciary…" (2004a: 9). In this case, the Crown and the Judiciary are examples of diasporic institutions derived from colonial processes. So in line with Moreton-Robisnon's call to critique and position diasporic discourses in relation to their effects on the "positionalities, multiplicities and specificities of Indigenous subjects" (2003: 28), I want to discuss patriarchal whiteness particularly as a manifestation of historical white diasporic relations. That is, its very existence is dependent on diasporic processes that maintain anglophilic colonial identifications with 'home' through existing institutions such as the state, its legal apparatuses and for the purpose of this paper through the establishment of the "Camp".

Osuri and Banerjee's article *'White Diasporas Media Representations of*

September 11 and the Unbearable Whiteness of Being in Australia' (2004) marks and defines colonial or white diasporic relations that are embedded in "global and the local" formations (2004: 152). They show how colonial white diasporic relations are reiterated locally through a call for international "diasporic relationships" and alliances in times of crisis (2004: 159). These alliances operate at specific times to re-affirm a "national but also translocal" Western space (2004: 157). Their critical analysis of how diasporic whiteness is re-asserted through the media becomes part of a decolonizing project that undermines the "nativisation" of the diasporic "settler… based on the attempted erasure of Indigenous populations" (2004: 159). So, in effect, the term 'white diaspora' works to undermine the colonial occupancy or sovereignty of the colonial subject in Australia.

I read these white diasporic relations with the West as practices that encapsulate but also move beyond the anglophilic maintenance discussed above. So for me, Osuri and Banerjee's project alludes to a local and global politics that is produced by diasporic relations with British Imperial and transnational colonial relations of whiteness. The concept of diaspora is therefore associated with transnationalism (Whalbeck 1998: 10). In this sense, transnational colonial practices can be conceived as being based on anglophilic relations of whiteness that are not limited to relations with Britain. These 'anglophilic' colonial transnational relations of whiteness have relied on numerous types of affiliations, across a wide range of zones, and have been motivated by temporal or ongoing political, social, corporate, hybrid, individual and collective forms of relations including Imperial and colonial (see Schiller 2005; Spoonley, Bedford and Macpherson 2003; Sheffer 2003; Wahlbeck 1998; Tplolyan 1996; Gilroy 1991; Hall 1993).

I use the terms 'anglophilic' here in agreement with Joseph Pugliese's call to "critique the disembodied use of whiteness as a racial category" where "the analysis of race is disarticulated from the analysis of ethnicity" (Pugliese: 2002: 149). It seems to me that the practices of Australian colonies and the post-1901 nation of identifying, as Marilyn Lake has pointed out, with specific transnational discourses on/from "white men" (see Lake: 2005; 2003), cannot be detached from particular colonial forms of loyalties, even when transnational.

Without denying the post-colonial status of the U.S., the Australian connection with certain discourses from the U.S. discussed here shared an anglophilic transnational preference for the arrival of British migrants via an overall a grave concern for controlling and limiting Indigenous and non-indigenous movements and labour relations. In the remainder of this paper I want to discuss the ways white, diasporic and transnational colonial practices operated "outside the law" to produce relations of labour that asserted an anglophilic white colonial sovereignty which was embedded in and participated in global relations.

The Production of the State of Exception

The Australian "Camp" has become an ongoing feature of white diasporic and transnational relations. The "Camp", historically has taken many shapes that have been interconnected by the ongoing colonial attempt to create "a rupture in the indivisible Indigenous category of blood/law/land, of country, that 'map imprinted in the ancestry of their blood' " (cited in Perera, 2002: para 18). In this way then, the multiple camps, within their own specificities, have continued to impose a British colonisation and

disavowal of Indigenous sovereignty. This is a proximation of white diasporic and transnational colonial practices that control Indigenous subjects by suspending the law. This state of suspension locates its "inhabitants outside the law" yet under its directives. As Agamben's explains:

> …exception does not subtract itself from the rule; rather, the rule, suspending itself, gives rise to the exception and, maintaining itself in relation to the exception, first constitutes itself as a rule (1998:18).

So the Camp's "prisoners" are excluded from the nation but are also "brought even more firmly under its control by virtue of their exclusion from its laws" (Perera 2002: para 11). With their "state of exception" these camps have sustained the power of a white anglophilic sovereignty to institute Indigenous sovereignty as something which has lain outside its imposed colonial jurisdiction and which needed most control and regulation (see also Hussain and Ptacek 2000: 5; Tsonis 2001; Wadiwel 2007).

But it is not only the "Camp" that embodies the state of exception. Each Australian colony itself was conceived as a space where the juridical order could be suspended. Mbembe's work on the necropolitics of colonies argues that the racialised space of the colony was

> …the location par excellence where the controls and guarantees of judicial order can be suspended the zone where the violence of the state of exception is deemed to operate in the service of civilization (2003: 24).

The power to suspend the law creates in Mbembe's words "a terror formation" (Mbembe 2003: 12) within the Australian colony and its camps. This "terror formation" is based on the way the suspension of the law is enmeshed with a racialised form of necropolitics or "the ultimate expression of sovereignty …to dictate who may live and who must die" (Mbembe 2003: 11). The necropolitical power of 'white sovereignty' again, historically has set up the colony and its camps, in Osuri's words, as spaces:

> …where the racialised state attempted and still attempts to kill, expose to death, save, incarcerate and legislate Indigenous lives and bodies. These forms of necropower are familiar to us through various practices against Indigenous Australian bodies such as massacres, the reserve system, the attempt to breed out racial characteristics, the stolen generations, Indigenous deaths in custody…(2006: para 5).

Indigenous people were regulated as non-citizens, who were restricted and controlled by the state of exception. In Veronica Brodie's life-story *My Side of the Bridge* she recounts how under the directive of the Protection Board in South Australia in the 1950s, Aboriginal people were treated as if they:

> …didn't exist in Australia for the white man, nor for the government. We weren't citizen and we weren't counted in the census. Yet during that same time it suited them to push our men out and send them off to war, even though they weren't allowed to vote. Which meant that if you went to war, but you didn't exist, then they didn't have to pay you afterwards. They fought for a country they weren't recognized in (Brodie 2002: 80).

This sense of "non existence" within the white nation and the expectation of having to provide unpaid labour and go to war signals the nation-state's application of the state of exception. The colonial process of "(dis)locating" Indigenous people "outside the nation" as "non-citizens" who are forced to

provide unpaid labour under the tutelage of the Protection Board is permeated by the biopolitics and necropolitics of the state of exception. And I use biopolitics here with reference to Agamben's critique of Foucault's discussion of "natural life" as "included in mechanisms and calculations of State power, and politics turns into biopolitics" (cited in Agamben 1998: 4). For Agamben, the state of exception of the Colony and its camps become the "rule", the "realm of bare life" that "excludes it and captures it within the realm of political order" (Agamben 1998: 4-9). The Protection Board, is "fought" and "resisted" by Brodie who refused to be told where to live and to be prohibited from returning to her Country. She refused to be a source of free labour, or to support Indigenous soldiers participating through war practices (voluntarily or involuntarily) in the maintenance of white diasporic and transnational relations.

Indentured Labour and Terror Formation

This ongoing "terror formation" intersected with the colonial constitution of a "mobile, unencumbered and expandable labour force" in the tropical areas of the Queensland colony. (Saunders 1982: 16-17). In the 1860s, white diasporic and transnational relations affected the introduction of South Sea Islanders as Indentured labour for the new sugar industry. In the mid-nineteenth century the development of the so-called "Second Atlantic Economy" (Gabaccia 2000: 59) was dependent on mass migration and on a ''new colonialism'' that was linked to intensive indentured migration. After the abolition of slavery within the British Empire the usage of indentured labour from European and selected countries within East, South and Central Asia became a common 'colonial' practice:

> ...whether free or under contract [indentured labour] poured into the labor-starved regions of South America, the British West Indies, the Spanish Caribbean, and North America (Pratt 2003: 209).

At its initial stage the introduction of indentured labour for cotton and sugar plantation camps in Queensland followed the practice of developed within the British Empire. The racialised space of the Queensland colony at the time was politically driven by a (diasporic) colonial desires to join the exploitative but profitable British and European colonial trades. A number of large pastoralists with local and British investors, and with the support of the local colonial government, attempted to respond to a high demand in Europe for sugar and to fill the gap created by the banning of slavery in the U.S. (Saunders 1982: 21; Megarrity: 2006). It is worthwhile noting that this initial stage was accentuated by the presence of a number of British capitalists/property owners, including ex-British army servicemen, (such as Captain Louis Hope) and people who came from other colonies or who had travelled to other colonies and gained a knowledge of this colonial industry (such as John Buhot from the West Indies) (see Ryan 2006; Mackay City Council 2002). Overall, but not without political opposition from local missionaries, human rights activists and organised labour (Irvine 1992: 73), it was conceived by the British colonial authorities that indentured labour was a necessary replacement for slavery in order to compete with other colonial sugar producers in Fiji, Java and South Africa. This strategy produced an extremely 'labour coercive' system in Queensland (Graves 1993: 5).

These racialised discourses were informed by white diasporic and transnational networks that, as Marylin

Lake explains, operated across the "US, Canada, New Zealand, Kenya, South Africa, Rhodesia and Zimbabwe, where zones where colonial relations attempted to prevail over Indigenous sovereignty. These networks operated through a racialised knowledge that privileged the positioning of a "white man" by displacing their British identification (Lake 2003: 352). But for me this "displacement" did not limit the anglophilic colonial power of this knowledge when it came to discussions of indentured labour. The canefields or plantations in tropical areas were conceived through British colonial discourse as spaces that the white man was not fit for, and during this historical period the "white man" is the British coloniser. Without denying, as Doug Munro (1995) points out, that a portion of indentured South Sea Islander labour was located outside the canefields, these camps were naturalised by these anglophilic white networks as spaces to be inhabited by the "colored races" or not-white subjects. White diasporic and transnational discourses carefully selected (through prior colonial knowledge) the South Sea Islanders as 'essentially' apt for the harsh conditions of the camps. Megarrity's long but detailed summary discusses the intermixing of various racialised discourses that naturalised their presence in the harsh conditions of the camps situated in tropical areas:

> …the perceived unsuitability of white men to do Queensland's 'rough work of civilization' in the hot tropical sun was unquestionably influenced by popular and scientific opinion ... In the late nineteenth century and well into the 1900s, it was the '…opinion that the European cannot [colonise] the tropics, but must inevitably fall [...] a victim to the influence of their deadly climate'. Having originated in a temperate zone, Europeans were believed to degenerate in physicality, health and morale when exposed to the unfamiliar, alien world of the tropics. Labouring work in tropical regions was seen as especially inappropriate for whites. (Megarrity 2007: 3).

This racialised differentiation of "white" and "colored" spaces and its focus on the "nature" of the tropics, naturalised the location of South Sea Islanders as labourers of the plantation camps of these areas. But it also naturalised the harshness that these workers were expected to overcome while employed. It implied somehow that the 'problem' was associated with the "rough" environment and not the working conditions offered to them.

The conceptualisation of this space as a state of exception also draws from the U.S. experiences of slavery. Its racialised commitment to 'whiteness' pointed out that it had not been possible to transport back the high numbers of "African-origin slaves" who had been in the Southern States for a long time (Megarrity 2006: 5; Lake 2003: 359; Gabaccia 2000: 59). This transnational colonial knowledge accompanied the growing opposition in the colony of Queensland to employ Chinese labour already available in the country (Megarrity 2006: 2) and the growing commitment to create a British "white" colony with European labour (Galassi 1991: 44). This white diasporic and transnational knowledge thus affected the conceptualisation of an indentured labour force, which could be contained in plantation camps and denied access to "citizenship". The Camp operated in Agamben's words as a "dislocating localization" (Agamben 1998: 175) that accommodated indentured labour as a non-white adaptable, removable or mobile labour force which could be transported back to its home country after delineated period of 'indentured labour'. The disallowing of "naturalisation" or access to citizenship was officially enacted in

1867 with the introduction of the *Aliens Act* which allowed "British naturalisation to become "accessible" within six months to "any alien being a native of a European or North American state" and restricted South Sea Islanders from becoming naturalised (cited in Irvine 2007: 30). The "Camp" as "the state of exception", embodied these subjects as "coloured" indentured labour with no rights to citizenship, and located in "rough" spaces where everything is possible.

Thus, the racial embodiment of non-white indentured labour, through these white transnational discourses, segregated these workers from the juridical and political system available to white citizens. So they were to become "bare life" (Agamben 1998: 47) abandoned or working in the camp:

> …who has been banned is not in fact simply set aside the law and made indifferent to it but rather abandoned by it, that is exposed and threatened on the threshold in which life and law, outside and inside, become indistinguishable. It is impossible to say whether the one who has been banned is outside or inside the juridical order (1998: 28-29).

In the plantation camps, it is recounted that new arrivals or so-called "new chum first indentured labourers" especially were subjected to continual forms of control over almost every hour of their existence, through perpetual work, restrictive living arrangements and very poor wages (see Evans 1988). Here, white diasporic and transnational relations through the state of exception exercise biopower and necropower control over life and death.

But the camp also exposed these lives to the point of death. It has been rightly pointed out that not all South Sea Islander workers were the subject of violent racialised methods of recruiting, but the act of "suspending the law" was visible and especially forceful at the beginning of the recruitment process before more settled procedures were created in the late 1880s (Shlomowitz 1989:589-590; Munro 1995:610-611). In the 1860s, a number of South Sea Islanders were subjected to harsh recruiting methods that included bribery, arson, kidnapping murder and even massacres (like the one recorded in the voyage of the Carl in 1872,[3] see also Saunders, Evans and Cronin 1988). For Mbembe, any historical account of the rise of modern terror needs to address slavery in plantations:

> …which could be considered one of the first instances of bio-political formation…[Including] the power over the life of another person…Relations between life and death, the politics of cruelty and the symbolics of profanity are blurred in the plantation system (2003: 21).

While I do not want to conflate indentured labour with slavery, one can assume from the previous discussion on white transnational knowledge that the conceptualisation of the plantation camps in Queensland were clearly connected to 'slavery'. And it is the racialised necropower that operates within the state of exception of the plantation camps that connects these forms of labour.

Although the death rates decreased over the years, the change of environment and exposure to unfamiliar diseases, the hard work, poor living conditions and low quality of food all contributed to 'deaths' in the camp (Moore 1989, Munro 1995, Shlomowitz 1989). New recruits were especially susceptible to the new environment and exposure to new diseases, but moreover their lives were being subjected to

harsher conditions. Lyndon Megarrity details that:

> First-time recruits were generally paid a wage of around £6 a year. After the end of a three year contract, the recruit had a number of options: they could return home, sign on for another period of indenture (roughly £6 to £12) or negotiate a short-term agreement for higher wages. The conditions for first-time recruits were extremely exploitative, especially when it is considered that white ploughmen were earning up to £66 per year in the 1870s (2006: 2).

These subjects therefore faced a harsher life and consequently high exposure to death.

It has been noted, meanwhile, that a lot of 'uncertainties' existed about the causes of deaths occurring inside the plantation camps. Shlomowitz analysed official death reports from the late nineteenth and early twentieth century and noted that:

> ...many deaths occurred in the plantations which were far removed from the nearest governmental medical officer … in those cases the officials had to determine the cause of deaths from employer's reports (Shlomowitz: 1989: 594).

Although it is not possible to verify all the causes of these deaths, this last finding suggests that the plantation camps operated in a state of exception. Here, the indentured labourers 'death reports' were clearly distanced from the jurisdiction of the colony and from medical regulators. They where "banned", made to live in spaces where everything was possible, at the mercy of plantation owners. The owners may or may not have responded to their health concerns, a form of necropower that determined life and death.

The Borders of Whiteness

By the 1890s, a number of geopolitical colonial shifts indicated this anglophilic colonial form of "whiteness" associated with the rise of the plantation camps needed to be renegotiated. A number of transformations in capital and labour relations led to the renegotiation of whiteness, as Theo Goldberg explains:

> …whiteness, in short needed to be renegotiated, reaffirmed, projected anew. To be sustained it had to be reasserted…It is from this point on from the point at which labour needs shift, racial conceptions transform, capital formation and modes of accumulability alter, moral dispositions and cultural conceptions turn, that state racial design is reconceived (Goldberg 2002: 176).

Local, national and international opinions moved to completely ban the use of indentured labourers. Since the late 1880s, local debates on the subject of indentured labourers began to urge for their forced removal from the plantations, the colony and from the newly formed nation. The colonial government of Queensland under the leadership of Griffith since 1885 legislated to limit their employment and aimed at completely banning their arrival. Instead they sponsored the introduction of white European farmers and domestic workers particularly Northern Italian agriculturalists and domestic skilled labour with the view to introducing small crop farms (Moore 1985; Douglass 1995). What also needs to be considered is that such shifts were tied to the workers' growing resistance against poor treatment. By the mid 1890s, workers were increasingly difficult to recruit. Their experiences of "life and death" in the camps resulted in them seeking different employment opportunities, as a result becoming

harder to retain in the plantation industry (Munro 1995: 609). So the creation of the nation-state in 1901 institutionalised white diasporic and transnational relations to respond to these changes,

In 1901 the immediate implementation of the *Immigration Restriction Act* (IRA) first and within a few days the *Pacific Islander Act* (PIA) re-affirmed the project of consolidating whiteness. In Moreton-Robinson's words these policies:

> …made Anglocentric whiteness the definitive marker of citizenship; and a form of property born of social status to which others were denied access including indigeneous people. Through political, economic and cultural means Anglocentric whiteness restricted and determined who could vote, who could own property, who could receive wages for work, who was free to travel, who was entitled to legal representation and who could enter Australia (2004: 78-79).

This whiteness was re-asserted through Britain's diplomatic intervention against the original immigration restrictions based on 'colour'. Its involvement over the application of the *South African Natal Act* to restrict entries to the country via a dictation test strengthened Australia's maintenance of diasporic links with Britain (Digby 1911: 81; Martens 2006). But again, the "anglocentric" whiteness sought by the IRA and PIA also re-affirmed transnational links between the new nation and the U.S. In the newly formed Parliament, as Marylin Lake (2005) explains:

> Australia's Federal Fathers, notably Alfred Deakin, H.B. Higgins, and Edmund Barton- looked to the United Sates for instruction in the relationship between 'national character' and what John W Burgess at Columbia University called 'ethnical homogeneity' (2003: 354).

For example Deakin in September 1901 openly "praised those who drew up the Australian constitution for improving on the American model" (Lake 2005: Chapter 13):

> Our Constitution marks a distinct advance upon and difference from that of the United States, in that it contains within itself the amplest powers to deal with this difficulty in all its aspects. It is not merely a question of invasion from the exterior. It may be a question of difficulties within our borders, already created, or a question of possible contamination of another kind. (cited in Lake: 2005).

So these new legislative Acts and the Constitution overall were embedded in local and transnational colonial knowledge that formalised the bordering processes of white sovereign power. The Constitution was conceived to regulate Indigenous and non-Indigenous relations including those of labour, to re-establish an anglophilic white diasporic and transnational nation-state. This discursive knowledge attempted to establish, in Perera and Pulgiese's words, "a monocultural anglocentric Australia" embedded in a global project of whiteness (Perera and Pugliese 1998: 49).

European Labour and Migration

But the IRA was also part of a European alliance. In the historical context of the late 19th century and early part of the 20th century a realisation about the impossibility of establishing a colony solely constituted by white British labour resulted in a diasporic and transnational agreement between the new federation, Britain and other European countries to help fulfill the Western

project of colonisation abroad. An expansion in colonial Atlantic economy had already affected the creation of indentured labor for plantation camps but it now shifted towards the creation of a selected 'white' European labour force. Mass migration from selected European countries had been supported and encouraged by a number of events that included first the abolition of slavery; second the growth of the racialised formation of the nation-state, in post-Imperial U.S. and Federal Australia that were concerned with maintaining restrictions against Indigenous subjects and sought to populate through the introduction of white European migrants.(Gabaccia, 2000 58-59) But also thirdly, as Gabaccia argues, this demand for European labour was sparked by the spread:

> …of industrial capital…from its earlier concentration in the cities of Northern Europe and Great Britain to those of the Americas, and to plantations and mines in newer colonies in Africa and Asia. This new migrating capital created millions of unskilled jobs around the globe (Gabaccia 2000: 59).

The call for the provision of European labour was based on *a priori* conceptions of the role of the West abroad. More specifically with the ways European countries such as Italy had recently or historically conceived of themselves as superior white colonial Empires that had endorsed in specific ways the practice of 'white European colonisation, and had advantaged economically, politically and socially from the formation of the West abroad including in Australia.

Countries like Italy shared an idea of the 'superior white West'. Since the late 1860s, Italy had attempted to establish colonies in North Africa including Eritrea. In 1883, Italy also signed a *Treaty of Commerce and Navigation* with Britain which enabled Italian subjects and labour to enter, travel, reside and acquire property in each other's colonial dominions (see Cresciani 1982: 83). In 1887, it signed the first "Mediterranean Agreement with Britain" which supported British presence in Egypt while gaining support for Italian presence in North Africa (Clark 1984: 48; Palombo, 1994; Cunsolo, 1990; Spadoliini 1994). Most importantly, Italy had a large pool of labour available to migrate. Its industrialisation and nationalism displaced local economies and led to the formation of a large and mobile labour force wanting land ready and available for countries like Australia or the U.S. (Gabaccia 2000; Verdicchio 1997; Gramsci 1995). Their individual selection and presence became part of a racialised call to form a 'white or Western alliance' abroad in a moment of colonial need and expansion (Hall 1992).

So while Indigenous people and South Sea Islanders were historically excluded from citizenship and positioned 'outside' the nation, these Northern European migrants were to be included as 'white citizens' of the nation. These transnational European relations were reliant on biopolitical regulatory practices that limit and control the political identifications of European subjects. The shared 'values' represented a demand and expectation to assimilate and provide political loyalty to the white anglophilic sovereignty and its white diasporic and transnational relations. The construction of the assimilable white migrant subject utilised these subjects' "whiteness" and 'skills' to set up the Commonwealth of Australia. This focus on their skills and provision of labour attempted to minimise their self-identifications as white sovereign subjects. I do not intend to deny the colonial relationship between

white Northern Europeans and Indigenous subjects here, rather I focus on the historical expectations of the white sovereign power. The IRA gave preference to the racialised category of Northern Europeans from "British Isles, Germany, Denmark and Sweden," but Northern Italians joined this list (Galassi 1991: 44). The arrival of migrants of Italian origins allowed on the basis that they would be Northerners, limited the arrival of 'Southern Italians' who were racialised as "non-white, non-Europeans, immoral, criminal and racially contaminated through racial miscegenation" (see Pugliese 2002; Palombo, 1999; O'Connor 1996).

The other value given to these subjects racialised as Northern Europeans, as Nicolacopoulos and Vassilacopoulos argue:

> … [was] measured by [the] potential for involvement in production and consumption through the alienation of…labour (2004: 46).

The IRA at first and then secondly the demand for assimilation operated as a racialised and ethnicised sexual ranking system. What Rey Chow calls "biopoliticised economic relations", describes the manner whereby "the very humanity attributed to the ethnic is itself subsumed" by "capitalist economism's ways of hailing, disciplining and rewarding identities constituted by certain forms of labour" (Chow 2002: 32). Subjects identified as Northern Europeans were therefore expected not to make political claims against Australia and to assimilate as 'white workers' in ways that sustained hegemonic white sovereignty and its transnational relations. This period preceded the 1920s focus on Southern European labour.

The internment Camps

But the IRA and assimilative practices could not offer political immunity from other diasporic and transnational political practices. During and after WW1 Australia's decision to ally itself with Britain's political interest in this war aligned it with major political shifts in Western colonial relations (i.e. Britain and Australian relations with Germany and the Austrian-Hungarian Empire; with conflicting European colonial relations during the fall of the Ottoman Empire; with Asian-Pacific relations through Papua New Guinea and so on). This re-alignment reiterated a politics of security that in Burke's words was:

> enormously powerful, embedded in hegemonic discourses and institutions that are deeply and vigilantly entrenched (Burke 2007a: 85).

This 'security concern' was based on existing fears, but also represented the established white diasporic and transnational war relations, affecting any subjects living in Australia. Specifically it targeted subjects identified as being of German, Austrian-Hungarian and Lebanese origins, now and formally categorising them as "Enemy Aliens". The "drive to expel socialism and communism" as Fisher explains, meanwhile affected the "Fractious workers, Irish nationalists, Germans, industrial radicals and Bolsheviks, [who were] immediately targeted by punitive laws…" (Fisher 2002: 2). The introduction of the *War Precautions Act* and later the *Unlawful Associations Act, Aliens Registration Acts* and the *Naturalisation Act,* embodied the immediate capacity to control any European migrant subjects:

> The Unlawful Associations Act 1917 allowed authorities to imprison persons obstructing the war and

> summarily proscribe associations doing the same. Anyone attending prohibited organizations, meetings or possessing their literature could be punished as severely as those who wrote or distributed forbidden material…those charged with opposing the war were prosecuted under its provision. The Censor's Office… seized correspondence and referred cases on to the military and civil authorities. …(Fischer 2002: 2-3).

Issues of national, transnational and local security therefore came to centre stage early in the 20th century and nobody was spared. Everyone was now treated "as potential British enemies — in Australia" (Curtis 2006: 1).

Thus, white European subjects (previously embodied through the IRA as politically loyal white subjects of German and Austria-Hungarian origins) were now perceived as 'Enemy Aliens'. Their 'whiteness' could not provide assurance that oppositional non-anglophilic diasporic and transnational political practices would be formed. The (self) protection of white sovereignty through its European relations could not be guaranteed. In Derrida's words "the calculable" had become "the non-calculable":

> …An always perilous transaction must thus invent, each time, in a singular situation, its own law and norm, that is a maxim that welcomes each time the event to come (Derrida 2005: 150-151.

The "calculable" arrival of selected white European migrants was now constructed as part of the non-calculable. Political loyalty was not "calculable" anymore. The fear of a complex combination of "non-assimilable" political demands and conflict, testified to the limitations of assimilative practices but also of the white diasporic and transnational relations of war. The nation-state in effect jeopardised the "European" relations that it had created since 1901.

Enemy Aliens categorised as 'high security risks' in WW1 were removed from the body of the nation. White diasporic and transnational relations through the establishment of internment camps produced the immediate:

> ....remov[al…[of] people and often all traces of them from concrete territory…and to seize control of the territory they had formerly inhabited" (Naimark 2001: 3).

The racialised discourses of the Australian Internment Camps distinguished them from British formations. But from the outset, as in the case of plantation camps, Internment Camps were developed from a British model of internment that stressed the diasporic 'nature' of these technologies of war. For example, the *War Precautions Act and the Aliens Restriction Acts* were based substantially on the British models that were varied to suit the 'local' formations (Saunders 2003:28-29). These came to affect 6,890 Germans and 1,100 Austro-Hungarians including people from Serbia, Croatia and Dalmatia. So while the racialisation of 'non-white indentured labour' in the 1860s formally located many of these subjects within the camp, in WW1 subjects who were racially embodied as assimilable 'white Northern Europeans' like Germans were 're-arranged' in the camp as a 'security' threat'. Through the internment camp these people were racialised and ethnicised as the 'most dangerous' and as "disloyal natural born subjects of enemy descent and as person of hostile origin or association" (cited in Saunders 2003: 28). And by this, I do not mean to suggest that all

interned subjects were historically considered white, but rather that the majority of internees from German background were racially re-arranged or removed "from valued colonists to the hated Hun" or as "stranger[s] within our gate" (Saunders 2003: 38).

In the internment camps, their access to the law was cut off as they were effectively excluded from the legal system. Thus in the camp they became what Agamben calls "bare lives" at the hands of military rule, that re-instates these subjects as enemies. This interdiction through the state of exception of the camp deprived them of political rights as white European subjects altogether. The internment Camp bans them from political rights:

> …the ban involves a declaration of what both exists, yet it is forbidden to exist, within the legal sphere…The ban settles upon the life of the political subject that is suspended within this zone. (Wadiwel, 2006: 155).

They are therefore banned from life as white European citizens. That is they are banned from the 'legal' privileges that white European migrants have accessed and that has distinguished them from 'othered' racialised subjects defined as 'non-white' or as non-Europeans, as Indigenous, indentured labour, Southern Europeans and so on.

The internment Camps set up during WW1 re-iterated in specific ways the biopolitical and necropolitical relations associated with Indigenous dispossession and the positioning of South Sea Islanders as indentured labour in plantation camps. In this case, internment substantiated the "terror formation" of the "state of exception". In light of this, it is important to note that one of the "official" "first war cemeteries to be established in Australia" was the "German War Cemetery" in 1958 at Tatura where 191 internees are buried (Hammond 1990: 15-154). Yet, in a similar fashion to the narrative adopted by the National Archives for the F-file discussed in the introduction of this paper, when discussing deaths which occurred in the Internment Camps of WWII the reader is told that in the cemetery:

> ...Neat headstones are set into well-kept lawn to mark the final resting place of internees and prisoners of war who died accidentally or from natural causes during both World War 1 and 2 (1990: 153).

Here these words represent deaths as "accidental" events that are associated with the so-called "futility of war" (1990: 154). It is the accidental nature of these deaths and their positioning as isolated war events that I have problematised here. Such positiongin denies the ferocity of the state of exception and its enmeshment in the necropolitical power that, as Mbembe reminds us, operated within the "state of exception" of colonies (2003: 24). But prior and during the war this colonial technique was intensified to produce immediate and efficient systems of mass control. The camps of WW1 were produced, according to Naimark's reading of Zygmunt Baumann's work, as:

> …a product of the era…it insists on identifying ethnic groups and concretising difference and otherness with the goal of banishing it… (Naimark: 2001: 8).

The necropower of internment camps operated to enable the "…remov[al] [of] people and often all traces of them from concrete territory…" (Naimark: 2001: 3). What struck me about the list of names of people who were buried in this cemetery is the disproportionately high number of German civilians who died in

WW1 compared to WW2. It confirms the necropolitics of these specific camps that targeted "enemy aliens," removing them from citizenship and exposing them to death.

Here again, like in the 1890s, white diasporic and transnational alliances with Europe were called upon so that certain Southern European subjects of Italian origins (who were not considered enemies) could replace German workers. Indeed, the increased arrival of 'Southern Europeans' and women of Italian origins during the 1920s was set in motion by these violent events - the development of the internment camp (see Palombo: 2002).

Conclusion

I want to end by quoting Perera's work that outlines how the Camp is:

> …the site where the prisoner of war camp meets the long term aims of colonial assimilation/annihilation in the forms of the outstation, the penal camp and the mission. This Australian camp takes varied forms, beginning with Tru-ger-nan-ner and the Bruny Islanders at Wybalena and moving across the spectrum of places where Indigenous people have been removed form their country and confined…The characteristics of the Australian camp include unpaid labour by children and adults and control over domestic and sexual life (for example, the regulation of marriages according to degrees of 'caste' and colour), as well as the genocidal forms of reeducation aimed at eliminating the Aboriginality of their inmates (HREOC, Kidd) (Perera 2002: para 19).

The invention of this "meeting space" or "terror formation" has dislocated Indigenous Australians from country, attempting to lock them "outside" the white nation and inside violent mechanisms of "life and death" control. These biopolitical and necropolitical processes have been enacted to suit the 'global' aims of a certain transnational form of sovereignty. The establishment of the plantation camps for South Sea Islanders, racialised as 'coloured' indentured labour, non-citizens and the internment camps for ex European allies, white citizens and sources of labour, racialised as German Enemy Aliens in WW1, re-affirmed the global aims of white anglophilic sovereignty.

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Notes

[1] I borrow this term from Suvendrini Perera essay 'What is a Camp'.

[2] I use the term 'home' carefully as her presence in Palestine was interlinked to colonial arrangements between Italy and Britain.

[3] Notes from the logbook of this voyage are available at: www.janesoceania.com/carllogbook/index.html

'AUSSIE LUCK': THE BORDER POLITICS OF CITIZENSHIP POST CRONULLA BEACH

SUVENDRINI PERERA

Abstract

The essay situates the watershed event, 'Cronulla Beach', in terms of its effects: its ramifying political consequences as well as its circulation at the level of popular culture and the everyday and its reinflections of racist imaginaries and identities. It argues that these heterogenous effects contribute to resignifications of citizenship deployed as forms of internal border control across multiple sociocultural and sociospatial sites. Across a series of discontinuous sites and contexts, the essay explores how Cronulla Beach plays a key role in enabling and legitimising a resurgent border policing of Australian citizenship.

Introduction

In the summer of 2004, a seventeen year-old Aboriginal youth died, horrifically impaled on the railings of a local park, while being chased through the streets of Redfern by police. The awful circumstances of his death, one in a long sequence for which police bear responsibility, sparked furious community protests and rioting that night (Funnell 2004). After initially struggling for control, police responded with a violent crackdown through Redfern. In the aftermath, Ray Minnecon, Director of Redfern's Aboriginal Crossroads Ministries, wrote of the fraught process of "rebuilding…Aboriginal identity, integrity and community from the ashes of our burnt-out histories in this place we call Redfern":

> For me as an Aboriginal person Redfern is a place where one can interact with a powerful collective will to struggle against the imperial forces that continue to interfere with…our history… For almost 200 years we were locked away from the new Australia that was built on our lands… We are not happy with many of the results of that nation-building process... We are not happy at our forced exclusion in the building process... And we are still picking through the rubble of that terrible history, not made with our own hands, to rediscover ourselves, our identity and our place in the new nation… Redfern is all of these things and more to me… I live with this hope that my Aboriginal and Torres Strait Islander people will find our place and our space in the most alien and inhospitable place of all to Aboriginal culture and people -- the city of Sydney (Minnecon 2004).

Minnecon's analysis of the complex meanings encapsulated in Redfern powerfully substantiates Achille Mbembe's formulation that "space was the raw material of colonial sovereignty" (2003: 26). The site of a "nation-building" project premised on the exclusion of Indigenous people, Redfern and its environs are the ground, as Mbembe puts it, upon which colonial occupation "writ[es]…new social and spatial relations". This process of writing new spatial relations that Mbembe names "territorialisation" was "ultimately, tantamount to the production of boundaries and hierarchies, zones and enclaves; the subversion of existing property arrangements; the classification of people according to

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different categories; resource extraction; and, finally, the manufacturing of a large reservoir of cultural imaginaries" (Mbembe 2003: 25-26).

Here Mbembe itemises the processes of colonial boundary-making, the production of intermeshing spatial, epistemological and ontological borders that undergird and organise colonised societies. Through this constellation of processes space is written as race. It is a writing both enacted and continually reproduced through violence. As Ray Jackson, the opening speaker at the Borderpolitics of Communities forum, meticulously documents through the work of the Indigenous Social Justice Association, violence against Aboriginal bodies is one of the constitutive ways in which the boundaries of race and space are reproduced and policed in contemporary Australia (see Jackson: 2001). The punishment, incarceration and killing of Indigenous bodies reinforces colonial "hierarchies, zones and enclaves" that continue to produce racially marked sites such as Redfern. And they do so even as, in Minnecon's words, its inhabitants determinedly take on the collective task of "rebuilding … Aboriginal identity, integrity and community from the ashes of our burnt-out histories in this place we call Redfern".

I begin this essay, written for a forum to mark the anniversary of the 2005 pogrom on Cronulla Beach, on the streets of Redfern in order to underline that Cronulla Beach cannot be understood in isolation. A hidden but nonetheless inexorable logic of territorialisation binds Redfern to Cronulla Beach. Both must be situated within the city of Sydney, as a space written by ethnoracial hierarchies, zones and enclaves: that is, by the production of borders. Borders operate not only spatially, but also conceptually and analytically. To understand the violence on Cronulla Beach as an aberration or as the outcome of a set of local circumstances alone is itself a form of border policing: it denies the sociospatial linkages that sustain Sydney as a city constituted by racialised and ethnicised borders within a neoliberal regime that both recodes and reinscribes colonial demarcations, scales and categories. The marketing of Sydney's cosmopolitan charms should not obscure that it is a city marked at every level by the racialised differentiation of space, from the location of most of its mosques and Hindu and Buddhist temples in industrial areas, next to waste dumps or in the middle of highways (Sandercock 2000), to the saturation of the airwaves by broadcasters such as Alan Jones.

In the introductory section of the essay I attempt briefly to map some key operations of borders in the city. The rest of the essay situates the watershed event, 'Cronulla Beach', in terms of its effects: its ramifying political consequences as well as its circulation at the level of popular culture and the everyday and its reinflections of racist imaginaries and identities. In turn these heterogenous effects contribute to resignifications of citizenship that are deployed as forms of internal border control across multiple sociocultural and sociospatial sites in the aftermath of 'Cronulla Beach'.

From Redfern to Cronulla Beach: Effaced Geographies of Violence

Sydney, described above by Minnecon as "the most alien and inhospitable place of all to Aboriginal culture and people" is inscribed, perhaps more than other major Australian cities, by a racialised and ethnicised topography. In this marked landscape names such as Redfern, Auburn and Cabramatta signify

on a national scale. As the preserve of the native and the alien they are the locus of fear and abjection. Simultaneously, they are structured by a continuing colonial logic that veers between poles of exclusion and assimilation. Even as they function as ghetto precincts that operate to encircle, separate, control and police racially othered populations, these spaces are subject to the demand to reflect the dominant culture back to itself. In this sense they correspond to the imaginative geographies of empire identified by Edward Said, as spaces of otherness irretrievably marked by difference and lack even as colonial activity violently strives to convert them into the same (1978: 54-5).

Spaces of lack and difference in the urban landscape are continually subjected to the colonial demand to assimilate. The assimilationist demand takes varied forms, from the seemingly benevolent desire to promote "renewal" and "development" (such as on the Block in Redfern) to the drive to eliminate spaces of difference perceived as threats to "law and order", "social cohesion" and, increasingly, "national security". To this end the opaque, unknowable and shadowy spaces of the city must be rendered open, orderly and secure. Even before the war on terror, selected suburbs became subject to new forms of criminalisation and surveillance as escalating rates of Aboriginal imprisonment, the introduction of racial profiling and the mandatory incarceration of asylum seekers combined with the neoliberalist drive to privatise the prison/detention system. It was in this context, as private security guards began patrolling the streets of Redfern and Chippendale, that the Redfern elder, Auntie Ali Golding, commented in early 2001, "it's as if we're living in a detention centre" (quoted in Perera 2001).

Since Australia's entry into the war on terror these moves have gathered force to redraw ever more narrowly the limits of belonging within the nation and police with increasing violence the frontiers of citizenship. The overarching imperative of national security now combines with neoliberal logic on the one hand and assimilationist pressures on the other to train the searchlights on new spaces of racial fear and danger. The suburbs of Lakemba and Auburn are cast as landscapes that mirror the war zones of Lebanon and Iraq (Kremmer and Pryor 2006), with their residents subjected to levels of unrelenting suspicion and surveillance.

In the late 1990s Pauline Hanson identified Bankstown and Cabramatta as suburbs that threatened the social fabric of the nation by their linguistic and visual heterogeneity. Following the mobilisation of "culture" and "values" as surrogate terms for race in the war on terror, the demand for bodies in these spaces to be intelligible, transparent and knowable to the dominant has amplified. Dress and speech are registered as acts of aggression not only against the "values", but also against the security, of the nation. The demand to be open, available and transparent to the dominant is enforced in differential ways upon gendered and racialised sectors of the population, as in the attacks, led by senior politicians, on Muslim women's veiling practices. Women wearing hijab or burqa are subjected to a spectrum of violence from physical assault to the suspicion of concealing bombs under their burqas and accusations of "confronting" the sensibilities of Anglo-Australia by their mere presence in public spaces (Perera 2007 forthcoming).

Territorialised inscriptions of threat and embedded histories of exclusion also structure the relations between Cronulla Beach, Sutherland Shire and Western Sydney. In the days immediately after the racist attacks in Cronulla Beach the *Sydney Morning Herald* reported: "the shire is a white, Anglo-Celtic, Christian heartland. But, ominously, this white sanctuary is hemmed in by the great Middle Eastern melting pots of Sydney" (Overington and Warne-Smith 2005). The shire's status as a "white sanctuary" is reinforced by the information that the area is "fast becoming a celebrity haven" as the home to Australia's former cricket captain, Steve Waugh, and the Olympic champion, Ian Thorpe (Overington and Warne-Smith 2005). As household names these local heroes anchor Cronulla Beach in national space. In pointed contrast are the faceless figures who inhabit "the great Middle Eastern melting pots of Sydney" that "ominously hem … in" this haven of whiteness, and who weekly encroach on its hallowed beaches.

The shire's status as a "white sanctuary" also possesses an even deeper purchase on the national imaginary. Its official website proclaims that:

> Sutherland Shire is known as the 'Birthplace of modern Australia', as Kurnell (now a suburb of the Shire) was the first landing site on the east coast of Australia by James Cook. He went ashore on 29 April, 1770 at a spot now within the Captain Cook's Landing Place, part of the Botany Bay National Park. For eight days he and his scientists, seamen and marines explored and mapped the area. (Sutherland Shire Council).

Faithfully represented here are the processes of territorialisation enacted at the "Birthplace of Modern Australia". The first space to be mapped, explored and rendered intelligible by colonial violence, the shire is also the originary scene of Aboriginal dispossession. The presence of a succession of imperial pioneers—Cook, Philip, La Perouse—is scored into the terrain that now bears the seemingly innocuous name, Botany Bay National Park. This ground, subsumed into the sanitising regime of the "National Park" (Perera and Pugliese 1998), is the land of the Dharawal people, previously effaced under the sign of "Botany", whose effacement is reenacted in the website's description of Cook's exploration and mapping of "the area".

The Dharawal, invisible in the extract from the shire website, were "among the first Aboriginal people to resist the invasion of their land, the first to be struck down by smallpox and other introduced diseases and the first to become decimated by random killings and massacres" (Welsh 2005). Rob Welsh, Chairman of the Metropolitan Aboriginal Land Council, recalled this history in May 2005 as people from Redfern and La Perouse came together to complete the burial ceremonies for six Dharawal people whose remains had been salvaged from museums as far away as Edinburgh in Scotland. As Welsh notes, Aboriginal bodies, as much as land, were objects of theft. They too formed the ground on which colonial sovereignty mapped out its demarcations and carved the frontiers of what would constitute the limits of the human and the citizen (Pugliese 2007) within the new nation.

The line that connects Redfern and Cronulla Beach runs through Botany Bay. Bringing back into view the violence that inscribes the site of Botany Bay National Park is one way of reframing representations of the shire as a "white sanctuary" threatened by "Middle Eastern melting pots". Rather than being "a white haven" under siege, the

ongoing presence of Dharawl bodies locates the white sanctuary of the shire as itself a site of violence. As Maria Giannacopoulos argues in her essay *Terror Australis*, instead of being a place threatened by "*ethnic* violence", the shire is exposed as a place predicated on and "having been constituted by a form of white sovereign violence that continues to be retrospectively legalised" (Giannacopoulos 2006: 4). This invisiblised "white sovereign violence" continues to produce and patrol the limits of the nation in the form of the unquestioned and unquestionable law of the land.

Citizenship, Territory and Nation: The View from Cronulla Beach

In *Race Terror, Sydney, December 2005* I discuss in detail how geopolitical insecurities about the "homeland" and the racialised fears and anxieties that characterise Sydney are layered onto Cronulla Beach as a sacred site of Anglo-Australia (Perera 2006). These layered spatial relations correspond to what Arjun Appadurai describes as "geographies of anger": "the volatile relationship between the maps of national and global politics … and the maps of sacred national space". Appadurai suggests that geographies of anger, "the spatial outcome of complex interactions between far away events and proximate fears", manifest "uncertainty about the enemy within and the anxiety about the always incomplete project of national purity" (Appadurai 2006: 100). Read as a staging of Appadurai's "geographies of anger" Cronulla Beach reveals how anxieties about the "great Middle Eastern melting pots of Sydney" combine with the project of preserving the purity of the "Birthplace of modern Australia" and securing its borders against the enemies within.

Building on Appadurai's formulation, I want to propose that the category of citizenship, authorised by the law of the land, also constitutes a "sacred national space" where geographies of anger are enacted. At the intersection of law, territory and nation, symbolic checkpoints and border posts are installed. Criteria for belonging are recast as the emphasis shifts from the fortification of external borders against the "illegal" and the "unlawful noncitizen" to new types of differentiation aimed at searching out the enemy within. The category of citizenship is repoliticised or, more precisely, resignified in ways that make citizenship visible anew as a site where the (racialised and gendered) limits of the national are tested and enforced.

These new formations of citizenship are produced across a number of levels from the biopolitical and necropolitical operations of state institutions (Mbembe 2003) to locations of popular culture and everyday life. In what follows I explore, across a series of discontinuous sites and contexts, how Cronulla Beach plays a key role in enabling and legitimising a resurgent border policing of Australian citizenship.

The deployment of citizenship and border control as mechanisms for differentiating spatially and racially among the population is not new; indeed, it is constitutive of the Australian state. Brian Galligan and John Chesterman note:

> The elaborate legislative and administrative regimes constructed around citizenship rights and entitlements by successive colonial, Commonwealth and state governments … have been mainly exclusionary. Their overwhelming purpose was to bar any 'aboriginal native of Australia, Asia, Africa, or the Islands of the Pacific' from rights

> and benefits, with quite extraordinary and ingenious efforts being applied to this negative cause (1999: 73-4).

The "negative cause" of excluding nonwhite "aboriginal [sic] natives" was complemented by a series of other forms of border control. Henry Reynolds argues that in the absence of substantive independence from Britain, the government of the newly federated Australia "was able to assert its independence not by hauling down the Union Jack but by closely controlling what and who could enter the country by means of tariffs, immigration controls, customs and quarantine regulations. These forms of control, rigorously exercised, came to be the surrogate assertion of independence by an impaired nation state" (Reynolds 2007: 66).

In the impaired Australian state created post 1901, border control over bodies and goods operated in tandem with the continued definition of nationhood in racial terms and through subjection to Britain. Galligan and Chesterman argue that the Australian constitution was "deliberately couched in [British] 'subject' rather than [Australian] 'citizen' terms" (1999: 73), a status that was re-emphasised rather than amended by the 1948 Citizenship Act. Introducing the Act in parliament in 1947, Immigration Minister Arthur Calwell assured his audience that it was "not designed to make an Australian any less a British subject" and promised that it would "in no way lessen the advantages and privileges which British subjects who may not be Australian citizens enjoy in Australia" (quoted in Galligan and Chesterman 1999: 76-7). Galligan and Chesterman succinctly gloss this as follows: "The only way British subjects who were not Australian citizens could maintain the same rights was if Australian citizenship was meaningless. And it was" (74).

Galligan and Chesterman go on to identify the "deliberate eschewing of citizenship in favour of subjecthood" and the exclusion of "non-white 'aboriginal natives' " as "evidence of Australia's non-citizenship tradition", concluding that as a consequence "contemporary Australians have no core notion of positive citizenship upon which to draw":

> Reinventing citizenship is not an option since there is no noble past to refurbish. Nor is reviving civic education enough, since the old civics was premised on subjecthood [to Britain] and racial exclusion. Moreover, reconciliation with Aboriginal people, which is a prerequisite for national dignity, does require coming to grips with their past exclusion (74).

Galligan and Chesterman's contention in 1999 that "Australians have no core notion of positive citizenship upon which to draw" may provide one explanation for the increasing recourse to the term "unAustralian" as way of defining the nation in the second century of federation. Their argument also contextualises the proposed revision in 2007 of the 1948 Citizenship Act. Although the content of the amended legislation was yet to be finalised, on 11 December 2006, that is, on the first anniversary of Cronulla Beach, the Prime Minister announced that a citizenship test requiring "a basic level of English language skills, as well as knowledge of the Australian way of life and our shared values" would be required of all future citizens (DIMA 2006).

The decision to introduce a citizenship test suggests both an extension and a reworking of what Galligan and Chesterman characterise as "Australia's

non-citizenship tradition". Historically the measure recalls the implementation of the White Australia Policy through the technology of the dictation test with the aim of reducing the number of aliens both outside and within Australian borders (Reynolds 2006: 67). As such it foreshadows a covert *re*-racialisation of the category of citizenship through cultural and linguistic, rather than overtly racial, exclusion. In terms of contemporary geopolitical imperatives, the new legislation replicates moves to limit citizenship by the USA and UK, Australia's senior partners in the coalition of the willing, while also paralleling successive Border Protection Acts adopted since 2001.

In contrast to these previous pieces of legislation, the notion of a citizenship test based on "knowledge of the Australian way of life and our shared values" initially seems to gesture towards the definition of a positive, rather than "non" or negative, content for Australian citizenship. From the beginning, however, the stated aim of the new test, to identify "the Australian way of life and our shared values", is belied by its contextualisation. As already mentioned, the announcement of the move was clearly timed to connect the restructuring of citizenship with the anniversary of Cronulla Beach. Rather than putting forward a "core notion of positive citizenship", the images of a seething mass of bodies, flags and riot police that accompanied the announcement could only have been calculated to create the opposite effect. Juxtaposed with replays of scenes of mob violence, the announcement of the citizenship test reinforces an understanding of Australian citizenship as at once beleaguered, belligerent and exclusionary. Here the promise of a new citizenship that would articulate "the Australian way of life" is anchored not by reference to shared futures or common ends, but by an unspoken but nonetheless unmistakable threat: the spectre of Cronulla Beach.

The stated aim of the citizenship test is "to ensure that migrants to Australia integrate successfully and contribute to our national progress" (DIMA 2006). The repeated use of the term "integrate", harking back to an earlier stage of immigration policy, is in pointed contrast to the absence of any reference to the principle of multiculturalism or even its clumsy official substitute, 'Cultural and Linguistic Diversity' (CALD). Instead, the category of citizenship is resituated in the terms of neoliberalist discourse as "an important extension of the government's broader philosophy of mutual obligation" (DIMA 2006).

Again, this rearticulation of citizenship within a neoliberalist framework might be seen as one way of potentially providing a new, positive, content for Australian citizenship. Understood as "mutual obligation", the relations between state and citizen are seemingly privatised, cast as matters to be negotiated at the level of the individual, remote from the bloodied battlegrounds of history and culture. However, as Aihwa Ong points out, "neoliberalism as a technology of governing relies on calculative choices and techniques in the domains of citizenship and of governing" (Ong 2006: 4). Significant (if submerged) links tie the project of neo-liberalism to the formation of citizenship as a racialised category. Both are predicated on forms of demarcation and differentiation—"calculative choices"—between subjects that reward some and penalise others on the basis of assumed traits and attributes. Racial and economic regimes coincide as these discriminations are produced through remarkably similar sets of binaries, for example those working to

distinguish self-sufficient, flexible, enterprising and disciplined subjects from groups classified as hide-bound, recalcitrant, ill disciplined and lazy.

The contracting of the cultural and linguistic borders of citizenship in the interests of national security and cohesion thus intersects in complex ways with the shrinking of the state demanded by neo-liberal logic (Ong 2006). Both work to exclude, punish or render expendable their target populations, who often (if not always) coincide in the same racialised and gendered bodies: for example, remote Aboriginal communities deemed "unviable" for survival or those unwilling or unable to enter into "mutual obligation" arrangements with the state. Similarly, within the racialised landscape of Sydney in the period leading up to Cronulla Beach, a campaign was mounted against particular migrant communities in the city as unfit to adapt to life in contemporary western society (Perera 2006).

As neoliberal technologies of governing reorganise sociopolitical space and the relations among sectors of the population (Ong 2006: 13-14), new demarcations and differentiations do not replace, but are mapped on to preexisting racial regimes. Neo-liberal logic redeploys these regimes of race and ethnicity while simultaneously *transcoding* them into the terms of its own, seemingly racially unmarked, economies of morality and value. Brought into play as the backdrop to the reorientation of Australian citizenship in neo-liberal terms, Cronulla Beach testifies to the unspoken nexus between the two and points to a key paradox in the official campaign to redesign citizenship: the dependence of a neo-liberal incarnation of Australian citizenship that is meritocratic, inclusive and positive on the silent shadow-presence of its fearsome and intractable racial other.

Cronulla Country

On the first anniversary of December 11, 2005 the news cameras were assiduously trained on Sydney's ocean suburbs in the expectation of more racist violence. But it is elsewhere that the exclusionary violence of Cronulla Beach was being most clearly reenacted. A few days later, the Tamworth Regional Council voted to refuse five Sudanese refugee families the opportunity to resettle in this NSW country town.[i] The reason, according to Mayor James Treolar, was that Tamworth residents feared having to face a "Cronulla riots-type situation". In interviews with the media Treolar stated: "The community has expressed enormous concerns of mistrust against the Sudanese people, and I think this is largely based on previous events like the Cronulla riots" (Stapleton and Madden 2006). He went on to attack the record of Sudanese-Australians already living in Tamworth, clinching his remarks with: "Ask the people at Cronulla if they want more refugees" (Norrie 2006).

Treolar's words suggest how Cronulla Beach circulates in popular understandings one year later. While many accounts of the violence focus on a narrowly local microanalysis of events—alleged attacks on two lifeguards; the fraught relations between Anglo- and Lebanese-Australians; the availability of alcohol on the day[ii] — Treolar invokes Cronulla Beach as both an enactment and a vindication of Anglo-Australia's accumulated hostilities towards nonwhite migrants and refugees in general. At the same time his rhetorical injunction to "Ask the people at Cronulla if they want more refugees" confers on the mob violence at Cronulla Beach the status of a national referendum on questions of race and

refugees. Treolar's statements recall the tendency in much of the commentary on Cronulla Beach, to understand racist violence as an unfortunate, but understandable, reaction to the 'provocations' of young Lebanese-Australian men. In Tamworth, Treolar suggests, Sudanese refugees must carry the burden of the Cronulla riots and implicitly bear responsibility for the racism of Tamworth residents.

In the Tamworth decision, multiculturalism, crime, misogyny, disease and race signify through a single term that enfolds them in a coherent narrative and renders them culturally meaningful: Cronulla Beach. Old racist phobias such as fears of nonwhite migrants spreading "TB and Polio" (Norrie 2006) intersect with more recent concerns over security and law and order to position Sudanese refugees as unfit subjects for citizenship and as threats to 'our way of life'. Kevin Tongue, one of the Tamworth councillors who voted to exclude the Sudanese, cited the "community's concerns … for our future generations" as his primary motivation. "Is this the lifestyle that we want to leave to our future generations", he challenges in an interview on TV, "a multicultural lifestyle?" (ABC 2007).

In Tamworth, as at Cronulla Beach, "values" and "culture" were endowed with the kind of fixity that attaches to "race" in order to enforce boundaries between "communities" seen as irretrievably different. In both instances the protection of women, that indispensable thematic of colonial and racist discourse, was singled out as the primary concern. Mayor Treolar explained to *Sydney Morning Herald* journalist Damien Murphy, "You see, in the culture they come from, women are treated abysmally. I mean, we've given women the vote here" (Murphy 2006). For Treolar, "giving women the vote" is both the ultimate indicator of Australian (men's) benevolence towards "women", and the measure of their distance from the Sudanese (men).

To further buttress claims of a biologised difference of 'culture', Treolar originally claimed that eight out of the twelve Sudanese-Australians currently living in Tamworth had been "before the courts for everything from dangerous driving to rape" (Norrie 2006). In his article, however, Murphy challenges Treolar's claims, citing a statement by local police:

> While Treloar keeps running off at the mouth about resident Sudanese, the Oxley Local Area commander, Superintendent Tony Jefferson, gives the lie to the Mayor's words.
> He says some have been charged with assault, traffic and domestic matters - but 'they do not stand out over any other ethnic group in the community'.
> Unrepentant, Treloar says: 'If this is racist, well so be it. Call me a racist then' (Murphy 2006).

Confronted with evidence that contradicts his claims, Treolar is quick to change tactics: he defiantly owns the title of racist. I read this again as a response enabled by the precedent of Cronulla Beach, a site where racism was camouflaged through its proxy terms as it was also defiantly staged as public display. At Cronulla Beach the line that distinguished between a "community picnic" where "thousands of Australians gathered to defend their way of life", in the words of the Australia First Party (Gosch 2006), and exclusionary violence as a display of "100% Aussie Pride" was not only blurred, it was indistinguishable. Cronulla Beach thus signifies on a national scale as a name that absorbs white racial fear and resentment and presents them anew, defiantly wrapped in the colours of national pride.

In detailing the ways in which Cronulla Beach provided an enabling environment for the events at Tamworth, I want to call into question an often reproduced binary distinction in political commentary between a regressive and redneck rural Australia and its cosmopolitan urban centres. This self-serving distinction between centre and periphery effectively marginalises racism in the Australian landscape. Rather, the connectivities between Cronulla Beach and Tamworth suggest the deep implication of these sites alike in racist hierarchies and demarcations that are, as I have already shown, constitutive of Australia as a nation-state. In the following section of the essay I explore further the enabling role of Cronulla Beach in renewing racist imaginaries through new circuits of identification and consumption at a national scale.

Reworked Repertoires of Australian Racism

One context in which I locate the Tamworth Mayor's comments is a highly publicised artefact that emerged as a tribute to Cronulla Beach, the Cronulla 2230 Board Game. Treolar's responses reproduce in a number of ways the unabashed racism of the Cronulla 2230 game, dedicated "to all those who stood up for the freedoms of fair dinkum Aussies". The game, freely available on the internet despite the NSW government's attempts to restrict it, overtly solicits support for the white supremacist Australia First Party (although the party itself has denied any involvement with the game).

Structured as a Monopoly-type board game, the objective of Cronulla 2230 is for the winning player "to become the wealthiest person in the Cronulla area through buying, renting and selling property [in order to] … fund patriotic organisations like Australia First and the Patriotic Youth League, so they can get into parliament and Win Back Australia" (AFP 2006; Moses 2006). An uneasy mix of racism and real estate, the game reproduces the racial polarisation and divisiveness that is also reflected elsewhere in the landscape of Australia's wealthiest city. At the same time, the aim of "Winning Back Australia" interpellates publics at different levels, appealing to the aspirations of "ordinary Australians", carefully fostered over the last decade, to amass real estate, while also playing on underlying anxieties about globalisation in the form of foreign investment and competition.

Cronulla 2230 is accompanied by a series of "Aussie Luck" cards that alternatively reward or penalise players. The term "Aussie Luck" references the title of Donald Horne's 1964 classic, *The Lucky Country*. Although Horne intended the title as a warning and an indictment, the term has long since acquired a self-congratulatory nationalist gloss. Among other things, it is used to invoke a promised land of plenty into which nonwhite migrants should be grateful for receiving admission and, simultaneously, to suggest a golden age before the advent of multiculturalism. Elsewhere I have suggested that Horne's text betrays more ambivalence about multiculturalism and the coming Asian century than is often realised (Perera 1995: 4-7). The return of the "Aussie Luck Cards" in the Cronulla 2230 game can be seen as exploiting the buried ambivalences in Horne's brand of reformist nationalism.

The messages on the cards refer not only to events immediately relating to Cronulla Beach but reproduce the full repertoire of white racism. Messages such as "Health inspectors find dogs & cats in fridges in Asian restaurants, Pay $15" appear side by side with "Lebos

spoil Cronulla Beach for families, Pay $5". Reward cards proclaim: "Rally for compulsory vaccinations for Asians, Collect $20"; "More and more Aussies fly the Australian flag from their cars and utes, Collect $30" and "Locals rally to stop the Captain Cook memorial from being moved, Collect $40".

On the board itself images and slogans from 11 December 2005 (*We grew here, you flew here; Freedom for Aussies*) are surrounded by the street names and landmarks of Cronulla Beach. Also marked are places labelled as "rallying points" for various white supremacist groups such as the Patriotic Youth League and Australia First. Chillingly, selected sites such as "Captain Cook's Landing Place Park", Beach Street and the Cronulla train station (where the mob hunted for "lebs and wogs" to assault) are designated as points of "Aussie Luck". The board therefore maps a localised itinerary of racist violence from the arrival of Captain Cook to the pogrom on the beach. Players re-enact this racist itinerary as they progress through the game.

On one level Cronulla 2230 is a product of the normalisation of racism in Australian life. The Aussie Luck cards recycle the banal racisms of the radio talk show and the internet conspiracy theory, and reproduce the xenoracism that characterises mainstream Australian politics in the Howard era. What is new in this mix, however, is the triumphalist declaration of "Aussie Pride", materialised in photographs of bared white bodies and massed displays of the Australian flag reprinted on the game board. These images suggest the ways in which Cronulla Beach has reenergised and reactivated racist imaginaries, enabling their address to a range of new publics and their ability to engage new circuits of consumption and specularity. While the Cronulla 2230 game itself is one instance of these new sites of display and consumption, the reanimation of racist imaginaries is also reproduced at more mundane levels.

As spectacle Cronulla Beach references a visual archive that includes white supremacist iconographies of bared Aryan bodies and of the Australian beach as a site of white privilege, as well as images of fascist mass rallies and ANZAC day parades (Perera 2006). As such this capacious visual archive addresses a range of viewers, presenting an 'innocent' and 'patriotic' as well as a 'sinister' and 'extremist' aspect. These two-faced or double-coded images of Cronulla Beach, distributed through conventional as well as alternative media sources such as *YouTube,* have provided the impetus for what I want to name a *reworked aesthetics of white Australian racism*. This aesthetic can be deployed in contexts that range from the mainstream consumer culture of the suburban shopping mall to the staging of underground or sub-cultural white supremacist identities.

The reworked repertoire of white Australian racism I have identified is sometimes referenced through (ambiguous) gestures of self-reflexivity, as with the 'Sam Kekovich' character's TV commercials endorsing red meat as a remedy for unAustralianism in the lead up to Australia Day 2007. More insidiously, it works through the production of a set of submerged associations. At my neighbourhood supermarket, part of a major national chain, even before the Christmas specials were retired, a red, white and blue display enjoined: "Wear with Pride" as an array of products manufactured mostly in China—water bottles, towels, thongs, sandals, plates, socks, mugs, backpacks—suggested that in the lucky country there was only one place for the patriotic to celebrate the national day.

The display, one I don't remember from previous years, inescapably recalled the mass mobilisation at Cronulla Beach, and the spectacle of swarming, flag-bedecked bodies. What brought me to a standstill before this menacing display, in the everyday space of an inner city supermarket, was precisely its two–faced ability simultaneously to camouflage and to stage racist violence. Post Cronulla Beach, the flag, recoded through the aesthetics of white Australian racism, has emerged as the season's essential beach accessory.

A convergence of forces enables the circulation of these mass-produced mementos and souvenirs of Cronulla Beach. The production and national distribution of these artefacts by a large supermarket chain within a relatively short space of time; the public and acceptable face of patriotic display in the context of the war on terror; the Commonwealth government's campaign to increase the visibility of the flag in schools and offices: all these factors collude with heightened emotions called forth by the aesthetics of white Australian racism post-Cronulla Beach.

Flying the Flag: A beer in one hand and a baseball bat in the other

In an interview on December 12, 2005, Channel 9 journalist Ellen Fanning interviewed Prime Minister Howard about the previous day's scenes of terror on Cronulla Beach.

> ELLEN FANNING: Prime Minister, part of what was chilling yesterday was seeing a lot of people in between the violence doing things that you'd see at the cricket, singing 'Aussie, Aussie, Aussie, Oi, Oi, Oi', wrapping themselves in the Australian flag. What do you say to people who use the Australian flag in that way?
>
> PRIME MINISTER: Look, I would never condemn people for being proud of the Australian flag. I don't care – I would never condemn people for being proud--
> ELLEN FANNING: What if they've got a beer in their hand and a baseball bat in the other? (Howard 2006)

Despite the Prime Minister's emphatic refusal to entertain Fanning's argument, the question of the role played by the Australian flag as an emblem of racial particularism and aggression erupted again a year later in the lead-up to Australia Day in January 2007. The organisers of the Big Day Out concert in Sydney held the day before Australia Day asked audiences to leave their flags at home, citing instances of concertgoers the previous year being forced to kiss the flag to prove their patriotism (Mulvey 2007). The concert organisers were immediately denounced for a ham-fisted move that could only provoke a backlash from "ordinary Australians" who would now feel impelled to defend the flag (Birmingham 2007).

The ensuing debate, however, returned to the question Fanning had attempted to raise a year earlier when she described the racist violence on Cronulla Beach as interspersed with "things you'd see at the cricket": the distinction between deploying the flag as a celebration of 'harmless' nationalist sentiment and deploying it as an emblem of exclusionary violence. The Prime Minister's response was that both alike were demonstrations of national pride. A year later he elaborated on these comments by saying, in words that inevitably recall the infamous "guns don't kill people" argument of the US gun lobby: "Flags don't have legs and arms, if anyone was breaking the law at Cronulla, or breaks the law at any time in the future, they should be dealt with by the authorities" (Mulvey 2007).

In contrast, Harold Scrooby, the executive director of Ausflag, a group campaigning for a new Australian flag, called attention to the exclusionary racial meanings indelibly inscribed on and reproduced by the flag: "I've no doubt that in the Cronulla riots, those waving it at the opposition were saying 'I'm Australian and you're not because I'm of British descent' and it would be similar [at the Big Day Out]" (Mulvey 2007). Scrooby's comments return me to Galligan and Chesterman's argument that the subjection to Britain that founds Australian citizenship has resulted in a "tradition of non-citizenship" for Australia. Consequently, racial identification with Britain provides the basis for Australian national identity and continues to privilege it over other, potentially more inclusive, identities. Here the ambiguities of the term "subject", as able to simultaneously encompass both subjection and subjecthood come into play: Australian citizenship continues to reproduce subjection to an imagined white homeland that includes Britain (and its successor, the United States) while also deploying this white British subjectivity to exclude and devalue other identities in Australia.

Simultaneously, the meanings of the flag ramify within a transnational network of significations. "Is it a gang to be a western democracy?" an interviewee demanded in response to the charge that the flag was deployed in the manner of "gang colours" on Cronulla Beach (Mulvey 2007). Here Cronulla Beach is resituated as a front in the war on terror, linking it to what Goldie Osuri and Bobby Banerjee describe as the "ideoscapes of democracy and freedom … particularised as the identity of 'white' Western countries" (Osuri and Banerjee 2004: 167). Osuri and Banerjee argue that in these spaces "whiteness [is] expressed as transnational loyalty" (2004: 151) that at the same time represents itself as transcending ethnoracial categories by "proclaiming democracy and freedom … as universal values" (2004: 167).

These responses suggest that displays of the Australian flag carry a range of inflections in which imagined local, national and transnational spaces are layered on to one another, producing new maps of identification and exclusion. While in the Prime Minister's understanding, "being proud of the flag" is a practice that has a singular and static meaning, since Cronulla Beach new articulations of the flag have emerged that overlie and reinflect its previous uses. It was in this context that the Big Day Out organisers, although themselves enmeshed in the wider nationalist project of Australia Day, called attention to what had become, post-Cronulla Beach, almost a naturalised relationship between the flag, Anglo-Australian identitarianism and racist violence.[iii] While this nexus had been remarked on in different contexts (eg. by columnist Lisa Pryor's call to fly the flag upside down "as a sign of distress") the Big Day Out intervention was publicised on a national scale that, potentially, short-circuited the process of naturalisation.

In the (different) context of the ubiquitous displays of the Stars and Stripes after 9/11, Inderpal Grewal notes that "nationalism … does not emerge out of one imaginary community but rather is produced through the changing specularity of consumer culture and contingent community affiliations created by new and historical hierarchies of race and gender" (Grewal 2003: 2). Grewal's formulation allows us to think of nationalism itself as a contested space, where the meanings of national symbols such as the flag are continually rearticulated and

renegotiated by subjects differentially positioned within intersecting hierarchies. Whereas the Prime Minister's refusal to distinguish between different uses of the flag contributes to a normalisation of its association with racist displays, Big Day Out's intervention opens up room for further public debate over the meanings of the flag, styles of whiteness and possible counter-mobilisations. As such it is a rare expression of dissent against the exclusionary and violent forms of nationalism unleashed on Cronulla Beach.

January 27, 2007

On the national day at the "Birthplace of modern Australia", the Dharawal people remember the arrival of Cook, Philip and La Perouse on their land, marking the day of invasion even as they celebrate their own survival. As Maria Nugent discusses, a powerful tradition of protest on this site from the 1939 Day of Mourning to the demonstrations of 1970 and 1988 unsettles the triumphalism of the nationalist anniversary (Nugent 2005: 174-5). The government chose Australia Day 2007 to announce that the Department of Immigration and Multicultural Affairs (DIMA), previously known as the Department of Multiculturalism, Ethnic and Aboriginal Affairs (DIMEA) will henceforth be renamed the Department of Immigration and Citizenship (DIaC). This series of name changes in recent years is one indication of the succession of administrative and classificatory regimes brought to bear on racialised and ethnicised others. It also indicates the making and remaking of borders between Indigenous and other racialised/ethnicised bodies within the space of the nation. At the same time, the new focus on citizenship, a category from which both Aboriginal and nonwhite migrants were excluded in 1901, reinforces the shift already suggested above, to a new policing of the cultural and linguistic, as well as the territorial, limits of the nation. As a technology that aims to search out the enemy within, the new emphasis on citizenship extends at an official level the project of national purification undertaken at Cronulla Beach and the resurgent border politics of Australian citizenship that I have mapped in the course of this essay.

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Notes

[i] Following the negative publicity, the council agreed on 16 January 2007 to reconsider its previous decision and negotiate a "pilot resettlement program" for Tamworth with the Department of Immigration and Multicultural Affairs (Overington 2007). However, at the time of writing it is not yet clear whether this pilot program will indeed proceed. One counsellor who voted against the original decision to exclude the refugees has suggested that the "pilot program" was a window dressing exercise aimed at minimising embarrassment during the Tamworth music festival.

[ii] These were among the explanations offered by some of the participants at the Borderpolitics of Communities Forum in Sydney on 11/12/2006.

[iii] I thank Kristen Phillips for her research on this event and for discussing her insights about the Big Day Out with me.

GEOCORPOGRAPHIES OF TORTURE

JOSEPH PUGLIESE

Abstract

This paper is driven by the following questions: What role did U.S. policy play in establishing the ground for the acts of torture at Abu Ghraib? What are the codes, conventions, technologies, aesthetics and visual archives that enable both acts of torture and their visual representation and consumption? How can one begin to describe those points of intersection between the genealogies of techno-politico-military power, race and visual regimes of subjugation, violence and torture? In order to address these questions, I propose to situate the racial category of whiteness along a number of intersecting axes: as instrumentalising technology; as mediating prosthetic within the field of vision; as shadow archive actively inflecting relations of power across contemporary media, subjects and institutions; and as racial category that is constitutive of *geocorpographies* of torture. In coining this term, my aim is to bring into focus the violent enmeshment of the flesh and blood of the body within the geopolitics of race, war and empire.

Introduction

I acknowledge the Cadigal people of the Eora nation, the traditional owners of the land upon which I stand and from which I speak.[1] I want to situate this acknowledgement within the very corpus of my paper in order to mark a number of indissociable points of historical connection. In my paper, I will examine the corporeal effects of colonial invasion and imperial violence exercised by U.S. military personnel within the carceral context of Abu Ghraib, Iraq. On the public release of the photographs taken by U.S. military personnel during their torture sessions of Iraqi prisoners, we were compelled to bear witness to pictures that documented torture, sexual assault and humiliation.

The practices of torture perpetrated at Abu Ghraib are not remote from the location of this conference, Sydney, Australia. Inscribing the cosmopolitan surrounds of this city is a dense and stratified historical palimpsest that speaks otherwise. This palimpsest bespeaks the history of colonial invasion and the imperial establishment of the colony. As such, within the larger radius of this site, the Cadigal people bore the full brunt of colonial violence. As a number of Aboriginal curators have documented in their exhibitions and installations, the magnitude of this violence encompassed kidnap, torture and sexual assault. Tess McLennan-Allas and Aaron Ross in their exhibition, *In the Interest of Bennelong*, tactically transformed the regal rooms of that charged site of colonial rule, Government House, overlooking Bennelong Point, into a space that documented the violent origins of the practices that resulted in the Stolen Generations. In their exhibition, they focused on the violent abductions of Bennelong and Colby in 1798 and the consequent manner in which they were placed in positions of slave labour at the service of the colonial regime. In a banner headline accompanying the

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exhibition, McLennan-Allas and Ross raised this compelling question: "Why can't we have the 'Lest We Forget'?" (1998). A few hundred metres from Government House, Brooke Andrew, in another foundational colonial space, Customs House, staged the exhibition *Menthen*, in which, in his words, he "symbolically liberate[d] one hundred Aboriginal shields from their restless slumber within the Australian Museum collections" (1999). Liberated from their ethnographic and anthropological captivity, these one hundred shields bore testimony to "the first resistance by Aboriginal people" in the face of the colonial wars that followed the invasion (1999).

Situated within this historical context, I want to underscore that this ground upon which I stand is trammelled by colonial violence and harrowed by loss. This colonial violence, however, is not something to be relegated to the past: its ongoing contemporary effects on the Indigenous people of this country have been fully documented by Aboriginal writers, historians and academics. Ray Jackson, President of the Indigenous Social Justice Association, has for decades been exhaustively documenting the enormity of the police and penal violence inflicted upon Australia's First Nation peoples (see Djardi-Dugarang Newsletter, Bi-monthly Newsletter of I.S.J.A, Sydney).

In the course of this paper, the torture and sexual assaults that were perpetrated on the prisoners of Abu Ghraib will not be examined as the work of a few "aberrant" or "deviant" individuals, as the official investigative reports concluded, but rather as the product of the combined political, legislative and juridical machinery of the U.S. imperial nation-state and its attendant colonial relations of white supremacist power.

Night Shift

On August 24, 2004, in the wake of the international outcry over the documented abuse and torture of Iraqi prisoners at Abu Ghraib, the Final Report of the Independent Panel to Review DoD [Department of Defense] Detention Operations (*The Schlesinger Repor*t) submitted their findings to Donald Rumsfeld, U.S. Secretary of Defence. The Executive Summary of the *Schlesinger Report* begins thus:

> The events of October through December 2003 on the night shift of Tier 1 at Abu Ghraib prison were acts of brutality and purposeless sadism. We know that these abuses occurred at the hands of both military police and military intelligence personnel. The pictured abuses, unacceptable even in wartime, were not part of authorized interrogations nor were they even directed at intelligence targets. They represent deviant behavior and a failure of military leadership and discipline…. No approved procedures called for or allowed the kinds of abuse that in fact occurred. There is no evidence of a policy of abuse promulgated by senior officials or military authorities (Danner 2005: 323).

In many respects, the *Schlesinger Report* is a remarkable document. In textual terms, the Report is marked by a series of rhetorical strategies designed to shift responsibility for the torture of Iraqi prisoners at Abu Ghraib from the highest governmental level of authority to the circumscribed parameters of a few "deviant" individuals. The use of the chronotope of "night shift" functions to establish a time and place symbolically marked as underworldish: night shift is positioned as a time of license within which the enlightened laws and civilized rules of day are suspended. Undercover of night, unreason, lawlessness and

violence are unloosed. In the context of a nation governed by white supremacist ideologies, the racial charge of night, as exemplary colonial trope of blackness, sets the scene for the inevitable descent of U.S. military personnel into the heart of darkness. Abu Ghraib, as Orientalised space of absolute license from western norms, is where law and reason will be suspended under the command of a few Kurtz-like figures. These are the white mythologies that the west never tires of telling itself: of the temporary descent into the darkness (of "night shift") that is always ready to be redeemed by the white light of official procedure, investigations and reports. In this manner, the investigation and punishment of every individualised act of transgression functions to validate the operation of law whilst, simultaneously, effacing the foundational illegality and violence that inscribes the very institution of colonial law. Drawing attention to the violent double logic of colonial law, Irene Watson explains how, in such instances, "unlawfulness continues in a space declared lawful" (2002a: 258).

In this white *mythos* of the descent into the heart of darkness, the key players are seen to be a few aberrant U.S. military personnel and the imprisoned "sand niggers", the racist epithet used by U.S. military personnel to describe the Iraqi prisoners. The use of this racist epithet, as Andrew Bacevich has documented, "penetrated into the upper echelons of the American command" (2006). Bacevich cites this comment "from a senior officer: 'The only thing these sand niggers understand is force and I'm about to introduce them to it' "(2006). The structuring tropology of both the official and unofficial language of the U.S. military can be seen to pivot on a series of predictable racialised oppositions - black/white, light/day, civilised/barbaric – that are effectively used by the authors of the *Schlesinger Report* in order to make 'common sense' of the scandal of violence and torture at Abu Ghraib. The binary significations of these charged tropes are drawn upon in other sections of the Report. For example, under the rubric of "Abuses" the Report states:

> The aberrant behavior on the night shift in Cell Block 1 at Abu Ghraib would have been avoided with proper training, leadership and oversight. Though acts of abuse occurred at a number of locations, those in Cell Block 1 have a unique nature fostered by the predilections of the noncommissioned officers in charge. Had these noncommissioned officers behaved more like those on day shift, these acts, which one participant described as 'just for the fun of it', would not have taken place (Danner 2005: 328).

The use of the trope of "night" effectively serves to naturalise the violence and abuse that took place in Cell Block 1: night is, naturally, doxically, the time when the worst of the worst happens. The move to naturalise, and thus contain, the abuse and torture that took place at Abu Ghraib is underscored by the way in which the events are described as having "a unique nature fostered by the predilections of the noncommissioned officers in charge." The rhetorical strategy of locating the torture that occurred at Abu Ghraib under the naturalising imprimatur of "night" is here buttressed by arguing that the acts of torture "have a unique nature" whose source can be both located and contained within the bodies of the noncommissioned officers: torture and sexual violence resulted merely due to the nature of their deviant and aberrant desires, their predilections. As I will proceed to document in the latter sections of this essay, this shifting of

blame to the "predilections" of a few "noncommissioned officers" becomes untenable in the face of the dense and stratified U.S. white supremacist history that shadows and licenses these acts of sexual violence and torture.

Radical Unfreedom: Contemporary Colonialism and State-Sponsored Terrorism

This white supremacist history must be tracked back to foundational moments of colonial violence that continue to shape and inform the contemporary U.S. nation. In the context of the U.S. imperial nation-state, Andrea Smith, tracking the violent history of genocide against Native Americans, writes: "the U.S. is built on a foundation of genocide, slavery, and racism" (2005: 177). Situated in this context, what becomes apparent in the scripting of the 9/11 attacks as the worst acts of terrorism perpetrated on U.S. soil is the effective erasure of this foundational history of state-sponsored terrorism on the First Nations peoples of the U.S. In a parallel manner, this historicidal erasure is what has also been enacted in the Australian context, where Australia's own violent history of state-sponsored terrorism against Aboriginal and Torres Strait Islander peoples has been effectively white-washed out of official existence in discussions of contemporary acts of terror. This historicidal act of whitewashing effectively clears the ground for contemporary acts of violence on the corpus of the nation to be chronologically positioned as the 'first' or hierarchically ranked as the 'worst' in the nation's history. Underpinning these white acts of historicidal erasure in both the U.S. and Australian contexts is official - government, media and academic – positioning of Indigenous peoples in terms of a "permanent 'present absence' " that, in Smith's words, "reinforces at every turn the conviction that Native peoples are indeed vanishing and that the conquest of Native lands is justified" (2005: 9).

In her work, Smith establishes critical points of connection between the "war on terror" being waged in places like Iraq and the issue of Indigenous sovereignty within the context of the U.S. nation:

> it is important to understand that the war against 'terror' is really an attack against Native sovereignty, and that consolidating U.S. empire abroad is predicated on consolidating U.S. empire *within* U.S. borders. For example, the Bush administration continues to use the war on terror as an excuse to support anti-immigration policies and the militarisation of the U.S./Mexico border (2005: 179).

In the Australian context, these political and legislative overlaps between the "war on terror" and anti-immigration policies have been documented in painstaking detail by Suvendrini Perera (2002; 2007). Aileen Moreton-Robinson (2004; 2005) and Irene Watson (2002a; 2002b; 2007) have brought into sharp focus the critical points of intersection between the issue of Indigenous sovereignty and the colonial relations of power that continue to inscribe the Australian nation.

The U.S. military's scripting of the sexual violence and torture that was perpetrated at Abu Ghraib in terms of the aberrations of a few deviant individuals becomes untenable when situated within this larger colonial framework of state-sponsored terrorism and legislated violence. As Andrea Smith writes:

> White supremacy, colonialism, and economic exploitation are inextricably linked to U.S. democratic

> ideals rather than aberrations from it. The 'freedom' guaranteed to some individuals in society has always been premised upon the radical unfreedom of others. Very specifically, the U.S. could not exist without the genocide of indigenous peoples. Otherwise visitors coming to this continent would be living under indigenous forms of governance rather than under U.S. empire (Smith 2005: 184).

Situated in this context, the acts of sexual violence and torture that were committed at Abu Ghraib must be viewed as reproducing, within the extended locus of empire, foundational moments of colonial rule. As Antonia Castañeda documents in her essay "Sexual Violence in the Politics of Conquest" in the context of the establishment of the state of California:

> the sexual and other violence toward Amerindian women in California can best be understood as ideologically justified violence institutionalised in structures and relations of conquest initiated in the fifteenth century. In California as elsewhere, sexual violence functioned as an institutionalised mechanism for ensuring subordination and compliance. It was one instrument of sociopolitical terrorism and control – first of women and then of the group under conquest (1993: 29).

As I argue below, the foundational violence of these white supremacist practices of colonialism are precisely what remain, to paraphrase Castañeda, institutionalised in contemporary structures and relations of ongoing imperial conquest.

At Abu Ghraib, the military rape of Iraqi women instantiates the contemporary reproduction of this colonial violence as a form of sociopolitical terrorism and control, precisely as the reach of this sexual violence is expanded to encompass the phallocentrically and homophobically transgendered bodies of conquered Arab men. I refer here to the manner in which the Iraqi male prisoners were 'feminised' by being compelled to wear women's underwear over their heads, and to the way they were forced to engage in homosexual sexual acts. (I discuss in detail the intersection of race, sexuality and gender in the practices of torture perpetrated at Abu Ghraib in Pugliese forthcoming). In keeping with the gendered power relations of Orientalism, the bodies of Arab men are phallocentrically transgendered and theatrically arranged into the passive and available feminised bodies that, in the western visual imaginary, belong to the "phantasm of the harem" (Alloula 1986: 4). What is operative in such instances is what Medya Yegenoglu terms the "interlocking of the representation of cultural and sexual difference"; this interlocking of cultural and sexual difference "is secured through mapping the discourse of Orientalism onto the phallocentric discourse of femininity" (1998: 73).

"Gitmoizing" Abu Ghraib Prison and the "Migration" of Policies of Torture from Guantanamo Bay to Iraq

I have spent some time unpacking the rhetorical moves in the *Schlesinger Report* that were instrumental in attempting to shift responsibility for the torture that took place at Abu Ghraib to a few "aberrant" individuals in order to contest this official displacement of blame and responsibility. The rhetorical strategies that I have been tracking can also be seen to be at work in the subsequent AR 15-6 Investigation of the Abu Ghraib Prison and the 205th Military Intelligence Brigade Report *(The Jones/Fay Report)*. Reading the *Jones/Fay Report*, one can again

discern the same displacement of blame onto the figures of "aberrant" individuals. The *Jones/Fay Report* asserts that "Doctrine did not cause the abuses at Abu Ghraib" and that "The abuse…was directed on an individual basis and never officially sanctioned or approved" (Danner 2005: 419 and 435). On the contrary, as I will proceed to demonstrate, the torture that took place at Abu Ghraib resulted fundamentally because of U.S. government policy. The decision of President Bush, on 7th February 2002, to suspend the applicability of the Geneva Conventions toward both al-Qaeda and Taliban fighters in Afghanistan enunciated a radical shift in policy that would effectively ramify down to the lowest levels of U.S. military doctrine and practice:

> Our recent extensive discussions regarding the status of al Qaeda and Taliban detainees confirm that the application of the Geneva Convention Relative to the Treatment of Prisoners of War of August 12, 1949 (Geneva) to the conflict with al Qaeda and the Taliban involves complex legal questions. By its terms, Geneva applies to conflicts involving 'High Contracting Parties,' which can be States. Moreover, it assumes the existence of 'regular' armed forces fighting on behalf of States. However, the war against terrorism ushers in a new paradigm, in which groups with broad, international reach commit horrific acts against innocent civilians….(Greenberg and Dratel 2005: 134).

Responsibility for the emergence of this "new paradigm," that will see the effective suspension of the Geneva Conventions, is unilaterally laid at the feet of "terrorists": "Our Nation recognizes that this new paradigm – ushered in not by us, but by terrorists – requires new thinking in the law of war" (Greenberg and Dratel 2005: 134). Bush then proceeds to outline the doctrinal ramifications of this "new thinking in the law of war":

> I accept the legal conclusion of the Department of Justice and determine that none of the provisions of Geneva apply to our conflict with al Qaeda in Afghanistan or elsewhere throughout the world because, among other reasons, al Qaeda is not a High Contracting Party to Geneva.
> …. Based on the facts supplied to the Department of Defense and the recommendations of the Department of Justice, I determine that the Taliban detainees are unlawful combatants and, therefore, do not qualify as prisoners of war under Article 4 of Geneva. I note that, because Geneva does not apply to our conflict with al Qaeda, al Qaeda detainees also do not qualify as prisoners of war (Greenberg and Dratel 2005: 134-35).

In *The Legal Narrative*, an essay that discusses the official memos that preceded and followed Bush's decision to suspend the Geneva Conventions with regard to both Taliban and al Qaeda detainees, Joshua Dratel writes: "like the Nazi's punctilious legalization of their 'final solution', the memoirs reproduced here [in *The Torture Papers*] reveal a carefully orchestrated legal rationale, but one without valid legal or moral foundation" (Greenberg and Dratel 2005: xxii). "The torture lawyers," writes David Luban, aimed "to construct a judicially-endorsed practice of permissible torture"; they "were constructing a torture culture" (Luban 2006: 71 and 51). The spurious "legal rationales" that will effectively lead to the suspension of the Geneva Conventions work systemically to cast this same convention as, in the words of Alberto R. Gonzales, White House Counsel, "quaint" and therefore "obsolete": "In my judgement, this new

paradigm renders obsolete Geneva's strict limitations on questioning of enemy prisoners and renders quaint some of its provisions requiring the captured enemy be afforded such things as commissary privileges, scrip (i.e., advances of monthly pay), athletic uniforms, and scientific instruments" (Greenberg and Dratel 2005: 119). As the American Bar Association has argued, in its condemnation of the Administration's refusal to include both Taliban and al Qaeda detainees under the protection of the Geneva Conventions, "There is no indication that there is any category of armed conflict that is not covered by the Geneva Conventions. The Geneva Conventions apply to the totality of a conflict including the regular forces, irregulars (whether or not privileged combatants) and civilians" (Greenberg and Dratel 2005: 1141-42).

The rhetorical moves deployed by the Administration to render the provisions of the Geneva Conventions "quaint" and "obsolete" function to undermine both the credibility and relevance of the Conventions so as to enable the eventual dismissal of much more substantive aspects of the Geneva Conventions:

> First, some of the language of the GPW [Geneva Conventions Relative to the Treatment of Prisoners of War] is undefined (it prohibits, for example, 'outrages upon personal dignity' and 'inhuman treatment'), and it is difficult to predict with confidence what actions might be deemed to constitute violations of the relevant provisions of GPW (Greenberg and Dratel 2005: 120).

The scripting of both "outrages upon personal dignity" and "inhuman treatment" as amorphous, "undefined" and therefore vacuous categories functionally enables these same categories to be dismissed in their application to both Taliban and al Qaeda detainees. It goes without saying that precisely what was unleashed upon the prisoners of Abu Ghraib was a combination of outrages upon personal dignity and inhuman treatment. And, despite the revelations of torture that occurred at Abu Ghraib, the Pentagon, in the revision of its *Army Field Manual* (which outlines "core instructions to US soldiers worldwide") is "pushing for its new policy on prisoner detention to omit a key tenet of the Geneva Conventions that bans 'humiliating and degrading treatment' "(Barnes 2006: 9). The key tenet that has been slated for omission is Article 3 of the Geneva Conventions, "which bans torture and cruel treatment of prisoners, whether lawful combatants or traditional prisoners of war" (Barnes 2006: 9). In justifying this key omission, the Pentagon has argued that Article 3 "creates an 'unintentional sanctuary' that could allow al-Qaeda members to avoid telling interrogators what they know" (Barnes 2006: 9). The violent twists of logic that inscribe this position need to be unpacked: a key tenet in an international convention against torture and cruel treatment of prisoners of war *unintentionally* generates a space of sanctuary from violence and abuse for captive prisoners and thus needs to be omitted and disregarded from the U.S. code of military practice!

The voluminous exchange of memos between President Bush and his legal advisers discloses a paper trail driven by the need to construct an elaborate appearance of a "legal rationale" that will legitimate torture. One of the most disturbing memos was issued by the Office of Legal Counsel, US Department of Justice to Alberto Gonzales, Counsel for the President:

> You have asked for our Office's views regarding the standards of conduct under the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment

> or Punishment as implemented by Sections 2340-2340A of the title of the United States Code. We conclude below that Section 2340A proscribes acts inflicting, and that are specifically intended to inflict, severe pain or suffering, whether mental or physical. Those acts must be of an extreme nature to rise to the level of torture within the meaning of Section 2340A and the Convention. We further conclude that certain acts may be cruel, inhuman, or degrading, but still not produce pain and suffering of the requisite intensity to fall within Section 2340A's proscription against torture. We conclude by examining possible defenses that would negate any claim that certain interrogation methods violate the statute (Greenberg and Dratel 2005: 172).

Putting to the side the examination of a convenient list of "possible defences" that might offer the perpetrators of torture legal impunity, the Office of Legal Counsel is here promulgating what would appear to be a finely nuanced biopolitical program of torture that pivots on questions of "intensity" and "severity". Torture is here positioned as only coming into ontological existence when the torturers produce levels of pain that are "of an extreme nature". Torture is, through this move, circumscribed by an ontological ground that must be, at every turn, shadowed by the possibility of death. The disturbing consequences of this biopolitical circumscription are clinically and lucidly elaborated under Section B of this memo, under the rubric of "Severe Pain or Suffering":

> The key statutory phrase in the definition of torture is the statement that acts amount to torture if they cause 'severe physical or mental pain or suffering.'…. Section 2340 makes plain that the infliction of pain or suffering per se, whether it is physical or mental, is insufficient to amount to torture. Instead, the text provides that pain or suffering must be 'severe'. The statute does not, however, define the term 'severe'. In the absence of such a definition, we construe a statutory term in accordance with its ordinary or natural meaning…. These statutes suggest that 'severe pain', as used in Section 2340, must rise to a similarly high level – the level that would ordinarily be associated with a sufficiently serious physical condition or injury such as *death, organ failure, or serious impairment of bodily functions* – in order to constitute torture (Greenberg and Dratel 2005: 176. My emphasis).

Torture, then, is delimited to the infliction of pain such that it either causes death or, alternatively, places the victim within the fatal parameters of "organ failure or serious impairment of bodily functions". Any violent action inflicted on the victim that fails to produce potentially fatal results is thereby quarantined from qualifying as torture. In terms of military doctrine, this extraordinary qualification must be seen as enabling and legitimating all the acts of violence performed on the prisoners of Abu Ghraib – as long as they did not result in death. In the wake of this fatal circumscription, torture is officially sanctioned along a continuum of carefully managed intensities, punctuated by levels of pain that, the reflexively disciplined torturer 'knows', must not go beyond that defined level of intensity that will place his or her victim within the domain of possible death.

Articulated here is a biopolitical economy of torture that is predicated on an objectifying theatricalisation of pain. This objectifying theatricalisation of pain demands the victim produce an intelligible, codified range of significations that will alert the torturer to the fact that he or she is crossing a seemingly visible and intelligible line in

the exercise of violence and the production of pain toward a clearly discernible death. This semiotics of torture produces a body that communicates its intensities of pain to the torturer in an apparently unequivocal manner, signalling through its repertoire of cries, moans, screams or faints whether or not the victim is approaching the irreversible line where she or he crosses over to death. Posited here is the notion of the torturer as a type of hermeneut, decoding and interpreting the symptomatology of pain and anguish offered up by the victim's body. The torturer plies the body, tears, brutalises and violates its surfaces and its interior. In the process, the torturer is positioned as semiotically intextuating the body: every injury is available to be interpreted as a sign that will communicate to the torturer precisely where, along this clearly legible continuum of pain (mild to severe), the victim is located. Inscribed within this economy of torture is a double violence: at the same time that the body is violently compelled to perform a repertoire of signs of trauma, the victim must speak the linguistic truth of confession, delivering up a narrative of secrets that fundamentally supplement the truth-in-violence exercised upon her or his body.

Let me quote once again the key section from the memo issued by the Office of Legal Counsel: "These statutes suggest that 'severe pain', as used in Section 2340, must rise to a similarly high level – the level that would ordinarily be associated with a sufficiently serious physical condition or injury such as *death, organ failure, or serious impairment of bodily functions* – in order to constitute torture" (Greenberg and Dratel 2005: 176. My emphasis). Within this seemingly rigorous circumscription of torture, the facticity of torture *qua* torture really only comes into being, paradoxically, in the death of the victim. The veridicality of torture, its truth-value, must be seen as ultimately predicated on the production of death. If one pursues the legal rationale of this memo to its logical conclusion, at the moment of the victim's death, the torturer is finally confronted with the incontrovertible evidence of having produced *torture as such*: the cadaver of the victim bears mute testimony to this fact. Before the unarguable evidence of this fact, the victim had merely been on a 'journey' toward torture. Within this teleological economy of biopolitical violence, it is only the terminus in death that establishes the fact that torture as such has taken place.

If the army doctrine found in Field Manual 34-52, *Intelligence Interrogation*, 28 September 1992, clearly acknowledges that: "When using interrogation techniques, certain applications of approaches and techniques may approach the line between lawful actions and unlawful actions. It may often be difficult to determine where lawful actions end and where unlawful actions begin" (Greenberg and Dratel 2005: 675) -- then, in the context of this biopolitical economy of torture that I have been mapping, the 'hermeneutical' question as to whether or not torture, and thus unlawful action, has taken place can only be definitively answered in the death of the victim. Moreover, as the American Bar Association makes clear in its response to the torture that occurred at Abu Ghraib:

> Section 2340A defines torture to be any 'act committed by a person under color of law specifically intended to inflict severe physical or mental pain…' The Administration has interpreted this "specific intent" language to virtually eliminate its use against torturers: '[E]ven if the defendant knows that severe pain

> will result from his actions, if causing such harm is not his objective, he lacks the requisite specific intent even though the defendant did not act in good faith'. So long as the purpose is to get information, this interpretation suggests that any means may be used (Greenberg and Dratel 2005: 1139).

In the face of the policy decisions, cited above, that formally and legally established a state of exception with regard to the practice of torture in the context of the "new paradigm", the investigative reports produced by the military in the wake of the disclosure of the torture of detainees at Abu Ghraib are characterised by the most flagrant disingenuousness in their shifting of blame to a few "aberrant" individuals. *The Mikolashek Report* (Department of the Army, the Inspector General, Detainee Operations Inspection, 21 July, 2004) argues that:

> Based on this inspection, we were unable to identify system failures that resulted in incidents of abuse. These incidents of abuse resulted from the failure of individuals to follow known standards of discipline and Army Values and, in some cases, the failure of a few leaders to enforce those standards of discipline (Greengberg and Dratel 2005: 636-37).

In the context of policy directives issued from the highest office in the land, the *Mikolashek Report* proceeds to conclude that "the DAIG [Department of the Army Inspectors General] did not identify a system cause for the abuse incidents" (Greenberg and Dratel 2005: 652). The systematicity of policy directives sanctioning torture must here be occluded, as a system effect is transmuted into a local, and thus contained, error generated by a few aberrant individuals. In his searing radio broadcasts from prison, Mumia Abu-Jamal has drawn repeated attention to the systemic status of racialised violence within U.S. prisons as something the U.S. military has exported to Abu Ghraib. Abu-Jamal has demonstrated how the U.S. military has sent prison personnel, such as Lane McCotter (who has an established record of violence within the U.S.'s "internal gulags"), to Abu Ghraib: "The horrific treatment of Iraqis at Abu Ghraib has its dark precedents in prisons and police stations across America" (2004a; 2004b. See Pugliese forthcoming for a more detailed discussion of the export of the U.S. prison-military-industrial complex to places like Abu Ghraib).

In both her autobiography and a recent interview, Janis Karpinski, the former Commander in charge of rebuilding the civilian prison system in post-Saddam Iraq, including Abu Ghraib prison, describes how Major General Geoffrey Miller, Commander, Joint Task Force Guantanamo Bay, was "sent to Abu Ghraib to review prison interrogation procedures" (2006: 197). Arriving on the 31st August 2003, he declared "he was going to 'Gitmoize' the operation; that meant he was going to extend his procedures [for interrogation of prisoners] at Guantanamo Bay to Abu Ghraib specifically" (Karpinski and Adams 2006; Karpinski 2006: 197). Evidenced here is the official transposition of Guantanamo Bay interrogation and torture techniques to Abu Ghraib – a transposition effectively sanctioned by the imprimatur of the President's "new paradigm" and the suspension of the Geneva Conventions. Karpinski quotes Miller as declaring soon after his arrival at Abu Ghraib: "'Look, the first thing you have to do is treat these prisoners like dogs. If they ever get the idea that they're anything more than dogs, you've lost control of your interrogation'" (Karpinski 2006: 198). When asked how far up the chain of command responsibility for the torture and abuse that occurred at Abu Ghraib

should go, Karpinski replied: "It needs to go all the way up certainly to the Pentagon, to the Secretary of Defense, his Deputy Secretary for Intelligence, who was literally joined at the hip with General Miller, directing how interrogations should be conducted and other techniques that should be developed; and we know that the Secretary of Defense does not work in a vacuum so that he reports to the Vice President in conjunction with the President" (Karpinski and Adams 2006).

Where, in the official investigative reports into the torture and abuse at Abu Ghraib, the policy directives sanctioning torture through the suspension of the Geneva Convention are acknowledged they are shown to have been misapplied by being deployed in inappropriate contexts. *The Schlesinger Report,* Final Report of the Independent Panel to Review DoD [Department of Defense] Detention Operations, August 2004, under the rubric of "Policy" argues that "Interrogators and lists of techniques [of interrogation] circulated from Guantanamo and Afghanistan to Iraq…. It is important to note that techniques effective under carefully controlled conditions at Guantanamo became far more problematic when they *migrated* and were not adequately safeguarded" (Greenberg and Dratel 2005: 911. My emphasis). The critical term "migrated" recurs in key moments throughout this report. It emerges, indeed, as a type of symptomatic repetition: "Law of war policy and decisions germane to OEF [Operation Enduring Freedom in Afghanistan] *migrated, often quite innocently*, into decision matrices for OIF [Operation Iraqi Freedom]" (Greenberg and Dratel 2005: 949. My emphasis). Inscribed here is a type of impersonal migratory drift of policy that possesses no agent or official source to whom responsibility can be assigned. This continental drift of policy is scripted as occurring through an indeterminate process of "migration" that, paradoxically, despite the fact it possesses no named agent or subject, proceeds "innocently" to influence "decision matrices" in Iraq's Abu Ghraib.

It is unsurprising that these moments of official disavowal repeatedly lay the blame for the torture and abuse that occurred at Abu Ghraib at the feet of a small number of individuals. The Fay-Jones Report, Investigation of Intelligence Activities at Abu Ghraib, August 2004, concludes that "the primary cause of the most egregious violent and sexual abuses was the individual criminal propensities of the particular perpetrators" (Greenberg and Dratel 2005: 1007). The American Bar Association Report to the House of Delegates, August 2004, makes short shrift of these official disavowals: "what does seem clear is that the memoranda and the decisions of high U.S. officials at the very least contributed to a culture in which prisoner abuse became widespread" (Greenberg and Dratel 2005: 1137). It was this very combination of government and military memoranda and the work of agents on the ground, such as Major General Miller, that enabled the institutional and structural violence of "Gitmoizing" Abu Ghraib prison. The systemic deployment of practices of torture captured in the "Gitmoizing" neologism is further evidenced by recent reports of torture and abuse at Bagram prison in Afghanistan: "From accounts of former detainees, military officials and soldiers who served there, a picture emerges of a place that is in many ways rougher and more bleak than its counterpart in Cuba" (Golden and Schmitt 2006).

Geocorpographies of Torture

In coining the term "geocorpographies" I want to encapsulate in one word the following thesis: that the body, in any of its manifestations, is always geopolitically situated and graphically inscribed by signs, discourses, regimes of visuality and so on. Its geopolitical markings can only be abstracted through a process of symbolic and political violence. The geopolitical significations that invest the body are constitutive of its cultural intelligibility. In arguing that what was perpetrated at Abu Ghraib prison was a geocorpography of torture, my aim is to bring into focus the violent enmeshment of the flesh and blood of the body within the geopolitics of war, race and empire.

In the context of the imperial war unsuccessfully being waged *outside* of Abu Ghraib prison, the prison itself must be read as a space that was mobilised by the U.S. in order to reproduce, at a micro level, another theatre of war. As theatre of war, in which the Geneva Conventions were politically suspended, Abu Ghraib operated in terms of a space where the power to torture and kill could be exercised with impunity. Abu Ghraib must be understood in the same terms that Frantz Fanon deployed in order to describe what he called the "colonized sector". In the "colonized sector", writes Fanon, "you die anywhere, from anything. It's a world of no space…. The colonized sector is a sector that crouches and covers, a sector on its knees, a sector that is prostrate. It's a sector of niggers, a sector of towelheads" (2004: 4-5). The violence of colonial occupation evacuates space: there is no space; rather, in this colonised sector, bodies become coextensive of space as such: they are the ground upon which military operations are performed and through which control of the colonised country is secured.

Within the internal confines of Abu Ghraib prison, the geocorpographies of the Arab prisoners became metonymic adjuncts of the external terrain of Iraq – as territory to be raped, mutilated into submission and conquered. Every act of insurgency exercised by Iraqis outside the prison could be, in a specular and symbolic manner, contained within the prison through the literal punishment and torture of the Iraqi prisoners. "Torture", writes Elaine Scary, "is a grotesque piece of compensatory drama…. because the reality of power is so highly contestable, the regime is so unstable, torture is being used" (1987: 28 and 29). Through practices of torture on the subjugated bodies of Iraqi prisoners, an imperial-white-heteronormative homophobic masculinity could be ritually, theatrically secured. Nowhere is this fact more graphically evidenced than in the image of a U.S. soldier sitting on an Iraqi detainee sandwiched between two stretchers: stripped naked, immobilised between the stretchers and crushed under the weight of the triumphant soldier, the geocorpography of Iraq is here rendered as effectively vanquished.

The crushing violence of this image evokes the shadow archive of white supremacist lynchings of African Americans; the tortures perpetrated at Abu Ghraib resonate with this horror archive on a number of levels (see Davis 2005: 52-55; Pugliese forthcoming). Situated within the racialised regimes of geocorpographies, the violent subjugation of Arabs can be seen to be coextensive with the white supremacist exercise of power over African American bodies in order to secure, symbolically and physically, control over their absolute others: "whites lynched African-Americans", write Stewart Tolnay and E. M. Beck, "when they felt threatened in some way – economically, politically, or socially" (1992: 3). In this

context, Tolnay and Beck identify lynching "as a mechanism of state-sponsored terrorism designed to maintain a degree of leverage over the African-American population" (1992: 50).

Prosthetic White Citizenship

Tolnay and Beck argue, in their analysis of the history of lynching in the U.S., that lynching served "as a symbolic manifestation of the unity of white supremacy" (1992: 50). This thesis would appear, on the surface, not to be applicable when transposed to the context of Abu Ghraib in that some of the military personnel who tortured the Iraqi prisoners were non-white. I would argue, however, that within the confines of this Iraqi prison, in which Abu Ghraib was made to signify as Orientalist prison-seraglio, the wielding of power through practices of torture must be seen as securing and reproducing a coercive form of unity of white supremacy that cuts across the actual ethnicities, both white and non-white, of the military personnel who performed the practices of torture. The multi-ethnic constituency of the military personnel at Abu Ghraib, in scripting the Arab prisoners as so many "sand niggers", participated in the collective reproduction of whiteness; whiteness here understood as that form of racialised power institutionally sanctioned to inflict pain and death on the coloured other with impunity. The scripting of the Arab prisoners as "sand niggers" enabled the non-white military personnel, momentarily at least, to recalibrate their status along the white supremacist racial hierarchy and resignify their own raciality in terms of what I would term "prostheticised whites" – that is, coloured subjects contingently and proximally positioned as whites because of their prosthetic assumption and reproduction of white supremacist values and practices.

As I have argued elsewhere (Pugliese 2005), the critical power in conceptualising race in terms of a *prosthesis* lies in the way in which it effectively dislocates race from its biological ground, as a type of naturalised biological datum, in order to disclose its status as *technè*, that is, as a biopolitical technology of power. In the context of Abu Ghraib and the multi-ethnic constituency of its torturers, the non-white soldiers who also participated in the torture of Arab prisoners must be seen as assuming whiteness in terms of a *scopic prosthetic*. As scopic prosthetics of whiteness, visual regimes of white supremacy are positioned as technologies of power that are contingently made available for uptake by non-white subjects. As scopic prosthetic of whiteness, the physiology of seeing is disclosed to be mediated by visual regimes of racialised power that structure how one looks and what one sees; the term 'scopic' underscores, in this context, the voyeuristic dimensions of looking that inscribes this particular visual economy. This scopic prosthetic must be seen as fundamentally enabled by the political, governmental and military exercise of white supremacy. In the assumption of this scopic prosthetic of whiteness, the assignation of whiteness could be temporarily secured by non-white soldiers through the production of violence against the Arab prisoners.

Whiteness is here understood not in terms of a biologically essentialised attribute, exclusively determined by one's phenotypical features (colour of skin, texture of hair and so on); rather, whiteness must be seen to operate in terms of a transnational technology of racialised power that is simultaneously contingent upon specific sites, subjects and relations. Whiteness, as Vron Ware argues, "is not reducible to skin color but refers to ways of thinking and behaving

'steeped' in histories of raciology" (2001: 205). As such, at Abu Ghraib, phenotypically non-white military subjects are enabled symbolically to assume a type of prostheticised whiteness in the face of another non-white subject. In Abu Ghraib prison, through the exercise of violence, whiteness – as a technology of racialised power invested with autonomy, authority, control and mastery – is secured through historically and culturally codified rituals of defilement, coprophilia, necrophilia, beatings and rape upon the body of the indigene, slave, detainee, victim.

The motility and prosthetic nature of raciality and racial power that I am attempting to delineate occupies that opaque space that Fanon terms a "penumbra". This penumbra, Fanon argues, "dislocates consciousness" and it can mean that in select contexts "some blacks can be whiter than the whites" (2004: 93). Within this penumbral schema of raciality and racial power, whiteness operates at once as embodied performative and as extra-biological; as such, it is contingently made available to be prosthetically grafted and taken up by non-white subjects. One could argue, in this context, that it is precisely this prosthetic form of whiteness that invests it with the dynamic resilience that enables it to secure, in Edward Said's terms, its "flexible positional superiority" (1991: 7) – regardless of context and of the phenotypical categorisation of its agents. In viewing whiteness in terms of a prosthetic technology of power, the dexterity, resilience and inventiveness of the category in terms of its ability to negotiate, rewrite and govern racial borders and categories becomes culturally and historically intelligible.

The assumption of prosthetic whiteness by non-white subjects within the context of Abu Ghraib cannot, however, be simply reduced to the exercise of a type of coercive psycho-dynamic of group solidarity driven by localised white supremacist relations of power. This localised view of what occurred at Abu Ghraib is too reductive: it fails to grasp the larger geopolitical and economic networks of white power that invest what unfolded in this military prison. The white supremacist dynamics operative at Abu Ghraib must be sutured back to the larger corpus of the U.S. nation and its ethnoscape of hierarchically organised relations of racialised biopolitical power. Operative at Abu Ghraib is what I term elsewhere "infrastructural whiteness", that is, the effaced structurality of whiteness as constituting a type of infrastructure that enables the reproduction of unequal relations of racialised power that translate into economic, political and social disadvantage for non-white subjects (Pugliese 2007). Situated within this macro context of infrastructural whiteness, the U.S. army operates as a conduit to escape structural poverty and economic disadvantage for Asian, Latina and Latino, and African American subjects. According to Lisa Cacho, over one quarter of employees in the U.S. army are Asian or Latino or Latina (2004).

In her work, Cacho has tracked the manner in which the army functions as a covert citizenship processing plant for illegal immigrants in the U.S. (2004). Douglas Gillison, moreover, has exposed the way in which U.S. Marine recruiters have been "selling and delivering counterfeit documents to illegal aliens in order for them to join the service" (2005). As Cacho argues, entry into the military is often represented for these ethnic groups as a route of escape from their illegal status, as citizenship can be conferred to non-citizens who serve in the military – even posthumous

citizenship can be conferred to serving non-citizens. In other words, placing one's life at stake in a war zone earns the illegal alien a right to "surrogate white citizenship". Cacho brings into sharp focus the double standards at work here: the life-risking dangers entailed for illegal aliens in the crossing of national borders will not earn the right to citizenship; however, life-risking violence in theatres of war effectively transmutes the illegal into the legal/citizen subject. Cacho delineates the effaced gendered dimensions of this national economy of illegal subjects militarily converted into surrogate white citizens: Latina and Asian women who reside in the U.S. under the status of illegal aliens play a fundamental, yet unacknowledged, role in servicing the military: "their reproductive labour enables the sourcing of citizens for war" (2004).

Situated in this context, I would name the "surrogate white citizenship" that is conferred on illegal aliens once they have been processed militarily "prosthetic white citizenship". Prosthetic white citizenship is what is conferred upon non-white subjects of the white nation. As a prosthetic, it is a citizenship that cannot be corporeally owned or nativised as the prosthetic of white citizenship remains visibly an adjunct to the non-white body. Understood within the doxic binaries of common sense epistemologies, prosthetic white citizenship is not *of* the body; rather, as *technè* (technology) in opposition to *physis* (the natural), it can never be corporeally nativised. Prosthetic white citizenship, as a technology of power, is always imposed or conferred from the outside (of the body); as white *technè*, it can only ever be taken up by its non-white subjects as simulation, precisely as a type of prosthetic limb that always gives away its adjunct status as non-native artifice. Even as prosthetic white citizenship can be conferred upon non-white subjects, it can, precisely because it is viewed in terms of an artificial adjunct to the non-white subject, be withheld and erased. I refer here, in the Australian context, to the recent deportation of the non-white Australian citizen, Vivian Alvarez Solon, back to the Philippines by Australian immigration officials and to the recent report documenting the wrongful imprisonment of up to ten Australian residents, including children and the mentally ill, within Immigration Detention Centres over the last few years (Metherell 2006: 7).

I mark this larger transnational economy in order to underscore the infrastructural whiteness – legislative, political, military and economic -- that enabled the white supremacist violence that unfolded within the confines of Abu Ghraib.

NIGHT SHIFT: ABU GHRAIB

In between the blows, under cover
Of the hood, you listen for the whisper of the fist
In the darkness it will come
Punctuating the sessions

Pivoting on a box, hooded mannequin trailing
Leads and wires, each surge of current
Electrifies you, the darkness crackles
Sparks fly and you jerk and writhe amidst
Fumes of singed flesh hair

For a moment, you radiate an aura --
A spasm of light exposes
A circle of boots that have already kneaded
Your flesh and ironed
Flat your vertebrae

The blood smeared across
The tiles traces the contours of dismembered
Geographies, cuts and contusions pool
Blood in lakes and estuaries that flow
Toward no ocean, moraines of splintered bone
Litter this landscape, tufts of hair
Wrenched from their sockets are wedged
Between the hinges of doors where heads were conveniently
Jammed, glistening shards of teeth litter

This bruised landscape in which uric seepings
Sour the ground

The tiles offer a grid
Against which to measure this disorder –
It is impossible to tell where your bodies begin
And end here there are no bodies only
Dismembered parts – legs, arms, buttocks
They are ordered into geometries of violence
That configure a kaleidoscope of heaped
Torsos and appendages –
In a moment of levity and triumph
The soldiers scale this human pyramid and
Stake the flag of freedom
Into the back of one of the prisoners.

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Notes

[1] I have retained the oral elements of the paper in order to mark the politically inscribed dimensions of the location at which it was delivered.

WHITE SUBJECTIVITY AND RACIAL TERROR: TOWARDS AN UNDERSTANDING OF RACIAL VIOLENCE

DAVID SINGH

Abstract

This article seeks to understand the enactment of racial violence, here symbolised by the British Union flag, from the perspective of white subjectivity. Utilising David Theo Goldberg's conceptualisation of "identity-in-otherness", and Aileen Moreton-Robinson's concept of the "possessive logic of patriarchal white sovereignty", the article makes the claim that racial violence is the predictable outcome of a whiteness that must negate the 'other's' difference whilst preserving the integrity of racialised space.

The argument is illustrated with examples drawn from three sources: the author's personal experience; the fictive portrayal of racial violence in Hanif Kureshi's novel *The Black Album*; and the events of the Cronulla Beach pogrom in December 2005.

Introduction

Racial violence and whiteness are the principal concerns of this paper. Using the fictive portrayal of racial violence in Hanif Kureshi's novel, *The Black Album* (1996), examples drawn from personal experience and the Cronulla Beach pogrom of December 2005, this paper will argue that racial assertion is central to racial violence. As such, the notion is advanced that racial violence should be seen less in terms of its supposed exceptionalism and irrationality, and more as the logical and predictable outcome of white racial subjectivity.

An alternate source of comfort to the idea that the Cronulla Beach pogrom was an aberration in the otherwise healthy narrative of Australian multiculturalism might be found in Shaun McGowan's characterization of a "white riot". McGowan, lead singer of the band The Pogues, was recently asked, on the twentieth anniversary of the punk band, The Clash, which was his favourite Clash single. He replied: "[a]ll the Clash singles come down to White Riot …. It was [about] a piss take of how pathetic white people are at standing up for their rights" (*The Observer*, October 26, 2006). One can reasonably infer from McGowan's comments that white people, in the British context at least, do not riot as effectively as black people; that whites rioting constitute a dubious spectacle for they lack the righteousness, anger and alienation that motivates black riots. This particular take on the Clash song reveals more, of course, about McGowan and his view of authenticity than it does about the supposed lack inhering in a "white riot". Yet there is a point to be made here about the way McGowan deprecates whiteness, which in turn has the effect of rendering whiteness harmless and transparent even when it has declared itself in violence.

The comedian Billy Connolly, commenting specifically upon the Cronulla episode in response to a question from host, Andrew Denton, on *Enough Rope* tried similarly to diffuse whiteness:

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> I didn't know what to do. I was kind of sad. I don't know, and I still don't think it was much to do with Islam. I mean the guys might be Lebanese and all that but I think it was people throwing their weight around, you know, trying to get their own way with girls and other people getting upset and all that kind of stuff. It didn't seem religiously or racially motivated to me. You know, I've never found the Australians to be, to be a racist community. I've always felt they were a bit like Alf Garnett. They were too honest about it to be racist you know? A racist is more covert than that like if somebody's going to tell a racist joke, you know how you can tell when somebody's going to tell a racist joke? They do that first (ABC, 2006).

It is a measure of the extent to which Australia has been naturalised as a white possession that Connelly could both place Lebanese Australians outside the body of the nation, and decline to specify which Australians he had in mind when rejecting the idea that Australians were racist. His reassuring assessment was undone, however, with the unflattering comparison to Alf Garnett: a white fictional character on the BBC television 'comedy' *Till Death Do Us Part*, who was notorious for his bigotry, racism, homophobia, anti-Semitism and misogyny. Garnett was often mimicked in the school playground, pubs, clubs and workplaces, with the intention of inducing fear in those who would typically be regarded as the focus of Garnett's rants. Garnett was certainly not harmless, and the Cronulla pogrom was just that: an organised, officially tolerated attack on a community. Personally, the racial terror visited upon the hapless was all too familiar, and the already nagging sense that I was not at home was confirmed.

Before I proceed I am aware of the need to locate myself in relation to this 'place', both in terms of *from* where I write in relation to Britain, and *in* which I write in relation to the Cronulla Beach pogrom. In neither case am I *of* this 'place', for this simply cannot be. As Aileen Moreton-Robinson has stated:

> Non-white migrants' sense of belonging is tied to the fiction of Terra Nullius and the logic of capital because their legal right to belong is sanctioned by the law that enabled dispossession. (2003: 26)

The facticity of this statement serves to unsettle my already ambivalent relationship to Australia. In 1959 my father arrived in Brisbane from the Fiji Islands but was barred from settling because of the so called White Australia policy. He instead made his way to England, arriving one cold morning at Waterloo Station, along with dozens of other migrants from the Caribbean Islands and Eire. I arrived in Brisbane from London some forty years after my father, though this time I was deemed worthy of settlement by virtue of my 'skills'. The irony of my being here is not lost on us both, and I initially thought that I could bring my black British anti-racist activism to bear upon this 'place'. However, to read the work of Aileen Moreton-Robinson (2003, 2004), Damien Riggs (2006), Suvendrini Perera (2005, 2006), and Fiona Nicoll (2000) is to realise that this is not possible, for the terms of my political intelligibility (Riggs 2006) have been set by a normative Australian whiteness premised upon a disavowal of Indigenous sovereignties. Indeed, the more I research, write and speak about racism, the greater my collusion with this disavowal. My anti-racist philosophy, in this place, renders my blackness 'white'. So I now define myself by my non-Indigeneity and seek another place, outside 'nation', in which I may become intelligible. It is in the spirit of this search that this paper is written.

The Union flag, or the Union Jack as it is more affectionately known, has flown over all the places my family has resided. Synonymous with whiteness, it should be of no surprise that the flag has never welcomed us into its protective embrace; and nor for that matter has it been indifferent to our presence. On the contrary, the flag has had us under surveillance for as long as I can remember, and on more than one occasion has knocked upon our door in various guises. Watching the television images of the Cronulla pogrom, I was struck by the sight of the Australian flag. It was only later that I realised that it was in fact the sight of the Union flag, perched on the Australian flag, that had so affected me. The Australian flag here was transversal in that it spoke to a white racism found eleven thousand miles away in the British Isles - where the Union flag also serves as a symbol of unyielding whiteness and racist violence. For many years, especially during the late 1960s and early 1970s, white skinheads would engage in "paki bashing" (a distant cousin to "leb" and "wog bashing"), where anyone of Asian appearance was targeted (Hebdige 1979: 55-58). Crucial to the skinhead identity was the Union Jack badge, cloth patch or tattoo, the very sight of which was intended to induce terror in victims; the last thing you might catch a glimpse of before feeling the bone shattering pain of a steel toe capped, eighteen-hole, cherry red Dr. Marten boot. British racial terror, then, finds expression in an Australian variant: kith and kin, blood and bone.

In Australia the British flag spurred an originary violence which, in terms of scale, routine and cruelty, seems altogether of a different order to any that can be found in Britain. Of the seemingly countless and horrifying examples of racial violence, the so-called "death pudding" challenges even scholarly comprehension. As the historian Raymond Evans writes, in relation to frontier violence in Queensland:

> The act of poisoning whole communities of Aborigines (sic) with arsenic or strychnine-laced milk or rations – the so-called "death pudding"- may be regarded from one view point as the most sinister and brutal of atrocities in the "war of the races" (1993: 49).

Evans later quotes the "jovial way" a Harold Finch-Hatton reported upon how a squatter of his acquaintance gave the "niggers….something really startling to keep them quiet" (1993:49) in the shape of poisoned food:

> The rations contained about as much strychnine as anything else and not one of the mob escaped. When they awoke in the morning they were all dead corpses. More than a hundred Blacks were stretched out by this ruse of the owner Long Lagoon. (quoted in Evans 1993: 49).

Lest I, a lately arrived migrant, think that such violence is confined to frontier relations of the past, the relatively recent events on Palm Island serve as a blunt corrective. Dinesh Wadiwel, examining governmental violence against Aboriginal people could almost be addressing me directly when he writes:

> Consider the events of 19 November 2004, after an Aboriginal man died in a Palm Island police cell after sustaining a ruptured liver and portal vein and four broken ribs before death. After the release of the pathologist's report confirming these facts, and confirming the community suspicion that the man was beaten to death, a series of riots occurred, during which the police station was destroyed. In response the Queensland Government

> announced a state of emergency. (Wadiwel 2007:150).

This sounded very much like a war zone. '"Surely not", I heard myself saying, "I have come here voluntarily; migrated here in the hope of securing a better future for my family. This cannot be". Suvendrini Perera would doubtless recognise and perhaps even sympathise with my reaction, as in her essay *Who Will I Become?* she writes:

> …this is something I didn't understand about Australia when I came here: that many of the places I have driven through, or casually hear about, are names in a war zone. And that the places and names of a people's imagination and being from which they have been violently displaced. (Perera, 2005:33).

Dinesh Wadiwel had not yet finished with me. Confirming that warfare is indeed being waged within Australia he states:

> The warfare operates through interconnected spaces of exception, hotspots within a protracted and violent engagement of bodies. Many enjoy a life of peaceful civility, but this is quite literally bordered upon by spaces of absolute war. Bodies continue to be maimed, and lives extinguished in these spaces of exception; there is an unending war of attrition that occurs in basements and barracks, prisons and institutions, camps and frontiers (Wadiwel, 2007: 151).

Both Wadiwel and Perera worked to confirm the nagging suspicion that my brand of British anti-racism was not up to the task of deployment in a land of perennial warfare. Where to from here?

Britain is certainly not a 'war zone', though some beleaguered families may beg to differ, facing, as they do, nightly campaigns of harassment involving arson, faeces and soiled sanitary items inserted through letterboxes, graffiti, verbal racist abuse and physical assault. In cases such as these the Union flag's stance is markedly one of repulsion: "you stink"; "they smell"; "go back to where you came from"; "I'd rather be a paki than a scouser". The extent of the blight on black and Asian lives was captured by a 1981 Home Office report which indicated that Asians were 50 times more likely, and African Caribbeans 36 times more likely than whites to be victims of racially motivated attacks[1]. In contrast to racial harassment, racial attack is usually marked by a high degree of violence and results in physical as well as psychological injury; and then, of course, there are racial murders: the final sanction. Particular murders, such as that of Anthony Walker in Liverpool in 2005 are considered heinous because of the level of violence involved (in Anthony's case, a mountaineer's ice axe was used); the seeming randomness of the attack and the complete lack of provocation (*The Observer,* August 7, 2005). The tragic, arbitrary and seemingly exceptional nature of the attack is captured by the popular rationalization of "being somewhere at the wrong time and at the wrong place".

As a multicultural policy advisor in an Australian municipal authority, I found a similar explanation put forward by the police and non-governmental

[1] The 1981 Home Office report *Racial Attacks,* found that the rate of racially motivated victimisation was 1.4 per 100,000 population for whites; 51.2 per 100,000 for African-Caribbeans; 69.7 per 100,000 for South Asians. Hence, the study showed that South Asians were 50 times more likely than whites to be victims of racist incidents and African-Caribbeans 36 times more likely (quoted in Virdee, *Racial Violence and Harassment* 13).

organisations to explain the 'bashing' of a Sudanese man by two white males. At a meeting held to air the Sudanese community's concerns regarding attacks on their members, the police denied that there was a racial motive to the attack, although when quizzed as to their definition of a 'racial incident', it was admitted that there was not one. When then pressed as to how a racial motive could be discounted in the absence of an operational definition of the same, the Police responded by announcing that it was time that we discussed the criminality of young Sudanese males!

There are lamentably few dedicated studies of the phenomenon of racial violence and its connection to the formation and maintenance of white subjectivities. In the few British studies, there are hints of a connection between whiteness, racial violence and spatial claim. Thus, in Susan Smith's study of the emergence of racial segregation in Britain, she reads racial violence "as an expression of territoriality – as a popular means of asserting social identity, of defending material resources and of preserving social status" (1989:162). Barnor Hesse, in his study of racial violence in north-east London, extends Smith's reading by suggesting that a particular white identity, imperious in nature, is at work in the perpetration of racial violence (1992: 173).

David Theo Goldberg has highlighted "identity-in-otherness", where subjects recognise themselves in contrast to the other's difference, as being indelibly marked by violence. In *Racist Culture* (1994) he argues that the assertion of self determination, which necessarily precedes self-recognition, requires that the "other" be negated. Furthermore, where self-recognition is racially predicated, this negation requires that the "other" be cast as enemy and engaged in relations of violence (1994: 60). I observed Goldberg's idea of "negation" at close quarters in 1989. An Asian taxi driver, Kuldip Singh Sekhon had been stabbed to death by a white passenger at the entrance to a predominantly white housing estate in west London. As someone who was employed to advocate on behalf of families who were being subjected to racial violence, I accompanied Malkit Sekhon, Kuldip's wife, and her five young daughters, to the funeral undertakers to view the body. It was two months after the murder, by which time the body had been subjected to two post-mortems. The undertaker, before allowing us into the room in which the body was kept, asked us to bear in mind that the body was no longer the man known in life, that he was now effectively "a piece of meat". As we stood around the body, Malkit asked that the children be held up to touch each stab wound. I balked at the suggestion and protested mildly. Malkit insisted and I yielded by holding her six year old daughter over the body. The child seemed unsure of what she was to do. Malkit then reached over, took the child's hand and placed it on one of the fifty-eight stab wounds.

Looking back I begin to understand what Malkit was attempting that day. Of course, Kuldip had been literally effaced, wiped away. Yet, Malkit inhabited a space beyond the material fact of her husband's death. By encouraging her family to ritually touch each of the wounds, she was attempting to infuse the body with emotion so as to reignite some life-force that perhaps lay dormant these past two months. Although she could not return him to life, she was effectively trying to restore Kuldip to himself and to his family. She was reinstating her husband's erased self.

An episode from Hanif Kureshi's *The*

Black Album (1996) is similarly illustrative of negation of the "other". The novel is set in London, 1989, where a student, Shahid Hasan, is trying to fashion for himself a "black British" identity. However, the skinheads who pursue him, and the religious fundamentalists who entreat him to join with them, consider him Pakistani. He observes the effects of forced essentialisation in a racially harassed Bengali family, a family that he, along with other students, has volunteered to protect:

> The family had been harried – stared at, spat at, called 'paki scum'- for months, and finally attacked. The husband had been smashed over the head with a bottle and taken to hospital. The wife had been punched. Lighted matches had been pushed through the letter box. At all hours the bell had been rung and the culprits said they would return to slaughter the children. Chad reckoned the aggressors weren't neo-fascist skinheads. It was beneath the strutting lads to get involved in lowly harassment. These hooligans were twelve and thirteen years old (90).

Here it can be seen that harassment, without any effective intervention on the part of the municipal authority or the police, has escalated into two serious assaults against the husband and wife. There are threats also to kill the children, as well as attempts to murder the entire family in a single effort through arson. Chad's assessment of the likely perpetrators dispels the comforting notion that extremists are mostly responsible for racial violence. Instead, the suggestion is that on this occasion children as young as twelve might be responsible. Here Kureshi is stressing that racial violence cannot be dismissed as the exceptional activities of a few 'bad apples'. It has become a mainstream activity: a source of amusement for the young, along with other illicit but common pleasures such as smoking and graffiti tagging.

What is also striking about this passage is that Kureshi does not name the family. They have been forcibly essentialised, reduced to the racist epithet "paki". They are also known only as "husband", "wife", "woman" and "children". Certainly, they serve as archetypes of the racially harassed family. Yet it is also the case that the harassment and violence have effaced their personal histories and trajectories, their hopes and aspirations: in short, their very humanity. This effacement is stressed in the following passage describing the arrival of Shahid and his friends at the besieged family's home:

> Their driver whispered at the letterbox and the woman, after the rattling of many locks, opened the door. The flat, with its busted furniture, boarded windows and mauve view of the city below, was lit by only the TV and one shaded lamp. The woman wanted her enemies to think the family had fled (90).

No personal mementoes appear to decorate the flat; nothing that would indicate that this was anything other than empty space. Indeed, the "woman" is keen to give the impression that the family have left. Any expression of presence, much less personal identity, is to invite further reprisals. Better, then, to strategically collude with your own effacement as a means of self preservation.

The family can only be restored to themselves if they move away to what is described as a "Bengali estate" (90). However, until that time, there is always the danger that their effacement will become permanent through an act of fatal violence. Shahid and his accomplices have therefore taken it

upon themselves to protect the family using an array of weapons that includes "cricket bats, clubs, knuckle dusters, carving knives and meat cleavers" (90). Here, we are left in no doubt that Shahid and friends are insisting not just on the family's tenure, but also their own. The family's protectors, therefore, represent a second generation that will not cower before racial terror.

Kureshi's treatment of racial violence is broadly in line with Smith and Hesse's reading of the phenomenon as the outcome of a racialised territorialism (Smith 1989: 162; Hesse 1992: 173). It would appear that where proprietorial claims to territory are bound up with racial subjectivity, the will to self determination appears to be especially ferocious. The whiteness that is consequently given expression in the name of space, place and self is one that must force the 'other' away or efface entirely: racial harassment or racial murder. Aileen Moreton-Robinson (2004: 2) and Damien Riggs (2006: 95) have opened up Goldberg's notion of identity-in-otherness to include this significant territorial facet. Moreton-Robinson's conceptualisation of the "possessive logic of patriarchal white sovereignty" (2004: 2) highlights the ways in which white ownership *remains unmarked* as "part of commonsense knowledge, decision making, and socially produced conventions" (2004:2). Yet where racial violence occurs, it must be because this possessive logic has been decisively challenged. In this circumstance whiteness *declares itself* through violence. This, I would argue, is what happened at Cronulla in December 2005.

The drive to self-consciousness and the possessive logic of patriarchal white sovereignty can clearly be discerned during the events at Cronulla. Take the placards, for instance, where identity is sought through effacement of the other: "No Lebs"; "Free snags. No Tabouli"; "We grew here, you flew here". These Manichaean pairings, each stressing "self" and "other", tenure and trespass, function as white affirmations; techniques to ride out the pain of identity affirmation: the 'other' as midwife to ever more strident incarnations of white Australianess. In this context, violence is not exceptional; it is inevitable. As Goldberg states, "what begins to emerge from this racial subjectivizing is a subjection to violence" (1994: 59).

The subsequent rave and riot in whiteness was fuelled by the drug of choice: the "native-ised" essence, the hallucinative properties of which were comprehensively described by Suvendrini Perera in her paper *Race terror, Sydney 2005* (2006: 8). Whiteness with wild abandon, then; an orgy of whiteness whose collective climax had the orchestrating club DJs from the Ministry of Hate running to the "Chill Room".[2].

Given the line of the argument so far, it is difficult to entertain fully Goldberg's further claim that "the self-assertive drive to determine one's conscious identity reveals an ambiguity in the determination of subjectivity by racial discourse". As such, he continues, "the possibility of compatibility and solidarity beyond race may be entertained" (1994: 60). In the case of racial violence it is at not all clear how solidarity beyond race can possibly be entertained. To begin with, race is not symmetrically ascribed. As both Aileen Moreton-Robinson (2004: 2) and Damien Riggs (2006: 101) have cogently argued, the

[2] The role of Sydney radio talk show hosts in possibly inciting the events at Cronulla will hopefully receive more critical attention in future.

"'other' is marked as 'having race', whilst the normative white self is not marked as raced" (Riggs 2006: 101). In moving beyond 'race', then, must the onus be on the 'other' to make the first move? Furthermore, when this invisibility is ruptured following territorial incursion, the whiteness at work through the enactment of racial violence is revealed to be of a particularly congealed kind. This ossification is a consequence of its previous transparency; resistant accretions of privilege over time. It is a whiteness that requires less effort to determine subjectivity, thus reducing the degree of ambiguity that would otherwise open up possibilities 'beyond race'.

In this context, racial violence also has the paradoxical function of facilitating the return of whiteness to its unmarked status. Riggs takes Goldberg's analysis further by revealing the way in which racialised difference is:

> …actually constructed on the terms of the same - racialised difference is structured upon the incorporation of incommensurable difference into a logic of sameness, whereby the location of those who refute white hegemony (e.g. Indigenous people in Australia) is incorporated into the self/other split produced under colonialism. This insistence on incorporation is aimed at erasing the anxiety of that the racial other[….] produces (2006: 101).

Racial violence can also be read as the drive to restore the "fixity of mutually exclusive subject categories for the coloniser and colonised" (Riggs 2006: 101). "Incommensurable difference" (Riggs 2006: 101) is effaced in order to reinstitute an essentialisation or stereotype, thus allowing whiteness to be restored to its normative "self". As Malkit Sekhon's defiance demonstrates, there is a dialectical relationship at work here between effacement and reinstatement that stifles the potential for solidarity.

To conclude, I have argued that racial violence is constitutive of white subjectivity: violent acts intended to efface the "other", both literally and the "other's" "incommensurable difference" These acts also involve an insistence on a racialised proprietorship of space and place.

In the aftermath of racial murders, or racial 'disturbances', there is a need for an official explanation. The police investigation or official inquiry serves to neatly suture the episode; a healing wound on an otherwise unmarked body. Whiteness congeals with the balms of national and local golden age community discourses; a time before the "blacks", "wogs", "lebs" and "pakis" came. However, whiteness is always ready to break cover and assert itself, especially in the name of space and place: it will seep and finally pour forth, seeking out the 'other' against which it will once again rail, and then congeal. And so the cycle continues. Racial violence, therefore, is not so much exceptional as inevitable, and this shall remain the case so long as whiteness insists on rigid categories of 'self' and 'other'.

Finally, Suvendrini Perera's paper on the Cronulla race riot contains a remarkable passage which describes the "nameless space" out of which emerged her imperative for writing the paper (2006:13). This "nameless space" is familiar. It is a space dangerously close to the material realities of racist victimisation. As well as marked by terror, however, it is also a space of agency, where one may retrieve their dead and injured, be left to stare blankly, show fear without fear, establish meaning beyond juridical motive, reclaim self, scream,

shout and cry. From Britain I bring my dead and injured to this space. Malkit Sekhon accompanies me and I realise that it is perhaps I and not the Union flag that unites these places and experiences. The earlier question "where to from here?" might just be answerable: "nowhere in particular for I am a nexus, neither here or there. It is from this position that I ask to speak, and it from here that I will support Indigenous sovereignties."

I have also brought with me Doreen Lawrence, the mother of Stephen Lawrence, to this nameless space. She too found the imperative to write, and in so doing, continued to insist on Stephen. I conclude with an excerpt from her biography, *And Still I Rise*:

> Every year I have a small vigil for Stephen on the anniversary of his death. David Cruise, our former minister, always remembers the dates of Stephen's birthday and of his death, and makes an effort to come with me if I need him. We go to the exact place on Well Hall Road where my son died, sometimes just the two of us[….] and people seeing us standing at the spot and realising why we are there often come and join us. Some people driving past stop their cars and come onto the pavement; some toot their horns in respect. Others can be aggressive, jeering at us as we stand there. I bring flowers to lay on the plaque but I can't stay very long, because I am conscious of being watched and I don't feel safe there. The Brook Estate just opposite […….] is still a bastion of white resentment. Black families do not feel comfortable in those streets, and until recently they were driven out if they went to live there (2006:218).

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THE LAST BARRIER

OUYANG YU

there is no racism in australia
only the language

the language of a people
rightly selected from the beginning

who closely embrace all the migrants
within the language

of departments dominated
by oxbridge

who know how to maintain
the purity of a language

of government officials
whose duty it is to be

linguistically correct
so that asian must sound like asiatic

and celebrate multifacets of an ism
with this single language

of hard, and subtle, examiners
who know how to monitor the progress

of an examination
that started as early as the birth

of this nation
down to the last word:

oh
straight
liar

Author Note

Ouyang Yu is a leading Chinese-Australian poet whose poetry has appeared in magazines and literary journals around the world. His poem "The Last Barrier" was published in *Foreign Matter* (2003) by Otherland Publishing. It is also a self-publication by Yu who won the Fast Books Prize for Best Poetry in the self-published category

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BOOK REVIEW:

PENNY VAN TOORN. (2006) WRITING NEVER ARRIVES NAKED: EARLY ABORIGINAL CULTURES OF WRITING IN AUSTRALIA. CANBERRA: ABORIGINAL STUDIES PRESS, AIATSIS. RRP $39.95

MARYROSE CASEY

In Australia it has been a common practice to label every creative expression from Indigenous and non-Indigenous artists as the first of its kind. This first is usually located after white Australians have been celebrated as having accomplished the act first and laid the foundation for others to follow. In the case of Indigenous writers, it has been a point of benevolence since the 1960s to acknowledge the 'first Indigenous writers'. From nothing, from *terra nullius*, these writers arrive. This framing of writers since the 1960s depends on the imposition of the exclusive binary between oral and literature based cultures that has dominated the terms of discussion for decades. Compounding this binary is the effective erasure of Indigenous engagements with European style literacy and writing prior to white acknowledgement of the practices. Penny van Toorn's latest book *Writing Never Arrives Naked* challenges the exclusivity of the binary and the erasure of Indigenous engagements with European style texts prior to the mid twentieth century. Extending this challenge van Toorn, contextualises the standard notion that the coloniser's written culture superseded Indigenous oral cultures. She reveals a rich history of Indigenous communities developing their own cultures of reading and writing, involving a complex interplay between their own social protocols and the practices of literacy introduced by the British. Van Toorn has published widely on the Indigenous literatures of Australia and Canada. Over much of the last decade she has contested the claim that Indigenous Australians had no 'writing' from a variety of perspectives. This book builds on and extends her earlier arguments.

From the first pages of the introduction van Toorn engages with the myths of representation, the literary and scholarly framing of Indigenous Australians as 'early man', only seeing drawings of fern roots in the writing on the page (p 1-2). She demonstrates how the claim that Indigenous Australians had no writing system was used to support the construction of them as primitive, in doing so she contests the evolutionary progress narrative that sees writing and literacy as something which begins in a pictographic stage, advances to an ideographic stage and finally becomes 'writing proper' (Van Toorn 2006:72). In this book, van Toorn sets out to study Indigenous Australian writing through a different theoretical lens by moving beyond Eurocentric concepts of authorship, looking at genres other than fiction and poetry and situating reading and writing within specific cultural contexts.

The result of this shift in focus is recognition that the first Aboriginal author in the European sense was Bennelong. Van Toorn reconstructs the

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ways in which, from the early years of colonisation, Aboriginal people used writing to negotiate a changing world, to challenge their oppressors, protect country and kin, and occasionally for economic gain. In fact rather than, as represented by white authors, throwing away written pages in ignorance, shortly after settlement Aboriginal people were exchanging written texts as curiosities, and integrating letters of the alphabet into their graphic traditions. During the 19th and 20th centuries, Aboriginal people played key roles in translating the Bible, and made their political views known in community and regional newspapers. They also sent numerous letters and petitions to political figures, including Queen Victoria. Van Toorn extends her argument and analysis to frame Indigenous Australian, contemporary life-writing as actually part of 'an older discursive formation that dates back to early colonial times, and incorporates traditional indigenous paradigms and protocols of oral communication' (Van Toorn 2006:1).

The book is a fascinating reconstruction of the cross cultural exchange of writing systems. She examines the different types of engagements with the European alphabet and writing practices by Indigenous people. Occasionally, she focuses on colonial European settlers' recognition and engagement with Indigenous writing systems such as message sticks as 'blackfellows' letters' (Van Toorn 2006: 211). The strength in the book is van Toorn's careful reconstruction of Indigenous engagements, multiple uses and deployments of European writing in specific cultural contexts. In the process, she persuasively demonstrates the essentialist basis of the oral/literacy binary and the evolutionary progress narratives about culture and people developing from oral traditions to literate. This book is an important contribution to debates around the dominant narrative that Marshall McLuhan expressed in the 1960s, that the 'phonetic alphabet, alone, is the technology that has been the means of creating' contemporary society (Van Toorn 2006:224).

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