

Settler Colonialism: Then and Now

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Text of 10th Edward Said Memorial Lecture, Princeton University, Thursday, December 6, 2012.

Reading Text (no footnotes)

Europeans who came to the New World were preoccupied with the ways in which the it was not like Europe. Eurocentric thought was second nature with them. Over the centuries that followed, there developed a body of work known as American Exceptionalism. The benchmark text for this scholarship is the mid-19th century reflection on America by the French aristocrat and political theorist, Alexis de Tocqueville, was the benchmark for the body of work that focused on American exceptionalism. Even today, *Democracy in America* is required reading in most programs in political theory or American politics. De Tocqueville argued in *Democracy in America* that the key feature distinguishing America from Europe was the absence of feudalism: not tied down by the baggage of feudal tradition, America could enjoy the benefits of revolutionary change without having to pay its price.

Ever since De Tocqueville, an important section of America's thinkers have written its autobiography as reflected in a European mirror. A Eurocentric perspective has shaped the contours of an important part of American political theory. The American autobiography is written as the autobiography of the settler. The native has no place in it. The official museum built in Washington D.C. to commemorate this history is called the Museum of the American Indian, not the Museum of the Native American. Most American tribes call themselves Indians, not Natives. The reluctance to speak of themselves as Native Americans springs from a profound sense of not being a part of America as a political community.

The autobiography of the settler begins with a nudge from Europe. This is how Louis Hartz put it: "When Tocqueville wrote that the 'great advantage' of the American lay in the fact that he did not have 'to endure a democratic revolution', he advanced what was

surely one of his most fundamental insights into American life.” No feudalism translated into no revolution and no strong state – a combined legacy that was said to explain a pervasive individualism in American life. This is how Hartz wrote of the Jefferson and the Jackson eras: “where the aristocracies, peasantries and proletariats of Europe are missing, where virtually everyone, including the nascent industrial worker has the mentality of an independent entrepreneur, two national impulses are bound to make themselves felt: the impulse toward democracy and the impulse toward capitalism.” For Hartz, “it is the absence of the experience of social revolution which is at the heart of the whole American dilemma” why “we find it hard to understand Europe’s ‘social question’” and “we are not familiar with the deeper social struggles of Asia.” For Louis Hartz, a non-feudal society was bound to lack both “a genuine revolutionary tradition” and “a tradition of reaction.” Unlike Europe, America inherited equality, without having to struggle for it.

Hartz thought this fact explained the downside of the American experience, its stifling consensus. The absence of feudalism, he cited Sir William Ashley, meant “there was no need for the strong arm of a central power to destroy it.” It is the lack of a challenge, of a cause, that explains “the sterility of our political thought.” For the American problem was not “the problem of the majority, which the Americans agonized themselves over so much, but the problem of virtual unanimity,” and it explains “why America has not produced a great philosophic tradition in politics in times of peace.”

If Hartz focused on the U.S. as a fragment of Europe, separated from it in space, Michael Walzer contrasted European non-immigrant societies with the immigrant experience in America, for immigration both necessitates and makes possible a radical rupture between culture and territoriality. This is how Walzer understood the difference between Europe and America: Where there is “an anciently established majority” as in European societies, “politics is bound to draw on history and culture” and “the state won’t be neutral in the American style.” Rather, “the existence of a majority nation will always make for a strong state.” Taking as normal the perspective of the European majority in America, Walzer sees the state as neutral and society as comprising of immigrants, rather than settlers, slaves and natives. American pluralism, says Walzer, is not that of an empire but of an immigrant society, why this single fact – in the mind of

Walzer – distinguishes immigrant societies like the U. S., Canada and Israel from non-immigrant societies like those in Europe. Difference in Europe was territorially-grounded but in America it was groundless. For Walzer, Europe is ‘tribal’ and America ‘multicultural’. If European ‘tribalism’ was political, joining territory with nationality, American ‘multi-culturalism’ was cultural, based on a rupture between territory and nationality. But this rupture would be far more understandable if Walzer acknowledged the pre-history of American ‘multi-culturalism’: that it flowered on a bed prepared by the conquest and decimation of ‘tribes’ in America. This single bit of historical honesty would clarify that immigrant societies – whether USA, Canada or Israel – are more so settler societies.

The fact is the difference between the voluntary immigrant and the involuntary non-immigrant did not just capture a difference between Europe and the United States, it also captured a key difference inside the United States. Walzer was of course not unaware of this. He wrote, “Here, too, of course there are conquered and incorporated peoples – Indian tribes, Mexicans – who stood in the path of American expansion, and there are forcibly transported peoples – the blacks – brought to this country as slaves and subjected to a harsh and continuous repression.” But Walzer considered the colonial question to be a historical relic: the rights of “aboriginal peoples like the Native Americans or the Maori in New Zealand ... are eroded with time.” This erasure in time, this dimming of memory, according to Walzer, was true also of Palestinians inside Israel, but not, for some reason, of ancient Israelites. Walzer never gives us a reason for this Israeli exceptionalism. When it comes to the future, Walzer goes on to recommend “some kind of local autonomy for Arab towns and villages” inside Israel, but finds autonomy for American Indians problematic for “it isn’t at all clear that their way of life can be sustained, even under conditions of autonomy, within liberal limits” for “it isn’t historically a liberal way of life.” Walzer’s tendency is to ascribe to minorities precisely those characteristics forced on them by conquest or extreme coercion – such as a coerced and enforced group membership, and often a territorialized existence as in a ghetto or a reservation – and thereby to dismiss their claims as either belonging to the old world (‘tribal’) or as antiquated (rights ‘that erode with time’).

Walzer tends to naturalize the history of race and conquest. He says of the US: “the boundaries of the new country, like those of every other country, were determined by war and diplomacy” and “immigration ... determined the character of its inhabitants.” In the process, he sets aside two salient facts: one, that conquest determined not just the boundaries of the US, but its very body. Two, not everyone participated in the political constitution of this body or chose to emigrate to it. Walzer argued that American pluralism was an artifact of the majority race: even if minority races were “politically impotent and socially invisible,” he claimed, “the shape” of American pluralism “was not determined by their presence or by their repression.” But even if this was the case, then surely Walzer’s contrast between Old World corporatism where groups are assigned members and American voluntarism where membership is self-assigned held only for ethnic groups that differentiated the Euro (‘white’) settler majority, but not for racial groups that were distinguished from them as non-white.

If Michael Walzer was part of the liberal right when it came to the literature on American exceptionalism, Seymour Martin Lipset was an illustrious member of the liberal left in the academy. Preoccupied with a single question – why is the United States the only industrialized country without a significant socialist movement or labor party? – Lipset too turned to de Tocqueville to answer it. Lipset noted that the question had been posed by some of the most important left intellectuals in Europe, from the German socialist Werner Sombart in *Why Is There No Socialism in the United States?* to H.G. Wells in *The Future of America* to Engels in *Socialism Utopian and Scientific* to Antonio Gramsci in his explorations of ‘Americanism’. Like all Tocquevillians, the left strand also took the cue from the absence of a feudal past to understand why America had a weak left political tradition. Wells said the United States lacked not only socialism, but also Toryism. He traced this lack to the absence of two major social classes, a land-bound peasantry and an aristocracy. Evoking De Tocqueville, he associated the former with a servile tradition and the latter with a sense of *noblesse oblige*, translated into a state responsibility for the social whole. Engels agreed, “A double reign of the bourgeoisie has been possible only in countries like America, where feudalism was unknown, and society at the very beginning started from a bourgeois basis.” For Gramsci, Americanism was a form of pure rationalism, uninhabited by traditional values

of rigid social classes derived from feudalism. “Americans,” argued Gramsci, “regardless of class, emphasize the virtue of hard work by all of the need to exploit nature rather than people.”

Lipset began with the contrast Walzer had drawn between the voluntary nature of new world association and the ascriptive character of old world associations, tracing voluntarism in politics to the rupture between culture and territory in American society. He extended this analysis to religious groups in America, arguing that the voluntary and congregational character of religious life in the United States most clearly distinguished it from the ascribed and hierarchical nature of churches in Europe. Unlike the European churches whose state-guaranteed privileges had made for a pronounced anti-democratic orientation, American churches were “voluntary organizations in which congregational self-government was the predominant form of church government.” A common voluntarism in secular and religious life made for a marked resemblance in value systems in the religious and the secular sphere: “both sets of values stressed individual responsibility and both rejected hereditary status.” The two dominant Protestant denominations, the Methodists and the Baptists, “stressed religious doctrines that reinforced ‘anti-aristocratic tendencies’.” “The emphasis on voluntary associations in America which so impressed Tocqueville, Weber, Gramsci, and other foreign observers as one of the distinctive American traits,” concluded Lipset, “is linked to the uniquely American system of ‘voluntary religion’.”

One is struck by how Tocquevillian thought, whether left or right in orientation, was stamped with a Eurocentric focus. With its sights set on an absence, that of a feudal past, this body of thought was unable focus on what was overwhelmingly present – the key social and political encounter in the making of America. That encounter was the conquest of America. It made for the native question in the United States.

Aware that her Harvard colleagues had tended to focus on the ‘white’ experience at the expense of ‘minorities,’ Judith Sklar attempted a broader understanding of citizenship, one that consciously focused on its historical exclusions. “I have only tried to recall something that has often been neglected by historians of American political thought: the enduring impact of slavery not merely on black Americans and on the Civil

War generation generally, but also on the imagination and fear of those who were neither threatened by enslavement nor deeply and actively opposed to it.” Sklar contrasted the trajectory of two movements engendered by two major exclusions in American citizenship, race and gender. She focused on different ways in which the 15th Amendment impacted on Black people and women: even if it “did not do nearly enough for the black voter” the 15th Amendment “did nothing at all for women.” The “bitter resentment” led to “an unhappy chapter in the women’s suffrage movement,” one that Sklar thought “particularly relevant to my story because it illuminates the darker side of citizenship as standing.” This is how Sklar summed up the story:

The women’s suffrage movement had grown directly out of abolitionism, but when disenfranchised women saw black men achieve a right they still lacked, their deep racism quickly asserted itself, and it grew worse as they began to seek the support of southern women. . . . When Wendell Phillips said, ‘One question at a time. This hour belongs to the Negro,’ the suffragettes walked out on him. They saw their standing as above the black man’s and they acted accordingly. It was a short-sighted move.

Compared to Walzer’s majority-embracing eulogy of America that excludes the minority because, after all, it is only a minority, Sklar’s attempt to work through minority exclusions is both morally compelling and politically illuminating. But Sklar’s analysis, like that of her predecessors, also left the Indian question out of consideration. Unlike all previous exclusions – ethnicity, race and gender – the native question would provide a far more fundamental challenge to the celebration of citizenship in America. Engaging with the native question would require questioning the ethics and the politics of the very constitution of the United States of America. It would require rethinking and reconsidering the very political project called the USA. Indeed, it would call into question the self-proclaimed anti-colonial identity of the United States. Highlighting the colonial nature of the American political project would require a paradigmatic shift in the understanding of America, one necessary to think through both America’s place in the world and the task of political reform for future generations.

If political theory in America tended to gel around the acknowledgement of an absence, the same could not be said of those who wrote political history and who looked for a distinctive experience – a presence rather than an absence – to define the meaning of

America. They defined that experience as the frontier. Writings on the American frontier developed along two divergent lines: one defined the frontier as natural, the other as social. For the former, the frontier was the wilderness; for the latter, it was the Indian. Each provided the historical foundation for a distinctive political movement, on the one hand, a populist agrarianism, on the other, progressivism.

The notion of the frontier as wilderness was best elaborated in Frederick Jackson Turner's 1893 address to the American Historical Association on "The Significance of the Frontier in American History." Turner argued that the frontier "stimulated invention and rugged individualism and was the important factor in the formation of a distinctive 'American' character." The historian who famously shared Turner's assumption that the existence of the Frontier was key to understanding America's unique history and political economy was Charles Beard. There was not one frontier but many, wave upon wave, the first transoceanic, the second from the seaboard to the Alleghenies, and then the trans-Alleghany Frontier, and so on. So powerful was the Frontier as a metaphor for successive stages that were seen to make up American history that it found a place in John F. Kennedy's 1960 inaugural call to mobilize around a New Frontier. Each frontier moved outward, and that movement was always seen as progressive. For many, the frontier was the site of a struggle that defined the key ideological contest in American history, that between 'popular' forces identified as 'Western' and 'centralizing' forces identified as 'Eastern'.

To the extent that the frontier thesis focused on nature rather than society and polity, it was subject to a devastating critique: the frontier as nature was universal and therefore could not explain the uniqueness of the American experience. Alongside the notion of frontier as wilderness developed another thesis. It was the work of political historians whose writing was less reflective and more instrumental to statecraft. The contest between the two developed as a contest between two alternative political ideologies, populism and progressivism. If populism highlighted an agrarian reading of American history, progressivism provided a reading filtered through 'Indian wars'. If agrarian populism mentioned Indian wars, it was as a prehistory, and not as the real stuff of American history. That real action was said to be the work of the democratic yeoman farmer, whose individual toil was said to be responsible for the clearing and cultivation of

the soil and the continuous extension of the frontier. As Richard Slotkin noted in his remarkable study of violence in America, this collective hero – very much in the spirit of Walt Whitman – took the credit for the unfolding democratic process on the American frontier. Among those key to developing the notion of agrarian democracy in America were Thomas Jefferson and Andrew Jackson. Like Turner, the ideologues of agrarian populism also marginalized the role of violence in the development of the frontier.

If populism took the cue from Turner and explained America's great triumph as the taming of nature, progressivism unabashedly center-staged Indian wars in its reading of the past. If agrarian populism saw American history through an economic lens – man against nature – progressivism saw the same history through a political lens. This political struggle was one for mastery between races. At its heart was the struggle between the settler and the native, recast as an epochal contest between the civilized and the savage. This was history as foundational mythology, a narrative that can be found in two related histories of the West that appeared in the second half of the 19th century: one by Francis Parkman, and the other by Theodore Roosevelt. Published between 1859 and 1892, Parkman's monumental history of colonial Indian wars gave an account of intertribal rivalries that established as historical orthodoxy: "the idea that Indian warfare was characteristically exterminationist and genocidal in its objective and tactics." It was more a projection of settler warfare than a characterization of Indian wars. Parkman was not only "one of young Roosevelt's favorite authors" but also "his model as a historian." The influence was evident in Roosevelt's seven volumes titled *The Winning of the West*. Roosevelt's West is not a confrontation of man and wilderness, but a Darwinian contest for mastery between contending races. Roosevelt, writes Slotkin, "'naturalizes' force and violence by representing it chiefly through stories of big-game hunts." In this literature, the primary agent of American expansion is "the man who knows Indians," from the fictional Hawkeye to historical figures like Daniel Boone and Davy Crockett, Robert Rogers of the Rangers, Kit Carson, Sam Houston and in particular the "three hunter-presidents, Washington, Jackson and Lincoln." Indian wars are the motive force of this history. They occur at the border between civilization and savagery. War is endemic and terminal: in Roosevelt's words, "the chief feature of frontier life was endless warfare between the settlers and the red men." Peace is only possible if the savage is

unconditionally pacified, even exterminated, for peace is only possible between those who “feel the same spirit.” It recalls Michael Walzer’s opposition to autonomy for American Indians for the simple reason that their way of life “isn’t historically a liberal way of life.” In today’s language, that same thesis is reformulated as that of Democratic Peace, claiming that peace is only possible between liberal democracies. It is as if armed Mafia gangs were to turn an ongoing feud between armed gangs as the basis for asserting a truism, that the only peace can be an armed peace, why there can be no peace with unarmed civilians.

Those who argue some version of American exceptionalism tend to agree that it is the absence of feudalism that made for a weak central power and strong individual liberties in the American experience. And yet a strong central power did develop, if not to destroy feudalism, then to destroy slavery and to wage colonial wars, at first against Indian tribes, then against neighbors and then in the world at large. Eric Foner has contrasted the Revolution of 1779 and the Civil War a century later as two radically opposed moments in the constitution of central and local power in the undergirding of individual liberty. If the American Revolution was driven by the preoccupation that centralized power posed the major threat to individual liberties, with this presumption written into the Bill of Rights, the aftermath of the Civil War saw a sharp reversal in perspective, so that freedom seemed in greater danger from local than from national authority. Thus the tendency in the period that followed the Civil War, the period known as the Reconstruction era, to strengthen central power at the expense of local power so as to ensure the liberty of citizens. The 14th Amendment carried forward the state-building process born of the Civil War by limiting the powers of states and increasing the powers of Congress. The Reconstruction Act of 1867 divided 11 Confederate states (except Tennessee) into five military districts under commanders instructed to employ the army to protect life and property. At the same time, Congressional passage of the Habeas Corpus Act greatly expanded citizens’ ability to remove cases from local to federal courts. Four years later, Congress passed an even more sweeping measure to curtail local violence: when the Ku Klux Klan Act of 1871 designated certain crimes committed by individuals as offenses punishable under federal law, it made violence infringing civil

and political rights a federal crime. The law authorized widespread federal intervention in state affairs: if sanctioned by state authorities, “conspiracies to deprive citizens of the right to vote, hold office, serve on juries, and enjoy the equal protection of the law” could be the subject of prosecution by federal district attorneys.

This same period that introduced measures to enhance African American participation in the United States saw a definitive exclusion of Indians from that same political community. Both developments were enforced by an expanded federal power and were in turn evoked to justify that same expansion. As Article 1, section 2 of the original Constitution, so the Fourteenth Amendment pointedly excluded ‘Indians not taxed’ – that is, tribal Indians living on reservations – from the right to vote or to be elected to Congress. As Akhil Reed Amar has pointed out, “this Indian exclusion appeared in plainer language in the text of the companion Civil Rights Act of 1866, 14 Stat. 27.” The provision in the Act legislated the principle of birthright citizenship, but it excluded Indians: “All persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States.” Instead of being conferred citizenship, Indians were herded into semi-captivity in enclosures known as ‘reservations’; initiated by Lincoln after the Civil War, a development accelerated under the Presidency of Grant in 1869. The first great post-revolutionary era of democratic reform in United States history, the reconstruction, at the same time closed the door firmly on any hopes of including Indians in the political community called the United States.

The most poignant and searching auto-narratives in the American autobiography concern the race question, not the native question. More than any other issue, race – and increasingly gender – has been at the cutting edge of reform in America. The importance of race was evident in the aftermath of the Civil War: as Louis Hartz noted, race-based mobilization around the question of slavery led to the disintegration of the entire Democratic Party. Historically, citizenship struggles in the United States have drawn energy from the African American struggle for equal rights, just as the momentum for more recent immigration struggles has come from Latino struggles for rights of residency and citizenship. If America’s greatest social successes have been registered on the frontier of race, the same cannot be said of the frontier of colonialism. If the race

question marks the cutting edge of American reform, the native question highlights the limits of that reform. The thrust of American struggles has been to deracialize – but not to decolonize. Deracializing America remains a settler society and a settler state.

Not only are there important differences in the political and social location of African Americans and American Indians, these differences also translate into the lack of a shared perspective on emancipation and strategies for it. For the settler, African Americans signified labor; in contrast, American Indians were the source of land. If settlers sought to master African slaves as individuals, they set about conquering American Indians as entire tribes. In the language of the law, the African American was akin to a dog who could be tamed, but the Indian American was more like a cat in the wild. If African Americans faced the alternative between returning to Africa and a struggle for equal citizenship in America – with Garvey calling for return and Du Bois for equal citizenship – the Native American could make no such distinction. Native American groups continue to call for a pale semblance of independence, that is, ‘tribal sovereignty.’ From this point of view, a struggle for equal citizenship looks like a masked acceptance of final defeat: total colonization. For the American who empathizes with the African American struggle for equal citizenship, discussing the race question is often a privileged way of not talking about the native question.

Looked at from this vantage point, the American experience is both exceptional and pioneering. If the U.S. is exceptional, it is not because of what it lacks, but because of what it is. One autobiography of America sees the country as ‘the first new nation,’ the child of the first modern anti-colonial revolution. A single-minded celebration of this history has hidden from public consciousness a fact far more constitutive of America: the conquest and decimation of American Indians. America is not just the first new nation; it is also the first modern settler state. What is exceptional about America, the USA, is that it has yet to pose the question of decolonization in the public sphere.

The significance of this became clear to me in 1993 when first I went to South Africa to study apartheid as a form of the state. I realized that basic institutions of apartheid had been created long before the name and the state came into being. The ethnic cleansing of

the African population of South Africa began as early as 1913 when the Natives Land Act declared 87% of the land for whites and divided the remaining 13% into so many tribal homelands into which to herd the native population. These homelands were called ‘reserves.’ I wondered why the name sounded so uncannily like the American ‘reservation.’ The answer was illuminating, and chilling. White South Africa became independent from Britain in 1910. That same year, the new settler government sent a delegation to North America, specifically to USA and Canada, to study how to set up tribal homelands for, after all, they had first been created in North America, half a century before. The American ‘reservation’ became the South African ‘reserve.’

Inserted in the history of colonialism, America appears less as exceptional and more as a pioneer in the history and technology of settler colonialism. All the defining institutions of settler colonialism were produced as so many technologies of native control in North America. The first of these was the concentration of natives in tribal homelands. The prototype concentration camp from which the Nazis drew inspiration was not that built by the British to confine Boers during the Anglo-Boer War; rather, it was the reservation built to confine Indian tribes – under the watch of Presidents Lincoln and Grant in mid-19th century America. Like the South African ‘reserve’ and the ‘tribal homeland’ in British indirect rule colonies, the reservation went alongside other basic institutions. One was a separate system of governance typified by two institutions: one, an unaccountable and unelected native authority; and two, an equally unaccountable ‘customary’ law wielded by this native authority. The second was the technology of the pass system. The pass system was forced on the Apache and other North American Indian tribes long before it was forced on any colonized African.

In the middle of the 19th century, around the same time as the reservation system was being forged, three land mark judgments issued by the then Chief Justice of the U S Supreme Court, Justice Marshal, sealed the fate of American Indians as a colonized people in the heartland of America. Marshal characterized American Indians as ‘domestic dependent nations,’ autonomous but unfree, condemned to live as ‘wards’ under federal tutelage. Marshal’s rulings continue to provide the basic legal framework for federal governance – really oversight and custodianwhip – of American Indians to this day.

Demonized in the Declaration of Independence as “savages,” and never included in the Constitution as part of the rights-bearing political community of Americans, American Indians have been treated by the Supreme Court as “wards” of the government of the United States. American Indians were ‘declared’ citizens in 1924, but they were the only citizens to also be wards. What does it mean to be both citizen and ward? It means that those who live in reservations enjoy no constitutionally-guaranteed freedoms, freedoms that may be subject to judicial review by the Supreme Court. They possess political rights, but not civil rights. They can vote and be voted into office, but they are the only citizens of the United States who are subject to rule by decree, decree of Congress, a body in which they have no representation as a people. Any freedoms they may enjoy are at sufferance of this body that has powers to grant or withdraw these provisions at will. The Civil Rights Act of 1964 does not apply to American Indians in reservations. A separate act was passed four years later – The Indian Civil Rights Act of 1968 – which applies to the reservation; but the rights do not have a constitutional guarantee, the Act is only advisory to the native authority in the reservation.

From an American Indian standpoint, the American Revolution of 1776 ushered in the independence of a white settler population. It was akin to the ‘independence’ of Liberia in 1847, white South Africa in 1910, Israel in 1948, and, indeed, the Unilateral Declaration of Independence (UDI) of the Ian Smith-led white state of Rhodesia in 1974. Just as the ‘native question’ in South Africa, Liberia, Israel and Rhodesia forms part of the history of colonial governance in the modern world, so does the history of relations between the Federal Government and Native Americans. If there is an American exceptionalism, it is this: Treated by organs of government as a perpetually colonized population, the fate of Native Americans is testimony that the U.S., the world’s first settler-colonial state, continues to function as one.

The uncritical embrace of the settler experience explains the blind spot in the American imagination: its inability to coexist with difference, indeed its preoccupation with civilizing natives. American cosmopolitanism has been crafted through settler lenses. The American sensibility remains a settler sensibility in important ways.

In 2005, I visited Bir Zeit University on the West Bank, and from there I travelled to Jerusalem and different parts of Israel. I came back convinced that apartheid South Africa was not a fitting lens through which to understand Israel. I thought settler America would provide a more illuminating parallel. As in North America, the settler in Israel is not interested in Palestinians as a source of labor; he and she want their land. This single fact recalls the statement of Mwalimu Julius Nyerere, the former President of Tanzania, to a visiting Palestinian delegation in the 1960s, that Palestinians had suffered a fate worse than had South Africans. In Nyerere's words: We only lost our independence, you lost your country! If you are looking for a parallel that will illuminate the relation between Israel and Palestine, it is America more than South Africa. The 1924 Indian Citizenship Act in the US unilaterally "declared" – meaning compelled – *"all non citizen Indians born within the territorial limits of the United States ... to be citizens of the United States."* Even then, Indians were considered "naturalized" citizens, not citizens by birth right as native-born Americans. The distinction invites parallels with the difference between Palestinian and Jewish Israelis. One single fact, the return or return, testifies that Israeli citizenship is a birthright for Jews, but not for Palestinians, who are akin to naturalized citizens. Even after Indians were "declared" citizens in the US, they were often denied voting rights by individual states. This remained true for several decades. Today, the real distinction between Native Americans who live in reservations and other Americans is not in their political but civil rights – just as in Israel the state guarantees equal political rights for Jewish and Palestinians citizens. But that is where equal treatment ends. Like American Indians in reservations, Palestinian Israelis may have the right to vote or even to be elected, but they live under a state of exception which denies them constitutionally defensible civil rights.

I would like to close with a comment on political history. If you read some of the early treaties between Indian tribes and the Confederacy in the U.S., you will realize that settlers began by promising Indians a One State solution: the Confederacy promised the tribes direct representation in Congress – the proviso was that the tribes behave! That promise died with Andrew Jackson's Indian Removal Act of 1830 and the ethnic

cleansing of Indians from east of Mississippi. The new promise was of a two state solution – a white state east of the Mississippi and an Indian state west of the Mississippi. Following the Civil War, the Indian state in the promised two-state solution turned into a mini-state, Oklahoma, different from other states in that its parliament would function under a federally appointed governor who would rule by decree. This was no longer a two-state solution, but a white state ruling an Indian Bantustan by decree. And then came the forerunners of concentration camps, called reservations.

Their numbers replenished in geometric fashion from across the Atlantic, settlers mounted one onslaught after another, wave upon wave, on Indians. Indians debated the way forward. One called for accommodation with the whites, the other for resistance. But neither solution proved workable. As tribe after tribe divided between resisters and accommodationists, civil wars raged inside Indian communities, in some cases as many as five civil wars in ten years. Eventually, both sides lost. All were interned in reservations. None could see a future ahead. Isolation bred despair and led to some of the highest rates of suicide in the world.

This tragic history is punctuated with sparks of resistance. The most spectacular Indian resistance, resistance that kept the flame of hope flickering, was when the adversary was divided: when the British fought the French, the settlers fought the British, the South fought the North. The rest of the times, Indians were isolated, containerized, neutralized, defeated and demoralized.

This is where we reach the limits of the parallel with Palestinians. Indians lived in a world and at a time of the ascendancy of empire, of race, of the constellation of modern power we know as the West. That context is changing. In Bob Dylan's memorable words: the times they are a changing! We are now reaching the end of a period of five centuries of Western domination, a period that began in 1492. Is it likely that Palestinians will be isolated and interned as were American Indians in an earlier era? You only need think of the Arab Spring. Even if much is up in the air and the verdict is mixed, one thing is clear: Palestinian political isolation in the Middle East is gradually

becoming history. I am talking of a trend, not an accomplished outcome. Nothing is inevitable. But some things are possible. It is now possible to imagine a free Palestine, and a democratic Israel. It really does not matter whether the outcome is one state, two states or even many states. What matters is that these states be democratically constituted. It is even possible that America, the world's first settler colony, may be the last to be decolonized. To make that possible, each of us needs to lend a hand.

I would like to close by quoting the words of Felix Cohen, a renowned Indian law specialist, who dared his audience to think of a different future. Writing in the highly charged moral and political atmosphere that followed the Holocaust, Cohen observed:

The Indian plays much the same role in our American society that the Jews played in Germany. Like the miner's canary, the Indian marks the shift from fresh air to poison gas in our political atmosphere; and our treatment of Indians ... reflects the rise and fall in our democratic faith."

We may add: the Palestinian plays that same role in contemporary Israeli society.

Thank You!