Orientalism, Total War and the Production of Settler Colonial Existence:

The United States, Australia, Apartheid South Africa and the Zionist Case

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I certify that all materials in this thesis which is not my own work has been identified and that no material has previously been submitted and approved for the award of a degree by this or any other university.

Abstract

Picking up on current research about settler colonialism, this study uses a modified version of a model explaining modern-state formation to explain settler-colonial formation. Charles Tilly identified two simultaneous processes at work – war-making and state-making which produced modern states in Western Europe. Settler-colonial systems engage(d) in a particular type of war to produce their existence: total war. Hence, a modified version of total-war-making and settler-colonial-existence-making (production) occuring in the settler-colonial-creation phase is proposed. However, before this conceptual analytical framework could be developed, it was necessary to examine the meanings of terms such as 'nation' and 'nation-state' as well as concepts such as settler-colonialism and total war. The sample of relevant literature analyzed revealed inconsistencies in the meanings of the terms when applying W.H. Newton-Smith's theory of meaning, suggesting the influence of what Edward Said identified as the workings of orientalism. This has conceptual implications on terms such as settler-colonialism and the meaning of the type of war it wages upon the indigenous nations. It also has implications on developing a conceptual analytical tool to understand the dynamics of the production of the settler-colonial existence. Thus, the terms and concepts needed to be de-orientalized before using them in the modified model which was then used to examine initially three settler-colonial cases: the United States, Australia and Apartheid South Africa. The modified analytical model was able to highlight particular dynamics relevant to settler-colonial systems and was then used – with the incremental and imbricate research done in the first three chapters – to examine the Zionist case. It illustrated that while the cases of the United States and Australia were able pass their creation phases, the Apartheid case could not and subsequently collapsed. The Zionist case seems to be still in its settler-colonial-creation phase. This has implications on current analysis concerning the Palestinian-Israeli conflict.

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This work is humbly dedicated to the colonized, irrespective of time and place,

in tribute and with reverence.

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Abbreviations

ANC	African National Congress
APC	Armoured Personnel Carrier
ATR	Anti-tank rocket
CA	Civil Administration (Israeli Military Government)
DOP	Declaration of Principles
GCC	Gulf Cooperation Council
GSS	General Security Services (Israeli)
HCJ	High Court of Justice (Israeli)
ICJ	International Court of Justice
IDC	Identity Card
IDF	Israeli Defence Forces
ISC	Israeli Settler Colonies
JA	Jewish Agency
JNF	Jewish National Fund
LIC	Low Intensity Conflict
MG	Military Government (Israeli)
MoD	Minister of Defence
MoI	Ministry of Interior
OPT	Occupied Palestinian Territory
PA	Palestinian Authority
PCB	Plastic-coated bullet
PLO	Palestinian Liberation Organization
PHRIC	Palestine Human Rights Information Center
PP	Peace Process
PR	Palestinian Refugees
PSCE	Production of Settler-Colonial Existence
RCBs	Rubber-coated bullets
SADCC	Southern African Development Coordination Conference
SCCP	Settler-Colonial-Creation Phase

TW	Total War[1]
UAV	Unmanned Aerial Vehicle
UN	United Nations
UNRWA	United Nations Relief and Works Agency
UNSC	United Nations Security Council
USA	United States of America

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[1] After page 108, the term Total War with capital letters is used to represent a concept rather than a description.

INTRODUCTION – SITUATING THE THESIS:

Recent years have seen a number of works published on settler-colonialism, a particular type of colonialism with a particular purpose and conceptual structure. However, such literature at times may be influenced by *orientalism* which seems to have a tendency blur terms, concepts and analysis of settler-colonial systems. This study extends from this pool of research to broaden the conceptual structure to develop an analytical framework which could be used to include relevant but seemingly unrelated concepts. It therefore adopts a multi-disciplinary approach to sift through the meaning(s) of relevant terms and concepts for the purpose of producing an un-orientalized analytical framework which could be used to research a subject which tends to be influenced by orientalism.

1. Main research question:

Given the above, the main conceptual question this research addresses is *whether a conceptual framework of analysis can be developed to analyze settler-colonial systems, of the past and on-going, without succumbing to the pitfalls of orientalism.* This is important in order to further understand settler-colonialism as a process of sequence of events and as a system with a constellation of factors generating its momentum (some of which shall be highlighted in this research). Focusing on one without the other could overlook the broader aspects of settler colonialism, and thus affect readings of relevant happenings, patterns and phenomena.

2. Methodology:

The study attempts to address the question above which suggests a comparative approach that is multi-disciplinary. From the way the research question is formulated and by benefiting from the work of Paul Pennings, Hans Keman and Jan Kleinnijehhuis on *Doing Research in Political Science: An Introduction to Comparative Methods and Statistics,* the question can be broken down to comprise of the following:

- The search for a conceptual framework of analysis suggests that this is a "theory guided" question.[2]

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[2] Paul Pennings, Hans Keman and Jana Kleinnijenhuis, *Doing Research in Political Science: An Introduction to Comparative Methods and Statistics* (California: Sage Publications, (1999) 2006), p. 27; here they state

- To analyze settler-colonial systems of the past and on-going, suggests that the comparative research is concerned with spatial and temporal aspects.[3] The spatial refer to case studies of settler-colonial systems on territorial units, hence, the United States (henceforth U.S.A.), Australia, South Africa (during Apartheid), and Zionism in Palestine. The temporal aspect refers to the periodization of cases, hence, the *settler-colonial-creation phases* (hence forth SCCP) in the past (as in the U.S.A, Australia, and Apartheid South Africa), and the on-going one (as in the Zionist case).

- Derived from the above point are the types of analysis in this comparative research:

The first concerns space: it is cross-sectional to interpret the differences, and comparable to interpret similarities in the cases, based on

  o a system specific unit of variation (i.e. settler colonial systems) and quantitative data (of statistics and sequences of historical events), and

  o qualitative data (comparative analysis done by other scholars relevant to the four cases in this study).

The internal validity is checked by how lucid the conceptual framework of analysis modified from the Charles Tilly's model (hence forth Tillian model) illustrates and explains the respective settler-colonial system, in its geographical, temporal (past or on-going), and periodized (the settler-colonial-creation phase) contexts.

The second concerns time: it is a time-series type of analysis to interpret the method of indirect difference (in terms of the progression of the total wars in the U.S.A. and Australia, or the regression of total war in Apartheid South Africa) and a repeated cross-sectional type of analysis to interpret the method of indirect agreement (that all the cases examined waged total wars in their creation phases), based on:

"…the *theory-guided* question within any type of comparative analysis is to what extent the 'political', in terms of explanatory units of variation [i.e. variables in this study], can indeed account for and is shaped by the political actions in one social system compared to another. Conversely, the theory-guided question, or research question, need to be refined so as to define the units of measurement [i.e. indicators in this study] and thus the units of observation (=cases) in social reality. This process and the attempts to explain it by systematic comparison distinguish the comparative approach form other approaches in political and social science."

[3] *Ibid.,* pp. 39-43, see especially the table on p. 43 regarding the terms used here: spatial and temporal aspects of comparative research, territorial units, periodization, systems and period of multiple cases, pooled time series, qualitative case analysis, method of difference, and method of agreement.

- event-related units of variation (sequence of events during these total wars)
- as well as the level of measuring derived from qualitative data (the zero-sum goals of total war – in this case to produce "empty land" to establish and sustain settler colonial existence)
- as well as a sequential progression of the first three cases to identify patterns in the practice of total war (beginning with the U.S.A., then Australia, and then South Africa)

The external validity is checked against the outcomes in the three cases (the U.S.A. and Australia which surpassed their creation phases and still exist, while Apartheid South Africa did not pass its creation phase and no longer exists as a settler-colonial system).

The third component of the main research question concerns the combination of time and space: it is thus a time and space dimension of analysis to interpret past and on-going systems of multiple cases each in their period(s) (i.e. the three cases representing past settler-colonial creation phases and the on-going one in the Zionist case). This represents a pooled time series type of analysis which compares cross-sections at certain intervals using inter-temporal and cross-sectional comparable data[4] (i.e. the influence of the geographical location in each of all four cases in affecting the total-war-making and settler-colonial-existence-making dynamics). The purpose here is to interpret by method of difference and method of agreement the cases of the U.S.A., Australia, and Apartheid South Africa about the role of total-war-making in these systems, and what may be happening in the on-going Zionist case. These interpretations are based on:
- units of variation that are structural and sequential (i.e. the process of producing settler-colonial-existence which is the structural unit of variation **and** total-war-making which is the sequential unit of variation)
- the qualitative and quantitative data revealed by using the modified Tillian model in examining the first three cases and then using the data to understand the dynamics of the fourth case.

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[4] *Ibid.,* pp. 40, 43.

- o internal validity indicated by the effectiveness of the modified Tillian model in understanding the production of settler-colonial-existence and implications on the indigenous nations.
- o external qualitative validity which avoids the pitfalls of orientalism. In other words it checks that in using the modified Tillian model, orientalism has not been at work to produce a discourse which subjectively shapes meanings of terms and concepts. (This builds on Edward Said's insight about how orientalism works, and it uses W.H. Newton-Smith's theory of meaning to check whether the modified model produces contradictory meanings of the terms and the concepts - in other words that the meanings of the terms have not become equivocal, but rather remain unequivocal throughout the analysis)
- o and external quantitative validity in that the dynamics within the modified model is able to place the sequences of events, processes and phases in a coherent context. Meaning that each explains and reinforces the significance of the other without creating anomalies; and that the comparative dynamics of the cases are corroborated by the quantitive data in a way that not only mentions or describes them, but also explains them.

The above methodology, its levels and sub-levels are illustrated in the following section explaining the structure of the research by chapter and how they interact with each other.

3. Structure and significance:

The focus of the structure of this research is is not on developing an argument based on a compilation of material which supports it. Rather the focus is on developing a framework of analysis to be used in the final chapter which analyses the Zionist case. Hence, the first two chapters in particular rely heavily on quotes from various resources in order to identify and illustrate the pitfalls that need to be avoided in developing a conceptual analytical framework of settler-colonial systems. In this sense the conceptual analytical framework needs to be more solidly based on previous research rather than merely on an argument and unequivocal terminology. The former needs to be able to analyze several settler-colonial

cases both previous and current; each case must be able to withstand a rigorous external validity-check in terms of sound analysis and objectivity (the forum for this begins with the defense of the thesis and the criticals reviews after possible publication). This is why the research begins with Newton-Smith's theory of meaning which is used to gauge the validity of the research process particularly in the first two chapters from which the conceptual framework of analysis, presented at the end of chapter two.

Furthermore, in an argument-based research, the content of the material used tends to be more selective for the purpose of describing the characteristics of one or several cases to substantiate the argument, without necessarily illustrating how the dynamics of one case is similar or distinct from the other as a process. Thus, the cases are assumed to belong to a past time not linked to the present in a continuum; in other words they assume a-temporal characteristics. This has the pitfall of overlooking dynamics which could still be at work and which could be useful in presenting a better understanding of why such cases, if still existing, face particular problems with regard to, for example, their identity and existence in the conceptual sense. For the purposes of the extracting and forming a framework of analysis of dynamics, the first two chapters display an extensive series of quotes in order to illustrate how the dynamics of orientalism work in shaping or mis-shaping the meanings of terms such as nation and war; orientalised terms assume equivocal meanings. The extensive setectoin of material used serves to provide a representative pool of resources upon which the conceptual analytical framework is produced; this pool is also hoped to provide a stability which reduces anomalies therein. Provided a conscientious approach is maintained, it is hoped that veering into a subjective analysis is avoided, which would produce a subjective conceptual anaylytical framework. Tracking this course of research is Newton-Smith's theory of meaning used to shape and utilize unequivocal components of framework of analysis that is being developed. This is important in order to be able to illustrate how the dynamics of settler-colonial cases are different from other state formation processes, and how an orientalist play on the conceptual meanings of terms such as 'limited war' and 'total war' could skew the analysis of on-going or real-time settler-colonial cases such as the Zionist case in Palestine. Therefore, in chapter three it has been essential to compile basic, and to the extent possible – established information, about each of the three cases analysed while re-organizing them into the conceptual structure of total war in the creation

phase or the production of settler colonial existence. The geographical context of each case was added as a factor affecting the continued existence or extinction of each settler-colonial case. While this geographical factor is not intrinsic to the total war concept, it seems to have a bearing in the overall outcome of the settler-colonial-creation phase of each of the three cases. The relevance of this factor has needed to be illustrated, as it was not a given knowledge within the settler colonial analysis.

The above additional step would not have been necessary if one were analysing any combination of a set-of- two of the three cases, such as the U.S.A and Australia, or the U.S.A. and Apartheid South Africa, or Australia and Apartheid South Africa. However, in order to understand the dynamics of the outcomes of the three cases, the analysis needed to combine the 'total war' concept which began in the production of the settler-colonial existence in the United States, and seems to have been used later in Australia. With regard to Apartheid South Africa, the two faces of the same process in total war need to be taken into account: annihilation of indigenous nations and/or their enslavement. The single-faced process of total war (the annihilation aspect) seems more relevant to analysis of the American[5] and Australian[6] cases, while its two-faced process seems relevant to the Apartheid South African one in the context of its African labour force on a local and regional scale. Furthermore, the geographical context of being relatively isolated from external threats during the production of settler-colonial-existence (or the creation phase), seems also to have been more relevant to the American and Australian cases. This seems in contrast with the production of the Apartheid existence in South African which engaged in

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[5] In some areas of America, some of the Eastern coastal nations had become enslaved and had entered the plantation and household economies of the settler colonizers as tentant farmers, day labourers and domestic servants. See. Dolores Janiewski, "Gendering, Racializing and Classifying: Settler Colonization in the United States, 1590-1990" in Daiva Stasiulis and Nira Yuval Davis (eds.), *Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity and Class* (London, Thousand Oaks, New Delhi: Sage Publications, 1995), pp. 132-160, here p. 136

[6] In the case of Australia, Patrick Wolfe notes indigenous labor was used in conditions where, or tasks which, Europeans were unfit to labor or beyond the realm of appropriate. "In early Tasmania (Van Diemen's Land), Aboriginal women were extensively used for sealing and oyster diving, while, later on, Torres Strait Islands men were employed as divers on pearl luggers. Aboriginal men and women were in many respects differently colonized, with women's domestic and sexual labor being valued on a different scale to their men's services." See Patrick Wolfe, "Land, Labor, and Difference: Elementary Structures of Race", *The American Historical Review,* Vol. 106, No. 3 (June 2001), pp. 866-905, here p. 871; see also Penelope Edmonds, *Urbanizing Frontiers: Indigenous Peoples and Settlers in 19th-Century Pacific Rim Cities* (Vancouver, B.C.: The University of British Colombia Press, 2010), pp. 218-222; also Jan Jindy Pettman, "Race, Ethnicity and Gender in Australia" in Daiva Stasiulis and Nira Yuval Davis (eds.), *Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity and Class* (London, Thousand Oaks, New Delhi: Sage Publications, 1995), pp. 65-94.

multiple fronts – internal and external. A descriptive analysis on the role of total war and the geographical context could suffice with analyzing a combination of any two of the three cases. However, in order to understand the dynamics of both concepts i.e. total war with its two-faced processes and the factor of the geographical context, these three cases were needed for the analysis (at least). This especially if they are used to illustrate the dynamics, and to construct the conceptual framework of analysis which shall be used to examine the fourth case i.e. the Zionist case. Gauging the temporal continuity means that the range of comparison should include a combination between cases which have continued to exist and cases which have not (here one such case seems sufficient). This is important in order to be able to connect the temporal dynamic (continuity or not) with the total war and the geographical dynamics. These combined, come to form the essential conceptual framework that can be used to analyse on-going settler and past settler-colonial cases.

While significant research has been done, particularly over the past decade situating the Zionist case with a colonial-settler or settler-colonial paradigm, this research determines why it falls more within a settler-colonial paradigm rather than the former (the meaning of each combination of the two terms are not inter-changeable as some researchers seem to be doning). Furthermore, while a comparative descriptive approach may be useful in illustrating past settler colonial cases such as Apartheid South Africa, and then situating other settler colonial cases such as the U.S.A. and Australia, one may be overlooking the temporal dynamics which played, and may be continuing to play, a part in their existence. In such analysis it may not be necessary to understand the factors affecting temporal continuity or stagnation of such cases. However, the dynamic of 'total war' is one that is has a binary outcome: victory or defeat; it therefore has a temporal quality. In other words, total war reaches temporal stagnation either when there is total victory or total defeat of one party or the other. This means that until this binary outcome is realized, the production of settler colonial existence assumes a temporal continuity until total war reaches its culmination of either victory (continued existence of the settler colonial system past its creation phase), or defeat (inability to complete the total war so as to exit the creation phase, and therefore the end of the existence of the settler colonial system). Therefore, settler colonial systems either continue to exist, or cease to exist, in a post settler colonial creation phase. Implicitly, how thorough the exit from the creation phase (in terms of

existence of such systems and settler colonial identiy) may determine whether in the post-creation phase the settler colonial descendants of such systems have shed-off or held-on to the 'poineering' component by which they identify themselves. In other words, whether maintaining a 'pioneering' settler-colonial identity from the creation phase into the post-creation phase may seem to be relevant, particularly if the dynamics of the total war concept still live in the indentiy of the descendent settler in the post-creation phase. Some of the literature about theorizing the 'nation' in descendent societies of settler colonial systems is examined to illustrate residual dynamics from the previous phase (the settler colonial creation phase). This could give additional insight about how these dynamics continue to affect the dynamics or their societies today in terms of, for example, identity and relations with other groups of society which do not stem from the settler colonial historical heritage. Another example is the academic debate over whether or not the societies of such systems represent nations or not, and why. The first two chapters examine such debates in order to assess whether they carry the dynamics of an orientalist discourse and subsequently politics of meaning in shaping meanings of terms and concepts.

As the Tillian theoretical framework is illustrated and developed in the first two chapters, the war-making and state-making components in his framework of analysis develop incrementally in each of the two to produce a modified version. This modified Tillian version is then used to analyse the three settler colonial cases in chapter three which incrementally produces the conceptual framework of analysis to examine the Zionist case. The latter may be unique as it may be an on-going example. This has meant again that the first three chapters have had to understand and develop the means of extracting a trans-temporal conceptual framework of analysis which focuses on trying to understand the process rather than describing the cases in the past without connecting with the present. One of the challenges in this research has been to extract an analytical conceptual structure that can be used to examine on-going settler colonial cases which may still be in their creation phase, possibly the Zionist case. Furthermore, it shall be examined how the production of settler-colonial existence is a distinct process from modern state formation in the Tillian sense. In the former, alien communities come to replace indigenous ones, while in the latter the same community develops its structures into states through state-making. Therefore, in the settler-colonial cases, a creation phase may precede the development of

the state, or both processes may occur jointly. This may have implications on the amount of resources settler colonizers may need, or can muster, to engage in both activities at the same time. Other factors such as the geographical location of such systems and the size of the population of the indigenous nation(s) may also be relevant.

4.   Contribution of the research:

This research comes at a time of increasing interest within this field about what settler-colonialism means conceptually. This is manifest in the newly founded journal by Lorenzo Veracini entitled *Settler Colonial Studies* which shall be addressing the question of what settler colonialism means in its first publication.[7] It also comes at a time when there is growing interest in developing further the settler-colonial paradigm in analyzing the conflict in Palestine as manifested in the conference entitled *Past in Present: Settler Colonialism in Palestine* held at the School of Oriental and African Studies in London in March 2011.[8] A main attempt of this research is to contribute to this developing research by proposing a conceptual means to understand the dynamics of the previous and current productions of settler-colonial existence. To do this it has been necessary to propose a new conceptual framework of analysis made up of already established concepts such as Said's orientalism, a Tillian concept of state formation then modified for settler-colonial existence production, and the concept of total war. These combined, it is hoped, may produce a theoretical framework which gives more understanding to the process(es) rather that the description(s) of settler colonial systems and why some remain while others do not.

Settler-colonial research has tended to do three things: either inflate the colonialist discourse, or try to accommodate both colonizer's and colonized's discourses, or represent the discourse of the colonized. The first two are prone to the influence of orientalism. The third, while being able to represent the discourse and narrative of the colonized, may not necessarily challenge the conceptual dynamics which may tend to shape a discourse as in the previous two. On the conceptual level, Veracini in his new book entitled *Settler Colonialism: A Theoretical Overview* focuses on the settlers themselves within a

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[7] Lorenzo Veracini is currently at the Institute for Social Research at Swinburne University of Technology in Melbourne, Australia; see website www.sisr.net/about/people/lveracini.htm ; for information about the new journal see http://ojs.lib.swin.edu.au/index.php/settlercolonialstudies .

[8] SOAS Palestine Society, *Past in Present: Settler Colonialism in Palestine,* 7th Annual Conference, 5-6 March 2011.

transnational context. He develops a theoretical and historical understanding about what settler colonialism is in order to expose what he calls the "invisibility of settler colonialism" referring to cases such as the United States and Israel in the descendent socities of such systems.[9] Veracini provides a comprehensive attempt to pool together the numerous aspects to describe the settler colonial situation breaking it down into four main themes: population, sovereignty, consciousness, and narrative. Indeed the first component covering the population is made up of another 26 sub-components, reflecting an impressive and challenging understanding of how they inter-relate with the other three themes.[10] The questions of how settler-colonialism functions, and the dynamics involved in the existence or decline of such systems, from a strategic and political approach may be of complemantary use in this field.

This research by developing a conceptual framework of analysis to examine settler-colonial systems, provides a contribution in the means of how to analyze settler-colonialism, to challenge the workings of orientalism on settler-colonial research, in order to further understand the dynamics of the process(es) that have affected or continue to affect the colonized. Implicitly, such a tool may claim to be useful in understanding past settler-colonial systems as well as on-going ones, by tapping into dynamics of settler-colonization in addition to the empirical data from other research done on relevant events and concepts. In other words, this also could mean that happenings may be placed in a conceptual context which is able to benefit from their descriptive value as well as their functional value within a process designed to produce, what this study has called a *settler-colonial existence*, in a particular phase called here the *creation phase* of the settler-colonial systems.

The contribution of this research on an overarching level is to show how orientalism works on shaping the meaning of political terms. This reveals a power on how to control or manipulate the meanings of the terms and how political agendas may be at play rather than objective scientific research. Edward Said in his work *Orientalism* reveals this in a historical context which could also be useful when utilized to examine specific political terms such as nation, nation-state, and the conceptual types of war whether limited or total.

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[9] Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (Houndmills, England: Palgrave Macmillan Ltd, 2010), p. 15.
[10] *Ibid.*, pp. 35-52.

Furthermore, while there is research about colonialism and settler colonialism in particular, the impact of orientalism and its possible role in generating a 'regime of truth' that serves to perpetuate and justify total war may not have been researched sufficeintly. While there is literature on the types of wars, such as total war, and their conceptual structures, a merger with what Charles Tilly attributed as the formation of modern states in Europe to a process in which war-making and state making mutually re-enforced each other, seems to have not been made as yet. Furthermore, inquiry about the applicability of such analysis to settler-colonial state formation seems not to have been explored sufficeintly. Consequently, this research utilizes the Tillian analysis, and modifies it to examine the production of the existence of four settler-colonial cases: the U.S.A., Australia, Apartheid South Africa, and the Zionist case in Palestine. The first three provide a framework which shows how total-war-making and the production of settler-colonial-existence seem to have been mutually inclusive processes; that is, one enforcing and justifying the other. This framework and the dynamics of its workings are then used to analyse the Zionist case in Palestine which is temporally distinct from the other three, and to what extent it may be in an on-going process, or seemingly a real-time case. In addition, the first three cases were selected to develop some understanding about which of the factors contributed to the continuation of the settler-colonial existence into established states, and which factors may have worked against such a realization. The Apartheid South African case could not sustain its existence as a state and collapsed the early 1990s of the last century. Therefore, like in the first two chapters, the third chapter attempts to illustrate the dynamics of the process of the production of settler-colonial existence, which factors enabled the systems to sustain their existence as states, and what factors may have contributed to reducing them into failed systems which no longer exist. This analysis in turn may be used to examine and give a preliminary conceptual assessment of the stage in which the Zionist settler-colonial system may be in.

Another contribution of this research is that it may provide a means to add insight about settler-colonial cases in general. The temporally-accommodating conceptual framework of analysis which is developed here may be useful in understanding on-going settler-colonial cases as well as increasing the understanding about past ones and the strategies used against the nations they colonize(d). In this sense, chapter three explores the relation between the

annihilation and/or subjugation of indigenous nations and how this has affected, or affects, the practice of total war until its logical end, i.e. the total acquisition of indigenous land, by emptying it from indigenous existence or content.

Each chapter can be developed further to explore a wider range of how it can be applied. Yet, because the first three chapters were produced to be able to build the conceptual means to analyse a settler-colonial system possibly still engaged in consolidating the production of its existence, they have had to tap into a wider range of resources which represent works by established scholars each renowned in their field(s) of specialization. This has been necessary in order to reduce reliance on exploratory reseach which may reduce the stablily of the conceptual framework of analysis attempted here.

5.   Literature Review

The literature review here shall focus on a selection of works which have been used to develop the rationale and the sequencing of the range of topics covered in this research. At this point it would be appropriate to state that a study of this kind would not have been possible without Edward Said's work and insight developed in his book *Orientalism: Western Conceptions of the Orient.* He revealed how orientalism works in re-shaping meanings and images through a discourse which manifests a power relationship through colonialism designed to establish control over the 'other.'

David Held, building on Immanual Wallerstein's work, has maintained that capital accumulated through globalization and colonialism contributed to the formation of modern states in Europe.[11]   From a more specific perspective, Charles Tilly in *Coercion, Capital and European States AD 990-1992* put forward a model illustrating how modern states in Western Europe formed as a result of two activities mutually enforcing one another: war-making and state-making.[12] Jürgen Osterhammel in his book *Colonialism* (originally in German) examines colonialism and classifies them into six kinds, one of which is

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[11] David Held, "The Development of the Modern State" in Stuart Hall & Bram Gieben (eds.), *Formations of Modernity* (Cambridge: Polity Press in Association with the Open University, 1992), pp. 71-125, here p. 95.

[12] Charles Tilly, *Coercion, Capital and European States AD 990-1992* (Cambridge MA & London: Blackwell, (1990) 2003), pp. 67-126, here p. 97.

settlement colonies. These he breaks down even further to include some variants such as the "New England" and the "African" types.[13]

It would seem that the time frame of colonialism as well as the transformation of the states into modern ones, somewhat overlap with settler-colonial formations in various parts of the globe – particularly between the sixteenth and the early twentieth centuries. Here a curiosity emerges as to whether Tilly's model could somehow be used to understand settler-colonial formations particularly since they tend to extend from the European context at the time. In his just published book *Settler Colonialism: A Theoretical Overview*, Lorenzo Veracini maintains that colonialism is not the same as settler colonialism because settlers want Indigenous people to vanish while at times make use of their labour before they are made to disappear. He concludes that "even if colonialism and settler colonialism interpenetrate and overlap, they remain separate as they co-define each other."[14] This could mean that taking Tilly's model from the colonial context to apply it to the settler colonial is not a straightforward matter. Indeed, it would require some modification. But the question that arises is what should be modified and with what?

At first glance it would seem that the two main Tillian components should be changed: *war-making* and *state-making* while maintaining their mutually reinforcing dynamic which produced modern states. With regard to war-making, a clue is given by Russell F. Weigley in his chapter on "American Strategy from its Beginnings through the First World War" in Peter Paret's *Makers of Modern Strategy from Machiavelli to the Nuclear Age.* Weigley notes that a war in America in the second half of the seventeenth century was being waged against the Indigenous nations, which was more absolute than those of the European contemporaries who were entering the age of limited war.[15] Jan Willem Honig, in his chapter on "Clausewitz's *On War:* Problems of Text and Translation", in the book edited

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[13] Jürgen Osterhammel, *Colonialism* (Princeton: Markus Wiener Publishers, (1995) 1999), pp.10-12; with regard to the latter type, John L. Comaroff breaks the South African model further into three colonial types: the state model, settler colonialism, and civilizing colonialism; see John L. Comaroff, "Images of Empire, Contests of conscience: Models of Colonial Domination in South Africa", *American Ethnologist,* Vol. 16, No. 4 (1989), pp. 661-685, here pp. 671-677..

[14] Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (Houndmills, England: Palgrave Macmillan Ltd, 2010).

[15] Russell F. Weigley, "American Strategy from its Beginnings through the First World War" in Peter Paret (ed.), *Makers of Modern Strategy from Machiavelli to the Nuclear Age* (New Jersey: Princeton University Press, (1986) 1994), pp. 408-443, here p. 409.

by Hew Strachan and Andreas Herberg-Rothe entitled *Clausewitz in the Twenty-First Century*, points out that the term 'total war' was invented in France towards the end of the First World War and then made popular by the German Erich Ludendorff in the mid-1930s while the term "limited war" is a modern one in English that became popular only in the 1950s.[16] Both classifications of war are useful in their conceptual structures in terms of which type of war to use in modifying the Tillian model for the settler-colonial context. However, on the descriptive level, the literature is conflicting when it comes to classifying colonial wars. Ludendorff in his translated book entitled *The Nation at War* classifies colonial wars in which "nations or tribes are fighting only for their life, and whom the opponent can simply crush, bear …the character of totalitarian war."[17] Yet in the reference work edited by Lawrence Freedman entitled *War,* colonial wars are categorised under a section called limited wars.[18] Furthermore, in her detailed and conceptual analysis of total war, Beatrice Heuser in her work *The Bomb: Nuclear Weapons in their Historical, Strategic and Ethical Context* refers to the American continent in her analysis. However, in her focus there during the nineteenth century there she does not include the wars of extermination waged against the Indigenous nations, but rather only the American Civil War which does not classify conceptually as total war since neither side (the Northerners nor the Southerners) wished to exterminate the other irrespective of the high tolls inflicted.[19] The above illustrates discourses in the literature which seem reminiscent of workings and manifestations of orientalism; here it provides equivocal if not conflicting meanings to the types of war. One way of resolving this could be by focusing on the conceptual structures of both types of wars (limited and total) towards de-orientalizing them. Hence a need to pool together the conceptual structure of one of them in the settler-colonial context. The subsequent question arises about which one is relevant with regard to the wars waged by settler colonial systems upon the nations they sought to settler-colonize.

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[16] Jan Willem Honig, "Clausewitz's *On War:* Problems of Text and Translation" in Hew Strachan and Andreas Herberg-Rothe (eds.), *Clausewitz in the Twenty-First Century* (New York: Oxford University Press, 2007), pp. 57-73, here p. 65.

[17] Erich Ludendorff, "The Nation at War" Translated by A.S. Rappoport, (London: Hutchinson & Co. Ltd., 1936), pp. 16-17.

[18] Lawrence Freedman (ed.), *War* (Oxford, New York: Oxford University Press, 1994), pp. 309-363, particularly pp. 315-316.

[19] Beatrice Heuser, *The Bomb: Nuclear Weapons in their Historical, Strategic and Ethical Context* (New York: Pearson Education Inc., 2000), p. 117.

Veracini provides a definition of settler colonialism in terms of what it does. In it settlers want Indigenous people to vanish but can make use of their labour before they are made to disappear.[20] This happens to be interestingly close to what Heuser described as aim of total war which is "to achieve complete domination of an enemy group … by one's own group … to the point where the enemy group is exterminated or at least quite literally enslaved."[21] Enslavement seems to be the other side of extermination in total war, in that it is delayed and gradual. This is startling but not new. Conceptually, enslavement was regarded as such by a philosopher contemporary to the colonial period and indeed a partaker in colonizing as secretary to the proprieters of the Carolina Colony.[22] John Locke in *The Second Treatise of Government* defines slavery as "nothing else, but the state of War continued, between a lawful Conquerour, and a Captive."[23] This would seem to mean that slavery in total war is a continuation of the war by other means however termporally delayed. This would seem to suggest that the use of the captives' labour in total war is tantamount to extermination over an extended period of time. Furthermore, it would seem to shed additional light on what Joseph Hanlon analyzed in *Beggar Your Neighbors: Apartheid Power in Southern Africa* describing how the labour force of a whole region was exploited to maintain the economic function of Apartheid. Thus, the combined analysis of Wiegley, Honig, Ludendorff, Heuser, Locke, Veracini, and Hanlon would seem to suggest that the Tillian model could be used in a modified version to analyze the production of settler-colonial existence; here *total-war-making* and *settler-colonial-making* produce settler-colonial existence on indigenous land in a process of eliminating indigenous nations.

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[20] Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (Houndmills, England: Palgrave Macmillan Ltd, 2010).

[21] Beatrice Heuser, *The Bomb: Nuclear Weapons in their Historical, Strategic and Ethical Context* (New York: Pearson Education Inc., 2000), p. 114.

[22] Lisa Ford, *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788 -1836* (Cambrige, M.A. and London, England: Harvard University Press, 2010), p. 15. Ford elaborates further that "John Locke… provided justification and impetus to English expansion like no other. Between 1680 and 1690, he combined the North American empire and the Hobbesian state with the new English ideology of improvement to create a uniquely Protestant and English synthesis, independent of the legal archive of Crusade. He did so by defining indigenous North Americans as creatures of nature. Natural men, in no social contract, could neither own property nor exercise sovereignty over people or land. They shared the earth in common. As Indians harvested the products of nature, they could own nothing more than the carcasses of wild beasts. Property in land came only from improvement. North America, then, was truly vacant land – and under ancient Roman law it was free for the taking – absent farmers therefore absent sovereigns and absent laws." See also D. Armitage, "John Locke, Carolina and the Two Treatises of Government", *Political Theory,* Vol. 32. No. 5 (2004), pp. 602-627; B. Arneil, *John Locke and America: The Defence of English Colonialism* (Oxford and New York: Oxford University Press, 1996).

[23] John Locke, *The Second Treatise of Government* (New York: Macmillan Publishing Company, (1690) 1986), p. 16.

The accuracy of the above hypothesis would have to be examined on settler-colonial cases. But first it seems necessary to identify what settler colonialism is. Veracini's definition of settler colonialism is that settler-colonialists want the indigenous to disappear.[24] Implicit is the concept that the land settled is, or should be, empty or emptied of indigenous presence. A compiled work on settler colonialism is one edited by Caroline Elkins and Susan Pedersen entitled *Settler Colonialism in the Twentieth Century*. In a series of chapters, it covers locations such as Korea, Manchukuo (north west of Korea), Palestine, Mozmbique, Poland, and Namibia. The genre of this work tends to the descriptive covering at times a disjointed selection of periods particularly when examining the Zionist case. It consequently seems to illustrate one of the pitfalls in doing research on settler-colonialism without a conceptual analytical framework. For example, even though Elkins-Pedersen distinguish effectively between settler colonialism and colonial settlerism, they still group them together as one under settler colonialism.[25] Another manifestation is how the Zionist case is examined. The second chapter of the book by Gershon Shafir covers Zionism from the period between 1882 and 1914, and Pedersen discusses it later in a chapter about the deliberations at the League of Nations about the Zionist project during the 1930s.[26] The selective extraction of timeframes of analysis by Shafir such as the first three decades after the 1880s and then the 1930s by Perdersen, produces an impression that the early Jewish settler to Palestine "set new and high standards of morality"[27] and that "Zionism was in conception a nationalist and not an imperialist project: it was an effort to constitute a new nation within an already colonized space."[28] This implies that Zionism was morally above engaging in activity to make the indigenous disappear, and it essentially did not need to settler-colonized Palestine because it was already colonized by the British. Therefore, whatever violence occurred during the 1940s particularly towards the end was as a result of Zionists filling the gap left by the British in 1948. Such a reading stands in stark contrast with other works that suggest otherwise such as *Expulsion of the Palestinians: The Concept*

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[24] Lorenzo Veracini, *Settler Colonialism:…, op.cit.*

[25] Caroline Elkins and Susan Pedersen (eds.)*, Settler Colonialism in the Twentieth Century* (London & N.Y.: Routledge, 2005), p. 5.

[26] Gershon Shafir, "Settler Citizenship in the Jewish Colonization of Palestine," in Caroline Elkins and Susan Pedersen (eds.)*, Settler Colonialism in the Twentieth Century* (London & N.Y.: Routledge, 2005), pp. 41-57; Susan Pedersen, "Settler Colonialism a the Bar of the League of Nations" in *Ibid,* pp. 113-134.

[27] *Ibid.,* here p. 54.

[28] Susan Perdersen, "Settler Colonialism at the Bar of the League of Nations" in Caroline Elkins and Susan Pedersen (eds.), *Settler Colonialism…, op.cit.,* p. 128.

of 'Transfer' in Zionist Political Thought, 1882-1948 by Nur Masalha whose analysis includes the selective periods in Elkins-Pedersen yet maintains a periodic continuum between the early 1880s to the late 1940s. Other such works include *The Birth of the Palestinian Refugee Problem, 1947-1949* by Benny Morris, and *The Ethnic Cleansing of Palestine* by Ilan Pappe.[29] The above illustrates how different research on the same subject could produce conflicting outcomes. One could suspect that this bears the reminiscences of orientalism. This therefore is a motive behind the methodological construct of the structure of the research done in this study which uses an analytical conceptual framework of analysis to contextualize what would otherwise be descriptive information that could be read or interpreted several ways.

Another, methodological feature of this study, is that in analysing and developing the modified Tillian model, a selection of cases are initially examined while excluding the Zionist so that contentious discourses concerning it would not be included at this early stage. This could have the effect of evoking subliminal biases which would tarnish the intergrity of the conceptual analytical framework in the making, and possibly fall into the very analytical pit-holes this research has sought to avoid. Subsequently, even the selection of cases was as a result and reflection of some the overlap in the literature itself where some sources made reference to another case by way of comparison or contrast. George Fredrickson provides a substantial comparative analysis both descriptive and conceptual between the American case and Apartheid South African, in his book *White Supremacy: A Comparative Study in American & South African History.* Based on and extensive number of sources, he conceptually traces the beginnings of what Osterhammel later categorized as the "New England" type of settler colonialism, to British colonization of Ireland in the sixteenth century.[30] Furthermore, he points out that the racist discourse which gave colonisation its momentum, was based on its construction of a monopoly of truth. He traces the discourse which constructed its claimed validity through the Middle Ages, through the time of the Moslem presence in Spain, through the Classical Period to a Biblical premise.

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[29] Nur Masalha, *Expulsion of the Palestinians: The Concept of 'Transfer' in Zionist Political Thought, 1882-1948* (Washington: Institute of Palestine Studies, 1992); Benny Morris, *The Birth of the Palestinian Refugee Problem, 1947-1949* (Cambridge: Cambridge University Press, 1988); and Ilan Pappe, *The Ethnic Cleansing of Palestine* (Oxford: Oneworld Publications Limited, (2006) 2007).

[30] George M. Fredrickson, *White Supremacy: A Comparative Study in American & South African History* (New York: Oxford University Press, 1982), pp. 14-15.

Fredrickson adds that as early as 1521, a German Hebraic scholar attributed that "all barbarous peoples descended from Ham, while all civilized men were the issue of Shem and Japheth."[31] Further analysis of the origins and theories behind settler colonialism is provided by Carole Pateman and Charles Mills in their substantive work *Contract and Domination* particularly the chapters on *The Settler Contract* and *Reparing the Racial Contract.*[32] Further insight into discourses about the creation of the settler colonizers and the decimation of the indigenous nations are provided in Patrick Brantlinger's work *Dark Vanishings: Discourse on the Extinction of Primitive Races, 1800-1930.*[33] Other sources used in this study in the analysis of the case of the United States are the edited work by Jon E. Lewis *The Mammoth Book of Native Americans: The story of the America's original inhabitants in all its beauty, magic, truth and tragedy,*[34] Carl Waldman's *Atlas of the North American Indian*[35] and the edited work by Betty Ballantine and Ian Ballantine *The Native Americans: An Illustrated History.*[36] These combined provide a rich pool of empirical data on the case of the United States for analysing the production of the settler-colonial existence there.

Henry Reynolds, while providing rich research on settler colonization of Australia and its impact on the Aboriginal nations there, frequently refers to the American case in the context of an interesting sequential framework, almost as if representing a learning process. In other words that settler colonialism in Australia seems to have learned from that in the United States. On this point, Patrick Wolfe concludes that "[i]ndeed… the settler-colonial policies that authorities in… [Australia and the United States] have implemented or have attempted to implement might seem to have been drawn from a common stock."[37] Reynolds has numerous works such as *An Indelible Stain? The Question of Genocide in Australia's*

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[31] *Ibid*., pp. 9-10, citing on p. 10 Nicholas P. Canny, "The Ideology of English Colonization: From Ireland to America", *William and Mary Quarterly,* XXX, (1973), pp. 585-586. See also John L. Comaroff, "Images of Empire, Contests of Conscience: Models of Colonial Domination in South Africa", *American Ethnologist,* Vol. 16, No. 4 (1989), pp. 661-685, here p. 673.

[32] Carole Pateman and Charles Mills, *Contract and Domination* (Cambridge: Polity Press, 2007).

[33] Patrick Brantlinger, *Dark Vanishings: Discourse on the Extinction of Primitive Races, 1800-1930* (Ithaca and London: Cornell University Press, 2003).

[34] Jon E. Lewis (ed.), *The Mammoth Book of Native Americans: The Story of the America's Original Inhabitants in All its Beauty, Magic, Truth and Tragedy* (London: Constable & Robinson Ltd., 2004).

[35] Carl Waldman, *Atlas of the North American Indian* (New York: Checkmark Books, (1985) 2000).

[36] Betty Ballantine and Ian Ballantine (eds.), *The Native Americans: An Illustrated History* (Atlanta: Turner Publishing Inc., 1993).

[37] Patrick Wolfe, "Land, Labor, and Difference: Elementary Structures of Race", *The American Historical Review,* Vol. 106, No. 3 (June 2001), pp. 866-905, here p. 870.

History,[38] and *Frontier: Aborigines, Settlers and Land,*[39] as well as his other works which include *Dispossession: Black Australians and White Invaders*[40] and *The Law of the Land.*[41] A conceptual comparative work about colonial frontiers is provided by the work edited by Lynette Russell entitled *Colonial Frontiers: Indigenous-European Encounters in Settler Societies*[42] and her jointly edited work with Ian J. McNiven entitled *Appropriated Pasts: Indigenous Peoples and the Colonial Culture of Archaeology.*[43] These combined in addition to other articles seem to provide a good base for engaging in the type of research for the purposes of this study.

Analysis of the case of Aparthied South Africa also used Fredrickson's *White Supremacy* for the comparative context as well as empirical material therein. An overview of the emergence of Apartheid used Leonard Thompson's *A History of South Africa,*[44] as well as John L. Comaroff's article *Images of Empire, Contest of Conscience: Models of Colonial Domination in South Africa* in which he proposes three models particularly drawn from a body of literature.[45] Other material such as the work Eliane Unterhalter in her chapter entitled *Constructing Race, Class, Gender and Ethnicity: State and Opposition Strategies in South Africa* as well as Ralph Austen's *African Economic History: Internal Development and External Dependency* and relevant sections from L. S. Stavrianos's *The Global Rift: The Third World Comes of Age* are also relevant .[46] On the latter years of Apartheid Joseph Hanlon's works about the influence of Apartheid over the Southern African region *Beggar*

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[38] Henry Reynolds, *An Indelible Stain? The Question of Genocide in Australia's History* (Australia: Viking Penguin Press, 2001); another valuable source is A. Dirk Moses (ed.), *Genocide and Settle Society: Frontier Violence and Stolen Indigenous Children in Australian History* (New York and Oxford: Berghahn Books, 2004).

[39] Henry Reynolds, *Frontier: Aborigines, Settlers and Land* (Australia: Allen & Unwin, (1987) 1989).

[40] Henry Reynolds, *Dispossession: Black Australians and White Invaders* (Australia: Allen & Unwin Pty Ltd, 1989).

[41] Henry Reynolds, *The Law of the Land* (Australia: Penguin Books, 1987).

[42] Lynette Russell (ed.), *Colonial Frontiers: Indigenous-European Encounters in Settler Societies.* (Manchester: Manchester University Press, 2001)

[43] Ian J. McNiven and Lynette Russell, *Appropriated Pasts: Indigenous Peoples and the Colonial Culture of Archeology* (New York: Altamira Press, 2005).

[44] Leonard Thompson, *A History of South Africa* (New Haven: Yale University Press, 1990).

[45] John L. Comaroff, "Images of Empire, Contests of conscience: Models of Colonial Domination in South Africa", *American Ethnologist,* Vol. 16, No. 4 (1989), pp. 661-685, here pp. 672-677.

[46] Elaine Unterhalter, "Constructing Race, Class, Gender and Ethnicity: State and Opposition Strategies in South Africa" in Daiva Stasiulis and Nira Yuval Davis (eds.), *Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity and Class* (London, Thousand Oaks, New Delhi: Sage Publications, 1995), pp. 207-240; Ralph Austen, *African Economic History: Internal Development and External Dependency* (Portsmouth, N.H.: Heinemann, 1987); L. S. Stavrianos, *The Global Rift: The Third World Comes of Age* (New York: William Morrow & Co. Inc., 1981).

Your Neighbors: Apartheid Power in Southern Africa and *Apartheid's Second Front: South Africa's War Against Its Neighbours*[47] were used.

While the cases of the United States, Australia and Apartheid South Africa could be analysed as settler-colonial almost without contention, the Zionist case is not as straightforward particularly because of the variety of classifications it has been given ranging from a national movement to a settler-colonial one; and furthermore since it seems to be on-going, happening in real-time. While there has been, and more so over the past decade, more work being produced placing the Zionist case within a settler-colonial paradigm, there is a weight of literature which attempts to place it in a more benign framework of analysis. This dynamic seems to epitomize the workings of orientalism and is also on-going in current debate. Placing the Zionist case within the conceptual framework of settler colonialism cannot be based solely on perspective or opinion, but would have to be manifest through a conceptual model or framework of analysis. The framework here uses the proposed modified Tillian model as well as the main components of total war as was mentioned by Heuser: its seems to claim a monopoly of truth (or a 'regime of truth'), a reversal in the roles of politics and war that it is waged against entire populations or nations. These in addition to the particularity of the geographical location as derived and compared with the previous cases would seem to have to both describe and explain the dynamics of the Zionist case from its beginnings in Palestine through today. A selection of sources could be used for this purpose. Situating the Zionist case within the settler colonial paradigm began with Maxime Rodinson's work *Israel: A Colonial Settler State.* He concludes that the creation of the Zionist state in Palestine "fits perfectly into the great European-American movement of expansion in the nineteenth and twentieth centuries whose aim was to settle new inhabitants among other peoples or to dominate them economically and politically." [48] This in effect places the Zionist case to signify settler colonialism conceptually. Ian Lustik in *Unsettled States Disputed Lands: Britain and Ireland, France and Algeria, Israel and the West Bank-Gaza* situated the occupation of the Palestinian land after 1967 as colonization in which the colonial "mother country" is the

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[47] Joseph Hanlon, *Beggar Your Neighbors: Apartheid Power in Southern Africa* (London: Catholic Institute for International Relations and Indiana University Press, 1986); Joseph Hanlon, *Apartheid's Second Front: South Africa's War Against its Neighbours* (London: Penguin Books (1986) 1987).
[48] Maxime Rodinson, *Israel: A Colonial Settler State* (New York: Monad, (1973) 1980), p. 91.

Israeli state on the 1948 Palestinian land.[49] This analysis does not seem to have been corroborated by focusing only on the Zionist settler-colonial expansion in the West Bank and East Jerusalem particularly over the past two decades of the negotiations which should have reflected some form of colonial contraction to the 'mother country'; indeed quite the opposite seems to have happened as shall be illustrated in chapter four. An earlier work by Veracini entitled *Israel and Settler Society*[50] categorized the Zionist case as one not completely compatible with a colonial one, hence his definition of settler colonialism in his latest work mentioned above. A number of other sources are used during the course of analysis of the Zionist case within the conceptual analytical framework modified from the Tillian model.

6. Chapter outline

The purpose of chapter one is to sort out the conflicting meanings regarding *nation* and *nation-state* so as to arrive at a clear meaning of what both terms entail. This helps in determining what settler-colonial states are and what they are not. Once this has been sorted out, it is then possible to proceed to develop an analytical framework about settler colonial cases which can be used to compare and contrast several such cases. The development of such a framework is done in Chapter two. In chapter three, three colonial settler cases are analyzed using the analytical framework of analysis developed in the previous chapter. From the cases of the United States, Australia, and South Africa, some patterns are drawn out which shall be useful in analyzing the Zionist case which is content of chapter four. The last part provides some observations made on the Zionist case in the context of the previous three cases. Some overall observations about settler colonial cases are made as well as overlaying conclusions about the research as whole.

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[49] Ian Lustik, *Unsettled States Disputed Lands: Britain and Ireland, France and Algeria, Israel and the West Bank-Gaza* (Ithaca: Cornell University Press, 1993).
[50] Lorenzo Veracini, *Israel and Settler Society* (Londond: Pluto Press, 2006).

Chapter One: The nation-state and orientalism

This chapter analyzes literature which evolved around three propositions concerning nation, whether settler colonizers are nations, and whether settler-colonial states can be regarded as nation-states. To arrive at conclusions about the propositions, W.H. Newton-Smith's theory of meaning shall be used. The following reviews the definitions of *nation* from a sample of literature. A particular pattern emerges when analyzing settler-colonial cases. Whether they constitute nations is also examined. This effort is not intended as a comprehensive literature analysis on what has been written on the subjects and categorizations.[51] Rather, it illustrates the differences by reviewing some works of some scholars to illustrate the contrasts between the meanings of the terms examined. According to the W.H. Newton-Smith's theory of meaning, a term cannot have one meaning and also mean its opposite.[52] The following are three contradictory propositions that have been extracted from the relevant literature which illustrate the workings of an oreintalist discourse seemingly to maintain such discrepancies.

1. The first proposition is that "a nation exists AND does not exist at the same time."

2. The second proposition is that "settler colonizers are nations AND are not nations."

3. The third proposition is that "a state is a nation-state AND is not a nation-state."

A fourth proposition that emerges from literature concerning the production of settler-colonial existence is highlighted in this chapter, but analyzed further in chapter two.

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[51] Theorists such as Elie Kedourie, Tom Narin, Eric Hobsbawm, and Paul Brass just to name a few have been left out at this stage of the research. Furthermore, while it may be necessary to address *nationalism* in discussions of the *nation* phenomenon, to include it at this stage would defeat the purpose of the paper which is to distinguish between nations, states, and combinations of both. Conceptually and to varying degrees, *nationalism* tends to be mutually inclusive with nations, states and nation-states. This characteristic would only shed more confusion to the latter terms. See Walter Schnee, "Nationalism: A Review of the Literature", *Journal of Political and Military Sociology,* Vol. 29, No. 1, Summer 2001, pp. 1-18. On p.1 he defines nationalism a "one of the ideologies, perhaps the ideology, which characterizes modern society. In other words, nationalism is a way of thinking about society, whether domestic or international."

[52] W.H. Newton-Smith, "Relativism and the Possibility of Interpretation" in M.Hollis and S. Lukes (eds.), *Rationality and Relativism* (London: Blackwell, 1982), pp. 106-122.

1. The first proposition: "a nation exists AND does not exist"

In order to tackle this proposition, it is necessary to go over the contesting definitions of the term "nation".

What is a nation?[53]

Linguistically, "the word *nation* comes from the Latin and initially bore the idea of common blood ties. It was derived from the past participle of the verb *nasci,* meaning to be born and hence the Latin noun, *nationem*, connoting *breed* or *race.*"[54] In the literature on the term *nation*, the concept fluctuates from a one with an explicit territorial component to one that is abstract; hence, two propositions: a nation exists on a territory (is real- is territorial) AND a nation does not exist on a territory (is a-territorial rather abstract or myth). According to the theory of meaning both propositions cannot be true at the same time. It is not logical: X cannot be A and not-A at the same time. So how can the emergence of such a proposition distilled from the sample literature be explained?

i. Nation exists (is territorial)

In the following definition, the territorial component is intrinsic.

> [A nation is a] social group which shares a common ideology, common institutions and customs, and a sense of homogeneity.... In the nation... there is also present a strong group sense of **belonging associated with a particular territory considered** to be peculiarly its own.[55]

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[53] In contrast with the monotheistic nation in which 'reality ' is believed to be a fragment of the absolute Reality of the Creator, the focus here shall be on the secular nation which developed with the rise of nationalism as articulated in the following quote by Ernest Gellner, *Nations and Nationalism* (Oxford: Blackwell Publishers, (1983) 1993), p. 142: "Society can and does worship itself or its own culture directly and not as Durkkeim taught, through the opaque medium of religion.... In such a society, one's prime loyalty is to the medium of our literacy, and to its political protector. The equal access of believers to God eventually becomes equal access of unbelievers to education and culture." See also Walter Schnee, "Nationalism…, *op. cit*., pp. 8-9. Here Schnee reviews Benedict Anderson's definition of nation: "Anderson ... does recognize the strong parallels between the nation and the religious community. Whereas, for Europe at least, Christianity had provided the means for conceptualizing and understanding temporal reality in terms of the sacred, the rise of nations and nationalism provided a secular means of doing so." He adds referring to Michael Billig "Instead of the godhead, society now began to worship itself through anthems, public ceremonies, and flags." Hence the author of this paper suggests that in contrast with a monotheistic view that all ideologies are religions but not all religions are ideologies, the secular view is that all ideologies are religions and all religions are ideologies. Consequently, in the latter, the leap from pre-state religion to post-state nationalism is a technical one whereas in the former view there is an essential shift in the meaning of world-view. This is requires further research and is beyond the scope of this paper. See also Anthony D. Smith, "The Crisis of Dual Legitimation" in John Hutchinson and Anthony Smith (eds.), *Nationalism* (Oxford: Oxford University Press, 1994), pp. 113-121.

[54] Walker Connor, "A Nation is a Nation, is a State, is and Ethnic Group, is a...", in John Hutchinson and Anthony Smith (eds.), *op.cit.,* p. 38.

[55] As cited by Walker Connor, *op. cit*., p. 36. Original source: 'A Nation is a Nation, is a State, is and Ethnic

Other definitions from within the same group are provided by Mark Simpson, Anthony Giddens, and Anthony Smith just to name a few. Mark Simpson's definition of nation entails a collectivity which has an **attachment to a specific territory** distinguishing itself from other groups and aspiring to political independence.[56] For Anthony Giddens, a "'nation'...only exists when a state has a unified administrative reach over the territory over which its sovereignty is claimed."[57] Comprehensively put, Anthony Smith's definition of a nation is "a named human population **sharing a historical territory**, common memories, and myths of origin, a mass standardized public culture, a common economy, and common legal rights and duties for all members..."[58] Examples of nations are England and France.[59]

ii. Nation does not exist: (is a myth, a-territorial)

In contrast, another group of scholarship regards *nation* as an abstract notion to various degrees. The most abstract definition comes from Ernest Renan where:

> A **nation is a soul**, a spiritual principle. Only two things, actually, constitute this soul ...the past, [and] the other is in the present. One is the possession in common of a rich legacy of remembrances; the other is the actual consent, the desire to live together, the will to continue to value the heritage which all hold in common....A nation is a grand solidarity constituted by the sentiment of sacrifices which one has made and those that one is disposed to make again…. A **nation never has a real interest in being annexed or holding on to a country despite itself**.[60]

Renan does not deny that this is somewhat metaphysical, and that the omission of the territorial component does not affect his definition of nation. In this sense, nation is not a people associated with a territory but a people themselves having a connection with each

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Group, is a...", *Ethnic and Racial Studies,* Vol. 1, No. 4 (1978), pp. 379-88. [Emphasis added]

[56] Mark Simpson, "The Experience of Nation-Building: Some Lessons for South Africa", *Journal of Southern African Studies,* Vol. 20, No. 3 (September 1994), pp. 463-474, here pp. 463-464. His definition is "... a nation, that is a collectivity who shared a common history, language, culture and attachment to a specific territory, and most importantly in order to distinguish them from an ethnic group with which they share the former attributes, possessed a sense of self-awareness that they are distinct from other groups and aspired to political independence." [Emphasis added]

[57] Anthony Giddens, "The Nation as Power-Container" in John Hutchinson and Anthony Smith (eds.), *Nationalism, op. cit.,* p. 34. Original source: "A Contemporary Critique of Historical Materialism", ii. *The Nation-State and Violence* (Polity Press: Cambridge, 1985), pp. 119-121.

[58] Anthony Smith, *National Identity* (Reno, N.V.: University of Nevada Press, 1991), p. 60, and Anthony Smith, "National Identity and the Idea of European Unity", *International Affairs*, Vol. 68, No. 1, pp. 55-76. [Emphasis added]. Smith modifies his concept of nation a decade later; see below.

[59] See John Hutchinson, "Cultural Nationalism and Moral Regeneration" in John Hutchinson and Anthony Smith (eds.), *Nationalism, op. cit.,* p. 123.

[60] Ernest Renan, "Qu'est-ce qu' une nation?" in John Hutchinson and Anthony Smith (eds.), *Nationalism, op. cit.,* p. 17. Original source: *Qu'est-ce qu' une nation*, (trans.) Ida Mae Snyder (Calmann-Levy: Paris 1882), 26-29. [Emphasis added].

other in their minds. On a less metaphysical level but nonetheless theoretical, Karl Deutsch takes a socio-demographic approach relying on effective channels of communication.[61] Here also, the emphasis is placed on human communication rather than the attachment to a land. This is reiterated by Hugh Seton-Watson who defines nation as a sense of solidarity, common culture, and national consciousness.[62] Ernest Gellner also emphasises the mutual recognition of solidarities and loyalties of people rather than territory. Hence,

> …nations are the artefacts of men's convictions and loyalties and solidarities. **A mere category** of persons (say, occupants of a given territory, or speakers of a given language, for example) **becomes a nation if and when members of a category firmly recognize certain mutual rights and duties to each other in virtue of their shared membership of it. It is their recognition of each other as fellows of this kind which turns them into a nation, and not the other shared attributes,** whatever they might be, which separate that category form non-members." [63]

Furthermore, Max Weber's entails the notion of a community of sentiment – unified by a myth of common descent and with a commitment to political project – which normally could culminate into a state.[64] Like Gellner, Weber's definition does not regard the territorial aspect as significant as the mutual recognition by the members of a community of their mutual rights and duties in order to belong to that 'nation'. Benedict Anderson takes the definition even further to propose that **nations are imagined communities.** He attributes this to "[t]he convergence of capitalism and print technology on the fatal diversity of human language [which] created the possibility of a new form of imagined community,

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[61] See Karl W. Deutsch, "Nationalism and Social Communication" in John Hutchinson and Anthony Smith (eds.), *Nationalism, op. cit.,* p. 15. Original source: *Nationalism and Social Communication,* (2nd edn.) (Cambridge, M.A.: MIT Press, 1966), pp. 96-8, 101, 104-105. "Karl Deutsch's socio-demographic approach offers a functional definition of the nation which avoids single-factor characterizations of the nation, and proposes 'the presence of sufficient communication facilities with enough complementarity to produce the overall result'. Deutsch argues that the objective of nationalist organizations is to strengthen and extend the channels of communication which can ensure a popular compliance with national symbols and norms." On p. 26 in Hutchinson, Deutsch explains communication to entail "the storage, recall, transmission, recombination, and reapplication of relatively wide ranges of information; and the 'equipment' consists in such learned memories, symbols, habits, operating preferences, and facilities as will in fact be sufficiently complementary to permit the performance of these functions."

[62] See definition by Hugh Seton-Watson, *Nations and States* (Boulder, C.O.: Westview Press, 1977), p. 1: "A nation is a community of people, whose members are bound together by a sense of solidarity, a common culture, a national consciousness" as cited by Shu-Yun Ma, "Nationalisms: State-Building or State-Destroying?", *Social Science Journal,* Vol. 29, No. 3 (1992), http://weblinks1.epent.com/citation.asp, here pp.1-2 (printed from internet version).

[63] See Ernest Gellner, *Nations and Nationalism ... op. cit.,* p. 7. [Emphasis added].

[64] See Max Weber, "The Nation" in John Hutchinson and Anthony Smith (eds.), *Nationalism, op. cit.,* pp. 15, 25. Weber's definition: "a nation is a community of sentiment which would adequately manifest itself in a state of its own; hence, a nation is a community which normally tends to produce a state of its own." The original source is from *Max Weber: Essays in Sociology,* H.H. Gerth and C. Wright-Mills (trans. and ed.) (London: Routeldge & Kegan, 1948), pp. 171-177, 179.

which in its basic morphology set the stage for the modern nation."[65] Here the emphasis is on the imagination of the human agent rather than the connection to a territory.

iii. A nation exists AND does not exist:

A third category of literature seems to hold the two types of definitions of nation simultaneously: that a nation is territorial (exists) and a myth (does not exist) at the same time. John Hutchinson divides nations into two entities: political and cultural. He explains that a nation manifesting political nationalism is territorially specific, while a nation representing a cultural nationalism is social-strata specific which demands that natural divisions within the nation be respected. Hence:

> **Political nationalists** share with cultural nationalists an antipathy to the bureaucratic state, but they tend to look to reason as their ethical source. Their ideal is a civic *polity* of educated citizens united by common laws and morals like the *polis* of classical antiquity. …[and] because, the world is divided into a multiplicity of political communities, they **are forced to work within a specific territorial homeland in order to secure a state that will embody their aspirations**.... By contrast, the **cultural nationalist** perceives the state as an accidental, for the essence of a nation is its distinctive civilization, which is the product of its unique history, culture and geographical profile. Unlike the political nationalist, who is fundamentally a rationalist, a cultural nationalist like Herder affirms a cosmology according to which humanity, like nature, is infused with a creative force which endows all things with an individuality. **Nations are primordial expressions of this spirit**.... Nations are then not just political units but *organic* beings, living personalities, whose individuality must be cherished by their members in all their manifestations. Unlike the political nationalist, the cultural nationalist founds the nation not on 'mere' consent or law but on the passions implanted by nature and history.[66]

Hutchinson is not alone in promoting such a dual meaning of nation, one that is territorial which he calls 'political nationalism' and another which is spiritual which he calls 'cultural nationalism.' Walker Connor begins with a definition of nation from a popular dictionary of International Relations "[a] nation may comprise of part of a state, be conterminous with a state, or extend beyond the borders of a single state."[67] By doing so, he regards territoriality as intrinsic to the definition of nation. Nevertheless, later he defines nationalism as a

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[65] See Benedict Anderson, "Imagined Communities" in John Hutchinson and Anthony Smith (eds.), *Nationalism, op. cit.,* p. 95. [Emphasis added]

[66] See John Hutchinson, "Cultural Nationalism and Moral Regeneration" in John Hutchinson and Anthony Smith (eds.), *Nationalism, op. cit.,* p. 122. The author adds: " ...for cultural nationalists the nation ....is perceived as a complex of individualities, each one of which has equal rights and value to the community.... cultural nationalists demand that the natural divisions within the nations – sexual, occupational, religious and regional – be respected, for the impulse to differentiation is the dynamo of national creativity."

[67] Walker Connor, "Nation-Building or Nation Destroying?" *World Politics,* Vol. 24 (1972), pp. 319-355, here p. 333.

"psychological bond" in which "**what ultimately matters is not what is but what people believe is.**"[68] Both Hutchinson and Connor, fluctuate from a concept of nation which focuses on territory to another which is not tangible, but rather cultural or psychological. Anthony Smith makes a similar shift perhaps in an attempt to merge the various definitions of nation. In contrast with his concept of nation in 1991 which was territorially specific,[69] his modified definition of 2002 drops the territorial component to focus on the process. Hence,

> The concept of the **nation involves a series of different processes** coming together; and, in the nature of things, **it must be a matter of judgement, of the participants and the analyst,** as to whether the processes have developed to the point where they and we can begin to speak, more or less tentatively, of **the presence of nations in the minds and hearts of people and in their institutional expression.**[70]

Smith admits that this definition "lays great **emphasis upon the subjective elements** of attachment, will and imagination of groups of individuals."[71] Yet, he adds "it also points to the institutional expression of these elements – in recorded myths, memories and traditions, in symbols and values, and in the various forms and styles of art, music, literature, law, ritual and activity that give concrete and recurrent embodiment of these elements."[72] Along this line, Goradana Uzelac also focuses on a process which can have two forms:

> [It] could either be a *temporal determination,* that is, delineating a specific stage in history when the nation as a social phenomenon emerged, or it can be a *conditional determination*, explaining various characteristics social groups have to fulfill in order to be defined and recognised as nations.[73]

Uzelac, then provides a modified definition of nation as "a *social agency politically organised as a community which claims its rights on the basis of a culture defined as its own.*"[74] Here, any politically organized group can claim right to be a nation based on its culture. The problem this definition does not address is what happens when such a group claims right to a territory which belongs to another nation. Also it proceeds to take on a

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[68] Walker Connor, "A Nation ... *op. cit.,* pp. 36, 37. [Emphasis added], original source: "A Nation is a Nation, is a State, is and Ethnic Group, is a...", *Ethnic and Racial Studies,* Vol. 1, No. 4 (1978), pp. 379-388. Connor wrote a refreshing critique on the mis-use of terminology referring to nations and states. His conceptual lapse does not diminish the significance of sorting out the terminological chaos; emphasis added. See also Walker Connor, "Nation-Building ... *op. cit.,* pp. 319-355.

[69] See above point i) Nation exists.

[70] Anthony D. Smith, "When is a Nation?", *Geopolitics,* Vol. 7, No. 2 (Autumn 2002), pp. 5-32, here p. 29.

[71] *Ibid.*

[72] *Ibid.,* pp. 29-30.

[73] Gordana Uzelac, "When is the Nation Constituent Elements and Processes", *Geopolitics,* Vol. 7. No. 2 (Autumn 2002), pp. 33-52, here p. 33. (Italics in original text).

[74] *Ibid.* , p. 49. (Italics in original text).

more subjective position by implying that societies in the *process of becoming nations* have equal standing as nations that have existed on territory for a prolonged period of time. The definition becomes problematic when the social agency claiming rights to nationhood imposes itself on the territory of another nation. Here, a social agency objectively classified as a nation over a territory, clashes with another social agency which proclaims nationhood on the same territory not on the basis of living and having lived on it, but on their other abstract criterion or perception or belief. This becomes especially clear in the cases of settler-colonialism versus and indigenous nations, which shall be illustrated below.

Analysis of i, ii and iii:

If one were to apply W.H. Newton-Smith's theory of meaning on the first proposition which has emerged from the literature sample above (namely, that *a nation exists* and *does not exist),*[75] one concludes that both parts of the proposition cannot be valid simultaneously i.e. at *the same time.* Implicit in Newton-Smith's logical tool is the temporal element which is key to its logical function. Whether each part of the proposition is located *at the same* time or *at different times,* determines whether both can logically exist *together* or *separately.* Alternatively, there are two possible outcomes if the parts of the proposition were to represent *different times.* Hence, a thing, an organism, or an idea can:

- *be* at one time and then *not be* at a later time.

- *not be* at one time and then *be* at a later time (*come to be).*

But this is not what the theory of meaning addresses as it assesses the validity of both statements in the proposition *at the same time* and *not* in different times. Hence, at this stage of the analysis, one can conclude that the third group of literature does not pass the logical standards in the Newton-Smith's theory of meaning. That is, the group of literature that claims that "a nation exists and does not exist", cannot be valid.

Why a group of scholars would hold on to such a proposition and the validity of the claims of the first and second groups – that is, whether "a nation exists (is territorial)" or "a nation does not exist (is a myth)" – cannot be determined at this stage of the research. It is not clear what interest(s) lie(s) behind espousing either three combinations of the proposition. Exploring cases of when the assertions clash could reveal more about the implications of espousing one or the other or both. Settler colonizers versus indigenous nations seem to be

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[75] Italics are used in here to emphasize the terms used and separate them from the text used to discuss or analyze.

such cases which also seem to produce another conflicting proposition. Hence, the next proposition is what emerges from the sample of relevant literature.

2. The second proposition: "settler colonizers are nations AND are not nations"

The above analysis has shown that the assertion that "nations exist and do not exist" cannot be valid according to the theory of meaning. In the analysis here, another proposition is reviewed – one that emerges from relevant literature regarding settler-colonial cases in relation to the indigenous nations. The following shall analyze both parts of the above proposition: the first that settler colonizers are nations, and the second that settler colonizers are not nations. A third category which considers that settler-colonizers may simultaneously be, and not be, nations, (after altering the definition of nation) is also reviewed. The theory of meaning shall then be used to analyze these and the unresolved parts of the previous proposition of whether a nation exists or not. First, however, it may be useful to give a brief idea of what is meant by settler colonialism.

What is settler colonialism?

Settler-colonizers are part of a process of colony-making. Jürgen Osterhammel provides a succinct definition of what is meant by a colony:

> A *colony* is a new political organization created by invasion (conquest and/or settlement colonization) but built on pre-colonial conditions. Its alien rulers are in sustained dependence on a geographically remote "mother country" or imperial center, which claims exclusive rights of "possession" of the colony.[76]

Setter colonialism, however, is distinguished from imperial expansion by its ultimate aim. This is clarified by Caroline Elkins and Susan Pedersen:

> Settler colonialism is routinely and rightly distinguished from imperial expansion undertaken for military advantage or trade, for in such cases imperial overlords often concern themselves as little as possible with **land seizure or internal governance**, seeking companies. The presence of a settler population intent on making a territory their permanent home while continuing to enjoy metropolitan living standards and political privileges creates a quite different dynamic.[77]

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[76] Jürgen Osterhammel, *Colonialism* (Princeton: Markus Wiener Publishers, (1995) 1999), p. 10.
[77] Caroline Elkins and Susan Pedersen (eds.), *Settler Colonialism in the Twentieth Century* (London and New

Establishing a new existence of a settler population on a new territory geographically, distant from the "mother country" and to make it its own, sets in motion a particular dynamic of colonialism. Alfred Moleah expands on this distinct dynamic:

> All colonialisms have a racist predicate but settler colonialism has a virulent racist predicate. To enable ruthless exploitation, brutal repression, extermination or expulsion of the natives, their humanity is denied by the simple act of negation. The settler colonialist declares, one way or another, that 'the native is not human' or, worse, 'the native does not exist'.[78]

Examples of settlement colonies are provided by Jürgen Osterhammel, Caroline Elkins, Susan Pedersen and Hyung Gu Lynn. These include the United States, Canada, Australia, New Zealand, Southern Rhodesia (before it became Zimbabwe), and South Africa (before the fall of Apartheid).[79] One can now proceed to examine the parts of the proposition deduced from the following sample of literature.

i. Settler colonizers are nations:

The following is a sample of literature which claims that settler colonizers are nations. Enakshi Dua considers "Canada as a white settler nation."[80] Michel Seymour also argues that Canada is a "nation."[81] Robert McCreight considers the United States a nation amongst "several other nations."[82] Bruce Tranter and Mark Western, consider both the United States and Australia as part of the community of "advanced Western nations."[83] A publication by

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York: Routledge, 2005), pp. 3-4, 17-18.

[78] Alfred Moleah, "Zionism and Apartheid: An Unlikely Alliance?" in EAFORD & AJAZ (eds.), *Judaism or Zionism? What Difference for the Middle East?* (London: EAFORD & Zed, 1986), pp. 148-168, here p. 155-156.

[79] See Jürgen Osterhammel, *Colonialism, op. cit.*, p.11-12; Caroline Elkins and Susan Pedersen (eds.), *Settler Colonialism ..., op. cit.,* p. 2; Hyung Gu Lynn, "Multhusian Dreams, Colonial Imaginary: The Oriental Development Company and Japanese Emigration to Korea", in *Ibid.,* pp. 25-40, here p. 25. While Osterhammel categorizes settler colonialism into three: the "New England", the "African" and the "Caribbean" types and distinguishes the settler colonialism from other types of colonialisms, neither he nor Elikins-Pedersen nor Gu Lynn make a distinction between the settler-colonial and the colonial-settler. While both are settlers, the former develops independency from the metropolitan colonizer in the "mother country" while the latter is under the control of the "mother country" colonial apparatus. This shall be explained in more detail in the next chapter.

[80] Enakshi Dua, "Exclusion through Inclusion: Female Asian Migration in the Making of Canada as a White Settler Nation", *Gender, Place and Culture,* Vol. 14, No. 4 (August 2007), pp. 445-466, here p. 445.

[81] Michel Seymour, "Quebec and Canada at the Crossroads: A Nation within a Nation", *Nations and Nationalism,* Vol. 6, No. 2, (2000), pp. 227-255, here pp. 244.

[82] Rober McCreight, "Science, Technology and the New President: Advancing Security Prosperity, Resilience and Stability for 2009 and the 21st Century", *Policy Review Research,* Vol. 25, Issue 6 (1 November 2008), pp. 614-618, here p. 614.

[83] Bruce Tranter and Mark Western, "Postmaterial Values and Age: The Case of Australia", *Australian Journal of Political Science,* Vol. 38 , No. 2 (July 2003), pp. 239-257, here p. 239.

the International Institute for Strategic Studies, regards Australia and New Zealand as "two nations [amongst the] Pacific island nations."[84] Haydie Gooder and Jane M. Jacobs consider Australia as one of the "settler nations."[85] Francis G. Castles, Jennifer Curtin and Jack Vowles also term Australia and New Zealand as "[b]oth nations."[86] In all these examples, settler colonial cases are grouped with nations like England and France which were not formed by settler colonialism. In contrast, another sample of literature represents the second part of the above proposition.

ii. Settler colonizers are not nations:

In contrast with the above, another group of scholars do not regard settler colonial groups as nations. Some like Walker Connor are explicit, while others are implicit. Connor points out that the United States cannot be termed a nation:

> Whatever the American people are (and they may well be *se generis*), **they are not a nation** in the pristine sense of the word. However, the unfortunate habit of calling them a nation, and thus verbally equating American with German, Chinese, English, and the like, has seduced scholars into erroneous analogies. Indeed, while proud of being 'a nation of immigrants' with a 'melting pot' tradition, **the absence of a common origin may well make it more difficult**, and conceivably impossible, for the American to appreciate instinctively the idea of the nation in the same dimension and with the same poignant clarity as do the Japanese, the Bengali, or the Kukuyu.[87]

Since a nation is a self-defined group and an ethnic group is defined by others, Connor adds that some scholars have distorted the meanings of both by shuffling one with the other.[88] This happens when referring to settler colonial cases such as the American and Canadian:

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[84] Alexander Nicoll (ed.), "Pacific island conflicts: Challenges for Australia and New Zealand", *IISS Strategic Comments,* Vol. 13, Issue 04 (May 2007), p. 1.

[85] Haydie Gooder and Jane M. Jacobs, " 'On the Border of the Unsayable': The Apology in Postcolonizing Australia", *Interventions,* Vol. 2, No. 2 (2000), pp. 229-247, here p. 229.

[86] Francis G. Castles, Jennifer Crutin and Jack Vowles, "Public Policy in Australia and New Zealand: The New Global Context", *Australian Journal of Political Science,* Vol. 41, No. 2 (June 2006), pp. 131-143, here p. 131.

[87] Walker Connor, "A Nation is a Nation ... *op. cit*., p. 38. [Emphasis added].

[88] *Ibid.*, pp. 37, 38. See also Walker Connor, "Nation-Building…, *op. cit*., pp. 319-355, here p. 337 "...we can describe the nation as a self-differentiating ethnic group. A prerequisite of nation-hood is a popularly held awareness or belief that one's own group is unique in a most vital sense. In the absence of such a popularly held conviction, there is only an ethnic group." Connor adds on page 38: "Unfortunately, terms used to describe human collectivities (terms such as race and class) invite an unusual degree of literary license, and *nation* certainly proved to be no exception. ...One etymologist notes, however, that by the early seventeenth century, *nation* was also being used to describe the inhabitants of a country regardless of that population's ethnonational composition, thereby becoming a substitute for less specific human categories such as the *people* or the *citizenry*." See also Mark Simpson. "The Experience of Nation-Building…, *op. cit.,* pp. 463-464.

Ethnicity (identity with one's ethnic group) is, if anything, more definitionally chameleonic than *nation.* It is derived from *Ethnos,* the Greek word for *nation* in the latter's pristine sense of a group characterized by common descent. Consonant with this derivation, there developed a general agreement that an ethnic group referred to a basic human category (i.e. not a subgroup). [89]

This confusion of terminologies develops a momentum of its own which redefines other terms such as 'ethnicity', 'minority' and 'interest groups.' Connor adds:

American sociologists came to employ *ethnic group* to refer to 'a group with a common cultural tradition and a sense of identity which exists as a subgroup of a larger society.' This definition makes ethnic group synonymous with minority, and, indeed, with regard to group relations within the United States, it has been used in reference to nearly any discernible minority, religious, linguistic, or otherwise."[90]

Furthermore:

The definition of ethnic group by American sociologists violates its original meaning with regard to at least two important particulars. In the traditional sense of an ancestrally related unit, it is evident that an ethnic group need not be a subordinate part of a larger political society but may be a dominant element within a state (the Chinese, English, or French, for example) or may extend across several states, as do the Arabs. Secondly, the indiscriminate application of ethnic group to numerous types of groups, obscures vital distinctions between various forms of identity."[91]

The United States and Canada have used the term ethnic to represent the cultural, religious and indigenous groups/populations together. This serves to categorize them as 'interest groups' – a political classification – rather than a genuinely ethnic representation.[92]

Consequently,

It is difficult for the American to appreciate what it means for a German to be German or for a Frenchman to be French, because the psychological effect of being American is not

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[89] Walker Connor, "A Nation is a Nation…*, op. cit*., p. 43.
[90] *Ibid.*
[91] *Ibid.*
[92] See *Ibid.,* p. 44 where he writes: "However, despite the usefulness that such a categorization possesses for the study of the politics of special interest groups, there is little question but that it has exerted an damaging influence upon the study of nationalism. One result is that the researcher, when struggling through thousands of entries in union catalogs, indices to periodicals, and the like, cannot be sure whether a so-called ethnic study will prove germane to the study of nationalism. Sometimes the unit under examination does constitute a national or potential national group. Other times it is a transnational (inter- or intrastate) group such as the Amer-indians. And, in most instances, it is a group related only marginally, it at all, to the nation, as properly understood (e.g. Catholic community within the Netherlands). Moreover, a review of the indices and bibliographies found in those ethnic studies that do deal with a national of potential national group, illustrate all too often that the author is unaware of the relationship of his work to nationalism." Author cites a work by Nathan Glazer and Daniel Patrick Moynihan in which they defend the grouping of several forms of identity under one rubric: "Thus, there is some legitimacy to finding that forms of identification based on social realities as different as religion, language, and national origin all have something in common, such that a new term is coined to refer to all of them: 'ethnicity'. What they have in common is that they have all become effective foci for group mobilizaion for concrete political ends...". Source: Nathan Glazer and Daniel P. Moynihan, *Ethnicity: Theory and Experience* (Cambridge, MA: Harvard University Press, 1978), p. 18.

precisely equitable. Some of the associations are missing and others may be quite different.[93]

Dorothy Ross reflects this particular American view of what is meant by a "nation" which alters its meaning as has been illustrated above. In a review of American writers from the late 19th century, Ross illustrates their ideas of what they meant by United States. Frederick Douglass, a prominent American writer at the time, considered the United States a nation of many races and religions while admitting that this could be a problem in the country's ascent as a "nation." He believed however that this problem could be solved by "the principle of absolute equality."[94] The emphasis here was on providing legislation to forge a sense of belonging. Implicitly, this signifies that the settler-colonizer society in America was not a nation but was perhaps entering a process to try to become one. Yet, to claim to be a something (to be a nation) and still having to begin the process of becoming that thing (a nation), means essentially that it is not that thing as yet (not a nation). Correspondence between other American thinkers of the 19th century, like Charles Summer and Francis Lieber, illustrate what Connor has noted as the chameleonizing of the term *nation*. The following extract from Ross reflects this dynamic:

> Summer first proposed to Lieber that it was the particular political structure of the United States that **make it a nation**, but Lieber countered: "We started a new *nation.* I always endeavour to show in my lectures on the Constitution of the U.S. that from the first colonization **there was a current leading to a new nationality**; and in the Independence it bodied plainly forth."[95]

Summer's and Douglass's vision of an egalitarian civic sphere and composite nationality had to wait for the twentieth century.[96] Commenting on the American path to becoming a homogeneous society, Connor, writing in the early 1970s, proposed that in America the

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[93] *Ibid.,* p. 38.

[94] Dorothy Ross, "Are We A Nation? The Conjuncture of Nationhood and Race in the United States, 1850-1876", *Modern Intellectual History,* Vol. 2, No. 3 (2005), pp. 327-360, here p. 358. She cites Fredrick Dounglass, "Our Nationality: An Address Delivered in Boston, Massachusetts, on 7 December 1869," in *The Fredrick Douglas Papers,* ed. John E. Blassingam and John R. McKivigan (New Haven, CT: Yale University Press, 1991), 4:240-59; see esp. 340-45.

[95] *Ibid*. p. 356 she cites from: Lieber to Summer, Aug. 25 1867, Francis Lieber Collection, The Huntington Library, San Marino, CA. [Emphasis added]. On page 357 Ross notes that "Summer tried to reinforce this race-free view of the nation by publishing a collection of extracts from mostly European writers that forecast America's greatness in terms of its political unity, continental destiny, and liberty, not is racial or ethnic character. Like the European language of nationhood adapted by other mid-century American writers, Summer's collection legitimated the idea of the United States as a nation comparable to the nations of Europe, but it equally confirmed that **the United States could be a great nation** without the ethnic unity attributed to European nationality." [Emphasis added]

[96] *Ibid*., p. 360.

"[t]otal melting has not yet occurred and may never occur, but it has made great strides and is progressing on a significant scale."[97] Others, such as Marina Ottaway, suggest that the "melting pot" notion is obsolete, three decades later:

> In the United States, the notion of the melting pot has been debunked, particularly as a new wave of immigrants from the developing world has shunned outright assimilation by forming a mosaic of hyphenated Americans. And contrary to the mythology inherited from the 19th-century Europe, historical evidence reveals that the common identity, or sense of nationhood, that exists in many countries did not precede the state but was forged by it through the imposition of a common language and culture in schools.[98]

Settler-colonial societies which rely on incoming migrants cannot claim to be a nation on the basis of its original definition since the composition of the society is continuously being renewed. The identity of such societies is not formed like nations but is invented and at times re-invented.[99] Furthermore, the term *nation* tended to include white settlers exclusively: in the United States the inclusion into American society through the mid 19th century was based on ethnoracial lines (colour) excluding Afro-Americans and indigenous Indian Nations.[100] Canada also in the late 19th century practiced exclusion into the "white settler nation."[101] Australian nationality between the 1830s and the end of the Second World War developed among white settlers from British origins.[102] This has ultimately urged some scholars to develop a new definition of nation which removed the territorial component thus categorizing all nations as imagined. The pretext seemed more to do with settler- colonial societies, than with other types of societies of nations, which could not identify the parameters of the territory they colonized, nor with the continuous incoming variations of migrants changing their societal composition.

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[97] Walker Connor, "Nation-Building …., *op. cit.,* p. 345.

[98] Marina Ottaway, "Nation Building," *Foreign Policy,* Issue 132 (Sep/Oct 2002), pp.16-22, here p.2 from http://weblinks3.epnet.com/DeliveryPrintSave.asp

[99] Lyn Spillman, *Nation and Commemoration: Creating National Identities in the United States and Australia* (Cambridge: Cambridge University Press, 1997); Anthony Moran, "White Australia, Settler Nationalism and Aboriginal Assimilation", *Australian Journal of Politics and History,* Vol. 51, No. 2 (November 2, 2005), pp. 168-193.

[100] Dorothy Ross, *op. cit*., pp. 332-333.

[101] Enakshi Dua, "Exclusion through Inclusion: Female Asian Migration in the Making of Canada as a White Settler Nation", *Gender, Place and Culture,* Vol. 14, No. 4 (August 2007), pp. 445-466, here p. 450. Dua notes that the purpose of excluding Asian women migrants was to prevent the settlement of Asian men in Canada.

[102] Anthony Moran, "White Australia…, *op. cit*., p. 171.

Hence, Benedict Anderson,[103] Homi Bhaba,[104] and Carl Stychin[105] proposed that nations are imagined as Nan Seuffert summarizes:

> …no member can even know all of those who make up the nation, and therefore **each carries a fictional image of the nation.** It is an **imagined** *community* in the sense that all members of the nation are imagined as part of a fraternity. This part of fiction typically masks various forms of inequality, exclusion, and exploitation.[106]

Thus, according to this new definition, all nations are imagined: both nations fixed to territory and those that are psychological or mythical. In this sense settler-colonizer societies are inflated to "nationhood" on imaginary grounds, while indigenous nations are conflated from territorial national identity to imaginary psychological bonds. Some scholars writing on settler-colonial cases have used Anderson's definition as a basis to discuss settler-colonizer and native nationhood: Nicole Waller (US), Anthony Moran and Paul Rainbird (Australia) and Nan Seuffert (New Zealand) just to name a few. This intellectual maneuver transforms the discourse between settler-colonizers and the colonized nations into one of perspectives, rather than objective analysis of what terms are valid in with regard to nations. By assuming that all nations are imaginary, objective analysis of which societies constitute nations and which are not becomes replaced by subjectivity (this shall be elaborated on further below). Hence a celebration of Social-Darwinism as Osterhammel illustrates:

> This line of thought met with general approval and seemed irrefutably corroborated by biology and anthropology… [which some] colonial practitioners transformed racist theory into violent practice….[Hence, l]egitimation of colonial rule in the nineteenth and twentieth centuries… was based not on the *right* of the conqueror to rule, but on the claims that conquerors were fulfilling a universal historical mission as liberators from tyranny and spiritual gloom. Rulers claimed two moral *duties*: to bring the blessings of western civilization to the inhabitants of the tropics and to activate neglected resources in backward countries for the general benefit of the world economy.[107]

An outcome of such an analytical approach produced what can be regarded as a third group of scholars who assume another proposition which is problematic.

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[103] Benedict Anderson, *Imagined Communities…, op. cit.*
[104] Homi Bhaba, "Introduction: Narrating the Nation," in H. Bhaba (ed.), *Nation and Narration* (London: Routledge, 1990).
[105] Carl E. Stychin, *A Nation by Rights* (Philadelphia: Temple University Press, 1998).
[106] Nan Seuffert, "Nation as Partnership: Law, "Race," and Gender in Aotearoa New Zealan's Treaty Settlement", *Law & Society Review,* Vol. 39, No. 3 (2005), pp. 485-256, here p. 489. Seuffer also cites Anderson, *op. cit.,* pp. 6-7; Sychin, op. cit., Bhaba, *op. cit.,* pp. 1-8. [Emphasis added]
[107] Jürgen Osterhammel, *Colonialism, op. cit.,* pp. 109-110, citing from Michael Banton, *Racial Theories* (Cambridge and New York: Cambridge University Press, 1987), p. vii.

iii. Settler colonizers are nations AND are not nations

This category of scholars from the sample literature present a conflicting proposition which counters Newton-Smith's theory of meaning in that a term cannot mean something and its opposite. This group proposes claims that settler-colonizer societies are a "multicultural nation" or "multinational" or even "nation(s) within a nation".

In an attempt to reconcile between the descendants of the French settler-colonizers in Quebec and the descendants of the English speaking settler-colonizers in Canada, Michel Symour builds on a "civic conception of the Canadian nation, held by most Canadians and a socio-political conception of the Quebec, held by most Quebeckers."[108] Seymour proposes that Quebec as a socio-political nation should be accepted as such with a multinational Canada.[109] Kenneth Roberts categorizes Canada as a "nation" with "internal nations" and "multicultural", recognizing the efforts of Canadian political scientists in theorizing how Canadian multintionalism might be accommodated. Here the interchange amongst "multinational", "mulitcutlural" and "internal nations" referring to what he places within parenthesis "First Nations" (Native Americans), denoting that he does not consider them as such.[110] The inability of settler colonial societies to develop into nations, has put into motion efforts by social scientists to come up with other combinations of terms which incorporate the term nation so as not to be categorized as "non-nations". By implication, scholars categorizing, in this case, a settler colonial society as a "nation" in order to be regarded as practicing a "nationalism as liberal ideology and a legitimate practice of nation-building."[111] A process in which loyalty of the citizens of such societies is to their governments, and in so doing, are more willing to recognize themselves as "a common nation". According to Valery Tishkov the length of this consolidation process (nation-formation) "does not in itself account for the homogenous character of, say, Euro-American states."[112]

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[108] Michel Seymour, "Quebec …, *op. cit*., p. 240.
[109] *Ibid.,* pp. 238, 244.
[110] Kenneth Mc Roberts, "Canada and the Multinational State", *Canadian Journal of Political Science",* Vol. 34, No. 4 (December 2001), pp. 683-713, here p. 683-686.
[111] Valery A. Tishkov, "Forget the 'Nation': Post-Nationalist Understanding of Nationalism", *Ethnic and Racial Studies,* Vol. 23, No. 4 (July 2000), pp. 625-650, here p. 628.
[112] *Ibid*., p. 643.

The above analysis illustrates how the term nation is being used by some scholars to denote entities that are not nations such as cultures, ethnicities, and regarding indigenous nations as "First Nations" implying that the settler-colonial societies which came later constitute a nation, or in the case of Canada where the settler-colonial (in French Quebec and the English-speaking societies) are contesting sovereignty within the state. Here societies, which cannot be termed as nations are being theorized as "nations" of some modified form as part of an implicit aspiration to become part of the world community of liberal states, yet having been part of a settler-colonial process. Furthermore, while the theorizing effort is put into accommodating such societies, there is scholarly neglect in recognizing that the nations which were, and may still remain, in the colonized areas are nations by objective assessment, and attachment to their land. An example of the latter is the Maroon Nations who often negotiated with colonial troops or colonial governments in America for "fixed territorial boundaries because the land they inhabited carried the bones of their ancestors, creating a temporal connection."[113] In contrast, the settler-colonial scholarship holds the concept of nationhood to be spatially flexible, and temporally non-linear.[114] In other words, not necessarily with a stable connection to the land or time marking the formation of what it terms as "nation".

This group has adopted Benedict Anderson's definition of a nation as an imagined community, yet they still aspire to be termed as nation in some form or another by re-defining the term without the territorial stability and temporal linearity which are intrinsic to the meaning of the term. For nations, "nation" is a term for objectively distinguishing nations from non-nations; for the latter the term is a concept that can be altered by theorizing and in so doing subjectively marginalizing nations. Furthermore, the proposition that "a nation exists and does not exist" cannot be regarded as valid according to Newton-Smith's theory of meaning.

Analysis of i, ii and iii:

 In the analysis of the previous proposition "a nation exists and does not exist", when the theory of meaning was applied, it could not be held to be valid. Similarly, when applying

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[113] Nicole Waller, " "Not for the Overthrow of Government"? Postcolonialism and Nationhood in an American Studies Perspective", *Neohelicon,* Vol. 35, No. 2 (December 2008), pp. 147-160, here p. 153
[114] *Ibid*., p. 150.

the theory of meaning the proposition above "settler colonizers are nations and are not nations", it cannot be held to valid. What has remained requiring analysis of validity are the both parts of the first proposition (i.e. 'a nation exists' and 'a nation does not exist') as well as both parts of the second proposition (i.e. 'settler colonizers are nations' and 'settler colonizers are not nations'). The following shall discuss each part and its opposite in each proposition utilizing the theory of meaning. With regard to nations and the settler colonizers, also discussed shall be what constitutes the identity of each and how it is formed. This may produce contrasting implications between the concepts of nations and settler colonizers. The example of how Canada came to be, and the current challenges it faces today concerning its demographic composition, can be used to illustrate the contrast between a nation and settler colonizers.

Before the northern part of north America was colonized by the French, what shall be termed here as First Nations (Amerindians) had been living on the land since 20,000 to 30,000 years.[115] Accordingly, the Amerindians objectively meet the definition of a *nation* as a people who have lived on a particular land continuously and whose identity has been formed by the sustained interrelationship between themselves as peoples, the land and over an extended period of time (between 20 to 30 millenniums). Here the term nation is *spatially rigid* in that the space in which these peoples developed as nations is confined to North America. The hundreds of nations that emerged over the northern part of the continent were territorially specific in that each nation had its territory, culture, and language in relation to the other nations.[116] The term is also *temporally linear* meaning that the people have existed on this particular land without interruption throughout the 20 to 30 millenniums. Consequently, the identity of each as a nation was formed by the continuous interaction between three components which *objectively* constitute a nation: **people** of a particular **space** over a **continuous duration of time**.[117] The culmination of this sustained

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[115] Carol Waldman, *Atlas of the North American Indian* (New York: Checkmark Books, (1985) 2000), pp. 1-24; see also *Encyclopedia Britanica*, CD version (2001): "The ancestors of the American Indians were nomadic hunters of northeastern Asia who migrated over the Bering Strait land bridge into North America probably during the last glacial period (20,000-30,000 years ago). By 10,000 BC they had occupied much of N., Middle, and South America."

[116] *Ibid.*, pp. 32-52.

[117] The following concepts have been modified to define the term nation: the term "objective" modified from the term "subjective" used by Anthony D. Smith, *op. cit.*, pp. 5-32, here p. 29; the terms "spatially rigid" and "temporally linear" modified from the terms "spatially flexible" and "temporally non-linear" used by Nicole Waller, " "Not for the …, *op. cit.*, pp. 150.

interaction is a specific identity as a nation. This is consistent with Mark Simpson's definition in which each of the people's "internal legitimacy in territorial terms was uncontested because its population had, over time, come to constitute a nation, that is a collectivity who shared a common history, language, culture and attachment to a specific territory…"[118]

In contrast, the ancestors of the current French Canadians of Quebec came as settler colonizers from France in 1603. Before this time they had not had contact with this land. History of the French invaders to Quebec 'begins' in the 1600s. Yet the French of Quebec, in disregard of the First Nations they displaced or replaced in that region, consider themselves the "rightful inhabitors" of that area in face of the English-speaking settler colonizers who come in 1773, less than two centuries later.[119] As Walker Connor notes:

> Consider the case of a French-Canadian living within the large, predominantly French Province of Quebec. He lives in an ethnic homeland, which has been continuously inhabited by Frenchmen since before coming of *les Anglais* and which is laden with emotional overtones. **English-speaking people are seen as invaders, aliens in a French-Canadian land.[120]**

In both cases of the French and the English settler colonizers of Quebec, they seem to meet Anthony Smith's categorization as, "…. those without particular pasts can have no peculiar destinies, and therefore cannot become 'nations'."[121] Seeing how they begin to 'clock' their histories at different times (the history of the French of Quebec is zero at 1603 and the history of the that of the English colonizers is zero at 1773), both are temporally non-linear as there is not a forging of nationhood through time preceding their *subjective* beginning of 'clocking' from their defferent 'zeroing' of time. In other words, they did not hava a prior and continued eixistance on the land they colonized, prior to the dates they mark as the beinging of their existence on the 'new' land. It follows that these two settler colonial societies could be categorized as, what Valery Tishkov calls, non-nations.[122]

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[118] Mark Simpson, "The Experience of Nation-Building…, *op. cit*., pp. 463-464.
[119] Author's calculation from arrival of French to Quebec city in 1608 and then taken over by English-speaking colonial settlers in 1773. Source: *Encyclopedia Britanica*, CD version (2001).
[120] Walker Connor, "Nation-Building …, *op. cit*., pp. 346-347. [Emphasis added]
[121] Anthony Smith, "State-Making and Nation-Building" in John Hall (ed.), *States in History* (Oxford: Basel Blackwell Ltd., 1986), pp. 228-263, here p. 244.
[122] Valery A. Tishkov, "Forget the …, *op. cit.,* p. 628.

Yet, as also illustrated in the above quote from Walker Connor, the French of Quebec in disregard of the nations they displaced or replaced in that region, consider themselves "rightful inhabitants" of that area in face of the English speaking settler colonizers who come in 1773, less than two centuries later.[123] Based the *subjective beliefs* of both settler colonizers, each would claim to be a "nation" and would demand mutual recognition towards the end of the twentieth century. This contest of recognition as nations would bring the Canadian political system to a crisis, and scholars would begin to theorize terms which would make Canada "a nation within a nation", as Michel Seymour would propose. As the "beginning of the history" according to this discussion begins in 1773 (with the invasion of the English speaking colonizers), nowhere in this discussion is the legitimacy of the Amerindians as First Nations to the same land (nearly 30 millenniums) and what implications this would have on the Canadian political system.

The temporal manipulation – zeroing history at the point where colonization begins – is also a characteristic of the settler colonization in the United States[124] and in Australia where

> Aboriginality not only became merged with Australia's timeless past, but was contained within it…. Aboriginal identity was defined in relation to a temporal boundary that was positioned at the moment of Australia's colonisation – i.e. the point at which Australia's uncolonised past became the colonial present. Aboriginal presence within the colonial landscape became obsolete: in contrast to the colonial landscape, Aboriginal people were made to appear an anachronism, a sign of the past transposed upon Western modernity.[125]

Furthermore, to the colonial mind "the colonial subject was *ahistorical* – in other words, that it was unrelated to the passage of time denoted by Western history …– was a concept fundamental to the colonial process."[126] The First Nations whether in United States or Australia were categorized as representing non-histories.[127] Consequently, in this discourse, both communities whether First Nation of settler colonizer, are considered imagined or myths.[128]

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[123] Author's calculation from arrival of French to Quebec City in 1608 and then taken over by English-speaking colonial settlers in 1773. Source: *Encyclopedia Britanica*, CD version (2001).

[124] Fredrick Jackson Turner, "The Significance of the Frontier in American Hisotory", (Excerpts) A paper read at the meeting of the American Historical Association in Chicago, 12 July, 1893.

[125] Rod Macneil, "Time After Time: Temporal Frontiers and Boundaries in Colonial Images of the Australian Landscape" in Lynette Russell (ed.), *Colonial Frontiers: Indigenous-European Encounters in Settler Societies* (Manchester: Manchester University Press, 2001), pp. 47-67, here p. 49.

[126] *Ibid.,* p. 52.

[127] *Ibid.,* pp. 52-56; Kerwin Klein, *Frontiers of Historical Imagination: Narrating the European Conquest of Native America, 1890-1990* (California: University of California Press, 1997).

[128] Nicole Waller, " "Not for …, *op. cit.*, pp. 150; Paul Rainbird, "Representing Nation, Dividing Community:

The factor of *time* is relevant to an objective and therefore legitimate use of the term nation. Implicit in the Newton-Smith's theory of meaning, is that a term can not have one meaning and its opposite meaning *at the same time.* Time, as we know it, passes along in one direction. As it moves, time produces what is termed as past, present, and future. Time, therefore, moves in a linear progression. In other words, it is a sequence of *presents* or *nows*. Each *now* is replaced by the next "now" turning the first into a *past then* – a "now" that has passed. The "now" that has not happened is another *future then* – a "now" yet to come. One cannot make a *future then that has not happened* move back to a *now*. Nor can one make a *past then that has passed* move to a *now*. Human agency cannot control the passage of time, alter the sequence of this mechanism (from *past then* to *now* to *future then*), nor can it change its direction from and along a linear mode from a past to a present to a future.[129] Furthermore, *time* is cumulative: *now* represents the sum of *past* "nows", and the future can only be made of the sum of passed "nows". In other words, one cannot make a *now* which is not comprised of the sum of passed "nows", nor can one make a future "now" without a sum of the past and present. In this sense, *time* also assumes linear cumulative characteristics which human agency cannot change. One can conclude objectively, therefore, that *time* is linear both sequentially and cumulatively.

In contrast, hypothetically, if one were to be subjective and yet concrete (i.e. corroborating with practical and physical evidence from the natural sciences), one could say that one wants *past* to jump to *future* without passing *now*, or that *future* can jump to *past* with passing *now*. One could also claim that *now* can be made without *past,* and that *future* can be made without *present* and *past*. In effect, by combining both assertions, one would effectively be claiming to be able to reverse the direction of time thus reversing the cumulative nature of time; this as well as being able to break the sequential character of time by creating distinct periods which are without temporal context(s) i.e. without its past, its present, and its future. Therefore, one would not even necessarily have to stick to this order (in other words, shuffling past, present, and future and therefore breaking the

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the Broken Hill War Memorial, New South Wales, Australia" *World Archeology,* Vol. 35, No. 1 (2003), pp. 22-34, here p. 24; Kerwin Klein, *op. cit.*

[129] Perhaps this may be possible in future. Theoretically, however, this would mean acquiring the capability to interject into, if not rupture, the sequencing of the *nows* from both *thens* (the *past then* and the *future then*).

progressioanl sequence of the three in time). Hence, a subjective human agent would claim that time is non-linear cumulatively and sequentially. Such subjective claims, cannot stand a contest with *time* and is characteristics, for they would have to demonstrate the ability to create a "now" without being produced from its past "now" and/or its future "now", as well as the ability to alter the direction of time from future to past. Hypothetically, to be subjective about *time* is to venture into the fantastical, practically defying at least current knowledge of physics.

The above creates anomalies which emerge in the discourse about settler-colonial cases. Referring to America, Kerwin Klein considers the American West as a cultural combat zone where the historical civilizations of the Old World met the non-historical wilds of the New, and where a collision of people with and without history still dominates public memory. This has created conflicts between narration and knowledge, entangling peoples in philosophies of history which they no longer profess.[130] In the case of Australia, for example, the significance of the memorial-day produces contention. Paul Rainbird, suggests that the foundation of the Australian "nation" has more to do with the World War I experience, than its independence from Britian in 1901 or the day when the First Fleet sailed in to Sydney Harbour and Port Jackson on 26th of January 1788 – a date the First Nations there consider a day of mourning marking invasion and their dispossession.[131]

In addition, from the creation as well as manipulation of temporal boundaries, what emerges also is the creation of existential boundaries. When it comes to the concept of nation, and as Anthony Smith admits, it becomes subjective when tackling the contradictory assertions of what the term *nation* means. Thus, a claim that a nation *can be* and *not be* at the *same time,* effectively suggests that a thing can exist and not exist at the same time, and effectively that *time* has assumed both *non-cumulative,* and *non-sequential* properties, and that it is non-linear. Indeed, as shall be discussed below, the literature bears claims that a collective agency of people *can be a nation* and *be in a nation-making process* at the same time. Hence, logically, and according the linear qualities of time, a collective human agency cannot claim, in the present, to be something that can only be the future. Even more so, it cannot claim to *be something* while it is *still in the process of aspiring to*

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[130] Kerwin Klein, *op. cit.*
[131] Paul Rainbird, *op. cit.*, p. 23.

become that very thing. Here, the claim is that one can be living a stage one has not temporally reached yet, and that one can create a temporal stage (in the present) from another temporal stage (from the future), without being connected to the *past* of that stage. Such people would logically have to claim and substantiate that the future can, and is practically, creating its past i.e. the *present*, rather than the past and the present producing the future (the latter being the normal progression of time). Rod Macneil adds insight about the power relationship manifested here in the case of Australia:

> By suggesting that Aboriginal people had no history that they had no past – that their presence within the Australian landscape prior to colonisation was inconsequential and left nothing by which to mark the passage of time. **A discourse of temporality – or perhaps more accurately, the creation or control of such a discourse – presented the possibility that ongoing indigenous presence with colonial landscape could be erased. Further, the distinction made between colonial Australia and its ahistorical, uncivilised made it conceivably possible that colonial Australia and its Aboriginal past did not coexist, or even coincide** – that the space was once inhabited by Aboriginal people was not that which Australians were making claim. **Instead, Aboriginal Australia existed on the Other side of a temporal boundary, within an uncolonised landscape that was, by definition, unknown to colonial Australia.**[132]

What has is implicitly being said in the above quote is that in the case of Australia, the indigenous nations were rendered as non-nations in Australian settler colonial discourse by simply denying that the Aborginies ever had time – and therefore of having ever existed. The implications of this are that the indigenous people are 'tranformed' into the physical structures (bodies) bearing qualities of the living, but being treated as physical relics (temporal 'fossils') which settler colonial time clears away like 'other relics' on the settler colonized landscape.

From the discussion above, it has emerged that the term 'nation' seems to bear two contradictory meanings:

> **A nation** (referring to First Nations globally whether in Europe or the Americas or Australia or Africa): a term deduced through objective analysis, is spatially stable, temporally linear, and is valid according to the theory of meaning as well as practical known sciences about the physical.

> **A 'nation'** (referring to settler colonial entities in the colonized parts of the globe): a term deduced from subjective analysis, is spatially flexible (effectively unstable), temporally non-linear, and is not valid according to the theory of meaning. Hence, a **non-nation**.

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[132] Rod Macneil, *op. cit*., p. 53. [Emphasis added].

This level of politics of meaning over the term *nation* bears resemblance to what Edward Said called orientalism.

> … Oreintalism is underpinned by the **material basis of imperialist exploitation** and **exercise of power.** This is evident, according to Said, in the **creating of a consensus about the 'other', the Oriental nations**…. Power, or the lack thereof, therefore, lies at the heart of the Orientalist discourse and **allows the stabilization of the consensus that is critical to the maintenance of dominance.**[133]

Furthermore, Said observed that in Orientalism there is no knowledge of the 'other' which is not a temporal act.[134] Rod Macneil explains this point further:

> The positioning of the coloniser and the colonised at opposite sides of the temporal frontier permitted an even greater critical distance from which the colonial 'us' could observe the colonised 'them'. To exist within Western time implied a certain legitimacy: in contrast, to exist outside its bounds brought into question not only the civility but the humanity of the colonial subject.[135]

Favouring or promoting a subjective analysis over an objective one has implications on which peoples are deemed legitimate nations and therefore which have legitimate claim to nationhood. This reflects, or is even a practice of a form of, power. Here, however, the power is not only over who controls the meanings of the terms, and for what purpose(s) they are used, but also who decides who is 'worthy' of having a time, and of having a future, as well as the power and means to scrap 'others', allegedly devoid of human characteristics and severed, from the pulse of life; hence the power to determine who is worthy of living. The subsequent logical deduction produced from this discourse is that there can be no crime in eliminating the 'other' fundamentally because its mythical construction of this 'other' means that one cannot kill or injure 'a thing' that is already dead or on the sure-path towards death, and particularly after having been 'cast out' from time.[136] Here this discourse compresses a future-time death with the present life of the 'other' being. Thus, in this orientalist discourse, the 'other' is the embodiment of death (albeit not happened yet) and the orientalist discourse portrays this 'other' as having no future, because the orientalist has taken claim of the 'other's' future, in a course in which there can be only one future, that of the orientalist 'us'. Hence, according to the orientalist discourse of the settler-colonial type, the 'other' nations are deemed lifeless as they have no

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[133] See *The Concise Oxford Dictionary of Politics.* (Oxford: Oxford University Press, (1996) 2003), p. 387, [Emphasis added].
[134] Edward Said, *Orientalism* (London: Penguin, (1978) 1995).
[135] Rod Macneil, *op. cit.*, pp. 52-53.
[136] This seems to correspond with John Locke's definition of slavery as being a delayed death sentence. See below.

future in the course of the settler-colonial project except that which has been determined by the 'us' of settler colonials. This in turn means a total de-railment of the 'other' from the progression of time. In other words, the linear sequence of the progression of time accorging the orientalist settler colonial discourse is made up as follows: *Where the 'other's' (indigenous nations) past has progressed to their present, it (the indigenou's present) is replaced with the 'us's' present (of the settler colonial) so that there can only be one future – that of the 'us's' (the settler colonial's). Any residuals of the 'other's' phases of time still in the present should be eliminated as they have (or must have) no future. In this sense, settler colonizers seem to be time-jacking[137] the 'other's (indigenous nation's) future indefinitely, rendering the latter non-existent.* Patrick Wolfe has refered to settler-colonial tendency to genocide as manifesting "the logic of eliminantion… [which] refers to the summary liquidation of Indigenous people…"[138] Therefore, according to the logical outcome of this settler-colonial-orientalist discourse, the 'other' nations should be made to have no future by physical elimination or by rendering them without souls, non-human, and therefore expendible physical relics with no place in the future in the contest over existence – the power to decided who conceptually and therefore existentially has a tomorrow (the 'us' or the 'other'). In such a configuration, there can be no future where both the 'us' and the 'other' exist in this orientalist discourse. It follows according that any elimination practices of the indigenous is claimed by the settler colonizers to be primarily a 'self-defense' from an indigenous reclaim of their temporal future. Hence, the seeming driving factor of total war waged by the settler colonials is not out of self-defence from actions by the indigenous nation may necessarily do in the present. Rather it represents and offensive by the settler colonizers to create a future totally void of indigenous participation or claim. In other words, if there are no indigenous left to participate, then there can be no indigenous re-claim to a future. The means to realize this seems to be through total war which assumes a temporal in a addition to an existential-eliminating dynamic: rendering the indigenous nations without a temporal present, thus cancelling both the indigenous's past and future by eliminating the linking temporal component, the present and its physical manifestion in

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[137] From the term "hijack".

[138] Patrick Wolfe, "Settler colonialism and the elimination of the native" *Journal of Genocide Research,* Vol. 8, No. 4 (December 2006), pp. 387-409, here p. 388.

terms of indigenous people, culture, relics of heritage, and institutions which could shape their future.

3. The third proposition: "a state is a nation-state AND is not a nation-state"

This section examines the term *state* and its synonymity with *nation-state* from a sample of literature. Here a pattern seems to emerge regarding settler-colonial-cases particularly concerning their production-of-existence phase. This phase is actually a *settler-colonial-production-of- existence phase* (henceforth *the creation phase*) which is distinct from *state-formation* of other categories of states. In the former, the creation phase precedes the state-formation and should ideally be separate and sequential. In the other categories of states, the *state-formation* occurs without having to create the existence of the people who are to become part of the state as in the settler-colonial cases. The people already exist on the land on which their state is forming. Again the following is not intended as a comprehensive literature review on what has been written on the subjects and categorizations.[139] Rather, it illustrates the differences by reviewing some works of some scholars to illustrate the contrasts between the meanings of the terms examined. W.H. Newton-Smith's theory of meaning is also used as an analytical tool to critique the two following propositions which have emerged from the literature.[140]

i. A state is a nation-state and is not a nation-state

The proposition above proposes that a state is a nation-state on the one hand, and is not a nation-state on the other. Logically it cannot be true because it contradicts itself. Yet this does not seem to be what a review of the following sample of literature below indicates

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[139] Theorists such as Elie Kedourie, Tom Narin, Eric Hobsbawm, and Paul Brass just to name a few have been left out at this stage of the research. Furthermore, while it may be necessary to address *nationalism* in discussions of the *nation* phenomenon, to include it at this stage would defeat the purpose of the paper which is to distinguish between nations, states, and combinations of both. Conceptually and to varying degrees, *nationalism* tends to be mutually inclusive with nations, states and nation-states. This characteristic would only shed more confusion to the latter terms. See Walter Schnee, 'Nationalism...' *op. cit.*, pp. 1-18. On p.1 he defines nationalism a "one of the ideologies, perhaps the ideology, which characterizes modern society. In other words, nationalism is a way of thinking about society, whether domestic or international."

[140] W.H. Newton-Smith, 'Relativism…' *op. cit.*, pp. 106-122.

with regard to the *state.* In the first quote of this review is from David Held who considers that all modern states are nation-states:

> All modern states are nation-states – *political apparatuses, distinct from both ruler and ruled, with supreme jurisdiction over a demarcated territorial area, backed by a claim to a monopoly of coercive power, and enjoying a minimum level of support or loyalty from their citizens* [141]

The above stands in contrast with the legal definition of the state as illustrated in the following:

> A state or political society is an **association of persons, living in a determinate part of the Earth's surface, legally organized and associated for their own government**. The origins of states have probably to be sought in fighting between groups and acquisition of territory, factors which give rise to cohesion and to the emergence of leaders and rulers.... To be recognized as a state the group of persons must be substantial, usually millions, **and have exclusive possession and control of a distinct portion of the Earth's surface,** from which those people seek to exclude interference by others and within which they collectively seek to enforce their will.... **A state can comprise of more than one nation,** or group of people bound together by history, race, common traditions, and sentiments, and can comprise many substantial minority groups who are distinct in many cultural respects and who would frequently regard themselves as belonging to another nation....[142]

In the latter part of the legal definition above, a state could comprise of more than one nation. This already contradicts Held's definition that all states are nation-states. Furthermore, a nation-state represents "a territorial unit (a state) whose borders coincid[e] or nearly coincid[e] with the territorial distribution of the national group."[143] This is an ideal situation, and in fact today perhaps on only 19 out of 192[144] states fit the "one nation in one state" criterion accounting for merely 10% of the world population.[145] Most states therefore have more than one nation or none at all, but rather ethnic groups. Hence, since most states are not nation-states, the term *state* cannot be assumed, from a legal perspective, to mean nation-state. To do otherwise conceptually, i.e. to treat states as nation-states, would create anomalies such as explaining the mass killings of civilians during internal conflicts in heterogeneous states. Thus, ethnic cleansing in Ruwanda and the former Republic of Yugoslavia, for example, should not have occurred according to

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[141]David Held, "The Development of the Modern State" in Stuart Hall and Bram Gieben (eds.), *Formations of Modernity* (Cambridge: Polity Press in Association with the Open University, 1992), pp.71-125, here p. 87 citing Skinner, 1978, pp. 349-58; Giddens, 1985, pp. 17-31, 116-21.

[142]David M.Walker, *The Oxford Companion to Law* (Oxford: Clarendon Press, 1980), pp. 1176-1177. [Emphasis added].

[143] Walker Connor, 'A Nation … *op. cit.,* p. 39.

[144] According to current United Nations statistics, there are now 192 member states.

[145] Shu-Yun Ma, 'Nationalims… *op, cit*., p. 2 other original sources cited.

Held's definition, because being part of one nation should reduce considerably, if not eliminate, the possibilities of ethnic killings and refugeedom. Yet, this is what has precisely happened in both cases amongst others.

Demographic composition of state (state and/or/none nation):

The above brings one to the demographic composition of states which do not meet the "all states are nation-states" proposition. Shu-Yun Ma classifies states into three main types: nation-state, multinational state, and state-nation. Which way the state forms depends on how the combination of *nation* and *state* factor with the role of nationalism.[146] These distinctions allow for a clearer observation of the internal dynamics of the respective states.

a. Nation-state:

Geographically, nation-states are those which boundaries of states and nations are more or less coterminous. It describes a situation in which a nation has its own state and hence loyalty to the nation is synonymous with loyalty to the state; these are ideal nation-states.[147] In 1998, out of 164 states, only 19 fit this criterion of "one nation in one state" representing a mere 10% of the global population.[148] Gunnar Nielsson observed that nation-states were "found mostly in Europe and North and Latin America, but rarely in Asia, Africa and the Middle East."[149] Yet, the term *nation-state* has come to be applied indiscriminately to all states. Consequently, the meaning of *nationalism* has become fixed to represent loyalty to the nation rather than identification with, or allegiance to, the state.[150] This becomes problematic is in the next category which is not an ideal nation-state.

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[146] *Ibid*., p. 7 (printed from internet version) He proposed defining three kinds of states as a remedy to weakness in Connor's over-generalization that nationalism factored as a "state (nation)-destroying" influence. He adds, "... in examining the impact of nationalism on the state (nation), Connor neglected the fact that the latter may also have influence to the former....Throughout my analysis I single out loyalty to nation as the most essential element of nationalism. "

[147] *Ibid*., p. 2, other original sources cited.

[148] *Ibid*., p. 2, other original sources cited. i.e Gunnar Nielsson who proposed a matrix analysis of state-centric and ethnic-centric taxonomies.

[149] Gunnar P. Nielsson, "States and 'Nation-Groups': A Global Taxonomy," in E.A. Tiyakian and R. Rogowski (eds.), *New Nationalisms of the Developed West* (Boston: Allen & Urwin, 1985), pp. 27-56, here p. 53.

[150] Walker Connor, 'A Nation is a Nation…, *op. cit*., pp. 39-40. He writes: "It is also probable that he habit of interutilizing *nation* and *state* developed as alternative abbreviations for the expression *nation-state*. The very coining of this hyphenate illustrated an appreciation of the vital differences between *nation* and *state*.

b. Multinational-state:

In this category a state is made up of more than one nation, meaning more than one nationalism, and thus more than one loyalty. Hence, "political activists of different nations in a sub-national state may then make use of this situation to mobilize the people of their own group. A sub-group can also produce a nationalism.[151] Ma adds:

> Whether nationalism **is state-building or state-destroying** in the context of multinational states then depends on the degree of integration of nations within the state. If integration is close enough, nationalism also implies loyalty to the state, as in the case of ideal nation-states. Loyalties of each of the nations form various supporting pillars to the state. The more the state contains such loyalties from each of the nations, the more cohesive the state can be. However, these supports can be weakened or may even collapse when the integration between nations and state breaks down. This may take two forms: (1) conflicts between loyalty to the state and loyalty to the nation, and (2) conflicts between or among loyalties of different nations within the state.[152]

In the first case, the conflict may not be a bloody one but may affect internal state political influence and development. An example is the head of a state who serves to benefit members of his nation by providing political posts and by acquiring economic monopolies. Thus, the development of the state as a whole is marginalized as priority is placed on improving the well-being of the core nation.[153] Other nations within the state would be left out from this process and produce discontent. Groups could form along ethnic lines to deal

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It was designed to describe a territorial-political unit (a state) whose borders coincided or nearly coincided with the territorial distribution of the national group."

[151] Shu-Yun Ma, 'Nationalims…, op. cit., p. 4.

[152] *Ibid.*

[153] *Ibid.,* p. 5. He writes: "Hence, whether nationalism is state-buiding or state-destroying in a multinational state depends on the degree of integration of nations with the state. D.N. MacIver identified three sets of assets, which he called "integrative factors," that determine such degree of integration: coercive, instrumental and identive. They are summed up as follows: Coercive assets are primarily an autonomous structure for maintaining authority, control and security in the form of a legal administration, courts, police and military force. Instrumental assets are economic, technological, administrative and human resources and the ability to utilize them effectively. Identive assets are values, symbols, traditions, religions and cultural institutions which endow the seceding unit with legitimacy, social cohesion and political coherence. MacIver's crucial point is that separatism may appear when the above assets, especially the identive assets, are internalized with the sub-unit. In other words, nationalism as an important identive asset is state-destroying when the integrative factors are operating towards the direction f internalization (from state to nation). Nationalism can be state-building if it is externalized and held by the state, as in the case of the United States. Various national symbols and the idea of a "common history" were promoted by the U.S. Government through education and other socialization processes. Immigrants were subject to strong societal pressures to dissolve in the "melting pot" has been argued as not significantly different from the Canadian "mosaic," the "100% Americanism" did function as a strong state-building force." (Cited in Ma from D.N. MacIver, "Conclusion: Ethnic Identity and the Modern State" in C.H. Williams, *National Separatism* (Vancouver: University of British Colombia Press, 1982), pp. 299-307, here pp. 301-304. Latter part cited in Ma from Howad Palmer, *"Mosaic versus Metling Pot? Immigration and Ethnicity in Canada and the United States"*, *International Journal* (Summer, 1976): pp. 488-528.

with the state, though this may not necessarily lead to state-destroying forces but rather weakens the state at the heights of command.[154] Should the discontent turn critical then the loyalty conflict develops into the second case. Here the term national security rather than meaning the security of the state actually comes to mean the security of the nation(s) within the state. Hence internal 'ethnic' conflict or even civil war breaks out at the expense of the well being and sometimes even the territorial unity of the state. If conflict is too deep, a process of state break-up occurs as each nation tries to create a situation in which it becomes the only occupier of a territory it claims its own (i.e. representing its nation) to produce a new nation-state. In this process, ethnic cleansing occurs as Jenifer Preece points out:

> ...forcibly moving populations defined by ethnicity (race, language, religion, culture, etc.) to secure a particular piece of territory – thereby *cleansing* that territory of a particular group – has been an instrument of nation-state creation for as long as homogeneous nation-states have been the ideal form of political organization...[E]thnic cleansing has affected millions of people around the world.... Indeed, in the twentieth century so widespread was the practice of ethnic cleansing or forced population transfer (which is the older expression used to describe those practices associated with ethnic cleansing) so far-reaching were its consequences..."[155]

The case of the former Republic of Yugoslavia is a case of where the state collapsed with the end of the Soviet era and broke up into smaller states. Even after this break-up into smaller states, and so long as the ideal nation-state has not been created, conflict could flare up at any time as they did in 2004, requiring a return of 2000 NATO troops to Kosovo.[156] Other cases in which nations with a state have sought break up from the state into a nation-state are Ruwanda, the Ivory Coast, Ethiopia, and Sudan.

c. State -nations:

In state-nations the "states are formed before the nation...were only tribes or ethnic groups but no nations [exist] at the time of state-formation."[157] Ma adds:

> ...in state-nations there is no nation and thus no nationalism at the time of state-formation. The heterogeneous nature of state-nations often tempts these states to promote nationalism

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[154] Shu-Yun Ma, 'Nationalims…, *op. cit*., p. 5; (cited additional original sources).

[155] Jennifer Jackson Preece, "Ethnic Cleansing as an Instrument of Nation-State Creation: Changing State Practices", *Human Rights Quarterly*, Vol. 20 (1998), pp. 817-842, here pp. 818-819.

[156] BBC News 24 (5:00 am): NATO sends 2000 troops the region after 31 people killed violence between Serbs and Albanians in Kosovo, (20/3/2004). See also http:/news.bbc.co.uk/go/pr/fr/-/1/hi/world/europe/3552251.stm

[157] Shu-Yun Ma, 'Nationalims…, *op. cit*., pp. 2, 5; (cited additional original sources).

from above after their formation. However, these attempts tend to be state-destroying as they increase the tension between the state and the tribes and/or ethnic groups.[158]

He adds that:

> In **state-nations, nationalism as loyalty to nation does not exist, for the simple reason that there is no nation.** Yet, this does not prevent members of a tribe or ethnic group from having a strong attachment to their group. I define tribalism as loyalty to tribes and ethnocentrism as that to ethnic groups. As state-nations only have tribes or ethnic groups but no nation, it follows that there are only tribalisms and/or ethnocentrisms but no nationalism.... Tribalism and ethnocentrism are thus divisive factors that impede state building.[159]

As a consequence,

> ...state-nations often resort to promote nationalism from above. This is deemed necessary because the doctrine, while emphasizing cohesive loyalty, is "polycentric" in the sense that it drops the idea of singularity and centrality of a group, and emphasizes equal status among nations.... Hence, in contrast to the nationalisms in ideal nation-states and multinational states which are rooted from below, most nationalisms in state-nations are instigated from above. While the former are natural and spontaneous, the latter are artificial and alien.[160]

> Hence, while true nationalism in the sense of spontaneous loyalty to the nation does not exist in state-nations, there can be **artificial nationalisms created** from above. However, tribal or ethnic leaders may be suspicious to the intention of the state's effort of promoting a unified nationalism.... Hence, contrary to leaders' expectation that a nationalistic campaign is state-building, the effort may result in counter-productive effects.... On the other hand,

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[158] *Ibid.,* p. 7 (printed from internet version)

[159] *Ibid.,* pp. 5-6 (printed from internet version) (cited more original sources). He adds: "A characteristic of tribalism is that it supports the existence of tribes as closed societies, not willing to conduct their affairs in relation to other groups even after they are included into a state. As each tribe has its own way of life and attitudes that make it difficult to live in peace with other tribes, there is constant intertribal warfare. With regard to ethnocentrism, its fundamental feature is "the unshakable faith in the superiority of the group. It comes close to solipsism." Since virtue and power are believed to belong only to "my" but not "your" group, ethnocentrism also hampers an ethnic group from co-existing peacefully with other groups." He then presents Smith's categorization of levels of classification of groups: "According to Smith, there are seven features that characterize a nation: 1- cultural differentiae; 2- territorial contiguity with free mobility throughout; 3- a relatively large scale; 4- external political relations of conflict and alliance with similar groups; 5- considerable group sentiment and loyalty; 6- direct membership with equal citizenship rights; and 7- vertical economic integration. Smith then defined tribes, ethnic groups and nations in terms of the above features as follows: common 1+2 + kinship network= tribe (examples: Tallensi, Lugusi); +2 +3+4+5= ethnic group (examples: Luo, Wolof, Lulua); ethnic group +6+7 = nation (examples: Ibo, Somali, Bakongo). Feature 4 and 6 in above are political factors, and each of them plays a role in differentiating one form of group from another. Here difference among tribes, ethnic groups and nations thus lies, among other, in the degree of politicization, with tribes at the lower end and nations at the higher. Since state is one of the highest forms of political entity, demand for possession of own state seldom comes from a lowly politicized group. In fact, conflicts among tribes and/or other ethnic groups may take the primitive form of fights for coins, women, or cattle. It is only when a group is politicized to the point that it has become a nation will there be demand for possession of an independent state. Hence, among the examples of tribes, ethnic groups and nations mentioned above, only Somali nation formed the Somalia state."

[160] Shu-Yun Ma, 'Nationalims …, *op. cit.*, p. 6 (cited additional original sources). He adds: " This difference has led Joshua Fishman to coin the term "nationism" to refer to the latter, in order to avoid giving the term nationalism "too great a burden to carry.""

state leaders are similarly suspicious to any group sentiments emerging from below.... The reason "lies in the heterogeneity of these countries. Even if labeled 'nationalist' by its advocates, a grassroots collective self-consciousness is likely to be exclusivist and divisive." Any cohesive sentiments originated from below are thus feared by the central government as forces that may undermine rather than reinforce the state's authority.[161]

Thus, state-nations find themselves in a dilemma. Should the state promote nationalistic ideas from above, local elites are likely to react with hostility and if group consciousness emerges from below, there is a high chance of being suppressed by the state. Ma concludes that while "genuine nationalism is absent at the time of state-formation, any nationalistic movements thereafter, whether state-sponsored or mass-initiated, tend to increase the tension between the state and tribes and/or ethnic groups."[162] In cases of extreme deterioration, the state – unable to create a nation – is deemed as to have failed at nation-building and could collapse as the tribal or ethnic groups compete for power over parts of the state if not all of it. Somalia and Ruwanda are such examples.

Thus, since most states are not nation-states mostly in the Third World, the question arises about the reason for upholding such a discrepancy between the term *nation-state* being synonymous with *state*. Mark Simpson gives two reasons: 1) the international framework of decolonization and 2) a willingness to pretend that states were nation-states even though they were not. He explains:

> ... The established international norm was that the new members of the system of states should be nation-states, and in order to participate in the international game you had to meet this pre-condition.... [T]he nationalist discourse of Third World anti-colonial elites, claiming to speak in the name of suppressed nations, strengthened the predisposition on the part of part of a West where the ideology of nationalism had originated to grant them independence on such terms.[163]

Consequently internal conflict indicated that nation-state categorization was an illusion:

> The normative framework against secessionism which had developed over time in the Third World... [was on] the one hand ...an implicit recognition of the falsity of the myth on nation-statehood in much of the Third World, [and] yet [at] the same time also a reflection of a willingness to go on pretending that there was such a thing as a Nigerian, Ethiopian or

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[161] *Ibid.*, pp. 6-7 (printed from internet version) (cited additional original sources). He adds: "Regarding the state's integrative movement as a threat to their status and power, they may further emphasize tribalism or ethnocentrism as a defence against the official nationalism promoted by the state. Such a hostile attitude of local elites to state-building efforts is particularly common in developing or centralizing countries." [Emphasis added].

[162] *Ibid.,* p. 7 (printed from internet version) (cited additional original sources).

[163] Mark Simpson, "The Experience of Nation-Building …, *op. cit.*, p. 464.

Sri Lanken nation that was co-terminous with the territorial limits of the Nigerian, Ethiopian or Sri Lanken state.[164]

The purpose at this stage in highlighting the three categorizations of the state by a *nation* and *state* configuration has been to show the tendency in non-ideal nation-states or multinational-states of being unable to achieve loyalty to the state. Here nationalism has acted as a negative force. Furthermore, the illusion that "states are nation-states" suited both the new ruling elites of "Third World" countries and the superpowers alike during the Cold War. It has also suited scholars, particularly in the "First World," seemingly in order to endorse inclusion of settler-colonial states into the community of states without being accountable for their actions against the First Nations (indigenous nations). Hence, other factors need to be considered in order to be able to contrast states with non-nation states including settler-colonial ones. The following is a brief overview of the various paths of state-formation in the hope to conduct a credible comparative study in this research.

ii. State formations: the Western and the settler-colonial

A method of drawing the distinctions between nation-states and non-nation-states is by highlighting how they emerged. This section takes each type of state with its respective nation/state combination and contrasts its temporal, geographical and historical contexts. While there seems to be agreement, more or less, of what a state should comprise of – a territory, a people which it calls citizens, and a government which organizes the people – it is less clear whether there is a singular way to arrive at modern statehood. The following legal perspective on how states are created is a useful starting point:

> A new state may be formed by settlement of a distinct area of the Earth's surface and the adoption of legal and political organization, or more commonly now, by break-away from an existing state of a province or territory by the inhabitants thereof and their adoption of an independent organization, or by the grant of independence by one state to the inhabitants of a territory hitherto governed as a colony or dependency.... [165]

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[164] *Ibid.,* pp. 464-645: "And the Cold War reinforced this illusion (or collective self-delusion). As has been argued elsewhere by one scholar [James Mayall], the Cold War was the taxidermist of the international system, at least in terms of its cartography." Citing James Mayall, "Nationalism and International Security after the Cold War", *Survival*, (Spring 1992), pp. 19-35.

[165] David M.Walker, *The Oxford Companion…, op. cit.,* pp. 1176-1177.

According to James Mayall, the current global political map is the outcome of four main waves of state creation since the Congress of Vienna in 1814-1815 which reorganized Europe after the Napoleonic Wars.[166]

> ...the first was in Latin America in the nineteenth century, with the withdrawal of Spanish power from that part of the world; the second was in Europe and the Middle East, following the collapse of the Hapsburg, Ottoman and Romanov empires after World War I; and the third unfolded when West European governments transferred power to their overseas possessions after 1945.[A fourth wave was the] disintegration of the Soviet Union [which] has revealed the extent to which it remained an imperial system in disguise, crumbling like so many before under the triple impact of overextended power, economic failure and a loss of faith and intellectual commitment on the part of the ruling establishment. It clearly started as a result of the withdrawal of Soviet power from Eastern Europe and reassertion of national aspirations there and around the Baltic Sea.[167]

While the classification above gives a temporal indicator of when most states were created, it does not explain much about the process of how they were formed, some into modern states and others not. For this, it becomes useful to use Anthony Smith's breakdown state formation into four patterns: the western, the immigrant, the ethnic and the colonial pattern.[168] All these categories are relevant to settler-colonial state formations which are primarily western, entailed migrant and ethnic populations, and were a particular form of colonialism.

a. The Western:

The western category is "where state and nation emerge ... with dynastic and territorial states being built up around a definite ethnic core, to which other ethnic and regional groups and communities are successively attached by alliance, marriage, coercion and administrative intervention."[169] To use Ma's criteria, this would be the ideal nation-state, and to use David Held's descriptive term which for Weber's is functional (i.e. rationalized), such nation-states are modern. Geographically, this ideal type occurred in Western Europe. There are however two schools of thought as to how this was achieved one of which is represented by Charles Tilly, which is the one this research shall focus on.[170] He maintains

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[166] James Mayall, "Nationalism ..., op. cit., p. 22. While he emphasizes three waves, he later adds the fourth wave to represent the collapse of the Soviet Union which he proposes could be said to have functioned as an empire. [Note: The Congress of Vienna: (1814-15) Assembly that reorganized Europe after the Napoleonic Wars.]

[167] Ibid., pp. 22-23.

[168] Ibid., pp. 241-242.

[169] Anthony Smith, "State-Making ..., op. cit., pp. 241-242.

[170] The other school of thought is represented by Pål Bakka who maintains that successful state-building in

that state-making and war-making converged; this seems relevant also to settler-colonial-state formation.

Tilly argues that war-making and state-making reinforced each other.[171] War "tended, indeed, to promote territorial consolidation, centralization, differentiation, of the instruments of government and monopolization of the means of coercion, all the fundamental state-making processes. War made the state, and the state made war."[172] Smith elaborates that according to Tilly:

> ...what turned a probability into a certainty [of the growth of modern states] was, first, the external environment, and second, the policies and will of certain elites. By the external environment, Tilly is referring to the inter-state system, both in its economic sense of a nexus of core capitalist states engaged in trade wars, and a system of absolutist states engaged in military warfare and diplomatic rivalries in Europe, especially since the Treaty of Westphalia in 1648. By elites Tilly means certain absolute monarchs and their chief ministers and generals who succeeded, often in the face of determined opposition, in crushing rival centers of power within a staving off external interference, to create compact, solidarity and fairly homogenous states able to take advantage of the technological revolutions that spread across the continent from the eighteenth century onwards. It was their policies and qualities of will and administrative skills that ensured the victory of the modern European state.[173]

Accordingly, David Held adds that states had to able to secure and strengthen their power basis to order their affairs internally and externally. The capacity of states to organize the means of coercion through armies, navies and military might and to deploy them, when necessary, was key. Western globalization was a key feature of the modern states system and began with "the European states' capacity for overseas operations by means of naval and military force of long-range navigation."[174] The success cases of state-making in this form were England, France and Spain.[175] This process however was not without costs:

Europe pivots on process of "concentration of political power in one institution" over a period of five centuries. Bakka's hypothesis is relevant to the European context whereas Tilly's can be utilized in explaining the settler-colonial-state formation as well. See Pål Bakka, "Elements in a Theory of State-Building: An Inquiry into the Structural Preconditions for Successful State-Building in Europe", *Scandinavian Political Studies,* Vol. 19, No. 4 (1996), pp. 193-308, here p. 294.

[171] Charles Tilly, *Coercion, Capital, and European States, AD 990-1992* (Cambridge, M.A.: Blackwell, (1990) 1995), p. 97. See also endnote no. 1 of Chapter 1, in Michael Barnett, *Confronting the Costs of War: Military Power, State, and Society in Egypt and Israel* (Princeton N.J.: Princeton University Press, 1992), p. 271.

[172] Charles Tilly (ed.), *The Formation of National States in Western Europe* (Princeton, N.J.: Princeton University Press, 1975), here p. 42.

[173] Anthony Smith, "State-Making ..., *op. cit*., pp. 238-239.
[174] David Held, "The Development ..., *op. cit*., pp. 90, 98-99.
[175] *Ibid*., p. 95.

> If the consolidation of the modern European state was aided by globalization, this process involved great social costs: the progressive collapse of non-European civilizations, among them the Moslem, the Indian, and Chinese; the disorganizing effects of western rule on a large number of small societies; and the interlinked degradation of the non-European and European worlds caused by the slave trade. The benefits and costs were not, however, just the result of the expansion of European states system: the picture was more complicated.[176]

Held brings in Immanual Wallerstein's analysis that capitalism, being an affair of the world economy and not of nation-states, was able to permeate the world. Distinguishing between two types of world-systems, world empires and world-economies, the former "were displaced, Wallerstein argues, because the new world economic system was based on a process of endless accumulation of wealth."[177] Accordingly, "the modern world-system is divided into three components: the core (initially located in north-west and central Europe); the semi-periphery (the Mediterranean zone after its decline from earlier prominence); and the periphery (colonized and captured territories), although where each of these three components is located has varied over time."[178] Hence, Held points out that "while in the late twentieth century colonialism in its original form ha[d] practically disappeared, the world capitalist economy create[d] and reproduce[d] massive imbalances of economic and political power among different component areas."[179] He concludes that and understanding of the rise of the modern state and how it came to be a national or nation-state entails three points: (1) that nation-states became supreme because they won at war, (2) that they were economically successful, (3) and that they subsequently achieved a significant degree of legitimacy in the eyes of their populations and other states.[180]

Consequently, some preliminary observations regarding western nation-state formation are: (1) nation-state formation extended over a period of several centuries; (2) as Smith points out, it took place while Western Europe was geopolitically isolated at the time and did not encounter external intervention;[181] (3) not all political entities in Europe succeeded in state-building (success rate was 1 in 20),[182] and (4) a significant number of modern European

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[176] *Ibid.,* p. 99.
[177] *Ibid.,* p. 100.
[178] *Ibid.,* p. 100.
[179] *Ibid.,* p. 100.
[180] *Ibid.,* p. 103.
[181] Anthony Smith, "State-Making …, *op. cit.,* p. 238.
[182] Author's calculation based on Tilly p. 15.

nation-states are essentially collapsed former colonial empires benefiting through globalization from core-periphery relations with former colonies.

b. The immigrant:[183]

This is "where small part-*ethnie* are beneficiaries of a state of their own, with or without a struggle, and they then seek to absorb and assimilate waves of immigrants from different cultures into what becomes increasingly a territorial nation and a political community."[184] The main examples Smith gives are America, Argentina and Australia. He does not mention Israel in this category[185] while in a footnote he adds Apartheid in South Africa (at

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[183] The use of the term "immigrant" to depict colonizers or settler-colonizers seems also to connote an orientalist discourse. See Haunani-Kay Trask, "Settlers, Not Immigrants" in Candace Fujikane and Jonathan Y. Okamura (eds.), *Asian Settler Colonialism: From Local Governance to the Habits of Everyday Life in Hawaiʻi* (Honolulu: University of Hawaiʻi Press, 2008), p. vii.

[184] Anthony Smith, "State-Making …, *op. cit.,* p. 242, see footnote no. 29 in which author writes: " South Africa also went through ethnic, colonial and immigrant phases, but now [1986] practices an ethnic policy within a racial colonialism." It would seem that Smith means that in contrast to the US and Australia, which were once colonial and now modern democracies, South Africa under Apartheid , followed a route a double racism i.e. that of colonialism and ethno-centrism. It is interesting to note that South Africa, was only able to pursue a democratic system after Apartheid imploded from political dominance in 1990. On the other hand, Smith's use of the term 'racial colonialism' could also be viewed as a contradiction in terms, for it would assume that colonialism was not inherently racial. This reveals an inherent bias towards colonial settlers which conceptually allows for the case of Israel to be viewed as a case of ethnically divided Jews involved in state-building, totally factoring out the Palestinian indigenous population, from analysis, even, as in Smith's case, as late as 1986. Thus, according to Smith, the Palestinians with Israeli citizenship are not part of the Jewish state-building project; this amounts to ethnic exclusion and can be conceptually regarded even within Smith's conceptual framework as another case of "an ethnic policy within a racial colonialisms" were the indigenous Palestinians are included in his analysis.

[185] Smith does not consider the Israeli case as and immigrant category but rather as an ethnic category; he writes: "In modern Israel, too, state-making is impeded by an enveloping but divided sense of common ethnicity. Again, there is a rich set of communal pasts form which to choose for models of a national utopia; but not so many of these have relevance to state power, since Jewry has been divorced from the exercise of power and state-making for the last 2000 years. Again, selective memories aligned to social class and educational stratum can fashion alternative regenerative visions for nation-building; a traditional, rabbinic prescription can draw sustenance from a genealogical myth of origins and descent traced from the priestly families of ancient Israel through the diaspora sages and scholars to the latter-day East European Orthodox rabbis and their followers, while a secular, modernist myth looks across the two millennia of Jewish exile to the ancient commonwealth of peasants and herdsmen of Israel and Judah under the house of David. But the division between Orthodox and secular images is not the only rent in the fabric of Israeli-Jewish ethnicity; there is also the parallel conflict between Ashkenazi and Sephardi Jewry, and the gulf between their respective outlooks and aspirations, which has resulted in periodic outbursts against the early *vatikim* from Eastern Europe. In the case of the Ethiopian Jews, the 'Falashas', intra-ethnic and religious divisions cross cut each other to some extent, and state authorities had to await religious approval over the vital question of who counts as and ethnic member, and hence a citizen of Israel. This is just one of many examples where, despite considerable bureaucratic centralization, ethno-religious factors, instead of providing a simple, ready-made Jewish base on which to form a strong state on the 'rational' Western model, as in the West itself, have by their internal fissures and ambiguities helped to weaken and impede centralizing drives towards state expansion and authority and jurisdiction, including the various legal

the time, 1986) which he maintains had gone through the following phases: ethnic, colonial and immigration phases, and was practicing "an ethnic policy within a racial colonialism".[186] What this policy seems to mean is ethnic discrimination, which is racist, within an already racist colonialism, hence an augmented form of racism. Such forms of settler-colonial states create their existence as political entities on foreign territory and by subduing or even eliminating the indigenous First Nations.[187] Once this creation phase has been completed, then the colonial settlers begin their state-building process, claiming to be an ethnic group. Furthermore, this ethnic group then claims itself to be engaged in nation-building, by being "a nation of immigrants"[188] while still taking on new immigrants in its state-building phase. In so doing it creates its own past by constantly merging its present with its future as it moves with these multiple projects in a temporal labyrinth. Here it becomes difficult to separate goals from processes, and whose futures from whose pasts and presents of consecutive 'immigrants' are being shaped into "nationhood".

Hence, in order to become a nation, the new immigrants have to make new pasts, which include the relatively shorter new pasts of the core colonial-settlers in order become collectively a 'nation' territorially characterized and a political community. It follows then that such a grouping as the Americans cannot even be called "a nation of immigrants" (which means a temporally finite stage that has supposedly ended at some point in time) as long as it is absorbing new immigrants (which is temporal indefinite and still continuing). Hence, the process of making a collective past is constantly being interrupted by

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legacies, the extreme multi-party system, and the influence of diaspora Jewish communities, especially in the United States. There are also factors that also work towards greater state authority like the size of the country, the role of the army and education system, heavy urban concentrations and industrialization, and above all, the security problem and the general Arab-Israel confrontation. But, paradoxically, successive wars, though they may strengthen the military, have not enhanced state power in the same measure; and this may be attributed, in part, to ethno-religious divisions *within* a common *ethnie…."* See Anthony Smith, "State-Making …, *op. cit*., pp. 250-251.

[186] Anthony Smith, "State-Making …, *op. cit*., p. 242, footnote no. 29.

[187] This entails ethnic cleansing of the indigenous populations on a large scale (which could go on for an extended period of time) as in the United States, Canada, Australia and New Zealand. Apartheid South African was unable to capitulate the indigenous population and hence self-collapsed, while Israel has not been do so. The following statistics are indicative: Ethnic composition of indigenous populations in respective colonial setter states: in USA: Amerindian and Alaska Native 1.5% of total population; in Canada: Amerindians 2% of total population; in Australia: Aborigines 1% of total population; in New Zealand: Maoris 9.7% + Pacific Islanders 3.8% = 13.5% of total population. Contrast these with the following cases where the settler state has collapsed or is still facing conflict: South Africa: white settlers 13.6% of total population (Apartheid collapsed in 1990); in historical Palestine: Jews are 55% of total population (still in conflict with Palestinians) – author's calculation. Sources: (CIA World Factbook) webpage www.cia.gov/cia/publications/factbook/geos and www.passia.org/index_pfacts

[188] Walker Connor, 'A Nation is a Nation …, *op. cit.,* p. 38.

newcomers who have yet to make a past within the collective. It seems a contradiction to claim to be an outcome i.e. a nation when one is still in a process of yet-to-achieve that outcome i.e. to absorbing new immigrants to become a nation and to claim to be a nation while this is still happening. Canada is also still absorbing immigrants, Australia and New Zealand are weary of absorbing refugees.[189] Smith's culminating definition of nation entails both the process and outcome at the same time:

> So that, for our purposes, the 'nation' becomes a territorialized, politicized, homogenized and economically unified *ethnie,* even if much of the 'historic culture' of that *ethnie* is 'reinvented' for present-day needs.[190]

To be conceptually consistent, only when the immigrant-absorbing component is no longer part of the state-building project, can a project of building a collectively inclusive past be claimed to have begun. In other words, a nation needs to have a continuous and common lived past on a particular land. If there are constantly newcomers, then a unified common past cannot be shaped; it becomes a collection of pasts and new presents of the newcomers jumbled together but not merged into one. This is still, however, short on two accounts from being considered to be heading towards becoming a nation. The first is that unless the indigenous nation has become extinct, the colonial settlers would still remain conceptually as the newcomers in contrast with the indigenous. To exclude the First Nations from being within conceptual category of nations, is not only subjective but suggests a racist conceptual framework. Furthermore, to re-define and conflate the standing of First Nations into 'enthic groups' or 'minorities' would amount to what the Edward Said called orientalism as it constructs the "other" in a distrcutive form. This is further complicated when the settler colonizers bring in other peoples as slaves during the settler-colonial production of existence phase. The primary example of this is the Afro-Americans who were brought to settler-colonial entities as slaves not as immigrants. In the course of the progression of settler-colonial societies, this created tensions of assimilation as Connor mentions:

> Black nationalism, by contrast, may directly challenge the larger "us" of the American nation.... In refusing to identify with the American nation, and in postulating a rival black nation, black nationalism constitutes a nationalism in the most correct sense of the word.

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[189] On tensions in Australia with new immigrants see *Australia cracks down after camp riots* in immigration detention centres (2/1/2003) see http:/news.bbc.co.uk/1/hi/world/asia-pacific/2621131.stm ; on refugee riots in New Zealand see *Refugees fight to stay in NZ* (17/4/2000) http://news.bbc.co.uk/1/hi/world/asia-pacific/717107.stm

[190] Smith introduces this definition of nation in footnote no. 30 p. 243. See Anthony Smith, "State-Making …, *op. cit.,* p. 243.

This is so whether the nationalist advocates "two nations, one state" or actual political separation.... The key factor that differentiates the process of assimilation in the United States is that the impetus for assimilation has come principally from the unassimilated, not from the dominant group. The typical non-African immigrant *voluntarily* left his cultural hearth and traveled a substantial distance, in both physical and a psychological sense, to enter a different ethnopolitical environment which recognized no notable political or psychological relationship with his former homeland. Moreover, in any one generation, he and other immigrants of his particular ethnicity were few in number relative to the dominant, Anglo-Saxonized, American population.... ethnic problems within the United States have not been characterized primarily by the resistance of minorities to assimilation, but the assimilation of the rate desired by the unassimilated.[191]

The portrayal above stands in contrast with what would ideally be a civic nation-building as Pål Kolstø writes:

Leaders intent on building a civic rather than an ethnic nation will attempt to secure the political loyalty of all inhabitants without encroaching upon their cultural distinctiveness. Citizenship will not be a concomitant of ethnicity, and all citizens will enjoy equal political rights. Political traditions and symbols common to all ethnic groups will be cultivated.[192]

The above suggest that settler-colonial societies which still rely on absorbing newcomers have a distinct process of state-formation than those societies which have remained intact in terms of a continued presence on a territory for an extended duration of time and thus forming a common past and identity which is combined with this process. Settler colonial state formation by bringing in newcomers seems to be constantly mixing pasts by included people with pasts from different lands; this seems to have an effect on the cohesion of such communities as they become comprised of multiple ethnic groups.

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[191] Walker Connor, "Nation-Building …, *op. cit*., pp. 345-346. While Connor wrote this in the early 1970s it still seems relevant and not only within the USA context: on 1992 LA riots see http:/news.bbc.co.uk/onthisday/hi/dates/stories/april/29/newsid_2500000/2500471.stm#top ; on recurrence of LA riots in 2002 "*LA is on fire again*: Ten years after the Los Angeles riots – during which 54 people were killed and 1,100 buildings were damaged or destroyed, causing a total of 1$billion worth of damage-LA is on fire again (3/7/2002) see http://news.bbc.uk/1/hi/programmes/crossing_continents/2089812.stm.; on Amerindians in USA see *America's 'failing native peoples'* (11/10/2002) According to the article "...Amnesty International says America's native peoples are still one of the most marginalized and poorest communities in the world, discriminated against and often exposed to grave abuses of human rights." see http:/news.bbc.co.uk/1/hi/world/americas/2318757.stm; within the Canadian context on recently giving aboriginal tribes governing powers see *Mohawks move to self-government* (31/5/2001) see http:/news.bbc.co.uk/1/hi/world/americas/1361175.stm, also *Canada passes land-claims treaty* (14/12/1999) see http:/news.bbc.co.uk/1/hi/world/americas/5654140.stm

[192] Pål Kolstø, "Nation-building in the Former USSR", *Journal of Democracy*, Vol. 7, No. 1 (January 1996), pp. 118-132, here pp. 120-121.While he mentions the US as a case of civic nation-building, without ethnic core-centrism, recurring ethnic tensions within over the past decade are indicators to the contrary.

c. The ethnic:

This is "where *ethnie* exist in varying degrees of completeness and self-consciousness prior to the advent of the modern, rational state and of nationalism, which then demands the 'upgrading' and transformation of these *ethnie* to fully-fledged nations replete with their own territories, economies, legal rights and education systems. This demand, in turn, gives rise to a drive for autonomy and statehood, as a means for creating the nation and giving it a protective shell."[193] Smith adds:

> ...after 1945, the imposed alien state evokes an elite nationalism based on artificially constructed boundaries and territories. At the same time, it rouses a conflicting mass [//] ethnic nationalism, which may demand separation from the post-colonial state. Here the chances of conflict over basic loyalties and identities is greatest, with minority and peripheral *ethnie* competing with each other or with dominant and strategic core communities and their ethnically-inspired state elites, the concept of the 'state-nation' being in sharp opposition to that of the 'ethnic nation'.[194]

While there is some overlap between the ethnic category and the colonial, the former is distinct in that it occurs after a political system of rule has failed to maintain territorial congruity. A major recent example is the collapse of the former Soviet Union and its subsequent break-up into republics with various ethnic configurations. Here Kolstø, gives a profile of the ethnic nation-builders as such:

> Ethnic nation-builders identify the symbols and traditions of the state with those of the titular nationality. Authorities strive from maximal correspondence between *ethnos* and polity, the preferred methods being induced out-migration of minorities and their exclusion from decision making. The methods of assimilation and border revision are less popular, the former because it seems to threaten the dilution of the "pure" titular *ethnos,* and the latter because it may require the surrender of territory.[195]

In contrast Smith argues that the nature and intensity of ethnic ties could unmake states:

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[193] Anthony Smith, "State-Making …, *op. cit*., pp. 242-243 see footnote no. 29 in which author writes: "South Africa also went through ethnic, colonial and immigrant phases, but now [1986] practices an ethnic policy within a racial colonialism."

[194] Anthony Smith, "State-Making …, *op. cit*., pp. 242-243. In footnote no. 30 p. 243 the author writes: "There is of course, much overlap between these four trajectories and periods; but it is interesting that in each case the state, and at least a regional-inter-state system, is in the sense of territorial, legally and economically unified, and educationally homogenized, historic culture communities, even if they do not require states of their own, can most easily be created through state agencies and operations, once they have a core historic culture, i.e. an ethnic core. So that, for our purposes, the 'nation, becomes a territorialized, politicized, homogenized and economically unified *ethnie*, even if much of the 'historic culture' of that *ethnie* is 'reinvented' for present-day needs. Clearly, the 'nation' is much more complex and abstract 'ideal-type' unit than an *ethnie*; that is why there are so many forms of nationalism, expressing the varying visions of 'the nation' entertained by nationalists at different times and in different milieux."

[195] Pål Kolstø, "Nation-building …, *op. cit*., p. 120.

...the central difficulties of both **state-making and nation-building** stem from the nature and intensity of ethnic ties and sentiments, and that **lack of ethnic foundations and resilience can unmake states and dismantle nations as much as any inept elite activities or geopolitical calculations. While many processes and activities go into the 'making' of states and the 'building' of nations (both of which are ideological metaphors about large-scale abstractions and constructs)** – economic development, communications, urbanization, linguistic standardization, administration – there are equally important questions of meaning, identification and loyalty which 'make sense' of, and 'give purpose' to, otherwise unpatterned processes. The aspirations for identity, unity and autonomy that form the main ideological dimensions of nationalism undoubtedly confer from the main ideological dimensions of nationalism undoubtedly confer that 'meaning' and 'purpose' on a gamut of modern processes engulfing individuals.[196]

Mark Simpson elaborates furthers on the phenomenon of state failure which he describes as follows:

While the labels are often applied in terms of the failure of Third World states to initiate and sustain a process of economic development in their territories, or to develop depoliticised, rational bureaucratic/administrative structures along Western lines which would allow for successful implementation of decisions emanating from the political centre in the peripheral areas, it is also argued that one of the main causes of their weakness lies in their inability to build nations out of the ethnically diverse societies they inherited at independence. The resulting problems of secessionism and irredentism, are ultimately rooted in a crisis of legitimacy on the part of the state in Africa and Asia, an inability to create a central focus for the loyalties of their citizens who are seen to be trapped in their 'pre-modern' parochialisms**.**[197]

Marina Ottaway provides the following brief context for state failure:

Colonial powers formed dozens of new states as they conquered vast swaths of territory, tinkered with old political leadership structures, and eventually replaced them with new countries and governments. Most of today's failed states, such as Somalia or Afghanistan, are a product of colonial nation building [i.e. colonial state-building]. The greater the difference between the precolonial political entities and what the colonial powers tried to impose, the higher the rate of failure.[198]

This in consequence could lead to state collapse, which is a post-conflict condition where there may be no state at all.[199] Terrence Lyons and Ahmad Samatar provide the following definition of this:

State collapse occurs when structure, authority, legitimate power, law, and political order fall apart, leaving behind a civil society that lacks the ability to rebound to fill the vacuum....Without the state, society breaks down and without social structures the state

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[196] Anthony Smith, "State-Making…, *op. cit.*, pp. 243-244. [Emphasis added].
[197] Mark Simpson, "The Experience of Nation-Building… *op. cit.*, p. 463.
[198] Marina Ottaway, *op. cit.*, p. 2.
[199] Sarah Petrin, 'Refugee Return and State Reconstruction: A Comparative Analysis.' in *New Issues in Refugee Research, UNHCR Working Paper No. 66* (August 2002), pp. 2-4, here p. 2.

cannot survive. State collapse is not a short-term phenomenon but a cumulative, incremental process similar to a degenerative disease. Governments lose their ability to exercise legitimate authority unevenly over territory. Certain regions decompose or fall away from central control, as happened in northern Somalia in the late 1980s, while others remain within the government's realm. States may also collapse unevenly over time....The syndrome of state collapse often begins when a regime loses its ability to satisfy various demand-bearing groups in society as resources dry up.[200]

Abdel-Fatau Musah includes the role of globalization in state collapse:

Rapid globalization may have united the world's peoples around certain shared values, but in weak states it has also ruthlessly exposed the inadequacies of governance and catalysed the violent empowerment of non-state actors – warlords, terrorists, private military entrepreneurs. We live in an era when state and non-state actors alike are guaranteed speedy and often indiscriminate access to lethal technologies, including night-vision equipment, satellite communications gadgets, and rocket-propelled grenades.[201]

Within the African context, Musah has this to say:

Most so-called 'collapsed states' in Africa are extreme cases of the complex and contradictory processes of state-making and unmaking which are unfolding in the continent. Beneath the veneer of sovereignty, virtually all these nations started their independent existence in the 1960s as shell states. Since then, they have either followed the path of self-destruction (state collapse) or have sought to fill the shell with institutional content (state-making). Private military intervention is one of the key external factors undermining the state-building project.[202]

He provides what can be a useful way of distinguishing between the ethnic state-formation (which adopted a Tillian formation) from the next category, the colonial (which advanced towards the Weberian formation). This category of states, and particularly in Africa, Musah writes that:

[T]he legacy of colonialism weighed heavily on early state formation in African. In the first decade after independence, all African states looked alike in at least three respects. All were founded on a contradiction between traditional values and grafted inherited institutions. All were vulnerable to the vagaries of external political and financial systems; and, within all of them the security sector was singled out as a priority area for consolidation. Thus, African states as a group shared arbitrary boundaries, extractionist / rentier production relations, and repressive security apparatuses.... Beyond their similarities, however, the African states are differentiated by the paths to development that they followed since the 1960s. The modern state is regarded to have passed through a 'Tillian' formation, whereby the state operated as a 'security racket' ... to a 'Weberian' (Bonapartist) form marked by bureaucratic impartiality

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[200] Quoted from Terrence Lyons and Ahmad I. Samatar, "Somalia: State Collapse, Multilateral Intervention, and Strategies for Political Reconstruction", *Brookings Occasional Papers* (Washington D.C.: 1995), p. 1. They cite William I. Zartman (ed.), *Collapsed States: The Disintegration and Restoration of Legitimate Authority* (Boulder: Lynne Rienner, 1995).

[201] Abdel-Fatau Musah, "Privatization of Security, Arms Proliferation and the Process of State Collapse in Africa", *Development and Change,* Vol. 33, No. 5 (November 2002), pp. 911-933, here p. 920.

[202] *Ibid.,* p. 911.

and the pursuit of public welfare in a context of relatively widespread socio-political legitimacy... Most African states can be understood to have taken a Tillian form. A few were less Tillian and more Weberian from the beginning; in these cases, the civil societies fostered in them have been better able to withstand the destabilizing effects of the post-Cold War era and continue the drive towards Weberian statehood. Others, however, have evolved from Tillian to extreme Tillian states.[203]

While here as well there are many themes that could be highlighted, the following are some of the points that can be observed: (1) ethinc type of state-formation is a dire form of state creation which leads to further state failures and collapse, if not prolonged conflict; (2) in contrast with nation-state formation which extended over several centuries, the life cycle of state formation in most Third World state is about half a century (i.e. a time factor of 1 to 8 at least); (3) again in contrast with nation-state formation the ethnic state-formation category is unable to protect itself from even private external intervention in its 'sovereignty' and (4) state failures, especially state-collapses, are the result of inability, let alone failure, to build a state apparatuses to fit the size of the border-shells they have found themselves in after colonialism.

d. The colonial:

This is "where a modern, rational state is imposed from above on populations which are divided into many different ethnic communities and categories, who band together to achieve independent statehood under the aegis of a state-wide nationalism, and then try to use this territorial state and its 'nationalism' to create a unified nation out of these divergent *ethnie.*"[204] Smith adds examples such as Latin-American countries, where a semi-modern colonial state was imposed onto populations whom it fuses, in varying degrees, culturally and who share their culture with their rules.[205] A more technical historical context is provided by Abdel-Fatau Musah:

> The current collapse [of states] has its roots in the vast proliferation of nation-states, especially in Africa and Asia, since the end of World War II. When the United Nations Charter was signed in 1945, it had 50 signatories. Since that time, membership has more than tripled, reflecting the momentous transformation of the pre-war colonial world to a globe composed of independent states. During that period, no nearing its conclusion following the independence of Namibia in 1990, the U.N. and its member states made the "self-determination of peoples" -- a right enshrined in the U.N. Charter – a primary goal.[206]

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[203] *Ibid.,* pp. 915-916.
[204] Anthony Smith, "State-Making…, *op. cit*., pp. 241-242.
[205] *Ibid.*
[206] Abdel-Fatau Musah, "Privatization …, *op. cit*., p. 920.

The subsequent post-Cold War outcome was as follows:

> ... the end of the Cold War has unleashed new forces of dissent sub-nationalism and given a second wind to older ones, taking the political map out of the deep-freeze to which it had been consigned. We are now witnessing the return, with a vengeance, of that oldest of dynamics in the international system, namely the **fission and fusion of states**. And at the present stage,… the emphasis is clearly more on the **centrifugalism** rather than **centripetalism.**[207]

While states may tend towards fusion and centrepetalism as systems, not all may be able to maintain such a dynamic. Those which become affected by fission and centrifugal dynamics due to, for example, multiplicity of nations of ethnic groups may, in the worst case scenario, end up as failed states. These could pose security threats according to Gerald Helman and Steven Ratner:

> ..the failed nation-state, utterly incapable of sustaining itself as a member of the international community. Civil strife, government breakdown, and economic privation are creating more and more debellatios, the term used in describing the destroyed German state after World War II. As those states descend into violence and anarchy – imperilling their own citizens and threatening their neighbors through refugee flows, political instability, and random warfare....[208]

Another outlook with regard to the future of the state in Africa was given by Jeffrey Herbst who concluded that "some states will probably be unsuccessful in finding ways of building the state in times of peace and will therefore remain permanently weak." He then goes on to propose that the international community would "have to develop non-traditional policies for helping a new brand of states; those that will continue to exist but that will not develop."[209]

From the analysis of a specific type of colonial state-formation, the settler-colonial type emerges from the analysis above, as well as from the literature. Consequently, another category can be added to the list of types of state-formation which is the settler-colonial.

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[207] Marck Simpson, "The Experience of Nation-Building: Some Lessons for South Africa", *Journal of Southern African Studies,* Vol. 20, No. 3 (September 1994), pp. 463-474, here p. 465. [Emphasis Added].

[208] Gerald B. Helman and Steven R. Ratner, "Saving Failed States", *Foreign Policy,* 89 (Winter 1992-1993), here p. 1. (Viewed from internet version).

[209] Jeffrey Herbst, "War and the State in Africa" *International Security,* Vol. 14, No. 4 (Spring 1990), pp. 117-139, here p. 119.

e. The settler-colonial:[210]

This is another category of state-formation particular to settler-colonial systems. This research proposes that this type undergoes two phases: the first is what shall be called here the *production-of-existence phase* (henceforth the *creation phase*) in which the settler population acquires land and settles it to form a new territorial existence. This phase becomes completed when the First Nations or the indigenous nations become reduced so that they no longer affect the settler-colonizatoin process. Settler-colonial states that have realized this phase move on to the next phase with could be called *state-building phase*. This is where the state institutions begin to develop to represent the whole of the settler society of the settler-colonial state. Some cases of settler-colonization that have surpassed the *creation phase* are the United States, Canada, Australia, and New Zealand. Some settler-colonial cases which have not surpassed this phase were Rhodesia and Apartheid South Africa. Nothern Ireland and the Zionist cases could be argued to be cases yet to be determined as they are still exist as on-going systems while Rhodesia became Zimbabwe in 1980, and Apartheid South Africa collapsed in 1991. From the literature about the types of wars waged upon the First Nations by colonizers, some consider the production of settler-colonial-existence wars as total wars while another group of scholars have regarded these wars as limited (not total wars). Hence, a fourth proposition which illustrates a contradiction has emerged, aside from the others covered in this chapter, which requires and examination of validity. Hence, the fourth proposition:

Settler-colonial- production-of-existence war is total war AND is not total war.

According to Newton-Smith's theory of meaning, the above cannot be valid. In other words, settler-colonial-production-of-existance war cannot be categorized as total war and also be categorized as not being total war i.e. limited war. Thus, each of the two possibilities of this fourth proposition needs to be examined.

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[210] On settler colonies see also Anna Johnston and Alan Lawson, "Settler Colonies" in Henry Schwarz and Sangeeta Ray (eds.), *A Companion to Postcolonial Studies* (Oxford: Blackwell Publishing, (2000) 2005), pp. 360-376.

i. Settler-colonial war on the colonized nations is total war

In the formation of modern states in Europe, and according to Charles Tilly's analysis, state-making and war-making were two activities each reinforcing the other. Similarly, the production of settler-colonial existence or the creation phase and war-making seem also to have also been simultaneous activities, each reinforcing the other in order to acquire more land for settler-colonization. In a paper delivered to the American Historical Association in Chicago, in 1893, Frederick Jackson Turner declared his thesis that the American frontier had formed the distinctive character of the American people and history. According to Turner, the frontier "was not simply a place but a process where the 'unsettled' became 'settled … by the physical movement of settlers on the land."[211] "Each [frontier] was won by a series of Indian wars."[212] In contrast with the type of war-making that accompanied state-making in Europe, settler-colonial-state creation utilized a particular type of war-making distinct from the European.

> As Europe after 1648 entered an age **of limited war, employing the means of carefully regulated combat among professional armies to achieve ends of limited dynastic advantage**, in North America the colonists and the Indians were discovering that their cultures were so incompatible that they could not well endure side by side. Wars between settlers and the Indians became – beginning at least with King Philip's War in New England in 1675-1676 – struggles aimed at **reducing the enemy to military impotence. To this end, the means frequently disregarded European restrictions on attacks against the property and lives of noncombatants. Seventeenth and eighteenth-century Americans came to conceive of war in more absolute terms than their European contemporaries.** [213]

The above citation distinguishes between limited war which engages in regulated combat by and against professional armies to achieve limited ends for political gains. In contrast, what is termed as "absolute" (here meaning total war), the aim is to reduce the opponent – combatants with and through the non-combatants – to military inability. The end in such wars is total defeat by any means necessary. The German General Erich Ludendorff in his book of 1935 entitled "Total War", characterized this type war as one in which the people are involved in the war effort.[214]

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[211] Nigel Penn, "The Northern Cape Frontier Zone in South African Frontier Historiography", in Lynette Russell (ed.), *Colonial Frontiers …, op. cit.,* p. 19. Originally citing from Fredrick Jackson Turner, *op. cit.*, pp. 3, 4 and 28.

[212] Fredrick Jackson Turner, *op. cit.*, pp. 2, 4.

[213] Russell F. Weigley, "American Strategy from its Beginnings through the First World War", in Peter Paret (ed.), *Makers of Modern Strategy from Machiavelli to the Nuclear Age* (New Jersey: Princeton University Press, (1986) 1994), pp. 408-443, here p. 409. [Emphasis added].

[214] The term "limited war" is a modern one in English that became popular only in the 1950s while the term

Colonial wars, wherein nations or tribes are fighting only for their life, and whom the opponent can simply crush, bear, as far as the attacked nations or tribes are concerned, the character of a totalitarian war, and are waged by such tribes for moral reasons. For the rest, these wars are most immoral actions, and do not deserve the sublime and serious definition of warfare. They are stirred up and waged out of greed, and not for the preservation of the nation.[215]

Hence, a particular characteristic of total war, as Beartrice Heuser points out, can be summed up in the following:

> Total War is waged by and entire population against not only the armed forces of a designated enemy group, but against every one of its members, man, women or child, explicitly denying any distinction between combatants and non-combatants.[216]

This type of war was also waged on First Nations in other settler-colonial cases such as Canada, Australia, and New Zealand.

ii. Settler-colonial war on the colonized nations is limited war

In a reference work on *War* edited by Lawrence Freedman, the whole category of wars waged on colonized peoples comes under section on "limited war". Some of the scholars included in this section and with this view include for example, Colonel C.E. Callwell who claims that:

> The suppression of the Indian Mutiny and the Anglo-French campaign on the Peiho, the British operations against the Egyptian army in the 1882, and the desultory warfare of the United States troops against the nomad Red Indians…, can all alike be classed under the category of small wars.[217]

Small wars as termed in the quote above are categorized in the book under limited wars and therefore mean limited wars. Another scholar, L. J. Shadwell categorizes war with colonized nations as limited war based on the absence of battle formation:

> No savage nation, as far as I am aware, employs second and third lines of troops, either in the attack or the defence, and consequently, if the first line – which contains every available man – is defeated, the enemy has no general reserve to bring up to cover his retreat or make

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'total war' was invented towards the end of the First World War in France and then made popular by the German Erich Ludendorff in the mid-1930s; Jan Willem Honig, "Clausewitz's *On War:* Problems of Text and Translation", in Hew Strachan and Andreas Herberg-Rothe (eds.), *Clausewitz in the Twenty-First Century* (New York: Oxford University Press, 2007), pp. 57-73, here see p. 65.

[215] Erich Ludendorff, *The Nation at War*, (trans.) A. S. Rappoport, (London: Hutchinson & Co. Ltd., 1936), pp. 16-17.

[216] Beatrice Heuser, *The Bomb: Nuclear Weapons in their Historical, Strategic and Ethical Context* (New York: Pearson Education Inc., 2000), p. 114.

[217] Cited in Lawrence Freedman (ed.), *War* (Oxford, New York: Oxford University Press, 1994), p. 315. Original source is from C.E. Callwell, *Small Wars: Their Principles and Practice* (London: HMSO, 1906), pp. 21-24. [Emphasis added].

a counter attack. Once such a foe has been defeated no rearguard is formed to cover retreat, and the loss of the *morale* is infinitely greater than a European force. [218]

Furthermore, in an indication that war waged on the colonized could be on the face of it limited on the part of the colonizer due to technological advances yet actually total upon the colonized due to absence of "force multipliers"[219] which can inflict high tolls with limited effort, Shadwell, notes:

> …on account of the advantages which civilized troops posses over savage or semi-barbarous foes, owing to the power of discipline and of better weapons, and to the possession of artillery and machine-guns, a well-handled European force can resist or attack with every chance of success a much greater force of savages or semi-barbarians than it could of disciplined Europeans.[220]

The above suggests that colonial wars upon the colonized may seem of a limted nature because of the techonological superiority over the indigenous. Yet in the previous quotes, settler-colonial wars are regarded as total wars. The implication in the last quote by Shadwell is that the war upon the colonized remains total while the colonizer, with the technological advantage, is able to maintain it as a limited-war-task on their side, with the possession of "force multipliers" such as the machine gun. This does not seem to change the whole nature of the type of war in its total nature waged upon the colonized combatants and non-combatants. This element shall be discussed in more detail in the next chapter. It is sufficient at this stage to highlight that settler-colonial wars upon the First Nations or the indigenous peoples seem more like total wars as they aim to eliminate the presence of the indigenous from the expanding "frontiers" replacing them with settlers. That this category of war is termed as limited by the colonizer seems to be a distortion, implicitly suggesting that all victims from the colonized in the settler colonial wars are combatants whereas in effect include both combatants and the peoples themselves, particularly since the aim is not limited but total (i.e. the total surrender or elimination of the colonized nations in such cases).[221] Indeed, in settler-colonial cases which passed the settler-colonial creation phase,

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[218] Freedman, *War, op. cit.,* p. 318.
[219] While this concept shall be elaborated on later in chapters three and four, for the purposes here, the definition of a force multiplier is a "capability that, when added to and employed by a combat force, significantly increases the combat potential of that force and thus enhances the probability of successful mission accomplishment." See *Dictionary of Military and Associated Terms* (US Department of Defense, 2005).
[220] Freedman, *War, op. cit.,* p. 318.
[221] This shall be expanded on further primarily in chapter three.

the First Nations were reduced to one to two percent of the population.[222]   This manipulation of meaning seems also reminiscent with the power of meaning in orientalism and its discourse: treating the "other" as sub-human, and as such "deserving" the outcomes of not supporting settler-colonial "civilization".

The conclusion reached at this stage is sufficient to highlight the need for further investigation about the conceptual structure of total war before an attempt can be made to develop and use it in a modified Tillian version of the model he proposed. The use of Newton-Smith's theory of meaning determined that in the fourth proposition which emerged from the literature that s*ettler-colonial-production-of-existence war is total war AND is not total war* could not be valid. However, which of the two possibilities of the proposition is valid, and upon initial review, seems to have determined that the following is more likely to be true: s*ettler-colonial-production-of-existence war is total war.*

4. Conclusion:

At the start of this chapter, three propositions were examined. The first was about what constitutes a nation. The second examined whether settler colonizers could be considered nations. The third proposition concerned whether all states could be regarded as nation-states. In these three propositions, the use of W.H. Newton-Smith's theory of meaning could reveal orientalism at work in shaping the meanings of the terms thus promoting the discourse of the settler colonizers. This was found to represent a subjective disregard of the discourse of the indigenous nations. The meanings of the terms when applied to represent the indigenous peoples were found to be valid on objective analysis and upon the application of the theory of meaning. While examining the third proposition to determine whether all states were nation-states, the state-formation of various categories of states was analysed base on relevant research. This was necessary so as to illustrate that the processes through which states were formed were not uniform. In other words, there was a distinction

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[222] In the U.S.A. Amerindian and Alaska Natives are 1.5% of the total population. In Canada Amerindians are 2% of the total population. In Australia Aborigines are 1% of the total population. In New Zealand the Maoris 9.7% and the Pacific Islanders 3.8% are 13.5% of the total population. Contrast these with the following cases where the settler-colonial state has collapsed or is still facing conflict: South Africa: white settlers 13.6% of total population (Apartheid collapsed in 1990); historical Palestine: Jews are 55% of total population (still in conflict with Palestinians) – author's calculation.

between the processes of each type of state formation: the Western type, the immigrant type, the ethnic type, the colonial type, and settler-colonial type. In the last of these, i.e. the settler-colonial type, it emerged that Charles Tilly's conceptual framework used to understand the dynamics of the formation of modern states in Western Europe could useful in understanding the settler-colonial formation. This seems especially so, in light of Frederick Jackson Turner's thesis that America, for example, was formed by the physical movement of settlers on the land (the frontier) through a series of wars with the indigenous nations. These wars were ones in which the settlers were producing their existence on land conquered from the indigenous nations - effectively meaning that the indigenous nations had to be made to disappear through such a war in order to produce "empty land" which could culminate in a state for the settler colonizers. Such wars according to Russell Weigley constituted a different nature of war, an absolute type which was distinct form the types of limited wars know at the time. He was referring essentially to what later became to be known as total war. This has bearing on developing a conceptual analytical framework for analysing settler-colonial creations.

The Tillian conceptual framework has two aspects which need to be modified in order to be utilized in the analysis of settler-colonial case. The first has to do with the *kind* of war-making and the second has to do with the aspect of state-making or *what* is being produced. In the Tillian version, war-making of existing states were transforming them from pre-industrialized states into modern ones. In this sense what was produced was an upgrade in the type of states analysed. In the settler-colonial context, the first aspect (i.e. war-making) needs to be replaced with total-war-making and the second aspect (i.e. "modern" state-making) needs to be replaced with what was produced in the settler colonial context, namely, the production of a "empty land" for settler colonizers. Thus, total-war-making and the production-of-settler-colonial existence mutually included and re-enforced one another. Each modified aspect represents a conceptual structure of its own. This means that before merging both aspects together to understand the mutually enforcing dynamics of each, what is needed first is to construct a conceptual structure of each in order to understand the dynamics of each separately. Once this has been done, then one can proceed to develop a conceptual framework of analysis which merges both dynamics. Both these endeavours are the subject matter of the next chapter.

The final part of this chapter has shown, however, that analytical care shall be needed in the coming chapters to avoid slipping into, and becoming part of, an orientalist discourse through the concepts and meaning of terms. For, while examining a fourth proposition which emerged from the literature – that "settler-colonial-production-of-existence war is total war AND is not total war (in other words limited war)" – the theory of meaning could not determine which one of the of second two parts of the proposition was valid objectively. It could only determine that only one of the two latter components could be valid, and not both at the same time. In other words, one of the following possibilities of the fourth proposition could be valid: "settler-colonial production-of-existence war is total war" or "settler-colonial production-of-existence war is limited war". That both emerged from the literature about wars in the colonial context involving indigenous peoples, illustrates an orientalism working to promote a subjective meaning rather than objective analytical deduction. This phenomenon could be called the politics of meaning. Therefore, even after the concept of total war has been developed in a way that can be used to understand settler-colonial creation, and even after an investigation has been done about what settler-colonialism means conceptually, the approach to proceed in the research to focus on the total war (to build a modified Tillian analytical framework of analysis particular to settler-colonial cases), does not rest on the solid ground. For even though the "analytical cue" was taken from Weigley's observation that settler wars in America were absolute and from Ludendorff who upon developing the concept of total war regarded colonial wars against indigenous nations as totalitarian, the soundness of going on to contruct a model based solely on this cue is questionable. What is needed is further corroboration by actual settler-colonial cases. Only when this has been done, that is, to examine whether the modified Tillian analytical framework can actually illustrate and explain the dynamics of total-war-making and the production of settler-colonial existence, can it be used to analyze the Zionist case in chapter four.

Therefore, a sum-up is needed about the dynamics of the research which proceeds from this chapter. The following chapter shall do three things: first, develop the conceptual structure of total war; second, develop the conceptual structure of settler-colonialism, and then third, it shall merge both into a modified Tillian version in the form of "total-war-making and of

settler-colonial-existence-making" as a process in which one reinforces the other. This based on, and derived from, the "war-making and state-making" as in the original Tillian version. Subsequently, the function of chapter three shall be to show that the analytical framework produced in chapter two can actually be used to explain the process(es) and dynamics of the production of settler colonial existence in the United States, Australia, and Apartheid South Africa. In other words, the function of chapter three is to substantiate through analysis of actual cases that the modified conceptual framework produced in chapter two is useful as a tool. Furthermore, the analytical progression from chapter two to chapter three to validate what was produced in chapter two (i.e. both chapters combined), should corroborate by empirical cases whether the decision to pick up on the "analytical cue" in this chapter based on both Weigley's and Ludendorff's observations (the latter having developed the concept of total war), was a sound one, objective and free from being influence by an orientalist discourse. This step is necessary because while:

- there is ample research material to illustrate the workings of orientalism on the meanings of the terms *nation, nation-state,* and whether *all states are nation-states*;

- and while there is also ample research material from which to analyze orientalism at work in past colonial discourses as Edward Said has done in his phenomenal work *Oreintalism,*

- and while there is ample material about the Palestinian-Israeli conflict,

there is not as much material that combines the Zionist case as a settler-colonial project with orientalist discourse, and with the significance of total-war-making to this particular on-going case. Therefore, in order to be expedient, this research has to produce a conceptual analytical framework which attempts to be, to the extent consciously possible, objective, orientalist-free, and temporally dynamic (i.e. that can analyze past settler-colonial cases and on-going ones). Only, if this has been achieved, can one proceed to analyze the Zionist case in chapter four with a prospect of adding new insight and contributing to producing knowledge about the ongoing conflict in Palestine.

Chapter Two: A Conceptual Framework of Settler Colonialism

The previous chapter provided and analysis about the politics of meaning involved in including settler-colonial states into the community of nations. It also illustrated how subjective academic research can become main stream when it is driven by power interests, as it assumes an orientalist character distorting meanings of terms marginalizing the narrative of First Nations and their experiences as a result of settler-colonialism. This makes it more challenging to conduct objective analysis amidst the myriad of meanings of terminologies, such as nation and nation-state. This has implications on what is actually meant by nation-building, state-making/building, and total and limited wars. Embedded in all these terms is the ortientalist "us" and "other" discourse: "us" being the European or Western colonizer and the "other" being the European or Western a subjective construction of who the First Nations are. This is distinct from the objective identification of the First Nations. Consequently, there are three parties in this kind of discourse: the European's or Western's *"us"* and its *"other"* and the First Nations' *"self"*. Being aware of these undercurrents in the analysis involving settler-colonial cases and First Nations, enables one to be aware and avoid pitfalls in analysis which could divert subjective analysis and outcomes. Hence, the importance of chapter one lies in sifting the subjective from the objective regarding this subject of analysis.

The outcomes of chapter one that settler-colonial societies are not nations, that settler-colonial-states are not nation-states, and that the creation phase of the settler-colonial states was not a process that utilized limited war but total war, all these enables one to be better equipped for developing a conceptual framework of analysis. This, shall be used for comparing settler-colonial cases in order to analyze how they emerged, the process involved, and the outcomes – some colonial-settler states are still existing today such as the United States, Canada, Australia, and New Zealand. Others failed and collapsed such as Rhodesia and then Apartheid South Africa. Why some continued to exist while others failed is a relevant point of this research which shall be used to assess the status of the Zionist case; this shall be addressed in Chapter Four. However, in order to extract the main dynamics involved in success or failure of the settler-colonial cases, it is necessary to develop a theoretical construction of settler-colonialism. Then it is necessary to extract from the cases that shall be analyzed, other factors that influenced the prolonging or ending

of such a project based on conditions each faces(d) and the geographical or regional factors. This chapter shall, therefore, develop a theoretical construction of settler-colonialism, distinguishing it from colonialism, and identifying the key dynamics of this type of colonialism. This shall be extracted from various literature that has been written about colonialism and settler colonialism. Hence, the purpose of this chapter is to analyze settler-colonialism as systems to construct a conceptual structure. This shall be used in the next chapter when analyzing some cases.

This chapter has two sections. The first shall focus on developing a theoretical framework about settler-colonialism, its typologies and how it is different from other forms of colonialism. The second section shall develop the theoretical framework, based on Charles Tilly's analysis of European modern state formation, of how settler-colonial-state creation and total-war making reinforced each other. These two activities occurred simultaneously and gave momentum to each other in what shall be called her the *creation phase* of the settler-colonial systems. Both sections combined shall provide a theoretical framework from which to assess the process of settler-colonial systems in the next chapter which deals with specific cases. The following are two questions which this chapter shall develop answers to:

ii. **What is settler-colonialism and how is it different from other forms of colonialism?**

iii. **Concerning the settler-colonial-state creation phase, how the production of settler-colonial existence and total-war making conceptually reinforced each other.**

Charles Tilly maintains that:

> Warmaking and statemaking reinforced each other, indeed remained practically indistinguishable until states began to form secure, recognized boundaries around substantial contiguous territories.[223]

In this section of the research, Tilly's proposition shall be modified to adapt to the settler-colonial cases. Hence,

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[223] Charles Tilly, *Coercion, ..., op. cit.,* p. 97

Total war-making and the production of settler colonial existence reinforced each other, indeed remained practically indistinguishable until *settler colonial systems* began to secure, recognized boundaries around substantial contiguous territories *of the First Nations*.

1. Settler-colonialism and how it is different from other forms of colonialism

In order to understand what settler-colonialism is, it is necessary place it within the context of colonialism while clarifying how each are different. According to Jürgen Osterhammel colonization involves a process of acquiring territory. It is a *system* of domination through colonies which are a particular type of sociopolitical organization. All these three concepts are driven by the notion of society beyond its original habitat.[224] Osterhammel excludes situations of temporary military occupation and the annexation of border areas to modern national states from the concept of colonialism.[225] While Philip Curtin's general definition of colonialism is "domination of people of another culture,"[226] Osterhammel adds another three components referring to modern colonialism. The *first* is that colonialism is "not just any relationship between masters and servants, but one in which an entire society is robbed of its historical line of development, *externally manipulated* and transformed according to the needs and interests of the colonial rulers." Furthermore, "[m]odern colonialism is based on the will to make "peripheral" societies subservient to the "metropolises.""[227] The *second* has to do with the dissimilarity between colonizers and colonized. The characteristic of modern colonialism "is the unwillingness of the new rulers to make cultural concessions to subjugated societies." In the nineteenth century, this was justified by allegedly insurmountable "racial" hierarchies. Consequently, the colonized were expected to "assimilate" the values and customs of Europe rather than the colonizer to assimilate in colonized civilization.[228] The *third* component is that modern colonialism can be described not only in structural terms, but as a particular interpretation of the relationship between the colonizer and the colonized. In this sense Ostrehammel uses Edward Said's term regarding it as primarily an **"ideological formation."**[229] It was seen as part of a divine plan for provide

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[224] Jürgen Osterhammel, *Colonialism, op. cit.,* p. 4.
[225] *Ibid.*, p. 10.
[226] *Ibid.*, p.15, citing Philip D. Curtin, "The Black Experience of Colonialism and Imperialism," in Sidney W. Mintz (ed.), *Slavery, Colonialism, and Racism* (New York: Norton, 1974), p. 23.
[227] *Ibid.*, p. 15.
[228] *Ibid.,* pp. 15-16.
[229] *Ibid.,* p. 16, citing Edward Said, *Culture and Imperialism* (New York: Knopf, 1993), p. 9.

salvation to the pagans; as a secular mandate to "civilize" the "barbarians" or "savages," and as a "white man's burden" that he is privileged to carry. These attitudes were always based on the belief in European cultural superiority.[230] Hence implicit in the following definition of colonialism:

> *Colonialism* is a relationship of domination between an indigenous (or forcibly imported) majority and a minority of foreign invaders. The fundamental decisions affecting the lives of the colonized people are made and implemented by the colonial rulers in pursuit of interests that are often defined in a distant metropolis. Rejecting cultural compromises with the colonized population, the colonizers are convinced of their own superiority and of their ordained mandate of rule.[231]

i. Processes of colonial expansion:

In world history, according to Osterhammel, the processes of colonial expansion took six main forms:[232]

a. ***Total migration of entire populations and societies****.* Here, large human collectives that have settled in one place give up their original settlements without leaving parent societies behind. Expansion of this type generally entails military conquest, subjugation, and often suppression of peoples in the target regions. This situation does not produce *colonies,* since no controlling center of expansion remains behind. A relatively late example could be of a *voluntary* collective migration which was the departure of the Cape Boars to the interior of South Africa on the Great Trek of the year 1836-1854, with the subsequent establishment of the two Boer communities of Orange Free State and Transvaal.[233]

b. ***Mass individual migration.*** This represents the classic "emigration" in which individuals, families, and small groups leave their home territories, motivated primarily by economic factors, with no intention to return. The societies from which they leave remain structurally intact. Here individual migration generally takes place as a second-stage expansion process within established political and world economic structures. The emigrants do not create new colonies, but are integrated into existent multi-ethnic societies. However, they often group in enclaves affirming

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[230] *Ibid.,* p.16, citing Philip Mason, *Patterns of Dominance* (London: Oxford University Press, 1970), p. 274.
[231] *Ibid.,* pp. 16-17.
[232] *Ibid.,* pp. 4-9.
[233] *Ibid.,* pp. 4-5.

their sociocultural identity such as Chinatown in America. This type includes the settlement colonies of the British Empire during the nineteenth and twentieth centuries and the settling of Indians in East and South Africa.[234]

c. ***Border colonization***. The term means extensive pushing of the "frontier" in the "wilderness" for humans to get natural resources or for agricultural purposes. This colonization requires settlement. This type economically combines the natural resources of the specific place with mobile production factors of work and capital.[235] This type takes place in the perimeters of settlement areas and rarely establishes colonies as separate political entities, yet can proceed *secondarily* from new settlement core overseas. An example is the expansion of the North American settlements outward from its eastern coast. Here industrial technology such as railroads greatly increased the range and control over colonization.[236]

d. ***Overseas settlement colonization***.[237] This special type of border colonization developed "settlement off-shoots" across the sea in areas where little military power was required. Logistics made the decisive difference between this and true continental border colonization. An example is first stage of English settlement of North America where the settlers established plantations[238] to minimize reliance on the supplies from the mother country or on trade with the natives. The settlers considered these areas without rulers and hence, the indigenous population was pushed away by force. Here, the settlers and indigenous nations were separated both territorially and socially, and thus the native population could not be used to work the European type farms. Furthermore, this form of colonization was costly, as in

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[234] *Ibid.,* p. 5.

[235] *Ibid.,* p. 5, he noted to see the theoretical definition in John J. McCusker and Russel R. Menard, *The Economy of British America, 1607-1789* (Chapel Hill: University of North Carolina Press, 1985), p. 21.

[236] *Ibid.,* pp. 5-6; here p. 6 with note to see Steven G. Marks, *Road to Power: The Trans-Siberian Railroad and the Colonization of Arian Russia, 1850-1963* (Ithaca: Cornell University Press, 1991), pp. 196, ff.

[237] Note: Fits the cases examined in this research except for Zionist case which could be a combination of *c,d* and *f* (minus maritime component as Zionism had the land component) from this section (i), as well as with regard to the East Jerusalem, West Bank and Gaza before redeployment *e* (below) that is expelling indigenous population. Also relevant from the next section (ii) are points (*c. i*) (below) of using colonized for cheap labour– and point (*c.iii*) regarding formation of settler-colonial white self-government thus being a combination of the two of the variants in (*ii.c.iv)* below: the (a) "New England" type and (b) the "African" type.

[238] *Ibid.,* p. 6, he adds to see Francis Bacon, "Of Plantations" [1965], in John Pitcher (ed.), *The Essays* (Harmondsworth: Penguin, 1985), pp. 162-164.

North America and later in Australia for example, where the Europeans were not able to set up efficient agricultural systems whose taxable surpluses could have supported a military based colonial apparatus.[239] This type is also called the "New England" type which shall be explained further below.

e. ***Empire-building wars of conquest.*** This is a classic or "Roman" form of establishing rule of one people over another. Here the ultimate source of power and legitimacy is the imperial center even if military expansion is sustained mainly by resources that are mobilized on the spot. However, as it pushes forward and grows it becomes polycentric. For example, the British Empire developed into three loosely connected spheres: the "white dominions," the "dependencies," and the "empire" of India, whose government could pursue its own sub-imperialist interests. Military empire building did not develop by annexing "empty" territories and rarely destroyed the previous structure. Rather it subjugated existing state and societal institutions which were modified to adapt to the needs of the conquerors in order to maintain control. The military conquerors relied parasitically on the economy it dominated securing order, facilitating foreign trade, and mainly skimming off tribute. In rare cases such as in parts of the Roman Empire, Ireland, and in Algeria, did military conquest involve establishment of settlers and large-scale land appropriations as well as the direct takeover of agricultural production by foreigners.[240] This type of expansion resulted in *colonial rule without colonization,* which Osterhammel classifies as an exploitation colony.[241] Modern empires generally had separate colonial authorities in the metropolis to supervise administration of periphery.[242]

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[239] *Ibid.,* p. 7.

[240] Osterhammel adds that British India, the classic modern product of military imperialism, was never a settlement area.

[241] Jürgen Osterhammel, *Colonialism, op. cit.,* pp.8-9. He adds: "A very important variant is found in Spanish America. Despite a substantial influx of Europeans, the situation there differed greatly from that of colonies of the Indian type owing to the development of a creole population segment, which reproduced itself demographically. In contrast to North America, settlement colonization was not the main purpose of colony building. Most of the immigrants settled in cities and never made up a majority of the population. By 1790, toward the end of the colonial period, first-generation immigrants and creoles of Spanish ancestry amounted to roughly one quarter of the population of Latin America." He cites Mark A. Burkholder and Lyman L. Johnson, *Colonial Latin America* (New York & Oxford: Oxford University Press, 1990), p. 106.

[242] *Ibid*., p. 9, here citing Paul S. Reinsch, *Colonial Government: An Introduction to the Study of Colonial Institutions* (New York: Macmillan, 1902), p. 16. Osterhammel cites an American diplomat Paul Reinsch

f. **Construction of naval networks.** This form focused on *maritime* expansion. While it entailed a systematic construction of militarily protected trading factories, it did not necessarily lead to inland colonization or to significant large-scale military annexation of territory. The main purpose of this form of colonization was to secure hegemony over trade. In the eighteenth century, naval bases became a strategic interest on a global scale particularly for Great Britain – the main naval power at the time. Naval bases[243] as well as militarily significant "harbour colonies"[244] were among the most adamantly defended over an extended period of time as critical components of the British Empire. In addition they then assumed importance as air bases.[245]

These six forms of modern colonialism produced colonies which can subsequently be defined as follows:

> A *colony* is a new political organization created by invasion (conquest and/or settlement colonization) but built on pre-colonial conditions. Its alien rulers are in sustained dependence on a geographically remote "mother country" or imperial center, which claims exclusive rights of "possession" of the colony.[246]

ii. Major types of colonies:

Osterhammel provides a useful categorized the major types of colonies that have arisen in recent centuries as a result of the expansion of European nations, the United States, and Japan:[247]

a. **Exploitation Colonies:** These are usually the result of military conquest, often after extended phases of contact without land claims.

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who "considers these special governing bodies the crucial characteristic of a "colony". According to Reinsch, a colony is "an outlying possession of a national state, the administration of which is carried on under a system distinct from, but subordinate to, the government of the national territory.""

[243] Particularly Bermuda, Malta, Cyprus, Alexandria/Suez, Aden, Cape Town, and Gibraltar.

[244] Such as Singapore, and Hong Kong; Jürgen Osterhammel, *Colonialism, op. cit.,* p. 9, here adding that on the particular type of harbor colony, it is still useful to refer to Ernest Grünfeld, *Hafenkolonien und kolonieähnliche Verhältnisse in China, Japan und Korea* (Jena: Gustav Fischer, 1913).

[245] Jürgen Osterhammel, *op. cit.,* pp.9-10. He notes: "The military base was the only colony type that was adaptable to modern circumstances on a long-term basis. It was able to advance from the era of the gunboat to the ear of the tactical air force."

[246] *Ibid.,* p. 10.

[247] *Ibid.,* pp.10-12.

i. The purposes of these are: economic exploitation (by means of trade monopolies, use of natural resources, and levying tribute rather than farming); strategic securing of imperial policies; national rise in prestige.

ii. Relatively insignificant numerical colonial presence, primarily in the form of civil bureaucrats, soldiers, and businessmen (not settlers) who return to their mother country after completing their assignments.

iii. Autocratic government by the mother country (governor system), sometimes with paternalistic solicitude for the native population.

Examples: British India, Indochina (French), Egypt (British), Togo (German), Philippines (American), Taiwan (Japanese).

Variants: Spanish America, in which European immigration led to urban mixed society with a dominating creole minority.

b. Maritime enclaves: This type is the result of fleet actions.

The purposes of these are: indirect commercial penetration of a hinterland and/or contribution to the logistics of a maritime deployment of force and informal control over formally autonomous states ("gunboat diplomacy").

Examples: Malaca (Portuguese), Batavia (Dutch), Hong Kong, Singapore, Aden (all British), Shanghai (international).

c. Settlement colonies: This type is the result of a military supported colonization processes.

i. Purposes of these are: **utilization of cheap land and labor, cultivation of forms of social, religious, and cultural life that are under pressure in the mother country.**

ii. Colonial presence, primarily in the form of permanently resident farmers and planters.

iii. Early onset of self-government of the "white" colonists, disregarding the rights and interests of the indigenous population.

iv. **Variants:**

a) "**New England" type:** displacement and even annihilation of the economically dispensable indigenous population; examples: the British New England colonies, Canada (French/ British), and Australia.

b) **"African" type**: economic dependence on an indigenous labor force; examples: Algeria (French), Southern Rhodesia (British), and South Africa. In the latter, John L. Camaroff drew out three models: the first was the state model "to which the colonial government was seen to oversee the territory and had as its first priority, *Pax Britannica:* the pacification of "tribes," under British law, in an ever widening radius outward from the Cape." The second was settler colonialism of the Boar model "represented by missionaries in strarkly negative terms." The third was civilizing colonialism of the mission "more forcefully spelled out by the Christians than were the other models."[248]

c) **"Caribbean" type**: import of slaves; examples of this sub-type are: Barbados (English), Jamaica (English), Saint Domingue (French), Virginia (English), Cuba (Spanish), Brazil (Portuguese).[249]

iii. Settlement colonies and use of force:

While colonization could entail colony building,[250] colonies could also occur without colonization as in cases which originated from military conquest. Here there is no correspondence between the colonies and colonization. For the purpose of this research, the third type of colony, the settlement colonies, shall be focused on. In this category the settlers were also armed and the force they used was not always authorized by a state, at least in the early phases of colonization.[251] The rationale behind the use of force upon other nations in such colonies can be traced to back to classical Greece (to be elaborated further below). In addition, the British colonization of Ireland in the sixteenth century set a course for the settler colonization on the other side of the Atlantic and in other parts of the world. This type

> …occurred in colonial societies without indigenous population majorities. Societies of this sort were homogeneously "white." They seemed to be replicas of European societies in "empty" land. This is essentially true of the settlement colonies of the "New England" type. These colonies actively pursued frontier colonization, i.e. agrarian development of inland "wilderness," which destroyed the environments of native hunters and herdsmen.[252]

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[248] John L. Comaroff, "Images of Empire, Contests of conscience: Models of Colonial Domination in South Africa," *American Ethnologist,* Vol. 16, No. 4 (1989), pp. 661-685, here pp. 672-677.
[249] Jürgen Osterhammel, *op. cit.,* pp.11-12.
[250] This, Osterhammel, regards as the main form of frontier colonization.
[251] *Ibid.*, p. 10.
[252] *Ibid.*, p. 17

Two points are worth raising here. The first has to do with Osterhammel's categorization of the "New England" type of settler colonization. The second has to do with the context of the use of terms "native" and "empty land." With regard to the first, George Fredrickson and other historians have linked the "New England" type of settler colonialism to an even earlier period which began with the British experience of colonizing Ireland. Jan Kociumbas also traces the settler-colonization of Australia to Ireland calling it the "Irish model."[253] Fredrickson states that "English plans for colonization were first tried out in Ireland, and what happened there had an important shaping effect on the later effort on the other side of the Atlantic." [254] Fredrickson elaborates:

> In 1565, the [British] government proclaimed its intention to bring all of Ireland under effective English rule. Following the general pattern of Elizabethan expansionism, **this task was not undertaken directly by the Crown and its own troops but was consigned to private individuals who were licensed to conquer and colonize for their own profit as well as for the good of the realm.** Between 1565 and 1576 a series of colonization enterprises were organized and promoted, **involving many of the same West Country gentlemen who were to be leading figures in the earliest projects for English settlement in North America**. What **distinguished Elizabethan efforts to conquer Ireland** from earlier invasions was that **the objective was not so much to establish English lords over Irish peasants but, in some places at least, to replace them with British colonists.** The **rationale for expropriating their land and removing them from it** was that the Celtic Irish **were savages, so wild and rebellious** that they **could only be controlled by a constant and ruthless exercise of brute force**. [255]

The use of such force for such a purpose necessitated forming a rationale by which to de-humanize the colonized and by constructing human classifications as the following quote illustrates.

> Since the Irish beyond the Pale lived in what the English regarded as a primitive fashion, often retained a tribal form of political and social organization, and engaged in the semi-nomadic practice of transhumane (seasonal migration between higher and lower pastures), there was no great difficulty in classifying their way of life as savage or barbarous. But the question of their religion was not so easily disposed of. **The propaganda mills of the English colonizers worked over-time to prove that the apparent Christianity of the Irish was a superficial veneer and that they were really pagans.** Once the Irish had been

[253] Jan Kociumbas, "Genocide and Modernity in Colonial Australia, 1788-1850" in Dirk Moses (ed.), *Genocide and Settle Society: Frontier Violence and Stolen Indigenous Children in Australian History* (New York and Oxford: Berghahn Books, 2004), pp. 77-102, here pp. 87-90.

[254] George M. Fredrickson, *White Supremacy:..., op.cit.,* p. 14, citing Nicholas P. Canny, "The Ideology of English Colonization: From Ireland to America", *William and Mary Quarterly,* XXX (1973), pp. 575-598, and James Muldoon, "The Indian as Irishman", *Essex Institute Historical Collections,* CXI (1975), pp. 267-289; David Beers Quinn, *The Elizabethans and the Irish* (Ithaca, N.Y.: Unknown Binding, 1966), pp. 106-22.

[255] *Ibid.,* pp. 14-15, here on p. 15 citing Nicholas P. Canny, "The Ideology ..., *op. cit.,* pp. 576-579. [Emphasis added].

categorized as savage heathen, their resistance to the expansion of English control could be countered in the most brutal forms imaginable.[256]

More explicit of how this form of colonization developed into the settler-colonial type is further elaborated by Fredrickson who depicts it as a deliberate process:

> What is so striking about the English activity in Ireland on the eve of American colonization was not only the calculated denigration and brutal treatment of the indigenous population, but also the assumptions behind the recruitment of English colonists and the displacement of Irish peasants. **Mere political hegemony and the imposition of an English ruling class was not enough. Proponents of colonization seemed to be saying that nothing could be made of the country unless fully elaborated English communities were planted there.… The colonization of Ireland was one of the early fields of enterprise for the new merchant capitalism** that was emerging in England. There were profits to be made from Irish plantations if the right kind of tenants could be found. **The natives were indeed rebellious and difficult to control, whereas transplanted English-men or lowland Scots were likely to be more docile, willing to cultivate the right staples for export, and capable of being mobilized for defense in case of internal or external attack.**[257]

The socio-political context of this type was a period of over-population in Britain during the sixteenth century and subsequent upheavals as the government became unable to provide for them. The outcome was population migrations to colonize distant lands:

> A penchant for settler colonization was also encouraged by the growing awareness of a population crisis in England itself. Beginning in the early sixteenth century, a rapid increase of mouths to be fed outran the ability of the economy to provide sustenance and employment – a situation that lasted until the middle of the next century. **The result was pauperization, vagabondage, and fear of social upheaval. The notion that an outlet for the surplus of "sturdy beggars" could be found through planting lower class Englishmen abroad was one motive for early interest in both Irish colonization and American settlement. The sense that there was a plethora of "masterless men" who could be put to good use elsewhere helped to make colonization proposals seem not only feasible but socially therapeutic.**[258]

Hence:

> The Irish experience and the impulses behind it foreshadowed in some ways the ideology and practice of English colonization in North America, especially in Virginia. The main presumption that persisted was that the most profitable and useful form of colonization involved more or less self-sufficient communities of Englishmen. The treatment of indigenous peoples would depend on whether they helped the settlers by conceding land

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[256] *Ibid*., pp. 15-16, here p. 16 citing Nicholas P. Canny, "The Ideology …, *op. cit., pp*. 580-595 (quotes from p. 588); James Muldoon, "The Indian …, *op. cit*., pp. 274-77. [Emphasis added].

[257] *Ibid*., p. 16, he notes that on the economic interests involved, see Theodore K. Rabb, *Enterprise England, 1575-1630* (Cambridge, M.A., 1967). [Emphasis added].

[258] *Ibid*., pp. 16-17. [Emphasis added], here on p. 17 he notes that the population situation and its impact on the thinking of Elizabethan expansionists is well summed up by Edmund Morgan, *American Slavery – American Freedom: The Ordeal of Colonial Virginia* (New York, 1975), pp. 30-31, 65. See also E. A. Wrigley, *Population and History 1603-1714* (London: Sphere Books, 1969), p. 31; and *idem, Change and Continuity in Seventeenth-Century England* (Cambridge, Mass., 1975), pp. 188-189.

and invoking labor or, like "wild Irish," savage could be invoked to justify policies of extermination or confinement to reservations on land not yet coveted by the English.[259]

L.S. Stavrianos maintains that the colonization of Ireland experience extends beyond the North America to Africa and Asia. The underdevelopment experienced in external colonies in Afrcia and Asia were the same as that faced by Ireland as an internal British colony. "The only difference was that the Irish countryside was depopulated by immigration to overseas territories where they were accepted, whereas Third World rural areas were depopulated by immigration that perforce flowed to local urban centers."[260]

Returning to the second point that was raised above about the connotations surrounding the term "native" as implying uncivilized, barbarous, malicious incapable of rational conduct except through use of force. Such settler colonial construction of identity of the native "other" was a precursor to taking charge of other nation's property. The logical outcome of draining the "other" from human status, meant that this "other" became an integral part of the "wilderness" that was the "empty land" waiting to be inhabited by the humans represented by the "us" of this orientalist discourse. Land not occupied by "whites" or by European civilization, seems to have been considered essentially empty. Cole Harris provides an analysis of how reservations as land confining indigenous nations represent the physical power of an orientalist colonizing discourse to disposses through the supporting infrastructure of the state.[261] Thus, even where other nations existed, the land on which the

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[259] *Ibid.*, p. 17. On p. 15 Fredrickson notes: "The application of the concept of savagery to the Celtic Irish may strike a modern reader as very peculiar, since they were both white and Christian. But in the sixteenth century savagery was not yet strongly associated with pigmentation or physical type and hence was not a "racial" concept in the modern sense.… More significant in their eyes were such cultural characteristics as nomadism, "idolatory," and rude or minimal forms of clothing, shelter, government, and economic activity. "; see also Margaret T. Hodgen, *Early Anthropology in the Sixteenth and Seventeenth Centuries* (Philadelphia, 1964), pp. 213-214; Winthrop D. Jordan, *White over Black: American Attitudes Towards the Negro, 1550-1812* (Chapel Hill, N.C., 1968), pp. 3-11. The innumerable descriptions of Indians and Asians found in Hakluyt, *Voyages,* make relatively little of color or physical characteristics and much of habits and customs. On the question of the American Indian's pigmentation, Wesley Frank Craven contends that "the view best suited to the European's preconceptions was one holding that the native American was born white and that the distinctive complexion of his skin was artificially achieved." (*White, Red, and Black: The Seventeenth-Century Virginian* [Charlottesville, V.A., 1971], p. 40.) For an expression of the belief that the "Hottentots" were naturally white, see the quotation from John Maxwell in Eric Walker, *A History of Southern Africa,* 3rd ed. (London, 1957), p. 35.

[260] L. S. Stavrianos, *The Global Rift: The Third World Comes of Age* (New York: William Morrow & Co. Inc., 1981), p. 276-277. He adds: "…Irish villages still tell stories about the "death boats" that crossed over the Atlantic with refugees from the potato blight and the "Great Hunger" of the 1840s, and about the "American wakes" at which parents said good-bye forever to children who would never be able to afford the return fare."

[261] Cole Harris, "How Did Colonialism Dispossess? Comments from and Edge of Empire," *Annals of the*

colonies were established was to be "filled" with whites replicating European life, values and world views.[262]

The combination of a discourse of "othering" which de-humanized the counterpart, the motive behind unleashing of force on the "other" nations, targeting combatants and non-combatants, all feed into the components of a new type of warfare that was emerging at the time – total war. Hence the appropriate observation made by Russell F. Weigley:

> Wars between settlers and the Indians became – beginning at least with King Philip's War in New England in 1675-1676 – **struggles aimed at reducing the enemy to military impotence**. To this end, the means frequently disregarded European restrictions on **attacks against the property and lives of noncombatants.** [263]

This type of warfare unleashed a type of violence for the purpose of, and through, settler colonization setting the course for its unabated use in the centuries of colonization that followed:

> The late sixteenth and early seventeenth-century colonization projects were accompanied by virtually every kind of atrocity that would ever be perpetrated against American Indians – women and children were massacred, captured rebels were executed or enslaved, and whole communities were uprooted and consigned to special reservations. Such conduct was justified on the grounds that it was required for "the suppressing and reforming of the loose, barbarous and most wicked life of that savage nation." Those who condemned the severity of English conduct were answered by claims that the Irish chose to "live like beasts, voide of lawe and all good order," and were indeed "more uncivil, more uncleanly, more barbarous and more brutish in their customs and demeanures, that in any other part of the world that is known.[264]

This brings one to the matter of what is meant by settler colonialism. Jonathan Cook gives an explicit definition which combines the process involved and the end aim:

Association of American Geographers, Vol. 94, No. 1 (March 2004), pp. 165-182.

[262] Even Osterhammel implicitly falls into this discourse when he uses the terms "natives" and "empty land". Osterhammel makes a conceptual leap by referring to settler colonials in North America as "natives" in relation to the metropolitan homeland colonial powers, as if having replaced the genuine indigenous nations from his analysis. He maintains: "Because "native" subjects [here referring to the settler colonizers] were lacking, however, they could not construct a system of domination, which is a basic component of colonialism. These societies were therefore not "decolonized" by stripping the power of the colonists and driving them out, as was the case in Algeria. They won their autonomy as national states as a result of abrupt revolutionary secession (as happened with the thirteen colonies, which then constituted the United States) or by gradual dissociation on basically good terms (Canada, Australia) from the European center of the empire." See Jürgen Osterhammel, *Colonialism, op. cit.,* p. 17.

[263] Russell F. Weigley, "American Strategy …, *op. cit*., p. 409. [Emphasis added].

[264] George M. Fredrickson, *White Supremacy…, op. cit.,* p. 16 citing Nicholas P. Canny, "The Ideology of …, *op. cit.,* pp. 580-595 (quotes from p. 588); James Muldoon, "The Indian …, *op. cit.,* pp. 274-277.

> Settler colonialism is distinguished from traditional colonialism (which is primarily concerned with the indigenous population's exploitation) by its intention to replace the natives with members of the colonized group.[265]

Adding insight to the above definition, Lorenzo Veracini maintains that settler colonialism is not colonialism: settlers want Indigenous people to vanish (but can make use of their labour before they are made to disappear). Sometimes settler colonial forms operate within colonial ones, sometimes they subvert them and sometimes they replace them. But even if colonialism and settler colonialism interpenetrate and overlap, they remain separate as they co-define each other.[266]

One of the requirements for settler-colonial societies to survive, according to Ray Dolphin is that "they must resolve their 'native problem'."[267] The extent of whether some or all of the requirements have been realized, determines whether settler-colonialism is as process of the past or whether it is still relevant to the analysis of current systems. Patrick Wolfe notes that "settler colonialism is an assertion about the nation's structure rather than a statement about [its] origins."[268] Hence, as "settler colonizers come to stay: invasion is a structure not an event."[269] Furthermore, in his analysis of the settler colonial situation, Veracini shows that there is no such thing as as neo-settler colonialism or post-settler colonialism. In his view settler colonialism is a resilient formation that rarely ends. He distinguishes between migrants and settlers: settlers come to stay, and are founders of political orders who carry with them a distinct sovereign capacity.[270]

Here Charles Tilly's thesis combining state-making and war-making in European state formation comes as an appropriate starting point to begin to explain settler-colonial state formation as a process. In such cases, a particular type of war-making occurred simultaneously with the formation of settler colonial states. Total-War-making continued to be utilized in the initial production of settler colonial existence, hence the *creation phase*.

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[265] Jonathan Cook, *Disappearing Palestine: Israel's Experiments in Human Despair* (London and New York: Zed Books, 2008), p. 191.

[266] Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (London: Palgrave Macmillan, 2010).

[267] Graham Usher, "Introduction" in Ray Dolphin, *The West Bank Wall – Unmaking Palestine* (London: Pluto Press, 2006), p. 2. The other aspects are: obtaining a measure of political, military and economic independence from their metropolitan sponsor; achieving military hegemony over, or at least normal relations with their neighbouring states; and acquiring international legitimacy.

[268] Lynette Russell (ed.), *Colonial Frontiers ..., op. cit.,* p. 2.

[269] Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," *Journal of Genocide Research,* Vol. 8, No. 4 (December 2006), pp. 387-409, here p. 388.

[270] Lorenzo Veracini, *Settler Colonialism ..., op. cit.*

In this phase both Total-War-making and the production of settler colonial existence reinforced and sustained each other, until settler rule became uncontested by the indigenous nations. Understanding this process and its components as briefly identified above, is relevant to understand how and why some settler colonial states prevailed while others failed.

2. Settler colonial formation:

To reiterate for the purposes of this section, Charles Tilly maintains with regard to modern state formation in Europe that:

> Warmaking and statemaking reinforced each other, indeed remained practically indistinguishable until states began to form secure, recognized boundaries around substantial contiguous territories.[271]

In this section of the research, Tilly's proposition shall be modified to adapt to the settler-colonial cases. Hence,

> *Total-war-making and the production of settler-colonial existence reinforced each other, indeed remained practically indistinguishable until settler colonial systems began to secure recognized boundaries around substantial contiguous territories of the indigenous nations.*

The following shall focus on three main themes:

a) The production of settler-colonial existence phase

b) Total war and its use in settler colonization: total war is a vortex which engulfs politics, policy, strategy, and creates is own logic all feeding into a claim of "universal truth" which gives it momentum towards achieving its decisive end i.e. the complete and total destruction of the enemy nations – combatants and non-combatants, culture, and beliefs and in settler colonial systems, transform the land to represent the imagination of the settler-colonizer.

c) A discussion of the above.

This section shall begin by explaining what is meant by the production of settler-colonial-existence phase, and what the driving force of settler-colonizers at this stage is. The other term that needs clarification is the term *total war*, and how it functioned in settler-colonial

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[271] Charles Tilly, *Coercion,…, op. cit.,* p. 97

state creation. These combined provide a basis from which to understanding settler-colonial systems as distinct from other types of states, and why some scholars maintain that the settler-colonial systems permeate into, and remains part of, the structure of the settler colonial state even today.[272]

Effectively, with regard to the Aboriginal Nation, for example, one of the motives for its assimilation was the need to form a national homogeneity of white Australia.[273] In this sense Patrick Wolfe explains that extermination and assimilation were two sides of the same coin: both aimed at protecting the culturally (and not simply racially) white character of the population, and of utterly destroying the indigenous world.[274]

i. Settler-colonial-creation phase:

Settler colonial formation entails doing three things at the same time: (1) clearing land from the colonized nations(s) to (2) produce settler colonies, and (3) to build a community with a unified identity. As several scholars have noted, in settler colonial cases the first two activities shape the identity of the settler colonizers in the creation phase of conquering land. The concept used to signify this is the term *frontier*. Paul Carter explains what this type of boundary means to settler colonizers:

> …the essential function of the boundary is to facilitate communication. It enables places to appear to be named. **It enables the settler to establish who and where he is.** This is my clearing, that beyond is not…. The settler himself takes advantage of this distinction to make his own position clear. **The boundary is not a barrier to**

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[272] Caroline Elkins and Susan Pedersen (eds.), *Settler Colonialism …, op. cit.,* p. 3 here referring to Patrick Wolfe who talks about settler colonialism as representing the structure of the settler colonial state rather than a past event. See Nathan Wolski, "All's Not Quiet on the Western Front – Rethinking Resistance and Frontiers in Aboriginal Historiography", in Lynette Russell (ed.), *Colonial Frontiers …, op. cit.,* p. 233 where he concludes that "frontiers cannot be neatly pin-pointed. The frontier period cannot be neatly packaged and cannot be brought to close, as through we now stand in some post-frontier period. We remain firmly in the 'one going colonial present'." This is significant to what has been called here the creation phase and how this phase, if not surpassed in terms of temporal, special and identity aspects of the settler-colonial, does have consequences on the settler colonial states today. In other words, states which began as settler colonial systems, can still be on-going settler colonial systems even if they term themselves as modern democratic states, when it comes to how they deal with the people of the indigenous nations in terms of assimilation (which Wolfe regards as the other side of the coin of annihilation) and in what is meant by *frontier* – whether it is only a temporal and spatial meaning or also refers to a "cultural space between two groups." (See p. 233). This shall also be discussed in this section.

[273] Anthony Moran, "White Australia…, *op. cit.*, p. 171.

[274] Caroline Elkins and Susan Pedersen (eds.), *Settler Colonialism …, op. cit.,* p. 4.

communication. Quite the opposite it gives the settler something to talk about. Of course, **this is not to say such communication is always friendly.**[275]

Bill Ashcroft has placed this communication in part of a colonial discourse which is binary – a type of discourse which, as Edward Said also characterized as part of the orientalist discourse.[276]

> The most tenacious aspect of colonial control has been its capacity to bind the colonized into a binary myth. Underlying all **colonial discourse** is a binary of colonizer/colonized, civilized/uncivilized, white/black which works to justify the *mission civilatrice* and perpetuate a cultural distinction which is essential to the 'business' of economic and political exploitation. The idea that 'counterforce' is the best response to the colonialist myth of force, or to the myth of nurture, both of which underly this civilizing mission, binds the colonized into a myth. This has often implicated colonized groups and individuals in a strategy of resistance which has been unable to resist absorption into the myth of power, whatever the outcome of their political opposition.[277]

Distinct from the identity of nations, the settler colonizer's identity has three main components: first, the power of naming as part of the settler-colonial discourse of transforming unfamiliar spaces to familiar ones, even if only in the mind at the beginning; hence places appear with settler-colonial names. The second production is of the settler-colonizer's identity and the third is the production of an attachment to a place where the settler colonizer is. The last component has a dynamic involving two groups: the settler-colonizers and the indigenous nations in which the form of communication or discourse in

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[275] Paul Carter, *The Road to Botany Bay: An Exploration of Landscape and History* (Londom, Boston: Faber and Faber, 1987), pp. 158-159. [Emphasis added].

[276] Edward Said, *Orientalism, op. cit.,* pp. 205-206. Said notes: "In its most basic form, then, Oriental material could not really be violated by anyone's discoveries, nor did it seem ever to be reevalutated completely. Instead, the work of various nineteenth-century scholars and of imaginative writers made this essential body of knowledge more clear, more detailed, more substantial – and more distinct from "Occidentalism." Yet Orientalist ideas could enter into alliance with general philosophical theories (such as those about the history of mankind and civilization) and in many ways the professional contributions of Oriental knowledge were anxious to couch their formulations and ideas, their scholarly work, their considered contemporary observations, in language and terminology whose cultural validity derived from their sciences and systems of thought…. The Orient existed as a place isolated from the mainstream of European progress in the sciences, arts, and commerce. Thus whatever good or bad values were imputed to the Orient appeared to be functions of some highly specialized Western interest in the Orient. This was the situation from about the 1870s on through the early part of the twentieth century – but let me give some examples that illustrate what I mean. Theses of Oriental backwardness, degeneracy, and inequality with the West most easily associated themselves early in the nineteenth century with ideas about the biological bases of racial inequality. Thus the racial classifications found in Cuivier's *Le Règne animal,* Gobineau's *Essai sur l'inégalité des races humaines,* and Robert Knox's *The Dark Races of Man* found a willing partner in latent Orientalism. To these ideas was added a second-order Darwinism, which seemed to accentuate the "scientific" validity of the division of races into advanced and backward, or European-Aryan and Oriental-African. **Thus the whole question of imperialism, as it was debated in the late nineteenth century by pro-imperialists and anti-imperialists alike, carried forward the binary typology of advanced and backward (or subject) races, cultures and societies."** [Emphasis added]

[277] Bill Ashcroft, *Post-colonial Transformation* (London and New York: Routledge, 2001), p. 21. [Emphasis added].

settler-colonial history has been violent. Implicit in this dynamic is that the production of both settler colonial identity and attachment to a place is dependent on the interaction the other group, the indigenous nation. This has been addressed earlier in the research. However, how the frontier serves in the production of settler colonial existence still needs to be explained. To do this, it is necessary to construct the dynamics to illustrate the meaning entailed in *the production of settler-colonial existence*.

The *production of settler colonial existence*, is the first phase of the at least two in which the settler colonizers produce their existence on the colonized places. This concept is comprised of sub-components: frontier, and total war. The meaning of each of these two components is compiled from various sources. Their conceptual significance of this effort enables a clearer understanding of settler-colonization as systems which can then, in turn, be analyzed and examined in terms of achievement or failure. This is especially so since both frontier and total war combined produce the settler colonizer's existence on the colonized place and determine their relationship to the indigenous nations.

a. The frontier:[278]

Nathan Wolski in his discussion of the concept of frontier poses the question as to whether it represents a place, a time, a process or something more subtle. He notes that Fredrick Jackson Turner, the famous American historian, claimed the closing of the American frontier in 1893, four centuries after of the discovery of America. Forty years earlier, in 1853, Wolski adds, William Thomas who was Assistant Protector of Aborigines in the colony of Victoria also made a similar proclamation concluding that all Aboriginal resistance in the colony had ended. Wolski notes that these two statements relied on a particular conception of indigenous resistance to European settlement; that of the indigenous laying down their arms of opposition.[279] He suggests that limiting the meaning of resistance to a physical violence paradigm, created the "simplistic binary opposition between accommodation and physical resistance."[280] In so doing the frontier was assumed to be a region or a place (spatial), where Aboriginal resistance (process) continued to take

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[278] The conceptual meaning of this term is compiled from various sources.
[279] Nathan Wolski, "All's Not Quiet …, *op. cit.,* p. 216.
[280] *Ibid.*, p. 218

place (temporal).[281]   He argues that by broadening the term resistance to include other methods of resistance, hovering between passivity and agency between consciousness and unconsciousness, such as "taking spears in hand, steeling sheep and murdering shepherds; it can equally mean dancing traditional corroborees; continuing to make traditional tools, or even speaking one's own language."[282] Towards the end, he paraphrases Paul Carter's definition: "the frontier is the space in between two cultures, the space of meeting, of contestation and of negotiation of identity."[283] However, in order to arrive at this definition he utilizes a quote which represents the kind of discourse that Said was referring to as orientalist. Note the two texts: the first is the quote Wolski utilizes from Jan Critchett to emphasize the cultural aspect of frontier, and the second is Said's which identifies patterns of orientalist discourse.

> The frontier was in fact a very local phenomenon, the disrupted area being the very land each settler lived upon. The enemy was not on the other side of neutral ground. **The frontier was represented by the woman who lived near by and was shared by her Aboriginal partner with a European**…. It was the group living down beside the creek or river, it was the boy used as a guide for exploring parties or for doing jobs now and then. **The 'other side of the frontier' was just down the yard or as close as the bed shared with an aboriginal woman.[284]**

What Said illustrates as the characteristics of such a discourse is in the following:
> … the differences in their ideas [the nineteenth-century writers Said analyzed] about the Orient can be characterized as exclusively manifest differences, differences in form and personal style, rarely in basic content. **Every one of them kept intact the separateness of the Orient, its eccentricity, its backwardness, its silent indifference, its feminine penetrability, its supine malleability**; **this is why every writer of the Orient**, from Renan to Marx, (idealogically speaking), or from the most rigorous scholars (Lane and Sacy) to the most powerful imaginations (Flaubert and Nerval), **saw the Orient as a local requiring Western attention, reconstruction, even redemption**.[285]

Thus, one deduces from Said's characterization of orientalist discourse, that Wolski's emphasis on the cultural aspect of *frontier* becomes a means to 'reconstruct' the culture of

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[281] *Ibid.*, pp. 230-231. He uses Homhi Bhabha proposition of psychological aspects of resistance; see H. K. Bhabha, *The Location of Culture* (London: Routledge, 1994). Wolski also utilizes the term "psychological warfare": the "kind of resistance which is not so much concerned with any action that the colonised may take, but rather focuses on the ability of the colonised to refuse the logic of the entire colonial enterprise" to expand on Bhabha's point, see p. 219. On psychological warfare see B. Moore-Gilbert, *Post Colonial Theory – Contexts, Practices, Politics* (London: Verso, 1997), p. 132.

[282] *Ibid.*, p. 225.

[283] *Ibid.*, p. 232.

[284] As quoted in Wolski "All's Not Quiet on the Western Front – Rethinking Resistance and Frontiers in Aboriginal Historiography" in Lynette Russell (ed.), *Colonial Frontiers …, op. cit.,* p. 232 where he cites from Jan Chritchett, *A Distant Field of Murder* (Melbourne: Melbourne University Press, 1990), p. 23. [Emphasis added].

[285] Edward Said, *Orientalism, op. cit.,* p. 206. [Emphasis added].

the indigenous peoples so that their identity also becomes dependent on the interaction with the settler colonizer to the exclusion of an identity based on attachment to the land – an attribute which has been illustrated in the previous chapter to be more consistent with non-nations such as settler colonial societies. Furthermore, Wolski implicitly presents settler colonization itself as a "culture" promoting it as valid to the indigenous culture; albeit that the settler "culture" is being produced to assume hegemonic status over the indigenous. Hence, this seems to point to the term 'frontier' as being an oreintalist one. In this discourse, it is being stripped from is substantial aspects of representing a space and space-time of the indigenous nation to become like the term 'nation' in non-objective discourse to assume abstract status so that the settler "culture" can dominate by sheer volume of intricacies invested in promoting the settler-colonial binary behavior as a "culture." In contrast, the indigenous discourse seems to have no use of the term 'frontier' prior to the arrival of the settler colonizers.[286]

b. Total war and settler colonial wars:[287]

Total war is derived from a type of war which Carl von Clausewitz, a Prussian military officer and theoretician of the nineteenth century, called 'absolute' war. His model of the 'absolute' war was Napoleonic warfare which aimed at the destruction of the enemy's system of government or state, and indeed the replacement of his political ideology by another.[288] Between the First and Second World Wars, a German general Erich Ludendorff interpreted Clausewitz's 'absolute' war as total war; a war involving nations.[289] Hans Speier notes that a nation at total war may be compared to a besieged fortress:

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[286] Nations tend to use terms signifying boundaries which are spatial manifestations of the scope of a nation's belonging to a place. This is market as tribal or a nation's territorial belonging. Unlike settler-colonial enterprises which need to produce spaces by transforming them from the "wild" to the familiar.

[287] The conceptual meaning of this term is compiled from various sources, and its interpretation is developed further for the purposes of elaborating its significance in settler-colonial wars against indigenous nations. States have waged total war against each other such as in the Napoleonic wars after the French Revolution, and the wars by and against Germany in the First World War and against Germany and Japan in the Second World War. However, the scope of this type of war becomes starker with reference to the the process which Paul Carter has called "communication" between the colonizer and the colonized on the settler colonizers frontier or boundary.

[288] Beatrice Heuser, *The Bomb…, op. cit.,* p. 103. She cites Carl von Clausewitz, *Vom Krieg* (Berlin: Dümmler, 1932) referring to, Book VIII, Ch. 2.

[289] Erich Ludendorff, *Der Totale Krieg* (Munich: Ludendorffs Verlag GmbH, 1935), translated by Dr. A.S. Rappoport as *The Nation at War* (London: Hutchinson & Co., 1936), p. 168. Yehuda Wallach makes a qualifying note between Cluasewitz's absolute war and Ludendorff's version in total war: "Clausewitz' conception of the "absolute war" was a philosophical exercise designed to reduce war to its abstraction and strip it, for the purpose of theoretical contemplation, of all influences imposed by reality. Ludendorff's

> As the besiegers try to force a fortress to surrender not only by directing strictly military means against its military defenders, but also by starving its civil inhabitants, so total warfare implements the military assault upon the armed forces of a nation by the use of nonmilitary weapons directed against the noncombatant part of the enemy population. The distinction between combatants loses its …significance.[290]

Ludendorff wrote that total war (which he termed totalitarian war) which was "far from being the concern of the military forces alone, directly touches the life and soul of every single member of belligerent nations…."[291] In his description, Ludendorff associated such wars as wars of survival – when the continued existence of a nation is at stake. He classified wars fought by colonized nations or tribes in face of colonizers within this type; he regarded battles fought by the colonizers for greed and gain differently. Hence,

> Colonial wars, wherein nations or tribes are fighting only for their life, and whom the opponent can simply crush, bear, as far as the attacked nations or tribes are concerned, the character of a totalitarian war, and are waged by such tribes for moral reasons. For the rest, these wars are most immoral actions, and do not deserve the sublime and serious definition of warfare. They are stirred up and waged out of greed, and not for the preservation of the nation.[292]

Implicit in total war is the extermination of nations or peoples. Beatrice Heuser highlights that "[a]ny war that deliberately aimed to annihilate large numbers of defenceless enemy non-combatants, contains the genocidal, ideological element of a Total War."[293] To ascertain what this means, she refers to the United Nations Convention on the Prevention and Punishment of the Crime of Genocide adopted by the General Assembly in 1948 to defined what acts constitute genocide; any of the following with the intent to destroy, in whole or in part, a national, ethical, racial, or religious group amount to genocide:

(a) Killing members of the group.

(b) Causing serious bodily or mental harm to members of the group.

(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.

(d) Imposing measures intended to prevent births within the group.

"total war" has nothing in common with Clausewitz' notion, and is far from being a philosophical concept." See Yehuda L. Wallach, *The Dogma of the Battle of Annihilation: The Theories of Clausewitz and Schlieffen and Their Impact on the German Conduct of Two World Wars* (Westport, Ct.: Greenwood Press, 1986), p. 242.

[290] Hans Speier, "Ludendorff: The German Concept of Total War" in Earl Mead (ed.), *Makers of Modern Strategy* (Princeton N.J.: Princeton University Press, 1941), pp. 306-321, p. 315.

[291] Erich Ludendorff, "The Nation …, *op. cit.*, p. 15.

[292] *Ibid.*, pp. 16-17.

[293] Beatrice Heuser, *The Bomb…, op. cit.,* p. 114.

(e) Forcibly transferring children of the group to another group.[294]

Furthermore, Colin Tatz points out that in the vocabulary of genocide there are three parties: the perpetrators, the victims, and the bystanders without whom the perpetrators cannot effect their purposes. Tatz elaborates further on the bystanders:

> Within the latter category, there are those who are simply indifferent, those who are hostiley indifferent, those who are, in some degree, complicit, and those who are, for want of a clearer or better term, companions to the events. One can be a companion to something even in the act of opposing it. Thus, in South Africa, I was complicit in much of apartheid white teaching and writing about the evil of the system. It seems never to occur to those who deny involvement, or legal or moral guilt, or who distance themselves from past events, that they were, and are, indeed companions, and therefore in some degree complicit.[295]

With the above categories of parties in the vocabulary of genocide – with the role of the bystanders elaborated further in the section below on the monopoly of truth – it seems relevant to point out that colonial wars, in general, fall under acts of genocide and settler colonial wars.[296] This especially since what was targeted was not only the indigenous nations as individual beings but their way of life and attachment to their land. Genocide, need not be committed by violence alone but could be committed by non-murderous means.[297] As Waziyatawin Angela Wilson and Michael Yellow Bird, two First Nations academics of North America have put it:

> Not only has colonization resulted in the loss of major rights such as land and self-determination, but most of our contemporary daily struggles (poverty, family violence, chemical dependency, suicide, and deterioration of health) are also direct consequences of colonization. Colonization is an all encompassing presence in our lives. The consequences of colonization are similar for peoples all over the world including, for example, the Maoris of New Zealand, the Aboriginal Peoples of Australia, First Nations Peoples of Canada, and Indigenous Peoples of Africa and Latin America.[298]

The destruction of an indigenous nation's community and social fabric can be comparable to the destruction of an enemy's system of government, or replacing the political system

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[294] *Ibid.*, p. 104. Heuser cites Article II of the "Convention on the Prevention and Punishment of the Crime of Genocide", U.N.T.S., No. 1021, Vol. 78 (1951), p. 277.

[295] Colin Tatz, "Genocide in Australia", *Journal of Genocide Research,* Vol. 1, No. 3 (1999), pp. 315-352, here p. 317.

[296] For a theoretical discussion of what could be considered intellectual bystander(ing) see Charles W. Mills, "Contract of Breach: Reparing the Racial Contract" in Carole Pateman and Charles Mills, *Contract and Domination* (Cambridge: Polity Press, 2007), pp. 106-133.

[297] Colin Tatz, "Genocide in Australia," *op. cit.,* p. 317.

[298] Waziyatawin Angela Wilson and Michael Yellow Bird, "Beginning Decolonization", in Waziyatawin Angela Wilson and Michael Yellow Bird (eds.), *For Indigenous Eyes Only: A Decolonization Handbook* (Santa Fe: School of American Research – Native American Series, (2005), 2007), pp. 1- 7, here p. 2.

and ideology of states, can be seen as unltimate goals. Consequently, total wars utilize undetermined resources and numbers until the goal is achieved irrespective of how long it may take. This stands in contrast with limited wars in which the ends are predetermined by the means and resources available in order to make the goals, which are determined by the policy of government, achievable. This goes back to Clausewitz's categorization of wars, and hence:

> Limited wars, i.e. wars limited in aim (e.g. the seizure of limited territory, access to sea-routes or natural resources, without seeking the destruction of the enemy's government or state or the replacement of a ruler), or wars limited in the way they were fought (e.g. only 'men of military age' would be treated as enemies, or only soldiers on the battlefield but not civilians), or wars limited in time, space or quantity of people and resources involved.[299]

It is worth noting here that while colonial wars may in general fall under Ludendorff's classification as being waged out of greed – in such cases for land – settler-colonial wars against indigenous nations could assume a total war characterization yet maintain a limited scope on the part of the colonizer. Here the distinction has to do with who the parties at war are: a nation against a nation, a state against another state, a state against a non-state party (i.e. a nation, a people, or a tribe), and what their technological capabilities are. These factors may also determine whether the characterization of *total war* applies to both parties, or to one without the other. For example, a party with advanced technological capabilities may wage total war aims with limited resources and numbers against an enemy with less or no technological capabilities yet more numerous. An overall view of the nature of the war can be identified by the outcomes and how they related to policy. Thus, a party with modern technological capabilities and hardware could be waging a total war without having to muster the whole of its population numerically as it has acquired the ability to deliver an advantaged asymmetrical force to bear upon the lesser technologically and capability opponent, by yet targettging the population (combatants and non-combatants) of the latter. The modern technical term which describes such a concept of asymmetrical advantage is *force multiplier*.

A force multiplier is defined as a "capability that, when added to and employed by a combat force, significantly increases the combat potential of that force and thus enhances

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[299] Beatrice Heuser, *The Bomb…, op. cit.,* p. 103. Heuser cites: Carl von Clausewitz, *On War* (Berlin: Dümmler, 1832), beginning of Book VIII.

the probability of successful mission accomplishment."[300] Force multiplication can be achieved by using a technology, or a combination of it with other tactics, which makes a given force more effective than if used without it. Hence, it is the expected size increase required to have the same effectiveness without which such advantage is the multiplication factor. This is manifested in colonial wars in general, and settler colonial wars in particular. For example, the overwhelming technological advantage enjoyed by the European forces over the Africans was one of the reasons why the conquest of Africa was relatively easy. The nations of Africa were not able to get any of the devices use by the colonizers such as the Gatling and Maxim machine guns, which fired over ten shots per second, let alone the naval systems such as the river gunboats and coastal warships which could deliver an overwhelming concentration of force over distance and time, deep upstream along the river banks or the shores.[301] The use of such overwhelming force advantage moved the Lagos *Weekly Record* to comment on the "pacification expeditions" in the colonial territories. It described the inherent viciousness and immorality of such acts:

> …a system of warfare carried on at such disparity of arms as to hardly make it war at all, but rather a cowardly, wanton and unrisky raid upon human life. It is the inequality characterizing these wars against the native which induces public feeling to revolt at the spectacle of one man armed shooting down another who is unarmed and glorying in his deed; and the feeling of repugnance excited is not without the suspicion that the absence of risk is what largely prompts the undertaking of such wars.[302]

The above illustrates what Heuser has noted, that while total wars could include all wars of colonial expansion, the battles involved could often be limited in scope.[303] On the part of the colonized, the colonial settler wars "literally demand[ed] the entire strength of a nation, since such a war is directed against it."[304] Such a description is similar to what the nations of North America experienced in face of settler colonial use of force:

> The general pattern of settler encroachment and increasing friction leading to a major war of extirpation was repeated in North and South Carolina in the early eighteenth century. Here again, the Indians' resistance resulted in the destruction of their societies and the loss of their land.[305]

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[300] *Dictionary of Military and Associated Terms* (US Department of Defense, 2005).

[301] L. S. Stavrianos, *The Global Rift …, op. cit.,* p. 293.

[302] *Ibid.*, p. 293, here citing from S.C. Ukpabi, "British Colonial Wars in West Africa: Image and Reality", *Civilisations* XX (1970), pp. 383,384.

[303] Beatrice Heuser, *The Bomb…, op. cit.,* p. 103. She cites Carl von Clausewitz. *On War, op. cit.,* Book VIII Ch. 2.

[304] Erich Ludendorff, "The Nation …, *op. cit.*, p. 23.

[305] George M. Fredrickson, *White Supremacy …, op. cit.,* p. 28. For a good brief discussion of the Tuscarora and Yamasee wars in the Carolinas, see Gary B. Nash, *Red, White and Black… op. cit.,* pp. 145-51. Werner W. Crane also deals with these conflicts and the circumstances surrounding them in *The Southern*

The above has given a descriptive review of total war, but what is needed as well is an understanding of what it means as a concept. Heuser provides a conceptual analyis of Total War;[306] it is waged by an entire population against not only the armed forces of a designated enemy group, but against every one of its members, man, women or child, explicitly denying any distinction between combatants and non-combatants. It is thus 'universalised violence' to use Raymond Aron's term.[307] The aim is to achieve complete domination of an enemy group (as defined by a particular ideology) by one's own group (equally defined by that ideology), to the point where the enemy group is exterminated or at least quite literally enslaved. Total War is the enacting of the struggle between these two groups which according to the constituent doctrine of totalitarian régimes is an essential part of their destinies, according to the laws of history, nature and providence; it is a struggle which goes on even in times of formal peace. The entire totalitarian society is prepared for the Total War effort; its War Machine dominates its militarized society in peacetime almost as much as in war. At all times, the totalitarian regime holds the monopoly over 'truth' and propaganda and dissidents are regarded as enemies within.[308]

The following is a conceptual elaboration of the Total War compiled from various sources and re-grouped into four main themes to be used as a basis for analyzing settler colonial cases. Hence, Total War can be understood as comprising of:

i) **A clash of nations:** Since Total War is waged by an entire population against the armed forces and the population of another enemy group, it is therefore a war between nations on all their land (in contrast with battle fronts in limited wars) and not exclusively armies but also against non-combatants (in contrast with most limited wars). It involves the whole population whether in the war-making effort or as casualties. Because the casualty and death tolls in such wars are usually high, the nation's morale must be made to maintain its strength while that of the counterpart needs to be weakened. This means that

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Indian Frontier, 1670-1732 (Durham, N.C.: 1928). More on the American case shall be examined in the next chapter.

[306] Henceforth, the descriptive term "total war" shall be replaced by the conceptual term "Total War" with capital letters.

[307] Beatrice Heuser, *The Bomb…, op. cit.,* p. 113, citing Raymond Aron, *The Century of Total War,* trans. E.W. Dickes and O.S. Griffiths (London: Derek Verschoyle, 1954), p. 41.

[308] *Ibid.,* p. 114.

propaganda or the sense of justice (depending on which party) has a key role in sustaining the drive of the home population towards withstanding the costs until the decisive victory is realized. This is as Ludendorff put it: "For a morally strong people, the war decision lies solely in the victory on the battlefield and in the annihilation of the enemy Army and of the enemy nation, though they remain morally strong and psychically united."[309] Total War is "seen as an ideological and cultural clash (*Kulturkrieg*) between mobilized nations whose goal was national-racial survival through the subordination of other nations."[310] This is relevant in settler colonial cases in which the aim in the creation phase is to establish supremacy over the other nations they have colonized or replaced.[311] Total Wars cover a breadth of territory and population beyond what would normally occur in a limited war. The technological improvements of long range weapons of different sorts widen the fighting zones by including regions behind the actual fighting areas. For example, in the First World War, the improvement of aircraft, their extended range and bombing capacity, carried the war deep behind the front line, into the enemy country. The population was exposed not only to the impact of bombing, but also to the influence of hostile propaganda media like leaflets and wireless messages. The population was also likely to suffer from economic measures, like enemy blockade, or from self-imposed deprivations in order to divert vital materials to the war effort.[312] Hence, to re-iterate what Speier has described as an analogy of a siege:

> The nation at war can thus be compared to the people in a besieged fortress. As the besiegers try to force a fortress to surrender not only by directing strictly military means against its military defenders, but also by starving its civil inhabitants, so total warfare implements the military assault upon the armed forces of a nation by the use of nonmilitary weapons directed against the noncombatant part of the enemy population. The distinction between combatants loses its former significance. [313]

The First and Second World Wars involved whole nations, not only armies, and thus suffering did not only occur in the battle fronts. Technological development of arms enabled infliction of damage to main cities deep inside warring states. Since Total Wars tend to go on for an extended duration of time, preparation for them begins before the

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[309] Erich Ludendorff, "The Nation …, *op. cit*., p. 168.
[310] Michael Geyer, "German Strategy in the Age of Machine Warfare, 1914-1945", in Peter Paret (ed.), *Makers of Modern Strategy from Machiavelli to the Nuclear Age* (Princeton, N.J.: Princeton University Press, (1986) 1994), pp. 527-597, here p. 546.
[311] To be developed further in next chapter.
[312] Yehuda L. Wallach, *The Dogma …, op. cit.,* p. 242.
[313] Hans Speier, "Ludendorff …, *op. cit*., p. 315.

outbreak of overt fighting begins in societies intending to wage such wars. Therefore, the resources required and the cost of preparing and waging a Total War is considerably high and requires from a state or society to be able to deliver the resources to prepare and sustain such a war effort. This requires what has been called the War Machine.[314] It is what Arthur Koestler has called the 'destructive organisational engine of war',[315] and which Heuser has referred to as:

> [T]he industrial and technical factors, as well as the centralised administrative and operational structures of states which transformed warfare between the time of Napoleon and that of the First World War: these include enhanced, industrialised production of coal and other fuels, steel, and thus armaments and arms systems; the major technological innovations (the railway, the telegraph, the steamship, new and more deadly guns); enhanced state control over populations, with the involvement of these populations in warfare through conscription, propaganda (including through universal primary school education), but also taxation; a reshaping of the workforce to suit the needs of a war industry; and finally, the change in the conduct of warfare which led to ever more lethal firepower and ever 'emptier' battlefields, with an even wider dispersal of operations in growing theaters of war. The War Machine we will take to mean all the factors *other than ideology and political aims* which came together to transform war in scale and effectiveness. In other words, the fully developed War Machine in a system, a state, and industrial society geared up for the waging of war, minus ideology. This phenomenon of the ever more machine-like and anonymous war, which was only identified gradually by a few intellectuals like Carl von Clausewitz, Richard Cobden or John Ruskin, became more widely understood only with the mass slaughter of the American Civil War of 1861-65, of the Franco-German war of 1870/71, and then, finally, of the First World War. [316]

Nations or societies without the capability to harness such resources and attain comparable levels of technological advances seem unlikely to be able to achieve the decisive victory characteristic of this type of war, particularly if fighting a technologically apt counterpart. This point is also relevant to the nations on the receiving end of settler colonization, who could not produce or attain *force multipliers* which were technologically dependent.[317] Furthermore, the description of Total War generally covers wars between nations and/or between states, and the conceptual structure of Total War has generally focused on state actors rather than peoples outside the state or in pre-state stages (non-states). Therefore, to better understand the workings of Total War when practiced by non-state actors such as settler colonizers (with the end goal of becoming a state), and indigenous nations lacking comparable structures of rule,

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[314] Heuser notes: "This term is used, in a somewhat looser sense, by Daniel Pick, *War Machine: The Rationalisation of Slaughter in the Modern Age* (New Haven: Yale University Press, 1993).
[315] Heuser cites Arther Koeslter, *Janus: A Summing Up* (London: Hutchinson, 1978), p. 90.
[316] Beatrice Heuser, *The Bomb…, op. cit.,* pp. 103-104. Heuser cites: Pick, *War Machine*.
[317] This point is developed further in the next chapter.

resource management capabilities, and war-making knowledge on a systemic level, the conceptual construction of Total War may need to be developed further. How this type of war manifests in the colonial wars, and in particular settler-colonial wars, especially in the settler colonial creation phase, may require a further developed conceptual structure of Total War. Next point may illustrate this further.

ii) ***A reversal of the roles between politics and war:*** Carl von Clausewitz maintained that war is a political instrument and therefore is a continuation of policy by other means.[318] This means that policy determines the aims of war and that strategy determines the conduct of war by defining aims achievable by the means available. In contrast, aims that are beyond the means available reduce the effectiveness in the use of war as an instrument of policy. Clausewitz's dictum reflects a particular political structure in which the politics stands superior to, and dominantes, war; in modern terms it means that the civilian government determines the role of the military. In contrast, the function of Total War is not to achieve limited aims as in limited war. According to Ludendorff, Total War is a war for survival in which "[b]oth warfare and politics are meant to serve the preservation of the people, but warfare is the highest expression of the national [or racial][319] will to live. Therefore politics has to serve the conduct of war."[320] Hans Speir noted that Ludendorff "drew up the blueprint of a military dictatorship to eliminate politics for the purposes of Total War; mass movements would have to be crushed by this dictatorship."[321] In Total War the standing and roles of politics and war are reversed. War becomes "foreign politics by other means. As for the rest, overall policy must serve the war."[322] This in turn means that politics becomes the instrument rather than the shaper of war. The aims in such wars are not sized according to the means available but rather constantly channels all resources into the war effort until the aim is achieved, irrespective of whether it is reasonably achievable or not. According to Ludendorff, crucial in Total War is achieving decision; "the war decision lies solely in the victory on the battlefield

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[318] Carl Von Clausewitz, *On War, op. cit.,* p. 87.
[319] The term 'racial' is also used; see Yehuda L. Wallach, *The Dogma…, op. cit.,* p. 242; see also Hans Speier, "Ludendorff …, *op. cit.*, p. 317.
[320] Yehuda L. Wallach, *The Dogma …, op. cit.,* p. 242.
[321] Hans Speier, "Ludendorff …, *op. cit.*, p. 307.
[322] Yehuda L. Wallach, *The Dogma …, op. cit.,* p. 242.

and in the annihilation of the enemy Army and of the enemy nation."[323] The duration of such wars is difficult to pre-determine before hand.

> In the totalitarian war action follows action, battle follows battle; there may be shorter or longer intervals of rest and to reorganize forces; the war my degenerate into a war of attrition on long extended fronts which cannot be broken until, at last, the war attains its conclusion, in this case not by the defeat of an enemy, but by the collapse of a nation.[324]

This places a tremendous burden on mustering and producing the resources needed to sustain such a war and why all persons of the nation thus become involved whether in the production process or rationing of needs. For this to function, the nation waging Total War needs to be morally strong to withstand the costs required. Hence, the particular role of politics:

> Politics, at least during the War, ought to have served the vital strength of the nation, and to have served the purpose of shaping the national life. The nation, too, ought to have understood that in its solidarity it would have to sacrifice its all for the army itself.[325]

Here the function of strategy also changes. Since the means constantly needs to be made available or produced to sustain the war until its conclusion, strategy no longer functions as an instrument which sets aims according to the means available. Rather it 'demands' that all means be brought to feed the war until the ultimate aim is achieved, that is the collapse of the enemy nation, including the defeat of its combatants, by essentially breaking the will of the opposing nation to continue to resist. In such an endeavor, all aspects connected to the war effort "must be properly coordinated in order to support the struggle for existence of the nation. They must, therefore, all become subordinated to the war, including politics."[326] This predicates a particular system of rule. One in which:

> [t]he leader of total war has, therefore, the right to demand from the leader of "total politics" the unity of the nation as "the national duty of total politics." This does not mean simply the inspiring of national enthusiasm, but, above all, the suppression of any potential discontent by means of imposing the most extreme censorship on news-papers, radio, severe laws against treason, closure of the frontiers to neutral countries, prohibition of meetings, shadowing of railway traffic, and of course, protective custody for malcontents and potential saboteurs. The latter should be handled rigorously, for they are likely to undermine the unified effort of the national community.[327]

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[323] Erich Ludendorff, "The Nation …, *op. cit*., p. 168.
[324] *Ibid*., p. 161.
[325] *Ibid*., p. 19.
[326] Yehuda L. Wallach, *The Dogma …, op. cit.,* p. 242.
[327] *Ibid*., p. 242.

The political system described is one in which the military rules the nation. It is a totalitarian regime which is an essential part of its destiny, according to the laws of history, nature and providence."[328] Hence,

> Like the totalitarian war, politics, too, must assume a totalitarian character. With a view to the highest output of a nation in a totalitarian war, politics should be the energetic doctrine of the preservation of the people, and should carefully consider the requirements and claims of the nation for the preservation of its existence in all spheres of life, and not least in the physical sphere.[329]

Accordingly, this system sustains the Total War struggle "which goes on even in times of formal peace."[330] Hence,

> War being the highest test of a nation for the preservation of its existence, a totalitarian policy, must, for that very reason, elaborate in peace-time plans for the necessary preparations required for the vital struggle of the nation in war, and fortify foundations for such a vital struggle so strongly that they could not be moved in the heat of war, neither be broken or entirely destroyed through any measures taken by the enemy.[331]

For in peace-time preparations are made for the next war, and it requires from the totalitarian regime to maintain the people on a momentum towards the drive war-drive. Ludendorff explains:

> Considerations of this kind lead the Supreme Command in peace time according to the estimated conditions of the coming war, to build forts at the frontiers or even fortresses, whose value it is true has of late become less, in order to compel the attacking enemy to immobilize forces for the attacks of forts, or to decide on operations involving disadvantages for him and of which the attacked side will, of course, make full use.[332]

Such preparations for Total War "made far greater and more specific requirements of an economy…not only in simple levels of resources, but also in the nature and type of technological, scientific and industrial effort required."[333] Preparing for this type of war is very costly. John Buckley gives an example of the realization of the warring parties between the World Wars in Europe of the enormous resources that had to be pooled to develop air power capabilities. Buckley adds:

> The Allies, the Soviet Union included, understood what sacrifices would have to be made and accordingly built air strength of immense and overwhelming power by 1944. The

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[328] *Ibid*., p. 114.
[329] Erich Ludendorff, "The Nation …, *op. cit*., p. 23.
[330] Beatrice Heuser, *The Bomb …, op. cit.,* p. 114.
[331] Erich Ludendorff, "The Nation …, *op. cit*., p. 23.
[332] *Ibid*., p. 130.
[333] John Buckley, *Air Power in the Age of Total War* (London: University College London Press, 1999), p. 221.

consequences of failure for Germany were catastrophic and defeat came rapidly once air supremacy had been conceded.[334]

Furthermore, importance of technical means to conduct such a war becomes more important the longer it lasts. "The endeavor to annihilate the enemy by heavier fire and to protect one's own troops cause[s] a constantly increasing equipment of the troops with all kinds of weapons."[335] This is also relevant to settler-colonization cases but with a distinction in that the colonizers were able to increase their technological fire-power whereas the indigenous nations were not, as their capabilities in technological industry was very limited if non-existent.[336] The costs entailed, and the internal cohesion required, brings one to the next point in Total War, which has to do with the level of motivation or justification and source of commitment required to engage whole societies in such wars.

iii) ***A monopoly over "truth":*** Being that Total Wars are clashes of nations sustained over extended periods of time, requiring tremendous resources and sacrifice, internal cohesion and morale play an important role. Here, the claim to "monopoly over truth" is significant in order to render the possible truths of targeted nations as invalid. If the nation's truth is contested, then so is the standing of the nation itself and hence the war becomes one for survival for the "nature of the of a totalitarian war postulates that it can be waged only when the existence of the entire nation is actually being threatened, and the latter is really determined to wage such a war."[337] Ludendorff insists that Total War should be, and be propogated as being, defensive.[338] For this perception to be lasting, the determination required is forged by tapping onto a spiritual bond that unites the nation.

> It is in the nation that the center of gravity lies in time of war, and the High Command has to count on the nation. A totalitarian policy must put at the disposal of such a war the strength of the nation and preserve it and only a conformity to the fundamental racial and spiritual laws will succeed in welding nation, conduct of war, and politics into that powerful unity which is the basis of national preservation.[339]

He adds that in Total Wars, it is the nation that is pivotal and not the state. "In the totalitarian war the preservation of the State is…also at stake, for it cannot be separated

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[334] *Ibid.*, p. 221.
[335] Erich Ludendorff, "The Nation …, *op. cit.*, p. 93.
[336] This point shall be developed further in next chapter about the cases.
[337] Erich Ludendorff, "The Nation …, *op. cit.*, p. 16.
[338] Hans Speier, "Chapter 13: Ludendorff …, *op. cit.*, p. 318.
[339] Erich Ludendorff, "The Nation …, *op. cit.*, p. 54.

from the nation, but it is, after all, the nation and not the State, that is fighting in the totalitarian war."[340] If the Total War is not defensive, then it must be perceived as such so that "[e]very individual in the nation is expected to give his entire strength at the front or at home, and this can only do when he realizes that it is an immutable and inviolable truth that war in being waged solely for the existence of the nation."[341] According to this line of thought, it follows that targeting combatants and noncombatants becomes not only acceptable but seen as necessary. This is because:

> [t]he armed forces are rooted in the nation, are a constituent part of it, and in the totalitarian war the strength of these forces will be in accordance with the physical, economic, and psychical strength of the people. It is psychical strength which creates the unity of the armed forces, and of the people, and it is psychical strength that is required in the vital struggle for the preservation of the race in a war which does not begin to-day and end to-morrow, but which may be protracted for a very long time.[342]

Total War is seen as a "Darwinian struggle for predominance, and [in which the losers are considered to] have shown themselves unfit to survive."[343] This construction of a binary "other", an "other" with whom compromise or co-existence is not possible because the cultures are incompatible, and therefore the expected "natural" and "logical" outcome is the disappearance of the weaker party. This point is also relevant in the settler colonial context and particularly in its creation phase, as shall be explained below.

Colonization is essentially and offensive endeavor. For settler colonial wars to be promoted "defensive" and to thus to transform the posture of the indigenous nations response from objectively defensive to subjectively offensive, seems to point to a need to construct a settler-colonizer "truth". The function of this perceived "truth" is strategic; it constructs a common destiny, providence and "natural history" for the settler colonizer. Like the reversal of roles between politics and war from the previous point, the role of rationality changes from analyzing a reality to one used to construct and re-construct in order to sustain its perception or "myth". Susan Strange points out that "each doctrine has its own custom-built method of analysis, so planned that it leads

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[340] *Ibid.*, p. 54.
[341] *Ibid.*, p. 54.
[342] *Ibid.*, p. 25.
[343] Beatrice Heuser, *The Bomb…, op. cit.,* p. 121; citing Text in Lothar Gruchmann, *Totaler Krieg* (Munich: dtv, 1991), p. 253.

inevitably to the conclusion it is designed to lead to."[344] Total War, is no different in that it is "totally driven and dominated by the exclusive logic of its ideology,[345] its 'ideological superstition' (or what Raymond Aron has called their 'quasi-religious doctrine'.)"[346] Hence, as Heuser describes:

> Hitler's aims flowed logically from the belief that he was to lead the Aryan race to the domination of the European continent, to give it 'living space' for it to increase numerically and prosper. Hitler's political and thus war aims were not merely the political domination of continental Europe. It was the elimination from that area of all Jews, and the enslavement of all other non-Aryans as an inferior workforce."[347]

Heuser adds that:

> Hannah Arendt made it very clear that these *totalitarian systems are by no means illogical;* Hitler and Stalin were no madmen, but applied with merciless logic to the very last consequence their own ideologies and their own interpretations of the world. At the same time, their claim to have the only true interpretation of the world and of the forces of History/Nature, and to have the only programme for changing the world in accordance with the forces of History/Nature, tolerated no rival systems, no questions.[348]

Therefore, a Total War environment, particularly if waged as an offensive effort, may construct its own impregnable logic which is not based on objectivity but is rather subjective. This point was examined in the previous chapter, and is relevant to settler-colonial cases.[349] Furthermore, in order to generate and sustain settler-colonizer motivation to wage a protracted war against the colonized nations, the construction of such a "truth" and then claiming a monopoly over it, serves as a means to identify the enemy. Hence, in Total War terms:

> The most urgent task of every nation is to have a clear idea of the embittered opponents of its solidarity and unity…as well as the causes of its disintegration; to take the necessary measures, and to discover by what means national solidarity and unity may be obtained. It is the most urgent task of the commanders of the totalitarian war to demand a totalitarian policy from the political leaders to effect the unity and solidarity of the nation, as it is, indeed, the national duty of such a policy.[350]

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[344] Susan Strange, *States and Markets* (London: Biddles Limited, (1988) 1989), p. 16.

[345] Heuser, p. 112, notes: "Arendt on ideologies and on all 'isms' (*Ibid.,* pp. 431f): 'Ideologies are harmless, uncritical, and arbitrary opinions only as long as they are not believed in seriously. Once their claim to total validity is taken literally they become the nuclei of logical systems in which, and in the system of paranoiacs, everything follows comprehensively and even compulsorily once the first premise and in the very logicality with which they are constructed. The curious logicality of all isms, their simple-minded trust in the salvation value of stubborn devotion without regard for specific, varying factors, already harbors the first germs of totalitarian contempt for reality and factuality.' "

[346] Heuser, p. 112, cites: Raymond Aron, *The Century …, op. cit.,* p. 89.

[347] Beatrice Heuser, *The Bomb …, op. cit.,* p. 120.

[348] *Ibid.*, p. 112.

[349] This shall be examined further in next chapter where total war between non-states and states versus non-states shall be analyzed.

[350] Erich Ludendorff, "The Nation …, *op. cit.*, p. 34.

In Total Wars between states, one of the outcomes is that the defeated party is forced to change its whole political structure. This in modern terms has been called regime change. Examples of this are Germany and Japan as a result of defeat in World War Two. The aim of the Allies' Total War on these states was to "rid it of its regime and ideology."[351] In other words, to change the ideology and political structure of the other from totalitarian to democratic. In the case of Japan, Heuser explains:

> Japanese society had developed a form of Emperor-worship which grew to quasai-religious proportions in 1930s…[352] increasing romantic nostalgia for what were seen as original Japanese values, including the sense of self-sacrifice and popular solidarity, a great majority of Japanese, it seems, favored a more authoritarian system of government that dispensed with parliamentary trappings. The military, recruiting officers from all social classes and aspiring to represent a nation which had universal male service, saw itself as the agent of a renewal of the polity that would modernise by 'returning' to Japan's past, putting loyalty to the Emperor as embodiment of both nation and state at the center of a state religion.[353]

In the case of Germany, "Hitler's overall strategy flowed relatively logically from his beliefs: Aryans had to thrive and increase in numbers, which Hitler was convinced, meant the need for more 'living space', which in turn meant that other peoples… had to be deprived of theirs." [354] The concept of Total War comes back to the fore in the colonial context when taking note of Japanese historian Saburo Ienaga who assessed that the Japanese attitude "was identical with European and American conviction that control of colonies in Asia, the Pacific, and Africa was 'manifest destiny'." [355] Ienaga maintained that "[j]ust as in Germany, Japanese thinkers believed that their population need an outlet – 'living space' – abroad, and that for this reason Japan needed to colonise territories in China, Manchuria and Korea."[356]

The combined analysis above seems to point towards what resembles a Tillian framework of merging war-making and state-making as being mutually re-enforcing one another and inter-dependent process. The above has also illustrated that an analogy could be made between war-making in the development of modern European states in Tilly's analysis, and

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[351] Beatrice Heuser, *The Bomb…, op. cit.,* p. 127.
[352] Heuser uses this term from Raymond Aron Heuser, p. 113, quoted from: Raymond Aron, *The Century of…, op. cit.,* p. 89.
[353] Beatrice Heuser, *The Bomb…, op. cit.,* pp. 121-122; reference to Saburo Ienaga: *Japan's Last War: World War II and the Japanese, 1931 -1945* (Oxford: Basil Blackwell, 1979), pp. 14-18.
[354] *Ibid.,* p. 120.
[355] *Ibid.,* p. 9.
[356] *Ibid.,* pp. 122-123; reference to Saburo Ienaga: *Japan's Last War…, op. cit.,* p. 11, quoting Ikezaki Tadakata.

between the total-war-making in the production of settler-colonial existence. The latter is the connection that this research shall develop, that the war-making and the state-making framework can be used to understand settler-colonial-state-formation. In other words, that the settler-colonial production of their existence, entailed war-making but of a particular type – Total War; and that the other process was not state-making affair but rather the creation of settler-colonial existence.

ii) *Theoretical framework on the production of settler-colonial existence:*

This process resembles the Tillian combined activities of merging state-making with war - making. However, that the identity of the settler-colonizer is formed by the merging of the two puts the settler-colonial process on an existential level rather than a transitional level. In the Tillian version, the process is for states to transform to modern states. In the settler-colonial version, the process produces the existence of a new community and society – that of the settler colonial while simultaneously negating the existence of the colonized nations.

Ideally, settler-colonial state-building should begin after the creation phase has been completed, as each process is distinct and should not overlap. The reason is that in the creation phase, the settler colonial identity is totally dependent on, and indeed shaped by, the activity of de-creating or eradicating the indigenous nation(s) to produce "empty" land. It follows that once this has been attained, holding on to an identity based on elimination of the "other" means that the settler-colonizers retain an identity which served a particular purpose of creating their community premised on exclusion. Using this dynamic in settler colonial state-building phase, or what is termed a "nation-building" process, produces anomalies. This is because the latter process needs to be driven by inclusivity rather than retaining the exclusivity driven process of the former. In cases where peoples of the indigenous nations still managed to exist in the settler-colonial states, excluding the latter from the inclusion process strains the effectiveness and credibility of sustaining the process of "nation-building". As discussed in the previous chapter, the objective status of the indigenous nations as real nations counters the subjective categorization of settler-colonial identity as "nations" albeit that the latter is founded on myth. Hence, the settler-colonial

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recourse in this contentious discourse is to attempt to promote the claim that *all* nations, including indigenous nations, are myths –a claim that cannot be upheld by objective analysis. The tension between the two opposing processes becomes evident in settler-colonial cases which have not distinguished between the two phases – the creation phase and the state-building / "nation-building" phase. As the remnants of the first are intertwined with the second creating "nation-identity" anomalies as has also been described in the previous chapter.

To appreciate the distinction between nation-formation and settler-colonial-creation one would need to answer the following question: What is the colonial-settler-creation phase? For the purpose of illustration the terms fusion and fission shall be used to signify centripetal and centrifugal dynamics used by Mark Simpson in describing the challenges states faced after the Cold War.[357] These terms are also useful in explaining what is meant by the creation of phase of settler-colonial states. In so doing, it is useful to imagine a nation as a 'nucleus' made up of three basic component or 'atoms': people – land – time.[358] The force that binds these three together represents a continuity which is spatially fixed and temporally linear, to use terms derived from Nicole Waller's concepts used to explain challenges facing settler-colonial societies in claiming nationhood.[359] This binding force develops common language, culture, tradition and forms an identity imbricated with the land. Hence:

$$\textbf{Nation} \text{ (molecule) } \textit{fusion} \blacktriangleright \textbf{people} \text{ (atom } p) + \textbf{land} \text{ (atom } l) + \textbf{time} \text{ (atom } t)$$

In contrast, the colonial-settler process entails two processes which are activated simultaneously:

The first process: de-existing the "other" nation(s)
Since there can be only one claim of nationhood on a specific land, settler colonization uses force to break up the molecular compound of the colonized nation(s). In other words the

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[357] Marck Simpson, "The Experience …, *op. cit.,* p. 465.
[358] On a discussion by Patrick Wolfe on delineating features that unite ideologically quarantined realms of geopolitical ideology and natural science (particularly physics) see "Science, Colonialism and Anthropology: The Logic of a Global Transformation", in Patrick Wolfe, *Settler Colonialims and the Transformation of Anthropology: The Politics and Poetics of an Enthnographic Event* (London and New York: Cassell, 1999), pp. 43-68, particularly pp. 63-66.
[359] Nicole Waller, " "Not for the …, *op. cit*., pp. 150, 153.

force which binds the indigenous people on their land and the continuity of their existence on the land are all ruptured if not severed. In so doing, the indigenous people are constantly forced to become displaced from their land, and so the time they are able to spend on a fixed land is also ruptured. This transforms their spatially fixed and linearly temporal continuity into a spatially flexibility or instability – or even spatially non-existence as in the cases of indigenous nations that disappeared from the face of the earth[360] – and temporally non-linear existence. This *fission* process activated by the settler-colonizers disrupts or breaks up the bonds holding the components (the atoms) of the indigenous nation as a unit (the molecule). Hence, in a formula form:

Colonial Settlers (intruding atoms) + Power {(force) of colonial settlers + (force) from colonial motherland} *result in* ► **Fission force to split the colonized nation molecule into its basic components {(p)eople, (l)and, (t)-ime} disjointed.**

The outcome of this process in which the colonial-setters break up the indigenous nations into their basic components (people, land, and time) disjointed, produces the following units: the "de-nationized" people, the non-nation settler-colonizers, the colonized land, and two times with opposing arrows of direction i.e. the time of indigenous people moving in the negative towards zero time (a condition in which they become extinct), and the time of the settler-colonizers moving from a zero time (marking their landing on the 'new' land) which moves in a positive direction thus accumulating time and presence or existence. Hence:

Colonial-settler force + nation (colonized) *fission* ► {settler-colonizers}, {colonized people}, {colonized land}, {depletion of indigenous nation's time (time-➔0)[361]}, {creation of settler colonizer's time (0➔time+)[362]}

The above is consistent with what Caroline Elkins and Susan Pedersen have described of settler-colonizers:

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[360] Jon E. Lewis (ed.), *The Mammoth Book of Native Americans: The story of the America's original inhabitants in all its beauty, magic, truth and tragedy* (London: Constable & Robinson Ltd., 2004). See Appendix 1, pp. 357-361 for list of 300 North American Indian nations and their primary areas of settlement.

[361] Signifying that the existence of the indigenous as a nation is decreasing (moving in a negative trajectory) towards a zero time (non-existence)

[362] Signifying that the settler colonizers regard their history as beginning with colonization (represented as zero) and thus time assumes a positive trajectory increasing from zero. However, the time could retract back to zero if the creation phase has not been attained and surpassed; this could take two forms: one in which the settler-colonial state remains but its settler community is losing dominance (as in cases of United States, Canada, Australia and New Zealand), and the second in which the settler-colonizer state is no longer but the settler community remains in one form or another (as in the cases of Rhodesia and Apartheid South Africa).

In the United States, South Africa, Australia, and elsewhere, settlers sought to construct communities bounded by ties of ethnicity and faith in what they persistently defined as virgin or empty land. Indeed, insofar as there was a logic to their approach to the indigenous populations, it was logic of elimination and exploitation: they wished less to govern indigenous peoples or to enlist them in their economic ventures than to seize their land and push them beyond and ever-expanding frontier of settlement. [363]

This then raises the second aspect of the settler-colonial creation phase which involved the formation of the settler identity.

The second process: settler-colonial creation (frontierism)

Lynette Russell notes with regard to frontier identity formation in the three areas of America, Australia and South Africa:

The frontier in America was described by [Fredrick Jackson] Turner as responsible for the emergence of an American identity and in particular the growth of the democratic system of government. In South Africa the frontier is held to have been responsible for racism and apartheid. In Australia the frontier was essentially ignored until the modern period and the consequences have been profoundly political. [364]

This process in itself, according to Nigel Penn produces the identity of the colonial-settler to the extent that the colonial-settler eliminates the colonized nation.

Penn illustrates the importance of the frontier for the creation of a sense of identity. Newcomers are united by a commonality of experience and the development of a mythology which fashioned a singular identity. **Settlers no longer focused on ethnic, national or religious differences**, **instead the white nation was linked together against the black.** In this sense **Penn notes that 'the frontier was as much a creator on new identities as it was a destroyer of old one.'** [365]

Rod Macneil's exploration of the notions of group identity in painted-colonial images of the Australian landscape, has argued that a temporal frontier was created in which there is a time/space divide in the pre- and post-colonial moment. Pictures of uncolonized landscapes acted as temporal frontiers and marked off the pre-colonial moment from the process of colonization. Such images were panegyrized as foundational elements of Australia's nationhood and identity.[366] Macneil adds that:

An understanding of the **uncolonized [Australian] landscape as a temporal Other** to colonial Australia **was fundamental to its re-creation as a space available for colonisation**....Within colonial discourses, this initial moment of Australia's colonisation effects a frontier: a transitional point at which the identities of colonial Australia and its

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[363] Caroline Elkins and Susan Pedersen (eds.)*, Settler Colonialism ..., op. cit.,* pp. 3-4, 17-18.
[364] Lynette Russell (ed.), *Colonial Frontiers ..., op. cit.,* p. 4.
[365] *Ibid.*, p. 6. [Emphasis added].
[366] Rod Mcneil, "Time after Time: Temporal Frontiers and Boundaries in Colonial Images of the Australian Landscape" in Lynette Russell (ed.), *Colonial Frontiers ..., op. cit.,* p. 47-67.

Other coincide and are negotiated in terms of each other. In the resultant discourse, the uncolonised landscape can be measured – a sign of the past upon which 'Australia' was built."[367]

The re-conceptualization of the unfamiliar land was part of the undiscovered land that 'needed' to be conquered first by text:

> **As European explorers moved across unfamiliar lands, regions went from unknown to known. In phenomenological terms the creation of meaning was arrived at through the explorer's intersubjectivity, his ongoing interpretation of the world he encountered. Interpretation and intersubjectivity were dependent on world-view, the cultural filter through which the new lands were seen, described and converted into text.** As many authors have noted, **a thing is not truly discovered until it is written about.**[368]

The indigenous nations in Australia were depicted as part to the natural landscape rather than having any cultural existence as equal humans:

> Aboriginal people… were **depicted as a natural and not cultural presence on the landscape.** They were 'lords of creation', noble savages at the moment of colonization but afterwards they came to be depicted as depraved and degraded.[369]

The second process in the settler-colonial-creation phase has illustrated that settler-colonizers came to the new lands without a collective identity that could be used to develop demographic cohesion. Yet, by waging what can be regarded as Total War against the indigenous nations, their identity was taking form. One of the main components in Total War waging is the importance of the motivation and cohesion of the society that is waging such a war which had to be perceived as a defensive. As shall be shown in the next chapter, both the settler colonial identity and their 'defensive' discourses, were constructed during the creation phase. Indeed, the practice of Total War seems to have produced both.

3. Conclusion:

This chapter began by examining various types of colonialism so as to develop a clearer understanding about what settler-colonialism is. Focus was then on the major types of colonies in order to further understand what the function of each type of colony signified.

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[367] *Ibid.,* p. 48. [Emphasis added].
[368] Lynette Russell (ed.), *Colonial Frontiers …, op. cit.,* p. 5. [Emphasis added].
[369] *Ibid.*, p. 6. [Emphasis added].

This was relevant in order to be able to determine some of the dynamics of the colonizer-colonized interactions. For example, whether it was one of economic hegemony over the indigenous nations or one of exclusivity. While most colonial entities used force or waged war, settler-colonizers use a particular type of war in their creation phase against the indigenous nations. On examination, it bears to semblance of Total War as corroborated by the literature which has analyzed settler-colonialism. This outcome has been derived from the the literature that has described settler-colonialism and another set of literature that has analyzed the concept of Total War. These both combined developed as the components which could be used modify the Tillian model to utilize to analyze the settler-colonial creation phase. This outcome was a conceptual means to analyze how this Total War functioned to produce a settler-colonial community-building an identity over acquired land (fusion or centripetal dynamic) while simultaneous de-constructing an indigenous nation severd from an existential attachment to their land by having to move, and in a trajectory of time heading towards extinction as their *time* seems to close-in on *zero-time* (fission or centrifugal dynamic). Thus, the analytical cue that emerged from chapter one which veered towards this type of war which settler-colonizers waged upon the indigenous nations seems to meet the characteristics of being a Total one. This has been re-enforced by literature which has described the type of settler-colonial violence in its creation process as being of Total War both physically and conceptually against the First Nations or indigenous nations – an observation that could not be determined in chapter one solely by using Newton-Smith's theory of meaning. In other words, more material from other works on the relevant topics was needed before being able to build on the cue in the previous chapter so as to develop a framework of analysis that could be used to examine actual settler-colonial cases. It followed, that once this was achieved, this research could proceed to modify the Tillian model so it could be used to analyse settler-colonial systems during their production-of-existence-phase based not only on descriptive material but also through characteristical dynamics which were highlighted and developed into a theoretical framework using concepts of settler-colonialism and Total War. It has now become possible to proceed to the next chapters which shall analyze past and perhaps an on-going settler-colonial case, and thus testing the usefulness and ability of the mentioned analytical framework in comparing and contrasting both past and on-going settler-colonial sytems. Furthermore, by using the modified Tillian model to analyze three cases in the next chapter, it is hoped that additional

characteristics and/or dynamics can be highlighted which could further increase the analysis of a seemingly on-going case in chapter four.

Chapter Three: The Production of Settler Colonial Existence: the cases of America, Australia and South Africa

This chapter shall use the theoretical analytical framework of settler-colonial creation from the previous chapter to analyze three specific cases: the United States of America, Australia, and South Africa. The significance of this is to illustrate that Total War and the production of settler-colonial existence both enforced one another. This shall be done using the modifed Tillian conceptual framework of analysis – which in its original form had been used to explain modern-state formation in Europe – to explain the settler-colonial formation in their creation phase. By illustrating that both processes – i.e. Total-War-making and the production of settler-colonial-existence– are manifested in the three cases, one can then go on to proceed in the analysis to examine the Zionist case, with added insight and possible new factors characteristic of such systems which are produced from a comparative analysis of the three in a past temporal phase, and used in the analysis of a seemingly on-going or real-time case in the next chapter. This chapter therefore develops, by utilizing the analytical framework on three cases, the framework through which the Zionist case can be examined in the next chapter. This is done by drawing on the patterns extrapolated below. In terms of the structure of this chapter, a clarification on the distinction between settler colonialism and colonial settlerrism is provided first. This is necessary in order to clarify the context of three cases that are examined. What follows is the illustration of the three cases in terms of the production of settler-colonial existence, as well as highlighting the effects of the geo-political location of each on this process. An analysis of the three is then provide situating them in the context of what this research has called the "creation phase" and its implications on later stages. Key factors are then compiled from the analysis which shall be used to examine the Zionist case in the next chapter.

1. Distinction between settler colonialism and colonial settlerism:

Before going any further in the analysis, a distinction needs to be made between *settler-colonialism* and how it is different from the *colonial-settlerism*. Caroline Elkins and Susan Pedersen group both types under "settlerb colonialism" even though they do distinguish between two types. As Eklins/Pedersen put it "…we need to distinguish between those

instances of settler colonialism in which [colonizing] state authorities very much hold the upper hand, and those in which settlers have considerable local power."[370] Hence, in *settler colonialism* the *settler* aspect or influence is dominant over the *colonial* aspect or influence and is a strategy, in and of, itself. While *colonial settlerism* implies that the colonial aspect or influence is dominant over the settler. The aim is to broaden the power and reach of the state and therefore settlement is part of a broader plan for geopolitical expansion and domination. Here, settling is a tactic in a broader colonial strategy emerging from the homeland or motherland. Elkins/Perdersen add: "Settlement, …[in this type] may involve costly infrastructural investments in the new territories and sometimes co-optation of and collaboration with local elites."[371]

Some examples of this type are provided by L. S. Stavrianos. These include Spanish, Portuguese, English, and French colonial settlements in the Caribbean in the early to mid-seventeenth century. These began as white farming communities with diversified economies and then changed to economies of sugar-plantation monoculture reliant on African salve labor. The colonial settlers became "completely dependent on their mother countries for their export and for their sundry imports."[372] In other cases, the relationship with the mother country was more than one of dependency but rather subordination. For example, in British Guiana -- now Guyana in northern-east of South America

> …**the settlers were expressly forbidden any cultivation other than profitable sugar cane. They were forced to cut down fruit trees they had planted,** and they were not allowed even to fish in the rivers or coastal waters. If these restrictions increased the output of sugar cane, it certainly was at the expense of the settlers' dietary needs and of the general economic development of their colony.[373]

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[370] Caroline Elkins and Susan Pedersen (eds.)*, Settler Colonialism …, op. cit.,* p. 5.
[371] *Ibid.,* pp. 5-6.
[372] L. S. Stavrianos, *The Global Rift …, op. cit.,* p. 89.
[373] *Ibid*., p. 97. [Emphasis added]. Stavrianos adds: "The terms of the encomienda grant permitted the *encomendero* to exact both commodity tribute and labor service from the Indians he "held." In return he was obliged **to render military service** in case of Indian uprisings … and to provide for the Christianization of the Indians in his charge. Most encomenderos met the latter obligation by paying the salaries and expenses of resident or visiting clerics. The original encomiendas were granted theoretically for only a few years or for a single lifetime. But the first economenderos bequeathed their holdings to their widows or children, and the legacies were not challenged. **Royal officials, however, feared that hereditary encomiendas might culminate in an independent colonial aristocracy, and made sporadic efforts in the mid-sixteenth century to stop the bequeathing practice. This provoked strong opposition throughout Spanish America and armed rebellion in Peru, so the effort was abandoned. At that time (around 1560-70) the encomiendas numbered about 480 in New Spain and 695 in the viceroyalty of Peru."** [Emphasis added].

More recent examples from the mid-nineteenth and early twentieth centuries are Japan's colonization of Korean, Taiwan, and Manchuria as well as Germany's settlement efforts in Poland. In these cases settlers had little control over the administration as they were bound by the state policies of Japan and Germany respectively. The threat to such projects arose from global conflict over such expansionist projects such as World war, here World War II.[374] Thus, global conflict over such expansionist projects, not colonial uprisings from settler demands for power or indigenous defiance, brought these instances of settler colonialism to their close.[375]

In the *settler colonialism*, the settlers demand and exercise more independent power partly because settlement in such cases was less clearly planned. Another aspect was that metropolitan governments were concerned above all to limit the costs of empire and restricted the commitment of personnel to a (very) "thin white line."[376]

> In these cases, local administrations were often weak, while metropolitan authorities were (if not weak) grateful, preferring to meet settler's demands for resources or support by devolving authority over the local indigenous population. Only when the resulting settler systems of land appropriation, labor control, or resources extraction led to anticolonial revolts were metroples forced to choose either to defend their "kith and kin" populations or to withdraw – a choice they usually tried to avoid by doing each in turn.[377]

Examples of this type include Rhodesia, and to a lesser extent Algeria and Kenya were "settlers were either granted or were able to claim considerable power within the local state." [378] In the end, internal anti-coloinal revolts and civil wars rather than exclusively external geo-political pressures brought these settler colonies down.[379] In the case of Apartheid South Africa, however, a combination of both internal revolts and external political and geopolitical pressures brought this settler colony down. This perhaps has to do with the type of settler colonialism which according to Jürgen Osterhammel falls under the "African" in contrast with the "New England" type, examples of the latter being the United States and Australia. This difference between the settler colonial types – i.e. the New

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[374] Caroline Elkins and Susan Pedersen (eds.)*, Settler Colonialism ... op. cit.,* pp. 5-6.
[375] *Ibid.*, pp. 5-6.
[376] As cited in A. H. M. Kirk-Greene, "The Thin White Line: The Size of the British Colonial Service in Africa", *African Affairs,* Vol. 79, No. 314 (1980), pp. 25-44.
[377] Caroline Elkins and Susan Pedersen (eds.), *Settler Colonialism…, op. cit.,* p. 6.
[378] *Ibid.*, p. 6.
[379] *Ibid.*, p. 6.

England and the African – has impressions on the production of settler colonial existence, or the *creation phase.*

In the "New England" type the creation phase entailed displacing and even annihilating the economically dispensable indigenous population. This meant that once this was realized the settler colonizers could then claim to have begun the next phase of development as a state. In contrast, the African type which was economically dependent on an indigenous labor force meant that it had to establish dominance if not full control over the land, while retaining a portion of indigenous population to exploit their labor particularly in the mines which would finance the existence and development of the settler colonial population. Implicit in the latter type is the absence of a clear mark of "achievement" of having completed the creation phase, in contrast with the New England type which aimed at emptying the colonized land from its original people(s). The strategic implications of the African type's use of Total War was the total subjugation and enslavement of the indigenous peoples – where slavery "is nothing else but 'the state of war continued between a lawful conqueror and a captive'",[380] and in which the power to take the life of the enslaved is delayed as an act of mercy while rendering him/her in "a total or absolute state of unfreedom."[381]

This is in contrast with the utilization of Total War in the New England type which was to displace or annihilate for the purpose of clearing the land for exclusive settler use and existence. Therefore, in the New England type, the *creation phase* precedes the settler-state-building phase and both are sequential. In the African type, the creation phase and the settler state building phases are parallel processes. This means that mechanisms to keep the indigenous peoples enslaved need to be in effect throughout the life-span of the settler colonial system, rather than being a phase of the past. This has also implications on the types of systems of government that were maintained in the case of South Africa or the one that followed as in the United States and Australian cases suggest.

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[380] John Locke, *The Second Treatise of Government,* Thomas P. Peardon (ed.) (New York: Macmillan Publishing Company, (1690) 1986), p. 16. This is also consistent with one of the goals of Total War; see Beatrice Heuser, *The Bomb…, op. cit.,* p. 114. For a discussion on the ideology of slavery within the colonial context of American and South Africa see Fredrickson, *White Supremacy…, op. cit.,* pp. 70-93.
[381] George M. Fredrickson, *White Supremacy …, op. cit.,* p. 71.

In the analysis presented bellow of on the three cases, the significance of the geo-political location of each case is also explored as a factor which could have affected of the settler colonial projects; for example, whether the somewhat isolated locations of the United States and Australia from outside or regional challengers, emerged as significant factors in contrast with the regional and internal challenges to the Apartheid regime in South Africa. Therefore it is examined as a separate relevant component, in addition to the main three groupings of components relevant to understanding the dynamics of Total War.

2. The settler colonial cases:

This section shall examine three settler colonial cases – the United States of America, Australia, and South Africa – to illustrate that the modified Tillian model of state formation can be used to understand settler colonial formations particularly in the "creation phase." This is seen through the extrapolated characteristics of Total War which, to recapitulate, entail the following:

1) Total War claims a monopoly of truth - constructed in various ways: religion, science, world-view truths. It entails a binary discourse which produces its own logic.

2) Total War reverses roles between politics and war: politics becomes war by other means rather than war an instrument of politics by other means. This has to do with absolute nature of goals (that they are zero sum). The effects are that foreign policy becomes also war by other means and subsequently, treaties are used as truces until next round of conflict rather than permanent peace-agreements. Times of peace are an extension of this type of war to gain time.

3) Total War is waged by and against entire populations, requires technological advances as force multipliers to implement; the latter includes a linearized form of a force multiplier: a dual system of laws or rule.

The significance of the geo-political location of each case is also explored as a factor which could have affected of the settler colonial projects. For example, whether the somewhat

isolated locations of the United States and Australia from external or regional challengers; this stands in contrast with the regional and internal challenges to the Apartheid regime in South Africa. First, however, we trace the story of the expansion of the British Empire up to the mid-1830s and, in particular, Britian's gradual acquisition of settler colonies as men and women of European origin appropriated Indigenous peoples' lands in North America, South Africa and Australasia.[382] Furthermore, *frontier* in America, as a place without restrictions gave way to lifting the restrictions otherwise held in Europe on the conduct of war. Hence, wars between the settler and the Amerindians became total, unlike those fought in Europe at the time; yet the Europeans would seem to have used such wars in colonies elsewhere.

i. The United States of America:

Renée Bergland in her work wrote that "the birth of the American nation and the death of the Native American were as closely related as light and shadow."[383] Furthermore, like many white settler colonizers in America in the mid-nineteenth century, Henry David Thoreau found it easy to claim that the "race" of the Indians would be "soon exterminated" as a natural course of history. Patrick Brantlinger has called this the "ghosting of the Indians" in that settler-colonial culture "extinction remains the imaginary telos and to some extent even the standard history of Native American."[384] These dynamics seem to be couching a more sinister process characteristic of Total War making.

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[382] Julie Evans, Patricia Grimshaw, David Philips and Shurlee Swain, *Equal Subjects, Unequal Rights: Indigenous Peoples in British Settler Colonies 1830s-1910* (Manchester: Manchester University Press, 2003), p. 17.

[383] Renée L. Bergland, *The National Uncanny: Indian Ghosts and American Subjects* (Hanover, N.H.: University Press, 1961), p. 40.

[384] Patrick Brantlinger, "Vanishing Americans" in Patrick Brantlinger, *Dark Vanishings: Discourse of the Extinction of Primitive Races* (Ithaca and London: Cornell University Press, 2003), pp. 45-67, here pp. 45,46; see also Robert Berkhofer, *The White Man's Indian: Images of the American Indian from Columbus to the Present* (New York: Knopf, 1978); Brian Dippie, *The Vanishing American: White Attitudes and U.S. Indian Policy* (Lawrence: University Press of Kansas, 1982); Francis Jennings, *The Invasion of America: Indians, Colonialism, and the Cant of Conquest* (Chapel Hill: University of North Carolina Press, 1975); Klaus Lubbers, *Born from the Shade: Stereotypes of the Native American in United States Literature and Visual Arts, 1776-1894* (Amsterdam: Rodopi, 1994); Lucy Maddox, *Removals: Nineteenth-Century American Literature and the Politics of Indian Affairs* (New York: Oxford University Press, 1963); Roy Harvey Pearce, *The Savages of America: A Study of the Indian and the Idea of Civilization* (Baltimore: Johns Hopkins University Press, 1965), and others.

a. Total War making:

This section shall examine the production of settler–colonial-existence during the creation phase of the United States. This shall be done utlizing the components of Total War developed from the previous chapter and compare them with actual events that occurred derived from descriptive sources of literature. It is hoped the combined analysis may give more insight and understanding about the dynamics of settler colonial systems.The first component which is part of the concempt of Total War is the claim to a monopoly over truth. The second is the reversal of roles between politics and war. The third is that it is a war waged against the entire populations, in this case the indigenous.

> i) Total War claims monopoly of truth - constructed in various ways: religion, science, world-view truths. It entails a binary discourse which produces its own logic.

The settler colonialist of New England in the 1630s was intensely ethnocentric. They went further than before to subjugate the indigenous American nations. The Puritans, more than other settlers, acted on the belief that they had a God-given duty to stamp out the Indian religion which they regarded as "quite literally worship of the Devil."[385] Furthermore, the fate that most of the American nations "fell under colonial jurisdiction or control was simply to be governed by laws forbidding the heathenish and "sinful" practices that were in fact integral to the Indian culture."[386] This settler religious zeal of purifying the land from the indigenous American nations was perceived to justify the atrocities and enforcing infringing laws and upon the Amerindian nations and their way of life. When the settler colonial authorities began enforced their laws upon the Indians in Plymouth and executed three Wampanoags accused of murdering another Indian in 1675, four nations joined in an uprising desperate to preserve what remained of their independence and way of life. This was partially also a response to the Puritans

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[385] George M. Fredrickson, *White Supremacy …, op.cit*., p. 26, citing on p. 27: Gary B. Nash, *Red, White and Black… op. cit.,* pp. 82-84; Alden Vaughan, *New England Frontier: Puritans and Indians, 1620-1675* (Boston, 1965), p. 189; Pearce, *Savagism*, pp. 19-31; Jennings, *Invasion,* pp. 241-42.

[386] *Ibid*., pp. 25-27, citing on p. 27: Gary B. Nash, *Red, White and Black…, op. cit.,* pp. 82-84; Alden Vaughan, *New England Frontier…, op. cit.,* p. 189; Pearce, *Savagism,* pp. 19-31; Jennings, *Invasion,* pp. 241-42.

"attempting to enforce laws requiring observance of the Sabbath and prescribing capital punishment for blasphemy."[387] Consequently, what became known as the King Philip's War of 1675-76 marked the beginning of what Wigely has categorized as a form of Total War upon the American nations. It resulted in the killing of approximately five thousand Indians compared to over a thousand whites and the total destruction of twelve New England towns. The ultimate white victory signaled the end of the last remnants of Indian autonomy in Massachusetts, Connecticut, and Rhode Island. A peculiarly Puritan Indian policy tantamount to "acculturation without assimilation" was also abandoned and they no longer "felt obliged to bring the message of reformed Christianity and the discipline of a "civil" existence to as many Indians as possible." [388]

Most of the villages in which the Indians had been placed directly under settler colonizers' control were disbanded. In these "praying towns", the gospel was preached and the inhabitants were encouraged to imitate the practices of the white colonists.[389] The "racial animosities stirred by the conflict encouraged a conviction that all Indians were incorrigible slaves of the Devil whose sole function had been to serve as a vehicle for devine wrath against the backsliding of the colonists."[390] The King Philip's War marked the beginning of a Total War on the American nations which would last effectively until the massacre of the Sioux at Wounded Knee 1890 by U.S. troops. This also marked what the U.S. Federal census determined as the end of the existence of the frontier.[391] The "disappearance" of the frontier, suggests the end of what could be called the creation phase of the American settler colonial existence.

ii) Total War reverses roles between politics and war: politics becomes war by other means rather than war as an instrument of politics by other

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[387] George M. Fredrickson, *White Supremacy ..., op. cit.,* p. 27, citing: Walter T. Hagan, *American Indians* (Chicago, 1961), p. 14; Vaughan, *Frontier*, p. 320; Wilcomb E. Washburn, *The Indian in America* (New York, 1975), pp. 131-32.

[388] *Ibid*., p. 27, citing: Walter T. Hagan, *American Indians ..., op. cit.,* p. 14; Vaughan, *Frontier*, p. 320; Wilcomb E. Washburn, *The Indian in ..., op. cit.,* pp. 131-132.

[389] George M. Fredrickson, *White Supremacy ..., op. cit.,* p. 28; citing: Washburn, *Indian in America,* p. 113; Vaughan, *Frontier,* pp. 288-295, 315-20; Gary B. Nash, *Red, White and Black... op. cit.,* p. 127.

[390] *Ibid*., p. 28; citing: Washburn, *Indian in America,* p. 113; Vaughan, *Frontier,* pp. 288-95, 315-20; Gary B. Nash, *Red, White and Black... op. cit.,* p. 127.

[391] Carl Waldman, *Atlas of the North American Indian* (rev. ed.) (New York: Checkmark Books, (1985) 2000), pp. 207-209, p. 255. The U.S. Federal census had defined the frontier as being "habitable regions with less than two [settler] inhabitants per square mile."

means. This has to do with absolute or binary nature of goals (which are zero-sum). The effects are that foreign policy becomes also war by other means and subsequently, treaties are used as truces until next round rather than permanent peace-agreements. Peace time is therefore an extension of this type of war to gain time.

Another characteristic of Total War is the subordination of politics to the war rather than war being a continuation of politics as in limited war. The settler-colonizers made use of peace agreements or treaties with the American nations as temporary cessations of fighting until more favorable conditions to resume the Total War arose. The American nations, in contrast, actually believed in that the peace treaties they had signed were the end of conflict. The following quote of the chief of the Sioux, Red Cloud (*Makhpiya-Luta)* illustrates this point: "They made us many promises more than I can remember, but they never kept but one. They promised to take our land, and they took it."[392] Patrick Wolfe, arguing that "US foreign policy began with treaties between the US Government and Indian nation", maintains that these "[t]reaties placed nationhood under erasure, employing a vocabulary of sovereignty to enact the pracitical subordination of Indian parties to them."[393] He points out that the native Amerindians, according to the axiomatic feature of the US Constitution, "were not simply 'Other' in the monolithic, undifferentiated sense" as "humans excepted from the ostensibly universal category of the human." By utilizing "the term *'corpus nullius'* to express the outer limit of othering that is reached when, as in the case of nineteenth-century US Indian policy, particular humans are excepted from the general requirements that govern the treatment of humanity as a whole."[394] This was manifest in what Wolfe has called preemption.

> In the colonial context, preemption enlists title to the service of the monarch as against his or her diasporan subjects. The native right of occupancy is good against everyone except the monarch. Pending extinguishment of native title, therefore, no one else can preempt the monarch's prior entitlement…. Ultimately, the rights that preemption sanctimoniously assigned to Indians were meaningless. They existed pending extinghishment.[395]

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[392] Jon E. Lewis (ed.), *The Mammoth Book …, op. cit.,* p. 190.
[393] Patrick Wolfe, "*Corpus nullius*: The Exception of Indians and Other Aliens in US Constitutional Discourse", *Postcolonial Studies,* Vol. 10, No. 2, (2007), pp. 127-151, here pp. 127-128.
[394] *Ibid.*
[395] *Ibid.,* p. 133.

That the treaties were considered by the settler-colonizers as a continuation of the Total War, is further illustrated by what occurred to the Cheyenne and the Arapaho nations who had surrendered even before their massacre at Sand Creek on November 29th, 1864 near Denver, Colorado.

> All we ask is that we may have peace with the Whites … I want you to give all the chiefs of the soldiers here to understand that we are for peace, and that we have made peace, that we may not be mistaken by them for enemies. (*Black Kettle, Cheyenne Chief, 1864*)[396]

The American nation's misconception of settler-colonial intentions was the norm, to their detriment. The Sand Creek massacre came after the Cheyenne Chief, Black Kettle, had gone on September 28, 1864 to Camp Weld near Denver to consult with the Governor John Evans -- an Indian hater. The surrendering chief "agreed to settle at Fort Lyon with those Cheyenne and Arapaho who would follow him. There he would be protected by Major Wykoop. The Indian left the meeting believing he had made a peace deal."[397] But Colonel John Chivington, a fiery Methodist-preacher-turned-soldier, who was commander of the District of Colorado, was looking for any pretext to wage war on the Cheyenne.[398] He had a previous order from the Governor Evans to "burn villages and kill Cheyenne whenever and wherever found."[399] Chivington had Major Wykoop replaced with Major Scott J. Anthony at the Fort Lyon. The subsequent events illustrate the other characteristic of Total War of pursuing absolute goals to eliminate the Indigenous nations irrespective of whether they had surrendered, and to target all members of these nations irrespective of whether they were combatants (armed or unarmed),[400] women, children or elderly. All this formed part of the quasi-religious conviction in monopoly of a "universal truth" that produced a momentum of logic which dictated and "justified" its actions irrespective of some opposing voices from the settler colonizers themselves. This Total War logic also regarded criticizers and protesters amongst the settler colonizers themselves as betrayers of the settler colonizing project. The case of Sand Creek illustrates these dynamics which are characteristic of Total War:

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[396] Jon E. Lewis (ed.), *The Mammoth Book …, op. cit.,* p. 177.
[397] *Ibid.*, pp. 180-181.
[398] *Ibid.,* pp. 179, 180-181.
[399] *Ibid.*, p. 179.
[400] The Cheyenne and the Arapaho had surrendered most of their guns to Wynkoop at Fort Lyon a few days before the Sand Creek massacre, and only very few warrior has arms which they could use in face of the U.S. at Sand Creek. See Jon E. Lewis (ed.), *The Mammoth Book …, op. cit.,* p. 182..

Allegedly to enable the surrendered Cheyenne and Aparaho to do some hunting, Anthony directed them to move their village to an almost remote dry watercourse about 40 miles to the north-east of Sand Creek…. At day break on a clear and frosty morning of 29 November 1864, Colonel Chivington and 700 soldiers approached Black Kettle's camp. When a junior officer, Lieutenant Cramer, again protested that the Cheyenne were at peace, Chivington roared back: "I have come to kill Indians, and believe that it is right and honourable to use any means under God's heaven to kill Indians." His troops were ordered to "Kill and scalp all, big and little; nits make lice." The sleeping Indians were given no warning, no chance for talk. Chivington's men simply bore down on them, firing their rifles, slashing into the sleeping tents. There was confusion and noise. Black Kettle, unable to comprehend what was happening, ran up the Stars and Stripes outside his tent. Then a white flag of surrender. Still the killing continued.[401]

Another characteristic of Total War is that strategy loses its instrumental character and becomes an explanation and legitimation for waging such war towards the goal of racial survival through the subordination of other nations.[402] This is clear in Chivington's remarks that the purpose of the war is to kill Indians even if they are at peace with the U.S. and do not pose any strategic threat. At Sand Creek, the conduct of the U.S. troops made no strategic sense: the targeted Indian nations did not pose a threat to the settler colonizers or their troops since they had surrendered and handed in their weapons days before; tactically the U.S. troops overwhelmingly outnumbered the few warriors who had arms and made some attempt at defense. After several rounds, there was not need for the troops to continue to shoot and kill the remaining survivors of women, children and elderly. Lieutenant Cramer illustrated this in his account of what happened during the massacre:

…White Antelope ran towards our columns unarmed, and with both arms raised, but was killed. Several other of the warriors were killed in the like manner. The women and children were huddled together, and most of our fire was concentrated on them…. The Indian warriors, about 100 in number, fought desperately; they were about 500 all told. I estimated the lost of the Indians to be from 125 to 175 killed; no wounded fell into our hands and all the dead were scalped. The Indian who was pointed out as White Antelope had his fingers cut off. Our force was so large that that there was no necessity of firing after our troops had fired several rounds.... I told Colonel Chivington…that it would be murder, in every sense of the word, if he attacked those Indians. His reply was, bringing his fist down close to my face, "Damn any man who sympathizes with Indians"… he had come to kill Indians and believed it to be honorable to kill Indians under any and all circumstances.[403]

The above clearly shows that the logic of the "strategy" adopted by Chivington had little to do with what would be called in modern terms as a strategic threat emanating from a hostile strategic environment. The strategic environment was one of surrender by the targeted

[401] Jon E. Lewis (ed.), *The Mammoth Book …, op. cit.,* pp. 181-182.
[402] Michael Geyer, "German Strategy … *op. cit*., p. 546.
[403] Jon E. Lewis (ed.), *The Mammoth Book …, op. cit.,* p. 184.

American nations which meant that the conflict had been won in favour of the U.S troops. Consequently, there was no strategic threat from the strategic environment especially since the targeted nations had been directed by Major Scott Anthony to move to the location where they were killed. The lethal force unleashed upon the targeted nations manifested a racial contempt towards them deeming them worthy only when eradicated. Even after their death, the victims were regarded as a resource for pillage and decapitation for "trophies" for display amongst peer soldiers. The following quotes from those who were there reflect the graphic escalation of break-down of the bounds of soldiers' conduct as characteristic of the Total War; it has its own momentum which proceeds despite objections or attempts at moral re-sensitizing. First Lieutenant James D. Connor of the New Mexico Volunteers who took part in the attack wrote:

> …in going over the battleground the next day I did not see a body of man, woman, or child but was scalped, and in many instances their bodies were mutilated in the most horrible manner – men, women, and children's privates cut out, etc.… according to the best of my knowledge and belief these atrocities that were committed were with the knowledge of J.M. Chivington, and I do not know of his taking any measures to prevent them… I also heard of numerous instances in which men had cut out the private parts of females and stretched them over the saddle-boxes, and wore them over their hats while riding in the ranks…[404]

A Corporal Amos C. Miksch, 1st Colorado Cavalry, Company C wrote:

> Next Morning after the battle, I saw a little boy covered up among the Indians in a trench, still alive. I saw a major in the 3rd regiment take out his pistol and blow off the top of his head. I saw some men unjointing figers to get rings off, and cutting off ears to get silver ornaments. I saw a party with the same major take up bodies that had been buried in the night to scalp them and take off ornaments. I saw a squaw with her head smashed in before she was killed. Next morning, after they were dead and stiff, these men pulled out the bodies of the squaws and pulled them open in an indecent manner. I heard men say they had cut out the privates, but did not see it myself.[405]

A David Louderbeck, 1st Colorado Cavalry wrote:

> The dead bodies of women and children were afterwards mutilated in the most horrible manner. I saw only eight…they were cut up too much… they were scalped and cut up in an awful manner... White Antelope's nose, ears, and privates were cut off. [406]

Actions such as these in Sand Creek, did not represent isolated individuals or a particular social environment but rather a general conviction. When Senator James Doolittle of

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[404] *Ibid.,* pp. 184-185.
[405] *Ibid.,* p. 185.
[406] *Ibid.,* p. 186.

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Wisconsin went to Denver in July 1865, several months after the Sand Creek massacre, to argue the case for a peaceful resolution to the "Indian problem", he promoted the option of putting them in reservations rather than exterminating them. The response from his Denver audience was to "Exterminate them!"[407]

The aspiration of total domination of society (in this case of the indigenous nations) which is an essential part a 'quasi-religious doctrine' of the settler colonizers (in this case of the New England settler), tends to outlive any specific war. In this sense the settler colonial systems can be regarded as tantamount to totalitarian systems.[408] Furthermore, the part of the U.S. political diplomacy which manifested in peace treaties with the American nations, did not serve as a means to end the conflict but rather to postpone the resumption of the war effort under better conditions. For example, the second U.S. Government's Treaty of Fort Laramie of 1868 with the Sioux – who had with the remaining Cheyenne, the Northern Arapaho and the Oglala, retaliated to the Sand Creek massacre[409] – came after the American Civil War (1861-1865) which had exhausted army and resources.[410] Hence, "[s]o-called Friends of the Indians argued that at a probable cost of a hundred thousand troops and an estimated $1 billion it was far practical to try the treaty approach, which had clear budgetary advantages…."[411] The timing also coincided with an estimate by the Commissioner of Indian Affairs suggesting that the Indian Wars were costing the federal government $ 1 million per Indian killed.[412]

Hence, while the treaty began with the statement that "[f]rom this day forward all wars between the parties to this agreement shall forever cease," it was broken by the white man

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[407] Jon E. Lewis (ed.), *The Mammoth Book …, op. cit.,* p. 187.

[408] This is a re-reading of what Heuser has pointed out as characteristic of totalitarian regimes, but in reverse. That is to say that since the settler colonizer systems seem to have the same characteristics as totalitarian ones, one could conclude that settler colonizer systems are a form of totalitarian systems. Heuser's text reads: "In totalitarian systems, however, the aspiration to total domination of society outlives any specific war, because the notion of being engaged in a perpetual struggle against its adversaries forms an essential part of the 'quasi-religious doctrine' on which the system is based. War is part of the system's very essence." Beatrice Heuser, *The Bomb…, op. cit.,* p. 113.

[409] Jon E. Lewis (ed.), *The Mammoth Book …, op. cit.,* p.187.

[410] Beatrice Heuser, *The Bomb…, op. cit.,* p. 117; Heuser points out that even though the American Civil War had resulted in 622,000 battlefield deaths, this did not mean that the Northerners and Southerners in the USA hated each other to the point where they wished to exterminate each other.

[411] Betty Ballantine and Ian Ballantine (eds.), *The Native Americans: An Illustrated History.* (Atlanta: Turner Publishing Inc., 1993), p. 339.

[412] Carl Waldman, *Atlas of the North… op. cit.,* p. 254.

eight years later, like the previous 370 treaties.[413] White miners disregarded the terms of the treaty with the discovery of gold in the in the Black Hills of South Dakota - territory which had been designated in the treaty as "unceded Indian Territory" outside the bounds for White persons. Wars with the Sioux and other nations resumed over the Black Hills in 1876-77.[414] By 1910, and after a series of wars, the population of the Indian nations was reduced to less than 250,000 from around 600,000 in 1800.[415] Furthermore, even the lands designated to the Indian nations in treaties were made available for leasing by settlers with a 1891 U.S. provision. The encroachment on land continued in the early twentieth century: in 1902 the Secretary of Interior made the first oil and gas leases on Indian lands in Oklahoma and was followed in 1907 by the inclusion of Oklahoma Territory, including Indian Territory, and admitted as a state.[416]

iii) Total War is waged by and against entire populations, it requires technological advances such as force multipliers to implement, in addition to a linearized form of force multiplier: a dual system of laws or rule.

The general pattern of settler encroachment over American Nations' land increased friction which led to a major war of extirpation. Indians retaliated to the rapid expansion of white settlement. For example in 1622, the Powhatan struck back attacking the settlements at Jamestown, Virginia wiping out about a third of the total population of the colony. The settlers, thereafter driven by a policy of aggression, launched a counterattack devastating the Indian society. According to one colonial spokesman: [417]

> Our hands which before were tied with gentlenesse and fair usage are now set at liberty by the treacherous violence of the Sausages [savages] ….So that we … may now by right of Warre, and law of Nations, invade the Country, and destroy them who sought to destroy us; whereby we shall enjoy their cultivated places…. Now their cleared grounds in all their villages … shall be inhabited by us, whereas heretofore the grubbing of woods was the greatest labour. [418]

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[413] Jon E. Lewis (ed.), *The Mammoth Book …, op. cit.,* pp. 204-206.

[414] *Ibid.,* pp. 204-206; Carl Waldman, *Atlas of the North …, op. cit.,* pp. 256, 260. In 1979 the U.S. Supreme Court awarded the Lakota Sioux $122.5 million for federal government's appropriation of Black Hills in South Dakota.

[415] Carl Waldman, *Atlas of the North …, op. cit.,* pp. 255-256.

[416] *Ibid.,* pp. 255-256.

[417] George M. Fredrickson, *White Supremacy…, op. cit.,* pp. 24-25, citing on p. 24; Wesley Frank Craven, *The Southern Colonies in the Seventeenth Century,1607-1689* (Baton Rouge L.A., 1949), pp. 146, 172-173.

[418] Gary B. Nash, "The Image of the Indian in the Southern Colonial Mind", *William and Mary Quarterly, XXIV* (1972), pp. 217-19 (quote from p. 218).

This pattern was repeated in North and South Carolina in the early eighteenth century where American Nations' resistance resulted in the destruction of their societies and the loss of more of their land.[419] Consequently, by the 1720s, all the coastal tribes from Massachussetts to South Carolina had been either exterminated by warfare and European diseases, pushed westward, or reduced to more or less detribalized fragments of populations surviving on the fringes of white society.[420] Between 1790 and 1830 American policy towards the Amerindians was based on the fact that the government was accountable to its white electorate. Furthermore, it was convinced that the destiny of the settler-colonizers, which it considered a nation, as well as its own interests, required a speedy expansion of white settlement into areas still occupied by Indian nations. The removal of Indian nations' title to lands and their overall removal were generally accepted objectives. Subsequently, the differences in opinion on these matters was not whether or not to proceed with these policies but rather how quickly and which methods should be used, and whether or not "civilized" Indians should be excluded from this process.[421]

One of the means used to realize this was the utilization of force multi-pliers i.e. "a capability that, when added to and employed by a combat force, significantly increases the combat potential of that force and thus enhances the probability of successful mission accomplishment."[422] Thus, while in limited wars the force multipliers are used to achieve effectiveness in the battle towards realizing the war aims, in Total War, the force multipliers are utilized to maximize the effect of extinguishing nations hold over land by reducing the population sizes in order to reduce the space they dwell on.

Use of Force Multipliers:

In the American case, force multipliers served to speed-up the process of "fission" of indigenous nations; in other words to speed up the breaking up of indigenous nation as components made up of people over land over an extended length of belonging on that

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[419] George M. Fredrickson, *White Supremacy ..., op. cit.,* p. 28. For a good brief discussion of the Tuscarora and Yamasee wars in the Carolinas, see Gary B. Nash, *Red, White and Black... op. cit.,* pp. 145-51. Werner W. Crane also deals with these conflicts and the circumstances surrounding them in *The Southern Indian Frontier... op. cit.*

[420] George M. Fredrickson, *White Supremacy ..., op. cit.,* p. 28.

[421] *Ibid.,* p. 45.

[422] *Dictionary of Military..., op. cit.*

land. In the case of the U.S., the force multipliers took three forms: the first was technological regarding the type of arms used, the second was biological warfare, and the third was a more bureaucratized in a dual system of rule which enabled a combination of various forms of violence and force to be used against the indigenous nations.

a) **Arms and Technology:** While Europe after 1648 entered the age of limited war employing the means of carefully regulated combat among professional armies to achieve ends of limited dynastic advantage, Wars between settlers and the Indians became – beginning at least with King Philip's War in New England in 1675-1676 – struggles aimed at rendering the enemy incapable of fighting. Realizing this meant going beyond restrictions in Europe on attacks. These wars against the property and lives of noncombatants stood in contrast with what Carl von Clausewitz – a Prussian officer and war theorist of war during this time - had noted in 1827 when defining limited wars as having limited aims. In other words that "occupying some frontier districts so that we can annex them or use them for bargaining at the peace negotiations."[423] As the seventeenth and eighteenth-century wars in America aimed at conquering more frontier land, the settler-colonizer's perception of war became more absolute compared with their European contemporaries. [424] Before 1830, technological innovation of weaponry was not seen as way for solving social and economic problems. The period after 1830 witnessed a period of rapid military technological innovation which became increasingly institutionalized and permanent.[425] Consequently, as Martin van Creveld points out:

> As each successive generation of sophisticated weapons and weapons systems appeared on the scene, all its predecessors were either thrown onto the garbage heap or sold to some less developed country, the difference in many cases being merely a matter of nomenclature…. In view of the tremendous advances taking place every few years, there could be no question but that each country's effective military power depended on its armed forces continuously keeping abreast technologically. During the age of total warfare in particular, this also meant keeping pace scientifically, industrially, and economically, although … not necessarily ideologically and morally. The military hardware that was now perceived to

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[423] Russell F. Weigley, "American Strategy …, *op. cit*., pp. 408-409; Hew Strachan, "Clausewitz and the Dialectics of War", in Hew Strachan and Andreas Herberg-Rothe (eds.), *Clausewitz in the Twenty-First Century* (New York: Oxford University Press, 2007), pp. 14-44, here p. 42, citing *On War,* p. 69. Clausewitz lived in Europe between 1781 and 1831.

[424] *Ibid*., pp. 408-443, here pp. 408-409.

[425] Martin van Creveld, *Technology and War From 2000 B.C. to the Present* (London: Brassey's, 1991), pp. 223-224.

play such an important role in war stemmed form the efforts of engineers, scientists, and managers and could only be operated with their aid."[426]

In this sense the, less developed weapons of the American Nations could not begin to respond to the technological advances which the settler colonizers and their armies were employing against them. An example which illustrates this is the use of the breech-loading Springfield rifles by the settlers and their troops. In 1867, the battle at Fort Phil Kennedy in which a thousand Sioux warriors attacked and were defeated by 36 men working under Captain James Powell at the pinery. While the Sioux still had the muzzle-loader rifles which required time to reload by drawing the ram rods, the settler troops simply "threw open the breech-blocks of [the] new rifles to eject the empty shell and slapped in fresh one." This along with the use of wagon boxes, to shield from incoming fire, defeated the Sioux in what became to be known as the Wagon Box Fight. On the previous day, a Cheyenne attack on Fort C.F. Smith in the Hayfield Fight had also been beaten off with the use of the Springfield rifles.[427]

b) **Biological Warfare:** The use of smallpox as a force multiplier in the wars against the American Nations was first documented during the Ottowa chief Pontiac's rebellion (Pontiac's War) against the British in the Great Lakes between 1763 and 1764. The specific act took place in 1763 at Fort Pitt when two visiting Indian chiefs on a diplomatic mission were given blankets taken from the smallpox hospital. In an article entitled "Biological warfare in eighteenth-century North America", Elizabeth A. Fenn notes that the fort's account books show that British military officers "both sanctioned and paid for the deed" and that this was approved by the highest level in the army.[428] According to Fenn, General Thomas Gage signed and invoice for two blankets and two handkerchiefs specifying that they had been "taken from people in the Hospital to Convey the Smallpox to the Indians".[429] This strategy had been deliberated earlier by the commander-in-chief of the British Forces, Sir Jeffrey Amherst. Independent of action, he wrote to Colonel Henry Bouquet in Philadelphia in July 1763 about the

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[426] *Ibid.*, p. 224.
[427] As recalled by Sergent Samuel Gibson who took part in the battle. Quoted from Jon E. Lewis (ed.), *The Mammoth Book ..., op. cit.,* pp. 204-205.
[428] Elizabeth A. Fenn, "Biological Warfare in Eighteenth-Century North America: Beyond Jeffrey Amherst", *Journal of American History,* Vol. 86, No. 4 (March 2000), pp.1552-1580.
[429] *Ibid.*, pp. 1555-1557.

Indians. "Could it not be contrived to Send the *Smallpox* among those Disaffected tribes?" he asked rhetorically, and then responded by observing: "We must, on this occasion, use Every Strategem in our power to Reduce them."[430] The use of smallpox to destroy the Indians was, then openly and urgently advocated by the aristocratic Amherst, the most senior military figure in the American colonies. Fenn believes that the Fort Pitt incident was "one in a string of episodes" in which military officers in American may have used such biological warfare against enemies.[431] An international study on the history of biological warfare concludes that the evidence hints at a history of "sporadic British and American efforts to infect the North American tribes with smallpox" possibly extended over centuries.[432] Between 1830-33 outbreaks of European diseases occurred among California, Oregon, and British Colombia tribes. In 1837 smallpox epidemic spread among Mandan, Hidsta, and Arikara of upper Missouri River. In the years that followed through 1870 at least four different smallpox epidemics ravaged western tribes.[433]

That this biological warfare may have been used in Australia as well against the Aborigines, is a possibility that cannot be ruled out since some soldiers who had served in America during the use of smallpox in the war against the American nations, later served in Australia. For example, a Major Robert Ross became Lieutenant-Governor and Commander of the Marine in the First Fleet when it sailed from Britain in 1787 to Australia; another David Collins became Deputy Judge-Advocate and Secretary of the Governor of New South Wales in Australia, Admiral Arthur Phillip. Both had been junior officers of the British commander in Boston in 1776, General Gage, who had

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[430] *Ibid.*

[431] *Ibid.*, pp.1552-1580, here pp. 1580. See also correspondences of George Washington, Thomas Jefferson and Benjamin Franklin in Henry Reynolds, *An Indelible Stain? The Question of Genocide in Australia's History* (Australia: Viking Penguin Press, 2001), pp. 46-47. Reynolds notes: "In developing her argument, Fenn concludes that smallpox was used by the British army against the American forces in the War of Independence by inoculating individuals who were sent as refugees into the enemy's camp in the hope of spreading the infection. Given the prevalence of smallpox at the time, it is impossible to determine whether the strategy was in fact adopted and, if so, whether it had the desired effect. Senior American figures, including Washington, Jefferson and Franklin, were convinced that the British were attempting to use smallpox as an offensive weapon. The whole question is, not surprisingly, contentious. At best the evidence is circumstantial and we should treat with caution claims made about enemies in the middle of a war." See also John E. Lewis (ed.), *The Mammoth Book ..., op. cit.,* pp. 110-111.

[432] E. Giessler and J. E. van Courtland Moon (eds.), *Biological and Toxin Weapons: Research, Development and Use from the Middle Ages to 1945* (Oxford: Oxford University Press, 1999), p. 26.

[433] Carl Waldman, *Atlas of the North ..., op. cit.,* p. 252.

approved the use of smallpox against the Indians fourteen years before at Fort Pitt.[434] Furthermore, that similar tactics in America were used later in Australia and then later in Africa is another indication of a pattern in the transfer of experience from one continent to another in the Total War efforts against indigenous nations.[435] For example, the use of "punitive expeditions" in the U.S. against the American nations,[436] is comparable to the use of the "punitive expeditions" and "Native Police" in Australia,[437] and the "pacification expeditions" used in the colonial territories in Africa.[438]

c) **A Dual System of Rule:** Between 1815 and 1824 a white supremacist policy of comprehensive Indian removal began to take form. There was growing disillusionment with the Thomas Jeffersonian hopes that the Indian nations would willingly give up their "unnecessary" land to embrace white "civilization", and that the white settler-colonizers would then accept them as members of their communities. These hopes collapsed under the pressure of white settlers on Indian lands, the unwillingness of most Indian nations to abandon their way of life, and the refusal of states in the South to grant re-cultured or what they considered as "civilized" Indians who accepted individual land allotments that were sometimes provided in treaties. For example, the State of Georgia wanted the eradication of all Indian's land-holding within its borders holding the federal government accountable for its pledge "in 1802 that all tribal land within the state would become available for white occupancy as soon as the federal government could induce the Indians to relinquish title."[439] The Monroe administration established a general policy to remove essentially all eastern Indians to designated areas west of Missouri and Arkansas. However, in the 1820s the pace of removal through negotiation was too slow to satisfy settler-colonizers. In 1828, Andrew Jackson, a known combater of Indians of was elected as President. Jackson refused to enforce a Supreme Court decision to disallow the state of Georgia to defy the clause of the Constitution. The state had unilaterally taken hold of the federal government's

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[434] Henry Reynolds, *An Indelible Stain…, op. cit.,* p. 47.
[435] The phenomenon of this pattern would need further research as it is beyond the scope of this study; nonetheless, it seems a significant point to highlight here in the context of understanding the dynamics of total war in the settler colonial cases.
[436] Jon E. Lewis (ed.), *The Mammoth Book …, op. cit.,* p. 88.
[437] Henry Reynolds, *Frontier* (Australia: Allen & Unwin, (1987) 1989), pp. 6-7, 30-31, 48-58.
[438] L. S. Stavrianos, *The Global Rift …, op. cit.,* p. 293.
[439] George M. Fredrickson, *White Supremacy …, op. cit.,* pp. 45-46; see Reginald Horsman, *The Origins of Indian Removal* (East Lansing, Mich., 1970), pp 16-17.

exclusive responsibility for Indian affairs by extending state law over the Cherokee nation within its borders. In 1830, Congress passed the Indian Removal Act which gave Jackson the funds and federal authority to carry out mass expulsion of eastern Indian nations; these were implemented in ways to maximize Indian suffering and to cause deaths. The Cherokee, who had become agriculturalists on the white model were rounded up by federal troop in 1838 and forced to march to Oklahoma; of the 15,000 Cherokee, 4,000 died on the way called the "Trail of Tears" between 1838 and 1839. [440] The Yuki nation in California who have been reduced from between 5,000-20,000 to less than 100 today, mainly through the war and extermination policies between 1851 until after 1910. [441]

That this was part of the settler-colonial centrifugal force upon the indigenous nations to rupture their presence from their land is noted by Patrick Wolfe. These policies "presupposed the Louisiana Purchase of 1803, when Thomas Jefferson had bought approximately one-third of the present-day continental United States at a knock-down price from Napolean." [442] This greatest real estate deal in history provided the territory west of the Mississippi that successive US governments would exchange for the homelands of the eastern Amerindian nations whom they were bent on removing by effectively regarding them as 'invaders.' This illustrates the way in which Total War shapes eradication policies towards whole nations to acquire their land. Between 1853 and 1854 the United States acquired 174 million acres of Indian land through 52 treaties, all of which were subsequently ignored by the settler-colonizers. [443] Wolfe points out that US treaty-making with the Amerindian nations was more than a "pragmatic procedure that was more a reflection of the relative strength of the parties involved [to the advantage of the settler colonizers] than it was of legal theory [of enforcing justice], which was by no means monolithic." [444] Rather, "[t]reaties placed

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[440] *Ibid.*, p. 46. Other like trails include the Potawatomi Trail of Death in 1838 from Indiana to lands West of Mississippi River; the Navaho Long Walk in 1864 from Fort Defiance in Arizona to Fort Summer in New Mexico.

[441] Benjamin Madley, "Patterns of Frontier Genocide 1803-1910: the Aboriginal Tasmanians, the Yuki of California, and the Herero in Namibia", *Journal of Genocide Research,* Vol. 6, No. 2 (June, 2004), pp. 167-192, here pp. 176-181.

[442] Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," *Journal of Genocide Research,* Vol. 8, No. 4 (December 2006), pp. 387-409, here p. 399.

[443] Carl Waldman, *Atlas of the North…, op. cit.,* p. 253.

[444] Patrick Wolfe, "*Corpus Nullius*: the Exception of Indians and Other Aliens in US Constitutional Discourse" in *Postcolonial Studies,* Vol. 10, No. 2, (2007), pp. 127-151, here p. 138.

Indian nationhood under erasure, employing a volcabulary of sovereignty to enact the practical subordination of Indian parties to them."[445] Furthermore,

> Naturalist theory had subordinated local sovereignty to a universal set of principles that was manifest in the order of creation and legible to all… (In early US treaties… the eternality of the ties that bound Native Americans to their homelands tended to reflect the presence or absence of the English or the Spanish.) Through all the variety, however, one feature remained constant: unltimate sovereignty – and, with it, title to land – was of European (or, later, Euroamerican) provenance… 'The American righ tot buy always superseded the Indian right not to sell.' Underlying this disparity was the simple but crucial assumption that the terms 'European' and 'native' were of a different order. Ths same logic did not apply to both…. Once the theoretical expropriation asserted at discovery had been realised in practice, the distinguishing between occupancy and dominion lost its primary function, persisting as a contradiction with which natives might embarrass the moral pretensions of the settler state.[446]

Between 1775 and 1890, it is estimated that 350,000 Indians were killed, or died, as a result of the settler-colonial policies and actions after they had been over 5 million around 1492.[447] In contrast, the non-Indian population had risen to about 75 million by the 1900s.[448]

The policy towards the American nations throughout the 18th and early 20th century illustrates another characteristic of Total War. It establishes a dual system of rule and laws. In the case of settler-colonial systems: one system of rule and laws for the settler-colonizers and another over the Indigenous Nations. This is particularly evident regarding the issue of settler-colonizer increasing control over land by expanding the frontiers, while American Nations are forced out of their land repeatedly until isolated in reservations. Even the lands designated to the Indian nations in treaties were made available for leasing by settlers with an 1891 U.S. provision.

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[445] *Ibid.,* p. 128; see also endnote no. 3 p. 146 of the article.

[446] *Ibid.,* pp. 130, 132, 134. See also Harvey D. Rosenthal, "Indian Claims and the American Conscience: A Brief History of the Indian Claims Commission" in Imre Suton (ed.), *Irredeemable America: The Indians' Estate and Land Claims* (Albuquerque, NM: University of New Mexico Press, 1985), pp. 35-70, here p. 36. Furthermore, as in the case of Australia, this human stratification went beyond the theoretical, Wolfe points out that "Aboriginal people became racialized – in the full genetic sense involved in blood quantum legislation – during the years surrounding national independence, in 1901." See Patrick Wolfe, "Land, Labor, and Difference: Elementary Structures of Race", *The American Historical Review,* Vol. 106, No. 3 (Jun. 2001), pp. 866-905, here p. 872.

[447] This may be a conservative figure as estimates range from 8 million to 145 million; see Matthew White "Selected Death Tolls for Wars, Massacres and Atrocities Before the 20th Century" at http://users.erols.com/mwhite28/warstat0.htm#America.

[448] Russell Thorton, *American Indian Holocaust and Survival: A Population History Since 1492* (Oklahoma: University of Oklahoma Press, 1987), see also his graphs on p. xvii.

The encroachment on land continued in the early twentieth century: in 1902 the Secretary of Interior made the first oil and gas leases on Indian lands in Oklahoma which was followed in 1907 by the inclusion of Oklahoma Territory including Indian Territory, and admitted as a state. In 1906 the federal government seized 50,000 acres of land sacred to the Taos Pueblo Indians in the Blue Lake region in the mountains of New Mexico making it part of a national park (it was returned in 1971). And in 1909, two days before leaving office, Theodore Roosevelt, issued eight executive orders transferring 2.5 million acres of timbered Indian reservation lands to national forests.[449]

The above illustrates the dynamics settler-colonial creation of phase – explained earlier– in which expansion of land colonized assumed a zero-sum or binary dynamic. This means that land acquired by the settler-colonizer is land the American nations are annihilated or moved out from.

b. The Geographical Location:

The case of the U.S. is one which had continuous fighting with the Native American Nations until the late nineteenth century. The American War of Independence between 1775 and 1783 began between the Kingdom of Great Britain and thirteen British colonies and concluded in a war between several European great powers at the time. The war with Mexico occurred in from 1846 to 1848 after the U.S. annexation of Mexico in 1845. This was followed by the American Civil War occurred between 1861 and 1865. Apart from these wars, the U.S. did not have to face major powers such as European powers during the eighteenth and nineteenth centuries. One reason was that it was too far for such powers to contemplate sending large forces when priorities were elsewhere. Hence, the military preparations that did develop turned from the offensive strategies to the defensive as the U.S. conceived that the prospects of war with any European power in the defensive terms. As Russell Weigley points out, even the naval writings of Alfred Thayer Mahan gave little hint that American expeditionary forces might someday fight on European battlefields. Therefore attention turned to the fortifications of the major seaports to prevent their capture by an amphibious attack and to impose upon any invader from overseas the necessity to land, reinforce, and re-supply across open beaches. This represented the oldest and most

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[449] Carl Waldman, *Atlas of the North …, op. cit.,* pp. 255-256, 259.

continuous of American military policies and strategies.[450] Yet even this by the 1880s had become another American military activity not quite attuned to reality. The limited range of steam warships meant that a formidable European naval threat was much less likely than it had been during the Revolution and the War of 1812. Furthermore, the only European power which had sufficient maritime tonnage to transport a formidable army to American shores was Great Britain, and it had passed beyond being an enemy by then.[451] Therefore, for the most part the United States was left to engage in the Total War with the Native American Nations for the most part of the eighteenth and nineteenth centuries without having to deal with other fronts simultaneously. This enabled it to concentrate on its creation phase through total warfare without interruption starting from the King Philip's War of 1675 to Wounded Knee in 1890 – a period of almost two hundred years.

The duration and the ability to concentrate on a Total War on the indigenous nations is a factor that in relevant to the success or failure of settler-colonial systems. Australia could be said to have had a somewhat similar strategic environment as it was also isolated from other would-be contesting powers. The same cannot be said for the case of South Africa which had to face several fronts internally and externally or regional throughout its creation phase. These points shall be discussed below.

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[450] Russell F. Weigley, "American Strategy …, *op. cit*., p. 437.

[451] See fn. no 73, p. 438 in Russell F. Weigley, "American Strategy …, *op. cit*., p. 438; citing *Report of the Board of Fortifications or Other Defenses…,* 49th Cong. 1st sess. House Exec. Doc., Vol. 28, No. 49 (serial 2395, 2396) in The American Military Experience series, the army commented on the near possibility of a serious attack by an overseas power in *Report of the Secretary of War, 1884,* p. 49, quoted in John Bigelow, *The Principles of Strategy: Illustrated Mainly form American Campaigns,* The West Point Military Library (New York, 1968; repr. Of 2d ed., rev. and enl., Philadelphia, 1894), p. 35.

ii. Australia:

By the time of British invasion of the continent in 1788, the 500 or so Aborignal nations numbering between 250,000 and 750,000 with different languages and customs had been living there since between 24,000 to 60,000 years.[452] During the nineteenth century, as Jan Kociumbas points out, the sheer speed and scale of annexation as British settlement moved into the pastoral phase was another factor which helped create a climate conducive to the genocide of Aboriginal nations.[453] At least 20,000 Aborigines were killed on the process of settler-colonization in Australia.[454] Another study has a staggering number of 600,000 Aborigines died after 1788.[455]

a. *Total War making:* This section shall examine the production of settler–colonial-existence in during the creation phase of Australia. This shall be done utlizing the components of Total War developed from the previous chapter and compare them with actual events that occurred derived from descriptive sources of literature. The first component which is part of the concempt of Total War is the claim to a monopoly over truth.

    i) TW claims monopoly of truth constructed in various ways, religion, science, and world-view truths; it entails a binary discourse producing its own logic.

During the eighteenth century it became common to distinguish different types –or races – of human beings to arrange them in hierarchical sequence. The Europeans were placed on the top, with non-Europeans strung out down the chain till savages merged with the more advanced monkeys. The Aborigines were not left out from this stratification.[456] For example, Joseph Banks, the naturalist who sailed with Captain James Cook along the east

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[452] Colin Tatz, "Genocide in Australia," *Journal of Genocide Research,* Vol. 1, No. 3 (1999), pp. 315-352, here pp. 318-319; see also David Horton (ed.), *Encyclopaedia of Aboriginal Australia* (2 vols) (Canberra: Australian Institute for Aboriginal and Torres Strait Islander Studies, 1994).

[453] Jan Kociumbas, "Genocide and Modernity in Colonial Australia, 1788-1850" in Dirk Moses (ed.), *Genocide and Settler Society: Frontier Violence and Stolen Indigenous Children in Australian History* (New York and Oxford: Berghahn Books, 2004), pp. 77-102, here pp. 88-90.

[454] Henry Reynolds, *Frontier, op. cit.,* p. 53.

[455] Joseph Glascott, "600,000 Aborigines Died After 1788, Study Shows", *Sydney Morning Herald,* February 25, 1987.

[456] Henry Reynolds, *Frontier, op. cit.,* p. 110.

coast of Australia in 1770 noted that the aboriginal people were not cultivated as such and "must be supposed to hold a rank little superior to that of monkies."[457] A French explorer by the name of Joseph-Marie Degérango wrote a more telling note in 1800 giving instructions on how the French explorer Nicolas Baudin should treat Tasmanian Aboriginal people during his 1802 expedition.

> The philosophical traveler, sailing to the ends of the earth, is in fact traveling in time; he is exploring the past; every step he makes is the passage of an age. Those unknown islands that he reaches are for him the cradle of human society.[458]

Like the human standing of the Aborigines, the continent was reshaped according to the imagination of the colonizers. Hence, the colonized people and the colonized land re-conceptualized. Moving across unfamiliar lands and regions from unknown to known, the explorer's inter-subjectivity created meaning in phenomenological terms. Here interpretation and inter-subjectivity were dependent on the world-view of the explorer. The new lands were seen through this cultural filter, described and converted into text. In Edward Said's terms orientalized[459] to represent a European construction rather than a true representation of a nation's land. To this effect, Lynette Russell points out that *Frontier* assumes this quality of being a European mental construction representing the place where the known meets the unknown:

> As many authors have noted, a thing is not truly discovered until it is written about. Only once the act of exploration has become text can the place in question be apprehended by those unable to directly experience it. We might extend this … so that a frontier can only ever be understood once it has been converted into text. This involves re-conceiving places so that they can be drawn, mapped and textually described. In a similar vein Paul Carter notes that in order to understand it 'the coast had to be linearized, [and] reconceptualized as a *coastline'*.[460]

During the first part of the nineteenth century, the most popular justification for the settlement of Australia was reference to the Bible and to God's instruction to humanity in

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[457] J.C. Beaglehole, *The Endearvor Journals of Captain Joseph Banks, 1768-1771,* (2 vols.) (Sydney: Trustees of the Public Library of New South Wales in association with Angus & Robertson, 1962), p. 123; as cited in Ian J. McNiven and Lynette Russell, *Appropriated Pasts: Indigenous Peoples and the Colonial Culture of Archeology* (New York: Altamira Press, 2005), pp. 30-31

[458] Joseph-Marie Degérango, *The Observation of Savage Peoples* (trans. and ed.) F.C.T. Moore (London: Routledge & Kegan Paul, (1800) 1969), p. 63, as cited in Ian J. McNiven and Lynette Russell, *Appropriated Pasts: Indigenous Peoples and the Colonial Culture of Archeology* (New York: Altamira Press, 2005), p. 31

[459] Lynette Russell gives tribute to Edward Said's *Orientalism* in this context, see Lynette Russell (ed.), *Colonial Frontiers …, op. cit.,* p. 8, fn 27, p. 15.

[460] Lynette Russell (ed.), *Colonial Frontiers …, op. cit.,* p. 5. Here quoting from Paul Carter, "Dark with Excess of Bright: Mapping the Coastline of Knowledge", in Denis Cosgrove (ed.) *Mappings* (London: Reaktion Books, 1999), p. 125.

the Old Testament to go forth and multiply and subdue the earth; the colonists argued that this was to engage in agriculture. [461] A famous extremist clergyman at the time, J. D. Lang, expressed similar views in a speech to a meeting of the Moreton Bay Friends of the Aborigines. The *Moreton Bay Courier* of 19th of January 1856, reported him as having said:

> [The settler-colonizers] were certainly debtors to the Australian Aborigines, for they had ceased [sic] upon their land and confiscated their territory. In doing that, he did not think they had done anything wrong. **God in making the earth never intended it should be occupied by so incapable of appreciating its resources as the Aborigines of Australia**. The white man had indeed, only carried out the intentions of the Creator in coming and settling down in the territory of the natives. God's first command to man was 'Be fruitful and multiply and replenish the earth'. Now that the Aborigines had not done, and therefore it was not fault in taking the land of which they were previously the possessors.[462]

While early scientific racism weakened the belief in racial equality in colonial Australia, Social Darwinism undermined it altogether. The emphasis in the late-eighteenth-century philosophy on the influence of the environment on human behaviour was overwhelmed by the Darwinians' supremely confident assertion of biological determinism. This challenge mounted to the literal truth of the Old Testament seriously diminished the philanthropist's main argument that God had created all men in His own image. The Aborigines or the blacks were no longer brothers but rather, distant ancestors who had overstayed their time on earth, as the remarks of clergyman J. D. Lang, above suggest. Furthermore, Social Darwinism bore a message of struggle, competition, and violence all of which were necessary to the process of colonization itself. This dynamic of logic self-justified the use of force against the Aborigines bearing characteristics to Total War. Here the logic produced was that the Aboriginal people were a natural part of the landscape and not a cultural presence on it. The Aborigines killed, "like the uprooted forest, was thought of as an encumbrance removed."[463] In addition, since the Aborigines were considered beyond redemption, they could never be integrated in modern society and so their remaining time on earth was considered to be short as they were doomed to extinction.[464] This was deemed by James Collier as the "great obstacle to the complete colonisation of Australia [that] had

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[461] Henry Reynolds, *Dispossession: Black Australians and White Invaders* (Australia: Allen & Unwin Pty Ltd, 1989), p. 5. On pre-Darwinian theories of extinction see Patrick Brantlinger, *Dark Vanishings: Discourse on the Extinction of Primitive Races, 1800-1930* (Ithaca and London: Cornell University Press, 2003), pp. 17-44.

[462] As quoted in Henry Reynolds, *Dispossession …, op. cit.,* p. 5. [Emphasis added].

[463] Henry Reynolds, *Frontier, op. cit.,* pp. 128-129; Lynette Russell (ed.), *Colonial Frontiers…, op. cit.,* p. 56.

[464] *Ibid.*, p. 6.

necessarily to be removed."[465] In other words, while the land was to be 'brought to life' through settler colonization, the indigenous nations were to be made lifeless – and this was not intended as an inevitable outcome but rather a necessary part of the process, which is even more dramatic. This again is what distinguishes Total War from other types of wars; that the fatalities are not essentially outcomes, but rather intrinsic to this type of warfare.

By the 1930s, the settler colonial society in Australia was more racist than the century before.[466] This was illustrated in references to the Aborigines in *Triumph in the Tropics,* published in 1959 and written by Cilento and Lack representing the official centenary history of Queensland. The authors, one of whom was distinguished medical scientists, observed that:

> it is usual to assess **the Aboriginals**… by comparison with mature or, **indeed primitive civilizations** …[but]… they **must be considered as nomads of the jungle or savannah or desert, comparable with the animal groups that inhabit those areas, for which they felt … an affinity.** If their reactions are estimated along those lines, they become **logical and understandable. Like other nomadic food gatherers…** the Aboriginal ignored what he did not comprehend or showed indifference, rather than astonishment, **when faced** by something he failed to classify among his schedules of experience. **Like his own half-wild dogs, he could be frozen into shivering immobility or put to frenzied flight by people or things that provoked impressions of terror… Like his dogs, too, he could be cowed by direct and confident stare into a wary armed truce, but would probably attack with fury if an opponent showed signs of fear…** There primitive reactions common to many feral jungle creatures, and not uncommon to higher races.[467]

Contrary to the above remarks, the Aboriginal nations often resisted the rapid settler encroachment on their land. Queensland colonists sought to crush such resistance and considered it an inescapable consequence of colonization.[468] A Norwegian scientist by the name of Carl Lumholtz, spent several years in Queensland in 1880. While in the colony, he observed that he had often heard it 'openly avowed' that until the blacks were exterminated, the country would never be what it ought.[469] Similarly, a Rev. Tennyson Woods was told by a senior government official that while it was all very well to have sympathy with the blacks, the colony 'could not get on until they were exterminated'.[470]

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[465] As quoted in Henry Reynolds, *Frontier, op. cit.,* p. 56.
[466] Henry Reynolds, *Frontier, op. cit.,* pp. 128-129.
[467] *Ibid.*, pp. 128. [Emphasis added]
[468] Henry Reynolds, *An Indelible Stain…, op. cit.,* p. 112.
[469] C. Lumholtz, *Among Cannibals* (London: Charles Scribner's Sons, 1889), p. 153, as cited in Henry Reynolds. *An Indelible Stain…, op. cit.,* p. 113, fn 45, p. 188.
[470] *Queenslander,* 28 February 1874, as cited in Henry Reynolds. *An Indelible Stain…, op. cit.,* p. 113, fn 46, p. 188.

Such sentiments were also expressed in the press. A correspondent writing to the *Queenslander* in 1880 argued that if the Native Police was an exterminating force, the pity was that the work was not done more effectively. 'Is there room for both of us here?' he asked rhetorically, and answered that there was not, and that 'the sooner the weaker is wiped out the better'.[471] This binary discourse is another characteristic of Total War which regards that there can be no compromise on the end goal in Total War, which in this settler colonial case was the creation of their existence by exterminating that of the Aborigines.

While the growth of scientific racism was a European rather than a purely Australian phenomenon, it nevertheless furthered the material interests of most settlers. It was a pretext that made it easier to take Aboriginal land without negotiation or purchase, to crush resistance to the dispossession and then keep the survivors 'in their place'. Australian settler colonizers (squatters and entrepreneurs) could pursue their economic objectives investing their capital without restraint.[472]

In his book "*An Indelible Stain?*" Henry Reynolds researches the extent to which there was actual intent of White settlers to commit genocide against the Aboriginal nations of Australia. Colin Tatz also provides a thorough examiniation of the settler colonial practice towards the Aboriginal nations in contrast with the provisions of the UN Convention on the Prevention and Punishment of the Crime of Genocide of 1948.[473] In the context of Total War analysis, the intent is in the process of waging this type of war – for which Reynolds provided much documented evidence. Holding the White settlers accountable on the basis of the intent of producing genocide as an outcome is illusive if the assumption – and therefore the context of analysis – is that the war waged is a limited one, and subsequently with an articulated strategy of producing genocide. In Total War, genocide is a strategy that justifies the Total War – it is not an isolated component that is produced. Rather it is the essence of Total War; consequently, the outcome is to produce "empty land", while the means is genocide in the settler colonization.

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[471] "Never-Never", *Queenslander,* 8 May 1880, as cited in Henry Reynolds, *An Indelible Stain…, op. cit.,* p. 113, fn 47, p. 188.

[472] Henry Reynolds, *Frontier, op. cit.,* p. 129.

[473] Colin Tatz, "Genocide in Australia," *Journal of Genocide Research,* Vol. 1, No. 3 (1999), pp. 315-352.

ii) Total War reverses roles between politics and war: politics becomes war by other means rather than war an instrument of politics by other means. This has to do with the absolute binary nature of goals (zero-sum). The effects are that foreign policy becomes war by other means. Peace time is therefore an extension of this type of warfare to gain time.

The initial official policy towards the Aborigines begins with a decision in December 1788, by Governor Arthur Phillips to take several Aboriginal captives. Phillips told his superiors that he was doing this so as to learn their language and so "reconciling them with us"; in his terms this was "the kindest piece of violence that could be used."[474] By the late nineteenth century, extermination was considered the only course. According to a member of the Queensland Legislative Council, he had heard while attending the Governor's Christmas banquet in 1880 that when the conversation turned to the issue of the blacks, "the conclusion arrived at … was that there was nothing for the Aborigines but extermination." This set the course of the tradition of violence for the following 90 years.[475] This is an example of how Total War changes the role of strategy from a means to achieve an end, to becoming a means to justify realizing zero-sum goals. In this way the absolute aims constantly reshape the strategy, rather than the goal of extermination re-modified to meet the initial strategy.

The issue of land title also illustrates the shift from a legal standing to what was implemented, with the latter taking effect over the former, towards completing acquisition of Aborignal land by the settler colonizers. The British parliament act of 1834 which established South Australia did not recognize Aboriginal land rights. This territory was referred to in both the legislations and the charter as "waste and unoccupied lands which are supposed to be fit for the purposes of colonization". According to the act, all lands in the province were to be regarded as public lands which were open to purchase by settlers and investors. The remaining unsold land would become security for the colonial debt.[476] Later, and as a result of humanitarian influence over colonial policy, the Colonial Office in the Letters Patent, issued just before the first settlers left for the territory, included "the clause that no other provision should 'affect or be construed to affect the rights of any aboriginal natives of the said Province to the actual occupation or enjoyment in their

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[474] Henry Reynolds, *Frontier, op. cit.,* p. 35, 56.
[475] *Ibid.*, pp. 56-57.
[476] *Ibid.*, pp. 144-145.

Persons or in the Persons of their Descendents of any lands therein now actually occupied or enjoyed by such Natives'".[477] Furthermore, the Colonial Office believed that the Aborigines should receive compensation for the land occupied by the settlers.[478] Yet in actuality, the Colonial Office had limited control over the settlers' actions even thought its officials believed that the frontier settlers of New South Wales were exterminating the Aborigines during this time (1830s and 1840s).[479] Nor did the Colonial Office challenge the court decisions favouring settlers in the colonized land. In 1841 the Supreme Court in Melrbourne, Mr. Justice Willis declared that:

> if a party receives a license from Government to occupy a run, and any person white or black come on my run for the purpose of stealing my property, I have the right drive them off by every lawful means in my power....The blacks have no right to trespass unless there is a special clause in the license from the Government.[480]

Furthermore, as patterns of settler behaviour beyond a generation became increasingly difficult to be changed by directives from London. Squatter hostilities towards Aborigines increase and they continued to do as they pleased on what they considered "their" land. With the decision in 1850 to grant the colonies of eastern Australia self-government, the Colonial Office prepared to surrender responsibility for the Aborigines to the very colonists whom they had frequently accused of trying to exterminate the tribes they encountered.[481] There was apparently little concern about future of the Aboriginal nations when responsibility for all the Aborigines north of the Tweed River passed from London to Sydney in 1856, and then subsequently to Brisbane three years later. With each step, responsibility shifted closer to the frontier and placed it in the hands of settler colonizers with both public and private interests in the pastoral industry and in the rapid sale of land throughout the vast tropical hinterland.[482] By 1904, colonial officials were dealing with an enormous gap between legality and reality, for the Aborigines Protection Act in 1897 which stated that:

> [T]he principle must be rigidly instilled that the aboriginals have as much a right to exist as the Europeans, and certainly a greater right, not only to collect native fruits, but also to hunt

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[477] *Ibid.*, p. 146.
[478] *Ibid.*, p. 147.
[479] Henry Reynolds, *An Indelible Stain…, op. cit.,* p. 98.
[480] Henry Reynolds, *Frontier, op. cit.,* p. 150.
[481] Memo by Earl Grey on dispatch, Fitzroy to Grey, 17 May 1847, CO/208/382; as cited in Henry Reynolds, *An Indelible Stain…, op. cit.,* p. 99.
[482] Henry Reynolds, *An Indelible Stain …, op. cit.,* p. 100.

and dispose of the game upon which they have been vitally dependent from time immemorial.[483]

Yet, in the annual report of the Government Resident in the Northern Territory, was a description of the typical course of events in the frontier:

> A capitalist or a syndicate applies for or buys at auction the leases for a certain number of hundreds or thousands of square miles of country, carefully following permanent watercourses, and including the permanent lagoons and waterholes. The Aborigines who have the vested interest of hoary antiquity are only considered by the State to the extent of the above ... clause in the pastoral lease. Afterwards the squatter or his manager, comes on to the country with his herds…. In nearly all cases the early result of the white mans intrusion is a permanent fued between the blacks and whites. The blacks frighten and spear the cattle and hold themselves in readiness to attack the boundary rider and stockman, or to make a raid upon outstations or storeroom. The whites look well to their Winchesters and revolvers, and usually proceed on the principle of being on the safe side. It is an affection of ignorance to pretend not to know that this is the condition of things throughout the 'backblocks' and the 'new country' of Australia.[484]

The denial of settlers of the Aborigines right to land carried well into the second part of the twentieth century. In 1971 Mr. Justice Blackburn in his decision in *Milirrpum vs. Nabalco,* he "determined that all Aboriginal rights were extinguished in the eastern half of Australia in 1788, and because no subsequent grant from the Crown could be discovered native title had never been recognized."[485] Thus, even the legal basis transforms to become fulfilling the Total War objectives rather than harnessing them. Neither government action, nor the law, nor public opinion need obstruct settler colonization of Australia. If necessary resident black could be expelled from their traditional lands, murdered and enslaved if they were needed for profit.[486] The colonizing process began with some moral obligations towards the Indigenous nations and gradually transformed to a process void of such considerations in line with characteristic of Total War.[487] Thus, consistent with Total War, and like politics, laws succumb to the weight of the Total War to become subordinate. Consequently, they become an instrument of such warfare in contrast with limited war where laws, like politics, harness if not guide the war effort.

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[483] Henry Reynolds, *Frontier, op. cit.,* p. 157.
[484] *Ibid.*, p. 158.
[485] *Ibid.*, p. 158.
[486] *Ibid.*, p. 129.
[487] See memo by British secretary of state Early Grey in 1847 in which he pointed out that the colonists had a moral obligation of the most sacred kind to make all necessary provision for the instruction and improvement of the Natives.", Grey to Fitzroy, 10 February 1850, CO/208/58 as cited in Henry Reynolds, *An Indelible Stain …, op. cit.,* p. 99.

Consistent with Total War, the argument proposed by the settler colonizers for the extermination of the Aboriginal nations of Australia rested in a binary or zero-sum discourse. During the years of intense conflict between the settlers and the Aboriginal nations between 1826 and 1833, several positions were voiced to the effect that the nature of the conflict gave no way for a compromise. The director of the Van Diemen's Land Company, Edward Curr, outlined what he saw as the dilemma faced by the Colonial government:

> If they [the settlers] do not abandon the Island [and will not] submit to see the white inhabitants murdered on after another … **they must** undertake a war of extermination on principles of which many will be disposed to question…[488]

Furthermore, Curr believed that the matter would end, 'as all such matters have ended in other parts of the world, by the extermination of the weaker race', even though he seemed to shudder at the idea of 'butchering the poor natives in the mass' it was 'dreadful to contemplate the necessity of exterminating the aboriginal tribes'.[489] The view of extermination was popular in the colonial newspapers which reported on the conflict in the interior. In 1826, after reporting several murders of frontier shepherds, the editor of the *Colonial Times* declared:

> We make no pompous display of Philanthropy – we say unequivocally, SELF DEFENCE IS THE FIRST LAW OF NATURE – THE GOVERNMENT MUST REMOVE THE NATIVES – IF NOT, THEY WILL BE HUNTED DOWN LIKE WILD BEASTS AND DESTROYED. [490]

The quote above implicitly suggests that the invading settlers were acting in self defence, while the Aboriginal nations were on the offensive, yet in an above quote it was said that the encroaching settlers often reached where they stood. This reversal of roles and postures seems consistent with the settler colonial perception that made the Aboriginal nations the "invaders". The subsequent settler colonial logic, assumed that they had become 'authorities' on Aboriginal psyche and motivations as to propose that the war of extermination was waged by the Aborigines against the settler rather than the other way around. The tactics of the Aborigines certainly do not validate such a posture. Their movements were unpredictable, adopting the classical stratagems of the weak when pitted

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[488] Henry Reynolds, *An Indelible Stain …, op. cit.,* p. 53.
[489] *Colonial Secretary: In Letters, TSA,* COL/1/323, p. 373 as cited in Henry Reynolds, *An Indelible Stain…, op. cit.,* p. 53.
[490] *Colonial Times*, 1 December 1826 cited in Henry Reynolds. *An Indelible Stain …, op. cit.,* p. 53.

against the strong – stealth, surprise, secrecy.[491] A study of Tasmanian Aborigines tactics noted that they never attacked at a disadvantage and 'invariably retired directly when overmatched which war part of their system of warfare'. Aboriginal clans rarely contested the first entry of European settlers. Rather, they either avoided them altogether or attempted to establish friendly relations with them. Even when conflict did break out they tried to remain on or near their own country.[492] The settlers' claim that the Aborigines were on an extermination posture against the settlers becomes less credible given that the wave of settlement did not always thrust them aside, but sometimes engulfed them where they stood.[493] This means the settlers came to the Aborigines and not the other way around in the settler creation phase. A war of extermination entails seeking out the opponent and not waiting for the opponent to come. Thus the settlers' claim that the Aborigines were waging a war of extermination against the settlers, and therefore, as the settler logic goes, that the settlers were engaged in a war of extermination against the indigenous nations of Australia seems more in line with the settlers describing their own intentions rather than those of the Aborigines. In February 1830 the editor of the *Tasmanain* remarked that the Aborigines were displaying a determination to destroy all before them. 'Extermination', he declared, 'seems to be the only remedy'.[494] Essentially, the settler logic in waging Total War against the Aborigines is that the settlers -- already at Total War with the Aborigines -- claim to need to eliminate Aboriginal's disturbing counter attacks, so that settling can proceed without delay and human obstacles from Aboriginal nations.

iii)   Total War is waged by and against entire populations and requires technological advances as force multipliers to implement, including a linearized form of force multiplier i.e. dual system of laws or rule.

The duration of Total War in the creation phase of settler colonial existence in Australia lasted 150 years extending well into the twentieth century.[495] This has to do with the size

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[491] Henry Reynolds, *Frontier, op. cit.,* p. 8.
[492] J.E. Calder, *The Native Tribes of Tasmania,* (Australia: Hobart, 1875); J. E. Calder papers in Mitchell Library, extract entitled 'Natives', 35; as cited in Henry Reynolds, *Frontier* (Australia: Allen & Unwin, (1987) 1989), p. 8.
[493] Henry Reynolds, *Frontier, op. cit.,* p. 8.
[494] Henry Reynolds, *An Indelible Stain ..., op. cit.,* p. 53.
[495] Henry Reynolds, *Frontier, op. cit.,* pp. 30-31.

and tenacity of the indigenous population.[496] The White settlers were occasionally forced to admire the skill and determination of Aboriginal resistance to their encroachment. The Aborigine nation in Tasmania displayed "a cunning and superiority of tactics which would not disgrace some of the greatest military characters".[497] This appreciation of the intelligence of black resistance forced some Europeans to reassess their general view of Aboriginal ability.[498] Consequently, the settlers became acutely aware of the special nature of nature of frontier conflict, referring variously to a 'kind of war', a 'sort of warfare', a 'species of warfare'. They frequently talked of guerrilla warfare.[499]

Many features of the conflict between the settler colonizers and the Aboriginal nations were new to the British, even to those who had been in the armed forces in Europe and other parts of the Empire. The Aboriginal nations were constantly on the move. They did not have villages, fields or fortifications which could be captured. They lived off the land, exploiting and ancient and sophisticated bushcraft. The wave of settlements did not always push aside, but sometimes engulfed them where they stood. There were no frontlines, nor where there clear demarcations between combatants and civilians. C. J. La Trobe, the Government Resident at Port Phillip, wrote about the settler's complaints: [500]

> The evils you complain of are those which have every where accompanied the occupation of a new country inhabited by savage tribes, even under circumstances far more favourable both to the settler who seeks for protection, and the Government desiring to afford it, for instance, where a well defined frontier and neutral ground could be interposed between the civilized and uncivilized. I need scarcely remind you, how little real security has been enjoyed. Here there is not even such a line. The savage tribes are not only upon our borders, but intermingle with us in every part of the district.[501]

This scattered and uneven nature of the conflict intensified rather than allayed European insecurity. Violence was sporadic but no one knew when and where it would break out. It could occur anywhere, at any time. No one could feel safe. Writing when memories of conflict were still fresh, the Tasmanian historian West observed:

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[496] As noted by the editor: Charles Burdett notes, for example, that Italian settlers persistently portrayed Ethiopia as empty, even though that brutally conquered land was anything but sparsely populated; see Burdett, "Journeys to Italian East Africa, 1936-1941; Narratives of Settlement", *Journal of Modern Italian Studies*, Vol. 5, No. 2 (2000), p. 211.

[497] "A minor on north Queensland's Hodgkinson field complained that the local blacks were 'so thoroughly cunning they seem to have studied strategy in the school of a sable Von Moltke'."; see Henry Reynolds, *Frontier* (Australia: Allen & Unwin, (1987) 1989), p. 101.

[498] Henry Reynolds, *Frontier, op. cit.,* p. 101.

[499] *Ibid.*, pp. 7-8.

[500] *Ibid.*, p. 8.

[501] *Ibid.*, pp. 8-9.

> The crimes were fearful, and the effect of their outrage on the colonial mind can only by imagined. The fierce robbers of European origin (the bushrangers) who had infested the land, were not half so terrible; these were at least restrained by early association and national sympathies; often by conscience, even by each other. But the natives … united the antipathy of a national foe, and the rapacity of a banditti, with the spite of individual revenge: they were at once a people in arms and a distributed band of assassins.[502]

Henry Reynolds asserts that a direct line can be drawn form the events of October 1788 when Governor [A.] Phillip led an armed party to confront a group of blacks, firing on them 'to compel them to keep at a greater distance from the settlement' to the punitive expeditions which decimated the Aboriginal community in central Australia in the late 1920s.[503] Indicative are the developments in Queensland where Pastoral settlement began in 1840 as the settler colonizers were escaping the frontier conflict from the north in the broad river-valleys of North and South Wales. The new Queensland government inherited the Native Police Force, which had first entered what was to become the new colony in May 1849. By the late 1950s the force was assured of future support by two well-planned, large-scale Aboriginal attacks on frontier stations in 1857and 1861, when nineteen settler colonizers were killed. Two parliamentary committees came out in favor of the force: a New South Wales select committee in 1858 and a Queensland one in 1861.[504] In the 1858 report, committee chairman Arthur Hodgson remarked that while the members repudiated, in the strongest term, 'any attempt to wage a war of extermination against the Aborigines', they were satisfied that there was no alternative but 'to carry through matters with a strong hand, and punish with necessary severity all future outrages upon life and property'.[505] Subsequently, Native Police officers' duties were set down by the commandant, E.V. Morisset. They were to use any exertion to prevent the Aboriginal troopers from having 'any communication whatever' with tribes resident in districts where the detachment was stationed or was traveling through. Contact was to be of an entirely different kind, as the tenth and final instruction indicated:

> It is the duty of the officers at all times and opportunities to disperse any large assemblage of blacks; such meetings, if not prevented, invariably lead to depredations or murder…. The Officers will therefore see the necessity to teaching the aborigines that no outrage or depredation shall be committed with impunity – but on the contrary, retributive justice shall speedily follow the Commission of crime…[506]

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[502] *Ibid.*, p. 9.
[503] *Ibid.*, pp. 30-31.
[504] Henry Reynolds, *An Indelible Stain …, op. cit.,* pp. 100-101.
[505] NSW, Legislative Council 1858, *Votes and Proceedings,* Select Committee on the Aborigines Question, p. 7, as cited in Henry Reynolds, *An Indelible Stain…, op. cit.*, p. 101, fn 6, p. 187.
[506] Burnet to Arthur, 15 October 1830, Letters from J. Burnett, 1826-34, TSA, FM4/3673, 15/2175 cited in

'Disperse' effectively meant 'firing into them' according to the attorney-general at the time, Radcliffe Pring.[507] These written instructions were not rescinded until 1896.[508] While numerous speakers skirted around the question of total destruction of the Aborigines, a prominent solicitor and future premier (1866, 1866-67, 1874-76), Arthur Macalister, openly declared: "If extermination were desired – and if that appeared to be all that could be done – then the black police were to the only force that could be employed."[509]

> Enormous power and discretion had been handed to the Native Police officers – literally, power of life and death. They could decide how big a 'large gathering' had to be before it qualified for disposal, and what constituted a depredation….They could decide which was the guilty mob and how many of them should be shot. On the frontier they became investigating officers, magistrates, judge, jury and executioner. As [Lieutenant] Wheeler – known for his indiscriminate violence against the Aborigines – indicated, by the late 1850s all pretences of following up and executing warrants had been dispensed with. Without Colonial Office supervision, such legal niceties were quickly cast aside.[510]

During the twenty years that followed, the troopers patrolled the frontier dispersing and dealing out 'retributive justice'. Governments of all persuasions ignored criticism, although they were occasionally forced to initiate inquiries into alleged atrocities. Police numbers fluctuated, rising from 128 in 1861 to 200 in the early 1870s, and remained so until the early 1880s.[511] It was not until the 1880s that a serious public re-examination of the force's activities began; the leading parliamentary critic of the force was John Douglas, who told his colleagues that at present time the troopers[512]

> did nothing else but shoot them down whenever they could get at them. That was the sole function of the native police. As far as could be judged from their instructions and practice, they were chiefly kept as a military force dispersing natives when they congregated, and patrolling districts to drive the blacks into positions where they would not come into contact with the European settlers.[513]

However, the report by the Queensland select committee of 1861 regarded the activities of the Native Police as acceptable; this report was accepted in the parliament with only one

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Henry Reynolds, *An Indelible Stain…, op. cit.,* p. 101 in fn 8, p. 185.

[507] Henry Reynolds, *An Indelible Stain …, op. cit.,* p. 103.

[508] *Ibid.,* p. 102.

[509] Mr Moffat, *Queensland Guardian,* 4 May 1861, as cited in Henry Reynolds, *An Indelible Stain …, op. cit.,* p. 104, fn 15, p.187.

[510] Henry Reynolds, *An Indelible Stain …, op. cit.,* p. 103.

[511] *Ibid.,* pp. 104-105.

[512] *Ibid.,* pp. 105-106.

[513] Queensland, 1880, *Parliamentary Debates,* Vol. XXXIII, p. 1134, as cited in Henry Reynolds, *An Indelible Stain …, op. cit.,* p. 106, fn 19, p. 188.

dissenting voice. Dr. Henry Challinor, an Ipswich magistrate had tried without success to take action against Lieutenant Wheeler, but his stand against indiscriminate violence earned him few friends.[514] Also, while there were missionaries and protectors who took up the Aboriginal cause protested what was happening to the Aboriginal nations, they were always unpopular and their 'Exeter Hall sentimentality' became progressively more unfashionable as the nineteenth century moved on. On the frontier such 'nigger lovers' were hated and were regarded as trouble makers in the cities. Frontier settlers and their urban allies believed that the sympathizers with the Aborigines were sentimental idealists, away from the danger of frontier and with no economic interests to defend.[515] Such drowning out of alternative approaches than the binary discourse or zero-sum outcome through extermination is also a characteristic what the momentum and internal logic of Total War do.

That this type of war of settler colonizing had become commonplace and against all Aborigines was reflected in an editorial by the editor of the *Queenslander*, who in 1879 informed his readers: 'we are today at open war with every tribe of wild blacks on the frontier'; a colleague writing for the *Queensland Figaro* referred to the 'constant bored warfare on the verge line of settlement'. Blacks killed by the Queensland Native Police, a parliamentary committee was told, 'were shot in battle' on what a retired officer of the force termed 'the unrecorded battlefields of Queensland'.[516] This was a categorization by settlers of a war which drew their fear, while in fact it was asymmetrical – the Aborigines with the arrows fighting settlers with revolvers and rifles.

Use of Force Multipliers:

To arrive at the above outcomes, the settler colonizers employed force multipliers, as in the American case. However, the issue of the use of biological warfare is less conclusive in the Australian case.

a) **Arms and Technology:** As late as 1867, Aborigines still used spears to attack white settlers, while the latter had improved guns and rifles such as Colt revolvers and Snider

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[514] Henry Reynolds, *An Indelible Stain …, op. cit.,* p. 103.
[515] Henry Reynolds, *Frontier, op. cit.,* pp. 86, 89.
[516] *Ibid*., pp. 4-5.

repeating rifles as well as double barreled guns. Even in the 1920s, a royal commissioner reported that it was considered essential to carry firearms in the Kimberlyes and it was the "practice of men to always go armed".[517] Frontier society was filled with guns. Men and sometimes women carried them when out of doors keeping them loaded and close to hand at home. When the fearfulness increased, the jittery settlers kept the guns under the pillow or beside the bed to be grasped in the night at the slightest unexplained sound, and then grabbed in the morning when going out again. Furthermore, the Native Police were armed with guns and rifles and used them in their extermination expeditions.[518]

b) **Biological Warfare:**[519] Smallpox broke out among the Aborigines around Sydney Harbour in April 1789. It was an 'extraordinary calamity', as Marine Captain Watkin Tench observed. It was also reported that settler who frequented the harbour found bodies of many Aborigines on the beaches and the rocks on a daily basis.[520] The epidemic was a very destructive event in the history of relations between Aborigines and the European colonists.[521] The North American experience with smallpox suggests that British soldiers serving in that theatre would have been aware that smallpox could have a dramatic impact both on the overall strategic situation and on the outcome of particular battles and sieges, as it did dramatically in the failed American siege of Quebec. Henry Reynolds concludes that, while there is no conclusive evidence, it is possible that anyone in the army in North America would have heard talk of the use of smallpox as a weapon or been aware of its actual or threatened use against the rebellious colonists. [522] He bases this on the publication in 1982 of research by a leading Australian economic historian, N.G. Butlin. Studying Aboriginal society between 1788 and 1850. Butlin argued that it was 'extremely likely' that the variolous matter was the source of the epidemic. Pointing out that smallpox had been used in this way against the

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[517] Henry Reynolds, *Frontier, op. cit.,* p. 15.

[518] *Ibid*., pp. 14-15.

[519] This term is also used to depict one of the settler-colonial means of genocide in Australia; see Jan Kociumbas, "Genocide and Modernity in Colonial Australia, 1788-1850" in Dirk Moses (ed.), *Genocide and Settler Society: Frontier Violence and Stolen Indigenous Children in Australian History* (New York and Oxford: Berghahn Books, 2004), pp. 77-102, particularly here pp. 79-82.

[520] Henry Reynolds, *An Indelible Stain …, op. cit.,* p. 35.

[521] *Ibid*., p. 36.

[522] *Ibid*., p. 48.

American Indians in the Seven Years War only twenty-three years before the First Fleet sailed for the south land, he argues that risks to the white settlers were minimal. [523]

> Smallpox could then have been loosed deliberately to capture black resources…. Transmission to aborigines by authority is certainly possible; so, too, was it as a grudge act by convicts or military guards of stores; and accidental transfer could have occurred arising out of thefts from stores by either convicts or by blacks themselves. [524]

Reynolds adds that if the British army had established spreading the disease as a form of eighteenth-century warfare using it among their American adversaries, it increases the possibility that the smallpox epidemic may have been deliberately induced in Australia. [525] According to a study by Noel Butlin, a renowned economic historian, disease was used as an intentional weapon of extermination. [526] Alluding to what could be termed as chemical warfare, Colin Tatz points out that according to Stephen Kunitz, the third major cause of Aboriginal death after the Native Police and the settler colonial "hunting expeditions", was the deliberate poisoning of flour issued as rations by the settler colonizers. [527] Regardless, the means elaborated on above seem to have served as effective force-multipiers towards Aboriginal extermination.

c) **Dual System of Rule:** [528] The system of laws and the context from which they emerged and categorized the Australian continent as "discovered" lands, are built on an orientalist discourse reflecting a dual system of rule. In this discourse, power to own was claimed by and to Europeans exclusively irrespective of other nations already existing on the same land. The technical term for this is a Latin concept *terra nullius*

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[523] *Ibid.*, p. 40.

[524] N. G. Butlin, *Close Encounters of the Worst Kind: Modelling Aboriginal Depopulation and Resource Competition 1788-1850* – Working Paper in Economic History no. 8 (Canberra: Australian National University, 1982); N. G. Butlin, *Our Original Aggression: Aboriginal Populations of Southeastern Australia 1788-1850* (Sydney: Allen & Unwin, 1983).

[525] Henry Reynolds, *An Indelible Stain…, op. cit.,* p. 48.

[526] Colin Tatz, "Genocide in Australia", *Journal of Genocide Research,* Vol. 1, No. 3 (1999), pp. 315-352, here p. 322; see also Noel Butlin, *Our Original Aggression: Aboriginal Populations of Southeastern Australia 1788-1850* (Sydney: George Allen & Unwin, 1983), p. 175.

[527] Colin Tatz, "Genocide…, *op. cit.,* p. 322; see also Stephen Kunitz, *Disease and Social Diversity: The European Impact on the Health of Non-Europeans* (Oxford: Oxford University Press, 1994), pp. 83-85, 178.

[528] On the dual system of rule towards the Aboriginies in New South Wales in the 19th century see chapter entitled "Subjects and Witnesses: Cultural and Legal Hierarchies in the Cape Colony and New South Wales", in Lauren Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900* (Cambridge: Cambridge University Press, (2002) 2005), pp. 167-209; and towards the Aboriginies in Victoria see Penelope Edmonds, *Urbanizing Frontiers: Indigenous Peoples and Settlers in 19th-Century Pacific Rim Cities* (Vancouver, B.C.: The University of British Colombia Press, 2010), pp. 211-217.

meaning a land belonging to no-one.[529] European powers regarded countries without political organization, recognizable systems of authority or legal codes could be legitimately annexed, thus supplying sovereignty where seemingly none existed. International lawyers in the late nineteenth century strongly asserted the alleged rights of European powers to carve out spheres of influence. This occurred as competition for colonies intensified. The British justification for the possession of Australia was the claim that the Aborigines had never actually possessed the land, and so the Europeans acquired the allegedly uncontested legal position of being the first occupants.[530]

In light of the above, the official view of what happened on 7 February 1788 is clear. When the officials of the First Fleet raised the British flag at Sydney Cove and took 'possession of the colony in form', the British essentially claimed not only the *sovereignty* over New South Wales –but also the ownership of all the million and a half square miles contained therein. In a High Court case in 1913 Mr. Justice Isaacs pushed the date of the expropriation back ever further. He declared:[531]

> So we start …with the unquestionable position that, when Governor Phillip received his first Commission from King George III on 12th October 1786 the whole of the lands of Australia were already in law the property of the King of England'.[532]

A leading modern authority on the law of the British Commonwealth, at the time, Sir Kenneth Roberts-Wray found Isaacs' view 'startling' and 'incredible'. He observed that the first settlement in Australia:[533]

> was founded in 1788; but even if it had been in 1786, could a foothold in a small area on the east sided of a sub-continent 2000 miles wide be sufficient in English law (as it certainly would not be in international law) to confer sovereignty but also title to the soil throughout the hinterland of nearly three million square miles?[534]

These legal proceedings took place far away from the continent in question and in the absence and without the knowledge of the Aboriginal nations. Consequently, nearly half

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[529] See also Henry Reynolds, *The Law of the Land* (Australia: Penguin Books, 1987), pp. 12-14.

[530] Henry Reynolds, *The Law of the Lan, op. cit.,* pp. 12-13; see also the chapter entitled "Australia: Terra Nullius by Design" in Stuart Banner, *Possessing the Pacific: Land, Settlers, and Indigenous People from Australia to Alaska* (Cambridge, M.A. and London: Harvard University Press, 2007), pp. 11-46.

[531] Henry Reynolds, *The Law of the Lan, op. cit.,* pp. 7-8.

[532] Williams vs Attorney General, NSW, *Commonwealth Law Review,* Vol. 16, 1913, p. 439.

[533] Henry Reynolds, *The Law of the Land, op. cit.,* p. 8.

[534] K. Roberts-Wray, *Commonwealth and Colonial Law* (London: Stephens & Co., 1966), p. 631; see also G. Bennett, "Aboriginal Title in the Common Law", *Buffalo Law Review,* Vol. 27, 1978, pp. 617-635; T. J. Lawrence, *The Principles of International Law* (London: Macmillan, 1910), pp. 156-157.

a million people, living in several hundred tribal groupings, in occupation of eve the most inhospitable corners of the continent, had in a single instant, been dispossessed. From that moment in 1786 and forward they were made technically trespassers on Crown land. This occurred even though many of them would not see a white man until another thirty to fifty years.[535] English legal maneuvering wiped out all tenure, all rights to land which had been occupied for 40,000 years, for 1,600 generations and more. The ownership of a million and a half square miles of someone else's land was taken with a clear conscience in the belief that the dispossessed would respond to the 'amity and kindness' of the first settlers.[536] Regarding the Australian legality on this matter, and in a case in 1889, it was determined that Australia was 'practically unoccupied without settled inhabitants' by Privy Council. Various jurists had described the country as being 'waste and uninhabited'', 'waste and unoccupied', desert and uninhabited', 'unpeopled'. This judgement by an English law lord who knew little about Australia or the Aborigines remained binding on Australian courts as late as the 1970s.[537]

The law in the form illustrated above held on to the settler-slave relationship with regards to Aboriginal nations. Reynolds adds that Australian common law was similar to the common law in Britain's slave colonies. For example, in the West Indies the law accommodated the bondage of the slave and the vast power of the master and in Australia it accommodated the compensation dispossession of the owners of the land without payment of any compensation at all. Also, while slavery was abolished in 1833 in Imperial legislation, forced and uncompensated dispossession was frowned on by it. Yet the colonists continued to take Aboriginal land and convinced themselves that this did not constitute theft.[538]

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[535] Henry Reynolds, *The Law of the Land, op. cit.,* pp. 3-4.

[536] *Ibid*., pp. 3-4, 8.

[537] Henry Reynolds, *The Law of the Land, op. cit.,* p. 3; Reynolds adds: "In the only detailed treatment of the question in an Australian court (the so-called Gove Land Rights Case in 1971**) it was determined that the Aborigines in question had a feeling of obligation towards the land but not the actual ownership of it**. The local clans belonged to the land, but was an amazing dismissal of Aboriginal tenure. It would have been seen as extraordinary by well-informed colonists and by Imperial government officials in the 1830s as the discussion below will show. In a recent High Court judgement Justice Deane dealt with the legal position of Aborigines who were still living on their own country and whose relationship to it remained unobliterated, yet almost two centuries on, the generally accepted view remains that the common law is ignorant of any communal native title or other legal claims of the Aboriginal clans or peoples even to the ancestral lands on which they still live. (Source: *Australian Law Journal,* Vol. 29, 1985, p. 246). [Emphasis added].

[538] Henry Reynolds, *The Law of the Land, op. cit.,* pp. 3-4.

b. *The Geographical Location:*

During the settler-colonial creation phase between 1788 until the early twentieth century, Australia being and island, was isolated from external adversaries. It therefore could concentrate on the internal war of colonization with the Aboriginal nations. The Queenslander settler requested from the Government to allocate funding to cover expenses of Native Police between 1870s and the 1880s, arguing that it 'should be a parliamentary vote of equal consideration with coastal defences or volunteer corps.' 'We have', a settler explained in the *Queenslander* in 1879, 'not grudged a large outlay on national defence **with a very doubtful prospect of foreign attack**'; **why then should the Government 'stint the funds necessary for the repression of the enemy with our gates?'** [539] This illustrates that while budgets were allocated for coastal defenses, the prospects of attack from the outside was very low if not non-existent. Therefore, Australia like for the most part of the U.S., concentrated on its internal Total War with the Indigenous nations over conquest of land during their creation phases. This meant that resources could be allocated for this purpose without disruption or over-extending on several war fronts, internal and external.

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[539] *Queenslande,* 8 March 1879; Henry Reynolds, *Frontier, op. cit.,* pp. 6-7. [Emphasis added].

iii. Apartheid South Africa:

While the "New England" type of settler colonialism, which Fredrickson attributed to the 'Irish experience', illustrated in the United States and the Australian cases entailed the displacement or even annihilation of the economically dispensable indigenous nations, the South African case, in contrast, falls under the what Jürgen Osterhammel has also categorized as the "African" type. In this type, the settler-colonizers took control over the land and utilized the labor of the indigenous population under a racial system of rule. The case of Apartheid South Africa illustrates how a combination of both internal revolts and external political and geopolitical pressures brought this settler colony down. While the cases of the United States and Australia show that the creation phase resulted in a capitulation of the indigenous nations and total acquisition of their land, the South African case illustrates a different pattern. Total War as the mechanism of the process of the *creation phase* of settler colonial existence, which also shifted to its other face of the same goal when it could not annihilate the indigenous nations; it transformed the indigenous peoples into indefinite slaves. Here it is useful to illustrate the concept of slavery according to John Locke and then to recall a brief description of Total War as was presented in chapter two. But, before going any further it is necessary point out that while the structure of this section is slightly different form the above two cases, the components illustrating the characteristics of Total War, are mostly included albeit in a different order.[540]

In his book *The Second Treatise of Government,* John Locke explained the concept of slavery, from which the following extract is taken for the purpose of this section on South Africa.

> The natural liberty of man is to be free form any superior power on earth, and not to be under the will or legislative authority of man, but to have only the law of nature for his rule…. **This freedom from absolute, arbitrary power is so necessary to, and closely joined with, a man's preservation that he cannot part with it but by what forfeits his preservation and life altogether….** Indeed, **having by his fault forfeited his own life by some act that deserves death, he to whom he has forfeited it may,** when he has him in his power, **delay to take it and make use of him to his own service; and he does him no injury by it,** for whenever he finds the hardship of his slavery outweigh the value of his life, **it is his power**, **by resisting the will of his master, to draw on himself the death he desires….** This is the perfect condition of **slavery, which is nothing else but "the state of war continued between lawful conqueror and a captive"…**[541]

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[540] A component of the total war characteristic is not included because in the history of Afrikaners; treaties with the indigenous African nations does not seem to have been a factor. Why this is so may require further research to arrive at more conclusive observations.

[541] John Locke, *The Second Treatise…, op. cit.,* Chapter IV, pp. 15-16. [Emphasis added].

According to Locke, a person becomes a slave by committing an act which forfeits that person's own life, and in war the conqueror has the right to kill to take slaves on the basis that slavery becomes a delay of a death which should have occurred during war. Hence, Locke's categorizes slavery as being a continuation of the state of war.

a.   Total War making: The "African type" of settler-colonialism

In Total War the aim is to achieve complete domination of an enemy group (as defined by a particular ideology) by one's own group (equally defined by that ideology), to the point where the enemy group is exterminated or at least quite literally enslaved. Therefore, Total War is the enacting of the struggle between these two groups which according to the constituent doctrine of totalitarian régimes is an essential part of their destinies, according to the laws of history, nature and providence. The totalitarian regime holds the monopoly for truth and propaganda and dissidents are regarded as enemies within.[542] The South African case of settler colonization is one in which Total War was waged on the indigenous African nations on two aspects: the first was to attempt to exterminate the indigenous nations, but then upon not being able to reduce them in number to be insignificant, shifting to the other face of the same goal which is enslavement of the African peoples of South Africa an utilizing them for settler labour. This section shall attempt to highlight the main aspects relevant to the South African settler-colonial *creation phase* and how they may have contributed to the different outcome that the previous two.

In contrast with the American and Australian cases where the purpose was to plant English settler communities, the indigenous-white relations began in the mid-seventeenth century as the Dutch colony at the Cape of Good Hope which initially had limited territorial ambitions. The colony and the Cape had no other purpose than to serve as a provision station for the ships of the Dutch East India Company (DEIC). Where the English Crown claimed much of North America and Australia by the right of discovery, the Dutch had neither a basis for such claims in southern Africa nor were they interested in acquiring more land than necessary for the maintenance and protection of their fort and garden in the

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[542] Beatrice Heuser, *The Bomb…, op. cit.,* p. 114.

shadow of Table Mountain. The Cape Town colony had for two centuries been able to survive by providing the Dutch East Indies fleet and other merchant ships with the supplies necessary for the long trans-oceanic journeys. However, as the costs of maintaining this colony began to exceed returns from sales of foodstuffs, ivory, ostrich feathers and skins which came from the interior, a decision was made in 1657 to increase the agricultural production; a small number of company servants were freed and allowed to take up additional land as freehold farmers. This expansion was motivated more by concerns for maintaining growing populations at comfortable levels of subsistence, mainly grazing large herds of cattle, than by efforts to supply commodities to external consumers. The purpose was also to produce fruits, vegetables, wine and mutton for passing ships as well as grain for their own. With this decision began an expansionist momentum, as a class of free burghers (*boers*) was created. It would grow in number as company servants and soldiers fulfilled their terms and were encouraged to remain as free colonists at the Cape.[543]

The Khoikhoi indigenous nation had been willing to provide the colony with beef supplies at low costs, but as the demand of the colony for meat increased the Khoikhoi refused to accommodate this increase; they had limited need for European commodities. Conflict began to swell as the colonist began to raise cattle themselves setting up a competing livestock economy. Simultaneously, the colonizers coerced the Khoikhoi to give up their remaining cattle. A Khoikhoi-Dutch war broke out between 1673 and 1677 during which the Dutch Company seized at least 1,765 cattle and 4,930 sheep from the Khoikhoi. The aftermath was a relation in which well-armed Dutch trading expeditions increasingly used intimidation and threat of force to compel the exchange of cattle. Furthermore, the rise of private white interests in cattle-raising and cattle-trade lead to additional *boer* expeditions which further reduced the Khoikhoi cattle herds by methods such as unequal barter and outright raids.[544] The Khoikhoian economy and way of life collapsed and by the early eighteenth century the indigenous nations of the south-western Cape had lost much of their

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[543] George M. Fredrickson, *White Supremacy …, op. cit.,* pp. 28-29; see also M.F. Katzen, "White Settlers and the Origin of a New Society, 1652-1778," in Monica Wilson and Leonard Thompson (eds.), *The Oxford History of South Africa*, Vol. I (New York and Oxford, 1969), pp. 189, 194; see also Ralph Austen, *African Economic History: Internal Development and External Dependency* (Portsmouth, N.H.: Heinemann, 1987), pp. 158-159.

[544] *Ibid.*, p. 30; citing Richard Elphick, "The Khoisan to c. 1770," in Elphick and Giliomee, *South African Society,* 10, pp. 13-17; *idem, Kraal and Castle: Khoikhoi and the Founding of White South Africa* (New Haven, 1977), pp. 99-103, 130-34, 151-70; see also Ralph Austen, *African Economic History…, op. cit.,* pp. 158-159.

cattle. Having lost their ability to provide cattle to the Company, their way of survival as independent societies no longer had a part in the success of white settlement. Weakened, they became unable to prevent white grazers from taking hold of their best interior pasture lands by force. Consequently, those who still had some livestock tended to migrate to remote semi-desert regions. The majority who had lost all their cattle either retreated to the mountainous areas resorting to hunting, gathering, and raiding or hung around white farms and settlements in search of casual labor. In 1713, a devastating smallpox epidemic annihilated most of the surviving Khoikhoi nation in or near the areas of white concentration[545] reducing them from 100,000 to 50,000. In contrast, the white population increased from 2,000 in the same year to a quarter of a million by 1865.[546]

The above illustrates the centrifugal or fission process of the Khoikhoi nation[547] not only from their land but as a cohesive nation in the initial *boer* settler-colonial-creation phase which at the same time generates a centripetal or fusion process of the settler-colonizers as more land is acquired from the indigenous. Force is used in the process by the settler-colonizers; the process annihilates large portions of the indigenous nation while taking up their land. As the settler-colonial project developed further from a herding and agricultural economy, other nations in region were to experience further centrifugal or fission processes by loosing not only their independence as nations but their individual freedom becoming slaves to a settler project which relied on their forced labor.

  i) TW claims monopoly of truth: constructed in various ways such as religion, science, and world-view truths; it entails a binary discourse which produces its own logic.

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[545] *Ibid.*, pp. 30-31; citing Richard Elphick, "The Khoisan to …, *op. cit.,* pp. 170-74, 217-34; *idem, Kraal and Castle: Khoikhoi ...., op. cit.,* pp. 18-23; Shula Marks, "Khoisan Resistance to the Dutch in the Seventeenth and Eighteenth Centuries", *Journal of African History,* XIII (1972), pp. 69-71.

[546] Ralph Austen, *African Economic History…, op. cit.,* p. 159

[547] One of several nations in the area which also suffered the same fate later on such as the Mfengu, the Basotho, the Batswana: the Xhosa and the Zulu nations were ruptured, their land taken by the settler-colonizers and force to become refugees seeking labour in the Cape colony. Other nations such as the Zulu, Ndebele, Swazi and the Sotho became new kingdoms as a result of colonial intervention in reshaping their political structures. However, even the Zulus as the rest became subordinate in the last decades of the twentieth century. See Leonard Thompson, *A History of South Africa* (New Haven: Yale University Press, 1990), pp. 70- 87, 123-126.

By the mid 1830s the Afrikaner Dutch-speaking white settler had become dissatisfied with the British government of the Cape Colony which had assumed control a few decades before. The Afrikaners began to move beyond the British colonial limits taking more indigenous land. By 1840, about six thousand Afrikaners and their families – about one tenth of the white population of the Cape Colony had moved north into Zulu territory taking with them about as many Khoikhoi servant and former slaves. This settler movement to areas outside the British colonial control between 1836 and 1854 became known by Afrikaners as the Great Trek in a process of establishing their own republics. Until then and unlike the settlers in the United States and Australia, they did not believe that a "manifest destiny" of the kind that sanctioned Indian and Aboriginal removal and was central to American and Australian dreams of progress and prosperity. However, the emerging idea that there was a divine plan to establish white Christian communities in the Natal, the Orange Free State and the Transvaal, would be the beginnings of an Afrikaner ideology that would lay claim to all of South African in the name of ethnic and racial supremacy.[548] By 1870, the Afrikaner population reached to about fifty thousand.[549] They became known as the *voortrekkers,* who in order to maintain their hegemony had to assert their European-Christian identity in the extreme sense and to make sure they had minimal contact with external markets.[550]

ii) Total War is waged by and against the African nation: The other side to Total War, short of annihilation of nations is restructuring them as slaves (see also conflict with African nations in the section on the geographical location below)

The major shift in the status of the subcontinent came between 1865 and 1900 when it shifted from a marginal outpost of European commerce and agriculture to the world's leading supplier of diamonds and gold. South Africa was able to pool together substantial local and international investment in the mining enterprises. This also created new sets of labor relations. The white population at Kimberley diamond minefields, north of the Cape Colony, created a colour bar. This meant that few African and Coloured men as well as white men could control claims to land for mining, and they had to compete for unskilled

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[548] George M. Fredrickson, *White Supremacy…, op. cit.,* pp. 52-53.
[549] Leonard Thompson, *A History of …, op. cit.,* pp. 87-88, 101.
[550] Ralph Austen, *African Economic History…, op. cit.,* p. 161.

labour. An all-white diggers' committee drew up a set of rules which extended the established racial order of South Africa to the urban industrial setting, thus eliminating black diggers, and making them subject to searches for possession of diamonds punishable with fifty lashes. The gold-mining industry followed the Kimberley precedent after gold was discovered south of Pretoria, the capital of the South African Republic. However, with the concern of keeping labor costs low in order to maximize profit, and thus to exploit African labour in the drudgery mining and digging, while maintaining a minimal cost of the white labor for the delicate work of gravel sorting, the acquisition of African labour began to take regional proportions. A migrant labor force was later brought from as far as Mozambique, especially in the years right after the South African War of 1899-1902, as well as later after the establishment of the Apartheid South African state in 1948.[551]

Two major political processes transformed South Africa in the last three decades of the nineteenth century. The African inhabitants were completely conquered by the British regiments, the colonial militias and the Afrikaner commandos. White farmers, business people, traders, missionaries, and government officials all had the common interest to subjugate the Africans. By the end of the century all the indigenous peoples of South Africa had been incorporated in states under white domination. The whites in the region believed that they had a monopoly on the truth like settler colonials elsewhere, that they were a superior, Christian, and a civilized race which justified appropriation of native land, controlling indigenous labor, and subordinating indigenous authorities. The Africans were divided and could not put up a united front particularly since they found themselves located in isolated territorial clusters separated by white settlements. By the end of nineteenth century, the African population had grown to an extent where it was running out of fertile land. The Whites, in contrast, were becoming increasingly engaged in commercial farming. The African population revolted in 1906, but it was suppressed with force by the Natal forces.[552] Yet despite the wars, the Africans remained the majority of the population of the

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[551] Ralph Austen, *African Economic History…, op. cit.,* pp. 162, 166; Leonard Thompson, *A History of …, op. cit.,* pp. 117-118, 120; Joseph Hanlon, *Beggar Your Neighbors: Apartheid Power in Southern Africa* (London: Catholic Institute for International Relations and Indiana University Press, 1986), pp. 76-79, Hanlon notes that in 1905 the proportion of foreign miners was 85%, between 1908 and 1929 it went down to 60%, then fell again to 40% in 1942, and rose to 80% in 1974.

[552] Paul Maylam, *A History of the African People of South Africa* (New York: 1986); Leonard Thompson, *A History of …, op. cit.,* pp. 122-123, 127. (Note: like in the Zionist case with regard to the Palestinians); on the rebellion see David Welsh, *The Roots of Segregation: Native Policy in Natal, 1845-1910* (Cape Town,

entire region of South Africa, in contrast with the cases of the U.S. and Australia which were elaborated above. Both the indigenous American nations and the Aborigines were reduced to a fragment of the overall population in the respective areas, confined to scattered reservations which formed a minute portion of the land area. The surviving indigenous Africans, despite their losses through the wars, havoc and diseases still occupied substantial areas of their ancestral land. Consequently a struggle followed as Africans tried to maintain control over their lives while the Whites tried to complete their political victory with economic success.[553] In other words, it could be said that the settler colonial creation phase while being able to break up the African nations, could not subjugate the African peoples in terms of demographic numbers, and control over land. Hence, the creation phase was not completed by the beginning of the twentieth century. This had to do with the fact that the settler-population remained small in comparison, and that the settler economic development had needed African labor generate profit. It was in this area that the settlers tried to compensate for the incompletion, as setting up a political system which would maintain the racial segregation between Whites and Africans and other Asian peoples such as the Indians who had come to South Africa in the second half of the nineteenth century.[554]

On October 11, 1899, the British went to war[555] against the Afrikaners to reinstate their hegemony throughout South Africa. It ended with a British victory and in the Peace of Vereeniging signed in Pretoria on May 3, 1902. However, while Afrikaners were uniting, the South Africans of British origin were increasingly divided. Internal British politics was unable to consolidate the outcome when news came out that the war had cost the lives of 22,000 imperial soldiers, and British taxpayers £200 million. The subsequent governments in London found it difficult to preserve British interests in South Africa, and on May 31, 1910, the former leader of the military forces of the Afrikaner republics, Louis Botha, became prime minister of the British dominion of South Africa. At this time it had a

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1971); W. R. Guest, *Langalibalele: The Crisis in Natal, 1873-1875* (Durban, 1976).

[553] Leonard Thompson, *A History of ..., op. cit.,* p. 131

[554] Six thousand Indians arrived in Natal from Madras and Calcutta between 1860 and 1866, and most of them decided to stay in 1870 when the first Indians became entitled to return to India. See Leonard Thompson, *A History of ..., op. cit.,* p. 100.

[555] Known as The South African War. The British called it the Boer War while the Afrikaners called in the Second War of Freedom. It was essentially between the British and the Afrikaners although both sides utilized indigenous Africans. It is estimated that between 10,000 to 30,000 blacks fought with the British army, almost 116,000 were removed to concentration camps, and over 14,000 lost their lives. See Peter Warwick, *Black People and the South African War, 1899-1902* (Cambridge, 1983), pp. 4-5.

population of four million Africans, half a million Coloureds, and 1.275 million Whites.[556] The South African case is one which illustrates that when the settler-colonial-creation phase is unable to reduce the indigenous nations to a fraction of the settler population, another aspect of Total War kicks in: transforming indigenous nations to slave status. In this sense, settler colonial system in South Africa, used *Apartheid* to reclassify indigenous nations effectively as slaves, in order to justify to itself – and according to its own logic -- waging a prolonged Total War on indigenous nations with the purpose of confining them to exclusive and restricted areas with the use of what shall be called force-economizers i.e. systems of subjugating the lives of indigenous nations to an existence short of death or annihilation.

During the 1940s the Afrikaners were very concerned about the conditions of race relations and maintaining White supremacy. Nearly all believed that the state should do more to maintain this systems and "purity" of the "white" race. Farmers and businessmen wanted unrestricted access to African labour along with government controls over allocation of such labour and in maintaining discipline. Afrikaner workers on the other hand, wanted to be better protected from African competition. Afrikaner intellectuals were developing the blueprint for a system of complete economic and political segregation of South African society.[557] One argued that the only way to ensure the long-term survival of the Afrikaner people was to separate the races into completely distinct territories in South Africa and to make the Whites cease their dependency on African labor.[558] This view caused debate amongst Afrikaner cultural circles, the South African Bureau of Racial Affairs, the Afrikaner press and the Afrikaner churches. [559] Towards the 1948 elections, the Afrikaner National Party formed an effective alliance of the main rural and urban classes of Afrikaners appealing to their ethnic and racial mind-set in addition to their material interests. This party won majority of settler votes and formed the government for seven years in 1948. It continued to have the majority of support for the following three decades and used its control in government to fulfill Afrikaner ethnic goals as well as White racial objectives. It Afrikanerized every state institution and appointed Afrikaners to senior

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[556] Leonard Thompson, *A History of …, op. cit.,* pp. 141- 153.
[557] *Ibid*., p. 185; Dan O'Meara, *Volkskapitalisme: Class, Capital and Ideology in the Development of Afrikaner Nationalism, 1934-1948* (Cambridge, 1983), p. 221.
[558] G. Gronje, *'n Tuiste vir die nageslag* (Cape Town, 1945), p. 79. Title translated reads "A Home for Posterity".
[559] Leonard Thompson, *A History of …, op. cit.,* p. 185.

positions in the civil service, the army, the police, and state operations. The government also helped Afrikaners to close the economic gap between themselves and the English-speaking white South Africans. By 1976, Afrikaner entrepreneurs had taken a strong hold over the mining, manufacturing, commerce and finance sectors; these had been previously under the dominance of the English speakers. Furthermore, white farmers – mostly Afrikaner – received extensive state support to mechanize their farms which trebled their production, and provided and controlled African labour while at the same time eliminating remnants of black holdings of land in white areas.

iii) Reversal of roles between politics and war: politics becomes war by other means rather than war an instrument of politics by other means. This has to do with absolute binary nature of goals (zero-sum). The effects are that foreign policy becomes also war by other means and subsequently, treaties are used as truces until next round, and used to gain time.

The Nationalist government, adamant on upholding White supremacy, coordinated and extended the racial laws of the segregation era and increased the efficiency in administering them. *Apartheid* thus developed from a slogan to a systematic program of social engineering. It was driven by four ideas. The first was that the South African population was made up of four "racial groups" – White, Coloured, Indian, and African – each with its distinct culture. The second idea was that Whites were the civilized race and therefore were entitled to have absolute control over the state. The third was that White interests should prevail over black interests meaning that provision of equal facilities for the subordinate races was not necessary. The forth idea was that the White racial group formed a single "nation" comprised of Afrikaners and English speakers; in contrast Africans were divided into ten distinct or potential nations, thus making white nation the largest in the country.[560] The Afrikaner government applied Apartheid through an extensive system of laws and executive actions.[561] This illustrates how the settler-colonizers practice orientalism by redefining what constitutes a nation based on the desire to become a nation through a

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[560] Leonard Thompson, *A History of …, op. cit.,* pp. 184-220.
[561] Heribert Adam, *Modernizing Racial Domination* (Berkeley and Los Angeles, 1971); Roger Omond, *The Apartheid Handbook* (Harmondsworth, 1985); Study Commission on U.S. Policy toward South Africa, *South Africa: Time Running Out* (Berkeley and Los Angeles, 1981); Leonard Thompson and Andrew Prior, *South African Politics* (New Haven and London, 1982).

program or political construction or social engineering, in this case Apartheid. In terms of the characteristics of Total War, this illustrates how the total goals shape policy and laws to become its instruments rather than determining and controlling the war itself. Here the role of politics becomes subordinate to the Total War rather than shaping and limiting the Total War effort. In terms of the settler colonial creation phase which produces the settler-colonial existence while at the same time continuing the process of taking control of all the indigenous nations' land, the case of South Africa resembles the fusion or centripetal process of producing an orientalised group; this was discussed in the previous chapter. This process simultaneously entails a fission or centrifugal process of fragmenting and redefining indigenous nations as sub-groups. As has been explained in chapter one where according to the theory of meaning, the validity of the term and when objectively used to be called a nation rests in favor of with indigenous African nations. Subsequently, the settler-colonizers' use of the term nation, is a subjective and constructed term aimed to mimic legitimacy. The term nation in the indigenous sense is a fusion of a people over a particular land for an extended period time which then forms and inherent interaction of belonging. The term "nation" as applied by the settler-colonizer is shaped on the basis of a claim to a "monopoly of truth", in the Apartheid case that the Whites are a superior race to others founded on religious belief supported by the "scientific truth" of social Darwinism.

b. The Geographical Location:

The geographical location of South Africa as a sub-continent and as an area important for the Dutch and then British colonial powers, had additional effects other than waging the Total War on the indigenous nations. The Afrikaners who later assumed control of the South African Apartheid state in 1948, had interests which conflicted with the colonial power which culminated in the First South African War (Boar War), and had to deal with a region which did not support its existence, meaning that it had two fronts to confront during the creation phase, in addition to the third front which was against the indigenous nations. The Apartheid case stands in contrast with the case of the United States where after the settler colonial break away from the colonial powers, was able to focus on its internal front of waging Total War on the indigenous nations – even though it faced at one point the Civil War between the North and the South. In Australia the settler colonizers did not face a civil

war between the settler colonizers themselves, nor did they battle with the British colonial power. Furthermore, like the United States, Australia did not face external attacks during the most part of the settler-colonial-creation phase. This stands in contrast with the South African Apartheid case which faced or instigated regional instability in order to maintain its hegemony over the Southern part of the African continent. This multiple-front strategic environment, took its toll on the resources available to the South African Apartheid project from the start:

i) **The conflict with the British colonial power**: During the nineteenth century, the goals of the Boer trekkers were often antithetical with those of the British Government. This manifested in two wars between the Boers and the British in two Anglo-Boer wars. The first was in 1880-1881 and the second in 1889.[562] The relationship between the South African trekkers to the constituted political authority was thus different compared with the frontier whites in American and Australia who coveted indigenous American and Aboriginal lands. In the latter cases, the government or colonial authority succumbed to white settler pressure to expand the frontiers. In the Cape colony, however, the effective political power was in the hands of the British imperial authorities who were ethnically alien to the majority of settlers. Furthermore, during the period between the 1820s and the 1850s, the imperial authorities were reluctant to authorize territorial expansion of the colony; this however changed later towards the end of the century with the discovery of gold and diamonds.[563] Later in the mid-twentieth century, Apartheid South Africa declared its independence in 1961 and left the Commonwealth.[564]

ii) **Conflict with the African nations**: One occurred at the frontier and another internal front of the settler-colonizers with the indigenous Africans. (Here the third component of Total War is highlighted, in that it is waged by and against entire populations, and

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[562] Leonard Thompson, *A History of...*, *op. cit.,* p. 71; http://news.bbc.co.uk/2/hi/country_profiles/default.stm

[563] George M. Fredrickson, *White Supremacy...*, *op. cit.,* p. 50; here he cites W.H. Macmillan, *The Cape Colour Question: A Historical Survey* (London, 1927), pp. 233-246; *Bantu, Boer, and Briton*, pp. 195-201. See also see also on the nature of the causes of British reluctance to support a moving frontier in this period. Fredrickson adds (see footnote 84 page 298) that C.F.J. Muller emphasizes physical and economic insecurity as a major cause of the Trek but also acknowledges the political and ideological component. Actually, Fredrickson adds, the two cannot be clearly disassociated; for the *Vootrekkers* (members of organized parties that participated in the Great Trek) viewed their problems of survival and safety through an ideological lens that posited a certain pattern of race relations as just and proper.

[564] http://news.bbc.co.uk/2/hi/country_profiles/default.stm

requires technological advances as force multipliers to implement, including bureaucracy which is a linearized form of force multiplier i.e. dual system of laws or rule.

a) **Breaking up African nations**: During the nineteenth century, several indigenous African nations were broken up and populations reduced through battle and disease. The Khoikhoi, as explained above lost their livelihoods as herders to eventually become labourers in the settler colonial economy. Other African nations which had the same fate were the Mfengu, the Basotho, and the Batswana; the Xhosa and the Zulu nations were ruptured, their land taken by the settler-colonizers and forced to become refugees seeking labour in the Cape Colony. Some nations such as the Zulu, Ndebele, Swazi and the Sotho became new kingdoms as a result of colonial intervention in reshaping their political structures. However, even the Zulus like the other nations became subordinate in the last decades of the twentieth century.[565] In the case of South Africa as in the case of the United States and Australia the settlers strove to construct communities bounded by ties of ethnicity and faith. Their logic with regard of the indigenous nations was one of elimination and exploitation. The settler colonizes neither wished to govern indigenous peoples or to enroll them in their economic ventures. They rather wished to seize their land and push them beyond the continuously expanding frontier of settlement.[566] Some White settlers predicted that the African societies would disintegrate like the Khoisan in the southwestern part of Southern Africa as the Indians in North America where doing, or as was happening with the Aboriginal nations in Australia. This however did not happen in South Africa;[567] the African population in South Africa organized their resistance during the twenties century.

b) **Enforcing political enslavement:** Since the African population still outnumbered the settler-colonizers by the beginning of the twentieth century, and since the "African Type" of settler colonialism needed African labour to sustain its economic structures, the other side of Total War, other than annihilation was enslavement. Here it manifested through the Apartheid system of White minority rule. In 1950, the

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[565] Leonard Thompson, *A History of ..., op. cit.,* pp. 70- 87, 123-126.
[566] Caroline Elkins and Susan Pedersen (eds.), *Settler Colonialism ..., op. cit.,* pp. 3-4, 17-18.
[567] Leonard Thompson, *A History of ..., op. cit.,* p. 72.

population was classified by race with the Whites as superior; furthermore, the Group Areas Act was passed by the government to segregate blacks from whites thus confining and restricting the African population into exclusive areas. During the 1970s three million African people were forcibly resettled in black "homelands".[568] However, from 1912 and in response to the creation of the South African Union which entrenched white minority rule, the African people of various nations in South Africa, founded the Native National Congress in 1912 which later became the African National Congress (ANC). From 1948 onwards, the South African Apartheid government was engaged in quelling various forms of African resistance from within. This necessitated the use extensive force and repressive measures often using the army as well as the police to repress protests and implement policy. This protracted internal front was taking its toll producing a stressed and violent Apartheid society. The final decade of Apartheid was a state of crisis. A state of emergency was declared during 1986 -1989, and the army was given an increased role in the government in an attempt to save the Apartheid system.[569] This last move is consistent with Total War in that because of the zero-sum nature of the goals, either victory or defeat, the Apartheid assumed an extensively militarist nature of government in an attempt to enforce Apartheid as a success. Only after this attempt had failed, was it deemed necessary to abandon the whole project in favour of a continued existence of White South Africans in the country, as a hegemonic group in the new South Africa, after first non-racial elections were held in 1994, rather than a hegemonic Apartheid state in the region.

iii) **The regional front:** As African states began to gain independence from colonial powers, it became the regional security interest of Apartheid South Africa to render the bordering African states and their liberation movements incapable of waging a conflict challenging Apartheid. During the 1980s, South Africa considered it its regional security interest to keep these surrounding states economically dependent. The purpose was to curtail their

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[568] http://news.bbc.co.uk/2/hi/country_profiles/default.stm
[569] Leonard Thompson, *A History of ..., op. cit.,* pp. 228, 224, 204, 235-242. Other factors also contributed to the developing this stage such as the international pressure and isolation of Apartheid South Africa particularly after it had declared its independence in 1961. These took various forms such as embargoes, United Nations resolutions denouncing the Apartheid policies, and the anti-Apartheid protest actions worldwide such as divestment. See *Ibid.,* pp. 221-242.

freedom of economic, political and military actions to prevent them from assuming a more assertive political and military policy against South Africa by calling for African majority rule.[570] These challenged the underpinnings of the South African White minority supremacist ideology, particularly with the creation of the Southern African Development Coordination Conference (SADCC) in early 1980. SADCC represented an association of majority-ruled states in the region which called for de-linking economically from the Apartheid state. For its part, South Africa claimed it wanted to destroy what it called a communist plot orchestrated by Moscow to overthrow White rule; it wanted to push the ANC out from these neighboring states just as the Israeli state was doing with the Palestinian Liberation Organization (PLO). Furthermore, since this dependence was not 'natural' in the sense that it was based on cheaper and better goods and services, it was to be achieved by military action to economically sabotage the development of these states. In early 1980, South Africa was in an economic crisis as it almost ran out of oil. By 1982, South Africa was waging a one-sided war against Lesotho, Zimbabwe, Mozambique, Malawi, and Angola (Namibia was under South African occupation). By the mid 1980s, these states were incurring an annual debt to South Africa (therefore an annual in-flow to its economy) of about £900 million. By the mid 1980s, the toll of this war had reached 100,000 lives, at least one million homeless, and £10 billion losses.[571] According to SADCC, the last figure was more than to total of foreign aid SADCC member states had received during the first five years since its establishment in 1980 and more than one third of the exports of member states during the same period.[572] Apartheid South Africa wanted to assert is itself as the economic and military hegemonic power in the region of the southern part of the African continent, in order to survive as a White minority settler system promoting itself as the protector of the Western interests from Soviet domination in Africa during the Cold War.[573]

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[570] The three independent states of Tanzania, Zambia, and Botswana represented the frontline states supporting Africans in their struggle for majority rule including the ANC.

[571] Joseph Hanlon, *Apartheid's Second Front: South Africa's War Against its Neighbours* (London: Penguin Books (1986) 1987), pp. 1, 11, 15, 18-19, 29, 40-44, 52.

[572] See the "The Cost of Destabilisation: Memorandum Presented by SADCC to the 1985 Summit of the Organisation of African Unity" appendix in *Ibid.,* pp. 265-270.

[573] For a more detailed analysis see *Ibid*, pp. 1-80.

c. *The Use of Force Multipliers:*

In the South African case, three types of force multipliers were used in the Total War against the African nations from the period of colonization and throughout Apartheid. The first had to do with the technological advances in the firearms during the Industrial Revolution, and the gadgets developed and produced by Apartheid South Africa itself. The second concerns with a prolific disregard of the lives of the African nations during the eighteenth and nineteenths centuries and throughout the Apartheid rule premised on leaving what it regarded as lower races to fend for themselves on basic matters of every day existence. The third force multiplier is one which was constantly developed during the Apartheid rule to become a system made of several sub-systems together which can be described as a linearized bureaucracy[574] of force founded on White supremacy; this enabled the subjugation of vast numbers of people totally disrupting multiple aspects of their lives. It assumed an incremental characteristic of violent subjugation, and enslavement of the targeted people into this system, itself is a force multiplier and at the same time a means to economize on the number of persons (paramilitary, police, troops etc) and/or hardware (fire-arms, vehicles, etc.) used by the administrator of this tool. This is distinct from the technologically advanced gadget focused force multiplier. While such gadgets are used increase effectiveness in toll-making in battles or clashes, the systemic force multiplier is used during protracted Total War making. During times of "non-clashes", the latter was used by Apartheid to continue to wage Total War by and through political policies, racial laws, and other such measures. These generate deteriorating conditions in the targeted indigenous nations, and are designed to be linear. This means that such systems in the course of the repression are meant to diffuse an organized and collective outburst by the people targeted, while enabling controllable outbursts to occur which in turn creates more pretexts to devise more and new repressive policies and gadgets. When such protests occurred under Apartheid, the government used them a pretext to use disproportionate force, and other retributive policies, thus further enslaving the indigenous peoples into this systemic force multiplier, which is essentially a means used to manage the use of force on various levels in a Total War against the indigenous nation(s).

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[574] On how bureaucracy is the quintessential social linearization technique and its relevance in war see Alan Beyerchen, "Clausewitz and the Non-Linear Nature of Warfare" in Hew Strachan and Andreas Herberg-Rothe (eds.), *Clausewitz in the Twenty-First Century* (New York: Oxford University Press, 2007), pp. 45-56.

i) Guns and Other Gadgets:

One factor which facilitated colonization of Africa as a whole was the enormous disparity in military technology. European forces were armed with Gatling and Maxim machine guns, which fired over ten shots per second. The Africans were not able to get any of these weapons.[575] When the African's in South Africa did get some guns to combine with their use of spears, they were of poor-quality, obsolescent models, grossly inferior to those used by the British army and colonists. So even where Africans gained the upper hand in the initial stages of a conflict, they lost it as time went on lacking the equipment to capture fortified positions or laagers composed of circles of wagons. [576] Such a disparity of arms made such a system of warfare essentially means of de-existing indigenous nations, in a cowardly, wanton and unrisky raid upon human life. Essentially one man armed shooting down another who is unarmed and glorifying the deed, and that the absence of risk was what largely prompts the undertaking of such wars.[577] Furthermore, white access to superior technology in transportation and arms more than offset the Africans' numerical advantage.[578]

Where settler-colonial manpower was limited compared with the proportions of indigenous populations, deliberate militarized expansion programs were devised. In 1978, the White nationalist government of South Africa embarked on a massive such program where defense absorbed 21 percent of budget and 5.1 percent of the gross national product. Consequently, by that time, every white young male was subject to a two-year compulsory military service. The active duty military force grew to comprise 16,000 permanent members and 38,400 white conscripts, in addition to 255,000 white citizen reserves. The police, army, navy and air force where all well armed and evolved into, by far, the most powerful and disciplined armed forces in Africa south of the Sahara.[579] The state corporation, ARMSCOR, and its subsidiaries manufactured most of the country's military

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[575] L. S. Stavrianos, *The Global Rift ..., op. cit.,* p. 293.

[576] Daniel R. Headrick, *The Tools of Empire: Technology and European Imperialism in the Nineteenth Century* (New York, 1981), pt. 2 "Guns and Conquests."; Leonard Thompson, *A History of ..., op. cit.,* pp. 71, 76.

[577] S.C. Ukpabi, "British Colonial*..., op. cit.,* pp. 383, 384.

[578] Leonard Thompson, *A History of ..., op. cit.,* p. 123.

[579] Kenneth W. Grundy, *Soldiers Without Politics* (Berkeley and Los Angeles, 1983), and *The Militarization of Southern African Politics* (London, 1986); Gavin Cawthra, *Brutal Force: The Apartheid War Machine* (London, 1986); Lynn Berat, "Conscientious Objection in South Africa: Government Paranoia and the Law of Conscription," *Vanderbilt University Journal of Transnational Law,* Vol. 22 (1989), pp. 127-186.

needs. These included armoured cars, mortar guns, bombs, mines, fighter aircraft, missiles, tear gas and napalm.[580]

Gadgets such as tear gas, are normally used as a means of crowd-control when citizens protest policies of their government, lethal weapons when used against civilians tend to be used against dissidents considered outside the law, or adversaries. The purpose for using the former is to restore law and order by re-instating the social contract which binds state and citizen. However, when such gadgets are used by racially founded government or state against races or categories of people excluded by design from the system of rule – constructed to rather subjugate the other races or categories of people, then the purpose for use of such gadgets extends beyond crowd dispersal. In the context of settler-colonial racial systems, such measures can be regarded as technologically advanced gadgets of force multiplication to administer generally non-lethal forms of coercion. The purpose here is to subdue the targeted victims into the system of rule designed enslave them personally and collectively, and which is a political an instrument of the settler colonizer's Total War effort. In other words, such gadgets can be regarded as force-multipliers of the whip, which was a means used as to coerce the enslaved into the system of slavery. The difference is that whereas the whip can be used against a limited number of individuals at any one time, the modern gadgets can "whip" masses of people, hence the force-multiplication effect.

ii) Biological Warfare

During the rule by the Dutch East India Company (DEIC), between 1770 and 1870, the white invaders and their diseases destroyed most of the hunting and herding nations in the western part of Southern Africa particularly as a result of smallpox and measles. A particularly heavy toll affected Khoisan nation whose descendents became known as the Coloured People under Apartheid.[581] African farmers, on the other hand, seemed to have been more conditioned to diseases brought from Europe. With regard to the Europeans, advances in tropical medicine, especially the use of quinine for combating malaria, freed

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[580] This local production of arms was also supplemented by military hardware and technology imports from Europe, the United States, Israel and Taiwan. After the international arms embargo imposed by the United Nations in 1977 the flow continued mainly form Israel and Taiwan. See Leonard Thompson, *A History of …, op. cit.,* p. 200.

[581] Leonard Thompson, *A History of …, op. cit.,* pp. 70, 72.

Europeans from the high mortality rates they had encountered before.[582] That the indigenous nations could not acquire such treatments or prevention from diseases, could constitute within the framework of Total War, as a force multiplier. Here the killing of the indigenous would be done by the viruses rather than through human combat. It would also maximized indigenous tolls while reducing significantly deaths amongst the whites whether settlers or troops.

The fact that Apartheid, according to its logic and ideology, was not obliged to provide facilities for the subordinate races, meant that disease and sickness were allowed to take unabated tolls on the African population in South Africa. The statistics regarding African health conditions compared to the Whites in the country under Apartheid are indicative. In 1978, the mortality rates for both African and Coloured children, aged one to four years old, was thirteen times as high as White children; the principle cause of these infant and child deaths was inadequate nutrition. Furthermore, in 1979, and according to official statistics, of the 45,000 reported cases of tuberculosis (TB), 98.5 percent were African, Coloured, and Indian (the highest being African at 78.5 percent), in contrast with only 1.5 percent White. While in 1982, TB was decreasing amongst Whites whose children were routinely inoculated against it, it was increasing amongst Blacks who were not given such treatment. In all the incidents of diseases such as typhoid fever, typhus, measles, rheumatic fever, venereal diseases, epidemics such of cholera, polio, bubonic plague, trachoma, and lung diseases, the incidence was higher amongst Africans.[583]

While these diseases may not have been actively spread by Apartheid, that they were allowed to spread by denial of adequate health facilities and preventative medication may be considered tantamount to biological warfare, especially with the binary or zero-sum natured goals characteristic of Total War.

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[582] L. S. Stavrianos, *The Global Rif ..., op. cit.,* pp. 279-280.

[583] Leonard Thompson, *A History of ..., op. cit.,* pp. 203-204. See also Aziza Seedat, *Crippling a Nation: Health in Apartheid South Africa* (London, 1984), pp. 9, 25-26, 31-48; S. R. Benatar, "Medicine and Health Care in South Africa", *New England Journal of Medicine,* Vol. 315, No. 8 (1985), pp. 527-532; Mervyn Sussner and Violet Padayachi Cherry, "Health and Health Care under Apartheid", *Journal of Public Health Policy,* Vol. 3, No. 4 (1982), pp. 455-475; Shula Marks and Neil Andersson, "Diseases of Apartheid," in John Lonsdale (ed.), *South Africa in Question* (Cambridge: 1988), pp. 172-199; World Health Organization, *Health and Apartheid* (Geneva, 1983).

iii) A Dual System of Rule:[584]

During the nineteenth century, when the African nations resorted to guerrilla tactics against the invaders of their land, the latter forced them into submission by attacking their food supplies and means of sustenance. Time after time, Afrikaner commandos and British regiments brought Africans to their knees by systematically destroying their homes, crops, and grain reserves, seizing their livestock, and turning their women and children into refugees.[585] This method of systematical affecting a particular factor (in this case the food supplies) in order to incrementally affect the actions of the opponent, resembles a linear approach to attempt to affect the outcome of a conflict by also targeting a key area or factor which would affect a series of other factors which in turn would affect the lives of the Africans nations; here turning them to refugees.

The application of Apartheid by the government of 1948 is another example of the systemic generation of force multiplies which affected the whole lives of the African nations. One such mechanism manifesting a dual system of rule was the Population Registration Act passed by the Apartheid government in 1950. This system broke up homes where one parent was classified as White while another was classified as Coloured. The Prohibition of Mixed Marriages Act of 1949 and the Immorality Act of 1950 created legal boundaries between the races by making such marriages illegal across the colour line.[586] Under the Group Areas Act of 1950 and its subsequent amendments, the government divided urban areas into zones where members of one specified race could live and work; the consequent number of Blacks uprooted as a result of this measure between 1960 and 1983 was estimated as over 3.5 million people; they were moved out from the towns, the farms, the so-called black spots, and strategic and developmental areas.[587] Furthermore, in 1953 the

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[584] On the dual system of rule towards the Khoi in the 17th century see chapter entitled "Subjects and Witnesses: Cultural and Legal Hierarchies in the Cape Colony and New South Wales", in Lauren Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900* (Cambridge: Cambridge University Press, (2002) 2005), pp. 167-209.

[585] Leonard Thompson, *A History of …, op. cit.,* pp. 71-72.

[586] These are similar to Zionist laws to prevent Palestinians from within the 1948 land to marry Palestinians from the West Bank. While the Apartheid segregation colour code applied to the categorization of races into White, Coloured, and Black, the Zionist case applies its colour code segregation on the colour of the identity cards: meaning that Palestinians with blued identity cards with Israeli citizenship status cannot marry Palestinians with green or orange identity cards (for those living in the West Bank). This is an indication of the systemic yet not immediately visible bureaucratized system of force multiplier designed to subjugate the targeted populations. More of this shall be discussed in the next chapter which examines the Zionist case.

[587] Leonard Thompson, *A History of …, op. cit.,* p. 194; see also Laurine Platzky and Cherryl Walker, *The*

South African parliament passed the Reservation of Separate Amenities Act which legalized segregation of different racial groups in public facilities such as waiting rooms at railroad stations.[588] The Apartheid government also transformed the administration of the African population in 1951 when it abolished the Natives Representative Council which was the only countrywide African institution. It then grouped the reserves into eventually ten territories, claiming that each territory had become a "homeland" for a potential African "nation". These would remain administered under white tutelage by a set of Bantu authorities, consisting of mainly hereditary chiefs. Each African "nation" in is "Homeland" would be allowed to develop along its own lines with all the rights that were denied it in the rest of the country. In 1971, the Bantu Homelands Constitution Act was passed which empowered to government to grant this type of "independence" to any such "Homeland." Subsequently, the following "Homelands" became categorized as having "independence":[589] Transkei in 1976, Bophuthatswana in 1977, Venda in 1979, and Ciskei in 1981. The KwaZulu homeland was somewhat an exception as it refused this kind of "independence" and its powerful political organization developed a particularly ambiguous relationship with the South African capital Pretoria.[590]

Apartheid formed increasingly rigid and sophisticate measures to control even further African lives. One such measure in this bureaucratized system of force multiplication was enforcing prohibitions of African from the rural areas from visiting an urban area for more than 72 hours without a special permit. Under these pass laws, more than 100,000 Africans were arrested each year; the number reached more than 380,000 between 1975 and 1976. Furthermore, the government began to eliminate what it called "black spots" in the countryside, meaning land owned or occupied by Africans in areas designated as white.

Surplus People: Force Removals in South Africa (Johannesburg, 1985), p. 10.

[588] *Ibid.*, p. 190.

[589] It could be interpreted that this is what the Zionist case may be currently gradually implementing by breaking up the West Bank into separated districts around the main Palestinian cities of Jenin, Qualquilia, Nablus, Ramallah, Jericho, Bethlehem, Hebron, and with a specific status of Abu Dis as the proposed "alternative" Palestinian capital adjacent to Jerusalem but isolated by the Separation Wall.

[590] Leonard Thompson, *A History of ..., op. cit.,* p. 191; see also Roger Southall, "Buthelezi, Inkatha, and the Politics of Compromise", *African Affairs,* Vol. 80 (1981), pp. 453-581. This is also somewhat similar to what the Zionist case is currently doing to the Palestinians in the West Bank, using the Palestinian Authority as the administrative structure to assume some role in the disjointed and isolated areas in the West Bank separated and wedged by Israeli colonies and the Separation Wall. More of this is shall be examined in the next chapter.

The Africans consider as "surplus" were expelled from the white rural areas into the "Homelands" as they could not enter the towns. [591]

The combined use of force multiplies whether in the form of gadgets or systems, contributed to tilting the overall outcome of the Total War against the indigenous nation overwhelmingly in favor of the colonizers whether settler or imperial. Furthermore, the increased militarization of the already white supremacist Apartheid in 1978 and even further after during the its critical yeas between 1986-1989 illustrate how South Africa politics was not dictating its military machine, but rather how the Total War goals were increasing the military posture of the state, and subordinating politics, laws and resources to consolidate the production of the settler colonial Apartheid existence in South Africa. [592] In the end, its geographical location within a majority-rule oriented-region, meant that Apartheid had to wage wars on several fronts simultaneous in order to achieve is Total war and zero-sum oriented goals, thus overwhelming its already impressive resources. Apartheid could not be reformed enough to accommodate the strains it was facing. This would have meant changing the Total War goals into goals of a limited war, which would have meant a restructuring of the government, so that war would be an instrument of politics rather than politics the instrument of war. The latter shift *did* occur in 1991 with the start of multi-party talks between the Apartheid government and the ANC and the canceling of the last of the Apartheid laws. This meant that Apartheid and what it represented as a settler colonial system could *not* achieve the binary or zero-sum goal of its Total War which was intended to produce an existence beyond its creation phase. In other words, unlike the cases of the United States and Australia, Apartheid South Africa could not transfer itself out of, and beyond, the production of its settler colonial existence.

3. Conclusion:

This chapter examined three settler-colonial cases in order to ascertain which type of wars limited or total generated the production of settler colonial existence on indigenous land. This is relevant in order to move on to develop a modified version of Charles Tilly's

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[591] Leonard Thompson, *A History of …*, *op. cit.,* p. 193; see Roger Omond, *The Apartheid Handbook, op. cit.*

[592] Kenneth W. Grundy, *Soldiers Without Politics, op. cit.,* and *The Militarization of Southern African Politics* (London, 1986).

conceptual framework about state formation. Whereas, the Tillian version assumes that the war-making and state-making processes reinforced one another in transforming Western European states to modern states, its application to understand settler colonial contexts necessitates determining which type of war-making was done, limited or total. Since each has a distinct conceptual structure and goals, they cannot be assumed to be the same. Therefore this chapter aimed to determine which type of war the settler-colonial production of existence entailed by covering three settler-colonial cases: the United States, Australia and Apartheid South Africa. Here it is worth recapping what has been done thus far.

In chapter one, Weigley provided an important observation about the type of war that began to be waged in North American in the seventeenth century. He noted that the type of war taking form was different from the limited wars being waged in Europe at the time suggesting that the type of war in the settler colonies were more absolute in nature. This type of warfare was found to represent the conceptual structure, aims and dynamics of Total War which was elaborated by Ludendorff. This chapter has illustrated how the modified Tillian conceptual framework of analysis developed in chapter two, is relevant to explaining and illustrating the dynamics involved in the production of settler-colonial existence. In this sense it, the research thus far, has been able to go beyond describing what happened from a compiled and concentrated pool of material. It has been able to illustrate, by corroborating sequences of documented historical events with the conceptual dynamics of Total War, how total-war-making intertwined with the production of the settler-colonial existence in three cases: America, Australia and Apartheid South Africa. The research has at the same time, been able to identify factors which may indicate why some cases were able to continue to exist (as in the cases of the United States and Australia) while others did not (as in the Apartheid case).

In light of the above, this chapter seems to have been able to illustrate that the conceptual analytical framework produced in chapter two can be a useful tool to understand settler-colonial cases as processes rather than as sequences of historical events. This means that a process-focused analysis can be used to analyze past and on-going settler-colonial cases since it is not bound by the progression of time. Rather, it seems to be able to factor in the dynamics of time into the analysis. In contrast, analysis which focuses on sequences of

events without being able to explain how they are dynamically connected as processes, can become a-temporal; meaning that it can analyze past cases, but may not be useful to explain on-going cases except at the level were there are descriptive similarities. The focus in the comparative analysis in the former combination tends to have been on similarities and differences, rather than conceptual frameworks of analysis which are dynamic in content and time. Furthermore, by illustrating how total-war-making and the production of settler-colonial existence have enforced one another and that they are dynamically mutually inclusive, this chapter seems to have given validity to the "analytical cue" that was picked up on at the end of chapter one (to focus on, and to include, Total War rather than limited war in the modified Tillian conceptual analytical tool).

Therefore, it could be said that by

- showing that the analytical tool produced in chapter two could be useful in understanding settler-colonial systems from the past such as those in chapter three,
- and by illustrating the usefulness of focusing on Total War, rather than limited war in understanding settler colonial systems in relation to the indigenous nations

this chapter seems to have made it possible to address the matter which remained unresolved at the end of chapter one. That is, concerning the fourth proposition which suggests that:

"Settler-colonial production-of-existence war is Total War AND is not Total War."

The above proposition as it stands means that there are two possibilities. The first is that: "settler-colonial production-of-existence war is total war." The second is that: "settler-colonial production-of-existence war is **not** total war (is limited war)." According to the theory of meaning, both cannot be true at the same time. Yet both possibilities exist because orientalism is at work in the literature which manipulates the meanings of terms subjectively. In such oreintalist discourses, terms which carry such manipulated meaning(s) are promoted to counter meanings from objective discourses, thus creating debates produced by the politics of meaning, rather than by objective analysis and deduction. In other words, a power relationship surfaces in a contest over who decides what means what. Subsequently, this is relevant to the subject of this researched here, as to whose wars that are promoted under different guises of terms such as by categorizing Total War as limited

war. This, even though limited war is a conceptually different activity with different goals, with a different role of politics, and not based on a monopoly of "truth" as in Total War. The consequences of such politics of meaning and the role played in justifying or de-legitimizing discourses and peoples is relevant to settler-colonial systems. The past three chapters have attempted to illustrate the workings and consequences of orientalism and how it can be used to condone inflicting the plights of annihilation and/or servitude upon peoples and nations through Total Wars, especially in settler-colonial cases. Referring back to the theory of meaning, and after having

- illustrated the workings of orientalism in conflating settler-colonial wars against the indigenous to limited wars,

- as well as conflating Total War or zero-sum goals to seemingly ones designed for negotiation, as has been illustrated by the use of treaties to gain time in the American case,

- in addition to conflating the gravity of the tolls such processes have had on the indigenous, particularly where such wars aimed at transforming "empty land" from a concept to a reality by de-existing the indigenous as nations,

it seems possible to conclude that the first version of the proposition (i.e. that "settler-colonial production-of-existence war is Total War") is valid on the basis of three cases analyzed in this chapter. The second version of the proposition (i.e. that "settler-colonial production-of-existence war is not Total War") is one that reflects orientalist workings and design.

Therefore, one could also conclude that the effort cumulatively and interactively invested in the first three chapters reflect a serious attempt to produce a sound conceptual framework of analysis to analyze and understand settler colonial systems whether of the past and in the making. However, the cases dealt with so thus far have focused on events that have happened in the past. In other words the focus has been on cases that have either survived beyond the creation phase (as in the cases of the United States and Australia), or have not completed the creation phase (as in the case of Apartheid South Africa). It remains to be determined wether the conceptual framework of analysis produced thus far could be useful in understanding an on-going settler colonial case; in other words analyzing settler-colonial creation in real time. This shall be the challenge in the following chapter, chapter four.

Chapter Four: The Zionist Case in Palestine

The research began with the analysis of how terms such as *nation* and *nation-state* can be influenced by orientalism in shaping their meanings by promoting myth as real while conflating real to myth. This was evident in literature concerning settler-colonial cases. It was then illustrated how in settler-colonial cases, classifying the type of war waged on the indigenous can also be affected by orientalism – conflating what is conceptually Total War to one that is limited as thus also conflating the impact on the indigenous. A modified Tillian model to explain the production of settler colonial existence was used to analyze the cases of the United States, Australia, and Apartheid South Africa. The intention was also to churn out some patterns which would give more insight about the dynamics of settler-colonial phases of existence. This chapter shall utilize the above to further understand the dynamics of the Zionist case.

1. The Zionist case as settler colonialism

At the re-launch of the direct negotiations between the Palestinians and the Israelis in Washington on September 2, 2010, the Israeli prime minister called for the recognition of Israeli state as the nation-state for the Jewish people.[593] The concept of nation-state according to Shmuel Sandler has geographical implications. He uses Walker Connor's definition of nation in that "a nation may comprise of part of a state, be conterminous with a state or extend beyond the borders of a single state."[594] Sandler proposes that a nation is based on self determination and adds that even without unifying ethnic bonds, some 'nations' can exist on any territory - as do, what he regards, many modern nations like the United States or Australia. In other words both the nation and the state are defined by space. However, there is some contention about whether Jews may be considered a nation. Max Weber notes the following:

> Whether the Jews may be called a 'nation' is an old problem. The mass of the Russian Jews, the assimilating West-European Jews, the Zionists – these would in the main give a negative answer. In any case their answers would vary in nature and extent. In particular,

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[593] "Behind the Headlines: The resumption of direct talks between Israel and the Palestinians", Israel Ministry of Foreign Affairs, 1 September 2010, www.mfa.gov.il .

[594] Shmuel Sandler, *The State of Israel, Land of Israel: The Statist and Ethnonational Dimensions of Foreign Policy* (Westport, CT: Greenwood Press, 1993), p. 5.

the question would be answered very differently by the people of their environment, for example, by the Russians on the one side and by the Americans on the other – or at least by those Americans who at the present time still maintain American and Jewish nature to be essentially similar, as an American President has asserted in an official document.[595]

Since Weber holds territoriality intrinsic to the definition of nation, he cannot conclusively categorize the Jews as a nation fixed to a particular territory. Walker Connor who allows for psychology and belief to factor in the definition of nation says that "[t]he Judaic faith has, of course, been an important element of Jewish nationalism, as, to a lesser degree, Catholicism and Irish nationalism are related."[596] Along with the components of belief and the historical reference, Gabriel Piterberg considers the Zionist case as a form of nationalist movement based on the foundational myth which is both national and settler-colonial.[597] He places the Zionist movement within the settler nationalism or colonialism representing "both a Central-Eastern European national movement *and* a movement of European settlers which sought to carve out for itself a national patrimony with a colony in the East."[598] Hans Kohn, an authority on nationalism, observed that Theodor Herzl's thought on modern Zionism could be positioned in German thought about nationalism which was based on a theory of statehood as a manifestation for a people of common descent even if their "father and forefathers, might have grown up under 'foreign' skies or in 'alien' environments, but their fundamental inner 'reality' remained German."[599] This seems to suggest that in the case of the Jews in Europe who promoted Zionism, the binding factor was a common descent rather than a particular territorial aspect particular to Palestine. Theodore Herzl's article of 1898 calling for a Jewish homeland came not as re-awakening of the importance on Palestine to Jews but rather as a response to the failure of assimilation projects of European Jews during the time of nation-state formation in Europe.[600] He then viewed the

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[595]Max Weber, "The Nation" in John Hutchinson and Anthony Smith (eds.), *Nationalism* (Oxford: Oxford University Press, 1994), p. 23.

[596] Walker Connor, "Nation-Building …, *op. cit.*, here p. 335.

[597] Gabriel Piterberg, *The Returns of Zionism: Myths, Politics and Scholarship in Israel* (London and New York: Verso, 2008), p. xiii.

[598] *Ibid.*, p. xii.

[599]Hans Kohn, "Zion and the Jewish National Idea", in Walid Khalidi (ed.), *From Heaven to Conquest* (Beirut, 1971), p. 817. George L. Mosse's *The Crisis of German Ideology,* New York 1964, remains the best study of political Romanticism, providing also the crucial ideological context of Zionist thought. (source: note no. 4 from ch.1 p. 173 in Finkelstein's book).

[600] Amnon Rubinstein, *The Zionist Dream Revisited: From Herzl to Gush Emunim and Back* (New York: Schoken Books, 1984), pp. 10-11. See also William H. McNeill, "Reasserting the Polyethnic Norm" in John Hutchinson and Anthony Smith (eds.), *Nationalism* (Oxford: Oxford University Press, 1994), here pp. 300-301 where he writes: "The effect in postwar [World War II] decades was twofold. On the one hand, it tainted advocacy of the ideal of ethnic unity within and existing state, since such sentiments

Zionist project within the context of European colonialism. On this territorial aspect, Piterberg's observation that Zionism took on a settler-colonial form suggests that Zionist 'nationalism' still had to transform a land in the East to make it its own.[601] Herzl, came to view that a Jewish state in Palestine would form "part of a rampart for Europe against Asia…[and] an outpost of civilization as opposed to barbarism."[602] In so doing Jews would become true Europeans, secular and liberal, according to Herzl,[603] and even as racist as the following quote from his *Der Judenstaat* (the Jewish State) of 1896 illustrates:

> Supposing, for example, we were obliged to clear a country of wild beasts, we should not set about the task in the fashion of Europeans of the fifth century. We should not take spear and lance and go out singly in pursuit of bears; we would organize a large and active hunting party, drive the animals together, and throw a melinite bomb into their midst.[604]

Other Zionists such as Chaim Weizmann adopted another approach merging the 'national' component with the religiously laden term 'Zion' to produce the ancestral homeland of the Land of Israel (*Eretz Israel)*. He broke with Herzl at the Second Zionist Congress and formed a new faction which promoted Zionism as spiritually extending from Judaism.[605] At the Basle meeting 1897, Palestine was selected as a more appropriate place for colonization.[606] From the discussions of Martin Buber and Arther Koestler, this modified form amounted to a constructed "new religion" or belief generating particular tensions amongst Jews.[607] According to rabbi Zadok Ha-Cohen Rabinowitz, and in an open letter in

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smacked too much of Nazi doctrines. On the other, Jews in particular, and other ethnic minorities subsequently, began to abandon the ideal of assimilation to locally prevailing national groups. What had happened in Germany seemed to prove its futility, for German Jews has practiced a policy of assimilation longer and more enthusiastically that had been tried in any other European country, with the possible exception of France! Even before the French revolutionaries made the religion a private matter, and removed all legal obstacles to the assimilation of Jews, similar ideas had taken root in Germany's cultivated circles, as the friendship of Moses Mendelssohn (1729-86) with Gotthold Lessing (1729-81) may remind us. But if assimilation merely provoked brutal backlash in the heartlands of European civilization, what use to pursue it elsewhere? Was it preferable? But, ironically, the new Jewish homeland, after its establishment in 1947, instead of resolving religious-ethnic tensions between Jews and others, internationalized them by creating a Palestinian refugee population that refused to acquiesce in its expulsion from lands seized by the Jews."

[601] Gabriel Piterberg, *op.cit.,* p. xii.

[602] Derek Gregory, *The Colonial Present: Afghanistan, Palestine, Iraq* (Oxford: Blackwell Publishing Ltd., 2004), p. 79.

[603] Rubinstein, *op.cit*., pp. 8, 10-11.

[604] Walter Laquer, and Barry Rubin, (eds.), *The Israel-Arab Reader: A Documentary of the Middle East Conflict,* (4th ed.) (USA: Penguin Books, 1984), p. 10.

[605] Rubinstein, *op. cit.*, p. 16.

[606] Walter Laqueur and Barry Rubin, (eds.), *op.cit*., p. 11.

[607] Martin Buber, "Jewish Science: New Perspectives." (trans.) J. Hessing, in Paul R. Mendes-Flohr and Jehuda Reinharz (eds.), *The Jew in the Modern World: A Documentary History* (New York : Oxford University Press, 1980), pp. 211-213, 211; Arthur Koestler, *Promise and Fulfillment: Palestine, 1917-1949* (London: Mcmillan Co., 1949), pp. 332-335.

1900, this tension produced two classifications of Jews: the Zionists who viewed that Judaism would end if such a state modeled after other states was not be made, and the other Jews who did not regard the survival of the Jewish faith as predicated human attempts at controlling causality to produce such a state.[608] Judaism, in Zionism, therefore ceases to be the *raison d'être* of the Jew; it becomes instead a product of Jewish national consciousness.[609] Along this line, Weizmann's approach to Zionism by focusing only on Palestine, helped mainly East European Jews fleeing from the pogroms to emigrate to Palestine through the Zionist organizations such as the Jewish Agency and the Jewish National Fund; at this stage on land purchased in Palestine.[610] As Uri Davis points out, this approach later became known as Revisionist Zionism which ideologically and practically positioned Zionism, and subsequently its version of Judaism, "inside the tradition of modern secular racism and imperial colonialism";[611] and which aimed to transform the Arab country of Palestine into the Jewish "Land of Israel.

Some Israeli researchers such as Gershon Baskin also regard the Israeli state as a nation-state for the Jewish people; he argues for a state for all its citizens including the non-Jews.[612] Lorenzo Veracini however, considers the Israeli state as one that has failed to become one for all citizens; he attributes this to it being a colonial project which entails the negation of indigenous sovereignties.[613] Others, such as Ian Lustik (1993),[614] Anita Shapira (1995), Gershon Shafir (1996),[615] and Baruch Kimmerling (2001),[616] Eyal Wiezman (2007),[617] have placed the occupation since 1967 within a colonial paradigm. R. Reuveny explained that "Israeli control of the 1967 territories is a form of colonialism nourished by a

[608] See I Domb (ed.), *The Transformation: The Case of the Neturei Karta* (London: Hamadfis, 1958), pp. 192-196, reproduced in *The Jew in the Modern World, op.cit.*, pp. 432-434, quote cited on p. 433.

[609] See Elie Kedourie, "Nationalism and Self-Determination" in Hutchinson and Anthony Smith (eds.), *Nationalism* (Oxford: Oxford University Press, 1994), p. 51.

[610] Jonathan Cook, *Disappearing Palestine ...., op.cit.,* p. 142.

[611] Uri Davis, *Apartheid Israel Possibilities for the Struggle Within* (London: Zed Books, 2003), p. 19.

[612] Gershon Baskin, "Encountering Peace: Israel is the nation-state of the Jewish people and all its citizens", *Jerusalem Post,* 4 January 2010.

[613] Lorenzo Veracini, *Israel and Settler Society* (London: Pluto Press, 2006), p. 86.

[614] Ian Lustick, *Unsettled States Disputed Lands: Britain and Ireland, France and Algeria, Israel and the West Bank –Gaza* (Ithaca and London: Cornell University Press, 1993).

[615] Gershon Shafir, "Israeli Decolonization and Critical Sociology", *Journal of Palestine Studies,* Vol. 25, No. 3, (Spring 1996), pp. 23-35, here pp. 24 - 25.

[616] Baruch Kimmerling, *The Invention and Decline of Israeliness: State, Society, and the Military* (Berkeley and California, C.A.: University of California Press, 2001), see chapter 2 "Building an Immigrant Settler State", pp. 56-88, here p. 84.

[617] Eyal Weizman, *Hollow Land: Israel's Architecture of Occupation* (London and New York: Verso, 2007), pp. 8-9.

mixture of Jewish nationalism and religion- or Israeli fundamentalism."[618] The first, however, to place the Zionist case specifically with a settler colonial paradigm was Maxime Rodinson in the early 1970s. He concluded that it matches the European-American movement of expansion in the nineteenth and twentieth centuries which aimed to settle new inhabitants among other peoples or to dominate them economically and politically.[619] Current research initiated by Veracini in the form of a new journal entitled *Settler Colonial Studies* is beginning to compile what settler colonialism means,[620] and his published books include the Zionist case particularly *Israel and Settler Society.* Another forum which places the Zionist case within a settler colonial paradigm is the conference entitled *Past is Present: Settler Colonialism in Palestine* at the School of Oriental and African Studies organized by the Palestine Society, held in March 2011.[621]   As such, David Goldberg points out that Israel has become not just an embodiment of apartheid elements but to represent a novel form of racial state more generally.[622]

2. The production of settler colonial existence

This section shall examine the production of the Zionist settler colonial existence in Palestine. The components of its production shall be tackled and then assessed the extent to which the Zionist case conforms or deviates from the American, Australian and the South African cases.

i.   The claim to a monopoly of truth:

In placing the Zionist case within the colonial context, David Goldberg points out that the British Peel commission in 1937 characterized Jews as   "a highly intelligent and enterprising *race* backed by large financial resources' representing a predominantly European community in contrast to Palestinians who were categorized as Asiatic and a

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[618] R. Reuveny, "Fundamentalist Colonialism: The Geopolitics of Israeli-Palestinian Conflict", *Political Geography* 22 (2003), pp. 347-380, here p. 349.

[619] Maxime Rodinson, *Israel: A Colonial Settler State* (New York: Monad, (1973) 1980), p. 91.

[620] See website www.sisr.net/about/people/lveracini.htm

[621] SOAS Palestine Society, *Past in Present: Settler Colonialism in Palestine,* 7th Annual Conference, 5-6 March 2011.

[622] David Theo Goldberg, "Racial Palestinianization" in Ronit Lentin (ed.), *Thinking Palestine* (London: Zed Books, 2008), pp. 25-61, here p. 26.

"comparatively poor, indigenous community, on a different cultural level."[623] Furthermore, by being part of the settler colonial trend of the late nineteenth century, the Zionist case tapped into a Western European culture about the concept of "savagery" which established a mode of thinking about cultural and racial differences. This concept which had developed in the sixteenth and seventeenth centuries became the context within which colonists dealt with and predicted the fate of non-Europeans they encountered. The nineteenth century racism began to become founded on an explicit doctrine of genetic or biological inequality.[624] Here it is relevant present Fredrickson's analysis about the origins of settler colonial white supremacy which shall be tied with Theo Goldberg's analysis of the Zionist case and what he has called racial palestinianization.[625]

Fredrickson points out two important distinctions which enabled Europeans of the Renaissance and Reformation period to divide the human race into superior and inferior categories. The first was the Christian and heathen and the second was between "civil" and "savage". The first reflected a religious militancy as a result of the struggle for supremacy in the Mediterranean between the Christian and Islamic civilizations. The Crusades based the conduct of war in the name of the Church against the infidels categorizing it as a just war. For example, in the fifteenth century, the Pope authorized the enslavement and seizures of lands and properties of "all Saracens and pagans whatsoever, and all other enemies of Christ wheresoever placed" at the time when Spain and Portugal were in confrontation with the Islamic power in the Mediterranean.[626] Fredrickson also points out that this attitude towards "the enemies of Christ" was manifested in the Spanish and Portuguese empire-building in the sixteenth century to the New World and parts of Africa and Southeast Asia. A famous Spanish jurist Juan Ginés de Sepúlveda in 1550-51 cited Aristotle's doctrine that some people were "natural slaves" so as to justify the conquest and domination of the Indians by the Spanish. He argued that civilized men where the "natural lords" of such savages and that if they "refuse this overlordship, they may be forced to obey

[623] David Theo Goldberg, "Racial Palestinianization"… , *op.cit.*, here p. 43. See also pp. 36-43 emphasis added by Goldbery; Walter Laqueur and Barry Rubin (eds.), *The Israel-Arab Reader…* , *op.cit.*, p. 57.
[624] George M. Fredrickson, *White Supremacy…, op.cit.,* p. 7.
[625] David Theo Goldberg, "Racial Palestinianization,…, *op.cit.*, pp. 25-61, here pp. 42-44.
[626] Fredrickson, p. 8 citing as Quoted in Francis Jennings, *The Invasion of America: Indians, Colonialism, and the Cant of Conquest* (Chapel Hill, N.C., 1975), 4. On the medieval crusading tradition and its impact on American colonization, see *ibid.*, pp. 3-14, and Wilcomb E. Washburn, *Red Man's Land /White Man's Law: A Study of the Past and Present Status of the American Indian* (New York, 1971), pp. 3-6.

by arms and may be warred against as justly as one would hunt wild beasts." Lewis Hanke argues that Sepúlveda established a precedent for surpassing the simple Christian-heathen dichotomy by appealing to classical antiquity for justifications of European domination over "savage" peoples.[627] Yet while Aristotle had regarded barbarians as social beings, Europeans had believed since the Middle Ages that:

> …some men were so wild and uncouth that they wandered in the forests and had no society of any kind. This category of ultra-barbarians, or pure savages, who allegedly lived more like beasts than men, seemed to many Europeans of the sixteenth and seventeenth centuries appropriate for peoples like the Cape "Hottentos" or the North American, Caribbean, and Brazilian Indians, who were commonly thought to be wilderness nomads utterly devoid of religion or culture.[628]

Fredrickson adds that the axiom that Christians were necessarily civilized was related to an explanation about the origins of cultural diversity. It was widely believed that civility was the original state of mankind but that after the dispersal of descendents of Noah after the flood, some branches of the human race had lost their awareness of God and degenerated into an uncivil state. At times the curse of Ham was seen as the cause of this descent into barbarism and savagery. This would later be used to justify African slavery, while all uncivilized men were the issue of Shem and Japheth.[629]   This biblical reference to categorization of humanity bears relevance to the Zionist and how it regards the Palestinians. Goldberg points out that the Palestinians, the indigenous people of Palestine, are view by the Zionists as the direct descendents of the Philistines (the term currently used by settler colonizers is *Plishtim*)[630] in characterization as well as in scriptural name: they

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[627] George M. Fredrickson, *White Supremacy:…, op.cit.,* pp. 8-9, quoted in Lewis Hanke, *Aristotle and the American Indians: A Study of Race Prejudice in the Modern World* (Bloomington, Ind., 1959), pp. 44-45, 86-87, and *passim.*

[628] *Ibid.*, p. 9, citing: J.H. Elliott, *The Old World and the New, 1492-1650* (Cambridge, Eng., 1970), See also Richard Bernheimer, *Wild Men in the Middle Ages: A Study in Art, Sentiment, and Demonology* (Cambridge, Mass., 1952).

[629] *Ibid.*, pp. 9-10, citing on p. 10 Nicholas P. Canny, "The Ideology of English Colonization: From Ireland to America", *William and Mary Quarterly,* XXX, (1973), pp. 585-86; Wilcomb E. Washburn, *Red Man's Land /White Man's Law: A Study of the Past and Present Status of the American Indian* (New York, 1971), p. 22; Margaret T. Hodgen, *Early Anthropology in the Sixteenth Centuries* (Philadelphia, 1964), 234-35. Boenus was translated into English in 1555.

[630] Avi Moghrabi, *Revenge But One of My Two Eyes,* film (France/Israel, 2005); Documentary filmmaker Avi Mograbi draws an analogy between the Jewish mythologies of the Zealots at Masada and Samson and the ordeal of contemporary Palestinians in his documentary, *Avenge But One of My Two Eyes*. Mograbi intercuts footage of himself discussing politics (over the phone) with a depressed, cynical Palestinian friend (whose voice was dubbed by an actor to protect his identity) in the occupied territories, footage of Israelis giving tours to youth groups and celebrating the aforementioned myths, and footage of Palestinians dealing with the indignities of checkpoints and the capricious enforcement of seemingly arbitrary rules and regulations by Israeli soldiers. There's also a scene where the ultra-right-wing Kach Party of the late Meir Kahane holds an exuberant political rally/rock concert. Enthusiastic tour guides

(the *Plishtim*) are conceived as "blood-thirsty and warmongering, constantly harassing modern-day Israelites, debauched and lacking in liberal culture. Terrorists, it seems, historically all the way down to the toe-nails of time, Goliath cut to size by David's perennial craftiness and military prowess."[631] This dynamic of naming the indigenous nations as the 'other', 'invador' comparable to the term 'terrorist' today is similar the US case towards the Amerinidian nations as discussed earlier.[632] Israel, on the other hand came to be seen as a historical narrative of insurrection against the grain and establishing itself by confronting a large power directed against it. Goldberg adds:

> Israel is forged out of a 'biblical history of servitude and exiles', as a 'history of insurrections' against state-imposed or –sanctioned injustices. In this, Israel held out hope and the promise of justice. Its founding narration, in short, is a complex of the history of struggles… in which Jews were invariably the quintessential pariah, they who did not belong, but mixed with the civilizing European imperative…[633]

Goldberg cites Moses Hess who implored the Jewish race in 1862 to "be the bearers of civilization to peoples who are still inexperienced…"[634] According to Hess, Jews were to be "mediators between Europe and the far Asia, opening the roads that lead to India and China." Furthermore, Jewish labour and industry in Palestine would turn the ancient desert soil into fruitful valleys [635] Theodore Herzl also claimed that the "immigration of Jews signifies and unhoped-for accession of strength for the land which is now so poor; in fact,

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describe the actions of the Zealots (after the Romans had destroyed the temple in Jerusalem and built a wall around Masada, the men killed the women and children, then committed mass suicide rather than surrender) and those of Samson (who, having been shorn of his hair and blinded by the Philistines, prayed to God so that he could destroy his enemies and himself with one last surge of strength) in glowing terms, for the most part. Their actions are described as unequivocally heroic, and those telling the tales clearly do not see a parallel to the desperation of present-day Palestinian suicide bombers. Late in the film, Mograbi expresses his outrage, yelling at a group of Israeli soldiers at a checkpoint who are not letting a group of school children pass. *Avenge But One of My Two Eyes* was shown at the 2005 New York Film Festival, presented by the Film Society of Lincoln Center. —allmovie guide

[631] David Theo Goldberg, "Racial Palestinianization"… , *op.cit*., here p. 26.

[632] See section on US case and the use of a dual system of rule on p. 141. On the term "terrorist" to signify the indigenous nation's resistance in the US case for the purpose of dehumanizing them, see Patrick Wolfe, "*Corpus nullius*: The Exception of Indians and Other Aliens in US Constitutional Discourse", *Postcolonial Studies,* Vol. 10, No. 2, (2007), pp. 127-151, particularly p. 146 where he notes: "The degree of civic effacement that was shared by dispossessed Indians and enslaved Africans was of an order quite different from the marginalization of migrant groups, who could emancipate themselves under appropriate circumstances …. Indeed, so unfettered was the apparatus of federal power over Indians that, in 1913, the Supreme Court in the *Sandoval* case felt obliged to insulate other from the possibility that Congress could deprive any group of its rights by the simple expedient of 'arbitrarily calling them an Indian tribe' – to which, we might more recentaly add, arbitrarily calling them terrorist."; see also *United States v. Sandoval* (231, *US,* 1913, 28), 46.

[633] David Theo Goldberg, "Racial Palestinianization"… , *op.cit*., here p. 26.

[634] *Ibid*., p. 27.

[635] *Ibid*., p. 27; citing Moses Hess, *The Revival of Israel: Rome and Jerusalem, the Last National Question* (Lincoln: University of Nebraska Press, (1862) 1995).

for the whole Ottoman Empire."[636] Furthermore, the "Zionist vision for Israel… represents the modernizing imperative in a region seen as still marked by the biblical backwardness of its Arab inhabitants."[637] As Wolfe points out, this dynamic entails destruction of indigenous and their represented presence to construct the European presence.

> Settler colonialism destroys to replace. As Theodore Herzl, founding father of Zionism, ovbserved in his allegorical manifesto/novel, "If I wish to substitute a new building for an old one, I must demolish before I construct." In a kind of realization that took place half a century later, one-time deputy-mayor of West Jerusalem Meron Benvenisti recalled, "As a member of a pioneering youth movement, I myself 'made the desert bloom' by uprooting the ancient olive trees of al-Bassa to clear the ground for a banana grove, as required by the 'planned farming' principles of my kibbutz, Rosh Haniqra."[638]

Goldberg concludes that Israel has been thought of, and thought of itself, as explicitly as racially configured and as racially representative. It is regarded as a modern state in contrast with the pre-history of Palestinian antiquity. The Zionist state is portrayed to represent:

> …modernization, progress, industry and industriousness, looking to the bright future, the civilizing mission of the best that has been thought and could be taught. Palestine represents the past, failed effort if effort at all, antique land still tilled by hand and the perennial failure of governance, a place constantly in the grip of its time past and passed.[639]

The Zionist process of transforming Palestine to the "Land of Israel" would manifest a regeneration of three components of Zionist 'national' myth: the negation of exile, the return to the land of Israel, and the return to history.[640] Thus, the Zionist drive not only entails taking over land, but to essentially produce the "Land of Israel" in Palestine.[641] This has also affected the character of Palestine. Ghattas Sayij, a Palestinian Archeologist, witnessed in Nabi Samuel village North of Jerusalem Israeli archeologists focusing on certain layers at archeological sites in Palestine. In 1993-1994, thick layers of 1000 years of Islamic remains were bulldozed to expose the Crusader stable area while in the in another part of the site almost 2000 years of Islamic and Christian remains were bulldozed to reach

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[636] Theodore Herzl, "Address to the First Jewish Congress" in A. Hertzberg (ed.), *The Zionist Idea: A Historical Analysis and Reader* (New York: Jewish Publication Society, (1897) 1997).

[637] David Theo Goldberg, "Racial Palestinianization"…, *op.cit.*, here p. 27 citing Ella Shohat, "'Rupture and Return': Zionist discourse and the study of Arab Jews", *Social Text*, No. 75, (Summer), pp. 49-74.

[638] Patrick Wolfe, "Settler Colonialism and the Elimination of the Native", *Journal of Genocide Research*, Vol. 8, No. 4 (December 2006), pp. 387-409, here p. 388, quoting from Theodor Herzl, *Old-New Land* [*Altneuland*, 1902], (trans.) Lotta Levensohn (New York: M. Wiener 1941), p. 38.

[639] *Ibid.*, p. 27.

[640] Gabriel Piterberg, *op.cit.*, p. xiii.

[641] Conor McCarthy, "The State, the Text and the Critic in a Globalized World: The Case of Edward Said" in in Ronit Lentin (ed.), *Thinking Palestine* (London: Zed Books, 2008), pp. 221-235, here p. 230.

pre-Christian layers. This is part of what Sayej argues is a misuse of archaeology to support Zionist control over the Palestinian Occupied Territory of 1967. For example, several settler colonies have been established next to archaeological sites. *Beth El* is an ancient name that was given to a settlement near the Palestinian village of Betin located north of Ramallah. Apart from a residential area of settler colonizers, it is a large army base and the headquarters of the Israeli army and civil administration for the entire West Bank.[642] What is also worth noting is that archaeology is a military affair in the Occupied Palestinian Territory. The Israeli army after the 1967 created an archaeological office headed by army personnel to control all archaeological sites and activities in the occupied territory. Archaeological excavations and sites have been the pretext for land confiscation from Palestinians.[643] This is done as part of forging the settler colonial context in a biblical archaeological one, even if this means bulldozing the history of others in between. In fact, a professor of archaeology at Tel Aviv University, Ze'ev Herzog, caused a row in 1999 when he admitted that archaeology had failed to find evidence that an ancient Jewish nation ever existed:

> This is what archaeologist have learned from their excavations in the Land of Israel: the Isrealites were never in Egypt, did not wander in the desert, did not conquer the land in a military campaign and did not pass it on to the 12 tribes of Israel. Perhaps even harder to swallow is the fact that the united monarchy of David and Solomon, which is described by the Bible as a regional power, was at most a small tribal kingdom.[644]

Furthermore, Herzog's and other archaeologists' research suggest that when a historical entity called Israel did emerge, it was "pagan and Jerusalem was not its spiritual center."[645] The response to his findings from Israeli society was, according to Herzog, essentially a challenge to the logic binding Zionism and its mission and its connection to the Bible. "Any attempt to question the reliability of the biblical descriptions is perceived as an attempt to undermine "[Zionist] historic right to the land" and as shattering the myth of the nation that is renewing the ancient Kingdom of Israel."[646]

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[642] Ghattas Sayij, "Palestinian Archaeology: Knowledge, Awareness and Cultural Heritage", *Present Pasts,* Vol. 2, No. 1 (2010), pp. 58-71, here p. 61.

[643] *Ibid.*

[644] "Deconstructing the wall of Jericho: Who are the Jews?" *Ha'aretz,* 29/10/1999.

[645] Jonathan Cook, *Disappearing Palestine:…, op.cit.,* p. 16

[646] "Deconstructing the wall of Jericho:..., *op.cit.*

In light of the above, Zionism in its construction of its own version of truth has, not only taken Judaism out of context and promoted itself as the savior of the continued existence of Judaism and Jews for that matter. It has also subsequently placed its actions towards completing the project beyond moral reproach by international humanitarian standards, and law; effectively, setting Zionists in a separate category of humanity, over-confident if not superior. David Goldberg points that the civilizing mission and self-determining drive through Jews in the name of European civilization had a twist:

> Israel was forged… in the fire and fury of all those migrations, the experiences of expulsions and exiles, arrivals and starting over, assimilations and abject evictions, wrongful convictions and threatened extinctions. The war of races in which the Jew is the hounded, the perennial foe and fugitive, becomes in Israel's founding a protracted oppressor, victimizer, and sovereign. Vulnerable, victim, and vanquished become pursuer, perpetrator, predator.[647]

While the above suggests that the assumed qualities and role of the Zionists transformed from victims as Jews in Europe to perpetrator and predator would impact on the colonized, it could also be interpreted to reflect the relations with its European and Western allies. Some examples of this turn-around in standing are the bombing of the Kind David Hotel in July 1946 which was the British Military Command in Palestine. While the Jewish Agency publicly deplored the attack which killed about 90 people, it had approved in advance the targeting of the hotel which served as the headquarters of the British Criminal Investigation Division.[648] Furthermore, in 1956 Israel initiated the all-out war against Egypt breaking away from joint plan of action with Britain and France leaving the two following the Israeli queue on its terms. According to US officials, the aim of the Israeli joint invasion with Britain and France was to destroy Gamal Abdul Nasser's prestige; this job was left only half done and was completed in the 1967 war.[649] Israeli military analyst Ze'ev Schiff wrote that while the war was a success for the Israelis, the failure inflicted upon Britain and France was because they were engulfed in "political helplessness, military delay and command hesitation."[650] Both Britain and France lost their imperial standing in the region which was then filled by the United States. Yet even, the latter was not spared from this

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[647] David Theo Goldberg, "Racial Palestinianization"… , *op.cit*., pp. 25-61, here p. 28.
[648] Norman Finkelstein, *An Introduction to the Israel-Palestine Conflict* (2002), http://www.normanfinkelstein.com/article.php?ar=10&pg=4; also citing David Hirst, *The Gun and the Olive Branch* (London: Faber and Faber, 1977), pp. 108-123.
[649] Norman Finkelstein, *Image and Reality of the Israeli-Palestine Conflict* (London: Verso, 1995), p. 142.
[650] Zeev Schiff, *A History of the Israeli Army, 1874 to the Present* (New York: MacMillan Publishing Co., 1985), p. 70.

over-confident Zionist attitude. On June 8, 1967 Israeli planes attacked an American military ship in the Mediterranean, the USS Liberty, killing 34 and another injuring 173 of its 294 crew. The ship itself worth US40 million could not be repaired and was later sold for scrap for about 0.25 percent of its original worth.[651] These examples suggest that it is not beyond the Zionist practice to become antagonistic towards the Europe or West, based on the belief that they owe them more than support in fulfilling the completion of the Zionist project and its survival. Indeed, the gathering of the U.S. high officials and various European leaders in support the Israeli government right after Israel ended its War on Gaza in late 2008 and early 2009, only seems to attest to this posture.[652]

From the above discussion, the construction of a Zionist monopoly of truth in line with European racism in the nineteenth century which justified colonialism, in addition to its spiritual amalgamation of its own version of Judaism, together fit into a component of Total War. In other words, that Zionism promotes and perpetuates a world-view claim to "the truth" about the past, present and future of the Jews, in disregard of other peoples including the indigenous. The next section shall examine another aspect of Zionism which entails a conflict with the whole of the indigenous people, another aspect of Total War.

ii. War waged against entire population(s)

Several scholars have written about how Zionism produced a conflict with the entire Palestinian population particularly since it aimed to create a European "native" population replacing the Palestinian native nation. This can also be read into definition of the Israeli Ministry of Foreign Affairs of Zionism:

> <u>Zionism</u> is the movement for the reestablishment of the Jewish people's self-determination in their homeland and the resumption of Jewish sovereignty in the Land of Israel. The goal of Zionism is political: the establishment of an independent state for the Jewish people. The most natural place for this state is Zion, or the Land of Israel, the homeland of the Jewish people.[653]

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[651] USS *Liberty* Veterans Association, Inc. *A Report: War Crimes Committed Against U.S. Military Personnel, June 8, 1967* (California: June 8, 2005), http://www.ussliberty.org/report/report.htm

[652] Amos Harel, Yuval Azoulay, Avi Issacharoff and Barak Ravid. "EU leaders commit to deterring Hamas rearmament in Gaza" *Ha'aretz,* 19/1/2009, http://www.haaretz.com/news/eu-leaders-commit-to-deterring-hamas-rearmament-in-gaza-1.268379. The six leaders were British Prime Minister Gordon Brown, French President Nicolas Sarkozy, German Chancellor Angela Merkel, Italian Prime Minister Silvio Berlusconi, Spanish Prime Minister Jose Luis Rodriguez Zapatero and Czech Prime Minister Mirek Topolanek, who currently holds the European Union's rotating presidency.

[653] Ministry of Foreign Affairs webpage: http://www.mfa.gov.il/MFA/FAQ/FAQ_Attack_Israeli_Values.htm#delegit

The "Land of Israel" is historic Palestine, and the re-establishment of the Zionist homeland and resumption of Jewish sovereignty in the land, means that there is no possible sovereignty for the indigenous nation, the Palestinians in Palestine. Furthermore, Zionism claims to be categorized as a 'liberation movement'. The Ministry of Foreign Affairs adds that:

> In many ways, Zionism can be considered the national liberation movement for a people that was exiled from its historic homeland. Zionism differs from many other national liberation movements in one aspect: instead of seeking freedom in a new entity, the Jews sought the reestablishment of their ancient independent state. [654]

The assumption here is that it is liberating itself from history, or time, not from a colonial power, or occupying forces or peoples. Like the bulldozing of 1000 or 2000 years of archaeological layers of history to reach to the period it is trying to re-establish a connection with, it is cutting out 2000 years of the history as if it has virtually stopped, only to resume with the reestablishment of their ancient independent state.[655] In this sense, it has, and continues to, "cut out" the indigenous Palestinian nation living in Palestine as a whole. In 1969, Israeli Prime Minister and the time, Golda Meir, claimed in a newspaper interview that "[t]here were no such thing as Palestinians…. They did not exist."[656] This stance with regard the Palestinian people was not new to Zionism. From the outset it had refused to recognize the Palestinians as a nation as it denied the existence of any significant non-Jewish presence in Palestine. The notion that it was "empty land" waiting to be colonized by Jews was made popular at the turn of the twentieth century and seems to have been premised on "*terra nullis* [which was] at the heart of the creation of a new form of [settler colonial] political organization."[657] Israel Zangwill, the Anglo-Jewish writer coined the

[654] *Ibid.*

[655] Nahla Abdo and Nira Yuval-Davis, "Palestine, Israel and the Zionist Settler Project" in Daiva Stasiulis and Nira Yuval Davis (eds.), *Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity and Class* (London, Thousand Oaks, New Delhi: Sage Publications, 1995), pp. 291-322.

[656] Interview with Golda Meir in the *Sunday Times,* 15/6/1969.

[657] See Carole Pateman, "The Settler Contract" in Carole Pateman and Charles Mills, *Contract and Domination* (Cambridge: Polity Press, 2007), pp. 35-78, here p. 39, 41. On p. 36 Pateman states: "In the political theory and the law of the nations of the seventeenth and eighteenth centuries it was argued that if land is *terra nullius* then it may rightfully be occupied….To call a tract of land *terra nullius* has a range of meanings: the territory is empty, vacant, deserted, unihabited, *vacuum domicilium*; it belongs to no one, is *territoire sans maître*; it is waste, uncultivated, virgin, desert, wilderness." That this conceptual construction represented a process rather than appraisal of the actual conditions of the land in question is is illustrated in the following quote from Thomas Hobbes's *Leviathan* (1651) as cited in Pateman p. 35: "The Procreation of Children of a Common-wealth, are those we call *Plantations*, or *Colonies*; which are numbers of men sent out … to inhabit a Foreign Country, either formerly voyd of Inhabitants, or made

slogan of "a land without a people for a people without a land".[658] While the most liberal of early Jewish colonization in Palestine, Dr. Yaacov Tahon, in the early decades of the twentieth century saw that there was no need to 'expel' the native as he only wanted to exploit them. Later, in a Zionist Consultancy meeting on December 31, 1947, he adopted Yossef Weitz's stance that "without transfer there will be no Jewish State."[659] Weitz who was the head of the settlement department of the Jewish National Fund had since the 1930s and explicitly in the 1940s wrote that "Transfer does not serve only one aim – to reduce the Arab population – it also serves a second purpose by no means less important, which is: to evict land now cultivated by Arabs and to free it for Jewish settlement."[660] A few hours after the Consultancy meeting, the first of a series of massacres occurred in the village of Balad al-Shaykh.[661] This was to set in motion several plans of ethnic cleansing of Palestinians from parts of Palestine. According to Benny Morris, the first wave of Palestinian refugees were between 200,000 -300,000 during the months between April and May of 1948. Between November 1947 and 1952 more Palestinians were expelled or moved to other sites to make way for Israeli settler colonies or border arrangements.[662] A plan codenamed Plan Dalet (D) was prepared for implementation for the creation of the Jewish state and determining the fate of one million Palestinians living in the space. The plan seemed to have been developed based on detailed information compiled in the 1940s by Zionist Haganah operatives, under the guise of hikers, who had visited hundreds of Arab villages later targetted during the war. They gathered information into a database of "village files" which provided photos, topographical maps, planning information maps, and information about the social structure of each village. The information also "included

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voyd then, by warre." On p. 41 Pateman adds that: " "Occupation" is a term of art in international law that began to be developed in the early modern period. Sovereignty can be legitimately gained over territory that is *terra nullius* through "occupation," or, in the language of common law, "settlement." " Hence the tactical significance of Zionist claims that Palestinians do not exist, or at best, cannot be seen. Indeed the settler colonial road networks and the wall erected to remove Palestinian villages from visual scenery (in some cases the contours of emptied landscapes are painted onto the inner walls for settler-colonial drivers or travelers to see) seems to be a manifestation of the "cannot be seen" dynamic, which seems to be derived from the "do not exist" claim.

[658] Nur Masalha, *A Land without a People: Israel, Transfer and the Palestinians, 1949-1996* (London: Faber and Faber, 1997), pp. 61-62.

[659] Ilan Pappe, *The Ethnic Cleansing of Palestine* (Oxford: One World, 2006), pp. 61-63.

[660] *Ibid*.; Yossef Weitz, *My Diary,* Vol. 2, p. 181.

[661] *Ibid*., p. 61.

[662] See chapter entitled: "Clearing the Borders: Expulsions and Population Transfers, November 1948 – July 1949" in Benny Morris, *The Rebirth of the Palestinian Refugee Problem Revisited* (Cambridge: Cambridge University Press, 2004), pp. 237-253, see also p. 128.

detailed descriptions of roads, neighborhoods, houses, public buildings, objects, wells, caves, wadis, and so forth."[663] Aptly the plan read:

> These operations can be carried out in the following manner: either by destroying villages (by setting fire to them, by blowing them up, and by planting mines in their rubble), and especially those population centers that are difficult to control permanently; or by mounting combing and control operations according to the following guidelines: encirclement of the villages, conducting a search inside them. In case of resistance, the armed forces must be wiped out and the population expelled outside the borders of the state.[664]

The final version of Plan Dalet was approved by the Zionist leadership in a meeting in Tel Aviv on March 10, 1948, two months before Britain's exit from Palestine. It was immediately sent out to the Jewish military commanders in the field. The terms used for this operation such as *Ibur* ('purifying'), *Biur* ('rooting out'), and *nikkuy* ('cleaning'), all clearly show that the commanders were well aware of the task they had been set to do.[665] The siege and capture of Haifa port city on April 22, 1948 was reported in the *New York Herald Tribune,* the *New York Times,* and the Israeli newspaper *Ma'ariv.* The former (the *Tribune*) ran the following: "Haifa, third largest city of Palestine and evacuation port of the British Army, became a virtual Jewish stronghold tonight after a series of savage thrusts by Haganah, the Jewish army, won control of most of the city's Arab areas and provoked a mass Arab exodus by sea…."[666] Yossi Gurvitz, referring to a Hebrew version of an article in Ha'aretz in late May 2011 about the taking of Haifa notes:

> [The] Haaretz article …makes it clear the flight began after the Hagana shelled, on April 22, 1948, Haifa's market square, after the Palestinians asked for a ceasefire. The shelling killed at least 10 Palestinians – the exact number is unknown. The dead were, according to reports, refugees seeking shelter, not fighters, and the shelling was considered to be the response of the Hagana to the cease-fire request, and led to massive flight.[667]

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[663] Rona Sela, "It Took a Village", *Haaretz Magazine,* 20 May 2011, pp. 7-13.

[664] Ilan Pappe, *The Ethnic Cleansing …, op.cit.,* p. 81-82; citing from the English translation which is in Walid Khalidi, 'Plan Dalet: Master Plan for the Conquest of Palestine", *Journal of Palestine Studies,* Vol. 18, No. 69 (Autumn 1988), pp. 4-20.

[665] Jonathan Cook, *Disappearing Palestine:…, op.cit.,* pp. 24-25. See also Ben-Gurion's approval to "the establishment of a committee to oversee 'the cleaning up [*nikui*] of Arab settlements, cultivation of [Arab fields] and their settlement [by Jews], and the creation of labour battalions to carry out this work.' " Benny Morris, *The Rebirth …, op.cit.,* pp. 313-314.

[666] As quoted in Shay Fogelman, "Port in a Storm", *Haaretz Magazine,* 2 June 2011, pp. 8-12. The *New York Times* reported the following on 23 April, 1948: "Tens of thousands of Arab men, women and children fled toward the eastern outskirts of the city in cars, trucks, carts and afoot, in a desperate attempt to reach Arab territory until the Jews captured Rushmiya Bridge toward Samaria and Northern Palestine and cut them off. Thousands rushed every available craft, even rowboats, along the waterfront, to escape by sea toward Acre." The Israeli newspaper *Ma'ariv* reported that: "British harbor officials estimate that 12,000 to 14,000 Arabs left by sea and 2,000 to 4,000 by land. The Jewish and Arab numbers contradict one another. The Jews are trying to reduce the scale of the exodus. An official Jewish spokesman said that no more than 5,000 Arabs left. However, Arab leaders said that at least 20,000 left."

[667] Yossi Gurvitz, "Nakba: Why Did Israeli Historians Whitewash and Artillery Attack?" *+972 Magazine,* 28

As to the cause of the exodus, the English version of the article by Shay Fogleman reported referring to:

> …a book by Zadok Eshel, "Haganah Battles in Haifa," published in 1978 (in Hebrew) by the Defense Ministry. Eshel was a member of the Haganah and offers first-hand descriptions of many of the unfolding events in Haifa. Here is his account of the events of April 22 …: "Early in the morning, Maxy Cohen informed the brigade's headquarters that the Arabs were using a loudspeaker and calling on everyone to gather in the market square, 'because the Jews have conquered Stanton Street and are continuing to make their way downtown.' Upon receiving the report, an order was given to the commander of the auxiliary weapons company, Ehud Almog, to make use of the three-inch mortars, which were situated next to Rothschild Hospital, and they opened up on the market square [where there was] a great crowd. When the shelling started and shells fell into it [the crowd], a great panic took hold. The multitude burst into the port, pushed aside the policemen, stormed the boats and began fleeing the town. Throughout the day the mortars continued to shell the city alternately, and the panic that seized the enemy became a rout."
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> "That is a mistake," retorts Ehud Almog, who was the commander of the auxiliary unit in the Carmeli Brigade's 22nd Battalion. "It was not a three-inch mortar. They were Davidka shells" - referring to homemade shells which were renowned for the loud noise they made. Of the other details he says, "The historical description is correct. Absolutely true. I remember the events vividly. We were ordered to shell the market when there was a large crowd there. There were tremendous noises of explosions which were heard across 200 meters." Almog adds that the shelling, which took place in the early afternoon, was short "but very effective."
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> Like Eshel, Almog also says the mortars fired by his unit spurred a flight of civilians to the port. Although not an eyewitness to the flight, officers from Shai (the Haganah's intelligence unit) who were stationed near the port's gates gave him a real-time account of events. Another testimony… comes from a British soldier who was stationed in the port: "During the morning they [the Haganah] were continually shooting down on all Arabs who moved both in Wadi Nisnas and in the Old City. This included completely indiscriminate and revolting machine gun fire and sniping on women and children - attempting to get out of Haifa through the gates into the docks. There was considerable congestion outside the East Gate [of the port] of hysterical and terrified Arab women and children and old people on whom the Jews opened up mercilessly with fire."
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> …Beyond the moral issues that arise from firing into a crowded market, the testimony of Zadok Eshel, which is backed up by that of Ehud Almog, indicates that the attack was carried out by order of senior Haganah officers.[668]

Overall, the 1948 Arab-Israeli war *An-Nakba* created some three quarters of a million Palestinian refugees and internally displaced persons.[669] The UN Conciliation Commission

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May 2011, http://972mag.com/why-did-israeli-historians-whitewash-a-short-artillery-attack/
[668] Shay Fogelman, "Port in a Storm"*…, op.cit.,* pp. 8-12. *http://www.haaretz.com/weekend/magazine/port-in-a-storm-1.365729*

estimated that 75% of the Arab population of Palestine had fled outside the armistice lines.[670] Between December 1947 and December 1950, at least 418 Palestinian villages and towns were destroyed; other main cities such as Acre, Bir Sabe' (Birsheba), Baysan, Lydda, Nazareth, Ramleh, Safad, Tiberias, Haifa, Jaffa, and West Jerusalem were for the most part, if not completely, depopulated from most of their Palestinian inhabitants.[671] After 1948, Israel had begun the process of systematic removal of Palestinian place names from maps to make invisible the former Palestinian presence. The West Bank was referred to as the Biblical regions of "Judea and Samaria".[672] The process of producing a Zionist settler colonial existence in Palestine entailed genocide, which involves a whole people or nation and is one of the components of Total War. Beatrice Heuser in her book *The Bomb,* and just before developing the theoretical concept of Total War, like Jonathan Cook in his book *Disappearing Palestine* makes reference to the same source in defining genocide – the United Nations Convention on the Prevention and Punishment of the Crime of Genocide adopted in 1948:[673]

> any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:
> a) Killing members of the group;
> b) Causing serious bodily or mental harm to members of the group;
> c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
> d) Imposing measures intended to prevent births within the group;
> e) Forcibly transferring children of the group to another group.

In an address to the Israel Institute of Technology (the Technion) in Haifa in April 1969, General Moshe Dayan stated the following:

> Jewish villages were built in the place of Arab villages. You do not even know the names of these Arab villages, and I do not blame you because geography books no longer exist, not only do the books not exist, the Arab villages are not there either. Nahal arose in the place of Mahlul; Kibbutz Gvat in the place of Jibta; Kibutz Sarid in the place of Huneifis, and

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[669] Walid Khalidi (ed.), *All That Remains: The Palestinian Villages Occupied and Depopulated by Israel in 1948* (Washington D.C.: Institute for Palestine Studies, 1992), p. xv.

[670] Compiled from www.badil.org.

[671] Walid Khalidi (ed.), *All That Remains: ..., op.cit.,* pp. xxxi-ii.

[672] Jonathan Cook, *Disappearing Palestine:..., op.cit.,* p. 55, fn 33 p. 254 where Cook adds: "The UN was apparently concerned by how the Jewish State would maintain control of its larger Palestinian population. According to recently declassified documents, the UN planned to create a Jewish militia and supply it 'with combat aircraft, using British techniques' ", see "UN Archives Reveal Plan to Arm Jewish Militia" *Ha'aretz* , 29 November 2007; Ilan Pappe, *The Ethnic Cleansing ..., op.cit.,* p. 35.

[673] *Ibid.*, p. 133; Beatrice Heuser, *The Bomb: Nuclear Weapons in their Historical, Strategic and Ethical Context* (New York: Pearson Education Inc., 2000), p. 104; see "Convention on the Prevention and Punishment of the Crime of Genocide" available at http://www.ohchr.org/english/law/genocide.htm

Kefar Yehushu'a in the place of Tal al-Shuman. There is not one single place built in this country that did not have a former Arab population.[674]

With regard to the points (c) and (b) of the act of genocide, that is deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or part as well as causing serious bodily or mental harm to members of the group, these continued even after the 1948 war ended. The Palestinians who had remained in occupied Palestine after the 1948 war were placed under the rule of an Israeli military governor until 1964 in which residency permits were issued to the Palestinians in order to distinguish the permit holders from the refugees and to continue to exclude the overwhelming majority of Palestinians and to prevent them from returning to their property and land.[675] While by 1952 most Palestinians inside the Zionist state were granted citizenship while some 30,000 had to wait until 1980 before they could receive citizenship, the Israeli leadership still practiced expulsion.[676] In late 1949, 2,000 inhabitants from Beersheva were expelled to the West Bank. Another 2,700 Palestinians villagers from Majdal (now Ashkelon) were forced out to Gaza in 1950; 17,000 Bedouin were driven to the Negev desert between 1949 and 1953. Several thousand inhabitants of the Triangle area near the Galilee were expelled between 1949 and 1951. In addition more than 2,000 inhabitants of two northern villages were driven into Syria in 1956. Another plan to expel 40,000 Palestinians of the Little Triangle area just before the 1956 war was prepared; it was called Operation Hafarferet. The plan was put on hold after the brigade of soldiers implementing the early stages of the plan enforced a curfew and massacred 49 Palestinian residents including women and children who were returning to their village of Kufr Qassem.[677] This was coupled by land confiscations in which by 1953 around 2 million dunams of Palestinian land (675,000 acres) were transferred from the Israeli government to the Jewish National Fund under the guise of a huge land transaction which the Zionist state had claimed to have conducted with itself.[678] Consequently, Palestinian communities within the Green Line are now left with

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[674] *Ha'aretz*, 4 April 1969.

[675] Raja Shehadeh, *The Law of the Land: Settlement and Land Issues Under Israeli Military Occupation* (Jerusalem: PASSIA, 1993), p. 110; see also Sabri Jiryis, *The Arabs in Israel* (New York: Monthly Review Press, 1976).

[676] Jonathan Cook, *Disappearing Palestine ..., op.cit.,* p. 33; see also Uri Davis, *Apartheid Israel:..., op.cit.,* pp. 104-105.

[677] Sabri Jiryis, *The Arabs in Israel ...,op.cit*., pp. 4, 81-82; Nur Masalha, *A Land ..., op.cit.,* pp. 15-35.

[678] *Ibid*., pp. 78-79; "The Land of Zion", *The Economist,* 29 September 2007; "Erasures", *New Left Review,* July-August, 2001.

about three percent of the land within the 1948. The rest has been either confiscated by the state or transferred to the Zionist Jewish National Fund.[679] After the creation of the settler colonial state, settler colonies were created at a rapid pace to inhabit Jewish immigrants.

> During the 1950s and 1960, following the transfer of land to the state, more than 700 Jewish settlements were constructed, creating the housing infrastructure for Jewish immigrants who continued to pour into the country. The Jewish Agency and Jewish National Fund, two bodies representing world Jewry, were granted legal rights to settle and develop the land on behalf of the state and the Jewish people.[680]

As a result of the above policies, the current number of internally displaced Palestinians is between 263,000 and 300,000; they are descendents of the 30,000 to 40,000 Palestinians who were not allowed to return to their homes after 1948.[681] Small-scale expulsions were also practiced after the 1967 under a secret Israeli government unit. It was to "encourage" the departure of Palestinian refugees in Gaza by offering them paid-for, one-way tickets to South America. Israeli government records show that an intelligence agent told then Prime Minister Levi Eshkol in May 1968 that 1,200 Palestinian refugees were being evicted on a weekly basis.[682] While the 1967 war created some 940,000 displaced Palestinians, another 335,000 Palestinians have been internally displaced inside the territory occupied in 1967.[683] By the end of the first decade of occupation, about a third of the West Bank had become under Israeli military control, two thirds of which had bee transferred to Israeli settlers.[684] After a right wing government came to power in 1977, settlements in the West Bank began to spread all over this area. By 2010, nearly half a million settler colonists were living in the Palestinian territory occupied in the 1967 war in over 234 settlements and outposts thus controlling over 70 percent of the total area of the West Bank including Jerusalem.[685] This has left around 2.5 million Palestinians in the West Bank including Jerusalem on about 30

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[679] Jonathan Cook, *Disappearing Palestine: ..., op.cit.,* pp. 37-38.

[680] Oren Yiftachel, "Democracy or Ethnocracy? Territory and Settler Politics in Israel/Palestine", *Middle East Report,* 207 (Summer 1998), pp. 8-13, here p. 10.

[681] Badil Resource Center for Palestinian Residency & Refugee Rights, *Survey of Palestinian Refugees and Internally Displaced Persons* (2008), www.badil.org .

[682] Gershom Gorenberg, *Occupied Territories: The Untold Story of Israel's Settlements* (London and New York: I. B Tauris & Co. Ltd., 2007); *The Accidental Empire: Israel and the Brith of the Settlements 1967-77* (New York: Time Books, 2006), p. 152.

[683] Badil Resource Center for Palestinian Residency & Refugee Rights, *Survey of Palestinian Refugees and Internally Displaced Persons 2008-2009* (December 2009), www.badil.org .

[684] Idith Zertal and Akiva Eldar, *Lords of the Land: The War Over Israel's Settlements in the Occupied Territories 1967-2007* (New York: Nation Books, 2007), p. 363.

[685] Compiled from B'Tselem: *By Hook and by Crook: Israeli Settlement Policy in the West Bank* (July 2010), pp. 5, 8-11; B'Tselem, *A Policy of Discrimination* (1995).

percent of respective land occupied in 1967.[686] Furthermore, 67 percent of the entire Palestinian people are refugees, in other words 7.1 million people, constituting the world's largest refugee population.[687]

Baruch Kimmerling, a leading Israeli historian, proposed a more technical term 'politicide' rather than resort to the term 'genocide' to describe the Israeli policies towards the Palestinians at the start of the twenty-first century. Kimmerling defined 'politicide' as:

> The first is the destruction of the Palestinian public sphere, including its leadership and social and material infrastructure. The second effect is to make everyday life for the Palestinians increasingly unbearable by destroying the private sphere and any possibility of normalcy and stability…. All of these conditions are… designed to lower Palestinian expectations, crush their resistance, isolate them, make them submit to any arrangement suggested by the Israelis, and eventually cause their voluntary mass emigration from the land.[688]

Cook aptly points out that despite the change in the term the end goal of politicide is the same as genoncide even according to Kimmerling who states that purpose is "the dissolution of the Palestinian people's existence as a legitimate social, political and economic entity."[689] In other words, it means the disappearance of a Palestinian nation for good.[690] The play on the use of terms other than genocide seems symptomatic of settler colonial discourse as Colin Tatz illustrates:

> Much of that inter-racial history I call "genocide." In the current climate of heat in Aboriginal affairs…very few people use the word. Almost all historians of the Aboriginal experience – black and white – avoid it. They write about pacifiying killing, cleansing, excluding, exterminating, starving, poisoning, shooting, beheading, sterilizing, exiling, removing – but avoid genocide. Are they ignorant of genocide theory and practice? Or simply reluctant to taint "the land of the fair go," the "lucky country," with so heinous and disgracing a label?[691]

In light of the above, Tanya Reinhart making the connection that the Zionist policies are indeed a continuation of the 1948 war is not far fetched as she makes the observation that they fall under a war not completed.[692] A business which to prime minister Netanyahu and

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[686] Palestinian Central Bureau of Statistics (PCBS), *Demographic Indicators* (2009).

[687] Badil Resource Center for Palestinian Residency & Refugee Rightrs. *Survey of Palestinian Refugees and Internally Displaced Persons 2008-2009* (December 2009), www.badil.org .

[688] Baruch Kimmerling, *Politicide: Sharon's War against the Palestinians* (London: Verso, 2003), p. 211.

[689] *Ibid.*, pp. 3-4; cited in Jonathan Cook, *Disappearing Palestine: …, op.cit.,* p. 70.

[690] Jonathan Cook, *Disappearing Palestine: …, op.cit.,* p. 134.

[691] Colin Tatz, "Genocide in Australia," *Journal of Genocide Research* Vol. 1, No. 3 (1999), pp. 315-352, here p. 315.

[692] Tanya Reinhart, *Israel/Palestine How to End the War of 1948* (New York: Seven Stories Press, 2002).

former prime ministers Ariel Sharon and Ehud Barak could be resolved by a policy of 'transfer' to deal with the remaining Palestinians whom by 2000 had become a 'demographic timebomb'.[693] Opinion polls show that 60 percent of Israeli Jews support schemes of moving Arabs to leave historic Palestine. Benny Morris also argues that peace in the Middle East might have been possible had the entire Arab population been removed from historic Palestine to make way for the Israeli state. He considers that 4 million Palestinians in the West Bank and Gaza Strip as well as the 1 million Palestinian who carry Israeli citizenship, should all be transferred to Jordan. He concludes:

> One wonders what Ben-Gurion – who probably could have engineered a comprehensive rather than a partial transfer in 1948, but refrained – would have made of all this, were he somehow resurrected. Perhaps, had he gone the whole hog, today's Middle East would be a healthier, less violent place.[694]

Morris's views became more extreme after the *Al-Aqsa Intifada* which broke out in September 2000. In 2007 he reflected a social Darwinian view that the Zionists represent "an outpost of the West, as they see it and as we also see ourselves, in a largely Islamic, backward and in some ways even barbaric area …. There is a problem here with Islam."[695]

In light of this, Moshe Shertok's (Sharett) proposed formula to his Zionist ministers in July 1948 becomes more poignant and a reflection of Israeli policies towards the Palestinians today. "We cannot agree to a mass return of Arab refugees so long as the war continues. We are ready to discuss exceptional cases, be it involving extraordinary suffering or special privilege – each on an individual basis."[696] Indeed, this remained the official Israel position on the return of Palestinian refugees.[697] The prolonging of this posture through the twenty-first century seems to suggest that the 1948 is essentially still on-going – a characteristic of Total War in that it does not end until the total goals are achieved, irrespective of time. Consequently, politics assumes a subordinate role to war as the next section discusses.

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[693] Jonathan Cook, *Blood and Religion: The Unmaking of the Jewish Democratic State* (London: Pluto Press, 2006).

[694] Benny Morris, "A New Exodus for the Middle East?" *Guardian,* 3 October 2002.

[695] "Israel Revisited", *Washington Post,* 11 March 2007.

[696] Benny Morris, *The Rebirth …, op.cit.,* p. 324.

[697] "Guidelines of the Government of Israel (Communicated by Prime Minister-Elect Netanyahu's bureau)", June 17, 1996. Information Division, Israel Foreign Ministry – Jerusalem, Article I, No. 7; Article IV, No. 1. (Downloaded from official website June 1996).

While the "slogan Jewish state … is equivalent, in effect, to a declaration of war by the Jews on the Arabs" according to Judah Magnes,[698] Netanyahu's demand for recognition of Israel as the nation-state for Jews is tantamount to a declaring a continuation of the Total War of 1948. It other words it amounts to a continuation of the practice of genocide, until the goal of total settler colonization of Palestine. It becomes necessary at this point to illustrate with some cases of how Zionism practiced genocide according to the above definition, and whether policies since 1948 to the current ones remain in practice. In this context, one may view the Israeli response to the *Al-Aqsa Intifada* which began in September 2000 after the minister Ariel Sharon entered the *Al-Aqsa Mosque* with large number of police forces and in the context of the break-down of the Camp David talks between then Palestinian president Yasser Arafat and the then Israeli Prime Minister Ehud Barak. Several scholars such as Finkelstein, Cook, Tikva Honig-Parnas and Toufic Haddad have maintained that the failure of the talks was premeditated by the Israeli government in order to provide a pretext to unleash its military force to bring the Palestinians to submission in what Israelis were describing as a long war of attrition.[699] Indeed, during the summer months prior to the eruption, the Israeli military was in training for just such an outcome and for the use of military force.[700]

With regard to deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part (c), could be illustrated in the following. In the early 1970s Moshe Dayan, then Defense Minister, pointed out that the newly conquered Palestinian territory after 1967 would become part of the Jewish state through a "creeping annexation" giving the Palestinians the following message:

> You shall continue to live like dogs, and whoever wants to leave can leave – and we will see where this process leads.... In five years we may have 200,000 less people – and that is a matter of enormous importance.[701]

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[698] Arthur A. Goren (ed.), *Dissenter in Zion* (Cambridge: Cambridge University Press, 1982), p. 382.

[699] See Norman Finkelstein, *Image and Reality..., op.cit.,* pp. xx-xxi; Jonathan Cook, *Disappearing Palestine ..., op.cit.,* pp. 98-101; Tikva Honig- Parnass and Toufic Haddad (eds.), *Between the Lines: Readings on Israel, the Palestinians, and the U.S. "War on Terror"* (Chicago: Haymarket Books, 2007), p. 49-53; described as a war of attrition see p. 57.

[700] Amos Harel, "Preparing for War: If the Palestinians React to a Summit Failure with Violence, the Israeli Response will be Stronger than they Expect, the IDF Says", *Ha'aretz,* 21 July 2000, p. A2.

[701] Nur Masalha, *A Land ..., op.cit.,* p. 92.

The policy of deliberate destruction of Palestinian life in occupied Palestine could be described as what Sara Roy has called de-development. Through this policy practiced over decades in the West Bank and Gaza Strip, from the native population has been taken

> …its most critical resources, namely land, water and labor, and the capacity and potential for developing those resources. Not only are Palestinians exploited economically, they are deprived of their livelihood and developmental potential, national identity and sovereignty. The result is… this deliberate, systematic and progressive dismemberment of the indigenous economy by the dominant one.[702]

This policy continued through the twenty-first century as the war on Gaza 2008-2009 illustrated. WikiLeaks revealed a cable from the U.S. Embassy in Tel Aviv that Israeli officials wanted the Gaza economy to function at the lowest possible level while avoiding a humanitarian crisis in 2008. It reported that the then Israeli Prime Minister Ehud Olmert as having said that "there is no justification for demanding we allow residents of Gaza to live normal lives while shells and rockets are fired from their streets and courtyards (at southern Israel)."[703] This is similar to what Moshe Dayan said in the early 1970s and seems to suggest that this policy is being sustained and could be construed to represent the third point in the definition of genocide. In other words, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part. Hunaida Ghanem has called this thanatopolitics which she describes as follows:

> Under the colonial occupation of Palestine, the extreme form of thanatopower is reflected in the active putting to death of Palestinian activist and political leaders through targeted assassinations. But in its more subtle form it is reflected in exposing the Palestinians to the ongoing destructive power of the occupier through putting them under continual closures, ongoing curfews, arbitrary closing of main roads, the destruction of cultivated fields, the confiscation of agricultural land, bombing cities, using artillery fire in populated neighborhoods, operating bypass roads and separating the spaces of the Palestinians and the Jewish settlers, and finally conducting a siege policy that aims to 'put the Palestinians on a diet, but not make them die of hunger'. [704]

Yet while the above overview illustrates how this has been practiced since the Zionist settler colonial state was established in 1948 and how it has continued since 1967, direct actions at inflicting harm through military operations and war were also practiced. During the first *Intifada,* various forms of measures were used by the Israeli military to quell the Palestinian people covering a wide range of oppressive measures mentioned by Ghanem. Detailed accounts of such individual and collective punishment were documented by

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[702] Sara Roy, *Failing Peace: Gaza and the Palestinian-Israeli Conflict* (London: Pluto Press, 2007), p. 33.
[703] "WikiLeaks: Israel aimed to keep Gaza economy on brink of collapse", *Ha'aretz,* 5 January 2011.
[704] Honaida Ghanim, "Thanatopolitics: The Case of the Colonial Occupation in Palestine" in Ronit Lentin (ed.), *Thinking Palestine* (London: Zed Books, 2008), pp. 65-81, here pp. 68-69.

various human rights organizations and groups such as the Palestine Human Rights Information Center (PHRIC),[705] Al-Haq, and B'Tselem. A new measure took into effect in late March 1993 in the form of a closure in which Palestinians were prevented from entering beyond the Green Line including Jerusalem as well as from moving through the West Bank and the Gaza Strip. This was enforced through a system of roadblocks and fixed as well as mobile patrols, as well as a gradual sophistication in a permit system which began as pieces of printed paper and which by the year 2010 entailed biometric magnetic cards with printed paper permits that have the holder's computerized photo. This has had a considerable effect on Palestinian lives on multiple levels: health, education, economy, social relations, movement, purchasing power, as well as time spent on queues at checkpoints or traveling through alternative rugged terrain routes. Since the first *Intifada* which began in December 1987 through 2010, at least 10,000 Palestinians have been killed by Israeli forces and settlers/civilians.[706] It is estimated that some 700,000 Palestinians have been imprisoned since 1967.[707] Over 24,000 Palestinian homes have been demolished since 1967.[708] The Israeli military onslaught during the second *Intifada* of 2000 has resulted in deaths of over 8,150 Palestinians according to the Palestinian Human Rights Monitoring Group (PHRMG), and over 100,000 injured according to the Palestinian Ministry of Information.[709] Furthermore, amendments to Israeli military orders came into effect on April 13, 2010 which classify all Palestinians living in the West Bank as "infiltrators" meaning that all the Palestinians require Israeli permits to live there; they could be expelled without judicial review.[710] This military legislation would enable the Israeli Military Government to expel *en mass* the Palestinian population of the West Bank at any time.

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[705] The Palestine Human Rights Information Center (PHRIC), was one of the centers of the Arab Studies Society, was established in 1986 and was closed by the Israeli authorities in 2000. It documented human rights violations agasint Palestinians particularly during the first intifada and through the 1990s publishing monthly and annual reports as well as special issues covering particular topics such as: settler violence, house demolition policy, summary execution of Palestinains, use of torture during interrogation, and expulsion.

[706] Compiled from B'Tselem website www.btselem.org/English/Satistics/Casualties.asp; Palestinian Human Rights Monitoring Group (PHRMG), www.phrmg.org; Palestinian Ministry of Information report on the 9th Anniversary of the Al-Aqsa Intifada (28 September 2009).

[707] United Nations, Report on the Special Rapporteur on the Commission of Human Rights, *Question of the Violation of Human Rights in the Occupied Territories, including Palestine,* (January, 2006).

[708] The Israeli Committee Against House Demolitions (ICAHD), *Statistics on House Demolitions* (July 2009).

[709] Palestinian Human Rights Monitoring Group (PHRMG), www.phrmg.org; Palestinian Ministry of Information report on the 9th Anniversary of the Al-Aqsa Intifada (September 28, 2009).

[710] Hamoked, "Hamoked: Center for the Defense of the Individual Appeals to the Legal Advisor for the West Bank: Revoke the Amendment to the Order Regarding Infiltration" (5 July, 2010), http://www.hamoked.org/Document.aspx?dID=Updates1037.

If any one of the five actions constituting genocide is enough to hold the perpetrator of such atrocities liable, then practice of the first three classifications over the past 60 years acts could be regarded as a protracted genocide. Such characteristics as the killing of members of the group (here Palestinian), causing serious bodily or mental harm of the members of the group, and deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or part, suggest that, when all combined, genocide has been and is in practice in order to conquer the land as the following quote suggests; thus conquest and settlement were part of the same process in the creation of the Zionist settler colonial existence:

> An example of an instrument that entailed a broad concept of security and erasing the dividing line between army and society was Nahal (acronym for Fighting Pioneer Youth). Nahal combined military training with agricultural work and land settlement. The country, it suggested in an echo of earlier times, could be conquered not only by a professional army but also by settlement. In a discussion by Mapai activists in early 1949, the idea was raised to turn from "military conquest" to "settlement conquest" as a goal that would serve the same purpose of displaying lordship over land. This fit in with one of the reasons why Nahal's establishment, as Ben-Zion Yisraeli explained at the same meeting: "To grab quickly the hundreds of abandoned [Arab settlements] along the borders."[711]

The above use of genocide constitutes a process of Total War by settler colonizers in order to produce their existence on the land of the indigenous people. That this seems on-going suggests that the Zionist state is still engaged in what has been called in this study, the production of its existence phase. This also means that its policies and politics need to be understood as a continuation of a Total War rather that one directed by politics. This brings one to the third component characteristic of total warfare which is the reversal of the roles of politics and war.

iii.   Reversal of role between war and politics

Carl von Clausewitz regarded war as "an act of policy" and "the continuation of policy by other means", he also noted that when war assumes the absolute (or total) it "will usurp the place of policy...; it would then drive policy out of office and rule by the laws of its own nature."[712] In other words, when Total War is practiced politics becomes subordinate to it and becomes and instrument of the war effort rather a shaper of its goals. Therefore, all

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[711] Uri Ben-Eliezer, *The Making of Israeli Militarism* (Bloomington: Indiana University Press, 1998), p. 208.
[712] Carl von Clausewitz, *On War,* (trans.) Peter Paret and Michael Howard 2nd edn. (Princeton, N.J.: Princeton University Press, 1984), pp. 86-87.

non-war aspects become instruments of the Total War effort until it achieves its end, "that military operations could not be suspended, that hostilities could not end until one or other side were finally defeated."[713] Thus politics, public opinion, economy, and law all become instruments of Total War until the objective of total defeat of the opponent people is realized. This is relevant with regard to the Zionist approach to the conflict with the Palestinian people from its early stages. Norman Finklestein, points out that Ben Gurion's moves for reconciliation with the Arabs in the 1930s and the 1040s, was a tactic not a real intention, in other words that this was a maneuver within a belligerent motive. Finklestein notes that in the epilogue of his book about Ben-Gurion, Shabtai Teveth abruptly discounts Ben-Gurion's posturings as sheer opportunism:[714]

> A careful comparison of Ben-Gurion's public and private positions leads inexorably to the conclusion that this twenty-year denial of the conflict was a calculated tactic, born of pragmatism rather than profundity of conviction. The idea that Jews and Arabs could reconcile their differences… was a delaying tactic. Once the Yishuv had gained strength, Ben-Gurion abandoned it. This belief in a compromise solution… was also a tactic, designed to win continued British support for Zionism.[715]

How the Israeli courts handled the trials against the soldiers involved in the Kufr Qassem massacre of 1956 in which 49 villagers were killed is an indication of how even the legal system could be used to support the Total War against the Palestinians. The commander of the brigade that who gave orders to massacre was sentenced to pay a fine of one piaster for his actions; another soldier involved in the massacre by the name of Gabriel Dahan was promoted to military governor of Ramleh in the Galilee area. The court proceedings had lasted for two years during which the Israeli media had promoted that a just ruling would be reached.[716] This is one indicator of how even the courts tend to be used to support the Total War effort during the settler colonial phase of production of its existence. Another more recent example was the response of the Israeli High Court to the ruling on the principal judicial organ of the United Nations, the International Court of Justice (ICJ), of July 9, 2004. It decided that Israel's construction of the separation wall in the occupied Palestinian territory and its associated regime are contrary to international law. It's statement said Israel must cease construction of the wall and dismantle sections located in the occupied

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[713] *Ibid.,* p. 579.
[714] Norman Finkelstein, *Image and Reality ..., op.cit.,* p. 105.
[715] Shabtai Teveth, *Ben-Gurion and the Palestinian Arabs* (Oxford: Oxford University Press, 1985), pp. 198-199.
[716] Rawan Adhamin, *Tahta al-Mijhar: As hab al-Bilad* (Part II), Al-Jazeera documentary, 28 October, 2010 (in Arabic), http://www.aljazeera.net/NR/exeres/614FF0F8-FE0F-4907-A899-E6B3B03FD1CE .

territories, to repeal or render ineffective all related legislative and regulatory acts, to compensate for damage caused, and, to return Palestinian property or provide compensation if restitution is not possible. The Israeli High Court of Justice (HCJ), however, rejected the ICJ decision and ruled Israel had for security reasons the authority in principle to build a separation wall in the West Bank, beyond the 1967 Green Line border.[717] This illustrates that under the pretext of security, which seems to be synonymous with the protracted Total War effort against the Palestinians, even the highest judicial body in the country succumbs to the process of genocide.

On another level, military operations and wars have been conducted against the Palestinians which seem to illustrate the subordination of politics to war i.e. that policy becomes an instrument of war and that the war effort takes precedence and is dominant. The 1982 Israeli war in Lebanon is one example. The official political objectives of the "operation" was to overturn the Palestine Liberation Organization (PLO) strongholds and to push the guerrillas back to a 40 kilometer line from the border with Lebanon, thus putting them beyond their Katyusha rockets.[718] The Israeli cabinet met on Saturday June 5, 1982 at the then Prime Minister's (Menahem Begin) residence in Jerusalem and authorized the military invasion of Lebanon which it called "Operation Peace for Galilee" which would later be known as the "The War of Lebanon." According to this resolution no. 676 the Israeli army was "entrusted with the mission of freeing all the Galilee settlements from the range of fire of terrorists, their Headquarters and bases concentrated in Lebanon."[719] While the depth of the invasion was not specified in the resolution, the then Defense Minister, Ariel Sharon, made it clear during the meeting that "[t]he operation's objective [is] to remove the terrorists from firing range of the northern border, approximately 45 kilometers."[720] However, on the fifth day of the war on June 10, 1982, Sharon was explaining why he and his Chief of Staff Rafael Eitan had gone beyond the 45 kilometer line designated by the

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[717] "High Court: Separation fence can be built beyond Green Line", *Ha'aretz,* 15 September 2005, http://www.haaretz.com/news/high-court-separation-fence-can-be-built-beyond-green-line-1.169812.
"The High Court of Justice HCJ 7957/04 ruling on the fence surrounding Alfei Menashe", *Ha'aretz,* 15 September 2005, http://www.haaretz.com/news/the-high-court-of-justice-hcj-7957-04-ruling-on-the-fence-surrounding-alfei-menashe-1.169920.

[718] Martin van Creveld, *The Sword and the Olive: A Critical History of the Israeli Defense Force* (New York: PublicAffairs, 1998), pp. 189-191.

[719] H. Sachar, *A History of Israel,* vol. II (Oxford: Oxford University Press, 1987), p. 175.

[720] Ahron Bregman, *Israel's Wars 1947-93* (London and New York: Routledge, 2000), p. 104, n157; Mordechai Zipori, *In a Straight Line* (Tel Aviv, 1997), p. 272 (Hebrew); Zipori was a minister in Begin's cabinet and one of Sharon's critics.

cabinet. He said that "in order to maintain a security strip of 40 kilometers it was necessary to destroy the infrastructure of terror and hit the terrorists as severe a blow as possible even at a range beyond 40 kilometers."[721] Later in July 1982, when the Israeli forces were more than 80 kilometers north of the border with Lebanon, Sharon admitted that the initial goal had been to push the Palestinian guerrillas 45 kilometers.[722] This implicit admission by Sharon that he had gone beyond what had been politically authorized by the cabinet, suggests as Ahron Bregman points out that the actual plan implemented was different from what was presented to the cabinet at its meeting in Begin's residence. The operational plan drawn for the invasion was called "Big Pines Operation" which envisioned a deep penetration of troops up to the Beirut-Damascus road destroying the PLO infrastructure, and linking up with the Maronite Christian troops in the outskirts of Beirut. The objective then was to expel the PLO from Beirut and Lebanon.[723] Contrary to what he had stated in the cabinet meeting on June 5th, Sharon had declared in a meeting with military commanders a month earlier on May 4th that the solution to problems caused by the PLO "lies only in an action that will bring about the actual destruction [of the PLO], destruction of [its] military power, [its] military command posts, and [its] political command centers in Beirut… [and] we will get there [to Beirut]."[724] Bregman adds that the operational plan to reach Beirut was know to the Israeli commanders and the Maronite leadership but not to the Israeli ministers.[725] This taking over of the war effort and changing of the goals by the military without the consent of the political establishment seems closer to politics being an instrument of war rather than war an instrument of politics. In other words, that as this case shows, politics was made subordinate to war – a reversal of the roles of politics and war in which war is politics by other means to rather politics is war by other means. What makes this observation more a characteristic of Total War dynamics is the rational behind the Lebanon War according to Sharon who said: "Quiet on the West Bank requires the destruction of the PLO in Lebanon."[726] This link was also made by the then Foreign Minister, Yitzhak Shamir who said: "The defense of the West Bank starts in West

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[721] Interview with Sharon on Israeli Television 21:34 GMT, 10 June 1982; Aharon Bregman, *Israel's Wars …, op.cit.,* p. n158.

[722] Ariel Sharon, "Israel's War: We Tried so hard to Spare Civilians", *The Times,* 14 July 1982; Ahron Bregman, *Israel's Wars …, op.cit.,* p. n158.

[723] Ahron Bregman, *Israel's Wars …, op.cit.,* p. 105.

[724] Ariel Sharon in *Yediot Aharonot,* 28 June 1982 (Hebrew); Ariel Sharon. "Facts as they are About the War in Lebanon", Lecture at the Centre for Strategic Studies (Tel Aviv, 11 August 1982), p. 19 (Hebrew).

[725] Ahron Bregman, *Israel's Wars …, op.cit.,* p. 106.

[726] Ze'ev Schiff, *Ha'aretz,* 23 May 1982 (Hebrew); Ahron Bregman, *Israel's Wars …, op.cit.,* p. 101.

Beirut".[727] Shmuel Sandler places this objective as part of a process; he states that "the Peace for Galilee Operation was designed to a clear national goal: the destructin of the PLO that would allow Israel to solidify its control over the territories."[728] This would seem to indicate that the invasion of Lebanon was part of the settler colonial production of Zionist existence in the part of the Palestine occupied in 1967; thus a continuation of the protracted Total War against the Palestinian people in order to consolidate control over Palestine and subjugate its indigenous people. In other words, in Total War, the geographical boundaries are overtaken by the means to realize total victory over the indigenous nation, even if it takes on a regional scope of military operations. A characteristic which was also one of Apartheid South Africa in its regional operations, as was covered in the previous chapter. The regional aspect shall be developed further below with regard to the Zionist case.

The above examples of reversal of politics and war that politics becomes an instrument of war rather than the determiner of the use of war has implications on Shmuel Sandler's emphasis on what constitutes national interests of what he calls ethnonationalism.[729] If, according to Sandler, the essence of an ethnic nation lies in its historical origin, then its state is defined by its functional performance to which, he argues, politicians and international statespersons need to be more sensitive towards.

> Statesmen from polities that lack an ethnonational motive in their national experience may not be sufficiently sensitive to such [primordial historical] aspirations and therefore may look only for interstate mechanisms. Henry Kissinger identified a comparable gap between the insular and the continental experiences when he studied nineteenth-century Europe:[730]
>> To Castlereagh the continental nations were aspects of a defensive effort: but to the continental nations general equilibrium meant nothing if it destroyed the historical position which to them was the reason for their existence. To Castlereagh the equilibrium was a mechanical expression of the balance of forces; to the continental nations a reconciliation of historical aspirations.[731]

Sandler then proceeds to advise American policy-makers in particular to take the above lesson into consideration when approaching Middle East negotiations. Meaning that policy makers need to understand:

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[727] Yoel Marcus, "The War is Inevitable", *Ha'aretz,* 23 May 1982 (Hebrew); Ahron Bregman, *Israel's Wars ..., op.cit.,* p. 101.
[728] Shmuel Sandler, *The State of Israel,..., op.cit.,* p. 269.
[729] *Ibid.,* p. 271.
[730] *Ibid.*
[731] Henry Kissenger, *A World Restored: Metternich, Castlereagh and the Problem of Peace 1812-1822* (Boston: Houghton Mifflin, 1957), p. 145.

> For polities with a strong ethnonational component, a pure statist solution may not resolve the problem unless the factors that arouse the primordial aspirations are also treated. Thus, an imposed solution, even if implemented, may collapse if historical aspirations are not reconciled and the causes of their reappearance or reoccurrence are not eliminated.[732]

This has particular significance if the performance assumes a Zionist version of a 'religious calling'. Consequently, Sandler proposes that national interest, the most celebrated concept employed in foreign policy, would need to be reexamined.[733] Implicitly, he is suggesting that this re-examination be done to accommodate national interests of the Zionist project, which as Edward Said described, "aimed to create a society that could never be anything but 'native'…at the same time that it determined not to come to terms with the very natives it was replacing with new (but essentially European) 'natives'."[734] Furthermore, Sandler subscribes to a zero-sum view of the conflict with the Palestinian indigenous nation,[735] driven by a Zionist version of Judaism; allegedly hanging in the balance – according to this logic – is the future existence of Judaism itself. Also implicit in Sandler's call for a conceptual reconsideration of national interest seems to be condoning transforming indigenous geography to become in line with the concept of the Jewish 'ethnic nation' identity. This process seems to resemble the centripetal or fusion process which settler colonial cases tend to engage in when forming a new identity; one that is territorially bound, while at the same time activating a centrifugal or fission dynamic effect on the indigenous people. The centripetal national interest process thus manifests in activities which counter international law including transfer of occupier's population to occupied land, the confiscation and annexation of occupied territory. In this sense Sandler seems to be suggesting that national interest supersedes international law and international human rights norms and standards in the case of the Israeli "nation-state."   Moreover, Sandler, seems to propose that in the Israeli state's process of actively creating a 'nation' as in the United States and Australia, the state's foreign policy by necessity violates international law, so as to realize its national interest. Indeed he reiterates Henry Kissinger's remark "that a state's desire for absolute security in a world of relative security may result in insecurity for others."[736] Hence, his suggestion, in settler-colonial terms, is that a settler

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[732] Shmuel Sandler, *The State of Israel,…, op.cit.,* p. 271.
[733] *Ibid.*, pp. 10-11.
[734] Edward Said, *The Question of Palestine* (London: Vintage, 1992), p. 88.
[735] See Shir Hever, *The Political Economy of Israel's Occupation: Repression Beyond Exploitation* (London: Pluto Press, 2010), p. 1
[736] Shmuel Sandler, *The State of Israel…, op.cit.,* pp. 273, n274.

colonial state's foreign policy, which he, Sandler, calls "Jewish foreign policy"[737] needs to be accommodated in the international realm even if it violates international law, during the time when a settler colonial existence is being produced. Therefore, Sandler seems to be arguing that the Israeli state be compared with previous settler contexts, such as the United States and Australia as well as nineteenth century Europe, and accountable according to pre-international law and pre-humanitarian conventions of the post World War Two. In so doing, Sandler, is arguing that the Geneva Convention of 1949 should not apply to Israel at least while it is still in producing its "Land of Israel" in Palestine; and that it should be allowed to do so until this project is completed. Indeed proponents of Zionism have maintained that criticism towards the Zionist practices in Palestine fall under a 'double standard' in which the Israeli case is not be allowed to complete its process like other countries Western countries.[738]

The above rationale is seen manifest in the official Israeli response the Goldstone report, which investigated the Israeli violations committed against the Palestinians during its War on Gaza in 2008-2009. The Goldstone Mission was created by the Human Rights Human Rights Council in January 2009. The Council stated the follows in its resolution:

> Decides to dispatch an urgent, independent international fact-finding mission to investigate all violations of international human rights law and international humanitarian law by the occupying Power, Israel, against the Palestinian people throughout the Occupied Palestinian Territory, particularly in the occupied Gaza Strip, due to the current aggression.[739]

The crimes documented in the report of the UN Fact Finding Mission represent the most serious violations of international law and Justice Goldstone concluded that there was evidence to indicate that crimes against humanity may have been committed in the Gaza

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[737] *Ibid*., p. n274 endnote no. 11.

[738] See for example Israeli Ministry of Foreign Affairs (MFA) webpage http://www.mfa.gov.il/MFA/FAQ/FAQ_Attack_Israeli_Values.htm#delegit. The MFA uses to term "lawfare" to signify what it describes as a 'warfare' being waged against the Israeli state by utilizing international human rights standards and law to hold it accountable for its actions and policies particularly towards the Palestinians. It is also worth noting that also referenced in this site is Clausewitz's dictum of war being a continuation of politics by other means suggesting a well versed discourse with this military thinker's theory of war and implicitly its absolute or total version.

[739] As quoted by the Israeli Deputy Foreign Minister Danny Ayalon, Israel Ministry of Foreign Affairs, **"**MFA Briefing to the Foreign Press on the Goldstone Report with Deputy Foreign Minister Danny Ayalon, MFA Director-General Yossi Gal and MFA Deputy Legal Advisor Daniel Taub," Jerusalem, 1 October 2009; see http://www.mfa.gov.il/MFA/Government/Speeches+by+Israeli+leaders/2009/MFA_briefing_foreign_press_Goldstone_Report_1-Oct-2009.htm

Strip. The Israeli Deputy Foreign Minister, Danny Ayalon, in his statement during a press conference held in October 2009 in response to the document, said that "this intolerable report discredits the whole cause of human rights. It does a great injustice to the cause of fighting terrorism and does a lot of disservice to the noble cause of the United Nations as a whole." This even though on the first days of the War on Gaza, Israel declared it "total war"; the Israeli Defense Minister Ehud Barak used the term "all-out-war";[740] and it was described in the Israeli press as the "the heaviest attack on the Gaza Strip since the Six-Day War in 1967 "designed to "send Gaza decades into the past" while achieving "the maximum number of enemy casualties and keeping Israel Defense Forces casualties at a minimum," according to the Israeli GOC Southern Command Yoav Galant.[741] Ayalon added inferring to an alleged double standard being applied to target Israel:

> You know, if somebody comes from outer space and lands in Geneva and goes through the minutes and the reports of the Human Rights Council, he will discover that of the nine special sessions devoted to specific countries by the Human Rights Council, five were dedicated to the State of Israel and four to the rest of the world, to the rest of the 191 countries on this globe. He will further discover, that guy from outer space, that the Council had devoted more than 25 resolutions to the State of Israel, more than all of the resolutions devoted to other countries put together.[742]

He ended his statement with the following criticism of the findings of the Goldstone report and what the international community's position should be:

> In short, we think that this report goes beyond any conceivable sense of partiality. We think that the conclusions of this biased report go beyond any acceptable international norms and standards of balanced inquiries…. So what we want to convey from this podium today is that … it is incumbent upon the international community, it is incumbent upon the responsible member states, to do away with this report, not take any action…[743]

The deliberate use of the term "total war" by Israeli officials at the start of the War on Gaza and the conceptual meaning of the term corroborated by the commanding Israeli officer of the war effort, suggest that the war – by being total – was conducted against the whole

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[740] Richard Falk, "The U.N.'s Richard Falk: Gaza a Victim of Geopolitics" interview 31 December 2008 see http://www.huffingtonpost.com/nathan-gardels/the-uns-richard-falk-gaza_b_154523.html; Shahar Ilan and Amos Harel, "Barak: We'll Use Every Resource to Stop 'Criminal' Rocket Fire from Gaza", *Ha'aretz,* 29 December 2008.

[741] Amost Harel, "Shadow of Lebanon / Shock and Awe", *Ha'aretz,* 28 December 2008; Amos Harel and Avi Issacharoff, "IDF Surprises Hamas with Largest Gaza Operation since 1967; at least 225 killed", *Ha'aretz,* 28 December 2008; Uri Blau, "GOC Southern Command: IDF will Send Gaza Back Decades", *Ha'aretz,* 28 December 2008.

[742] As quoted by the Israeli Deputy Foreign Minister Danny Ayalon, Israel Ministry of Foreign Affairs, "MFA Briefing to the Foreign Press on the Goldstone Report …, *op.cit.*

[743] *Ibid.*

population of 1.5 million the Gaza Strip who were already 18 months into a blockade imposed by Israel. This is consistent with what the U.N. special rapporteur for the Occupied Palestine Territories said in an interview in the early days of the war:

> The people of Gaza are victims of geopolitics at its inhumane worst: producing what Israel itself calls a "total war" against an essentially defenseless society that lacks any defensive military capability whatsoever and is completely vulnerable to Israeli attacks mounted by F-16 bombers and Apache helicopters.[744]

Indeed, in the one month war, over 1,410 Palestinians were killed during the war over 69% non-combatants including more than 300 children and over 100 women.[745] Israeli claims of avoiding Palestinian civilian casualties seem to have been rhetorical. In early October 2008, the Commanding officer of the Israeli Army's Northern Command, Major General Gadi Eisenkott had disclosed the "Dahye Doctrine" describing the bombing that had been done in Beirut during the Israeli war in Lebanon in 2006. In an interview with an Israeli Hebrew newspaper *Yedioth Ahronot* Eisenkott stated:

> What happened in the Dahiye Quarter in Beirut in 2006, will happen in every village from which shots are fired on Israel. We will use **disproportionate force** against it and we will cause **immense damage and destruction**. From our point of view **there are not civilian villages but military bases**…. This is not a recommendation, **this is the plan, and it has already been authorized.**[746]

During the Lebanon War of 2006, Israeli forces carried out more than 10,000 bombings killing over 1,100 people and injuring over 4,000; according to Eisenkott more than 120,000 houses were destroyed. In his testimony to the Winograd Committee which was established by the Israeli government in the aftermath its war on Lebanon in 2006, Major General (Reserve) Amos Malka said:

> The concept of 'sufficient achievement' doesn't exist, the search is for the ultimate achievement that pulls ahead. Generals usually do not recommend ending the fighting. It is hard to imagine a general who is currently in the midst of fighting recommending that the political echelon stops.[747]

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[744] Richard Falk, "The U.N.'s *…, op.cit.*

[745] The Public Committee Against Torture in Israel (PCATI). *No Second Thoughts: The Changes in the Israeli Defense Forces' Combat Doctrine in Light of "Operation Cast Lead"* (Jerusalem: PCATI, November 2009), p. 9 citing data from the Palestinian Center for Human Rights (PCHR), "PCHR Contests Distortion of Gaza Strip Death Toll," 26 March 2009: http://www.pchrgaza.org/files/PressR/Englsih/2009/44-2009.html

[746] *Ibid.*, p. 20, [bold as in report] citing Alex Fishman and Ariela Ringel-Hoffman "I Have Incredible Power, I'll Have No Excuse" *Yedioth Ahronoth* (Hebrew) Saturday Supplement, 3 October 2008.

[747] Yossi Sarid, "A Different War", *Ha'aretz,* 9 January 2009.

Given the binary discourse reflecting a zero-sum approach to combat and war and the categorization of Israeli officials at the early stages of the war that what was called "Operation Cast Lead" was actually a Total War on Gaza, the stance of the Israeli Ministry of Foreign Affairs (MFA) in the Goldstone report seems to be consistent with what is "Jewish foreign policy" according to Sandler's analysis. Emanating from this "total war" policy was the need to claim a "monopoly of truth" – a component of Total War. In so doing politics and diplomacy serve to support, and are subordinate, to the war. This is another characteristic consistent with the nature of this type of warfare.

iv. The use of force multipliers:

As has been mentioned before, a force multiplier is the "capability that, when added to and employed by a combat force, significantly increases the combat potential of that force and thus enhances the probability of successful mission accomplishment."[748] Force multiplication can be achieved by using a technology, or a combination of it, which makes a given force more effective than if used without it. The expected size increase required to have the same effectiveness without that advantage is the multiplication factor. In the Zionist case, the force multiplication can be categorized into two forms: one having to do with the system of rule over the indigenous nation, and the second the technological gadgetry used for the purpose of subduing Palestinians.

a. A dual system of rule:

In contrast with the dual system of rule in Apartheid which came in the form of legislation passed by the Apartheid government in 1949 and 1950 such as Mixed Marriage Act and the Population Registration Act, the Zionist case was one which took the form of two distinct systems of rules and legislation altogether. For while the parliament (Knesset) of the Zionist state began to pass its basic laws intended to function in place of a constitution for the settler-colonialists representing the "Jewish community of Eretz-Israel and the Zionist movement", it continued to enforce, and add to, the emergency rules and regulations of a military government of the British Mandate (the Mandatory Government). In particular, the

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[748] *Dictionary of Military and Associated Terms* (US Department of Defense, 2005).

decree of 1937 which gave the military governor free decision to take the necessary measures to quell the Palestinian revolt in 1936 against the British rule and its role in facilitating Zionist settling in Palestine.[749] This Zionist version of this form of rule over the Palestinians took effect in two phases. The first was between 1948 until 1966 to rule over the Palestinians who remained in Palestine occupied after 1948. The second came into effect after 1967 over the Palestinians who remained in the West Bank and Gaza Strip. The military government, in both phases, was under the direct control of the Israeli Minister of Defense and issues concerning its policies over the Palestinians were not deliberated in the Israeli parliament (*Knesset*), except when it interfered with the internal policies and rule of the latter (see example below).[750]

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[749] On the early process of legislation of the Zionist state see Asher Zidon, *Knesset: The Parliament of Israel* (tr. from Hebrew by Aryeh Rubinstein and Gertrude Hirschler) (New York: Herzl Press, 1967) and see http://www.mfa.gov.il/mfa/go.asp?MFAH00hb0, *Israeli Declaration of Independence:* "**ERETZ ISRAEL** [(Hebrew) - the Land of Israel, Palestine] was the birthplace of the Jewish people. Here their spiritual, religious and political identity was shaped. Here they first attained to statehood, created cultural values of national and universal significance and gave to the world the eternal Book of Books..... ACCORDINGLY WE, MEMBERS OF THE PEOPLE'S COUNCIL, REPRESENTATIVES OF THE JEWISH COMMUNITY OF ERETZ-ISRAEL AND OF THE ZIONIST MOVEMENT, ARE HERE ASSEMBLED ON THE DAY OF THE TERMINATION OF THE BRITISH MANDATE OVER ERETZ-ISRAEL AND, BY VIRTUE OF OUR NATURAL AND HISTORIC RIGHT AND ON THE STRENGTH OF THE RESOLUTION OF THE UNITED NATIONS GENERAL ASSEMBLY, HEREBY DECLARE THE ESTABLISHMENT OF A JEWISH STATE IN ERETZ-ISRAEL, TO BE KNOWN AS THE STATE OF ISRAEL....WE DECLARE that, with effect from the moment of the termination of the Mandate being tonight, the eve of Sabbath, the 6th Iyar, 5708 (15th May, 1948), until the establishment of the elected, regular authorities of the State in accordance with the Constitution which shall be adopted by the Elected Constituent Assembly not later than the 1st October 1948, the People's Council shall act as a Provisional Council of State, and its executive organ, the People's Administration, shall be the Provisional Government of the Jewish State, to be called "Israel"." [Emphasis added]; about the military rule and how it was used to govern over the Palestinians who remained in the land occupied in 1948 see Sabri Jiryis, *The Arabs in Israel …*, *op.cit.*, pp. 21-125, Jiryis also points out on p. 34 that the emergency regulations were also used in the summer of 1948 by the new government against Zionist groups in order to arrest members of *Itzel* for bringing the Altalina ship with arms to Tel Aviv and *Lehi* after the assassination of Count.

[750] About the separation of the military rule from deliberation of the Knesset in the post 1948 period see "Israeli State Controller's Report on the Security Apparatus for the fiscal year of 1957-1958", No. 9, 15 February 1959, pp. 57-58 as cited in Jiryis, p. 74; with regard to the military government imposed on the West Bank and Gaza Strip after 1967 see Shlomo Gazit, *Trapped Fools: Thirty Years of Israeli Policy in the Territories* (London: Frank Cass Publishers, 2003), p. 14 were Gazit states: "Most of the burden of responsibility for forming Israel's administration policy in the Territories [i.e. West Bank and Gaza Strip] fell on the shoulders of the minister of defense and the security establishment....The Israel Cabinet saw no need to debate, discuss, or decide who should be charged with the administrative responsibility." Like in the previous military government of post 1948, the military government of post 1967 was a separate entity from the Israeli parliament and whose policies were devised and implemented at given discretion of the minister of defense.

i) 1948-1966:

The basis of this military rule over the areas where the Palestinians had remained was set at the beginning of 1949; the main Palestinian cities still with large Arab populations became under the control of the police, while the other areas came under the control of military. Drawing from the emergency laws of 1945, the Israeli Minister of Defense appointed military governors to three main areas where three quarters of the Palestinian population remained: the Galilee area in the north, the Triangle area in the center, and the Negev area in the south.[751] Based on Article 125 of the Defense Regulations, these areas were declared closed military areas and so the Palestinian population was prevented from moving places within or out of these areas without written permission from the military authorities; in this way the population was prevented from tending to their groves and land which was confiscated for Israeli settlement.[752] Furthermore, according to the State Controller's Report of 1957-58, this military rule held roles and tasks which would normally be covered by the civilian ministries and government offices and without clear justification.[753] This seems to suggest that the there was a duplication of ruling systems in which the military government the powers were similar to those of the ministries and civil authorities without providing the relevant services. Furthermore, while the settler colonial government was bound by the laws and basic laws of the Zionist state, the authority of the military government was derived from the Emergency Laws of the British Mandate and improvisations made according to settler colonial needs to ruling over the Palestinians. One such need was the confiscation and then transfer of Palestinian land to the Zionist agencies as has been described above. The military government interfered in all aspects of Palestinian life:

> …from the day of his birth until the day of his death. For in his [the military governor's] hands is the final decision concerning the affairs of the labourers, the farmers, the craftsmen, the merchants, the intellectuals, and the affairs of education and social services. The military governor interferes in the registration of the population, the births, the deaths and even the marriages, as well as the affairs of land and the hiring and firing of teachers and employees. He also arbitrarily and extensively interferes in the affairs of political parties, and social political activity, and in the affairs of the local councils, and municipalities.[754]

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[751] Sabri Jiryis, *The Arabs in Israel …*, *op.cit*., pp. 47-48, for detailed break down of the areas see pp. 49-52 based on Article 6 of the Defense Regulations. 125,

[752] *Ibid*., p. 50.

[753] "Israeli State Controller's Report on the Security Apparatus for the fiscal year of 1957-1958", No. 9, 15/2/1959, pp. 57-58 as cited in Jiryis, p. 74.

[754] Translated from quote in Jiryis, p. 75 who cites Emil Habibi's statements in "Knesset Proceedings" (Hebrew) 29 November 1955, p. 41; "High Court Decisions" Vol. 30, p. 103; *Yediot Ahronoth,* 22 August

The rule of the military government ended in 1966 and its tasks were handed over to the civilian bodies of the state; the purpose was to integrate the Palestinians into the state by moving from collective control to individual control over them.[755] Two factors influenced this transition: one was internal and the other was external. With regard to the first, criticism grew from the early fifties from other Israeli political parties such as the communist party that the military governors were using their influence to force Palestinians to vote for the ruling party *Mapai* which was lead by the founder of the state, David Ben-Gurion. For example, in the summer of 1958 and before the third elections on July 26, the military governor of Galilee ordered the detention of the head of the local council of Tamra for supporting the same party which the Minister of Interior, who had appointed him, supported in the party elections against the *Mapai* ruling party.[756] The criticism peaked between 1961 and 1963 as external factors also began to affect Israeli control over the Palestinian population. The rise of Gamal Abdel Naser in Egypt in 1953, Palestinian resistance operations from the West Bank and Gaza inside the land occupied in 1948, Egypt's nationalization of the Suez Canal in 1956, the declaration of the United Arab Republic (joining Egypt and Syria) in 1958, were some of the factors that were increasingly affecting Palestinian consciousness and raising Zionist fears of the Arab threat from within the state. Israeli political parties and various sectors of the settler-colonial society began to question the rationality of maintaining such a military rule over the Palestinians amidst such regional developments which drew their affiliation.[757] Therefore, it was both internal and regional developments which forced the Zionist government to reconsider the military government option of dealing with Palestinians within the settler-colonial borders and to thus abolish it altogether in 1966. Four decades later, human rights organizations both Arab

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1959 (Hebrew), *Ha'aretz,* 12 November 1959 (Hebrew).

[755] Sabri Jiryis, *The Arabs in Israel …, op.cit.*, pp. 106, 113.

[756] Other examples are: in 1956 the military governor of the Central Area ordered the banishing of two members of the Tira local council to prevent them from voting for the new head of the council in order to secure a majority vote for his candidate for the position. In 1958 there emerged a serious dispute between the Military Governor of the Central Area and the Minister of Interior over authority over areas there; the matter was raised in the government. Again in 1959, the Legal Advisor to the Government request the Military Public Prosecutor to take measures against a representative of the Military Governor in Um Al-Fahim area in the Central Area after accusing him of abuse and overstepping his authority as well as threatening Arab voters to vote for the Mapai list. See also *Yedioth Ahronot,* (Hebrew) 22 August 1959; *Ha'aretz,* (Hebrew) 12 November 1959; Jiryis, p. 75.

[757] One protest petition by 200 Israeli intellectuals against the Military Government see *Nir* (Hebrew Magazine), July-August, 1958; also calls by writes, journalists and artists of protest pulished in *Lamarhav* (Hebrew), 25 August 1958; also a notice issued by the Israeli party Mapam against the Military Government published in *Ma'ariv* (Hebrew newspaper), 19 February 1963. See Jiryis, pp. 67, 77-78.

and Israeli as well as international agencies have documented the systematic discrimination against the Palestinians with Israeli citizenship living within the land conquered in 1948. Palestinian villages are not allowed to building outside existing built areas, and in some cases they are denied access to care for their land and groves.[758] Through 2010, the Arabs with Israeli citizenship continued to face discrimination in all aspects of their lives and socioeconomic standing compared with Jewish citizens of the state. This discrimination is evident "with regard to land, urban planning, housing, infrastructure, economic development and education. Over half the poor families in Israel are Arab families, and Arab municipalities constitute the poorest municipalities in Israel."[759]

ii) Since 1967:

After the end of the military government in 1996 over Palestinians who remained in the settler-colonial state established in the 1948 war, the Israeli civil government maintained what Jonathan Cook has called "a largely benevolent apartheid system inside Israel … over the one million Palestinians."[760] They are prevented from living in Jewish communities, and Arab municipalities do not receive the bare minimum of funding from the government to function, and they cannot build beyond the already existing built spaces of the towns and villages – even on land which their communities own. Furthermore, the education system is below standards than that for the Jews and Arabs cannot work in many secotors of the economy. Several of the Arab parties risk being banned from running in the next Israeli elections.[761]

The official Israeli claim is that the Palestinian land occupied during the 1967 war was an unexpected outcome which Shimon Peres attributes not to "sophisticated villains" but to "innocent fools".[762] Major General Shlomo Gazit goes further to state that the land occupied in the 1967 war and the system of government that ensued there was not

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[758] Adalah The Legal Center for Arab Minority Rights in Israel, "New Update: Israeli Supreme Court Rules that Lands Confiscated in Lajoun from 486 Arab Families in 1953 for "Settlement Needs" will not be Returned to Them", 12 January 2010, http://www.adalah.org/eng/pressreleases/pr.php?file=10_01_12 .

[759] The Association for Civil Rights in Israel. "Fact Sheet: Equal Rights for Arab Citizens", 12 October 2010, www.acri.org.il/eng/print.aspx?id=499 .

[760] Jonathan Cook. *Disappearing Palestine:…, op.cit.,* pp. 150-151.

[761] *Ibid.,* p. 151.

[762] Shimon Peres, "Introduction" in Shlomo Gazit, *Trapped Fools: Thirty Years of Israeli Policy in the Territories* (London: Frank Cass Publishers, 2003), pp. xix-xxi, here p. xix and Gazit, pp. 10-11 under the heading "The Absence of Military Planning".

preplanned. While he alludes to a brief time in October 1956 when a military government ruled over the Gaza Strip and the Sinai Peninsula,[763] Gazit does not refer to the military rule imposed on the Palestinians who remained in the land of Palestine conquered in 1948 as described above. Yet he refers to one the chief military attorney at the time, Colonel Meir Shamgar, who would later become the Chief Justice of the Israeli Supreme Court. Shamgar, through the advocate-general's office began in 1963 to prepare for the possibility of establishing military rule in Arab territory that might come under Israeli control in a future war. These preparations were based on the following three assumptions:

1. Occupied lands would be defined as separate and independent entities. International law and rules of behavior in time of war would apply to those territories. Thereby those lands would be different from Israeli territory where Israeli law applies.
2. The Military Government in those lands would derive its authority from two military decrees that would be issued at the start of the military government. One would authorize the IDF [Israeli Defense Forces] to act in that territory and the other would state that the systems of law and justice extant in the territory would be valid, unless they were cancelled or changed by the military commander.
3. Legal advisors would be appointed to each of the Military Government headquarters that were established.[764]

Indeed, the following military proclamations were made within two days of the occupationof the remaining Palestinian land in the 1967 war. Military Proclamation no. 1 was announced on June 7, 1967 signed by the Israeli Chief of Staff stating:

> This declares that Israeli military forces have occupied the West Bank and have taken over control "in the interests of security and public order". Curfew is imposed and all movement forbidden.[765]

On the same day, Military Proclamation no. 3 concerning security provisions was announced stating that:

> Article 35 of this proclamation stipulates that "the military courts and their directors should adhere to the terms of the Geneva Convention of 12 August 1949 concerning the protection of civilians during war and regarding all matters relating to judicial procedure. If there is a contradiction between this order and the above-mentioned convention then the regulations of the convention will take precedent." [766]

Both proclamations seem to concur with the second assumptions for establishing a military government which would derive its authority from two decrees. Furthermore, while

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[763] Shlomo Gazit, *Trapped Fools:…, op.cit.,* pp. 3-4.
[764] *Ibid.*, p. 4.
[765] "Military Proclamation 1: Concerning Assumption of Authority by the Israeli Military Forces", 7 June 1967 in Jamil Rabah and Natasha Fairweather, *Israeli Military Orders in the Occupied Palestinian West Bank 1967-1992* (Jerusalem: Jerusalem Media & Communications Center – JMCC, (1993), 1995), p. 1.
[766] *Ibid.*

military proclamation number three suggests that the Israeli military occupation of the West Bank was to be bound by the Geneva Convention of 1949, it was cancelled in April 1970 by Military Order 378, which essentially detailed more powers to the military leaving out the compliance with the Geneva Convention. By the mid 1990s over 1,300 military orders, some unnumbered military orders were amendments to Jordanian and the British Mandate laws. Among the areas covered by these orders which constitute the legislation for the purposes of regulating life of Palestinians in the West Bank were: absentee property, agriculture, banks, courts, lawyers, notary publics, legal assistance, currency transactions, emergency regulations, employment/labour law, health, industry, insurance, land, state property and surveying laws, objections, claims and appeals, security provisions, tax, custom and excise duties, vat, stamp duties, special levies, urban and rural planning, and water.[767] These orders also facilitated the confiscation of land for "military purposes" which were then used to build settler colonies; a recent report by B'Tselem stated that:

> .. the army admitted that more than one third of the recognized settlements in the West Bank have been sitting for dozens of years on lands that even the Civil Administration recognizes as being under private Palestinian ownership. The army further stated that these lands were taken pursuant to military orders, ostensibly temporary, for "security needs."[768]

An interesting characteristic of Military Proclamation no. 3 issued a few days after the 1967 war began, was that it was quite detailed covering eight topics which would seem to suggest the probability "that it was written in anticipation of the occupation as part of an Israeli contingency plan."[769] This seems to correspond to Ilan Pappe's recent research of

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[767] See Appendix IV: Selected Index in Jamil Rabah and Natasha Fairweather, *Israeli Military Orders ...,* *op.cit.,* pp. 216-232.

[768] B'tselem: Association for Civil Rights in Israel, *Access Denied: Israeli measures to deny Palestinians access to land around settlements.* Jerusalem, September 2008, p. 16. See also, Rappoport, "Civil Adminstration: Third of Settlements Sit on Land Taken for Security Needs", *Ha'aretz,* 17 February 2008.

[769] Jamil Rabah and Natasha Fairweather, *Israeli Military Orders ..., op.cit.,* pp. vii-viii, 1: the topics covered were: (1) General Instructions covering the appointment of the Military Commander and specified the areas of his jurisdiction and his powers; (2) Courts and Judiciary establishing the military courts and outlining their areas of jurisdiction and supplying procedural details; (3) Crimes, forbidding the possession of firearms subject to capital punishment; (4) Detention , Searching, Confiscating, Article 67 stipulated that anyone could be held in administrative detention for up to a period of six months; (5) Restrictions of Movement whereby any Military Commander may close off an area, deny movement, halt work etc.; (6) Special Censorship was allowed in the interests of security and order; (7) Transportation and Traffic, which enabled the military to restrict and regulate the usage of roads and that any soldier could force the residents to remove roadblocks or road obstacles; (8) Curfews, declaring closed zones barring entry without permission and subject to punishment.

released documents from Israeli archives which have revealed that plans for establishing a Military Government in the rest of the land of Palestine had begun as early as 1963.[770]

Gazit points out that operation order (*Nachshonim 2*) which was issued on June 6th, 1967 on the second day of the war charged the southern command of the Israeli army with planning and the establishment of a military government in the Gaza Strip. On June 11th, "the general staff issued detailed guideline as to the establishment of military rule in the Territories occupied by the IDF."[771] Returning to the first assumption which is that the occupied lands would be defined as separate and independent entities different from Israeli territory where Israeli law applied, seems to suggest that this type of government would be distinct from the Israeli parliamentary elected government. Hence, what is being described is a new government – a centralized military government not subject to criticism – in which powers were concentrated in the hands of the Military Governor according to Military Proclamation no. 2 (June 7, 1967) which concentrated these powers in the hands of the Military Governor.[772] This rule would be enforced on the Palestinians and not the Israeli settler colonizers. A few weeks after the end of the war, the Knesset enacted a law on July 2, 1967 to ensure that Israelis would not be subject to the military and emergency laws used to rule over the Palestinians. The law gave domestic Israeli courts simultaneous jurisdiction with the courts in the newly occupied land so that settler colonizers and even their violent groups would be tried by the domestic laws rather than the military laws. This created what Israeli advocate Lea Tsemel, Eyal Benvenisti, and Lisa Hajjar have described as a "dual legal system" of separate jurisdictions, laws, and legal institutions for settler colonizers

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[770] Discussion of Ilan Pappe at Al-Quds University, 21 March 2009.

[771] Shlomo Gazit. *Trapped Fools:…, op.cit.,* p. 4.

[772] *Ibid*., p. 335; Jamil Rabah and Natasha Fairweather, Israeli Military Orders *…, op.cit.,* p. 1; Chapter 1 in Marianne Heiberg and Geir Øvensen, *Palestinian Society in Gaza, West Bank and Arab Jerusalem: A Survey of Living Conditions,* Fafo Report no. 151, 1993, 1994 http://almashriq.hiof.no/general/300/320/327/fafo/reports/FAFO151/1_4.html. The term 'military government' also appears in official documents such as signed between the Palestinian Liberation Organization and the Israeli government during the political negotiations for peace as in the Declaration of Principles on Interim Self-Government Arrangements singed on 13 September, 1993 in Washington, Articles VI 1, VII 2 & 5, Annexes II 3(a), IV and in the Agreed Minutes to the Declaration of Principles on Interim Self-Government Arrangements, Article VII (5); and in the Gaza-Jericho Autonomy Agreement signed on 4 May 1994 in Cairo, Articles V 3(b), and Annex II, article VII (5); see also article by a member of the Hebrew University Faculty of Law Robbie Sabel, "The Problematic Fourth Geneva Convention: Rethinking the International Law of Occupation" Jurist, 16 July 2003, http://jurist.law.pitt.edu/forum/forumnew120.php

including and violent groups as Israeli citizens, and another for the Palestinians.[773] This means the laws whether domestic or military were not intended from the outset to represent justice before the courts which Palestinians could revert to. Rather, one could conclude that they were both intended to enable the military to suppress and oppress the Palestinians as it confiscated their land and then passed it on for settler colonization. The domestic laws gave the preference to the settler colonizers under the added protect of the Israeli army of the military government. Raja Shehadeh outlined four stages during which the Israeli juridical control over the West Bank and Gaza occurred in four between 1967 and through 1988. In the first stage (1967-1971) the military government established its control over transactions of immovable property, the use of water and other natural resources, the power to expropriate land, and the authority to operate banks and over the regulation of municipal and village councils. In this period, also, the system of control over the movement of individuals was established (identity cards, travel permits, driving licenses, and licenses for professional practices). By 1972, 28% of the West Bank lands had been confiscated.[774] In the second stage (1971-1979) the military government primarily focused on transferring Arab lands to the control of Jewish settlement councils. This involved amending Jordanian land laws to facilitate zoning 'public' lands to the benefit of Israeli bodies, and for acquisition of local land by 'foreign' (i.e. Israeli) companies. In the third stage (1979-1981) a Civil Administration was established in 1981 branching out from the Military Government which dealt with civil matters concerning the Palestinians; a further extension of Israeli law to apply to Jewish settlers occurred in this phase so that they would not be subject to the jurisdiction of West Bank (and Gaza) courts. During the fourth phase (1981-1988) Israeli-Jewish control over expropriated areas was consolidated.[775] By 1991, more than 60% of the total area of the land occupied in 1967 was designated for Israeli settler colonial use; Military Orders in this phase concentrated on the regulation of the fiscal policies governing the West Bank and Gaza, particularly those pertaining to the collection

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[773] The particular law is called Emergency Resolution (Offenses Committed in the Israel-Held Areas – Jurisdiction and Legal Assistance) Law; see Lisa Hajjar, *Courting Conflict: The Israeli Military Court System in the West Bank and Gaza* (London: University of California Press, 2005), pp. 58-61; see also Lea Tsemel, "Double Standard Justice in Israel: The Case of the Jewish Terror Organization", *Palestine Yearbook of International Law 2* (1985), pp. 37-68; Association for Civil Rights in Israel –ACRI, *The Legal and Administrative System* (Jerusalem: ACRI, 1985); Eyal Benvenisti. *Legal Dualism: The Absorption of the Occupied Territories into Israel* (Boulder, CO: Westview Press, 1990).

[774] Jeff Halper, *An Israeli in Palestine: Resisting Dispossession, Redeeming Israel* (Ann Arbor, M.I.: Pluto Press, 2008), p. 149.

[775] Raja Shehadeh, *Occupier's Law: Israel and the West Bank* (2nd edn.) (Washington D.C.: Institute for Palestine Studies, 1988), pp. viii, ix-xi, 40, 91-95, 114-115.

of taxes and revenue, and of the flow of funds to the territories.[776] Again, the subsequent effect of these military laws created two systems of legal bodies (one applying to Israeli Jews, and the other to native Palestinians), with a gradual transformation of zoning laws, regional planning, the transfer of land acquisitions to the benefit of the former group, and to the detriment of the latter.[777] Furthermore, the military commanders in the military government were given free hand to initiate policies and to make important decisions and under the Israeli presumption that the Palestinians did not exist as a people and therefore a political solution was not possible.[778] However, after realizing that the *Intifada* that broke out in December 1987 was turning into something close to a civil war, the Israeli Chief of Staff Dan Shomron declared on 10 January, 1989 that there was no such thing as eradicating it by military force and later called for a political approach.[779] It is in this context and the outcome of the Gulf War against Iraq in 1990, that eventually the Declaration of Principles on Interim Self-Government Arrangements (DOP) was signed between the Palestine Liberation Organization (PLO) and the Israeli governmet on 13 September, 1993 in Washington D.C.. Later and as a result of the Gaza-Jericho Agreement (Cairo Agreement) signed in Cairo on 4 May 1994, powers which had been under the control of the Civil Administration such as health, education, agriculture, construction, and planning were handed over the Palestinian Authority in Jericho and Gaza. While Israeli military installations were withdrawn from these areas, and other Areas which later became categorized as Area A which meant the main Palestinian cities, the Israeli Military Government remained. Article V, 3(b) of the Cairo Agreement stated that:

> Israel shall exercise its authority through its military government, which, for that end, shall continue to have the necessary legislative, judicial and executive powers and responsibilities, in accordance with international law. This provision shall not derogate from Israel's applicable legislation over Israelis in personam.[780]

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[776] Chapter 1 in Marianne Heiberg and Geir Øvensen, *Palestinian Society ..., op.cit.*

[777] Anthony Coon, *Town Planning Under Military Occupation* (London: Dartmouth Publishing Company, 1992), pp. 155-202.

[778] Shlomo Gazit, *Trapped Fools:..., op.cit.,* pp. 21-22

[779] Anthony H. Cordesman, *After the Storm: The Changing Military Balance in the Middle East* (Boulder, Colorado: Westview Press, 1993), p. 251; Ze'ev Schiff, "An Analysis of the Intifada's Impact on the IDF", *Ha'aretz,* 16 June 1989 an English translation of the article was published in *The Journal of Palestine Studies,* Vol. xix, No. 1 (Autumn 1989), pp. 156-167.

[780] Gaza-Jericho Autonomy Agreement signed on 4 May 1994 in Cairo, Article V, 3(b).

The above shows that Israeli legislation over Israelis in the territory still applied to the settler colonizer population and that the Military Government still had powers over the areas withdrawn from as is stated in Article VII (5) of the Agreed Minutes to the DOP:

> The withdrawal of the military government will not prevent Israel from exercising the powers and responsibilities not transferred to the (Palestinian) Council.[781]

Thus the agreement not only states the existence of the Military Government but also its continued authority over the areas withdrawn from in the West Bank as Article V, 3(a) states:

> Israel has authority over the settlements, the military installation area, Israelis, external security, internal security and public order of settlements, the military installation area and Israelis, and those agreed powers and responsibilities specified in this Agreement.[782]

Thus effectively, the Palestinian Authority, while assuming the powers of the Civil Administration in the designated areas, was still under the authority of the Military Government which represented Israeli settler colonial interests and sovereignty in the whole of the areas of the West Bank and Gaza Strip including the areas handed over. Indeed, even Palestinian officials of the Palestinian Authority still require permits from the Military Government when allowed to enter Jerusalem or during the hight of the second Intifada to move from one Area A to another. Also accordingly, the West Bank was devided to Areas A which was administered by the Palestinian Authority (PA) and had its police force, Areas B which enabled the PA to take over civil matters while the Military Government held security, and Area C where the Civil Administration remained in control and under the Military Government covering 63% of the West Bank, the headquaters of which remains in Bet El just outside the city of Ramallah.[783]

This above reminds one of the characteristic of Total War where even the legal system and as well as both the Israeli civilian and military governments are all used for the purposes of achieving the end goal of realizing the production of a Zionist settler colonial existence in the rest of Palestine. Thus, the Zionist settler colonial laws whether military or domestic

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[781] Agreed Minutes to the Declaration of Principles on Interim Self-Government Arrangements, 13 September 1993, Article VII (5).
[782] Gaza-Jericho Autonomy Agreement signed on 4 May 1994 in Cairo, Article V, 3(a).
[783] In Hebron, the city is sub-divided further into H-1 and H-2 designating areas which remained under Israeli control and with the presence of Zionist settler-colonizers.

severed the link between law and justice. Rather they were intended as a mechanism which facilitates the production of settler colonial existence at the expense of the indigenous nation. On an orientalist note, while Gazit essentially described a new government i.e. a military government, a term he uses throughout the book, yet seems to be downplaying the implications of such a system by conceptually dealing with it as an 'administration' as if it were not representing and enforcing Israeli sovereignty.[784] This seems to suggest a down-playing of implications of the creation of a separate government parallel to the civil government that was created with the establishment of the state in 1948. Normally, a state has one government; that *two* governments emerged after 1967 enforcing Israeli sovereignty over occupied Palestine would raise the question as to which was ultimately dominant, the civil government or the military government. Israeli scholars, such as Amos Perlmutter and Yehuda Ben Meir, of what is normally termed as "civil-military relations" have tended to promote the Israeli system as one dominated by civilian rule and that the military establishment was subordinate to it.[785] Some other scholars such as Uri Ben-Eliezer and more recently and Yoram Peri have highlighted the dominance of the role of the military in aspects of foreign and defense policymaking.[786] Yet what is left out of such analysis which focuses on the civilian elected government is how the other government is run by the military to rule over the Palestinians, factors into the whole political system. In this sense, civil-military relations analysis tends to focus strictly on Israeli civilians and their military, not the relations of another government altogether i.e. the Israeli Military Government with the Palestinian people in the occupied land of 1967. This omission seems to suggest that the Palestinians in this area are not deems civilians but rather dehumanized enemies since only the settler colonizers in this area are regarded as civilians. In essence, one could conclude that this represents an orientalist discourse which negates the existence and rights of the indigenous Palestinians under the Military Government and Domestic Government. Furthermore, it is a reminder of how in the Australian settler colonial case, the indigenous were regarded as part of the landscape to be conquered and not as equal beings with rights and claims to existence on the land. One use of such omission on the

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[784] Gazit, see Appendix B, p. 349 and index p. 365, see title of chapter 3, p. 25 where he uses the term "military administration".

[785] See Amos Perlmutter, *Military and Politics in Israel: Nation-Building and Role Expansion* (London: Frank Cass, 1969); ----. *Politics and the Military in Israel, 1967-77* (London: Frank Cass, 1978); Yehuda Ben Meir, *Civil-Military Relations in Israel* (New York: Colombia University Press, 1995).

[786] See Uri Ben-Eliezer, *The Making of Israeli ..., op.cit.*; Yoram Peri, *Generals in the Cabinet Room* (Washington D.C.: United States Institute of Peace Press, 2006).

Israeli side has been to promote the civil government to overshadow the criticism that could hold the other military government accountable, precisely because the former has no supervisory mechanism or power over the latter which is the responsibility of the Minister of Defense and the army.

b. *Control systems,[787] technology and arms*

Essentially, the Israeli military rule over the Palestinians whether between 1948 and 1964, or later between 1967 until present has been over an unarmed civilian population. While some Palestinian factions had lightly amed resistance groups, these formed a very small percentage of the overall population. After the signing of the DOP, the Palestinian Authority was allowed to form lightly armed police forces which were no match in face of the Israeli army. This became evident when in the 1996 uprising against the opening of the Hasmonian Tunnel adjacent to the Al-Aqsa Mosque, when the Israeli amry used helicopeter gunships and tanks in response. During the second intifada of September 2000, the Israel army came in full force with helicopter gunships, tanks, Armoured Personel Carriers (APCs), and F-16 bombers as well as other surveillance and targeting gadgets such as drones.

There is also another aspect to the arms and technology used which has more to do with how the system of using them has evolved particularly since 1967. This has more to do with how the gadgetry and technology fit into the overall strategy of conquering and at times seemingly having to re-conquer the same land and subdue the same population as a result of failed policies of containment. To illustrate this it becomes necessary to highlight

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[787] Various researchers have described this as being made up of various components depending on the emphasis. For example in Catherine Cook, Adam Hanieh, and Adah Kay, *Stolen Youth: The Politics of Israel's Detention of Palestinian Children* (London and Sterling, Viginian: Pluto Press in association with Defence for Children International – Palestine Section, 2004), pp. 23-32; here it is comprised of four components (1) military orders, (2) the military court system, (3) court sentencing, and (4) information gathering, collaborators and informants. In Eyal Weizman, *Hollow Land:...,* op.cit., another set of such a control or colonization system is presented comprising of (1) fortifications, (2) settlements, (3) checkpoints, (4) the separation wall, (5) unrban warfare, (6) evacuations, and (7) targeted assassinations depicting an airborne occupation. In Jeff Halper, *An Israeli in Palestine ..., op.cit.,* a third system of control is described as the "matrix of control" comprised of (1) settlements and their extended master-plans, (2) the bureaucratic and the use of laws to freeze natural development of Palestinians cities, towns and villages, and (3) the military occupation itself and its means.

the main phases of the productin of Zionist settler colonial existence in the Palestinian land occupied during 1967: East Jerusalem, the West Bank and the Gaza Strip.

i) Post 1967-1990

Initially after the 1967 war, the Israeli Knesset annexed East Jerusalem with extended areas from the West Bank and began to build settlements such as the French Hill as areas which it had no intention of withdrawing in the future.[788] With regard to the West Bank and Gaza, Moshe Dayan, then Minister of Defense, adopted a strategy of handling the Palestinians who came under the Military Government established a few days into the war which, according to Gazit, brought relative stability for twenty years. This strategy comprised of three main features: an 'invisible' occupation administration through the Military Government; mostly economic 'normalization' with a link to the Arab world; and a sophisticated system of punitive policy.[789] The point of 'invisible administration' as explained by Dayan was:

> If we wish to see any good come out of the fact of our forced presence in the Territories, we must ensure that the areas of friction between the two peoples are minimal. To bring that about, we have to make it a goal of our military administration that a locan Arab can live a normal life as long as he has not violated the law, without needing to see or interact with any Israeli representative of our military occupation administration.[790]

Indeed, as Hajjar points out, in the early years after 1967, punishment was directed mainly at the Palestinians who engaged in armed resistance. This promoted an interest among the majority of to be quiescent and cooperate in order to avoid punishment particular after the crushing of Palestinian resistance in Gaza in 1971. Richard Locke and Antony Stewart described the events as follows:

> In 1971, and under the direction of Defense Minister Moshe Dayan and Chief of Staff Ariel Sharon, the Israelis stepped up the repression in an attempt to crush resistance in Gaza once and for all… and by the end of the year the backbone of the resistance had been crushed. … Student demostrators were shot; 12,000 people, relatives of suspected activists, were detained in concentration camps in the Sinai and thousands more were deported to Jordan. The refugee camps, the bases of the Fedayeen, were singled out for special treatment.

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[788] Shlomo Gazit, *Trapped Fools:…, op.cit.,* p. 241.
[789] *Ibid.*
[790] *Ibid.,* pp. 241-242.

Week-long curfews were imposed while Sharon's troops conducted house-to-house searches. During these searches the male population of the camps were rounded up in market places or forced to stand waist deep in the sea for hours at a time. In July the army began levelling sections of the camps to allow easy access for armoured vehicles and to restrict movement for the Fedayeen. Scores of Palestinian fighters were killed in the ensuing gun battles.[791]

What followed was that Palestinians who avoided political activity could aquire work permits so that by 1974 almost 70,000 Palestinian workers – a third of the Palestinian workforce – had become part of the Israeli labor market.[792] During this time, the Military Government confiscated Palestinian land while promoting what Stavrianos has called a more monetized society.[793] With such a policy, the Military Government seemed to be "taking their lesson from the wave of decolonization and the mid-century fall of empires."[794] The three steps that facilitated this Israeli policy were the renewal of commercial ties between the West Bank and Jordan; this also enabled travel to and from the West Bank to some Arab countries via the Jordan bridges subject to permission from the Israeli authorities. The third step was the deployment of an effective intelligence network in the West Bank and Gaza and the very particular insepection at the bridges. Any destabilization of the security from the Military Government's view was dealt with in a purely military approach.[795]

Gradually, Palesitinians became disillusioned with such a policy as repressive measures became more widespread by the late 1970s which began to witness an acceleration of settlement contruction in the areas taken over in 1967. This meant that more land was being confiscated for building Israeli colonies and for settler sercurity considerations. An 'iron

[791] Lisa Hajjar, *Courting Conflict: The Israeli Military Court System in the West Bank and Gaza* (London: University of California Press, 2005), p. 44.

[792] Shir Hever, *The Political Economy ...*, *op.cit.*, p. 10.

[793] L. S. Stavrianos, *The Global Rift:...*, *op.cit.*, p. 271. Some Israeli analysts such Shlomo Gazit and Shir Hever have claimed that the first decade after 1967 brought boom to the Palestinian economy, however, what seems not so clear is whether what is measured is the monetization of the economy and society as opposed to liquidating and confiscation of immovable assests such as land and water resources as well as other natural resources confiscated by the Military Government, as Raja Shehadeh has noted. This aspect would need further research which is beyond the scope of this study at this time. See Shir Hever. *The Political Economy ...*, *op.cit.*, pp. 8-9, he also points out that other factors contributed to the 'economic boom' such as (i) remittances from Palestinian family members working in the Gulf states during the rise of oil prices, (ii) economic exchange with Jordan, and sending in Israeli experts to 'modernize' Palestinian economcy, (iii) Israeli purchases from the Palestinian areas because of cheaper prices than in Israeli market. On the decrease in Palestinian nonmovable resources such as land and water as a result of confiscation see Raja Shehadeh, *Occupier's Law:...*, *op.cit.*

[794] Shir Hever, *The Political Economy ...*, *op.cit.*, p. 8.

[795] Shlomo Gazit, *Trapped Fools:...*, *op.cit.*, pp. 48-49.

fist' policy was enforced by the Military Government so that by the mid 1980s, tens of thousands of Palestinians had been arrested and imprisoned and an average of 4,500 people were in custody at any given time. The 'iron fist' policy was justified through demonizing the PLO and any Palestinian resistance in activists.[796] This orientalist discourse seems similar to the characteristic of Total War in which the party waging such warfare needs to create a monopoly of truth in an attempt to justify its actions. What made the political climate more tense in the Palestinian Occupied Land of 1967 was that the Palestinians were being offered 'autonomy' through the newly established Civil Administration in 1981, under the Military Government and under the Minister of Defense who would maintain Israeli soveignty over the area.[797] This came parallel with the Israeli war in Lebanon in 1982 to crush the PLO in order to attempt to disorient and demoralize the Palestinian under the Military Government, and a curtailment of Palestinian aspirations for liberation and self-determination by promoting what it called the Jordanian option. On 10 Novermber, 1985, the *New York Times* reported that the then Israeli Prime Minister Shimon Peres and King Hussein of Jordan had reached an informal agreement whereby Israel would attend an international conference on Middle East issues. Jordan in return would bring to the meeting only Palestinians which the Israelis approved of. On 7 July 1986, King Hussein closed all 25 PLO offices in Amman after announcing a few months earlier that he was ending a year-long effort to construct a joint strategy with the PLO. The Israeli Prime Minister at the time Yitzhak Shamir rejected the Hussein-Peres agreement refusing any change in the territorial status quo, while the settler-conolizer population in the West Bank and East Jerusalem had increased from around 10,000 in 1972 to over 148,000 in 1985 – almost a %1,500 increase.[798] By the end of 1987, the Palestians faced loss of land, increasing colony contruction, economic hardship, and oppression from the Military Government in response to any political acitivism, as well as rampant attacks by Zionist settler colonizer groups. They stepped up resistence which culminated in the break out of the first *Intifada* in December 1987.[799]

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[796] See Yigal Levy, *Trial and Error: Israel's Route from War to De-Escalation* (Albany, N.Y.: State University of New York Press, 1997), p. 172; Lisa Hajjar, *Courting Conflict…, op.cit.,* p. 44.

[797] For except's of Israel's autonomy proposal of December 1977, see Walter Laquer and Barry Rubin (eds.), *The Arab-Israeli Reader: A Documentary History of the Middle East Conflict* (4th edn) (Canada: Pelican Books, 1984), pp. 805-608.

[798] Palestine Monitor, "Settlements", www.palestinemonitor.org/spip/IMG/pdf/Settlements.pdf

[799] Yigal Levy, *Trial and Error: …, op.cit.,* pp. 172-173; and Palestinian Academic Society for the Study of International Affairs, *PASSIA Diary 1991,* chronology of effents pp. 179-182.

The *Intifada* began to illustrate the disintegration of the Israeli "control system" and the Military Government's inability to control the Palestinians on the land conquered for settler colonization in 1967.[800] While it took the form of mass demonstrations and stone throwing which did not evolve into an armed struggle, the Israeli Cabinet came to consider it a war even though it was against a civilian population including children.[801] This was met with military suppression as the Minister of Defense implemented a policy of decisive force whereby the army "had to begin to act quickly and decisively to suppress each incident and expand its presence in the occupied territories to protect the Jewish settlements and their lines of communication."[802] As a result, huge damages and losses where inflicted: over 2,000 Palestinians killed and over 130,000 injured.[803] The measures used to confront the Palestinian uprising were: killing, injury, detention and imprisonment, expulsion, house demolition, colusre of institutions, confiscation and closing off areas, crop damage and tree uprooting, curfews, and raids including 'tax collection' raids.[804] The bureaucratic system of control and management of coercion through the Civil Administration became more intrusive affecting more directly the lives of Palestinians. An Israeli Member of Knesset, Dedi Zucker, sent a letter to the Minister of Defense accusing the Civil Administration in the West Bank of using the health-care system as an instrument of political punishment.[805] The Military Government continued its war through bureaucracy and economic sanctions which entialed cuts in already inadequate health and social services, forcefull re-issuing of identity cards which compelled Palestinians to produce clearances in four areas: Military Government tax authorities, utility companies, fine collectors, and Israeli police and security services; simply going to get such clearances required waiting in queues for hours

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[800] Baruch Kimmerling, "Boundaries and Frontiers of the Israeli Control System: Analytical Conclusions" in Baruch Kimmerling (ed.), *The Israeli State and Society: Boundaries and Frontiers* (Albany: SUNY Press, 1989); Levy, *Ibid.* pp. 173-174. On the Israeli practices see Naseer H. Aruri (ed.), *Occupation Israel over Palestine,* 2nd ed. (Belmont, Mass.: Association of Arab-American University Graduates Press, 1989).

[801] Yigal Levy, *Trial and Error: ..., op.cit.,* p. 174; Ze'ev Schiff, "An Analysis of the Intifada's Impact on the IDF", *Ha'aretz,* 16 June, 1989, it is worth pointing out here that while the Minister of Defense and the military government were given leeway to deal with the Palestinains in the land occupied in 1967, when matters got out of hand such as in the case of the *Intifada*, matters were deliberated in the Israeli Cabinet or Knesst by the civil government.

[802] Anthony Cordesman, *After the Storm: The Changing Military Balance in the Middle East* (Boulder, Colorado: Westview Press, 193), p. 251.

[803] Yigal Levy, *Trial and Error: ..., op.cit.,* pp. 174; on deaths , injuries and other violations see reports by the Palestinian Human Rights Information Center – PHRIC, *Human Rights Update,* between 1988 and 1991.

[804] See list of categories of violations documented by the Palestinian Human Rights Information Center – PHRIC in Jerusalem between 1988-1998.

[805] PHRIC, *Human Rights Update,* 1 January 1989.

if not days before one's turn came. Furthermore, deliberate water, power, and phone cuts during curfews and sieges continued.[806] The army "made increasing use of beatings, deportations, curfews, mass arrests, destruction of homes, and detention without trial."[807] Despite these measures, the Palestinian *Intifada* continued. By June 1988 Israeli sources estimated that the costs of the new security demands would rise to $237 million and requested a budget supplement of $156 million from the defense budget. By late 1988, the estimates of the cost in terms of added mobilization, military spending, and diversion of effort from the civil sector ranged from $500 million ot $1 billion for that year. In early January 1989, the Israeli army still had to deploy three times its normal forces in Gaza and twice its normal forces in the West Bank;[808] and by early summer of 1989 London-based *Jane's Defense Weekly* reported that the Israeli Minister of Defense, Yitzhak Rabin, admitted that the Israeli army's fighting capability was adversely affected by the diversion of time and money to the *Intifada* and that soldier's moral was low.[809] In the public speech Rabin, declared that the Israeli Army had "yet to carry out the mission given to it in fighting the intifada" and that the goal was "to lower the level of violence until calm [was] established and the Civil Administration [was] allowed to function."[810] Thus, with the hovering inability of the army to deliver a zero-sum victory in line with the settler-colonial approach to dealing with the Palestinian uprising, the Military Government needed to reduce the friction between the soldiers and the Palestinian civilians and to address the negative impact on the military establishment, while exploring a political track as the Chief of Staff Shomron concluded.[811] Hense began another stage in dealing with the *Intifada* by

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[806] PHRIC and DataBase Project on Palestinian Human Rights, "Israel's War by Bureaucracy: We'll Blow Your House Down", August 1988; PHRIC, *Uprising in Palestine: The First Year December 1987-December 1988;* see also subsequent *Human Rights Updates* by PHRIC. An example of water cuts as part of collective punishment: the water supply to the village of Bani Na'im was cut off from 1987 through October 1990. Also in contrast 5,000 settler colonizers in Kiryat Arba near Hebron city received 5,000-6,000 cubic meters/day of water while the entire Hebron region of 90,000 Palestinians was allocated 6,000-7,000 cubic meters/day, see *Update,* October 1990.

[807] Anthony Cordesman, *After the Storm: ..., op.cit.,* pp. 251-252.

[808] *Ibid.*, p. 252.

[809] PHRIC, *Human Rights Update,* 1 July 1989.

[810] Ze'ev Schiff, "An Analysis of the Intifada's Impact on the IDF", *Ha'aretz,* 16 June 1989 an English translation of the article was published in *The Journal of Palestine Studies.., op.cit.,* here p. 159.

[811] *Ibid.* Schiff points to four negative aspects which were affecting the Israeli army: i) It took the better part of the time and thoughts of the senior command echelon beyond what was necessary and desirable thus diverting attention from it security posture on a regional level; ii) It turned the military commands in the land occucpied in 1967 into a prison service maintaining lock-up facilities for many thousands of Palestinian detainees and prisoners; iii) It had and distracting and costly effect on the higher levels of planning in the military which had to prepare plans on how to deal with the intifada taking away resources from other military branches such as the Logistics Branch and would come at the expense of the army's

making the control system more personal to Palestinians through the ability to decide who Palestinians would be able to work in the Israeli cheap labor market. This entailed individual clearance based on profiles of Palestinian activists which the the Israeli General Security Services (GSS) had created. Thus a worker's age, marital status, and the number of his or her children determined whether an entry permit was issued. Furthemore, such a system of biopower, as Neve Gordon calls it, was possible because the Civil Administration had begun creating a computerized database which became operational in 1987. He adds:

> Personal information pertaining to property, real estate, family ties, political attitudes, involvement in political activities, licensing, profession, consumption patterns, taxes, and so forth was entered into the database. According to Civil Administration officials, the computer program enabled them to gain "complete control in real-time of all information on the territories, which … ensure[d] strategic control and improvement of services."[812]

Therefore, with the tap of a key on a computer, as Meron Benvenisti observed, any official of the Military Government and its Civil Administration could "gain access to name-lists, of 'positives' and 'hostiles,' and decide on the fate of their applications, from car licensing to water quotas, import permits and travel documents."[813] During a curfew on the entire Gaza Strip between 4th -11th of June, 1989, the Military Government imposed a new system of magnetic cards on the entire population of Gaza based on security considerations. A ten-day strike by the population followed from June 25th in solidarity with those who were denied the new ID cards.[814] The database would play a key role in the development of other such systems of control such as the magnetic cards with biometric data such as palm- print and iris profile in later years. Antoher aspect which also involved the Israeli intelligence agencies but on a more operational level as described by Anthony Cordesman:

> The Shin Bet (General Intelligence) and Aman (Military Intelligence), who had paid almost no attention to civil issues and the details of Palestinian politics before the uprising, reorganized to focus on the new threat and identify the new local leaders in each village area. A massive network of informers and other intelligence sources was set up to indentify the key individuals in the *intifada* and locate the leaders of incidents and riots.[815]

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enhancement; iv) The cases brought against soldiers for excessive violations were at least 1450 which a a demoralizing effect on the rest of the military establishment. The last point reflected its inability to deliver victory based on a zero-sum approach.

[812] Neve Gordon, *Israel's Occupation* (Berkeley, Los Angeles and London: University of California Press, 2008), p. 162.

[813] Meron Benvenisti, *West Bank Data Project, 1987 Report, Demographic, Economic, Legal, Social and Political Developments in the West Bank* (Washignton DC: American Enterprise Institute for Public Policy Ressearch, 1987), pp. 34-35.

[814] See PHRIC "Two Years of Closure", 9 April 1995, p. 11.

[815] Anthony Cordesman, *After the Storm:..., op.cit.,* p. 252.

On this parallel level to the permit system, the military created specialized units which targetted stricter reprisals on Palestinian activists. The activity of the undercover units increased between 1988 and 1989; the number of Palestinian summarily executed during this time tripled.[816] In January 1989, the Minister of Defense announced that new measures to utilizing the Civil Administration bureaucracy to enforce a denial of Palestinian "rioters" from working in the Israeli labor market inside the Green Line (the 1949 Armistice lines separating the West Bank and Gaza Strip from the newly established settler-colonial sate); new green coloured identity cards (ID) were issued to Palestinians suspected of *intifada* activisties.[817] This practically restricted their movement as at any checkpoint whether fixed or mobile, they could be spotted at once as their green IDs stood out in contrast with the orange coloured ID of the other Palestinians in the West Bank when asked to be produced for inspection; the Gaza Strip had dark red coloured ID cards. The Israeli forces continued to use an array of bullets, tear gas and percussion bombs gainst demonstration and activists: the bullets included plastic-coated bullets (PCBs) and rubber-coated bullets (RCBs), live bullets and explosive bullets (*dumdum*) which splinter into the victim upon impact maximizing injury.[818] Initially, rock throwing devices mounted on patrols were also introduced, but these did not seem to be effective. Later on, in became the norm for the military to use snipers agasint the Palestinian demostrators.[819]

By the time of the Gulf Crisis as a result of the Iraqi invasion of Kuwait in August 1990, tension in the West Bank and Gaza had risen. Factors contributing to this were the massacre of seven Palestinian workers in May by and Israeli gunman in Rishon Lezion, the arrival of 200,000 more settler colonizers from the former Soviet Union which drove settler colony expansion, and the massacre of 17 Palestinian worshipers in the al-Haram al-Sharif in Jerusalem (the third most holy shrine in Islam after Mecca and Medeina) in October by Israeli forces.[820]   The Israeli government became increasingly concerned about the

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[816] See PHRIC "Two Years of Closure", 9 April 1995, p. 7
[817] PHRIC, *Human Rights Update*, 1 February, 1989.
[818] See PHRIC, *Human Rights Update,* from 1988-1996.
[819] *Ibid*.
[820] PHRIC, "Two Years of Closure", 9 April 1995, p. 13. By 1991, 65% of the land of West Bank and 60% of the land Gaza Strip had been confiscated or closed off for settler colonial puposes; land confiscation was also implemented by the military government during a one-month blanket curfew on the whole of the West Bank and Gaza Strip during the Gulf War between January 16 and Febraury 26, 1991; see PHRIC. *Gaza Strip and West Bank Closures: December 9, 1987 –March 31, 1995,* section on Year 1991 Issues and Trends, and US Secretary of State James Baker shuttles to the region during peace negotiations

distraction the intifada was causing its military when the regional developments required

hightened alert. Consequently, the Israeli military establishment, the police, and the

intelligence agencies held a series of meetings to decide on alterntive measures to curfews

which required a large number of troops to enforce in almost every Palestinian population

center (city, town, village or refugee camp) in the West Bank and Gaza Strip.[821] Enforcing

a closure, on the other hand meant that lesser troops could be used to constantly partrol the

Green Line of the West Bank and movement could be restricted through numerous military

road-blocks in and around both the West Bank and the Gaza Strip as well as on all access

routes to Jersalem which was cut off from the West Bank. The outcome in late October was

a merger of several tactics into one system of control with a more prominent role of the

Civil Administration and on the ground enforcement by the army through the Military

Government under the direction of the Minister of Defence, Moshe Arens: the closure

began to be used more particularly after the massacre of Palestinians in the Haram al-Sharif

in Jerusalem in October combined with curfews in selected areas and a newly introduced

pass-permit system to maximize collective control over the Palesitnian movement and

livelihood in the West Bank and Gaza Strip.[822] This qualitatively more efficient system of

control seems to have been tested even further during the Gulf War when a 28-day blanket

curfew was enforced on the whole of the West Bank and Gaza Strip between January 16

and Febraury 26, 1991; in some areas the curfew remained longer.[823] It also represented a

new form of control which targeted the Palestinian population as a whole but also

permiated its effect on various aspects of an individual's life: the hermetic closure. This

measure sealed off the occupied territory from the rest of the Israeli state by denyal of

crossing the Green Line through a system of military mobile and stationary checkpoints and

road-blocks. This was an indication of the shift from Dayan's strategy of maintaining

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diplomacy.

[821] *Ibid.*, pp. 2, 13.

[822] During 1988 and 1989, the means used by the Military Government to completely paralyze the whole of the West Bank and /or the Gaza Strip required a combination of curfews of most areas and declaring other locations as closed military areas for example after the assassination of Khalil al-Wazir (Abu Jihad) in Tunis on April 16 1988, both the West Bank and the Gaza Strip were virtually under curfew or declared closed military zones at times impossible to move from one street to the other from April 16 -22. These were also enforced during Palestinian Land Day commemorations on March 30th of subsequent Intifada years and anniversaries, and during Jewish and settler-colonial state holidays to enforce calm; see PHRIC, "Two Years of Closure", 9 April 1995, p.12.

[823] See PHRIC, *Gaza Strip and West Bank Closures: December 9, 1987 –March 31, 1995,* section on Year 1991 Issues and Trends, and US Secretary of State James Baker shuttles to the region during peace negotiations diplomacy.

freedom of movement and targeting activists only, to a strategy which confined the Palestinains of the West Bank and Gaza Strip collectively. This re-accentuated the Green Line and dealt further blows to Palestinian economy.[824] By March, when U.S. President George Bush addressed Congress unveiling his post-Gulf War policy of creating a new "world order" and a solution to the Arab-Israeli through diplomacy,[825] the economic conditions in the Occupied Palestinian Terrtitory (OPT) had become very dire. Already drained economically by Israeli measures inducing economic hardship as a form of collective punishement during three years of uprising, the aftermath of the prolonged curfew during the Gulf War brought more economic hardship upon the Palestinians. The population suffered high unemployment and continued Israeli restrictions on economic activity, subjected to fines for graffiti on their walls and for entering Jerusalem or corssing the Green Line without permits; also the Military Government through its Civil Administration imposed arbitraty taxes on the Palestinians during this time to maximize the effect of the economic hardship. Shortage of money had forced people to choose between buying food and paying bills, leading to cutting-off electricity supplies, provided by an Israeli company: two examples were Hebron and Halhoul which were without power for some time during March.[826]

The Military Government made sure that this labyrinth of coercive measures were supplemented with operational measures such as tax, raids, fines, and imprisonment of Palestinians without permits, house demolitions and sealings, as well as sieges. Such targeted measures required less troop deployment and the undercover units increase summary executions of Palestininans as in the subsequent years after 1990. Compared to the first three years of the *intifada*, the number of Palestinians killed by these units almost tripled from 43 (from 1988 through 1990) to 111 (from 1991 through 1993). Furthmore, military gadgets designed for combat operations were being used disproportionately in such operations in populated areas; anti-tank rockets (ATRs) became routinely used to kill

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[824] Neve Gordon, *Israel's Occupation ..., op.cit.,* pp. 162-163.

[825] "President George Bush's Address to Congress" (6 March 1991). The full text was printed in *Washington Post,* 7 March 1991. In his address, Bush said he had asked Secretary of State James Baker to go to the Middle East to begin the process of buiding a framework for peace.

[826] PHRIC, "Two Years of Closure", 9 April 1995, p. 7; PHRIC, *Human Rights Update,* March 1991. On December 28 1992, and Israeli Hebrew daily newspaper reported that the Gulf War had created a financial vacuum in the West Bank and Gaza Strip as a result of cuts in Arab support of $200 million and the los of $400 million in remittances of Palestinian family members who used to work in Kuwait. See PHRIC. *Update,* December 1992.

Palestinian activists by destroying the structures they were in, combined with the use of remote control guided drones which monitored such operations from the sky.[827]

Parallel to the Israeli strategy to reduce the level of violence from the Paletinians while increasing the coercive control system upon them through both the tragetted violence and the bureaucratic system, was the accelerated drive for settler-conolization in occupied East Jerusalem and the West Bank. The settlement construction drive was utilized to further restrict Palestinian movement through the by-pass roads it created for settler-colonial use only.[828] This drive was predicated by regional developments and required from the Israeli part a particular collusion with the United States if this production of settler colonial existence in Palestine was to be completed. For the purposes of the analysis here, the timeframe of the past two decades shall be divided into two periods. The first is from 1990 to 1999 which represents the time ensuing the Gulf Crisis, through the Gulf War 1991 (Desert Strom), the Madrid Conference of October 1991, through the signing of the DOP in September 1993 which designated a transitional period of no more than five years until 1998. The DOP also stated that the negotiations on the remaining issues would begin no later than the third year (i.e. 1996). Yet three years later, and into the sixth year of signing the DOP, final status negotiations had yet to begin. The second period is from 2000 to 2010 which covers the events leading up to the failure in Camp David in the summer of 2000, through the second Palestinian uprising (the *Al-Aqsa Intifada*), the Israeli strategies to force a zero-sum outcome militarily, through the Israeli and American responses to the outcome of the Palestinian elections in 2006, through the War on Gaza 2008-2009, and the break-down of the negotiations between the PA and the Israeli government in 2010.

ii)   From 1991 to 1999

The context of the sequence of developments during the first decade of the peace negotiations emerges from the the Gulf War in 1991. While Desert Storm pushed the Iraqi

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[827] PHRIC, "Two Years of Closure", 9 April 1995, p. 7.

[828] This was enforced by monitoring the car license plates of the vehicles using which roads; Israeli license plates were yellow while those issued by the Military Government for Palestinains were blue with a different coloured metal tags identifying each district: Jenin, Nablus, Ramallah, Jericho, Bethlehem, Hebron and Gaza. This represented a visual means of controlling movement of Palestinian vehichles and enforcing closure or sieges of areas by preventing Palestinian vehicles from entering areas not within their registered location. Similiarly, the identity cards were also issued according to district so that at checkpoints, the Palestinians from distant districts could be questioned or detained or at best told to return to their district. See also Neve Gordon, *Israel's Occupation ..., op.cit.,* p. 132.

army out of Kuwait, it came short of toppling the Saddam Hussein regime in Iraq. As the United States persued efforts to form a new strategic alliance in the Gulf, its support for Israel fueled Arab ideological opposition towards the Israelis as a result of the Palestinian cause. This ideological roadblock, the U.S. thought it could eliminate if Syrian, Jordan, and the Palestinians, as well as their potential coalition partners in the Gulf Cooperation Council (GCC) were to end the state of war with the Israelis. This coalition building would also be part of a nucleus for an international defense of the Gulf which would isolate or even counter any Iraqi or Iranian aggression in that region and secure the flow of oil from there. According to Lenore Martin, the success of the political process which began with the Madrid Peace Conference in October 1991 was integral to this strategy.[829] In this sense, it would be reasonable to conclude the American interest in addressing the Palestinian issue was a tactic within a larger strategy to construct a new order in the region in which the Israeli settler-colonial state was integrated as a 'natural' entity in the region and a key regional security partner. This would seem to explain the U.S. stance in dealing with the Israeli settler-colonization of East Jerusalem and the West Bank as well as it role in dealing with the Palestinian negotiators.

According to James Baker, the U.S. approach on starting a negotiations processe between the Palestinians and the Israelis was: "We want everyone to invest in the process so it's not so easy to walk away from it…. We want them to build their stake in its success and increase the cost to them of failure."[830] At the time, the right wing Israeli government was adamant on continuing with its construction of colonies in the OPT despite the position from the U.S. that this needed to be more descrete in light of the efforts to build a framework for negotiations. The U.S. consequently suspended approval of the U.S. $10 billion in loan guarantees. According to James Baker, the U.S.- Israeli "controversy over the loan guarantees clearly contributed to Likud's defeat [in the subsequent elections]."[831]

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[829] Lenore G. Martin, "The Middle East in the Wake of the Gulf Crisis", Palestinian Society for the Study of International Affairs - PASSIA, East Jerusalem, July 1991, pp. 11, 16. (Paper)

[830] James A. Baker, *The Politics of Diplomacy: Revolution, War and Peace 1989-1992 (*New York: G.P. Putnam's and Sons, 1995), p. 444.

[831] *Ibid.*, pp. 4540-557. In the paper by Lenore G. Martin, *op.cit.,* pp. 20-21, Martin had claimed that the U.S. could use its financial support issue to influence the Israeli policy. He wrote that "an insistent U.S. is capable of threatenting withdrawal of U.S. economic supports, without any direct impact on Israeli security in order to induce compromises at the [Madrid] conference [which was to be held in October 1991]." He also points out that "[s]igns of willingness of the Bush Administration to sue economic arm-twisting were evident in the deferral of housing credits for Soviet immigrants in Israel."

In June 1992, a new Israeli government was elected headed by the former Minister of Defense during the intifada, Yitzhak Rabin. He was able to improve the strained U.S.-Israeli relations by declaring a "settlement freeze" and by repackaging and streamlining the Israeli settlement colonization pocily in the OPT.[832] The re-strategized settlement policy called the *Sheves Plan* was promoted as a Jewish development plan. Accordingly Israeli investment laws were modified to give the Israeli private sector the main role in settlement construction while the money from the loan guarantees would be used to provide the infrastructure such as by-pass roads, power and water supplies to house the 200,000 new "migrants" from the former Soviet Union.[833] This maneuver lifted direct criticism from the Israeli government for its new and expanding colony construction in the OPT and thus accommodated U.S. regional policy. The connection of the Sheves Plan with the loan guarantees is significant in that it seems to have enabled to Isareli government to accelerate its settler colonization of the OPT with U.S. funding over a period of five years (two billion US dollars per year) which overlapped with the maximum five-year interim period of the DOP signed the following year in 1993 between the PLO and the Israeli government. This is also, significant because the very increase in the rate of the production of the Israeli settler-colonial existence in the OPT through land confiscation, by-pass road construction and actual construction by private companies in addition to the dire overall economic conditions in the OPT and the more frequent use of the closure policy, was raising overall Palestinian tension. This, at a time when a negotiations option was being developed, made the outcomes of such a process more evident by what was happening on the ground. The

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[832] See "Settlement Freeze – What Does it Really Mean?" *PHRIC, From the Field,* September/ October 1992; *Awad Mansour, Clever Concealment- Jewish Settlement in the Occupied Territories Under the Rabin Government: August 1992- August 1993* (Jerusalem: PHRIC, 1993).

[833] See Lenore G. Martin, *op. cit*., p. 20; James A. Baker, *The Politics of Diplomacy: ..., op.cit.,* pp. 540-557. See also *Awad Mansour, Clever Concealment- Jewish Settlement in the Occupied Territories Under the Rabin Government: August 1992- August 1993* (Jerusalem: PHRIC, 1993), pp. 5-7, 16-17 on the U.S. decision to postpone approval of the $10 billion in loan guarantees and how the new Israeli government under Yitzhak Rabin (who had been Minister of Defence during the Intifada years) was elected in August 1992. Under a publicly declared settlement freeze, he repackaged the Israeli settler-colonization policy in the OPT into a *Sheves Plan* in order to get U.S. approval to release the $10 billion in loand guarantees which would be used to provide the infrastructure for new settlement construction in the OPT (by-pass roads, water and power supplies) while designating the actual colony construction to the private sector. In so doing, the Israeli government diverted direct criticism as new laws were ratified to enable the bulk of the settlerment construction to be done by private companies and all under the pretext of absorbing the 200,000 new immigrants from the former Soviet Union. The U.S. praised this Israeli "comprehensive, multi-year economic strategy" i.e. the Sheves Plan even though it was well aware that the Sheves maps contradicted the condition for granting the loan guarantees which was "only to support activities in the geographic areas which were subject to the administration of the government of Israel before 5 June 1967. See also pp. 41-45 or section on Loan Guarantees to Israel Account, subsection (h), *Report,* Foundation for Middle East Peace, September 1992.

year 1992 witnessed a 90% increase in the number of Palestinians killed by undercover units and an increase in the use of ATRs,[834] with more settlement construction in and around East Jerusalem,[835] deterriorating economic conditions[836] and the worsening conditions of Palestinian detainees in Isareli military detention camps which generated hunger-stikes and demosrations in suppor throughout the OPT and again after the expulsion of 415 Palestinians to Southern Lebanon.[837]   As Martin explains, the U.S. wanted the

> …perspectives of the Palestinians within the West Bank and Gaza, [to be that] the time was never more ripe for initiation of negotiations that would, among other things, alleviate their economic suffering and stop the Israeli settlement policy from a fait accompli of complete annexation of the West Bank.[838]

The Israeli policies which incrementally decreased Palestinian land left available for negotiation, combined with the new systems being developed for controlling and quelling Palestinian reactions and confining them to certain areas, seem to have been used as a mechanism to engage the Palestinian negotiators in making more concessions. These seem to have facilitated what Baker refered to as a means used to "let Palestinian anxiety build up" so he could claim that "[t]his is your last chance – and no one can say you haven't seized it."[839]   An illustration of how this worked was when Baker told ten Palestinians he met in East Jerusalem on the 18th of October, 1991 and after receiving a partial list of names of those who would attend the Madrid Conference. The U.S. Secrertay of State recounts:

> "We can't deal with this," [Faisal] Husseini replied. "It's a matter of principle. It's a red line for us, and we cannot deal with a process in which we have to accept this condition. The absence of East Jerusalemites on the delegation will be seen by Palestinians as a funeral for East Jerusalem." As a practical matter [Baker continutied], "the status of Jerusalem must wait for later. If you highlight it first", I warned, "there will be no peace process, and that would be a pity first and foremost for you, because Palestinians will suffer more than anyone from its absence."[840]

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[834] See PHRIC's *Human Rights Violations Summary Data, 1987 through June 1994;* "Israel's Death Squads: 55 killed in 1992", PHRIC, *From the Field,* July 1993; "Israel Uses War Policy of Pursuit and Punishment: Israeli anti-tank missiles destroy Palestinian homes", PHRIC, *From the Field,* December 1992 / January 1993; PHRIC *Human Rights Update,* October – December 1992.

[835] See *Recreating East Jerualem,* a PALGRIC & PHRIC publication, June 1992.

[836] See "A Laborforce Under 'Security' Control: New Israeli Measures Restricting Palestinian Workers", *PHRIC, From the Field,* July/August 1992.

[837] See PHRIC, *From the Field,* November 1992; "Tansfer! Illegal Expulsion Policy Reactivated: Israel orders mass deportation of Palestinians from Occupied Territories." PHRIC, *From the Field,* February 1993.

[838] Lenore G. Martin, *op.cit*., pp. 12-13.

[839] James A. Baker, *The Politics of Diplomacy:…, op.cit.,* p. 508.

[840] *Ibid*., pp. 492-493.

[Baker adds:]

> As he frequently did in our meetings, Husseini unfurled maps showing Israeli settlements outlined in orange. "Faisal," I said, appealing to reason, "if you don't get to the table, pretty soon you'll be bringing me a map that's completely orange and this discussion will be moot." "This is most unfair," [Hanan] Ashrawi thundered. "Israelis who have been here only for a relatively few years will serve in the delegation, whereas Palestinians whose families have lived in East Jerusalem for centuries will be kept off." "All right," I shouted. "It's not a question of fairness or what might be right. It's a question of reality."[841]

With the loan guarantees, the U.S. in collusion with the Israelis seems to have continued to shape the reality of the Palestinians for the years of negotiations that followed. During 1993 leading up to the signing of of the DOP in September and for the remainder of the year the conflict only intensified: 164 Palestinians were killed compared to 117 in the previous year by Israeli forces due to direct Israeli responsibilty, five were killed by ATRs, 20 were shot and killed at military checkpoints; 101 Palestinian structures were destroyed by ATRs and hand grenades mostly in refugee camps in the Gaza Strip. After the killing of a settler colonizer in the Gaza Strip and two Israeli policemen in an ambush in Khadera, the Israeli Government decided to impose an indefinite closure on the entire Gaza Strip and the West Bank on March 29th and 30th; 1993. A total of 84 military roadblocks were set up inside both areas (57 inside the West Bank and 27 inside the Gaza Strip) creating new enclaves; all previous permits were cancelled and a new permit system was enforced: over two million Palestinians from the OPT were prohibited from crossing the Green Line and from entering Jerusalem, more than 100,000 Palestian workers became unemployed, and the loses in unearned income was estimated at $6 million daily. Many Palestinians became streat-venders selling their belongings. Palestinians unable to wait in long queues, often for days, to obtain a permit at the Civil Administration in the OPT for health needs, education or employment had to take long alternative routes to avoid the military roadblock in order to reach specialized services or treatment in hospitals in Jerusalem. A Tel Aviv based organization called Israeli-Palestinian Physicians for Human Rights reported that the health situation Palestinians in the OPT was far below Israeli standards, the report blamed the bad conditions in the health secotor on "Israeli approval of all resources." Even after the imposition of this qualitatively comprehensive system of control over the Palestinians, another 21 additional closures were super-imposed over this main on-going closre between April 1993 and April 1995; in each declared additional closure, valid permits were

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[841] *Ibid.*

cancelled and new ones had to be applied for by Palestinians and with higher restrictions and security screaning.[842] This closure remained in effect for the next 17 years and to date January 2011 has not been lifted.

The effects of the closure, the accelerated settlement construction in East Jerusalem even after the signing of the DOP, and the ensuing increase in settler-colonial violence against the Palestinians in the OPT.[843] On Febrauy 25th, 1994, an Israeli settler colonizer machine gunned and killed 29 Palestinian workshopers during the dawn prayers in the Ibrahimi mosque in Hebron; 250 others were injured. Demostrations broke in all of the OPT in shock and anger. In June that year the Israeli Shamgar Commission of Inquiry formed to investigate the massacre, absolved the Israeli army of responsibility of what happened.[844] The committee was headed by the Israeli Supreme Court chief justice, Meir Shamgar and its outcome illustrates and re-emphised the role of the Israeli Hight Court as a system not challenging the role of the Military Government and its military in the OPT, thus also highlighting the dual system of rule demarcating the discriminatory measures possible upon Palestinians under the military government there. Even after having been victims of army or settler violence, the Palestinians were subjected to collective punishment by the Military Government in the OPT. For example, between 1987 and 1994 and following seven concentrated killings (massacres) of Palestinias by the army or settlers, the Military Governmnet enforced repressive measures against the Palestinians in the OPT: after settler colonizers shot and killed three Palestinians in an attack on the village of Beita near Nablus on April 6th 1988, the army blew up 13 houses destroying another 7 in the village from the intensity of the explosions, 400 villagers were arrested, and six were expelled. Another example was after the killing of five Palestinians in the village of Nahalin by the Israeli military on Arpil 13, 1989 when a three day curfew was imposed on the village. Another following the killing of seven Palestinian workers by an Israeli gunman in Rishon Lezion on May 20, 1990, the entire West Bank and Gaza Strip with a population of 2.3 million was

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[842] PHRIC, "Two Years of Closure", 9 April 1995, pp. 3,7, 14-15; PHRIC, *Human Rights Update,* December 1993.

[843] PHRIC, "Settler Lawlessness in the Occupied Territories: Deliberate Shootings, Racist Attacks, and Mob Violence", *From the Field,* November/December 1993.

[844] The commission was the official Israeli government's investigation committee formed to determine the circumstances of the massacre. See PHRIC's special report "The Massacre of Al-Haram Al-Ibrahimi Al-Sharif: Context and Aftermath", May 1994; PHRIC, *Human Rights Update,* January – April 1994; PHRIC, *Human Rights Update,* June 1994.

placed under curfew (West Bank 1 day and Gaza for eight days) while Israeli settler colonizers in both areas were allowed to move freely unaffected. After the killing of 17 and injury of nearly 300 Palestinians in Al-Haram Al-Sharif in Jerusalem by Israeli forces on October 8th, a five-day closure of the West Bank and Gaza Strip was imposed and the Israeli Ministry of Defense decided to double the number of green IDCs to Palestnians thus restricting possibility of even applying for permits. After the Israeli army killed six Palestinians in Khan Yunis during violent clashes following the expulsion of 415 Palestinians to southern Lebanon, on December 18, 1992, the entire Gaza Strip was placed under curfew for 9 days. Also, following the massacre in the Ibrahimi mosque in Hebron by a settler colonizer from the colony nearby, the entire West Bank and Gaza Strip were placed under a 28-day curfew.[845]

In his speech laying out the guidelines of policy of the new government at the time in 1996, Prime Minister Benyamin Netanyahu began saying that his government would "act on the premise that the right of the Jewish people to the Land of Israel is eternal and indisputable, that the state of Israel is the State of the Jewish people,… and whose main goal is the ingathering and integration of the Jewish people."[846] On the issue of settler colonization policies of his new government, the Israeli Prime Minister said that the goal was to strengthen, broaden, and develop Jewish settlements. "Settlement in the Negev, the Galilee, the Golan Heights, the Jordan Valley, and in Judea and Samaria and Gaza is of national imporatance, to Israel's defense and an expression of Zionist fulfillment."[847] He added:

> The Government will inititate publicly and privately funded projects for investment in physical and human infrastructures in the spheres of transportation, energy, and communications, education and research and development, with the aim of creating in Israel the environment necessary for the Israeli economy to join those of developed countries in the world.…The Government will safeguard its vital water supplies from water sources on the Golan Heights and in Judea and Samarai (the West Bank).…We will encourage this spirit. We will encourage pioneering settlement in the Land of Israel: in the Negev, the Galilee, Judea and Samaria, and the Golan. The settlers are the real pioneers of our day, and they deserve support and appreciation.… We, the generation born after the founding of the state, bear a great responsibility: to continue the Zionist project and bring its fulfillment.[848]

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[845] PHRIC, "Two Years of Closure", 9 April 1995, p. 2.
[846] "Guidelines of the Government of Israel (Communicated by Prime Minister-Elect Netanyahu's bureau)", 17 June 1996. Information Division, Israel Foreign Ministry – Jerusalem (downloaded from official website June 1996)
[847] *Ibid.*, Article I, No. 7; Article IV, No. 1.
[848] "Guidelines", Article V(d), No. 1; Article VI, No. 2.

The above shows that the Israeli Government would facilitate the settler colonial process in the OPT which entails colony expansion and protection of the settler colonizers, as well as containing, suppressing and isolating the indigenous population of Palestinians even when they are the victims of specific settler-colonizatoin activity. On the matter of the negotiations with the Palestinians, Netanyahu said:

> The Government will negotiate with the Palestinian Authority, with the intent of reaching a permanent agreement, on the condition that the Palestinians fulfill all their commitments fully….The Government will oppose the establishment of a Palestinian state or any foreign sovereignty west of the Jordan River….In any political arrangement, Israel, shall insist on ensuring the existence of Jewish settlements and their affinity with the State of Israel….The Government of Israel will continue to bear full responsibility for the Jewish settlements and their residents…. [It will also] use the IDF [the Israeli Defence Forces – the army] and security forces to act against the threat of terrorism everywhere.[849]

The above illustrates how, the Israeli civil government would continue to utilize the political process and the agreements reached with representatives of the indigenous Palestinians to further advance the production of the Zionist settler colonial existence. The role of the Military Government in the OPT would continue to be to protect the settler colonies in the OPT and their inhabitants until this production of existence has been fulfilled under the pretext that Palestinian resitance to the settler colonization was 'terrorism.' The four years that followed leading up to the 2000 witnessed two more Palestinian uprisings: in 1996 in reaction to the opening of the Hasmonian Tunnel which leads to under the Al-Aqsa Mosque (the third most holy site in Islam), the second was in 1998 in protest against of the extensive settlement construction in occupied East Jerusalem and particularly on Abu-Gheim hill in southern Jerusalem overlooking Bethlehem despite the peace negotiations.

Violent clashes broke out between 25th and 27th of September 1996, after the Israeli authorities opened on the 23rd an exit to the underground Hasmonian Tunnel leading to the Al-Aqsa Mosque. The clashes which were widespread throught the OPT, were the most violent the country had seen since the 1967 war. In the first three days, 64 Palestinian were killed by Israeli forces, and more than 1,500 injured.[850] The Israeli government, its military and the media were not reserved in reporting their heavy handed response to the clashes. In

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[849] "Guidelines", Article I, No. 6, 7, 8, 11.
[850] PHRIC documentation, an Egyptian soldier was killed by the Israeli army on Septermber 26th, and two more Palestinians died from their injuries on October 8th, 1996.

an Israeli television interview, the Israel Officer in Chief (OC) of the Central Command Major-General Uzi Dayan said that in addition to beefing up its forces, the Isareli Army had deployed snipers, tanks, armoured personel carriers (APCs), heavy weapons and Cobra attack helicopter gunships to prevent further disturbances.[851] Fourteen Israeli soldiers were killed during the clashes. A factor in this use of overwhelming force was that the PA police began to fire back with their AK 47 machine guns at the Israeli army tanks and helicopter gunships to protect Palestinian civilians from the heavy gunfire.[852]

Such a show of force authorized by the civil government and coming as an intervention to the Military Government, revealed strains in the latter as well as in the Army and Israeli society as whole in dealing with a decade of pre-occupation with Palestinian uprisings while completing the production of settler-colonial-existence in the OPT; this while the army was also engage in confronation with Hezbullah in South Lebanon.[853] The Israeli society, its military establishment and its system of control over the Palestinians were experiencing what Efraim Inbar called "conflict fatigue."[854] An article in the Israeli English daily newspaper *The Jerusalem Post* questioned whether the the Israeli army could rely on its reserve forces. The 1996 uprising seemed "to have hit Israel when motivation to serve [in the Army was] at an all-time low among both conscripts and reserve soldiers."[855] It also questioned whether "Israel's increasingly individualistic, pleasure-seeking society [could]

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[851] *Jerusalem Post,* 27 September 1996; see also Tikva Honig-Parnass and Toufic Haddad, *Between the Lines: Readings on Israel, the Palestinians, and the U.S. "War on Terror"* (Chicago, IL: Haymarket Books, 2007), pp. 46-47.

[852] The PA had assumed control over the main Palestinian cities (Areas A) of the West Bank after the signing of the Oslo 2 agreement signed in Washington between the Palestinians and the Israelis on September 28, 1995, and PA police were deployed in these areas with light arms. See *Palestinian-Israeli Interim Agreement on the West Bank and Gaza Strip.*

[853] Two main Israeli military operations in South Lebanon failed to realize their objectives: Operation Grapes of Wrath in 1994 which attempted to push back Hezbollah groups from southern Lebanon, and the collision of two Israeli military helicopters in early 1997 during an attempted operation also in southern Lebanon. See Laura Zittrain Eisenberg, "Israel's Lebanon Policy", *Middle East Review of International Affairs,* Eisenberg, Laura Zittrain (September 1997). 1 (3), http://meria.biu.ac.il/journal/1997/issue3/jv1n3a3.html The helicopter collision occurred on 4 February 1997, killing 73 Israerli soldiers when two Sikorsky CH-53 Sea Stallion *Yas'ur* 2000 helicopters, *357* and *903,* collided in the norht. The helicopters were supposed to have crossed the border into Israel's "security zone" in Lebanon, but were hovering while waiting for official clearance to go. Previously Israel had moved troops by ground, but this policy was changed as the threat of roadside bombs from Hezbollah had increased.

[854] Efraim Inbar, "Israel's Predicament in a New Strategic Environment" in Efraim Inbar and Gabriel Sheffer (eds.), *The National Security of Small States in a Changing World* (London: Frank Cass & Co. Ltd., 1997), pp. 155-174, here p. 170.

[855] "Can the Army Count on its Reserves?" *Jerusalem Post,* 29 September 1996.

stomach another prolonged war against the Palestinians."[856] Indeed, "[w]hen an army reserve was called up for duty in Nablus a the height of …[the] bloody clashes between the Palestinian police and Israeli troops, 60 of its 340 members showed up – and of those only half stayed."[857] While for years the Israeli military could rely on its youth to serve in the armed forces, the Peace Process had, in part, changed perceptions of threat and urgency. "[M]any Israeli men in their 30s and 40s no longer see the point of putting in 30 days of reserve duty a year when the prospect of all out war is receeding."[858] Yet, another uprising erupted when construction began in March 1997 on Palestinian confiscated land on Jabal Abu Gheim to build the settler colony of Har Homa. The construction was postponed as a result the breakdown of the peace talks which in turn brought on heavy international pressure.[859] Yet, throughout the first decade of the peace negotiations and through the interim period, the number of settler-colonizers in East Jerusalem and the West Bank rose from 213,600 in 1990 to over 347,500 in 1999.[860] This increase by over 163% in the number of settler colonizers seems to indicate that the Israeli government was in a race against time to complete the Zionist colonization of the OPT. It seems to have also been using the political process of peace negotiations with the Palestinians to "buy time" to complete this process integrating the OPT into the settlemet colonization of Palestine – similar to Ben Gurion's "buying-time" tactic in the form of moves for reconciliation with the Arabs in the 1930s and the 1040s, as was mentioned earlier. By the end of the 1990s, the prospects of such a fulfillment of the production of settler-colonial-existence seemed to be hampered by some international pressure, Palestinian resistance and a degradation of Israeli military competence in delivering zero-sum victories despite the use of heavy military hardware against civilians.[861]

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[856] *Ibid.*
[857] *Newsweek,* 28, October 1996, pp. 18-19, here p. 18.
[858] *Ibid.*, here p. 18. Israeli Military combat competence was also on the decline. In June 1995, an enraged Israeli Chief of General Staff Lt.-Gen. Amnon Shahak stopped a tank brigade exercise due to poor performance. An Israeli senior office attributed "professional negligence, dilettantism, and complacency as the causes of this scandal." See *Jerusalem Post,* 19 June 1995.
[859] Tikva Honig-Parnass and Toufic Haddad, *Between the Lines…,op.cit.,* p. 62; also see http://www.wildolive.co.uk/Har%20Homa.htm
[860] Palestine Monitor, "Settlements", www.palestinemonitor.org/spip/IMG/pdf/Settlements.pdf
[861] Emanuel Wald, *The Wald Report: The Decline of Israeli National Security Since 1967* (Boulder Colorado: Westview Press, (1987) 1992), p. 208, "The main price for the mistaken basic assessment [of preserving the status quo in its national security concept] is that Israel has no strategic objectives." See also Reuven Gal, "The Motivation for Serving in the IDF: In the Mirror of Time", *Strategic Assessment,* December 1999, Vol. 2, No. 3, http://www.tau.ac.il/jcss/sa/v2n3p2.html ,

iii)   From 2000 to 2010

The Israeli security establishment entered the twenty-first century with on-going conflit on two fronts: the internal front with the Palestinians in the OPT, and the northen front with Hezbullah. Both combined had a negative effect on the motivation and moral of its soldiers.[862] Former Chief of the General Staff between 1991 and 1995, Ehud Barak who succeeded Netanyahu as Israeli Prime Minister in 1999, made it his campaign promise to end Israel's 22-year long occupation of Southern Lebanon within a year. On 24 May 2000 the Israel army withdrew from Southern Lebanon. This seems to have been in line with one of the components of Israeli security doctrine of avoiding to wage war on multiple fronts because of its limited number of human resources.[863] This particularly since the Israeli military was moving towards becoming a smaller, more capable, force in the twenty first century.[864] In March 2000, the Israeli Cabinet decided to withdraw from southern Lebanon.[865] In May, Barak annouced after the withdrawal that the conflict in Lebanon was over.[866] Meanwhile, in the OPT tension was building and the army was preparing for the possibility of a collapse of the peace process in the upcoming summit in Camp David as Amos Harel wrote in *Ha'aretz* few months before the second uprising:

> The IDF is essentially preparing for war. This is how the army thinks, even if in the end, the conflict turns out to be on a small scale. And the IDF is more focused on the territories now that Lebanon, the problem that occupied most of its time and resouces over the last decade, is on the back burner.[867]

In July 2000, Barak went to the Camp David summit with the Isareli proposal for a final agreement with the Palestinian leader Yassir Arafat knowing well that chances the latter accepting the terms on Jerusalem were particulary unlikely.[868] Barak in a later statement said that "nothing is agreed upon until everything agreed upon", indicating that what he had

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[862] Jonathan Marcus, "Analysis: Dilemma facing Israeli army", *BBC News,* 11 February 2000, http://news.bbc.co.uk/2/low/middle_east/639571.stm,

[863] David Rodman, "Israel's National Security Doctrine: An Introductory Overview", *Middle East Review of International Affairs-MERIA,* September 2001, Vol. 5, No.3.

[864] Shaol Mofaz (Lt. Gen.), "The IDF toward the Year 2000", *Strategic Assessment,* October 1999, Vol. 2, No. 2, http://www.tau.ac.il/jcss/sa/v2n2p3_n.html.

[865] "Israeli Cabinet votes to leave Lebanon", *BBC News,* Time Line, 5 March 2000, http://news.bbc.co.uk/onthisday/hi/dates/stories/may/26/newsid_2496000/2496423.stm.

[866] "Barak says Lebanon conflict is ending", *BBC News,* 11 Febraury 2000, http://news.bbc.co.uk/2/low/middle_east/640049.stm,; "Barak: Lebanon 'tragedy is over' ", *BBC News,* 23/5/2000, http://news.bbc.co.uk/2/low/middle_east/760062.stm.

[867] Amos Harel, "Preparing for War", *Ha'aretz,* 21 June 2000, p. A2.

[868] "Israel makes offer on Jerusalem suburbs", *BBC News,* 8 May 2000, http://news.bbc.co.uk/2/hi/middle_east/740926.stm.

put forth looked more like an ultimatum. An agreement could not be reached, and Ariel Sharon entered the Al-Aqsa compound with a large number of guards on 28 September 2000, sparking off the *Al-Aqsa Intifada*. Barak had gotten the pretext utilize the Israeli army which was now prepared for the long-conflict with Palestinians until a zero-sum victory was achieved through force; in other words a total defeat of the PA and the Palestinians using the military heavy hardware such as F-16s, Apache gunship helicopters, Merkava tanks, APCs, and lazer guided air-to-surface missiles for assassinations of Palestinian leaders.[869]

The Israeli settler-colonial establishment catergorized its conflict the Palestinians as a "low intensity conflict" (LIC) as it was not considered as posing a threat to the existence of the state.[870] Since settler colonial systems consider any indigenous opposition to its settler-colonial practices as 'terrorism,' the conflict with the Palestinians was regareded as part of its war against terrorism.[871] Following this rationale, the establishment also assumed that conquering Palestine partially in 1948 and the completely 1967 did not require a further re-conquering effort. Rather what was necessary was a repeated re-affirmation of its control. In doing so however, the army assumed the role of policing the OPT forming special units to combat Palestinian resistance and the use of disproportionate and overwhelming force.[872] In countering the *Al-Aqsa Intifada* and through 2010, the Israeli military seemed to be using the following strategies outlined by Gabriel Siboni:[873]

- *The strategy of overpowering*: This strategy sought to overpower the Palestinian side and cause it to accept Israel's position as proposed in the Camp David summit several months before. According to Siboni, "the use of the term overpowering in a strategic context is highly problematic, primarily because of the inability to eliminate the desire (and ability) to continue to exercise terrorism in varying intensities."[874] This seems to have been used during the last month of Ehud Barak's

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[869]   "Israeli army 'ready for long conflict' ", *BBC News,* 24 October 2000, http://news.bbc.co.uk/2/low/middle_east/989016.stm ; "Israel army given freer rein", *BBC News,* 4 July 2001, http://news.bbc.co.uk/2/low/middle_east/1421928.stm.
[870] Uri Bar-Joseph (ed.), *Israel's National Security Towards the 21ˢᵗ Century* (London: Frank Cass, 2001), pp. 3-4.
[871] Gabriel Siboni, "The Military Battle against Terrorism: Direct vs. Standoff Warfare", *Strategic Assessment,* Vol. 9, No. 1, April 1996, http://www.tau.ac.il/jcss/sa/v9n1p10Siboni.html
[872] David Rodman. "Israel's National …, *op.cit.*
[873] Gabriel Siboni,… *op.cit.;* derived from Yehoshafat Harkaby, *War and Strategy* (in Hebrew). p. 126.
[874] Ibid.

premiership in the last months of 2000. It failed to achieve its objectives and Barak called for early elections in which he lost against Ariel Sharon.

- *The strategy of attrition:* This strategy was implemented during the first years of Sharon's premiership between 2001 and 2003. It sought to wear out the Palestinian side in order to achieve medium-term objectives by "illustrating the cost of losing". In other words "teaching" Palestinians that countering Israeli policies in the OPT through the used of resistance, even if asymmetrically multiple times less compared to that of the Isareli army, would bring only failure. Yet this approach seemed to have back-fired. The Israeli army found itself having to prepare to call its reserves from abroad during the summer of 2001.[875] By the end of 2002, the Israeli government had to request more aid to supports its economy which was being affected as a result of the resources allocated to end the *intifada.*[876] This strategy also failed, and in mid 2003, Sharon admitted that what was happening in the OPT was occupation which had to be brought to an end.[877]

- *Conflict management*: This strategy seeks to establish a reasonable security reality contrary to the desire to wear out or overpower. It seems to have covered the period from mid 2003 through 2010. After the failure of the both the overpowering and attrition strategies from achieving a total victory over the Palestinians, the Israeli government took steps to establish a security set-up which would produce a security arrangement reality which would enable the settlement colonization of the OPT to continue unabated, while providing security to the settler colonizers there. It also aimed to further isolate the indegeouns Palestinians in order to be able to bring to bear concentrated force at any contained location in the OPT. This combination of steps would reduce considerably the number of military personnel required to achieve this reality, and relying more on deterrence from the air through the use of the gadgets available to the Israeli air force ranging from fighter aircraft, helicopter gunships, unmanned aerial vehicles (UAVs).[878] The construction of the Separation

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[875] "Israel prepares for international call-up", *BBC News,* 21 July 2001.
[876] "Israel asks US for more money", *BBC News,* 25 November 2002.
[877] Ariel Sharon reported in CNN on 27 May 2003.
[878] This covers a variety of UAVs depending on function. For intelligence gathering and surveillance such as Heron, Hermes and Searcher 2; for attack and assassinations Moab and Harpy AUVs; see also Eyal Weizman, "Thanato-tactics" in Adi Ophir, Michal Givoni and Sari Hanafi (eds.), *The Power of Inclusive Exclusion: Anatomy of Israeli Rule in the Occupied Territories* (New York: Zone Books, 2009), pp. 543-573.

Wall which began in 2003 was also part of a strategy of securing control over water resources, usurping more land, cutting off villages from access to their agricultural resources, and pushing ahead for a completion of the Zionist purpose of transforming Palestine into a 'Jewish homeland.' The West Bank would be broken up into at least four main enclaves surrounded by the wall transoforming it to "a system of prisons, studded with Israeli settlements, isolated from the world, and controlled both from the outside and from the inside by the Israeli army."[879] Also, in January that year, the OC Central Command declared that the "security envelop" surrounding the built-up area of every settler colony bordered the houses on the edge of the neighbouring Palestinian villages.[880] This transformed the West Bank to what the Gaza Strip was before the unilateral disengagement of the Israeli military in summer 2005. The timing of the development of this disengagement plan from Gaza was also in 2003, supported by both Ariel Sharon and his successor Ehud Olmert. Following the Palestinain election in 2006 in which the Hamas candidates won the majority of votes, an economic siege was enforced on the PA and the Palestinian people, thus becoming the first people under occupation to be subject to an international embargo. After Hamas took control over Gaza in June 2007 as a result of an internal Palestinian showdown, Israeli and U.S. efforts aimed to contain and stabilize the internal front of the West Bank. This enabled the Israeli government to focus on dealing with its other internal front in the south, under the newly appointed Israeli Minister of Defence (MoD), Ehud Barak. What followed were preparations to cruch Hamas and Palestinian resistance in a prolonged war of attrition against the Gaza Strip and its population of over 1.5 million. This began with a complete siege for a year and a half before the actual war in December 2008 and January 2009, and has remained through 2010.[881] During this period, the

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[879] Tanya Reinhart, *The Road Map to Nowhere: Israel/Palestine Since 2003* (London and New York: Verso, 2006), p. 166.

[880] Adi Ophir, Michal Givoni and Sari Hanafi (eds.), *The Power…, op.cit.,* p . 627.

[881] Aluf Benn and Amos Harel, "Cabinet gives IDF green light to expand but not escalate, Gaza Strip operation", *Ha'aretz,* 14 May 2007; Ze'ev Schiff, "If that's how they act in Gaza", *Ha'aretz,* 25 May 2007; Yuval Azoulay, "Ya'alon: Bring down Iran regime, send ground troops into Gaza", *Ha'aretz,* 27 May 2007; Avi Issacharogg and Yuval Azoulay, "At least 12 Palestinians killed in Gaza IDF raids; Abbas slams 'criminal acts' ", *Ha'aretz,* 27 June 2007; Barak Ravid and Shlomo Shamir, "Cabinet declares Gaza 'hostile territory'", *Ha'aretz,* 20 September 2007.

number of settler-colonizers in East Jerusalem and the West Bank rose from over 365,000 in 2000 to around half a million by 2010; an increase by about 137%.[882]

What has resulted from these systems of control since 1967 through 2010 could be described as representing two processes developing simultaneously. The first is what Jeff Halper has called the matrix of control.[883] The second could be what Avi Kober has described as the development of the means to produce military or battlefield decision via "Force Mulitipliers".[884] Halper attributes the matrix to plans Ariel Sharon pulished in 1982 few months before the invasion into Lebanon. This seems to reiterate the connection made above between the war aim in 1982 of removing the PLO from Lebanon, in order to facilitate implementation of his *Masterplan for Jewsih Settlements in the West Bank Through the Year 2010,* by rendering the Palestinians in the OPT as leaderless and demoralized. The masterplan became known later as the Sharon Plan which was a strategy to ensuring permanent Israeli control over the OPT. In other words, the aim of its strategy was "not to actually defeat but rather to immobilize [the]… opponent by taking control of key points on the [OPT]… which is, indeed, the matrix."[885] Halper elaborates:

> It was a strategy used effectively in Vietnam, where small forces of Viet Cong were able to pin down and virtually paralyze half a million American soldiers possessing overwhelming firepower. Israel's Matrix of Control accomplishes the same with the Palestinians.[886]

Halper uses Eyal Weizeman's description to elaborate further on this concept, which is a:

> …defense based on a "network of points in depth" [which] relies on a matrix interlocking strong points connected by physical and electromagnetic links; roads and electronic communications. Each point can connect and communicate with any other, and each point overlooks, and, whenever necessary, covers the other with firepower. This creates an interlocking, fortified surface. When the defensive matrix is attacked it can become flexible and adapt to the fall of any number of points by forming new connections across the matrix.The geography of nodes in a matrix cannot be conventionally measured in distance. [More important] the speed and reliability of the connection – that is, how fast and how secure can one travel between given points. The network defense is a spatial trap that

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[882] Palestine Monitor, "Settlements", www.palestinemonitor.org/spip/IMG/pdf/Settlements.pdf; percentages are author's calculation.

[883] Jeff Halper, *An Israeli in Palestine:…, op.cit.*

[884] Avi Kober, "A Paradigm in Crisis? Israel's Doctrine of Military Decision" in Ephraim Karsh (ed.), *Between War and Peace: Dilemmas of Israeli Security* (London: Frank Cass, 1996), pp. 188-211.

[885] Jeff Halper, *An Israeli in Palestine:…, op.cit.,* pp. 151-153.

[886] *Ibid.,* p. 152.

allows the defenders a high level of mobility while acting to paralyze any possibility for enemy movement.[887]

Halper attributes the 'brilliance' of Sharon's Matrix of Control in how it used strategic geography and settlements, as well as the interlocked four strategic means of control: The first was administrative representing the administration, bureaucracy, planning and law tools of Occupation and control through the military government and its orders. The second was economic warfare which was interwoven with the first to achieve economic subordination of the Palestinians. The third was creating the physical the facts on the ground through over 250 settler colonies (settlements and outposts) in the OPT. The fourth was and is the use of the military to control and strikes representing the Iron Fist of military force which the Matrix of Control conceals behind the façade of seemingly proper administration.[888] In the context of the production of the Zionist settler-colonial-existence in the OPT, the Matrix of control, developed since three decades, has served to paralyzed the Palestinians so that the fission process of chisling away the components which together form Palestinian nationhood: the prospects of the continued existence of a group of people living on a common land which forms part of who they are. Simultanously, alien population of settler-colonizers engage in fusion process of shaping their identity on the same land; this process is protected by military force, and encourages settler-colonizer violence against the indigenous people – a practice intrinsic to settler-colonial identity formation.

The sequence of the development of the Sharon Plan and its Matrix of Control is chilling. It was published few months before the 1982 Lebanon war, which resulted in the Sabra and Shatilla massacres that September in which some 3,000 Palestinian refugees were killed after the remaining PLO forces had left Beirut. Thus, a link between military operations against the Palestinians, even if outside of Palestine, intended to have a paralyzing impact on the Palestinians in the OPT. Thus, one could draw the pattern that the Matrix of Control is intended to paralyze the indigenous population not only while they are being de-nationized (the fission process explained above), but also for the purpose of achieving a military or battlefield decision manifest in a completing the productin of Zionist settler-

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[887] As cited by Jeff Halper, *An Israeli in Palestine: ..., op.cit.,* p. 152. Eyal Weizman, "Strategic Poinst, Flexible Lines, Tense Surfaces and Political Volumes: Ariel Sharon and the Geometry of Occupation", *Philosophical Forum,* Vol. 35, No. 2, pp. 221-244.
[888] *Ibid.*, pp. 153-174.

colonial-existence in Palestine. Kober defines decision as "denying one's enemy the ability to continue fighting – in terms of both its will (the psychological aspect) and its capability (the material aspect)."[889] He adds that he defines victory "in terms of the correlation between what each adversary aspires to, militarily or politically, before and during war, and what it actually succeeds in achieving during that war."[890] It sets its sights on a post-war horizon; Kober attributes this to the subjective nature of victory as a concept. In contrast, only one belligerent party can achieve battlefield decision as it focuses on the dimensions of the war itself.[891] Kober points out that:

> The hard core of Israel's military decision doctrine consists of its patterns of action which, having the common denominator of creating "force multipliers, have enabled the Israeli Defence Forces to compensate for their overall quantitative inferiority and, wherever possible, to convert it into superiority, at least on part of the battlefield.[892]

These force multipliers are not all technological gadjets such as types of arms or armaments, but rather operational actions which "significantly increase the combat potential of that force and thus enhances the probability of successful mission accomplishment."[893] In this sense they take the form of: First, offence which Israel has always regarded as the only form of war by which it is possible to obtain decision because of its strategic circumstances, but which is depended on rapid military achievements in order to realize political gains. Second, concentration of force on the "principal effort" method which entails having to decide where to concentrate its forces; this in order to gain qualitative superiority and thus to create the center of gravity for the whole war; each theatre therein would then open the possibility to achieve military decision. The concentration force in Israeli military doctrine contains another sub-principle of 'a graduated decision' which means a decision through an offensive on one front while holding off other operations on other front(s) until a decision has been reached in the first, and then moving on to the next. The third is the strategy of indirect approach formulated by Liddell-Hart and which is an integral part of Israeli military thinking; it entails both physical and psychological at both the strategic and operational levels. The fourth force multiplier is the concept of the first strike or a preemptive strike both on the ground and in

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[889] Avi Kober, "A Paradigm …, *op.cit*., p. 188.
[890] *Ibid.*
[891] *Ibid.*
[892] *Ibid*, pp. 188-211, pp. 94-195.
[893] *Dictionary of Military and Associated Terms* (US Department of Defense, 2005).

the air, as a means to throw the enemy forces off balance, thereby allowing for battlefield decision. Kober adds that the executors of battlefield decision – the tank and the fighting aircraft represent the fifth component. According to Israeli doctrine, the weapon systems bear the brunt of the effort to achieve battlefield decision.[894] If one were to go over the Israeli operations in the OPT over the past two decades one could observe all five of the force multipliers at work to varying degrees. This seems to point out to a correlation between the development of the Matrix of Control and its role in providing contained geographical points in the OPT where battlefield decision could be achieved with a minimum number of troups. This would seem to have remedied and perhaps even eliminate the need for the principle of graduated decision. In other words, the geographical configuration of the OPT as a result of the settlements, their access roads, the separation wall and other forms of surveilance from remote guided ordinances whether aerial or ground to control over natural resources and utilities; all these combined have enabled the Israeli army to bring to bear overwhelming force on several locations (points) within the Matrix of Control described by Halper. In this sense, the absence of the Matrix of Control would have necessitated being constrained by the principle of graduated decision would could draw the army in a conflict of attrition as a result of having to spread its forces thin in its internal front(s) leaving the defence of the external fronts vulnerable. This seems to be related to another component of the Israeli doctrine of military decision which is rapid decision. This signifies the need to achieve a quick battlefield decision in order not to enter a prolonged war – a type of war it cannot sustain. This combined with another note which Kober make, seems also relevant to the context of the production of the Zionist settler-colonial-existence in the OPT. He states with regard to the second component of the Israeli doctrine of military decision:

> Military decision has traditionally been perceived in terms of destroying enemy forces, on the one hand, and occupying territory not previously in Israel's possession, on the other. But destruction of forces has been regarded as having greater value for the purposes of achieving decision. During recent years, Israel has begun to sober up from the illusion that it is possible, in modern war in general and in the Arab-Israeli context in particular, to annihilate an army.[895]

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[894] Avi Kober, "A Paradigm …, *op.cit*., here pp. 194-204.
[895] *Ibid*., pp. 188-211, here p. 194.

The above observation seems to suggest that the Israeli retraction from military decision in the sense of destroying enemy forces, has come as result of it being almost impossible to achieve in modern war. In the context of the OPT, where the production of settler-colonial-existence is on the verge of being completed, and in the absence of an army as an inhibiting factor, the following question arises: What is to prevent the Israeli army from proceeding to achieve a military decision, in the settler colonial sense against the indigenous Palestinian population as in other settler colonial cases This is especially relevant since in Total War the conceptual difference between battlefield decision and victory narrows considerably. This seems so because unlike in limited wars where the military decisions provide the possibility to realize political gains, military and battlefield decisions *are* the polical gains. This is accentuated even further if one were to view the current race over Palestine as one which is an extension or a continuation of the unfinished "business" of 1948 war. A point that has been raised, for different reasons, by Benny Morris, Tanya Reinhart, Jonathan Cook, and Ilan Pappe, to name a few.

The dual system of rule of having two governments functioning simultaneously (one civil and the other military) seems unique to the Zionist settler-colonial case. While the military government established after 1948 to control the Palestinian population who remained within the borders of the newly founded Israeli state ended in 1966, it was transplanted and developed further in the areas of Palestine occupied after the 1967 war. Maintaining such a system of dual governments, each with their distinct laws, courts and mechanisms for monopolizing the use of force, seems to have functioned towards fulfilling the Zionist objective of transforming Palestine into a Zionist interpretation as 'homeland for Jews.' As this form of production of settler-colonial-existence on the same land of the Palestine has taken the form of a systematic de-existing of the indigenous nation by rupturing their existential attachment to the land – shaping it into a place of confinement rather than a place of growth, one could conclude that it bears the characteristics of a Total War conflict with a zero-sum outcome. On the one hand, it could promote itself as belonging to the community of demotratic states, while on the other hand waging its Total War against the Palestinian under the other government not publicized in the international arena and concealed from international scrutiny. This seemingly Jekyll (civil government) and Hyde (military government) approach to settler colonialism were not two faces of the same entity, as for example in the Apartheid system which had one government but segretation laws

according to race. Rather, they represent to two distinct bodies of rule with different strategic roles towards completing the production of the Zionist settler-colonial-existence in Palestine. The functional distinction between the two governments is in the dominant/subordinate arrangement of politics and war. In the civil government which is assumed to be democratic, politics dominates and guides war efforts by determining its objectives and how they are transformed into political gains. Furthermore, in such a system, the military is accountable to the civilian government. In contrast, the arrangement in a military government is one in which politics subordanite to the war. In other words, politics becomes war by other means, and the objective of utilizing political ativity is to further the Total War effort of achieving total victory. In this context, one could begin to understand the dynamics of the two decades of negotiations between the Palestiniasn and the Israelis. The civil government seems to have given the impression that, like all other western governments, its objective was arriving at a compromise with the Palestinians. In other words that its conflict with the Palestinians was of a limited nature, and therefore was not directed at the Palestinian people as a whole but rather on the type of leadership it had combated with. While in effect, it seems to have been capitalizing on its civil government and its foreign relations offices to gain time in order to complete the settler-colonial project over Palestine. In other words, the Israeli civil government seems to have acted as the being interested in a compromise on the presmise that the conflict was a limited one, when it actually was the face of a 'twin body' in the form of the military government engaged in total warfare to Zionise Palestine. Indeed, during the past two decades of the Palestinian-Israeli negotiations, the number of settler-colonizers in East Jerusalem and the West Bank more than doubled, increasing by almost 234% reaching half a million.[896] The whole process seems to have in been a continuation of the settler-colonial Total War of the military government in Palestine rather than a means to reach a political compromise. For by the nature of such warfare, there can be no compromise over the land with the indigenous. Hence, treaties and agreements become means for gaining time rather than a means to arrive at a mutual vision of a future exitance. Examples of the latter could be the peace agreements between states such with Egypt and Jordan.[897] One could also begin to

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[896] Percentages are percentages are author's calculation derived from Palestine Monitor. 'Settlements.', www.palestinemonitor.org/spip/IMG/pdf/Settlements.pdf

[897] In light of the revolution that has occurred in Egypt in January 2011 calling for a regime change, even this could be uncertain or unstable when one of the parties of a peace treaty is a settler-colonial system still engaged in the production of its existence. See next section on the geographical location below.

realize that from the settler-colonial perspective, if control and the take over process of indigenous land is completed, and if the indigenous have been contained to a level where "security reality is reasonably stable" as seems the case in 2010, then there is no need for a political agreement with the indigenous Palestinian nation. This would seem to explain the impass in the negotiations between the PA and the Israeli government in the fall of 2010 because of the continued Israeli settlement in the OPT.

The above raises questions about which government in this settler colonial system is dominant over the other, the civil or the military. This has serious implications about what the roles of politcs and war are under such a system. It becomes unclear whether political arrangements with such a system are based on its stable and durable strategic interests, or whether they are temporary phases determined by the conditions in which war can produce better opportunities. What seems to be described here is a very unstable system. What perhaps may explain how such a seemingly unstable entity has managed to continue to exist in a region of turmoil may have to with its geographical location.

v. Geographical location

The Israeli state is considered to be a "status quo state."[898] Its existence depends on the status quo which resulted from the 1948 war; a war that re-shaped the region to enable its existence as the Zionist state in Palestine.[899] Maintaining this status quo has meant that it has had to rely heavily on deterrence through its disproportional power advantage.[900] Therefore, any political development which could potentially alter this regional contextual arrangement has been perceived as a challenge to the states's existence. In this light, the 1956 war against Egypt was considered a preventative war, preventing the Pan-Arabist regime of Jamal Abdel Nasser from changing the post-1948 status quo. The 1967 war was regareded as a pre-emptive war to destroy the military capabilities of the Arabs and the possibility of waging an attack. The outcome of the 1967 war created a new status quo as the Israeli state expanded territorially to include the Sinai Peninsula, the West Bank, the

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[898] Avi Kobe, "Israeli War Objectives into an Era of Negetavism" in Uri Bar-Joseph (ed.), *Israel's National ..., op.cit.,* here p. 183.
[899] Aluf Benn, "A very, very painful response", *Ha'aretz, Week's End"* (Tel Aviv), 4 May 2007, p. B2; Emanuel Wald. *The Wald Report: The Decline ..., op.cit.,* p. 14.
[900] Uri Bar-Joseph (ed.), *Israel's National ..., op.cit.,* p. 2.

Gaza Strip and the Golan Heights. These combined provided the state with a strategic geographical depth, which it lacked before, against possible invading armies and against low intensity conflicts (LICs) along the borders as well as inside the OPT.[901] The 1973 war shattered the Israeli perception of its deterrence posture created by 1967 when Egypt and Syria "dared" to defy the status quo. This meant that the Israeli state became even more reliant on its super power ally the United States, and in turn had to strive for coexistence through a political arrangement rather than another round of war.[902] Hence the Camp David peace agreement was reached with Egypt in 1978, the largest regional Arab power on the border. This enabled the Israeli state, following the principle of a graduated decision (mention above) to focus of on dealing with the LIC coming from the Palestinians in the OPT and the PLO in Lebanon; hence the 1982 Lebanon war and the accelerate settler colonization in its internal front on the remainder of the areas occupied in 1967. By the end of the 1980s, other regional threats were emerging from non-bordering state such as Iraq and Iran. This created a complex multi-leveled challenge which demanded the adoption of a defensive strategic concept which Emanuel Wald has described as the "attempt to defend everything against everything."[903] This seems to have created what Emily Goldman has called a "national security uncertainty which implies ambiguity about the nature of threats…[and which] can result from the disappearance of the prior, traditional, or familiar threat pattern."[904] Consequently,

> With uncertainty over the identity of future adversaries comes ambiguity in the capabilities against which one must prepare, particularly whether one should prepare for an adversary with similar or dissimilar capabilities….[This creates] resource uncertainty concerns [about] the allocation of scarce national assets in order to respond to unforeseen contingencies [and] inter-operability uncertainty [which] involves managing and coordinating assets with potential alliance and coalition partners to enhance preparedness….Uncertainty about the goals, interests, and capabilities of others collectively enhances the difficulty of deciding what type of conflict to prepare for (e.g., major war, small-scale interventions, peacekeeping operations, etc.). Operational uncertainty grows with the diversification of threat types, particularly during periods of acuted financial stringency when competing threats often translate into conflicting military mission priorities.[905]

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[901] David Rodman, "Israel's National …, *op.cit.*

[902] Henry Kissenger, *Diplomacy* (New York: Simon and Schuster, 1995), p. 741

[903] Wald, *op. cit.*, p. 243

[904] Emily Goldman, "New Threats, New Identities and New Ways of War: The Sources of Change in National Security Doctrine" in Uri Bar-Joseph (ed.), *Israel's National …, op.cit.,* here p. 45.

[905] *Ibid.,* pp. 45, 47.

Having to factor maintaining a particular status quo in a dynamic regional context, coupled by with defensive strategic concept of having to defend everything against everything and being able to do both creates a condition of "conceptual confusion" and "wishfull thinking."[906] These combined have tended to produce assessments of strategic environments based on perception of threats, rather than an actual reading of the strategic environment in both the external and internal fronts of the Zionist state. The outcomes of the 1973 war, the 1987 Palestinian *Intifada*, the 2006 Lebnon war, the 2008/9 Gaza war, and the hanlding of the first years of the Al-Aqsa *Intifada* of 2000 are some examples of such a conceptual and threat assessment quagmire.[907] The most recent example was the unforeseen popular revolution in Egypt calling for a regime change in late January 2011 following the Tunisiann popular uprising which resulted in the ousting of its leader Ben-Ali.[908] It bears the ramifications which each of the previous examples had on the status quo posture, the resulting change in the formation of the Israeli army, all of which have implications on the ability of the economy to respond to shifts of such a magnitude. Amos Harel explains:

> The collapse of the old regime in Cairo, if it takes place, will have a massive effect, mainly negative, on Israel's position in the region. In the long run, it could put the peace treaties with Egypt and Jordan in danger, the largest strategic assets after the support of the United States. The changes could even lead to changes in the IDF and cast a dark cloud over the economy…. In the possible scenarios that Israeli intelligence envisioned, they admittedly posited 2011 as a year of possible regime change – with a lot question marks – in Egypt and Saudi Arabia, but a popular uprising like this was completely unexpected. [909]

The above seems to illustrate the effect the recent developments in Egypt could have on the Israeli position as a result of the change in the status quo in the region. This would also seem to increase its national security uncertainty, which means that it may essentially have

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[906] Emanuel Wald, *The Wald Report: …, op.cit.,* p. 130; see also Zeev Schiff, *October Earthquake: Yom Kippur 1973* (Tel Aviv: University Publishing Projects Ltd., September 1974), p. 30.

[907] See Zeev Schiff, *October Earthquake:…, op.cit.,* p. 30; on the 1987 intifada see Zeev Schiff and Ehud Ya'ari, *Intifada: The Palestinian Uprising: Israel's Third Front* (New York: Simon and Schuster, 1990), p. 30, and Ahron Bregman, *Israel's Wars …, op.cit.,* pp. 119-120; on the Lebanon war 2006 see Ze'ev Schiff, "Let's get real", *Ha'aretz,* 20 October 2006, www.haaretz.com; "Summary of the Winograd Committee interim report", *Jerusalem Post,* 30 April 2007, points no. 19-20; on the Gaza war 2008/9 see Aluf Ben, "Analysis / Unlike Livni and Barak, Olmert is focusing on Gaza, not elections", *Ha'aretz,* 17 January 2009; Amos Harel and Avi Issacharoff, "Analysis / Who is really winning the war in the Gaza Strip?", *Ha'aretz,* 17 January 2009, and Barak Ravid, "Israel's Cabinet to vote Saturday on unilateral Gaza truce", *Ha'aretz,* 17 January 2009.

[908] Jonathan Lis, "New IDF intelligence chief failed to predict Egypt uprising", *Ha'aretz,* 30 January 2011; Amir Oren, "Who will protect Israel on the Egyptian front?", *Ha'aretz,* 30 January 2011.

[909] Amos Harel, "Egypt riots are and intelligence chief's nightmare", *Ha'aretz,* 29 January 2011.

to prepare to, as Wald put it, defend everything against everything. This places extremely high demands and expectations on the Irsaeli army and the state as whole:

> … From the perspective of the IDF, the events are going to demand a complete reorganization. For the last 20 years, the IDF has not included a serious threat from Egypt in its operational plan. In the last several decades, peace with Cairo has allowed the gradual thinning out of forces, the lowering of maximum age for reserve duty and the diversion of massive amounts of resources to social and economic projects. The IDF military exercises focused on conflict with Hezbollah and Hamas, at most in collusion with Syria. No one prepared with any seriousness for a scenario in which an Egyptian division would enter Sinai, for example.[910]

During the past decade, the Israeli army has undergone several reorganization and restructuring plans each based on a particular reading of the strategic environment, societal constraints, and budget challenges. In three instances, the next plan re-drew or cancelled the the previous one. For example, the Kelah Plan which began in 2003, was cancelled in 2005 due to budget constraints as the defense budget was being used to cover the costs of quelling the *Al-Aqsa Intifada*, the construction of the Separation Wall in the OPT, as well as the construction of the what is called the Trans-Israel Highway which serves to merge and complete the settler colonization of the whole of Palestine as one single geographical unit.[911] When the next Israeli Chief of Staff, Dan Haloutz, was appointed in 2006, a new plan began to be drawn up called the Keshet Plan.[912] In the wake of the outcome of the Lebanon War of 2006, the new Chief of Staff, Gabi Ashkenazi, re-drew the military restructural plan.[913] The examples above and the strategic posture have tended to increase the sense of insecurity particularly since it is the only state in the region viewed as an unwanted alien entity, and the only state in the world whose continued existence is the subject of debate in the media.[914] Amidst the combination of these challenges which the Israeli state faces in terms of its existential and strategic posture in the region by its reliance on deterrence to maintain a particular status quo in the region, the potential for a wide range

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[910] *Ibid.*

[911] Alex Fishman, "The Changing Face of the IDF: The Security Agenda and the Ballot Box." *Strategic Assessment,* Vol. 8, No. 4 (February 2006), www.tau.ac.il; Ari Shavit, "We could lose the next war", *Ha'aretz,* 20 April 2006.

[912] International Institute for Strategic Studies, *The Military Balance 2007* (London, 2007), p. 228.

[913] Ze'ev Schiff, "Ashkenazi to annul Halutz's organizational changes to IDF", *Ha'aretz*, 27 February 2006; Gideon Alon, "Ashkenazi hints IDF may need to act against Hamas in Gaza soon", *Ha'artez,* 28 March 2007; Amos Harel, "Chief of staff: 'Reserves are the IDF's main strength", *Ha'aretz,* 20 March 2007.

[914] Jonathan Spyer, "The Impact of the Iraq War on Israel's National Security Conception", *Middle East Review of International Affairs – MERIA*, Vol. 9, No. 4, December 2005; Yair Sheleg, "An endangered state", *Ha'aretz,* 3 September 2006.

of conflicts each requiring a particular configuration in military personel and equipment amidst limited resources and economic regression, and the seeming difficulty in achieving clarity of vision with regard to assessement of current and future threat(s), the Zionist entity seems to be stretching thin on delivering on several levels: On ending the 1948 war with the Palestinians in what it considers its internal front by completing the production of its settler-colonial existence in the whole of Palestine, by being able to defend its borders from the the Arab states in its immediate surroundings, and on avoiding entering a mutual deterrence nuclear strategic posture wih Iran as this would place phenomenal budgetary and resource demands on the Israeli entitiy and its military.

3. Conclusion

The intention in this chapter has been to use the patterns derived from the settler-colonial cases in the previous chapter as well as utilize the conceptual analytical framework developed in the chapters one and two to identify the potential pitfall one may encounter when researching the Zionist case in a settler-colonial paradigm. The chapter began with an analysis of the discourse on Zionism and how patterns can be drawn reflecting an orientalist discourse. Sandler regards Zionists as a nation because they aspired to self-determination even if, as it were, from lands far away from Palestine, where such a self-determination was to be realized. Perterberg, on the other hand, places the Zionist movement as a settler nationalism thus merging the colonial component with the national one; this seem to be a compromise between merging the orientalist discourse and admission of a colonial dimension to Zionism – in some ways distinguishing it from a purely national movement. The challenge to this proposition comes from Herzel himself who considered the Jews a nation based on common descent utilizing late nineteenth century German philosophy of what defines a nation. This places the definition in a temporal context without a lived attachment to the land of Palestine, which would be the objective way of defining the nation. Indeed, Herzel is not shy to promote that Zionism, fitting into the colonial paradigm of the time, regards the indigenous nations as wild beasts deserving of being hunted down and exterminated. This trait in colonialism and characteristic of settler-colonialism is not rectified in the discourses which attempt to inflate the promotion of the settler-colonial aspirations as based on 'truths' while a the same time conflating the truths of the

indigenous nations of having objectively lived on the same land which constitutes the identity and belonging as a nation. Since the former is a claim to nationhood while still engaged in producing its territorial belonging, the latter is nationhood by its very existence on the land over an extended duration of time. Here is where the workings of orientalism, the power to determine the meaning of terms such as nation, and indeed wars come into play in a contest of who claims 'the monopoly of truth' upon which a hole process of de-existing indigenous nations come into effect. Zionist settler-colonialism, seemingly in order to generate a spiritual motive to inhabit Palestine, seems to have drawn its *raison d'étre* by tapping into the heritage of, and foundations of, white supremacy as analyzed by Fredrickson, which re-packages biblical scripture to justify a stratification of the populations and nations of the globe into descendents of Sam – those worthy of inheriting earth, and the descendents of Ham who by a divine twist of fate are part of the landscape of the parts of the earth to be settler colonized, and as such are deemed as existentially not on any equal standing with the settler colonizers. Goldberg's elucidation of what he calls racial palestinianization seems to complement Fredrickson's analysis of producing essentially a 'white supremacy' ethos in the Palestinians-Zionist context; this especially since the Palestinians are the descents of a "blood-thirsty and warmongering, debauched and without culture" Philistines whose very existence is, according to this discourse, to harass the modern-day Israelites personified in the Zionist settler colonizers. Such an orientalist discourse which draws from religious stratification of human races, seems to represent a motive which cannot be diluted through a rational exchange of ideas and affinity, for example, between the settler-colonizer and the colonized. Rather it seems like a sophisticated level of de-legitimizing the indigenous right to exist, as a precursor to a de-existing process of the latter by the former. In its modern version, Sandler suggests that states that are the outcome of such a system of thought, justification, and practice, and which are still, in what could be called the unstable phase of the production of their settler-colonial existence, should be allowed function outside the realm of international accountability. He proposes the need to accommodate what he has called "Jewish foreign policy" as representing the national interests of what he calls ethnonationalism, which strives for absolute security. In effect, that Zionism be given a unique standing outside the international system which holds states accountable according to the Fourth Geneva

Convention formulated after the Second World War to prevent the mass killing of peoples during wars.

With reference to the Jews, the Zionists and the nation debate, while Jews may have existed in Palestine in a past period, they were not Zionists at the time of this prior exixtence. Therefore, one could conclude that the current Zionist settler-colonial activity bears the markings of a different composition of identity, one which was not produced in 19th century Europe. This seems obvious temporally, as one cannot make a logical claim that the people whose identity was shaped by 19th and 20th century Europe, are the same people who lived in Palestine, as it were, two thousand years ago, simply, because Europe of recent history and as we know it today, did not exist two thousand years ago. Hence, the claim that Zionists are the identity continuum of the "Israelite" of Biblical time seems misleading, at best. Furthermore, the attempts made, for example, in selective reading and recording of archeology in Palestine by Zionists, seems in line with merging settler-colonial identity with Judaism to sustain a myth-making in Palestine. Thus, Palestine seems as a land to be undergoing a transformation –which seems only 'surface deep' as the justification of this transformation cannot be corroberted with archaeological evidence – of becoming a reflection of the Zionist myth and of representing an objective continuum of identity of what they have calculated as two thousand years. Objectively speaking, as has been shown in the first two chapters, entities or systems created by myth without being on the land they mythologize, cannot constitute nations as the components of time and land do not corroborate an uninterrupted continued existence on the land. Futhermore, settler-colonial societies, including Zionists, cannot claim to be a nation for two reasons: first their rely on incoming new migrants from the globe to sustain the Zionist myth (that is, as long there are Jews coming, there is Zionism; it follows that once Jews have stopped coming, then Zionism ceased to exist). Secondly, Zionism's identity is forged by settling Palestine and establishing Zionist communities which at the same time means waging a prolonged Total War upon the Palestinians until the zero-sum outcome is realized of having not 'others' but Zionists in the land. If Zionists' claim to nationhood were to be taken logically, it would follow that once the main component of Zionist (Zionising Palestine through Total War) has ended, then they also end their existence as a nation. In other words, once the Total War on the Palestinians has ended so that there are no longer Palestinians in Palestine, then they

would seem to cease to exist as their claim as a nation, because the process of constantly recreateing a Zionist 'nation-making' identity would lose one of its main components, its Total War on Palestinians. In other words, if there is no Total War on the indigenous Palestinians, Zionism loses its sustainability. It is ironic that for current Zionism to exist, it needs to constantly be warring its 'other' which is its mythical construction of the 'other' it calls using a biblical name *Plishtim* to represent the Palestinian of today. In essence the 'terrorism' discourse seems associated more with Zionism's need to constantly have an 'other' that represents all the negative characteristics and human traits which would promote the 'us' as a pristine contrast. This would otherwise not be such a formiadable task were it not for the fact that by being settler-colonizers it could be concluded that they are the Total-War-wagers upon indigenous nation. Promoting such an endeavor as 'moral' would require a fairly sophisticate "regime-of-monopoly of truth". It would seem to follow that the Zionists' description of the Palestinians is essentially a mythical construction which is needed as a self-justification for various forms of genocide which also continuously, re-generates the purpose of waging Total War. The implication this may have on the indigenous Palestinians, is that the Zionist perception of Palestinians is not based on the actual behaviour, performance, or actions of Palestinians. It is rather based on the mythical Zionist construction of what Palestinians 'are.' That is, as non-existent or a presence that is expected to die away or de-exist as a logical outcome, irrestpective of how this mythically constructed 'other' realy is. Hence, orientalism seems to be utilized extensively to sustain the Zionist prdocution of its settler-colonial existence, until possible completion especially since it still seems to be in its creation phase.

Furthermore, this chapter has attempted to cover the main components derived from the previous chapters, about the concept of the production of settler-colonial existence. The first component it examined within the Zionist-Palestinian context was the settler-colonial claim to a monopoly of truth. From what has just been explained above about the discursive materials used to shape such a "truth" by merging nineteenth century Social Darwinism, with a particular Christian-Judeo interpretation of biblical history for the purpose of stratifying the human race into levels of humanity ranging from the white races worthy of existence and exploitation to the other categorization of the exploitables including indigenous nations. This concerted effort of building what seems to be a regime of 'truth',

and within the context of settler colonialism, seems to be part of the dynamics involved in providing not only a pretext but rather a justification of the waging war on entire peoples or nations. This brings one to the second component of settler colonial production. By covering this component in this chapter it was necessary to situate such a practice within the context of international humanitarian norms. Two authors from different backgrounds, Heuser a renowned expert on European strategy, and Cook a journalist living in Nazareth, both referred to the UN Convention on the Prevention and Punishment of the Crime of Genocide, in order to situate the practices during war. In the previous chapter Reynolds, also resorted to this convention to situate the settler colonial practices in Australia against the Aborigines. Whereas Heuser used the convention to define Total War and to show how it is distinct from limited war, Cook and Reynolds referred to the Convention in order to illustrate the practices of settler colonial systems towards the indigenous nations as constituting genocide. Hence, any one of the following acts committed with the intent to destroy partially or completely a national, ethnic, racial or religious group constitutes genocide: killing members of the group, causing serious bodily or mental harm to members of the group, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or part, imposing measures intended to prevent birth within the group, and forcibly transferring children of the group to another group. By highlighting the Zionist practices towards the Palestinians from the 1948 war through 2010, it could be concluded that the Zionist settler colonialism in Palestine has practiced at least the first three forms of genocide: the killing and causing of bodily harm of thousands upon thousands (during wars, military operations, and its responses to uprisings as described by Masalha, Pappe, Finklestein); infliction of conditions on the Palestinian community calculated to bring about its physical destruction in part or as a whole (the system of curfews, closures, sieges, the policy of de-development described by Roy, military government rule as described partially by Jiryis, the Separation War, and the Matrix of Control described by Halper). These when combined with what Kober has described as the use of force multipliers to achieve battlefield or military decision as engrained in the Israeli military doctrine, seem to suggest that what is being practiced through the Zionist colonial settler project is war by multiple and other means, including direct use of military force. This brings one to the third component of the concept of settler colonial production of existence, which is the reversal of the role between politics and war. In the practice of this

prolonged war against the indigenous Palestinian nation, the Zionist settler-colonial system has created two systems of government: the civil government to administer it citizens, and a military government to control, contain and proceed with the genocide practice necessary in the production of its existence on the whole of Palestine. In effect this has meant that there seems to be a dynamic of interplay between the two with one dominant over the other. In a civil government configuration, war is a continuation of politics by other means according to the Clausewtizian dictum; in such a format of government wars are limited as there are dictated by the goals set by civil government and authority. In the other configuration i.e. a military government, politics becomes war by other means and thus the war aim(s) utilize(s) politics as a means towards achieving a zero-sum or total victory over the enemy, in this case the Palestinians. In such a system of government, war is total and therefore continues until the war objectives have been achieved as they are seen as crucial to the continued survival of the wager of such warfare, in this case the settler colonizers and their systems of rule. Also, in Total War, treaties or peace agreements are a means to gain time to prepare for the next battle in the sequence of a prolonged total warfare.

The mutual existence of both systems of government the civil and the military, has at times brought to the fore some dynamics which seem to suggest that in the overall assessment of which is dominant in the Zionist settler-colonial system, the military has been dominant in shaping security and foreign policy. This has included subsequently not only the agreements with the PA over the past two decades, but even before then the Lebanon War of 1982 in which Sharon reached Beirut even through his political mandate was about 40 kilometers into Lebanon. Other examples of the overriding influence of the military over the civil government has been in what has been described as the conceptual confusion in reading the internal and regional strategic threat environment, as in the 1973 war, in the initial response to the first Palestinian uprising of 1987, in the two failed strategies of overpowering and attrition in dealing with the first years of the *Al-Aqsa* uprising of 2000, and the outcome of the Gaza War 2008-2009.[915]

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[915] Although not covered here, the Lebanon War of 2006 also illustrated clearly, as expressed in the finding of the Winograd Committee, that the military dominated in its mis-assessment of the strategic threat environment.

The above combined seems to manifesting the modified Tillian model that was developed in chapter two about the conceptual framework of settler colonialism. The proposed modified version maintains that in settler-colonial systems, Total War making and the production of settler-colonial existence reinforce each other and indeed remain(ed) practically indistinguishable. In 2000, the Zionist settler colonial system realized that it was still fighting the 1948 with regard to the indigenous Palestinians. This meant that it had to bring to bear to the open, its Total War to finalize the production of its existence while maintaining the 'face' of a state run by a civil government which seemingly engages in limited wars. The War on Gaza in 2008/2009 illustrated otherwise as it was officially categorized as a Total War. The discrepancies resulting from both configurations of government and the strategic posture as reliant on maintaining a particular status quo regionally, seem to be rendering the Zionist settler-colonial system as being unstable. The Zionist settler does not seem to have completed the production of its settler-colonial existence phase. In light of its strategic posture and as a status-quo state it seems to be facing considerable challenges on delivering on two levels simultaneously: functioning as a normal state with as stable existential security environment, while engaged in an unstable process of completing the production of its existence in Palestine.

Chapter Five: Conclusion

The main conceptual question this research has addressed is *whether a conceptual framework of analysis can be developed to analyze settler-colonial systems, of the past and of on-going, without succumbing to the pitfalls of orientalism.*

The modified Tillian model developed as a conceptual framework of analysis seems to have been usefull in producing an analysis of production of settler-colonial existence. Whereas in the cases of U.S. and Australia the creation phases have been completed to the detriment of the indigenous nations, in the South African case, the strain of having to face internal and regional strategic challenges to its existence did not enable it to complete this phase. The Zionist settler-colonial system seems to be managing two agendas simultaneously: trying to secure the status quo which enabled it to exist in the region after 1948, and completing its production of settler-colonial existence in Palestine in a final attempt complete this phase. This is rendering it to have to manage a wide range of strategic challenges including those to its existential strategic posture as a status-quo state.

In contrast with the other three cases, the Zionist entity by being a status-quo state could essentially be categorized as being in a modified conceptual framework of what could be called a settler-colonial creation phase. The 'stability' is being maintained by deterrence (promoting itself as being capable of doing Total War with the region particularly on a nuclear scale), while at the same time promoting itself as a modern western democracy – yet waging a Total War on the Palestinians through force multipliers and conventional military hardware, software, and various gadgetry. This is a contradiction which it seems to have attempted to manage by creating a military government parallel to the civil government. It seems to have hoped that through deterrence it would not have had to concentrate overtly on its Total War effort on the Palestnians as in the past decade, but could have created a reasonable condition of security through which it would continue to wage the TW at times by military force while at other times through the matrix of control. The tension of doing both surfaced during the peace negotiations over the past two decades when it had to accelerate the completion of the creation phase (and thus augment the force and violence required to do so), while claiming that it was engaging in the negotiations for

the purpose of achieving peace or at best a final settlement which would not challenge the completion of the creation phase in the future – thus, moving from a status-quo state to a state as an 'intrinsic' part of the region regardless of its strategic and security postures. The negotiations periond seems to have been a continuation of TW by other means, rather than a negotiation (politics) to improve conditions on the ground towards a resolution to the conflict. In other words, the Israeli agreements with the Palestinians seem like the over 370 treaties the U.S. broke with the indigenous nations only to continue with the TW at a later more opportune time during the production of it settler colonial existence.

The Zionist case, following Veracini's definition of settler colonialism in terms of what it does, seems to be a system that wants the indigenous Palestinian people to vanish but seems to be using their labour to complete building the settler-colonies in the East Jerusalem and the West Bank before they are made to disappear.[916] This seems to fit the Zionist case which has and continues to utilize indigenous labour to construct the settler colonies in the OPT as has been for the past three decades at least, and particulary after the closure imposed in 1993 after which the Israeli system began to look for replacements such as Russian immigrants and Asians to fill the cheap labor sector needs in their economy.

What emerged from the analysis in chapter three was that the greographical location of the settler colonial system seems to have had an effect on whether it could emerge out of its creation phase. The U.S. and Australia being locations distant from other hostile mainlands seem to have been able to concentrate their resources on waging the Total Wars on the indigenous nations until the production their existence had become secured. In the cases of Apartheid South Africa and Zionism in Palestine, the internal and regional contestations to their existence place(d) heavy demands on the resources of the systems. With the case of Apartheid, the end of the Cold War also made it a less pressing matter in the international arena to maintain such a system, as it still had to subdue the indigenous nations internally and on a regional scale.

On a broader level, in Total War between states the goal is total victory by defeating the enemy's army and people through annihilation (their total defeat). Total War by settler

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[916] Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (Houndmills, England: Palgrave Macmillan Ltd, 2010).

colonial systems in their production of settler-colonial existence (creation phase), is the means to produce "empty land" by annihilation of the indigenous nations. An orientalist description of this would be settlers pioneering by clearing the landscape and its contents (shrubs, animals, and indigenous humans) as a manifestion of humanity's progress (according to the Social Darwinian "laws of nature").

Furthermore, the 'Jekyll and Hyde' analysis analogy of dual or twin bodies of rule used by the settler colonial systems has implications on how the politics of such systems in the creation phase conduct their internal and foreign policy as well as the challenges they face in proclaiming/maintaining their systems as democracies. The Zionist system faces the challenge of being a democracy without the indigenous Palestinian citizens being included. Its military government seems illusively couched within the term 'military occupation': the difference being that military occupation is a practice within the context limited war, occupation to achieve political gains in a future peace agreement, and thus the war of military operations is a continuation of politics by other means. When what has been set in place is a military government functioning as sovereign and protecting the colonial-settler population coming to settler-colonize the land, and at the same time oppressing the indigenous Palestinian nation when it rejects both actions and processes which take away their land, then this configuration characterizes that the war being waged as not for political gains, but rather for creating an alien existence in a zero-sum outcome with the indigenous as in the cases of U.S. and Australia. This was not completely so in the case of Apartheid South Africa which needed African labour, on local and regional scales, to work in the mines and factories.   The Zionist case has needed the Paletinians to provide cheap labor during several decades particularly after the 1967 war. This also served the purpose of monetizing the Palestinian economy while fixed natural assest such as land and water resources were being confisctated. The end effect has become that natural utilities confiscated from the OPT would need to be purchased from the Israeli companies thus transferring liquid assest such as money to the Israeli economy at higher prices. The need for cash assets amidst the depleation of natural resources and access to markets, has meant that Palestinian labour has been used to, ironically, build the same settler colonies in the OPT that serve to de-exist the Palestinians in this total warfare.

In contrast with Total War waged between states, in which the defeat of the enemy may be manifest in ideology and regime change as occurred with Germany and Japan after World War II, the Total War in the settler-colonial creation phase assumes a temporal as well as existential-eliminating dynamic, rendering the indigenous nations without a temporal present, eliminates both the indigenous's past and future by removing the linking factor between the indigenous past and future (i.e. an indigenous present) and thus severing the indigenous temporal continuum, and eliminating any indigenous physical manifestion in terms of people, culture, heritage, and institutions which could shape an indigenous future. In this sense it is not defensive against actions taken by the indigenous nations but it is rather offensive. The settler colonizer seems to need to instigate indigenous defensive actions in order to establish a pretext to unleash the military force necessary to render the indigenous without present, and therefore a future existence, through genocide whether it is instantaneous or prolonged. The end objective in settler colonial Total War against the indegnous nations is to secure its monopoly over the future existence, through maintaining its monopoly over the present existence which is manifest through military strategy whether in the form of a matrix of control or direct use of force disproportionate and overwhelming.

Edward Said focused on the oreintalist discourse and the power-relationship in creating meanings and the 'other'. In settler-colonial cases during the settler-colonial-creation phase, it could be agued that Total War is the primary form of discourse. In the former, the discourse reflects the power struggle to detemining meanings. In the latter it is to maintain a monopoly of truth regime which feeds, motivates and justifies Total War against the indigenous nations.

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