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UNIVESITY OF CALIFORNIA, SAN DIEGO

Barbaric Sovereignty: States of Emergency and Their Colonial Legacies

A dissertation submitted in partial satisfaction of the requirements for the degree

of

Doctor of Philosophy

in

Ethnic Studies

by

Theofanis Costas Dino Verinakis

Committee in charge:

Professor Ross Frank, Chair
Professor Davinder Pal Ahluwalia
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Professor Tak Fujitani
Professor Denise Ferreira da Silva

2008

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Chair

University of California, San Diego

2008

DEDICATION

This dissertation is dedicated to Efstratia, Costas, Maria,

Irene, and Erin.

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VITA

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ABSTRACT OF THE DISSERTATION

Barbaric Sovereignty: States of Emergency and Their Colonial Legacies

by

Theofanis Costas Dino Verinakis

Doctor of Philosophy in Ethnic Studies

University of California, San Diego, 2008

Professor Ross Frank, Chair

My dissertation investigates the United States as a white settler society through the concept of Barbaric Sovereignty. I argue that race wars and massacres in the United States created the categories within the nation, and racial formations serve as powerful tools for social, cultural, political, and historical representations. These wars enabled U.S. and Australian national consolidation, and justified the use of martial law in response to these emergencies. The need to convey an account for territorial extension and advancement initiated the use of concepts such as barbarians, savages, and civilization. This type of war depended on the conviction that particular races, or ethnic groups, are inclined to barbaric violence. This dissertation explains how white settler colonialism served as the basis for social, cultural, and political mechanisms that drive the United States, and Australia. Barbarians and savages are categories that when theorized, in comparison and in conjunction with each other, produce the concept of Barbaric Sovereignty. Barbarians and savages generate new categories of knowledge that serve as the basis of power for both the state and its residents. Similar claims are being made now

in the U.S., Australia, and elsewhere, in response to threats to national security; hence, the “war on terror.”

Introduction

This dissertation develops the concept of Barbaric Sovereignty to demonstrate the generative aspects of white settler colonialism, and how this process served as the social, cultural, and political mechanisms of the United States, and Australia. The categories of barbarians and savages have been disassociated from modern categories, and Barbaric Sovereignty reassembles barbarism and savagery to reveal how critical these categories are for a former white settler society like the United States. Barbaric Sovereignty explains how barbarians and savages are indispensable themes that produce a new category of knowledge that serves as a basis of power for both the state and its residents. The focus of this dissertation is to elucidate the kind of knowledge contained in Barbaric Sovereignty, and to determine what powers this category engenders. White settler societies employ barbaric sovereignty as a means of transforming themselves into nation-states through the destruction of a previous group to create a new settlement that is not an exact replica of a European society. The settlers may not know the extent of what they are producing in terms of settlement, but the barbaric destruction is generative of a new society and state. Since total destruction of the past is not possible, a continual source of apprehension haunts the nation. Former white settler societies are persistently forced to legitimate their violent histories and reconcile their national anxieties, while disavowing any connections to a larger legacy of colonialism.

My dissertation, "Barbaric Sovereignty: States of Emergency and their Colonial Legacies," investigates the United States as a white settler society. Spain, Portugal, France, Sweden, and The Netherlands have had colonial settlements, but I am interested in white Settler societies, defined as former British colonies that share political, legal, and

cultural legacies. The racialized institutions that were formed beginning in the 17th century were based on the relationships between settlers and the indigenous populations, and I focus on 19th century colonialism, and the emergence of the new imperialism and their influence on the exercise of state power in the United States and Australia. The white populations in these modern nation-states exploited their respective indigenous populations, subjugating them to differential treatment in all aspects of colonial life. The treatment of these indigenous populations created and sustained the legitimacy of these colonies, and remained prominent in the transition from colonial territories to statehood.

This project develops the concept of barbaric sovereignty in relation to theories of exception, sovereignty, race, and nation. The state of exception must begin with the influence Walter Benjamin (1982/2000) and Carl Schmitt (2005) had on the inception of this theoretical idea.[1] Walter Benjamin (1982/2000) argues that it is the task of the historian to create a state of emergency when a moment of history flashes up, and presents the true power of the state. For Benjamin, the past can only be captured only as an image that "flashes up at the instant when it can be recognized and is never seen again" (72). The concern is that every image of the "past that is not recognized by the present as one of its own concerns threatens to disappear irretrievably" (72). Benjamin explains that the state of exception is not the exception, but the norm. It is in those moments when history flashes up that allows for the discussion of the here and now, and not for a form of historicism that treats exception as part of the developmental phase towards progress.

[1] Scholars have made the link of sovereignty and exception to 16th century French jurist and political theorist Jean Bodin, but I will focus on Benjamin and Schmitt for this dissertation.

For Carl Schmitt (2005), the sovereign is the one that decides on the exception. According to Schmitt, real power makes something out of nothing, and this something from nothing is subject to the law. Schmitt argues that it is the exception that makes the subject of sovereignty relevant. By incorporating the exception and sovereignty from these two theorists, and Michel Foucault's (1990) bio-politics, Giorgio Agamben (1998) argues that the sovereign emerges with the production of Homo Sacer, the bare life that can be killed without the act of murder. For Agamben there is no category in the law that produces bare life, but it is within the law that the category of bare life is generated. This is the basic element of Agamben's argument that is not discussed by most scholars.[2]

These theories help in shaping the genealogy of barbaric sovereignty, but my concept is different from these notions due to my incorporation of race theory. Within Agamben's work on the creation of bare life he discusses the removal of rights within the law that produces Homo Sacer; however, there is no discussion about the context upon which bodies are selected to become bare life. Barbaric Sovereignty incorporates barbarians and savages as racial categories to demonstrate how settlers and the state use race to decide upon the death or removal of a particular group. This act is articulated as being limited, exceptional, and a necessary aberration to aid in the march towards progress in the service for and defense of a new civilization. These atrocities are worked out in the historicist model of progress, but I reveal how the acts of exception are the mechanisms of state power.

The theoretical concept of the state of exception has gained great saliency in academic discourse. So much, that it has now become a hegemonic concept, which goes

[2] In addition, Agamben agrees with Benjamin's assessment that the exception is the norm.

against Giorgio Agamben's intention of reintroducing the concept to discuss the production of *Homo Sacer*—Bare Life. Given the nature of the dissertation, one might assume that Agamben's work on Homo Sacer might form the basis for the concept of Barbaric Sovereignty, but my project is more in line with the work of Walter Benjamin (1982/2000), and his "Theses On the Philosophy of History." To discuss the relationship that the state of exception has with a state of emergency or martial law, the discussion goes beyond Agamben; and I reiterate that my dissertation is not engaged in proving the existence of the state of exception or the use of bare life.

Civilization and progress serve as the basis for arguments to legitimize excessive acts by the state or its residents. Civilization utilizes an ever-present, impending threat to itself to call into action the use of force in its defense. Such a structure displaces the burden of proof while justifying the use of force from the "civilized races." More importantly, Ashley Montagu (1997), Hannah Arendt (1958), and Alain Locke (1992) reveal that civilization serves in the mythologizing of its own achievements. The members of a civilization accept official histories as markers of their own greatness without having to question the veracity of such claims. These exceptional acts of force are constructed as progressive movements for the advancement or preservation of civilization that serves the interests of the greater good. Even acts of destruction are incorporated in the logic of a civilizing mission that conceals the operation of barbaric sovereignty.

This dissertation uses discourse analysis as the primary research method. Discourse analysis is a standard term for a method that incorporates a variety of theoretical and analytical approaches that includes linguistics, semiotics, social

psychology, cultural studies, and structural and post-structural social theories. This qualitative method is based on reading texts, conversations, dialogue, and documents that discovers the connections between language, communication, knowledge, power and social practices to reveal the meaning and structure, be it explicit or veiled, of acts of exchange of ideas in a context. Within this method I trace the genealogy of barbarians and savages to investigate the persistency of these categories, and how they generate the concept of barbaric sovereignty.

In order to demonstrate the saliency of these categories within this historical context, I turn to three related yet distinct moments that illustrate the composure of this unique manifestation of sovereignty. First, I examine the role of wars and massacres on racial formation in the 19th century. I argue that race wars and massacres in the United States created the categories within the nation, and racial formations serve as powerful tools for social, cultural, political, and historical representations. The Indian wars of the United States (and aboriginal massacres of Australia) became legal events when policymakers allowed settlers to diminish the frontier. Indigenous populations fought wars against whites to defend and uphold their legal rights, as granted by their respective governments. Such resistance led to claims of "the savage" and needing to "preserve civilization." These wars enabled U.S. and Australian national consolidation and justified the use of martial law in response to these emergencies.

The second aspect of this dissertation focuses on colonial language and imagery attributed to a racialized rhetoric of savagery. Rhetoric is valuable for social, cultural, political, and historical projects in the United States and Australia. The importance of the language of savagery is demonstrated in its persistence in colonial battles, imperial wars,

and up to the current war on terror in the United States and Australia. The need to articulate a narrative for territorial expansion and progress necessitated the use of terms such as savage and civilization. This type of "savage war," depended on the conviction that particular races, or racialized ethnic groups, are intrinsically predisposed to barbaric violence. Similar claims are being made now in the U.S., Australia, and elsewhere, in response to threats to national security; hence, the "war on terror."

The nineteenth century produced racial categories, and a language of racism that is still present in moments of national crisis. Racial images are useful in their ability to be transferred onto different subjects. Race is a concept that both signifies and symbolizes social tensions and concerns by referring to distinctive types of human bodies. Race should be thought of as an element of social structure because it is a dimension of human representation. Race becomes common sense — a way of comprehending, explaining, and living in the world — when everybody learns some arrangement or version of the rules of racial classification, and of their own racial identity without training or inculcation. This in turn, places us in a racialized social structure.

Third, I explore visual representations of these events in U.S. cinema. Western films mythologize the frontier by producing and legitimating violence and dispossession of native land. This genre has provided the basic language of national mythology. Film analysis is very important to my work because films mimic historical narratives. In other words, films invite viewers to envision a particular view of history, and this imagining is connected to the construction of a national narrative. Culture must be understood as a process, and not as an essentialized view of a people's way of life. As a noun of process, culture is very much connected to the process of civilization. Films are cultural texts, and

therefore connected to concepts of civilization. Visual representations often times stand-in as accurate historical depictions of events we ourselves could not witness. Even though films paint a distorted image of historical events, this distortion in many ways is a social project that is revealing of the issues concerning the times in which they were made. Films provide a necessary critique of the issues concerning society and public culture. Instead of relying on how these films contribute to the genre in which they belong to, my dissertation demonstrates how these themes, or visual tropes are themselves embedded in the colonial histories, which explains how such events are remembered and the purposes they serve.

Chapter One: Barbaric Sovereignty

I make my claim for Barbaric Sovereignty in this chapter by demonstrating the genealogy of this concept through theories concerning barbarians, savages, settler societies, states of exception, race, nation, civilization, and mythology. Barbarians and/or savages are deemed threatening to a civil society and to the state itself; however, placing the threat on the supposed barbarian legitimates the use of aggression. In colonialism, this projection of barbarism is placed on the native, which enables the state to employ any forcible act with the consent of the people, or vice-versa. The conversion from white settler societies to modern nation-states are founded upon a concept of barbaric sovereignty, which is when a state produces something new from the eradication of that which preceded it. States are destructive, and produce a type of colonial language that legitimates violence and that places the burden of initiating that violence onto the subject that is to be exterminated. Such was the case in the colonial context with settlers taking land from indigenous people, and now functions in an identical manner in a "war on

terror" that promises to exterminate a hostile enemy. This chapter investigates the productive capabilities of destruction. An impression must be invented of a subject that is deserving of death. I argue for an ethnic studies and historical account of colonial expansion, race wars, and statements that legitimate genocidal acts, in order to disrupt historical accounts of homogenous time that displaces the significance of race wars. In particular, this notion of homogenous time treats massacres as aberrations that serve the developmental phase of civilization.

Chapter Two: The Logic of Savagery In War

Chapter two explores Indian massacres that occurred during the U.S. Civil War, and up to the closing of the 19th century, which many scholars have argued is the closing of the frontier, to explore how settlers and the state used barbaric sovereignty to gain permanent control of the remaining territories. In my investigation of the Sand Creek Massacre, the massacre at Wounded Knee, and the subsequent trial of Plenty Horses, reveals how the military, settlers, and the state used force as a means of establishing control of the territories while rendering accounts of these events as unfortunate proceedings that led to the settlement and creation of a nation-state. Barbaric sovereignty concerns itself with the interpretation of these events that will serve as the paradigm of colonial history that negates the generative aspect of violence.

Within this atmosphere, a culture of terror manages to sustain conquest and dispossession, and ongoing colonialism. Events such as the Sand Creek massacre symbolizes narratives of expansion and progress that took the form of a race war that pitted opposites such as the savage and civil, primitivism and progress (Slotkin 1992). Dealings between whites and indigenous people developed a conception of warfare that

represented the struggle as a necessary genocide. A savage war was developed without limitation on violence and with the use of laws to sanction the application of violence; all of this differed from accounts of "civilized warfare." Today, similar claims are being made with the war on terror to engage in a never-ending war that requests that the restrictions on warfare and the enforcement of the rule of law to be lifted.

Chapter Three: Documents of Barbarity

Chapter three demonstrates the importance of language, especially concerning the rhetoric of savagery that was transferred from colonial enterprises to imperial endeavors. After the colonial consolidation that occurred at the end of the 19th century, the most appropriate question to raise is why does the rhetoric of savagery persist from indigenous wars to imperial expansion during the Spanish-American War. The colonizers, settlers, and states construct a new language that creates another space, and situates the role of natives in the "discovery" of new land. The narrative of expansion and progress took the form of a race war that pitted the emblematic opposites of irrational and rational, savagery and civilization, archaic and modern, infidel and believer that can be applied to new frontiers.

White settler societies share a legacy of violence against their indigenous populations, violence that for each serves as the anchor for legitimating the state and justifying contemporary political action. I argue that these states operate on a form of "barbaric sovereignty" premised on dismantling challenges to state authority through eradication and extermination campaigns against indigenous groups, all the while arguing that the use of force is proof of historical precedent because violence was used to secure permanent control of land.

Chapter Four: Frontier Cinema

In this chapter I examine how the film genre of the Western constructs national histories and identities through colonial tropes. The standard model of analysis for these genres is to use them as a vehicle to critique the times in which they were produced while completely negating and severing the ties that these themes share with colonial tropes. The genre of the Western often depicts the westward-moving frontier of violence and dispossession of native land. It has therefore contributed significantly to the basic language of national mythology. The popular images derived from Westerns depict Indian males as armed warriors combating cavalry troops. The real history of Indian/white relations includes famine, sickness, genocide, and the shooting of women and children. Despite popular understandings of violence and illegality towards Native Americans, Westerns create an image of a virtuous frontier; a frontier that threatens to unravel the social fabric of the nation were it not for a few brave men who are willing to sacrifice themselves for a greater good.

My analysis of these Westerns interrogates the colonial imagery incorporated within these films in order to understand how these representations create an honorable mythic past that substantiates the claims of a just state. Even though the stories revolve around Indians in the West, Native Americans are used to anchor, authenticate, and legitimate the nation's history. I examine the complex relationships between identities mediated in terms of narrative film and histories rendered invisible to the nation by those same narratives.

Chapter Five: Australia's White Settler Legacy

Chapter five demonstrates how barbaric sovereignty works in other white settler societies. While this chapter is a truncated version of the dissertation with a focus on Australia, it still makes its own claim in relation to colonialism. Australia cannot claim the same types of founding moments as the United States. Australia did not fight a revolutionary war with England to gain its independence; it did not engage in a massive civil war that nearly destroyed the state; and it continues to struggle to find authentic moments to create a national myth to justify the dispossession of its native inhabitants. The United States and Australia, although differing in terms of becoming independent nation-states, share similar attributes with regards to their indigenous populations, racialized communities, responses to national emergencies, and to their detention of asylum seekers, and suspected terrorists. These similarities do not rest on any assumption of coincidence. Instead rely on their histories of being former settler societies, and their policies of creating a white nation-state. More importantly, the relationship these two countries share with one another stems from the treatment of their indigenous populations, particularly in the 19th century.

Scholars have used the United States as a model of reference when dealing with indigenous people in other countries, but there is no research regarding how the colonial expansion and colonial consolidation of white settler societies engendered the language and policing mechanism used by modern nation-states to respond to national emergencies. I argue that the 19th century provides the key for understanding the connection between contemporary racial formations and national states of emergency that

implement the rhetoric of savage wars versus civilized wars for the preservation of civilization, and the march towards progress. These similarities are a reflection of both countries' colonial legacies. Comparisons elucidate what is and what is not distinctive to a given historical occurrence, and my comparison between two countries with such disparate historical accounts of their colonial pasts speaks to larger systems of ideology, power, and control.

Histories of European conquest are important in informing discourses of racism and race because they not only serve as the frame of reference to justify violence, but to also legitimize the state's right to rule. Moreover, contemporary debates contain direct references that draw upon the generative power of colonialisms in order to make their argument about conduct in the present.

Chapter One: Barbaric Sovereignty

This chapter defines the concept of Barbaric Sovereignty and establishes the conditions of its emergence. The concept of barbaric sovereignty focuses on the representations of colonial acts, and not the acts themselves, to demonstrate both the generative aspects of colonialism, and how it is a continuing process. Barbaric sovereignty is a type of ideology produced by the settlers, and then used by the state to construct a particular type of representation for a subject that serves as an obstacle to civilization. In other words, barbaric sovereignty is a type of ideology that is mutually constituted by both settlers and the state to aid in the colonial process of consolidation and conquest. Racial classifications are a subset of barbaric sovereignty in the colonial era. I organize this chapter into three sections. The first section discusses the difference between barbarians and savages, and from this distinction I explain how they come together to create barbaric sovereignty. Section two discusses what a settler society is and how settlers establish themselves, and section three assembles the theoretical claims that establish the foundation for the theory of barbaric sovereignty.

First and foremost, I do not claim to speak from a colonial or indigenous perspective. There is a significant canon of literature that challenges European perceptions of indigenous bodies, histories, and cultures that is extremely pertinent to the discussion of colonialism. This literature offers a valuable rebuttal to the work that continuously places European scholarship at the center of colonial research. In addition, this scholarship demonstrates that there has been resistance to these assumed categories of colonial knowledge. Secondly, I am not claiming to refute or to present a more accurate account of these colonial events. I do not discount the value of this literature,

but this is not the focus of the dissertation. When writing about colonial histories there is a tendency to either demonstrate that previous histories have it wrong, or to evoke colonial atrocities in order to provide a space for healing. I do not assert that my project is capable of such an endeavor. Rather, my project demonstrates the theoretical contributions that colonialism has made to the formation of modern nation states, particularly within the United States, and Australia.

To explain the value of colonialism, my dissertation sets up a binary to demonstrate that colonialism is a generative theoretical category of knowledge for white settler societies, such as those who populated the United States and Australia, and to display that this is an ongoing process. Typically, to demonstrate such a claim there is a tendency to either conflate or collapse the generative and ongoing aspect of colonialism into one category. By focusing on modern theories of states of exception, nation, law, civilization, myth, race, and racial representation, I demonstrate that these modern categories stem from colonialism. In other words, these categories are used by both the state and citizens in their arsenal assembled for projecting savagery onto subjects that in turn legitimates various political projects. These categories either enable settlers and/or citizens to engage in racial acts that benefit the state's interests, or the state can implement these categories to sustain and maintain its legitimacy. Whether settlers or the state uses these themes, either agent serves in the interests of the other. These theoretical concepts are deployed to give settler violence political meaning.

Violence and terror in the colonial context not only serves as the theoretical underpinning for former white settler societies that have developed into nation-states to enact a state of exception in moments of constructed emergencies, but also serves as a

subterfuge against critiques of martial law. Colonial violence is articulated as past tense, as if never to be repeated; when it is repeated, it is then constructed as a fleeting aberration. More importantly, when violence is recognized it is used as a means to celebrate communal past achievements. Violence serves as a rite of passage towards becoming a member of the nation, especially in white settler societies and in the conceptualizing of their relationship with the land's indigenous populations that provides colonial violence with meaning. In this atmosphere, there is a culture of terror that manages to sustain conquest and dispossession and continues to be an important element in the colonial process.

Barbaric Sovereignty

Typically history writes the barbarian or the savage as a threat to civil society, the rule of law, and the state itself, but this threat is misplaced for a very good reason. Placing the threat on the supposed barbarian is another example of legitimatizing violence. This placement produces the barbarian or savage that the state claims to eradicate.[3] This projection of barbarism onto the native person enables the state to engage in coercive acts with tacit approval, and without challenging the use of violence. I argue that the transition from white settler societies to modern nation-states is predicated upon a

[3] Hannah Arendt (1968) explains Marx's statement that violence is the midwife of history. She states that: That violence is the midwife of history means that the hidden forces of development of human productivity, insofar as they depend upon free and conscious human action, come to light only through the violence of wars and revolutions. Only in those violent periods does history show its true face and dispel the fog of mere ideological, hypocritical talk. Again the challenge to tradition is clear. Violence is traditionally the *ultima ratio* in relationships between nations and most disgraceful of domestic actions, being always considered the outstanding characteristic of tyranny. (The few attempts to save violence from disgrace, chiefly by Machiavelli and Hobbes, are of great relevance for the problem of power with violence, but they are exerted remarkably little influence on the tradition of political thought prior to our own time.) To Marx, on the contrary, violence or rather the possession of the means of violence is the constituent element of all forms of government; the state is the instrument of the ruling class by means of which it oppresses and exploits, and the whole sphere of political action is characterized by the use of violence. (22)

concept of barbaric sovereignty. Barbaric sovereignty is when a state produces something new from the eradication of that which preceded it, which is usually the process by which settlers with the aid of the state come into control of new territories. In other words, states are destructive and use a type of colonial language that legitimates violence, and places the burden of proving the legality of these actions onto the subject that is intended for extermination. Producing a figure that is deserving of death exposes the productive capabilities of destruction.

In this section I discuss the representations of barbarians and savages, while also demonstrating the significance in their differences. The representations of savages and barbarians are important to reveal what mechanisms and ideologies of barbaric sovereignty are being implemented. A hierarchy of distinctions and actions were utilized by settlers, and then by citizens and the state to mark differences between "us" the civilized race, and "them" the savages, to justify the use of barbaric sovereignty. According to Robert Miles and Malcolm Brown (2003) "imagery, beliefs and evaluations about the Other have been generated and reproduced in order to explain the appearance and behaviour of those with whom contact has been established, and to formulate a strategy for interaction and reaction. The consequence has been the production of 'representations' of the Other, images and beliefs which categorise people in terms of real or attributed differences when compared with Self ('Us')" (19).[4] Marking distinctions

[4] Miles and Brown provide five definitions of what the other is and how it came about. The definitions include:

> First, the process of representing the Other entails a dialectic of representational inclusion and exclusion….Second, for the European, the Other has not been created exclusively in the colonial context….Third, representations of the Other are holistically neither static nor unitary….Hence, when analyzing representations of the Other, it is necessary to analyze the context, including the class position of those producing and reproducing these

between the representations of savages and barbarians is instrumental for the implementation of barbaric sovereignty to demonstrate what mechanisms are at play. Barbarians are constructed as a threat to civilization, and must be destroyed. The barbarian is not allowed to coexist within a society; rather, its death secures the construction of a new civilization. Having the threat of barbarians posing a danger to civilization enables the possibility of creating a type of emergency. Oftentimes the representations of savages are conflated with barbarians, but it is important to stress that barbarians can never be savages. Savages inhabit two realms. On the one hand, savages can be as threatening to civilization as barbarians and must be destroyed through the use of excessive force. On the other hand, savages are deemed subjects in need of saving to demonstrate that no matter how destructive barbaric sovereignty may be, it is always engaged in a civilizing mission to aid the greater good for the advancement of progress.

The work of Michel Foucault (2003) is important for my dissertation to further explain the differences between savages and barbarians. Foucault (2003) states that the savage is a man that exchanges: "he exchanges rights and he exchanges goods," and in this role as exchanger of rights, "he founds society and sovereignty" (194). The relationship that the savage has with the barbarian serves as the core to my argument about sovereign power. The barbarian is the opposite of the savage because the savage lives in a state of savagery with other savages, and once "he enters a relation of a social

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> representations, their dynamic and heterogeneous nature, and their more constant features….Fourth, for the European, and other populations, somatic features (particularly skin color) have been used to represent the Other long before European colonization….Fifth, the development of the discourse of "race," and its subsequent incorporation into the discourse of science, did not entail a complete break with earlier representations of the Other. (50-52)

kind, he ceases to be a savage" (195). The barbarian, on the other hand, exists, or is defined as outside of civilization. Foucault argues that the barbarian cannot exist "without the civilization he is trying to destroy and appropriate" (195).

For Foucault there is no barbarian:

> without a preexisting history: the history of the civilization he sets ablaze. What is more, and unlike the savage, the barbarian is not a vector for exchange. The barbarian is essentially the vector for something very different from exchange: he is the vector for domination. Unlike the savage, the barbarian takes possession and seizes; his occupation is not the primitive cultivation of the land, but plunder. His relationship with property is, in other words, always secondary; he always seizes existing property; similarly, he makes other serve him. (195-196)

The savage bases its existence on exchange. The savage is permitted to exist within a larger society to either serve as a threat to civilization, or a subject in need of "saving" to demonstrate the superiority of the conquering race. The barbarian maintains its existence by destroying all that surrounds it. For Foucault, the barbarian appears only when civilization already exists, and only when he is in conflict with it. The barbarian does not make his entrance into history by founding a society, but by infiltrating a civilization and erecting something different. I argue that settlers are the barbarians destroying a previous group to manufacture a new society with a new state that enforces this ideology. Barbaric sovereignty is created through the destruction of that which precedes it. This is not simply a negative force, but uses destruction to generate a new society and state with a history and culture that legitimates the devastation of the previous inhabitants to produce a newfound civilization.

I claim that white settler societies deploy barbaric sovereignty as a means of transforming themselves into nation-states, but total destruction of the previous Other

people is not possible. I will argue that destruction is productive, which challenges historicist notions of violence as simply being an aberration. The destruction engendered by barbaric sovereignty produces the state, but it also produces the anxiety that haunts the nation. This anxiety is a result of the incomplete destruction of indigenous groups to create the nation-state. The white settler societies produced something different from Europe and unique by building a society predicated on the death of the indigenous. These deaths haunt the history of white settler societies and, as a result, they must construct arguments to legitimatize this violence and history without overtly referencing colonization. Barbaric sovereignty describes this principle of foundation and organization established by white settler societies.

Indigenous people have embodied realms of either being savage or barbaric, and much like the status of being indigenous, these concepts are both political and social that informed modern state structures. The focus of sovereignty is twofold: my project interrogates the manner in which the nation-state uses race, nation, and representation to produce a generative barbaric other to displace challenges to its authority, and it investigates the relationship between racial formation and race wars. The discourse of barbarianism has been inverted to produce the other, and I argue that this barbaric form of sovereignty is the basis for the legitimacy of the modern nation-state to rule.[5]

Settler Societies

I begin this section with a basic definition of settler societies to introduce how colonialism leads to the genealogy of barbaric sovereignty. Jurgen Osterhammel (2005)

[5] Aime Césaire (2000) states that the "the idea of the barbaric Negro is a European invention" (53). More importantly, this type of sovereignty is very militaristic in its methods. Georges Bataille claims that a military society is "a venture society, for which war means a development of power, an orderly progression of empire" (Bataille 1991: 54).

defines settlement colonies by four categories. First, they are the consequence of a colonization process supported by military activity. Second, settler societies use inexpensive labor and land with a focus on cultivating religious, social, and cultural manners that are imported from the colonial mother country. Third, a settler society establishes permanent colonial control through the presence of farmers, planters, traders, and residents. Fourth, the interests of the settlers are secured by the early inception of self-government of the white colonists that discounts the rights and interests of the indigenous population (11).

Barbaric sovereignty links the relationship settlers have in controlling foreign land to how it aids in the process of producing a backward savage subject to legitimate colonial expropriation. A primary objective for settlers was securing the control of land. The control and relationship to land was very instrumental in constructing the other as primitive to legitimate acts of destruction and removal through nature's relationship with knowledge and politics. For Colette Guillaumin (1995), politics labels things in accordance with its own needs and practices, not in accordance with the supposed factual characteristics of things defined (66-67). She states that the idea of nature introduces an erroneous relationship between the facts by changing the definition and essence of facts. Guillaumin claims that nature declares the permanence of the effects of certain social relations on dominated groups. A social relationship, one of domination, of power, of exploitation, "which secretes the idea of nature, is regarded as the product of traits, which are expressed and revealed in specific practices" (143). Controlling and appropriating the body enables the "material" interpretation of behaviors, and this ability to determine the conditions by which indigenous groups live served in constructing them as subjects

heading towards death. In other cases the relationship to nature projected the hostilities of the terrain as the embodiment of terror. The instruments that the settlers used to justify the control of land assisted in the ideology of producing barbaric sovereignty. I argue in the subsequent chapters that indigenous peoples relationship to land allowed settlers to present them in a perpetual state of nature that would serve as legitimate grounds for extermination. Securing permanent control of land forced colonial powers to address the existence of indigenous peoples.

The presence of the Spanish and French forced the British into recognizing tribal entities as "nations" with which the American colonies needed to negotiate. This history of recognition and inheritance of title explains why the United States acknowledges tribal sovereignty. This arrangement became much more apparent in the 1830s in Supreme Court decisions that reinforce Indian tribal sovereignty by claiming that tribes are "domestic dependent nations" within the United States.

In the remainder of this section I will discuss the doctrine of discovery and the frontier to illustrate how European nations, indigenous bodies, and colonialism served the creation of barbaric sovereignty, and the emergence of representative barbarians and savages. Vine Deloria Jr. and David Wilkins (1999) claim that the doctrine of discovery was cited by European monarchs as justification for claiming legal title to lands in the "New World" based upon the fact that the monarch authorized particular adventurers to seek out new lands on their behalf (4). European wars from the fifteenth through the eighteenth centuries resulted in colonies being exchanged back and forth between colonial powers. The victorious European power inherited the original claim of the colonial territory under the doctrine of discovery of the nation they had defeated (5).

Despite the land claims that Spain and France had in North America, England was generally seen as the victor, particularly after the Treaty of Paris (1763). Since the English had depended on the Iroquois Confederacy to defeat the French during the French and Indian War, they recognized the national status of the predominant Indian tribes of the interior (5). The doctrine of discovery, and the mechanisms for recognizing Indian sovereignty predate the period when England visibly appeared dominant and had to do with the tentative, dependent, and precarious manner in which all the North American colonizers began their enterprise. Deloria Jr. and Wilkins state that:

> The fathers of the American Revolution and Constitution had a definite English heritage insofar as they understood the nature of their Indian relationships. First, there was no question that they believed they owned the clear legal title to the lands of the continent they had wrestled away from Great Britain. Second, they recognized the wisdom of the English propensity to treat the larger Indian confederations as having recognizable and respected national status. Indians who were not accorded the respect to which they believed they were entitled did not fight as allies and were likely to appear in battle on the other side of the line. (6)

The various forms of Western European colonialism are a reflection of the political, economic, social, and cultural climates affecting Europe.[6] Colonialism is connected to particular historical moments, and the ideologies of these historical moments are important in demonstrating how Europeans understood and interpreted new

[6] Julie Evans argues that with regards to the British model of colonization and colonies there are two types: economic and settler. In colonies of exploitation, such as India, economic interests were invested in the wealth of their resources and in exploiting the labor of the indigenous and/or imported residents in extracting their surplus value. In colonies of settlement, on the other hand, the economic interests were focused primarily in securing permanent control of the land (Evans, et. al 2003: 2-3). There is a third type of colonization/colony model where neither the economic nor settler motivations would have overcome the obstacles to the initial colonization. This model is based on religious conversion that serves as a type of civic enterprise that is a precursor to nationalism. I will investigate this model within my dissertation to demonstrate that this model was used by colonial powers that were too weak to rule simply on the basis of political participation, or military might.

terrains and peoples. It was the terrain, and the relationship the natives had with the land, that generated the modern views of civilization and race thinking.

The United States' expansion by 1850 was viewed more as proof of the inherent dominance of the American Anglo-Saxon branch of the Caucasian race, than as a victory for the principles of free democratic republicanism (Horsman 1981). A sense of racial destiny pervaded discussions of American progress and of future American world destiny in the middle of the 19th century. In 19th century settler colonies, whites had privilege while those of non-whiteness faced discrimination. Laws did not prevent the colonists from using violence to accumulate land.[7]

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[7] The process of excluding the racialized populations differed in the U.S. and Australia. Because of the United States' recognition of tribal sovereignty, indigenous groups have a special status, represented by their tribal national government that places them in a different juridical realm. Indigenous groups may be recognized as nations (primarily in the United States), but they have limited access to land, and a contested say in self-government. Legal cases such as *Johnson v. M'Intosh* (1823), *Cherokee v. Georgia* (1831), *Worcester v. Cherokee* (1832), and the *Mabo (1992)* decision not only share a relationship with the national and political climate of their respective nations, but indigenous cases in the Unites States have served as models for other nations as well. However, Australia has no official history of contact, conquest, and colonization, and Aborigines and Torres Strait Islanders are not seen as national groups. In *Johnson v. M'Intosh* the Supreme Court was asked to determine whether Native Americans in the United States had the right and power to give or sell land that been "discovered" by European nations. The Court ruled that the United States government had obtained complete and ultimate title to native land based on the historical practices of European colonization, thereby declaring that Native Americans could only sell their lands to U.S. federal government. Eight years later the court was called in again to make a decision between the sovereign powers of the Cherokee Nation and the state of Georgia. In *Cherokee v. Georgia* the courts ruled on behalf of the United States stating that the Cherokee Nation was not independent of the United States, but rather, a domestic dependent nation. Chief Justice Marshall's decisions, especially concerning the Cherokee Nation, are extremely important to indigenous rights and legal claims. Marshall's decision did not only influence Native American policies, but were referenced by courts in other countries when dealing with their indigenous populations. More importantly, Marshall's decision validated European colonialism as a usable historical moment to serve as a legal precedent when dealing with native land claims and rights.

The Australian legal system was established on the doctrine of *terra nullius*, which assumes the continent was empty, and not "really" occupied. Rejecting this doctrine, in the 1992 *Mabo* decision, the High Court declared that the Aborigines and Torres Strait Islanders had owned and possessed their traditional lands when the Europeans arrived, and that in certain areas native titles would certainly continue. Australian scholars Henry Reynolds (1996) and Frank Brennan (1995) argue that, due to Australia's lack of treaties, the decision expanded Aborigines' claims to territorial sovereignty but did nothing in terms of expanding political sovereignty. Despite these differences, there are important parallels in the histories and experiences of indigenous people in the United States and Australia in terms of how the removal, relocation, exclusion, and wars waged against these native populations enables the constitution of these nation-states.

It was the concept of the frontier that enabled both settler societies to engage in violent acts to consolidate land, and to assert political control. The frontier is an area of interaction between two or more different groups of people, and also describes the procedure by which relations among peoples commence, develop, and take shape (Gump 1994: 1). The argument is that the frontier opens when these peoples initially make contact, and closes when one of these groups gains dominance over the others (1). Frontier violence is political violence, but it is not regarded that way since it occurred on the supposed fringes of European settlements; however, if the dead were of European lineage instead of indigenous their "sacrifices" would be commemorated with stories of unyielding devotion to the nation.

The infusion of liberalism with Lockean notions of proprietary rights based on its improvement through the mixture of land and labor was used to justify the conquest and dispossession of indigenous groups.[8] The connection to land eventually determined one's position within the political process of the nation. Nature was theorized to determine how spaces were produced and utilized, but also how it constructed people as "natural groups." It is important to reiterate the relationship that land, labor, the doctrine of discovery, and settler societies have to barbaric sovereignty. The body's relationship to nature, in this case the indigenous, served to mark them as either progressive and productive, or primitive and wasteful. Settlers substantiated their claims as being the

[8] Karl Marx's (1978) critique of private property reinforces my argument that white settler societies are not only modern forms of the nation-state, but also allow insights into how the nation-state and the law are connected to concepts of land, private interests, and race. Marx (1978), in *The German Ideology*, claims that modern private property corresponds with the emergence of the modern state (187). He argues that through the liberation of private property from the community, the state has become a "separate entity, beside and outside civil society; but it is nothing more than the form of organization which the bourgeois necessarily adopt both for internal and external purposes, for the mutual guarantee of their property and interests" (187). From this, Marx demonstrates that civil law develops simultaneously with private property out of the "disintegration of the natural community" (187).

rightful heirs to the land because they improved their surrounding conditions, and their labor offered the next generation of settlers and residents an opportunity to inherit a growing, viable, and fruitful society. Since the natives were composed as being archaic by settlers they were deemed as a barrier to civilization, and became another obstacle for settlers to triumph over.

A condition of rightlessness can only be secured through the discourse of race and nation to determine a racial hierarchy. Laws are constituted through the nation, and aid in the process of historicizing colonial violence as a developmental phase towards statehood. Nation state formation includes the use of force with the process of negotiation, "to include culturally distinct populations within an expanding territorial boundary and the active creation of myths of historical origin and tradition to justify their inclusion" (Miles and Brown 2003: 147). Colonial mapping, and the partitioning of spaces, served to control settlers and indigenous peoples through the confines of divided place.

Towards the end of the nineteenth and the beginning of the twentieth century, many European nations, as well as the United States, moved into the second phase of colonialism known as the new imperialism. In this era the rhetoric of savagery, and ideology of barbaric sovereignty were exploited for imperial endeavors. From 1875 to 1914, approximately one-quarter of the planet's land was partitioned or redistributed as colonies among a half-dozen states. Eric Hobsbawm (1989) calls this the "Age of Empire," "not only because it developed a new kind of imperialism," but also because, in this period of modern world history, leaders were calling themselves or were regarded by western diplomats as "emperors" (56). During this era, the division of the world

developed economies that simultaneously searched for new markets, thereby expanding the scope of colonialism (66). The Age of Empire is connected with imperial competitions and conflicts among western nations, and domestic violence in order to secure land and resources, such as in the wars against the Lakota (Sioux), Aborigines, and the Zulu.

White settler colonial states and modern states are related in the sense that they are racial states. Racial states are not racial because of the racial composition of their residents; states are racial because of the structural position they occupy in "producing and reproducing, constituting and effecting racially shaped spaces and places, groups and events, life worlds and possibilities, accesses and restrictions, inclusions and exclusions, conceptions and modes of representation" (Goldberg, 2002:104). They are racial in the sense that they define group populations and establish racial hierarchies to determine societal positions. Therefore, race is inherent to the growth, evolution, and transformations of the modern nation-state. Race indicates and stratifies the modern nation-state. Modern states use institutions and technologies to style, to modify, and to reify the terms of racial expression and subjugation.[9] Not only is race important to the

[9] To look at the process in which racial dynamics as well as racist exclusions are naturalized, David Theo Goldberg (2002) interrogates modernity's doctrine of self and society, of morality and politics: "liberalism has served to make possible discursively, to legitimate ideologically, and to rationalize politico-economically prevailing sets of racially ordered conditions and racist exclusions" (5). Classical liberalism was an essential element historically in advancing racial reasoning and its racist implications as fundamental to modernity's familiar moral, sociopolitical, and jurisprudential sense. This form of liberalism has sustained itself in modern state formations over the past hundred and fifty years. This history reflects how race serves as the theoretical and ideological cornerstone for the emergence of the modern nation-state and the rule of law (5).

Moreover, Goldberg argues that exclusion is central to its operation of the modern state. State power, he argues, depends on its ability to represent and to exercise itself over those it claims to have authority over. State *qua* state has the capacity to exclude, in which law is fundamental, and has this ability to exclude within or from the state. The state has the power to exclude for its own protection. Central to the range of racial constitutions that have defined modernity is the "power to exclude and by extension include in racially ordered terms, to dominate through the power to categorize differentially and

formation of modern nation-states, it is integral to the reproduction of world systems. The power of the state lies in its ability to not only situate people of color into the official history of the nation (Goldberg 2002), but the ability to interpret particular historical, social, and cultural experiences that legitimate state actions. The state's interpretation of particular events not only frames the discourse over how an event is perceived, but absolves itself of any responsibility for violent acts. Chapter two demonstrates the value of state interpretations that justify barbaric sovereignty when dealing with colonial massacres, and their remembrance.

Before explaining the modern racial state it must be noted how barbaric sovereignty is linked to the transition from settlement to nation-state. Settler societies rely on the labor of settlers securing permanent control of foreign soil to financially (and sometime politically) aid the mother country. The United States differs from other white settler societies due to the fact that it became an autonomous state after fighting a revolutionary war with England to obtain its independence. From the inception of U.S. autonomy from England, the United States was a nation-state under control of territories that were not official states. After the transition from colonial society to nation-state, the United States, along with the support of its citizens and residents, used the concept of race to stand in for the categories of barbarians and savages in order to help the state extend its territorial holdings. The United States used racial representations to label Native Americans, as well as other racial groups, as savages and barbarians to aid in the consolidation of territories and state power. The mechanisms from the ideology of

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hierarchically, to set aside by setting apart" (9). These processes are aided by the capacity—the power—of the law and policy making, including bureaucratic apparatuses and governmental technologies like census categories, invented histories, traditions, ceremonies, and cultural productions (9).

barbaric sovereignty developed during colonialism transformed the United States from a settler society into a modern racial state. This method worked in Australia as well.

The creation of later white settler societies, such as those of Australia, Canada, New Zealand, and South Africa, resulted from the British having learned from its colonial North American (the United States) experience. The British government was receptive to a model of colonization that recognized the right of incoming citizens to have access and influence in the decision-making and administration at the local level within the settler colonies (Evans, et. al: 26). Furthermore, in the second half of the nineteenth century, London devolved its political power to the separate white settler colonies, thereby diminishing indigenous rights. Indigenous groups could no longer seek the aid of the crown to intervene on their behalf, which would cause tensions between the nation-state and the colonial government (Evans, et. al: 36). Instead, the settlers could determine the fate of the indigenous groups as they deemed fit for their own interests.

Genealogy of Barbaric Sovereignty

Sovereignty, State, and Law

This section explains the genealogy of barbaric sovereignty by establishing the theoretical principles that inform this category. Race is not an excessive category. The state may argue that race is an excessive element that society cannot account for, but the state claims it is the only apparatus to deal effectively with race. The state can rely on governmental, military, educational, medical, and social agencies to account for racial excess. The reason that states depict race as an excess is to legitimate the use of force to either remove, relegate, or destroy a racial other. Race is a necessary category to validate the use of force without having to question killing. I begin this section with Georges

Bataille's work to discuss violence and barbaric representations in relation to sovereignty. Bataille (1993) states that the sovereign is the one that can consume excess. Excess is something that does not fit properly into the models of production and need. I extend this concept to argue that the state produces race as an excessive category that threatens the stability of a society, and this racial excess can only be consumed through violence, extermination, relocation, internment, imprisonment, and detainment. This however is a dangerous argument because it allows the state to engage in totalitarian practices without widespread dissent. Even though states and settlers claim that race is an excess, it is not. Instead, race serves in legitimizing the use of force by settlers and the state. My conceptual use of race is informed by Denise Silva's (2007) work to explain how race engenders social, historical, and political projects. Even though the claim is that race is excessive in terms of its use value to society, race as a category of knowledge that benefited the United States in its transition from colonial society to a modern nation-state. Silva (2007) argues:

> rather than producing the others of Europe outside of historicity and universality, the arsenal the racial guides engulfs them by writing their difference as an effect of the play of productive reason. By engaging scientific signification as a productive moment, I move away from prevailing critiques of the narratives of "progress" and "development," which for better or worse reads the construction of non-Europeans' (racial/cultura*l*) particularity as the effect of the spatializing of time, that is, as a "lag" or a "wait," which retain the modern construction of space as the moment of negativity. (166)

Destruction is not absolute destruction, for every historical moment leaves traces of itself in the present. History cannot be erased or destroyed. Histories of contact, conquest, colonization, relocation, and extermination manifest themselves in the nation's history and consciousness. The state uses race and nation as a means of producing an excessive

other that needs to be consumed. This allows the state to use race as means of gaining "legitimate sovereignty." Race is not extraneous, but constituted and articulated as such for the legitimacy to exterminate. Race is foundational and instrumental in the production of modern subjects, disciplines, politics, and knowledge.

An indigenous presence enables the state and its settlers to engage in their own form of racial sovereignty.[10] Much of the political theory literature argues that states are the absolute sovereign and therefore it is important to engage in some key concepts of sovereignty. The value of discussing sovereignty in relation to states is to deal with the threat that barbarians pose to civilization, and the justification of killing for self-defense. Thomas Hobbes' (1980) *Leviathan* focuses on social and civic manufacturing. Man, for

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[10] Wendy Brown (Duke Forthcoming) states that sovereignty does not "simply unify or repress but is both generated and generative." When discussing the Janus-faced character of Sovereignty, Brown states:

> 1) Sovereignty is both a name for absolute power and a name for political freedom.
> 2) Sovereignty generates order through subordination and freedom through autonomy.
> 3) Sovereignty has no internal essence but is rather, fully dependent and relational even as it stands for autonomy, self-presence and self-sufficiency
> 4) Sovereignty produces internal hierarchy (sovereignty is always over something) and external anarchy (by definition there can be nothing governing a sovereign entity, so if there is more than one sovereign entity in the universe, there is necessarily anarchy among them). Both hierarchy and anarchy are at odds with democracy if the latter is understood as a modestly egalitarian sharing of power. Yet with rare exceptions, political theorists take sovereignty to be a necessary feature of political life: the very possibility of political action, political order and political protection seem to depend upon it. Perhaps the existence of this paradox is one reason why liberals tend not to examine sovereignty closely even as they assume that it rests with the people, why radicals such as Agamben, Hardt and Negri develop a politics opposed to sovereignty, and why leftish liberals like Connolly seek to pluralize sovereignty's undemocratic core....thus undoing sovereignty itself.
> 5) Sovereignty is a sign of the rule of law and the jurisdiction of law, and, supervenes the law. Or, sovereignty is both the source of law and above the law, the origin of juridicism and that which resides outside it. It is all law and no law; its every utterance is law and it is lawless.
> 6) Sovereignty is both generated and generative, yet it is also ontologically a priori, presupposed, original. Even practically, as Bodin notes, sovereignty cannot be conferred. The presupposed or a priori nature of political sovereignty is both drawn from theology and is part of what gives sovereignty its theological character; it is a reminder that all political sovereignty is modeled on that religiously attributed to God.
> 7) The theological aspect of sovereignty is the internal condition of the secular notion of the autonomy of the political articulated by and through sovereignty. This paradox is particularly important to grasping what sovereignty is becoming today.

Hobbes, is a self-sustaining animal that enters into a civic society to avoid the painful fear of a violent death to guarantee survival. Hobbes states that man's root motivations are pain and pleasure, and that man tries to maximize pleasure — survival. A common power is necessary in order to secure civic society. Hobbes argues if there is no common power then the law of justice is impossible. For Hobbes, this common power must keep us in awe through fear, and fear is brought about through crisis. The crisis always relates to the overriding fear of falling into a state of nature, which signals a continual state of war and violence. The state of nature is not in the past, but with us all the time, and the civic society can fall into it at any moment. It is the fear of violent death that inclines us to peace, and enables the civic contract. To affirm peace, the sovereign can use violence to defend itself. In settler societies the savage and its relationship to the frontier is represented as being in a constant state of nature, thereby guaranteeing the condition of a state of war. States have the ability to act on their own discretion for the public good, and a threat of a savage provides this prerogative.[11] In addition, the presence of the savage enables settlers to engage in their own wars. Chapters two, three, and five bring to light how representing the indigenous as savage serves as the grounds for both settlers and the state to engage in race wars to secure their interests, while always assuming or insisting

[11] John Locke (1980):

> This power to act according to discretion, for the public good, without the prescription of the law, and sometimes even against it, *is* that which is called *prerogative*: for since in some governments the lawmaking power is not always in being, and is usually too numerous, and so too slow, for the dispatch requisite to execution; and because also it is impossible to foresee, and so by laws to provide for, all accidents and necessities that may concern the public, or to make such laws as will do no harm, if they are executed with an inflexible rigour, on all occasions, and upon all persons that may come in their way; therefore there is a latitude left to the executive power, to do many things of choice which the laws do prescribe. (84)

that the threat and subsequent crisis came from the native side in order to legitimate such acts.

History

The role of history is crucial for the analysis of the ideological strategies of barbaric sovereignty deployed in the United States, and Australia. Colonial histories of former white settlers societies are written with a historicist viewpoint that suggests a continual march towards progress that ends with the creation of a modern nation-state. Constructing these histories as white European settlers "discovering" fresh land to erect a new country that separates itself from Europe suggests an inevitable decline of the previous indigenous inhabitants. In addition, these histories elide the fact that colonialism is an uneven process that posed problems for indigenous people, settlers, and the state itself. More importantly, it diminishes the significance of how colonialism constituted a generative process that provided the basis for contemporary politics, national culture, and policing for security purposes.

Instead of relying on a Hegelian (1977) sense of history as one continuous model of development, I argue for an approach that investigates colonial expansion, race wars, and popular statements of savagery that legitimate genocidal acts to disrupt historical accounts of homogenous time. Historicizing such events as a logical outcome of progress, or the unfolding of history, not only serves to validate racial suppression, but also prevents critiques and challenges when these events manifest themselves in our current era. The language of grand claims is a teleological argument that enables and sustains the state of exception. My intention is to demonstrate how colonialism is a generative aspect of exception, and how race is a device used by the United States, and,

in chapter five, Australia, to usher in particular social, historical, cultural, and political projects. The exception is presented as being limited and aberrant, but my intention is to demonstrate how the United States, Australia, and their respective residents habitually use racial categories of savagery to produce a needed exception in order to assert its legitimacy. It is during these moments of exception that flash up to present a true image of the past that is linked to the concept of barbaric sovereignty. The concept of history is critical to establishing barbaric sovereignty. Walter Benjamin (1982/2000) provided a theory of history that reveals that the exception is the norm. Benjamin's contribution to barbaric sovereignty is his radical detextualization of history that critiques the concept of progress itself through the moments that flash up to reveal a true image of the past. His theory enabled the discussion of the here and now to provide an analysis of the present and its relationship to the past while challenging the progressive notion of history.

I incorporate the idea of messianic time presented in Walter Benjamin's (1982/2000) "Theses on the Philosophy of History," to demonstrate that historicism results in universal history while materialistic historiography, on the other hand, is based on a constructive principle. Benjamin (1982) demonstrates the importance of historical materialism when he claims:

> To articulate the past historically does not mean to recognize it "the way it really was" (Ranke). It means to seize hold of a memory as it flashes up at a moment of danger. Historical materialism wishes to retain that image of the past which unexpectedly appears to man singled out by history at a moment of danger. The danger affects both the content of the tradition and its receivers. The same threat hangs over both: that of becoming a tool of the ruling classes. In every era the attempt must be made anew to wrest tradition away from a conformism that is about to overpower it. The Messiah comes not only as a redeemer, he comes as the subduer of Antichrist. Only that historian will have the gift of fanning the spark of hope in the past who is firmly convinced that *even the dead* will not be

> safe from the enemy if he wins. And this enemy has not ceased to be victorious. (72-73)

The function of history and the historian, for Benjamin, is to create a state of emergency. He argues:

> The tradition of the oppressed teaches us that the "state of emergency" in which we live is not the exception but the rule. We must attain to a conception of history that is in keeping with this insight. Then we shall clearly realize that it is our task to bring about a real state of emergency, and this will improve our position in the struggle against Fascism. One reason why Fascism has a chance is that in the name of progress its opponents treat it as a historical norm. The current amazement that the things we are experiencing are "still" possible in the twentieth century is *not* philosophical. This amazement is not the beginning of knowledge—unless it is the knowledge that the view of history which gives rise to it is untenable. (74)

Benjamin critiques how historicism articulates the rise of fascism as something that is leading towards the developmental of something else. Historicism displaces the need for criticism. Colonial violence was a necessary act to lead to the creation of a unified homogenous time/nation-state. Arguments concerning progress and development serve to validate violent moments, such as race wars, as being both necessary and fleeting, leaving a minimal trace on the function of the state or its residents. My project critiques the structure of historicist by investigating the transference of savagery onto different bodies in different historical contexts for similar purposes.

History is not homogeneous empty time, "but time filled by the presence of the now" (77). In this passage Benjamin is arguing for a flashing up, a moment of danger that is capable of fanning hope for the present through looking into the past. The historian's task is to challenge the homogenous form of history. Benjamin has no faith in a historical time frame work, but argues for its interruption. Instead of following a

developmental model of history the "open air" concept of history is a revolutionary concept. Benjamin is not suggesting an imminent development or determinism. For Benjamin, continuing of time, or empty time, belongs to the ruling class, and its cessation allows for a different configuration. In other words, Benjamin states that to the victors goes the interpretation and control of history, and when the sparks of history flit by, it is the task of the scholar to create a sate of emergency to challenge this dominant narrative that defines illegality as something leading toward progress. This is precisely what barbaric sovereignty is demonstrating in the colonial concept. A state of emergency enables the fight for an oppressed past. My intention is to challenge the notion that history belongs to the victors by disaggregating the historical achievements of civilization by the United States and Australia in order to demonstrate that the march towards progress is a march towards destruction. Borrowing from Benjamin's theses on history, I explain how massacres, and the rhetoric of savagery, are those elements of the past that flash up to demonstrate the productive capabilities of barbaric sovereignty.

Exception

Incorporating Benjamin's theory of history with the concept of barbaric sovereignty provides an opportunity to understand and challenge exception itself. The state of exception serves as a suspension of the rule of law that either authorizes the use of violence or legitimates killing. Violence is intrinsic to the law, and in this section on exception I focus on the authority of violence. Laws serve as another mechanism that enables narrating the nation, and it is through the category of the law that colonial violence is validated. Peter Fitzpatrick (2001) states that the law is continually formative of the nation, "linking and mediating between its universal and particular dimensions,

between its claim to inclusiveness and its claim to exclusiveness" (111), and the law, much like the nation, encompasses those it includes, as well as excludes. In other words, law is "determined and determining and as such is oriented like nations towards particularity" (129). Although the law and nation are particulars and universals, their ability to transcend these boundaries enables citizens to not only identify with the law, but also to identify with the imperialistic nation-state, which serves to justify and legitimize the state's actions. The state and its residents use race, nation, and law to constantly recreate legitimacy for its actions. The settlers make their standards serve as the universal model for membership.

It is important to understand how the United States uses violence beyond its supposed self-imposed restrictions. In legal scholarship, there is always a condition of possibility beyond the law and beyond the nation-state, and there needs to be a condition that allows the law and the state to operate beyond their perceived boundaries. For instance, Peter Fitzpatrick (2001) rearticulates the concept that the law, as it is often expressed, has the monopoly of legitimate violence, and the violence outside of the law becomes illegitimate.[12] That is, law has to be both violent and "intrinsically" associated with non-violence (77). Fitzpatrick (2001) states "disparity is overcome in the cause of order by making law's violence a matter of exceptional and reluctant resort" (77). Law cannot be simply fixed and pre-existent if it is to change and adapt to society. The law, according to Fitzpatrick (2001), has to be ever responsive to change to rule. This condition allows the law to operate in a state of "irresolution" (77).

[12] The statement of legitimate violence is a reference to Max Weber about the state's monopoly of violence.

The "irresolution" of the law operates in white settler societies in which violence was used against the indigenous populations to secure the interests and economic holdings of the settlers. Creating the native as an imminent threat that could plunge the general society into a state of war required the law (this can either be exception or irresolution) to be vigilant and responsive. The presence of the indigenous groups, who were quickly constructed as savages, allowed for the excesses of law. The settlers, and then later the citizens, became related through the law (Fitzpatrick, 2001: 135). This relationship to the law also made the settlers/citizens related to the nation, thereby creating a national group at the expense of the indigenous ones. Histories of conquest are important in informing discourses of race and racism. The investigation of subaltern nations within a dominant nation-state reveals the type of barbaric sovereignty that modern western nations are founded upon.

Savage representations allow for settlers and the state to claim a moment of exception when engaged in race wars. For Carl Schmitt (2005), the sovereign is he who decides on the exception (5). Real power, for Schmitt, is to make something from nothing, and subject to laws. Schmitt characterizes the exception as unlimited authority, "which means the suspension of the entire existing order. In such a situation it is clear that the state remains, whereas law recedes" (12). According to Schmitt, the exception is a situation of risk, a danger to the existence to the state. However, for Schmitt, it is the exception that makes relevant the subject of sovereignty, that is, the whole question of sovereignty. The precise details of an emergency cannot be anticipated, nor can one spell out what may take place in such a case, especially when it is truly a matter of an extreme emergency and of how it is to be eliminated (6-7). Schmitt argues that both sovereignty

and the state decide what is the exception (9). Schmitt's conception of the state allows him to argue that there cannot be a present rule-fixed definition of sovereignty. Presenting racial bodies as threatening serves as one of several mechanisms to trigger a state of emergency.

Recently there have been attempts to explain the state of exception, and the types of bodies produced during this period. In *Homo Sacer*, Giorgio Agamben (1998) argues that the sovereign "creates and guarantees the situation" that the law needs for its own validity (17).[13] He claims that sovereignty presents itself as an incorporation of the state of nature in society, or, as a state between nature and culture, between violence and law: this indistinction is sovereign violence. For Agamben, the state of nature is not truly external to *nomos* (the principle that joins law and violence and threatens them with indistinction) but contains its virtuality (35). Agamben defines the state of exception as "what cannot be included in the whole of which it is a member and cannot be a member of the whole in which it is already included" (25). The relationship between exception and sovereignty is that they cross through one another, and that the exception is the rule.

Borrowing from Schmitt (2005) and Benjamin (2000), I argue that the sovereign decides on history, decides on the exception, and projects its barbarism on the native to secure its economic, political, and social interests. The native is constructed as the

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[13] Agamben defines the state of exception and the process of exclusion as:

> On the contrary, what is excluded in the exception maintains itself in relation to the rule in the form of the rule's suspension.…The rule applies to the exception in no longer applying, in withdrawing from it….The state of exception is not the chaos that precedes order but rather the situation that results from its suspension. In this sense, the exception is truly, according to its etymological root, taken outside (ex-capere), and not simply excluded…Gilles Deleuze and Felix Guattari were thus able to write, "Sovereignty only rules over what it is capable of interiorizing"….Here what is outside is included not simply by means of an interdiction or an internment, but rather by means of the suspension of the juridical order's validity—by letting the juridical order, that is, withdraw from the exception and abandon it. (17-18)

violent threat, the one existing in a state of a nature that threatens the civic society. On those grounds, the state is justified in engaging in a race war of genocide to both secure the interests of settlers, and to generate a new nation-state. Yet, for this barbaric sovereignty to occur the settler or the state need a national narrative to legitimize violence as being both generative, and for self-preservation.

Nation

The nation as a category and a concept cannot be overstated in its importance for the state and its members. The nation serves in providing enough of a malleable historical content to serve the needs of the state and its elite members. The imagining of the nation produces it as always existing by forgetting how it was created, and in what particular moment (Renan 1994; Hobsbawm 1992). For Hobsbawm (1992), nations are far from universal; rather, they are continuously evolving. Nations are a collectivity, no one single category defines a nation; rather, a nation is produced through a series of categories necessary for its formation and existence. Hobsbawm (1992) argues that national languages are not primordial foundations, but rather are semi-artificially constructed and occasionally virtually invented (54).[14] Speeches from elites are important for my dissertation since they demonstrate how colonial violence serves as a historical precedent or founding moment for the nation, and how leaders tailor the

[14] Concerning ethnicity, Hobsbawm (1992) explains that visible differences are "too obvious to be overlooked and have too often been used to mark or reinforce distinctions between 'us' and 'them'" (65). Differences, he argues, have historically "functioned as horizontal dividers as well as vertical ones, and probably before the modern era of nationalism served to separate social strata than entire communities" (65). Color discrimination has favored lighter skin types over darker ones, but mass migration has complicated this process (65). Hobsbawm also points out that visible ethnicity tends to be negative, since it is used more often to define "the other" than one's own group. He states that the ethnic-racial homogeneity of one's own "nationality" is taken for granted. And his final point on ethnicity is that negative ethnicity is always irrelevant to proto-nationalism because the ethnic groups have not caused nationalist movements (66).

speeches by selectively taking elements of the nation's history in order to initiate new political projects. The speeches I investigate work to reinvent the tradition of the nation to be applied for current purposes.

In *Imagined Communities,* Benedict Anderson (1991) argues that communities are distinguished by the manner in which they are imagined: first, the nation is limited because, regardless of its size, it has finite, elastic boundaries, and beyond its boundaries lie other nations; second, the concept of sovereignty emerged when the Enlightenment and Revolution were destroying the legitimacy of the "divinely-ordained, hierarchical dynastic realm"; and third, the nation is imagined as a *community*, because, regardless of inequality and exploitation that may exist, each nation is conceived as a "deep, horizontal comradeship" (7). Anderson also stresses the importance of language in creating the imagined community. The most important feature of language is its "capacity for generating imagined communities, building in effect particular solidarities" (133). Language is not an instrument of exclusion. Language is inclusive, just as Renan stated almost a century earlier. For Anderson, print-language (he refers to novels and newspapers as print capitalism that members of a nation read to inform their imaginations) is what invents nationalism (134). Although Anderson is literally discussing language as something tangible, I discuss language as discourse to elucidate the value of culture and civilization to barbaric sovereignty. Culture and civilization create the national lexicon of the state, and this lexicon is informed by barbaric sovereignty. The language of colonialism presents the savage as an obstacle to overcome in erecting a new civilization that can be passed onto generations. It is through this language that settlers can share in barbaric sovereignty for the creation of a new society.

The study of language the reveals the changes over time that reflects the social, cultural, and political times with which it is associated. Chapter three traces the use of the rhetoric of savagery to understand its persistency despite being applied to different political projects.

Barbaric sovereignty needs historical, situational, and relational contexts to maintain itself. Nationalism and racism are not independent and autonomous forces, but are generated and reproduced within a complex interplay of historically constituted economic and political relations (Miles and Brown, 2003: 148). The interaction between nationalism and racism is grounded in historically specific context and contingent on particular relations. Etienne Balibar (1988) links discourse, race, and racism as pivotal in the formation of nation. He argues that racism is constituted of the nation by the relation between nationalism and racism to illustrate that "the core meaning contrasts a 'normal' ideology and politics (nationalism) with an 'excessive' ideology and behavior (racism), either to oppose the two or to offer the one as the truth of the other" (46). Extending this argument further, Paul Gilroy (1991) argues that the politics of race are "fired by conceptions of national belonging and homogeneity which not only blur the distinction between 'race' and nation, but rely on that very ambiguity for their effect" (45). Gilroy is using concepts of race and class to demonstrate that nationhood is not an "empty receptacle" that can be filled with alternative concepts based on some sort of political pragmatism (55). Rather, he is suggesting that although national belonging is somewhat malleable, it has links with discourses concerning race and class, and the "organizational realities of these groups are not arbitrary" (55). The relationship of nation to race aids in the creation of a particular national history that determines who are "proper" members of

the nation, and which bodies becomes the savages. Those constructed as savages are peoples without history that must either be destroyed, or saved by the civilizing mission of the settlers.

Culture and Civilization

Distinctions between civilized and uncivilized serve to determine membership within the nation. It is through the construction of a savage that determines what civilization is. It is the production of the savage that hides the coercive elements of a civilization. Fitzpatrick (2001) states that the "civilization characteristic of nations has been primarily derived from opposition to the uncivilized. It was created in the divide between 'the European family of nation' and 'savages or barbarians' who were beyond the pale of nationhood, speech, and history" (122). The concept of family is very important in defining an association within the nation.[15] Families not only serve as a microcosm of the nation, but aid in the procedure to turn social processes into natural, automatic ones.

Much of the violence towards indigenous groups is associated with culture, and the civilizing process. Culture, with the aid of race, links society and civility to civilization, while constructing hierarchies of bodies and minds. We must understand culture, as Raymond Williams (1981) describes it, as a noun of process. The concept of culture has changed from the cultivation of crops or the rearing and breeding of animals to the cultivation of ourselves—the cultivation of our minds (10). Culture, as a noun of

[15] In *Black Skin White Masks*, Frantz Fanon (1967) claims that there are "close connections between the structure of the family and the structure of the nation. Militarization and the centralization of authority in a country automatically entail a resurgence of the authority of the father" (141-142). His point is that the family serves as a miniature or replica of the nation. Extending the family metaphor, Fanon goes on to state that a "normal child that has grown up in a normal family will be a normal man" (142). He uses the family to argue that there is no disproportion between family life and the life of the nation (142).

process, is very much connected to the project of civilization. The time span from the age of feudalism to modernity, as Norbert Elias (1939/ 2000) explains in *The Civilizing Process*, is an era where people are forced to live with one another in a new way, thereby becoming more sensitive to the impulses of others (69). One of the theoretical underpinnings of a Western process of civilizing was to find new ways of expressing violence and aggression. The process of civilization was concerned with mechanisms of social control and lasting habits to prevent the arousal of conflicts (70). What is crucial for Elias, and important for us to take into account, is that the process of civility was precisely concerned with the rules of etiquette, which are connected to the cultivation of ourselves. Rules were set in place to govern our behaviors with regards to daily activities to prevent uncomfortable and hostile situations. During the course of this process people were encouraged to hide or suppress all animalistic urges from public view. Elias claims that:

> …with the advance of civilization the lives of human beings are increasingly split between an intimate and a public sphere, between private and public behaviour. And this split is taken so much for granted, becomes so compulsive a habit, that is hardly perceived in consciousness. In conjunction with this growing division of behaviour into what is and what is not publicly permitted, the psychic structure of people is also transformed. (160)

These proscriptions, maintained by social sanctions, are reproduced in individuals as means of social-controls. Yet, race serves as a formative principle in the civilizing process as both a valve for release and as a system of measurement. Ashley Montagu (1997) uses the frictions, frustrations, and wars caused by capitalism to claim that they are the basic causes of racism and race situations. He argues that "race prejudice is a

socially sanctioned and socially channeled means of relieving aggressive tensions, because…powerful groups of men…in order to maintain their power or increase it they must maintain divisions between men" (213). Borrowing from Montagu, the term "civilized" carries a racist component because it has acquired the meaning that "civilized" people are superior to, or "more advanced" than, the uncivilized peoples. Fir Montagu (1997) "the 'scale' of being is yet another racist term, for what it represents is a survival of a time when animals and humans were arranged on the 'scale of nature' on the rungs of a ladder with the 'higher' occupying the 'highest,' and the lower occupying the 'lowest' positions" (48). Having a great chain of being that places certain bodies on the lower rung justifies their extermination as if it was the killing of an animal.

Race and Myth

Part of the ideological work of barbaric sovereignty occurs through race by providing mythic accounts of culture, civilization, and settlement. Culture and civilization serve in creating categories concerning barbarians and savages that aid in constructing a national narrative that does not place savages outside the nation, but demonstrates how the nation is constituted through their destruction. Connecting culture and civilization to race and myths, particularly founding moments, demonstrates that racial myths invite settlers and citizens to share in the accomplishments of the state. Through race and myth, residents of a state can celebrate the destruction of indigenous bodies as an unfortunate, but inevitable outcome of the developmental phase of progress. Myth substantiates the terror of the frontier, but oftentimes precludes the discussion of settler colonialism for it questions the legitimacy of state authority, and makes citizen complicit in the process of destruction.

To some, race privileges particular goals at the expense of a larger population. It sacrifices the goals of humanity for the needs of the few. This totally omits the project of race. Race serves the interests of social and political power. Hannah Arendt (1958) claims that, race is, "politically speaking, not the beginning of humanity but its end, not the origin of peoples but their decay, not the natural birth of man but his unnatural death" (157). For her, race-thinking has its roots in the eighteenth century and emerged simultaneously in all Western countries, and that racism has been the powerful ideology of imperialistic policies since the beginning of the twentieth century (158). She states that notions of race and race-thinking are not based on empirical evidence, but through the power of persuasion. Persuasion, for Arendt (1958), is inherit in the main ideologies of the present moment, and appeals to either experiences or desires, "in other words, to immediate political needs" (159). According to Arendt, racism and race-thinking constitutes the primary ideological weapon of the bourgeois and imperialistic politics to justify expansion beyond the nation-state, and the conquest and colonization of others. Race, or the presence of the savage laying waste to land, enables either the state (U.S. and Australia) or the settler to exceed a normative boundary to acquire more land at the expense of its original inhabitants.

Colonial acts were deemed to have a larger meaning with regards to the promotion of civilization, and this civilization was a birthright passed down from generation to generation. Racism introduced the idea of a divine origin of one people in

contrast to others (Arendt, 1958: 234), and the notion of divinity provided meaning to tasks of conquests as a sign of providence.[16]

Theories of inheritance and evolution were utilized to further and naturalize notions of race and legendary myths of racial accomplishment. Evolutionary doctrines combined the inheritance model with the assertion of personal achievement and individual character that had been important for the self-respect of nineteenth century middle class (Arendt, 1958: 180). White settlers used the model of inheriting civilization as way "measuring" their progress from natives to justify extermination, and the settlement of land. It was their great achievements of civilization that served to legitimate these actions because they were leaving historical markers of progress for the next generation to inherit and reproduce.

Race was used as a means to "naturalize" achievements in civilization. Alain Locke (1992) describes that the paradoxical stage of race is the moment when race "amounts practically to social inheritance [,] and yet it parades itself as biological or anthropological inheritance" (12).[17] Locke states that when the "modern man talks about race [,] he is not talking about the anthropological or biological idea at all." Instead,

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[16] Arendt (1958) acknowledges the use of racism and race thinking within the nation to ferment nationalism. According to Arendt, race-thinking entered the scene of active politics the moment the "European peoples had prepared, and to a certain extent realized, the new body politic of the nation" (161). She states that "race thinking, rather than class-thinking, was the ever present shadow accompanying the development of the comity of European nations, until it finally grew to the powerful weapon for the destruction of those nations" (161). The concern Arendt has for race-thinking, and racism in particular, is that it cuts across all national boundaries, be it geographical, linguistic, and traditional to deny national political existence.

> Arendt argues that:
> Racism, which denied the common origin of man and repudiated the common purpose of establishing humanity, introduced the concept of the divine origin of one people as contrasted with all others, thereby covering the temporary and changeable product of human endeavor with a pseudomystical cloud of divine eternity and finality. (234)

[17] Locke is correct in adding to this postulate that informs concepts of race thinking and inheritance is its relationship to measurements of historical progress.

modern man is "talking about the historical record of success or failure of an ethnic group" (11). For Locke, race as applied to social and ethnic groups has no meaning beyond that sense of kind, "that sense of kith of kin which undoubtedly is somewhat of an advantage to any ethnic group that can maintain [it]. And yet, useful as it is, it is not to deny its usefulness that we call it an ethnic fiction" (11-12). This ethnic fiction is useful in understanding how theories of race and inheritance set up hierarchies of civilization to justify colonialism, imperialism, conquest, and genocide for the advancement of economic interests and settlements because they are understood as agents of progress by providing a means of measuring history and "success." This argument of success serves as the theoretical underpinning to justify not only race wars, but serve as a factor as to why one race should conquer another.

Barbaric sovereignty demonstrates how race has been used to explain legendary and mythical accomplishments of civilization. Without ever relying on supportable facts, legends offer a truth beyond realities, a remembrance that exceeds memories. Legendary accounts of history serve as a deferred correction of facts, and reveal events, "which were needed precisely because history itself would hold man responsible for deeds he had not done and for consequences he had never foreseen" (Arendt, 1958: 208). Arendt explains that legends made man "master of what he had not done, and capable of dealing with what he could not undo. In this sense, legends are not only among the first memories of mankind, but actually the true beginning of human history" (208). For Arendt, legends are not ideologies because their aim is not universal explanation, but are concerned with

concrete facts (208).[18] The value of myths with regards to race is that they promote an ideological hegemony in which a particular group believes itself superior to all others, or a subjugated group reproduces dominant discourses of their racialized identities to place themselves in history; albeit an uneven and problematic account of history that has the minority seeking legitimacy from dominant groups. In areas subject to barbaric sovereignty, settlers and the state use legendary achievements to argue that their presence engendered a new civilization for the betterment of mankind. Founding myths, especially in the United States, and to some regard in Australia, were used to set a historical precedent for violence. The United States would use founding myths to transfer the project of colonialism into imperial endeavors by suggesting that great men of the nation had used force to defend the nation, and now the time has risen again for a new generation to follow.

Myths enable the presentation of a virtuous and righteous past with heroes that serve as the standard bearers of the nation. Ashley Montagu (1997) demonstrates that the power of myths resides in their ability to remain unrecognized for what they are.[19] Myths

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[18] If legends serve as the beginning of human history, and race is a myth that is connected to legends, then race is the beginning of history, proving that race is a modernist project and not simply a continuance of archaic thinking. If race is not real, but a social construction with metasocial realities that are real, then why does it persist? If race emerged from persuasion, and not science, how was it practiced and performed if there was no clear concept of what it was/is? To answer this question I turn once again to Alain Locke (1992). He states that the "world very often begins to practice a thing long before it begins to speculate about it, and the world has been at work in terms of race long before it has ever come to anything like a conception of race in the scientific sense" (20).

[19] Montagu (1997) states that:

> Myths perform the double function of serving both as models of and models for cultural attitudes and behavior. Thus myths reflect the beliefs and give sanction to the action of society, while at the same time providing the forms upon which belief and conduct are molded. Built, as they are, into the structure of social relationships, racial myths often have a force which exceeds even that of reality itself, for such myths often have a force which exceeds even that of reality itself, for such myths, in addition to the social encouragement they receive, draw upon both false biology and even worse theology for their sustenance. (41)

make the exercise of thinking and problem solving unnecessary. The realities in mythologies that societies create for themselves results in the unreal becoming more real than the real, "ritual investing them with an importance that renders them sacred" (Montagu 1997: 42). My point for discussing race and myths is to investigate how concepts of race thinking are deployed to create situations in which differences emerge and then how these differences become "naturalized" to serve as a justification for political projects such as, dislocation, relocation, internment, and exploitation. Founding myths legitimatize claims to power, and are used to place certain groups or individuals into legal lawless spaces.

The capacity to separate the native from the land to create the space as uninhabited facilitated the configuration of a myth and ideology of expansion which "racial warfare complements the processes of agrarian development" (Slotkin, 1995: 53). On the one hand, the indigenous are seen as noble, brave, simple, and innocent. On the other hand, they are viewed as dark-skinned, ignorant, brutish, dangerous, and violent. There was not a singular mode of thinking, and there was no equality of negative and positive meanings. European representations of the other were hierarchically ordered around the belief that Europeans were superior by virtue of their "civilization" and achievements (including world travel and trade): the condition of the Other was represented as proof of that view (Miles and Brown, 2003: 35). The conditions that the savage was forced to endure were accounted for by some sort of racial weakness rather than anything structural, systemic, or ideological.

Race is a generative category in colonialism in that it serves a function for both the state and settlers. In the United States race has been used to create racial

classifications of body types to determine resources, rights, and recognition. Race was also used to place a body within the category of nature for the purposes of exploitation. Hannah Arendt (1958) argues that "race" has a precise meaning "only when and where peoples are confronted with such tribes of which they have no historical record and which do not know any history of their own" (192). Her point is that races were found only in regions where "nature was particularly hostile" (192). What differentiated them from other human beings was not just a matter of the color of their skin, but the fact that "they behaved like a part of nature, that they treated nature as their undisputed master, that they had not created a human world, a human reality, and that therefore nature had remained…the only overwhelming reality" (192). Physical differences and phenotypes have been used and continue to be used to mark differences, but a classification scheme was used to institute difference that was not based simply on biological or physical differences. This classification incorporated privileging individual plots over communally held land, dress, manners, farming, and work styles.

Race enables states and settlers to establish and maintain legitimacy through the ability to rule and regulate between groups. Race implies the existence of some type of essential hereditary features that is unique in a particular group of people and not present in others, and since then has evolved to a social construction connected to cultural, political, economic, and social histories of a specific region. Racism produces race, and not the other way around. The process produces the group for a particular need. Racism is a denial of humanity, and this denial legitimizes inequality, exploitation, and death. More importantly, race engenders the concept of "naturalized" groups that are genetically and culturally distinct, and as Guillaumin argues, "in the context of somatic determinism,

politically, intellectually and socially homogenous, forming closed entities fixed unchangeably both in nature and in law, whatever the superficial incidents that may affect their interrelationships" (63). To classify something is to have mastery over it, and mastering knowledge is assumed to be from an outsider's perspective, which assumes neutrality. The lower racial classification of indigenous groups enabled settlers to engage in racial terror that benefited both the state and their interests.

Racial thinking and racist articulation have become more and more normalized throughout modernity. According to David Theo Goldberg (1993), modernity is concerned with ordering and classifying. The emergence of modernity is precisely the moment of modern forms of race and racism that enable racial classifications. Each form of racial classification, he argues is connected to a particular social-historical moment.

Goldberg declares that:

> The field of racist discourse, then, is a product of sociodiscursive *praxis* in determinate historical circumstances. The power of racist expression conjoins with the power of other discursive expressions—notably, though not only, those of class, gender, nation, and capitalism—to determine the subjectivity of individuals at established times and places. What begins to emerge from this racial subjectivizing is a subjection to violence. The violence of racisms afflicts both the objects of racist acts and the racist subject engaged in the expression. Violence is inherent in racist expression. Subjects are defined in general by the discourses of difference. So subjects recognize themselves for the most part only in contrast to others. (59)

Racisms become normalized through modernity's discursive technologies of subject formation, in which Goldberg states, they acquire their "naturalism" in the creation of modern moral selves and social subjects (60). When racist discourses, such as constructing an authority of "belonging together," assumes state power, racialized

discourses and its modes of exclusion become entrenched in state institutions and normalized through in the "common business of everyday institutional life" (53). The racist institutions produced from the colonial era are those institutions whose ideologies include and whose social activities serve to encourage and perpetuate racist acts and beliefs.

Racial State

According to Goldberg (2002), the modern state founds itself on the internalization of exclusions. Those with the privilege of inclusion in the modern state obtain their privileges in light of the exclusions the state renders possible (conceptually and technologically). Exclusions become important for the possibilities of inclusion. Apparatuses of the state "sew the variety of modern social exclusions into the seams of the social fabric, normalizing them through their naturalization." Social exclusions with regard to race are the mark of social belonging, a measure of standing in the nation-state, and the "badge of social subjection and citizenship" (10). The power of exclusion and inclusion allows the state, through the concepts of race and nation, to produce an image of a "coherent populace in the face of potentially divisive heterogeneity" (10). This issue of divisive heterogeneity is a powerful force that has the potential to allow the state to remove people from the moral and juridical realm for the illusion of a homogenous nation. The issues of inclusion and exclusion within the modern nation-state cannot be understood without investigating the histories of contact and conquest in relation to white settler societies. It must be remembered that arguments of exclusion are not false, but they paint an incomplete image of what racism, race, and the racial mean. Relying on arguments of exclusion still reproduces the European "I" over the indigenous or racial

"Other." The inclusion of Indigenous histories does nothing to challenge the dominant assumptions of colonialism, but barbaric sovereignty is interested in determining the generative aspects of race.

Racism does not refer to aberrant acts committed by an individual with a particular pathology, but the theoretical underpinning of state contracts with society and the discourse of social contracts.[20] Race is a device that provides the state with the ability to kill to "protect" lives. Michel Foucault's (1990) concern for racism extends to the type that is expressed through the state and not in its popular form. He demonstrates how state institutions drew on disciplines of science to penetrate the body politic writ large. Foucault (1990) argues in the *History of Sexuality* that the making of bourgeois class body in the eighteenth century created a new field that was concerned with hygiene, prolonging life, and child rearing, and these disciplines of the body and sex correlated with the relationship to racism. The focus on preserving life will enable the use of killing to preserve it. When life is at stake the need for killing presents itself, and in subsequent chapters I demonstrate how race and the image of the savage provides the means for killing for the preservation of life, and the life preserved is the body that reproduces the ideology of the state. Since the savage was determined to be a threat to civilization it was permissible to kill this subject for the preservation of life.

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[20] This argument is advanced by Charles W. Mills (1997) in *The Racial Contract* (1997), in which he states that white supremacy is the political system of domination for the state. According to Mills, the concept of the racial contract reveals the coercive nature of the state. The racial state utilizes two traditional weapons of coercion: physical violence and ideological conditioning (83). Police agencies, the military, and the penal system enforce the racial contract by working to keep the peace, to prevent crime among white citizens, and to maintain the racial order and detect and destroy challenges to it (84). The state is a repressive institution against communities of color. Often times the oppression has taken place in the form of exclusion, but the state uses inclusion to keep groups subjugated without appearing to be racist.

Foucault (2003) concentrates on the state splitting of a single race into a "superrace and subrace" (61). This internal racism of purification will become, for Foucault, one of the basic aspects of social normalization (62). He argues that the state is, and must be, "the protector of the integrity, the superiority, and the purity of the race. The idea of racial purity, with all its monistic, Statist, and biological implications: that is what replace the idea of race struggle" (81). This guides him in the belief that the birth of racism emerges at the point when the "theme of racial purity replaces that of race struggle, and when counterhistory begins to be converted into biological racism" (81). This section demonstrates how the process of killing is productive.

Foucault (2003) defines the functions of racism:

> to fragment, to create caesuras within the biological continuum addressed by biopower. Racism also has a second function. Its role is, if you like, to allow the establishment of a positive relation of this type: 'The more you kill, the more deaths you will cause' or 'The very fact that you let more die will allow you to live more.' I would say that this relation ('if you want to live, you must take lives, you must be able to kill') was not invented by either racism or the modern State. It is the relationship of war: 'In order to live, you must destroy your enemies.' But racism does make the relationship of war—'If you want to live, the other must die'—function in a way that is completely new and that is quite compatible with the exercise of biopower. (255)

This system of biopower only accepts the imperative of killing or the imperative to kill if it results not in a victory over a political opponent, but in the elimination of the biological threat to and the improvement of the race (256). It is in a normalizing society that race and racism are the preconditions that make killing permissible.[21] To Foucault, once the state functions in the biopower mode, "racism alone can justify the murderous function of

[21] A normalizing society is a society that is ruled through the scientific disciplines concerned with maintaining the life of the species, and not through the disciplinary might of the king's authority.

the state" (256). If a power of sovereignty that has the right to life and death, chooses to work with the instruments, mechanisms, and technology of normalization, then that sovereignty or state must become racist (256). Within the concept of barbaric sovereignty, the ability to kill or destroy not only produces a new society, but also legitimates the killing of any perceived outside threat to this civilization.

Colonial power divulges the value of race for social and political campaigns to create and sustain a white settlement through force. Foucault states that the specificity of modern racism is not bound up with mentalities, ideologies, or the lies of power, but is bound up with the technique of power, with the technology of power (258). He claims that the "juxtaposition of—or the way biopower functions through—the old sovereign power of life and death implies the workings, the introduction and activation of racism. And it is, I think, here that we find the actual roots of racism" (258). Foucault believes that racism is a continuation of the King's model of right, might, and punishment. The moment that racism appears, according to Foucault, serves as a link to the past that precedes the rise of the bourgeoisie, disciplinary power, and biopower.[22] Racism is not a carry over from some by-gone days, but rather, is generative process that serves the interests of a state and society simultaneously.

However, Foucault (2003) will concede that racism first developed with colonization, or more precisely, with colonizing genocide (257). Ann Laura Stoler (1995) continues this argument by investigating the "colonial order of things" to suggest that a "wider imperial context resituates the work of racial thinking in the making of

[22] This enables Foucault to situate his argument that modern state racism emerges with Nazism and not colonialism. Nazism, for him, represents the use of disciplinary power and biopower to create a race to be exposed to death by the state for the insurance of its people.

European bourgeois identity in a number of ways" (5). Stoler claims that colonies are more than mere sites of exploitation, but as "'laboratories of modernity,' the genealogical trajectories of mapping what constitutes metropolitan versus colonial inventions have precipitously shifted course" (15). This is only partially correct. With regards to white settler colonies, as opposed to colonies of exploitation, the actions of conquest and genocide in which settlers and the crown engaged reveal the core power of the nation-state by enabling greater use of force. These are not premodern actions, but are reflection of the indistinctions or irresolution that the law and the nation-state both operate in. It is through culture that the connections between racial thinking and modernity become apparent.

Racism is concerned with objectification; and objectification is concerned with exploitation, exclusion, violence, infantilization, derision, and scapegoating. Racism normalizes its own condition. The racist is normalized in a culture of racism. Acts of racism are not seen as racist in this environment. Instead the racist projects the other as inferior. As mentioned above, racism objectifies subjects, but objectification is not simply a matter of turning people into things, but imagining them as objects, and forcing them to accept that façade in relation to their oppressor. Aime Césaire's (2000) *Discourse on Colonialism* references the relationship between the colonized and the colonizer by stating the relationship between colonized and colonizer is wrought with "forced labor, intimidation, pressure…rape…brainless elites, degraded masses" (42). The problem with this relationship for Césaire is that there is no human contact, but "relations of domination and submission," and he states that in this relationship both groups suffer. He claims that the colonized is made to feel inferior and the colonizer sees

himself as superior. Césaire offers an equation to explain the significance of the larger structure, he argues that "colonization = thingification" (42).[23] Césaire accuses Europe of being a decadent, stricken, and dying civilization. Césaire goes on to hold "pseudo-humanism" responsible for diminishing the rights of man, "that its concept of those rights has been—and still is—narrow and fragmentary, incomplete and biased and, all things considered, sordidly racist" (37). Diminishing the image of indigenous people by constructing them as savages or barbarians aids in the process of producing some bodies as needing to be sacrificed for the cause of civilization.

In this chapter I have demonstrated the genealogy of barbaric sovereignty by explaining the symbiotic relationship that the concept has with settler societies, sovereignty, law, history, states of exception, nation, culture and civilization, race and myth, and the racial state. The purpose of this chapter is to establish how the concept of barbaric sovereignty elucidates the generative theoretical claims of colonialism, and the remaining chapters of this dissertation demonstrate the mechanisms implemented by both settlers and the state to enact barbaric sovereignty. The use of barbaric sovereignty is not a negative force, but the mechanism by which settlers and the state provide legitimacy for their actions. As a former settler society, the United States used racial representations between savages and barbarians to sustain, maintain, and create a new form of sovereignty predicated on the destruction of a previous society.

[23] Extending this argument further, Georges Bataille (1993) states that the "basic loss of value resides in the fact that man becomes a thing" (218), thereby resulting in the loss of sovereignty.

Chapter Two: The Logic of Savagery In War

This chapter explores how Indian massacres from the U.S. Civil War, and towards the end of the 19th century enables settlers and the state to gain permanent rule of the remaining colonial territories. The Indian wars provided the state the means to consolidate control over the territories, and the subjects residing within its borders. Barbaric sovereignty explains how colonial terror was used to justify the killing of indigenous peoples while constructing a narrative that legitimates this violence as a necessary precursor towards civilization. Within this atmosphere a culture of terror managed to sustain conquest and dispossession, and continues to be an important element in the colonial process. Colonial power is neither secure nor absolute, and often associated with fear and anxiety. With colonialism comes the frontier space, which is a space of terror where, as Barry Morris (1992) argues, "violence was perpetrated against indigenous people" (77). For this chapter I situate the history of U.S. colonial events to demonstrate their significance for the nation in terms of history, warfare, states of emergency, and remembrance.

White settler societies such as the United States, Australia, Canada, South Africa, and New Zealand resulted from a specific form of European colonization yielding in shared historical events. A primary unifying theme for white settler societies is race: racial production, racial hierarchies, and racial antagonisms. The core objective of settler colonies was the accumulation of land, and the production of racial categories was implemented to help secure this goal. These societies depended on European immigrants to subordinate indigenous populations, while still allowing non-white and non-European

immigrants—free or enslaved—into the territory. White racial superiority was the foundation upon which economic, social, cultural, and political beliefs were established.

Unlike most white settler societies such as Australia, the United States has a founding myth. The thirteen settler colonies of what is now the United States declared their independence from the British Crown, and fought a revolutionary war for their own autonomy. The campaigns against indigenous populations in the United States, primarily after the Civil War have allowed for a historicist interpretation of these events as a march towards progress and civilization. Walter Benjamin (1982/2000) claims that the tradition of oppressed reveals that a "state of emergency" is not the exception but the rule, and that a conception of history must bear this in mind. This chapter focuses on three colonial incidents to demonstrate the generative aspects of colonialism. I do not wish to over generalize or make totalizing claims about the examples I use. My examples demonstrate a larger process of colonialism and the relationship to state power. Once something occurs it is transformed into an example, and examples are assumed to be totalizing, and by totalizing the assumption is that one example explains all related possibilities. I use these colonial events to demonstrate the acts of settlers, the military, and state responses to these incidents are larger than human misdeeds. This chapter goes beyond investigating the atrocities of "men on the scene" as aberrant forms of violence and degradation, but to understand the generative aspects of race wars and how they serve as social, cultural, and political mechanisms for the state.

Karl Marx argues that violence is the midwife of history, which means that the concealed forces for human development are revealed through violent wars and/or revolutions (Arendt, 1968: 22). Combining Walter Benjamin's and Karl Marx's notions

of history I plan to demonstrate that race wars serve as an analytical category to the state. In particular, I argue that states use the category of race—with its association to nature and savagery—to declare a state of emergency that targets a particular aspect of the nation without alarming the general population about the circumvention of the rule of law. We must reject the dichotomy of violence used for just or unjust ends. Instead, the focus of race demonstrates how state's can declare an emergency, or the use of a race war, to temporarily suspend the "entire existing order" (Schmitt, 2005: 12). The exception is characterized by unlimited authority where the state remains, but the law retreats, and associating emergency with race creates a situation where states can declare the use of excessive force to dominate an adversary that threatens an entire order (Schmitt 2005).

In this chapter, the use of these colonial wars with indigenous populations demonstrates that the exception is the norm that exposes state power. To give an explanation of these three events I provide a brief chronology to place these events in context that will demonstrate my argument. The concern for doing this is that chronology distorts these events and suggests a unitary image of the past, which does not exist. By unitary I am not discounting accounts of a living history, but I am refuting the notion of a unitary past that assumes a developmental argument towards progress. I will discuss this point further in the chapter. I am not suggesting by giving a chronology that these events demonstrate a completed past. The significance of these colonial events is that they have been remembered and placed in chronological sequence. My intention is to demonstrate how they reflect a larger generative aspect of colonialism to modernity.

The Sand Creek massacre occurred on November 29, 1864 when the Colorado Territorial militia attacked and decimated a village of Cheyenne and Arapaho Indians. At first this campaign was seen as a military success, but has since been rendered a brutal moment in U.S. history. Officially, the last military action of the Indian Wars was the "Battle" at Wounded Knee Creek on December 29, 1890. The action between the Dakota Sioux and the United States Army resulted in the death of 150 Sioux men, woman, and children, most of whom were non-warriors. General Nelson A. Miles described the event as a "massacre." The significance of Wounded Knee was demonstrated during the court trial of Sioux member Plenty Horses for the murder of Lt. Casey. During the trial, the Army and the court decided not to try Plenty Horses for murder for it would have resulted in Wounded Knee being rendered a massacre, and not a war. Under military laws, combatants are not tried for murder when killing occurs during the course of battle. Trying Plenty Horses for murder places his case in the realm of civil criminal law, and draws attention to the massacre that occurred at the hands of the Army. Justifying Plenty Horses act as an exceptional case during the act of war enables the military to declare a momentary state of exception for the death of women and children.

These colonial events are the wreckages of history that Benjamin discusses. They are those moments of the past that "flit" by to reveal a "true" history. The importance of these events is that they signify models of expansion and progress that took the form of a race war that pitted opposites such as the savage and civil, primitivism and progress.[24] In

[24] William Cronon (1992) argues that: "Narrative succeeds to the extent that it hides the discontinuities, ellipses, and contradictory experiences that would undermine the intended meaning of its story" (1349-1350)…."Whatever its overt purpose, it cannot avoid a covert exercise of power: it inevitably sanctions some voices while silencing others. A powerful narrative reconstructs common sense to make the contingent seem determined and the artificial seem natural." (1350)

dealings between whites and indigenous in the U.S. context, settler societies developed a conception of warfare that represented the struggle as a necessary genocide, a savage war was developed with a lack of limitations of violence and laws for its applications. This differed from accounts of "civilized warfare." Savage war depended on the conviction that particular races are intrinsically predisposed to barbaric violence.[25] I do not wish to portray indigenous populations as passive victims in these campaigns. Instead, I selected these events because they demonstrate that colonial structures and mechanisms such as language and rhetoric of savagery and civility, racial representations, and historicism engender new projects of racial formation for political purposes.

Notions of "progress" or "civilization" suggest an image of humanity following a single and universal trajectory, but the process of colonialism is uneven. The power of racism is in its ability to universalize, which then enables the dominant group to define itself as "normal and universal, while the subordinate group is defined as abnormal or peculiar" (Suzuki, 1998: 103).

Racial Formation

The United States engaged in racial projects that maintained white racial superiority through social engineering programs that often reflected a type of social Darwinism that placed whites on the top and indigenous populations at the bottom. The importance of race cannot be overstated. Racial formations account for the different ways in which various collectivities are located in the U.S. racial order. Michael Omi and Howard Winant's (1994) *Racial Formation*, defines race as a "concept which

[25] Similar assumptions are made currently to displace the checks and balances of civil law to engage a terrorist threat with unbridled force.

signifies and symbolizes social conflicts and interests by referring to different types of human bodies" (55). Omi and Winant argue that race should be thought of as an element of "social structure rather than as an irregularity within it; we should see race as a dimension of human representation rather than an illusion." This view of race as an element of social structures informs the theoretical approach known as racial formation, which Omi and Winant define as the "sociohistorical process, by which racial categories are created, inhabited, transformed, and destroyed" (55). That is, racial formation is an effect of ideological representations of historically situated projects (ideology) "in which bodies and social structures are represented and organized." Further, racial formation is linked to the progress of hegemony, the way in which society is organized and ruled (55-56). A site of racial project or ideology becomes hegemonic as everybody learns some combination or version of the rules of racial classification, and of his or her own racial identity, often without apparent teaching or "conscious inculcation," which, in turn, places us in a comprehensively racialized social structure. Race then "becomes 'common sense'—a way of comprehending, explaining, and acting in the world" (60).

In addition, Omi and Winant (1994) argue that state institutions acquire racial orientations from conflicts and through accommodations made to racially based movements (78). According to Omi and Winant, in the United States, the state's main objective in racial policy was and is one of repression and exclusion (81). The racial order, they state, is "equilibrated by the state—encoded in the law, organized through policy-making, and enforced by a repressive apparatus" (84). However, the equilibrium is unstable for racial meanings and identities are in constant flux. They vary over time and in respect to different groups, but are nonetheless omnipresent. The state is

influenced by the very interests whose conflicts it seeks to stabilize and control (85). While Omi and Winant's notion of the racial state offers a good understanding of how racial representations inform state agencies how to manage and regulate communities of color, they do not demonstrate what makes the state racial. The focus on Omi and Winant was to explain how racial formation is typically discussed, but my intention is to demonstrate how race is a generative category that is not essentialist in nature.

Racism and race are produced through a process, but oftentimes racial groups are assumed. In other words, assuming a group to exist a priori reifies a category that is socially constructed, and negates the fact that a process produces a group, and not the other way around. Much like debates concerning colonial and post-colonial societies, the indigenous category is already assumed. The debate or history focuses on how these groups should be discussed, but never questions the accuracy of the creation of these groups. The focus is never on what the production of these groups enables, and more importantly, these discussions are more concerned about the events, and lose sight of the fact that colonialism is an ongoing process—albeit a process with a new image. The focus of this chapter is to set up a binary to demonstrate separately that colonialism is both generative and an ongoing process. Typically most scholarship lumps both these categories together while drawing distinctions on how one process aids the other.

Projects that stress the importance of race usually rely on the logic of exclusion. Race is not a topical issue that can simply be injected into a discussion. Race is a productive category that demonstrates discursive power. The concern is not by including those that are excluded because the logic of exclusion is based on a false premise. No category or body is excluded; rather, it is where racial bodies are positioned in a society

that reflects the power of racial production. The study of colonialism is not simply a matter of including indigenous populations back into their histories of conquest and state consolidation. The project of inclusion continuously renders these populations invisible with a static understanding of history and state power.

Denise da Silva (2007) argues that focusing on inclusion/exclusion as the framework to understand difference does not tackle how otherness performs to facilitate the modern subject. The other simply becomes an effect of the subject, and the desire is to recuperate the other as an unspoiled subject as it was before modernity. For Silva (2007) the pristine other is a myth. The other only exists as something different because modern configurations of knowledge, and racial knowledge in particular, constituted them that way. In other words, relying on difference or the logic of exclusion situates the other as a variation of the modern subject. Silva warns against producing the others of Europe (the racial or subaltern) outside of historicity and universality (166). One must move away from "prevailing critiques of the narratives of 'progress' and 'development,' which for better or worse reads the construction of non-Europeans' (racial/cultural) particularity as the effect of the spatializing of time, that is, as a 'lag' or a 'wait,' which retains the modern construction of space as the moment of negativity" (166).

Despite the concerns of indigenous people, relying on the logic of exclusion only sustains, perpetuates, and strengthens claims that these people were not only a dying race, but also an obstacle for setters and states to overcome. Instead of investigating how colonialism and the events surrounding indigenous people are part of the transformation from settler society to a modern nation-state, the focus is on documenting an unfortunate event in a nation's history. The concern is on healing, and not the state's arsenal of tools

that subjugates racialized populations with very little criticism or concern. Race must remain and be retained as an investigative category for it discloses the power that collective identities attain through their basis in tradition (Gilroy, 1991: 247).

Myth and Representation

In the 19th century, myth and ideology were merged together to develop a structure of belief that obscured the processes of economic development with success. This merger hid the consequences development. Richard Slotkin (1985/1994) argues that there is an "inherent contradiction between the myth and set forth in the ideology" (52). He states that the latter [ideology] declares that progress can "proceed harmlessly, and the bases of conflict are essentially immaterial: the abundant resources of land are sufficient to make all conflicts of class and interest unnecessary" (52). Yet the literary mythology represents "conflict as the center of the story, and emphasizes the naturalness and inescapability of violence arising where two cultures or races compete for the same territory" (52). Either the indigenous is seen as noble, brave, simple, innocent, or, as dark-skinned, ignorant, brutish, dangerous, and violent depending on the current situation. This construction of indigenous is a reflection of state projects with the capacity to separate the native from the land to create the space as inhabited, which facilitated the configuration of a myth and ideology of expansion which "racial warfare complements the processes of agrarian development" (Slotkin, 1995: 53).

Savage

Western European thinking created the savage other as part of its own self-creation and presentation, but made the savage other incommensurate as well. Peter Fitzpatrick (1995) demonstrates that for there to be incommensurability between cultures

"one must have 'no idea' and 'no conception' of the other, but to judge that a people has certain qualities, such as 'boiling passions,' is to have some idea and some conception of them and to hold them in some relation of commensurability" (98). Incommensurability denies the faculty to proclaim universality and it would allege the "cultural particularity of what can be pronounced or known" (99).

The noble savage is seen as outside Western civilization so its deficiencies can be made detectable and denounced while remaining tied to "base traits and is readily encompassed by a superior Occidental civilization" (Fitzpatrick, 1995: 101). The existence of civilization is predicated on the seeming incommensurability between the civilized and savage races. The savage's passions must be both controlled, and allowed to transgress restraint. A dissatisfied savage provides the potential for chaos and disorder, which civilization is called upon to respond. Borrowing from Anthony Pagden, Fitzpatrick explains, in terms of savage imagery, "'we do not' or cannot "fabricate…our counter-image out of nothing;' the very use of the other as a counter-image makes it actuality 'a matter of real concern,' and so it becomes 'equipped with a dense and particular cultural identity" (111).

Regardless of the description of the indigenous, events and histories cannot be made up. Particular traditions and depictions can be invented, but the histories of contact and conquest occurred, and it produced an image of the savage for particular reasons. Getting the history wrong is part of the project, but there is something to be gained from these depictions. Even Europeans at times recognized the "savage" in humanity, but as Elizabeth Povinelli (1999) suggests, the "indigenous is nothing less than the name used to

designate the state of Being prior to modernity and its concomitant identity formation, nationalism."

Civilization in modernity is always closely threatened. It has to be continuously fought for, and secured against an always-present threat. Usually this threat is described as either the savage or barbarian wishing to invade, contaminate, and destroy. Civilization depends upon a transgression to call itself into action, but also needs to create an invented threat to itself. This transgression exceeds what was supposedly necessary to defend itself. The fact that transgressions can be anticipated in indefinite ways, but never in a comprehensive or definite manner and does not suggest that there is a scientific model of history or infinite possibilities of state responses (Fitzpatrick, 1995: 107). Anticipation must be grounded in historical context to display how a state or society would mobilize given a particular set of circumstances. There is a relationship between history and the current situation that enables for anticipation to emerge.

Sand Creek Massacre

Governor John Evans of the territory of Colorado had a grand vision of Colorado, and the role he would play in shaping the territory's future, but he believed that the Indians stood in his way. The Indians were unresponsive to his attempts to gain land titles, or to become farmers. Evans interpreted their resistance, or lack of cooperation, as sinister, and he referenced reports of tribes wishing to go to war in the spring of 1864 (Utley, 1984: 87). Such reports appeared plausible to settlers given the discussion of the events in the aftermath of the Minnesota uprising of 1862.

Frictions and battles between Indians and some of Colonel John Chivington's soldiers escalated tensions in the Colorado territory.[26] Chief Black Kettle went to Major Edward W. Wynkoop, the commander of Fort Lyon to discuss peace. On September 18, Wynkoop wrote to Governor Evans that he was bringing Black Kettle and other chiefs to Denver for peace talks (Utley, 1984: 89). News of peace was not a cause for celebration for Evans in part because expectations among the recruits of the Colorado Third Regiment, and the residents to fight the Indians were high. Chivington and his superior, General Samuel R. Curtis, were not interested in peace. With the Third Regiment's hundred-day enlistment running out, and the Colorado press ridiculing his inactivity, Chivington lead a campaign against the Cheyennes and Arapahos near Fort Lyon. Chivington used the acts that Cheyennes and Arapahos had committed against whites as grounds for labeling them hostile Indians, and thereby deserving of punishment (92).

On November 29, 1864, Chivington charged his 700 men into Black Kettle's camp while they were asleep. Black Kettle raised an American and white flag over his lodge to signal peace. Chivington ordered that no prisoners be taken, and his men honored his command by killing women, children, infants, and men. At the end of the attack two hundred Cheyenne were killed with roughly two-thirds being women and children. The *Rocky Mountain News* triumphed that "Colorado soldiers have again covered themselves with glory" (qtd. in Utley, 1984: 92). Soldiers of the Third Regiment paraded through Denver streets to cheering citizens. Patrons at theaters gave rounds of applause to the display of Cheyenne scalps and female genitalia festooned across the

[26] Colonel John M. Chivington was the military commander in Colorado, who harbored political ambitions, especially as Congress authorized Colorado to apply for statehood.

stage during intermission. Chivington and his "Bloody Thirdsters" were celebrated as heroes. During the Civil War, the policy towards Indians was a military one. Sand Creek temporarily diverted attention away from the Civil War and sent criticism of the massacre across the nation (93).

Eventually public perceptions of these events would sour. Those in the east were horrified by the events at Sand Creek, and this had given rise to a peace sentiment; however, those in the west were sickened by peaceful sentiments and felt that Sand Creek was justified and westerns favored violence while newspapers pushed for extermination (Utley, 1984: 102).

The significance surrounding Sand Creek, besides the massacre itself, is the use of extermination metaphors. Col. John Chivington is known as the commander who presided over the death of more than two hundred Cheyenne and Arapaho women, children, elders, and warriors; but he is also attributed with uttering a phrase that suggests his view of Indians as lice that needed to be exterminated. Throughout his life Col. Chivington defended his actions at Sand Creek by mentioning that he found white scalps among the Indians. Chivington's defense of the massacre claiming that the Indians betrayed whites demonstrates his projection of guilt. Guilt was an element used in the accusations that Indians were treacherous. Karen Kupperman (1977) describes guilt as leading towards hostility and fear of retribution, which the guilty one would turn "on the one who caused him to have these unpleasant feelings with a more serious accusation" (278). With regards to colonists, Kupperman states that their guilt and "conviction that the Indians must fight back, when combined with their very real appreciation of their vulnerability," fashioned the axiom that Indians were treacherous (278). Chivington's

need to mention that white scalps were found among Indians serves as his rationale for the attack. The argument is that the cavalry was forced to respond to the savagery of the Indians, and the level of brutality by which they responded served in protecting civilization from an ever-present threat.

The massacre of Sand Creek is quite telling of the history between Native Americans and the military, or for that matter, Indian and white relations. Yet, it is the rhetoric of extermination that tells a great deal about military intentions.

George Bent, a witness of the massacre, revealed the crimes committed against the Indians, not just from the four howitzer artillery guns, but also from the troops themselves. Bent stated:

> In going over the battleground the next day I did not see a body of man, woman, or child but what was scalped, and in many instances their bodies were mutilated in the most horrible manner—men, women, and children's privates cut out &c; [sic] I heard one man say that he had cut out a woman's private parts and had them for exhibition on a stick; I heard another man say that he had cut the finger off an Indian to get the rings on the hand; according to the best of my knowledge and belief these atrocities that were committed were with the knowledge of J.M. Chivington ("The Chivington Massacre" 53). Qtd. in Katie Kane, 1999: 83

The protest of U.S. citizens from the eastern part of the country resulted in a congressional hearing of the Sand Creek incident to investigate charges for excessive violence and murder committed by the Third Cavalry Regiment of Colorado Territory. Congressional witness, S.E. Browne, credited Col. Chivington for uttering the phrase, "kill and scalp all, little and big; that nits make lice" (Kane, 1999: 83). Browne claimed that this was Chivington's strategy for dealing with the "Indian Problem." This strategy resonated throughout U.S.-Indian relations.

Katie Kane (1999) argues that even though Chivington can be held accountable for his intentions behind the remark about nits and lice, the metaphor dates back to 1675. An anonymous English poet to illustrate Cromwell's conquest of a rebellious Ireland in the mid-seventeenth-century used the expression:

> for then, brave Sir Charles Coote
> …I honour, who in's Fathers stepps so trod
> As to the Rebells, was the Scourge, or Rod
> Of the Almighty: He (by good advise)
> Did Kill the Nitts, that they might not growe Lice.[27]

Although uttered two hundreds years apart, both Sir Charles Coote and Chivington used this metaphor of lice in relation to their campaigns to exterminate an indigenous group. More importantly, the utterance of this phrase with the massacre of indigenous populations is associated with the removal of a group whose presence was detrimental for planting and creating a settlement in a space imagined or determined to be vacant (Kane, 1999: 84). Both accounts became emblematic of colonial policies towards indigenous populations that stood in the way of settlers backed with the authority of their government.

The rhetoric of savagery and the metaphors of extermination are just as foundational to colonial projects as are territorial expansion and the accumulation of resources. The use of savage rhetoric enables the presentment of dehumanized indigenous populations with hardly any redeemable characteristic that justify and legitimate the creation of a world divided among colonizers and colonized. In the creation of these two zones, as Fanon argues, the colonized are often times presented as a

[27] The poem is from "The Moderate Cavalier," or, "The Soldiers Description of Ireland and of the Country Disease," with receipts for the same. Qtd. in Kane 84.

savage, bestial, or corrupting element threatening to invade the pure, beautiful, and moral realm of the colonizers.[28] As Fanon (1963) states:

> It is not enough for the settler to delimit physically, that is to say with the help of the army and the police force, the place of the native. As if to show the totalitarian character of colonial exploitation the settler paints the native as a sort of quintessence of evil. Native society is not simply described as a society lacking in values. It is not enough for the colonist to affirm that those values have disappeared from, or still better never existed in the colonial world. The native is declared insensible to ethics; he represents not only the absence of values, but also the negation of values. He is, let us dare to admit, the enemy of values, and in this sense he is the absolute evil. He is the corrosive element, destroying all that comes near him; he is the deforming element, disfiguring all that has to do with beauty or morality; he is the depository of maleficent powers, the unconscious and irretrievable instrument of blind forces. (41)

More importantly, the rhetoric of savagery presented, or projected, onto indigenous groups facilitates their death. If these groups are presented as a racialized threat to a new land, or a new settlement, then their killing is justified based on the grounds that they were sub-human beings deserving of death. The rhetoric and imagery of savagery places the burden of murder on the exterminated. In the nineteenth century colonial model the metaphors of insects and animals are related to the control of land. Katie Kane (1999) argues:

> In effect, in the two colonial contexts we are discussing, one can loosely trace the penetration of colonial power into native territory (the turning of native spaces into "new places") by locating on an evolutionary scale those descriptive figures of speech for the colonized circulating in the discourse of settlement; that is, in general, the deeper and more successful the progress of territorial expropriation, the more common in the discourse of colonization are metaphors for the natives that are descriptively tied to the lower levels of the Enlightenment model of the 'Great Chain of Being.' (91)

[28] It is important to note that whether or not settlers engage in colonial enterprises such as killings, massacres, and wars, they still benefit from these campaigns in terms of the acquisition of lands, as well national governments for the consolidation of their territories into the larger nation-state.

The point of these metaphors of extermination is not to suggest that they share a direct causal relationship with land accumulation and colonial power, but rather reveal how these acts of violence, wars, massacres, and removal of indigenous groups from their lands are explained and justified. The rhetoric of extermination is connected to the mode of production that enabled settlers, the military, states, and the federal government to consolidate these lands. As William Cronon (1990) argues, modes of production include familial, social, religious, ideological, and other institutions "that allow political-economic relationships to function and reproduce themselves from one generation to the next" (1124).

Wounded Knee Massacre

The Wounded Knee Massacre is a significant event in Native American history. Despite accounts that discuss the conditions of the Sioux, or the military build-up before the massacre, the inevitably of the slaughter is related to the assumed danger and savagery of the Indians. Daniel F. Royer arrived at Pine Ridge Agency on October 1, 1890. During this time the Sioux Indians were engaged in the Ghost Dance. Royer repeatedly ordered the Sioux to stop performing the Ghost Dance, but his orders fell on deaf ears. Instead of listening to the advice of General Miles to allow the Sioux to dance until winter, Royer insisted on the presence of troops. He constantly requested his superiors to provide him with soldiers, and in November of 1890 his demands were granted (Utley, 1984: 254). In late October, Washington officials received numerous inconsistent evaluations and suggestions, and by October 30th Interior Secretary John Noble passed on the agents' reports to President Benjamin Harrison. President Harrison

then instructed Secretary of War Redfield Proctor to order an investigation into the insinuation of the coming of an Indian Messiah, and the return of dead Indian warriors to battle whites (Ostler, 2004: 292). The distortion of the Ghost Dance and the prophecies associated with it reflect the excessive threats projected onto Indians. The Ghost Dance as a movement was viewed more than a menace to the U.S. military or authority for that matter. The dance was interpreted as a hazard to the nation and whites in general.

Claims have been made suggesting that settlers from Nebraska and South Dakota were concerned and frightened by Indians performing the Ghost Dance. The evidence of such claims is thin. Jeffrey Ostler (2004) argues that settlers were not concerned about the ghost dancers until the Army's decision to send troops into the area (298). At that point, settlers were concerned with bad weather and the withering of their crops. Their fears of the Ghost Dance emerged after they were informed the army was being sent to protect them. Why was the army coming to protect the settlers? There are two possible scenarios. First, the military was concerned with the ghost dancers' defiance of agents' authority, and along with the assumption that the attendance of troops would bring order—albeit with cited threats from settlers to engender public support. Second, settlers, politicians, and military officials, had a tendency to exaggerate threats from Indians (Ostler, 2004: 299). Whatever the reasons for the authorization of troops to suppress the ghost dancers, this decision served as the catalyst for the chain of events that led to the Wounded Knee massacre.

The U.S. army assembled six to seven thousand soldiers to subdue four or five thousand ghost dancers who consisted primarily of women and children. The military strategy was to use a show of force to overawe the Indians into surrendering (301).

General Nelson Miles, who was in charge of this command, was not concerned with the Ghost Dance, but around November 17 his view changed.[29] Miles stated that his forces were shockingly outnumbered, and he requested increased numbers in troops and higher officials to authorize troops in his division "to prevent if possible another Indian war" (qtd. in Ostler 302). The Indians that were deemed "friendlies" were at the Pine Ridge Agency, and the "hostiles" followed Short Bull and Kicking Bear to the northwestern corner of the reservation (Utley, 1984: 254). Two incidents occurred at Pine Ridge that caused tensions around the reservation. The first episode was the shooting of Sitting Bull by Indian police officers, and the second involved a mistaken assumption of Big Foot's intentions.

Big Foot and his people headed south to the reservation, and his ranks grew as Hunkpapa refugees joined him. Miles and his troops assumed that this group was heading towards the stronghold to join Short Bull and Kicking Bear. A squadron from the Seventh Cavalry found Big Foot on December 28th, and he agreed to accompany the soldiers back to their camp that lay in the valley of Wounded Knee Creek. That night the Seventh Cavalry, led by Colonel James W. Forsyth, rode out to Wounded Knee. On December 29th the cavalry came to Big Foot's camp, and the five hundred men surrounded the 350 members of his band with four Hotchkiss guns aimed at them. Colonel Forsyth's orders were to disarm Big Foot's people (Utley, 1984: 256).

One version for the massacre assumes the reason behind the first shot asserts that during the search for weapons tensions were high for both the soldiers and Indians. A

[29] Major General Nelson A. Miles replaced the recently deceased General Crook to handle the events at Pine Ridge.

medicine man told the Sioux that their Ghost Dance shirts would protect them, thus making the soldiers nervous. One trooper tried to grab a rifle from a deaf Indian, and the weapon fired. At the same time a medicine man threw dirt into the air, and at that moment fire from both sides began (256). Most of the fighting ended within an hour leaving at least 150 dead women, men, and children, and 50 more wounded. The army lost 25 men, and 39 were wounded. The day after Wounded Knee, warriors ambushed the Seventh Cavalry at Drexel Mission, but the 9th regiment, consisting of black cavalrymen, rescued the white troopers (257).

Most scholars regard Wounded Knee as the last major conflict between Indians and whites. They acknowledge that armed conflicts occurred after Wounded Knee, but not with immense significance. By certain accounts Wounded Knee marks the closing of the frontier, especially since historian Frederick Jackson Turner would two years later make his well-known address on the same subject to the American Historical Association in Chicago. Turner (1966) argues that for the first time the U.S. census failed to trace the frontier of white settlement in the western territories.

In terms of colonial space the frontier may have come to an end, and I understand the need to make distinctions among eras, but such arguments have a tendency to discount the continuation of colonial mechanisms in a modern context. Turner's (1966) thesis argued that the American wellspring of exceptionalism and vitality came from the frontier. For Turner, the American frontier created freedom, democracy, and republican virtues that distinguished Americans from Europeans. Turner advocated for western progression with his thesis revaluing the frontier into scenery, thereby placing Indians on the margins preventing them from playing a role in the history of expansion. His thesis

obscures the native by making them an obstacle that settler must overcome. The frontier thesis moves from the taming of the frontier to its closing. His history uses completed actions to give unity to his narrative of the west, which allows the frontier to be judged and evaluated by its results (Cronon, 1992: 1367). The closing of the frontier is key for Turner for it reflects the transformation he is concerned with, but such an argument suggests a break from colonialism to modernity with significant consequences. The closing of the frontier renders the colonial process obsolete. The elements of the colonial frontier become drawbacks to the modern nation that end up becoming exalted as a transformation into civility.

Turner's (1966) thesis renders Indians as the impediment to continuing the story of progress. His articulation of the frontier made Indian conquest seem normal, reasonable, and inevitable (Cronon, 1992: 1352). For Cronon (1987), civilization had been the "teleological goal which had lent its force to Turner's historical sequence, and so there was no escaping the doom it must finally spell for the frontier thesis" (167). History is written as a story of progress and improvement, usually with the plot advancing towards a positive ending. Plot lines have also been written with a progression towards the negative (Cronon, 1992: 1352). Yet with the closing of the last major Indian conflict, and the frontier itself, it is the closing or ending that matters most (1367). Closing suggests that the obstacles facing settlement have been met and overcome. The frontier has been transformed, and the issues and concerns of Indians have been relegated to the past. The story of Indian conflicts is written in a chronological fashion that obscures the facts making them less recognizable. These histories are written with

contact and conflict in colonial environment that ends with the march towards progress and the birth of a new democratic civilization.

The relationship between the Wounded Knee massacre and Turner's frontier thesis in terms of the ending of the frontier cannot be overstated, but this relationship only explains the process by which natives are obscured in the state's history. This account cannot elucidate the barbarity that the Sioux experienced. Representing Native Americans in close association with the frontier places them in a perpetual state of nature. The state of nature has the task of the force of necessity because it is a continual state of war and violence. The fear of the state of nature is that it is omnipresent, and society can fall into it any time. Constructing Indians as savages and dangerous creates an anxiety of death, and a fear of death inclines one to peace. To affirm peace war can be used to secure it, or in a state of war, self-defense is permissible. Hobbes (1958) states that to ensure peace and defense a common power is needed to keep us in awe to secure them. Fear is needed to obtain peace, and this common power uses fear in a productive way to create a sovereign. By assuming indigenous bodies as dangerous, the need for self-defense lends itself to race wars of either extermination or massacres.

Plenty Horses

The trial of Plenty Horses demonstrates the court's power to not only write the law, but also history itself. The interpretation of the trial reflects both a legal and historical amnesia of the importance of colonialism to modern state power. Plenty Horses (Tasunka Ota or Senika-Wakan-Ota), a Brulé Sioux, was tried for the murder of Lt. Edward Wanton Casey. The incident occurred on January 7, 1891, just a few weeks after the Wounded Knee massacre. Plenty Horse's killing of Lt. Casey is discussed as a

tragic slaying of a talented and popular army officer by a treacherous Indian who was entering a hostile camp to negotiate peace with hostile Indians.[30] The meaning of Plenty Horses's killing is presented in moral and simplistic terms as an unfortunate, but understandable reaction to the treatment of Indians by whites. I am not offering an analysis of what the killing of Casey meant for Plenty Horses, but rather, I am examining the court's decision to acquit the Sioux of murder. This case is much more than a sad conclusion to Indian-White relations in the closing of the frontier. It is about the court's decision to rewrite frontier history.

The life of Plenty Horses is written with moral sentiments of a fragmented and tormented life. Oftentimes attempts are made to justify his "treacherous" murder of an Army officer.[31] On the one hand, his murder is described as a heinous act of betrayal, but also justified due to the treatment of Indians, and the Sioux in particular, have faced due to white racism, famine, war, and cultural genocide. The focus of the murder is seen as an attempt of a lost Indian trying to regain an aspect of his identity. The death of Casey has been open to questions of symbolism. Was the killing of Casey an attempt for Plenty Horses to reclaim his identity among the Sioux?; Was the killing an attempt for Plenty

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[30] Lt. Edward Wanton Casey was born into a military family with a long list of achievements. His great-great-grandfather fought in the French and Indian War, his grandfather was an officer in the Revolutionary War, his father was a West Point graduate and hero of the Mexican War. Casey's father also wrote the Army's infantry-tactics manual. Lt. Casey graduated from West Point in 1873, and by the end of the year was on frontier duty at Fort Sully (Dakota Territory), and in 1874 he volunteered to accompany George Armstrong Custer and the 7th Cavalry to explore the Dakota Black Hills (Di Silvestro 2005, 7).

While stationed at Fort Keogh, Montana, which stood near the Northern Cheyenne Reservation, Lt. Casey requested permission to enlist a scout troop among the young men of the reservation. In 1890-91 Casey's scout served as a reconnaissance party in Pine Ridge missions. On December 14, 1890 Casey and his scouts rode out to the Pine Ridge Reservation under the orders to capture hostile Sioux (Di Silvestro 20).

[31] Karen Kupperman (1977) demonstrates that treachery is a betrayal of trust. The implication is that the recipient of the trust has been actively misled. She adds that this was not true for the colonists. "They were misled by their own assumptions, their picture of 'these simple people', combined with their beliefs about the abundance of the country" (266).

Horses to remove the stigma of colonial genocide? I cannot answer whether or not Plenty Horses killed Casey out of war, defense, or necessity. Rather, the symbolism of Casey's death by Plenty Horses raises the question of what aspect of the law does Plenty Horses belong to. Thy symbolic question is who is to be sacrificed and why?

One of the rationale's for associating Plenty Horses's killing of Casey with a type of pathology was based in part on his five years spent at the Carlisle Indian Industrial School from the age of fourteen, 1883 to 1888. Plenty Horses told a reporter about his experience at Carlisle, "Five years I attended Carlisle and was educated in the ways of the white man….When I returned to my people, I was an outcast among them. I was no longer an Indian" (qtd. in Di Silvestro 146). Plenty Horses remarked further on the education he received at Carlisle:

> I found that the education I had received was of no benefit to me. There was no chance to get employment, nothing for me to do whereby I could earn my board and clothes, no opportunity to learn more and remain with the whites. It disheartened me and I went back to live as I had before going to school. To forget my school habits and English speech was an easy matter (qtd. in Robert Utley, Retrieved August 29, 2007, from http://www.americanheritage.com/articles/magazine/ah/1974/1/1974_1_15.shtml).

Plenty Horses lost his Lakota language and ways of achieving status within the Sioux community, and he believed killing Lt. Casey would make him a warrior and avenge the murders at Wounded Knee.

Lt. Casey mounted his horse at 9 A.M. on January 7, 1891 with two Cheyenne solders, White Moon and Rock Road, and headed towards the Indian camp near No Water village. On the way to the camp, Casey and his two scouts came across a group of about forty Lakota Sioux butchering cattle. At that point, Casey, White Moon, and two

Lakota Indians, Broken Arm and Plenty Horses, headed towards Two Strike's camp. Plenty Horses was cautious of Casey's intentions considering that the Wounded Knee massacre recently occurred. Later on Plenty Horses would describe his state of mind when he shot Lt. Casey by stating that, "Of course I was in a bad frame of mind…Our home was destroyed, our family separated, and all hope of good times was gone. There was nothing to live for" (qtd. in Di Silvestro 97).

After some time of riding, Casey and his group came across Bear Lying Down, and Casey asked him to return to camp and asked chief Red Cloud to meet with him. Red Cloud sent Bear Lying Down along with his half-white son-in-law, Pete Richard, back to Casey to relay his message. Lt. Casey did not receive the news he was expecting. Red Cloud stated that he was going to the Pine Ridge agency, and that he would meet Casey there. Red Cloud also issued Casey a warning to leave the camp.

Accounts of Casey's reaction to the news differ, but Plenty Horses would later insist that the lieutenant threatened to return to the camp with more soldiers to capture chief Red Cloud. The only evidence of this comes from Plenty Horses himself. As Casey was retreating, Plenty Horses shouldered his rifle and fired a shot sending the bullet through the back of Casey's head, exiting below his right eye. Casey fell to the ground dead (Retrieved August 29, 2007, from http://www.americanheritage.com/articles/magazine/ah/1974/1/1974_1_15.shtml).

Since a peace was secured after Wounded Knee, the Lakota believed that Plenty Horses was free of any risk of reprisal since the killing of Lt. Casey occurred during a war. Even some of the army officers were concerned that if Plenty Horses was found guilty of murder, perhaps they could be as well, since many of the soldiers had chased

down and killed escaping women at Wounded Knee. This could lead to investigations, charges, and trials, but General Miles was determined to arrest Plenty Horses and instructed Colonel William R. Shafter to do so when it could be done without upsetting the Sioux. Lt. S. A. Cloman arrested Plenty Horses on February 19, 1891 (Retrieved August 29, 2007, from http://www.americanheritage.com/articles/magazine/ah/1974/1/1974_1_15.shtml).

Plenty Horses was indicted for murder in federal court in Deadwood, South Dakota on March 3, 1891. However, the army was having doubts about the prosecution due to the understanding that if Plenty Horses's action was not an act of war, then some of the military exploits would not be seen as acts of war either.[32]

Plenty Horses's lawyers had to prove that the day that Lt. Casey was killed the Lakota nation was at war with the United States, and that the killing of the solider was an act of war and not murder. Considering the incident at Wounded Knee, subsequent fights, military build-ups on reservations, the Lakota were resisting assimilation policies to guarantee their survival, and not to prosecute another war. Plenty Horses unequivocally believed that his shooting of Casey was a justified act of war. During an interview with a *New York World* reporter—published in the *Argus Leader*—Plenty Horses said that, "I do not deny that Lieutenant Casey came to his death at my hands, and whatever the fate the court decrees I am ready and willing to suffer. He was killed, yes; but not murdered, and I shall go to my grave in that opinion." He followed up his statement by declaring that, "We were at war with the whites. If we had sent a spy into

[32] Plenty Horses eventually secured the services of David Edward Powers and George P. Nock for his defense, and the U.S. attorney for South Dakota was William B. Sterling.

their camp with the expressed intention of getting points to use against them for an attack, they would not have hesitated to kill him if captured" (qtd. in Di Silvestro 151). General Nelson Miles was one of Plenty Horses supporters by claiming that if any of the Ghost Dancers came near a military camp as Lt. Casey did to the Lakota camp, the Indians would have been justifiably shot (152). Plenty Horses stated that if men would be tried for killings that occurred outside the realm of warfare, then why not investigate the death of Indians by the hands of soldiers during times of peace. Despite telling the grand jury in Deadwood that he shot Casey to protect the camp he also added that he shot the "lieutenant so I might make a place for myself among my people. I am now one them," and in terms of punishment he answered, "I shall be hung….and the Indians will bury me as a warrior. They will be proud of me. I am satisfied" (qtd. in Di Silvestro 155). Beyond the claim of protecting Indians, Plenty Horses stated that the slaying of Casey has earned him place among his tribe.

The presiding judges for the trial were Oliver Shiras, a Civil War veteran, and Alonzo J. Edgerton, who presided over Plenty Horses's grand jury hearing. During this trial the prosecution tried to prove his case for murder against Plenty Horses, while the defense argued that it was an act of war. One of the defense attorneys went so far as to suggest that Plenty Horses's was an "unfortunate savage." Both judges agreed that the court did have jurisdiction over the case, and would allow testimony about war that could provide circumstances for the killing of Casey. Plenty Horses did not testify in court, but he did outline his testimony for a reporter for the *New York World*. He once again claimed that he had:

> No chance to get employment, nothing for me to do whereby I could earn my board and clothes, no opportunity to learn more and remain with whites…. I was at Pine Ridge with my father last winter when the troops were brought in. Then came the killing of Big Foot's band. I heard the shooting and ran out to help. It was an awful sight. The survivors told such a pitiful tale that we all went into camp not far away, and it was said that there would be war. Everybody seemed to feel that the government had injured him too much to ever give in. There was ghost dancing and much excitement at the time. The day Casey was killed I was out from the camp watching that no troops came to harm my father and relatives. Of course, I was in a very bad frame of mine. Our home was destroyed, our family separated and all hope for good times was gone. There was nothing to live for. (Qtd. in Di Silvestro 170)

Despite Plenty Horses assertion of Lt. Casey's statements there are no other sources to confirm this. In addition, Plenty Horses describes the death of the lieutenant in very plain and frank terms.

After the closing arguments by both the defense and prosecution, Judge Shiras informed the jury that the Indians had no status as an independent nation with the legal authority to declare war, but had the ability to go to war (Harring, 1994: 259). In addition, he instructed the jury that they could arrive at one of three conclusions about the case: acquittal, murder, or manslaughter (259). In other words, if the jury found that war existed in the actual fact, but not in legal fact, then Plenty Horses should be acquitted. If the jury believed no war was in progress, and Plenty Horses killed Lt. Casey out of malevolence and careful consideration then he should be found guilty of murder. Lastly, if Plenty Horses killed Lt. Casey in a state of mental agitation without premeditation, then he should be convicted of manslaughter. Deliberations began at 3:40 p.m. on April 29, 1891. No decision was made that day. The jury arrived at the courtroom on April 30, at 9 a.m. Judge Shiras asked the jury if they had reached a verdict, and they did not because of the issues of manslaughter or murder. The jury was discharged and Sterling requested

a retrial. The judges agreed and the retrial was scheduled for May 25, 1891, in Sioux Falls (Di Silvestro 176).

While both legal sides began to prepare for the second trial, Plenty Horses's lawyers managed to secure General Nelson Miles as a witness for the defense before Prosecutor Sterling could. Sterling traveled to Chicago to enlist the general to testify on behalf of the prosecution to deny that the reservations were at war. General Miles told Sterling that, "My boy, it was a war….You do not suppose that I am going to reduce my campaign to a dress-parade affair? Oh no. I am sorry, but I cannot do it" (qtd. in Di Silvestro 180). The defense requested that Miles testify that it had been a war, which the general was willing to do.

On the third day of the second trial General Nelson Miles sent Captain Frank Baldwin, a close friend of Lt. Casey, to answer the question that indeed it was a war. The defense asked Capt. Baldwin to describe the scene at Wounded Knee, and he recounted his experiences viewing the dead and wounded. After Baldwin's description of the layout of Wounded Knee one of the defense lawyers asked him, in terms of what he saw, was it a battle as a result of war. Capt. Baldwin responded, "It was without a doubt. The Army was equipped as they should have been at such a time, sentinels were stationed, and Pine Ridge fortified" (189). Baldwin explained that the concentration of forces at Pine Ridge confirmed that a state of war existed.

After the prosecution and defense concluded their testimonies Judge Shiras directed the jury to render a verdict of not guilty since the facts of the case determined that a state of war existed, and Lt. Casey was indeed a combatant. Judge Shiras stated that not only did Lt. Casey die in the line of duty, but if Casey had killed an Indian while

reconnoitering that he would not have been charged with murder either (193). Plenty Horses is unique case because it is one of the rare instances that an Indian's actions were viewed within a military context, and not as a criminal act. Allowing the trial to proceed as a military matter under the rules of wars gave political significance to the conditions of the Sioux and their legitimacy to engage in war.

Two momentous powers for the state are the capacity for interpretation and labeling. The State's interpretation of an affair becomes the dominant narrative of that event, and shapes its history within the nation. Plenty Horses's trial demonstrates this. His acquittal exhibits that legal decisions determine what to disclose and what to convey in the nation's collective memory. Fanon (1963) claimed that "confronted with a world ruled by the settler, the native is always presumed guilty" (53). If the specter of the massacre was not hanging over the Army's actions at Wounded Knee, Plenty Horses would have either been found guilty of manslaughter or murder. The acquittal of Plenty Horses and the sacrifice of Lt. Casey staved off larger attempts at understanding the colonial relationship between indigenous populations and settlers. Wounded Knee was a black eye for the army and federal government, and it was important to sacrifice Casey to declare that the military and Indians were engaged in war to stave off criticism of the massacre. More importantly, the references to Sand Creek, Wounded Knee, and Plenty Horses, are relegated to past mistakes, and any repetition of similar acts are typically viewed as aberrations. If historical and systematic acknowledgement is conferred onto an event, its historical example is the more barbarous. The reference of historical similarity suggests that most violent and force acts occurred in the past, and that a more civil and diplomatic approach will transpire.

Conclusion

Indigenous people either experienced the suspension of the rule of law, martial law, or were targets of national emergencies. The relationship that indigenous populations experienced with settlers, laws, and colonial and modern state governments was instrumental in providing the social and political mechanisms of detaining, relocating, exterminating, and hunting down opponents deemed a threat to national authority and security. The use of fear and terror from the frontier continues to serve in contemporary political discourse to justify acts of force and violence.

The conditions of fear and terror utilized in the frontier were not only used for dispossession and state consolidation, but also provided the means for the production, control, and regulation of bodies. The fear, violence, and terror used in the colonial frontier was not only a methodical maneuver of warfare, it was a generative procedure of dealing with any perceived national threat. The reasoning behind such arguments is that bodies of excess require displays of excessive force to prevent destructive chaos. Terror was important in the colonial progression in maintaining a colonial hegemony, while at the same time, official attempts to fashion a "truth" and history that denies the degree of the terror (Cunneen, 2001: 107; see Taussig 1987).

The extermination of Native bodies was a defining moment in the colonial processes for the United States. In both cases, constructing indigenous peoples and their relationship to their natural surroundings as savages not only placed them lower in the great chain of being, but this positioning was critical in constructing them closer to animals than humans. When dealing with the concept of savagery states produce texts depicting indigenous populations as chaotic and disorderly in dire need of violence to

bring about order and structure. Conveniently, forcefulness and brutality are the only language that savages understand. The chaotic savage is calling card for states to engage aggressively with an opponent for the sake of peace and harmony.

The importance of these massacres for the United States goes beyond colonial expansion and the regeneration of the white race, although both are very important to these colonial histories; rather, the issue is the importance of race. These colonial campaigns of conquest and extermination used a rhetoric of savagery to dehumanize the native populations to justify their extermination. Race wars in the United States emphasize the productive capabilities of states, and the importance of race. These were more than projects of removal. The connection of race to savagery provided the United States with the necessary legitimacy to declare a state of emergency that prohibited the questioning of such policies and practices. Yet, it was not always the states that were the initial agents. In these colonial contexts, settlers or "men on the scene" engaged in colonial violence that forced the state to respond.

Michel Foucault (2003) is concerned with war's ability to be an analytic tool of historical knowledge and of social relations. For Foucault, racism is internal to the biopolitical state, and states are organized around the discourse of race. Racial discourse changes from being plural and critical of the state, to being used by the state (Foucault 2003; Stoler 1995). The state arranges the form of political struggles, and since state institutions impose racial categories, resistance to racism is a struggle against the state (Gilroy, 1991: 33-34).

The effectiveness of historical narrative is the license over reality itself, and "the historical account endows this reality with form and thereby makes it desirable by the

imposition upon its processes of a formal coherency that only stories possess" (White, 1987: 20). The study of history, which is the underpinning of memory, is a nationalist endeavor predicated on the need to piece together "desirable loyalty to and insider's understanding of one's country, tradition, and faith" (Said, 2000: 176).

Chapter Three: Documents of Barbarity

Overall this dissertation has been concerned with the generative aspects of white settler colonialism, colonial language and imagery, especially the persistence of the racialized rhetoric of savagery.[33] This rhetoric has been instrumental in historical, political, economic, social, and cultural projects in the United States. From the colonial consolidation of territories, racial production, imperial projects, and including the war on terror, the racialized rhetoric of savagery persists. Given the change in projects over time, ranging from colonialism, racial formation, imperialism, and the international war on terror, why has the rhetoric of savagery persisted? Barbaric sovereignty explains how racial knowledge produced during the colonial era has transferred onto different subjects and frontiers for different social and political projects.

This chapter focuses on the imperial rhetoric of the United States leading up to and beyond the Spanish American War.[34] These cases demonstrate the importance of the Frontier Thesis articulated by Frederick Jackson Turner (1966). The myth of the frontier is constantly invoked to manipulate the past for the advancement of civilization. I explain how this colonial and imperial rhetoric shapes the political language of the

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[33] This chapter references sections of speeches and letters from the United States.

[34] Racism provides states with the ability to expand their limited domestic spaces. Hannah Arendt (1958) holds that this is a result of the political emancipation of the bourgeois, in which they made their private economic interests serve as the political basis for the public good of the nation-state. However, the bourgeois had to overcome the limits of the nation-state, which is "least suited for unlimited growth because the genuine consent at its base cannot be stretched indefinitely, and is only rarely, and with difficulty, won from conquered peoples" (126). The nation, "conceived of its law as an outgrowth of a unique national substance which was not valid beyond its own people and the boundaries of its own territory," demonstrates that the political structure cannot be stretched indefinitely like the bourgeois economic structure (127). Therefore "imperialism must be considered the first stage in the political rule of the bourgeoisie rather than the last stage of capitalism" (Arendt 1958: 138), because this stage allowed the nation-state to exceed its limited and finite boundaries in search of new markets in the form of colonies; and this model of imperialism was applied internally within white settler societies/states to displace sovereign indigenous groups for the expansion of domestic markets and national boundaries.

country when responding to domestic and international concerns, but my focus will be on the latter half of the nineteenth century. Critiques of imperialism and racial rhetoric were present in the United States, but I argue that this racial rhetoric was the most dominant, and most influential in determining the state's and its residents' actions. The acts of imperialism and warfare demonstrate the dominance of this rhetoric. Scholars such as Richard Slotkin (1992) have demonstrated that racialist readings of history offer a "valid model of progress" to justify colonial and imperial acts. Racialist readings alter national histories of conquest, colonization, extermination, relocation, and domination, to parade the celebrated triumphs of civilization over the degradations of savagery, which serves as a justification to engage in the civilizing missions in other territories.

Although I am investigating the concept of racialized rhetoric of savagery, I am not interested in locating the origins of the concept of the savage. The search for the origins of the savage, bring with it the risk of assuming a subject without context, relationship, history, or society (Olssen, 1999: 4). Rather, I am interested in showing the deployment of this concept, and what it engenders. Despite the absence of specific origins here, the savage can be recognized and described. The savage is wild, unruly, unreasonable, irrational, natural, and tied to the state of nature. The savage's connection to nature poses a constant threat of war for this subject is assumed to know no restraint, and therefore not bound by the laws of civilized warfare.

I rely on discourse and genealogical analyses to demonstrate and trace those racial characteristics—not based on essentialist or phonotypical categories—that are influential in the construction of savages and barbarians. Genealogy explains the persistence and alteration of theoretical knowledge by positioning it within "power structures and by

tracing their descent and emergence in the context of history" (Olssen, 1999:12-13). This analysis demonstrates the relationship of power and knowledge to the production of concepts while providing an explanation for changes in discursive formations and epistemes (13).[35] Genealogical analysis does not take concepts or history as an absolute truth. Rather, genealogy demonstrates that concepts are not universal truths or fundamental to human nature, but are rather fabricated (Olssen, 1999: 13). In other words, genealogical analysis challenges the assumption that there is some hidden or inner truth to the category of the savage—it is a product of discourse.

Michel Foucault's archaeological analysis describes discourse as the operation of rules that bring into being, or, account for how discourses are ordered (Olssen, 1999: 10). For Foucault, archaeology establishes the rules and practices of discursive formations by asking, "how is it that one particular statement appeared rather than another" (Olssen, 1999:10; Foucault, 1972: 27). The concern is more with the conditions that allow for the structure to occur, than the structure itself (10).[36]

I examine political speeches to demonstrate how race (connected to savagery) is constructed as an excess that poses a constant threat to the order of things. Constructing a racial body as excessive engenders a race war that permits settlers, states, and the military to circumvent the rule of law, and engage in wars of self-defense or extermination. If these excessive subjects are not bound by the same rules as the "civilized," how can states hope to protect their civilization, unless they fight the savage by the rules of nature? The second point is that arguments for the defense of civilization

[35] Mark Olssen, quoting Foucault, defines an episteme as a "total set of relations that unite, at a given period, the discursive practices…" (Olssen, 1999: 10; Foucault, 1972: 191).
[36] Genealogy does not trace origins, but rather traces *descent* and *emergence*. Descent pertains to practices as a series of events, and Emergence traces movements of arising (Olssen, 1999: 13-14).

are historicist in nature, and treat aggression in its defense as a necessary aberration in order to achieve the march towards progress. The logic of death is not a part of the developmental phase of civilization, and the use of rhetoric associated with race wars serves as the analytical category of state power.

The reason for focusing on speeches and letters is because language claims to represent the truth, and plays a leading part in creating and transforming reality, while sculpting the shared consciousness of society (Beaulac, 2003: 2). In order for these political speeches to construct the threat to society by savagery and barbarism, they must incorporate theories of history, myth, and civilization.

History is used to declare that "we, the civilized race" have learned and become more refined, while "our" opponents are becoming more savage. In order to have a cohesive sense of mission (Slotkin, 1973: 36) for these colonial and imperialistic enterprises, a shared sense of purpose is required, and the call for a civilizing mission is one of these means. This shared view is connected to the concept of a national identity. Edward Said (2000) states that, "national identity always involves narratives—of the nation's past, its founding fathers and documents, seminal events, and so on. But these narratives are never undisputed or merely a matter of the neutral recital of facts" (177). The invention of tradition uses collective memory by selectively manipulating specific portions of a national past, which requires the elevation of some histories and the suppression of others of inauthentic (not completely false) memory in a functional way. This refashioned collective memory gives people "a coherent identity, a national narrative, a place in the world," and the processes of memory are manipulated at times for vital purposes in the present (179).

Tessa Morris-Suzuki (1998) argues that traditions are bodies of thought or customs that are passed from one generation to the next. These traditions are continuously given new meaning as they are encountered, and revised by each generation (37). For Morris-Suzuki (1998) they bear a "burden of history—the language in which they are embodied is resonant with memories of past debates and dreams" and not completely malleable (38). The experiences of traditions open histories up to various understandings with a new degree of interpretation as they acquire new ideas and social circumstances.

Is civilization just the promotion of distinctive European traditions to universal standards for the advancement of human progress (Morris-Suzuki, 1998:159)? States use the concept of civilization as a means to justify progress. Such historicist claims argue that extermination or subjugation brought about through race wars is a temporary and necessary evil for a greater good. The historicist model of progress states that order will emerge from chaos. Walter Benjamin (2000) explains that historicism culminates in universal history, and the method of universal history is additive for it "musters a mass of data to fill the homogenous empty time" (78). For Benjamin the idea of historical progress of mankind cannot be wrestled from the concept of the progression of a homogenous, empty time, and the critique of progression must be a criticism of progress itself (77). I incorporate Benjamin's analysis of historicism to demonstrate that the logic of civilization interprets violence as an aberration to be resolved. Force in this context is assessed as part of the developmental phase of civilization. Hayden White (1987) claims that to historicize "means to show the extent to which any ideal, Marxist or otherwise, must come to terms with the sedimented residues of past 'forms of life' that went into any

given formulation of its principles" (155), and I am interested in how the United States comes to terms with its frontier legacies of conquest.

An ever-present prospect of war assures the commonwealth or the state the possibility to increase its power "at the expense of other states" (Arendt, 1958: 142). During periods of emergency, states have a receptive need for "clearly articulated schemes through which the accommodation of significant interests within the power structure can be achieved" (Ashforth, 1990: 8-9). The ability to wage war is attributed to a state of savagery, and the defense of civilization necessitates that war temporarily replaces peace. In this context, war is not viewed as the denigration of civilization, but celebrated for bringing both peace and progress (Slotkin, 1992: 80). In order to invoke a civilizing mission, the savage can never be killed, and the pinnacle of civilization can never be realized. The relationship that race/savage and civilization share enables states to continually perpetuate projects that not only create a mythic virtuous past of settlement, but provides the legitimacy states need to operate beyond the rule of law.

Frontier History: References to the Past

In the nineteenth century, non-Europeans were treated as inferior, unwanted, frail, childish, backward, and deemed only fit for conquest (Hobsbawm, 1989: 79). Transforming from a settler society to nation-state it was important for the United States to construct a virtuous past of its frontier colonialism. The question was where to place the indigenous in the nation's histories, especially considering that native populations were perceived as the wild and unruly savages serving as an obstacle against advancement. The savage must either be exterminated or domesticated. Any wrongdoing they have experienced is deemed an unfortunate side note to their eventual

demise. Never mind the atrocities they have experienced through colonialism, their death is imminent. Frederick Jackson Turner stated that the wild man could no longer survive; he must either be civilized or sacrificed to civilization, which to Turner is its equivalent (Stannard, 1992: 172).

After the death of Sitting Bull, and a week and a half before the Wounded Knee Massacre, L. Frank Baum[37], the editor of South Dakota's *Aberdeen Saturday Pioneer* insisted upon the entire extermination of Native Americans:

> The proud spirit of the original owners of these vast prairies inherited through centuries of fierce and bloody wars for their possession, lingered last in the bosom of Sitting Bull. With his fall the nobility of the Redskin is extinguished, and what few are left are a pack of whining curs who lick the hand that smites them. The Whites, by law of conquest, by justice of civilization, are masters of the American continent, and the best safety of the frontier settlements will be secured by the total annihilation of the few remaining Indians. Why not annihilation? Their glory has fled, their spirit broken, their manhood effaced; better that they die than live the miserable wretches that they are. History would forget these latter despicable beings, and speak, in later ages of the glory of these grand Kings of forest and plain that Cooper loved to heroism.
>
> We cannot honestly regret their extermination, but we at least do justice to the manly characteristics possessed, according to their lights and education, by the early Redskins of America. (Saturday Pioneer, December 20, 1890)[38]

Sharing a similar conviction Theodore Roosevelt stated that the annihilation of Native Americans, and the expropriation of their lands were both beneficial and unavoidable. Roosevelt claimed that, "such conquests…are sure to come when a masterful people, still in its raw barbarian prime, finds itself face to face with the weaker

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[37] L. Frank Baum wrote *The Wizard of Oz*.
[38] http://www.northern.edu/hastingw/baumedts.htm

and wholly alien race which holds a coveted price in its feeble grasp" (qtd. in Stannard, 1992: 245).[39]

This example illustrates that the demise of the native is not only forthcoming, but also a necessary condition to secure a white civilization. Even if these events are deemed unfortunate, each quote alludes to an evolutionary model of progress that suggests that a dominant race is replacing a weaker one. Such articulations whitewash the hostilities of the frontier, but more importantly, there is no agent responsible for these acts. Without the aid of social engineering and history, national histories of Providence and Progress are replaced with murder and land theft. In order to leave a legacy or a founding myth of the nation, it is important for the settlers to make their history like an epoch or odyssey (Fanon, 1963: 51).

Colonial and racist discourse constructs the indigenous as a debased sort established on particular racial origins to justify conquest. This colonial discourse concerning the colonized subject establishes the systems of administration, bureaucracy, governmentality, and education. The purpose of racism is to assign values to "real or imagined" differences to justify certain privileges or aggressions at the victim's expense (Williams, 2005: 116-117).

Reference of the Past for Present Purposes

The United States is a settler society, and settlers, as Fanon (1963) states, "owe[s] the fact of his very existence, that is to say, his property, to the colonial system" (36). A settler society based on taming the frontier provides the necessary precedent for progress.

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[39] See Thomas G. Dyer, *Theodore Roosevelt and the Idea of Race* (Baton Rouge: Louisiana State University Press, 1980).

According to Trish Luker (2005), "precedent serves as the narrative of law's history, called up as the law's authoritative source, presenting the illusion, retrospectively, of coherence and continuity" (83). The use of history is not simply about the passage of time, or remembering correctly what happened. It is about sustaining the "iterant force of the origin, a force which always makes it the origin of who 'we' are now" (Fitzpatrick, 2001: 38). The present reveals the past and allows it to be analyzed, and in this section I explore speeches the reference the past to serve as a legal precedent for conquest.

Theodore Roosevelt's speeches and letters rely on racialist myths of progress over Native Americans, while utilizing the images of white settlers on the frontier as his prototypes and precedents for imperial struggles between "savage" and "progressive" races that transformed the "modern world" (Slotkin, 1992: 86). Roosevelt believed that seizing the Philippines, and creating an overseas empire was necessary for the United States to have an authoritative standing among the "great fighting races" (106). Roosevelt incorporated the symbolism of the frontier myth in " The Strenuous Life" and "Expansion and Peace" to argue that imperialism was not only logical, but a necessary extension of the nation's western course of development, fulfilling destiny among the "fighting races," and the re-invigoration of the white race (106). As William McKinley's vice presidential running mate in 1900, Roosevelt made the Philippines central to the election.

For Roosevelt, happy is the individual and nation that has an illustrious history since it is better to "dare mighty things, to win glorious triumphs, even though checkered by failure, than to take rank with those poor spirits who neither enjoy much nor suffer much, because they live in the gray twilight that knows not victory nor defeat…" In "The

Strenuous Life," Roosevelt (1899) compares the struggles, challenges, and triumphs of the individual to that of the nation's imperial endeavors for racial uplift:

> We of this generation do not have to face a task such as that our fathers faced, but we have our tasks, and woe to us if we fail to perform them!...If we are to be a really great people, we must strive in good faith to play a great part in the world. We cannot avoid meeting great issues. All that we can determine for ourselves is whether we shall meet them well or ill… All we can decide is whether we shall meet them in a way that will redound to the national credit, or whether we shall make of our dealings with these new problems a dark and shameful page in our history. To refuse to deal with them at all merely amounts to dealing with them badly. We have a given problem to solve. If we undertake the solution, there is, of course, always danger that we may not solve it aright; but to refuse to undertake the solution simply renders it certain that we cannot possibly solve it aright. The timid man, the lazy man, the man who distrusts his country, the over-civilized man, who has lost the great fighting, masterful virtues, the ignorant man, and the man of dull mind, whose soul is incapable of feeling the mighty lift that thrills "stern men with empires in their brains"—all these, of course, shrink from seeing the nation undertake its new duties…by bringing order out of chaos in the great, fair tropic islands from which the valor of our soldiers and sailors has driven the Spanish flag. These are the men who fear the strenuous life, who fear the only national life which is really worth leading. They believe in that cloistered life which saps the hardy virtues in a nation, as it saps them in the individual; or else they are wedded to that base spirit of gain and greed which recognizes in commercialism the be-all and end-all of national life, instead of realizing that, though an indispensable element, it is, after all, but one of the many elements that go to make up true national greatness…duties to the nation and duties to the race (qtd. in Theodore Roosevelt, Retrieved March 3, 2008, from http://www.bartleby.com/58/1.html).

The use of images such as founding fathers and foundational wars are rhetorical strategies that Roosevelt makes to validate his claims. "The Strenuous Life" and "Expansion and Peace" make references to the U.S. Civil War and political figures such as President Abraham Lincoln and Ulysses S. Grant as a rhetorical tool to establish

historical precedent for a desired future outcome.[40] Roosevelt (1899) argues that the strength, virtue, and character of the United States is linked to both men's desires not to succumb to those requesting peace, but to fight to secure the country's place in history among the white civilized nations. For instance, in the "The Strenuous Life" Roosevelt states that "Lincoln and Grant, men who preeminently and distinctly embody all that is

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[40] *The Strenuous Life (Speech before the Hamilton Club, Chicago, April 10, 1899)*

> In speaking to you, men of the greatest city of the West, men of the State which gave to the country Lincoln and Grant, men who preeminently and distinctly embody all that is most American in the American character, I wish to preach, not the doctrine of ignoble ease, but the doctrine of the strenuous life, the life of toil and effort, of labor and strife; to preach that highest form of success which comes, not to the man who desires mere easy peace, but to the man who does not shrink from danger, from hardship, or from bitter toil, and who out of these wins the splendid ultimate triumph.
>
> We could have avoided all this suffering simply by shrinking from strife. And if we had thus avoided it, we would have shown that we were weaklings, and that we were unfit to stand among the great nations of the earth. Thank God for the iron in the blood of our fathers, the men who upheld the wisdom of Lincoln, and bore sword or rifle in the armies of Grant! Let us, the children of the men who proved themselves equal to the mighty days, let us, the children of the men who carried the great Civil War to a triumphant conclusion, praise the God of our fathers that the ignoble counsels of peace were rejected; that the suffering and loss, the blackness of sorrow and despair, were unflinchingly faced, and the years of strife endured; for in the end the slave was freed, the Union restored, and the mighty American republic placed once more as a helmeted queen among nations.
>
> But our debt is yet greater to the men whose highest type is to be found in a statesman like Lincoln, a soldier like Grant. They showed by their lives that they recognized the law of work, the law of strife; they toiled to win a competence for themselves and those dependent upon them; but they recognized that there were yet other and even loftier duties—duties to the nation and duties to the race (qtd. in Theodore Roosevelt, Retrieved March 3, 2008, from http://www.bartleby.com/58/1.html).

Expansion and Peace (Published in the "Independent," December 21, 1899)

> Wars between civilized communities are very dreadful, and as nations grow more and more civilized we have every reason, not merely to hope, but to believe that they will grow rarer and rarer. Even with civilized peoples, as was shown by our own experience in 1861, it may be necessary at last to draw the sword rather than to submit to wrong-doing.
>
> We escaped generations of anarchy and bloodshed, because our fathers who upheld Lincoln and followed Grant were men in every sense of the term, with too much common sense to be misled by those who preached that war was always wrong, and with a fund of stern virtue deep in their souls which enabled them to do deeds from which men of over-soft natures would have shrunk appalled (qtd. in Theodore Roosevelt, Retrieved March 3, 2008, from http://www.bartleby.com/58/2.html).

most American in the American character" because they lived a life of toil and effort, and the lives they lived are a model for success. He warns against ease and comfort, especially when the issue is choosing an easy peace over war.

Roosevelt offers thanks to God for "the iron in the blood of our fathers, the men who upheld the wisdom of Lincoln, and bore sword or rifle in the armies of Grant!...the children of the men who carried the great Civil War to a triumphant conclusion, praise the God of our fathers that the ignoble counsels of peace were rejected; that the suffering and loss, the blackness of sorrow and despair, were unflinchingly faced, and the years of strife endured; for in the end the slave was freed, the Union restored, and the mighty American republic placed once more as a helmeted queen among nations." In using these men as an example of what an American male should be, Roosevelt states that Lincoln and Grant recognized a higher purpose, and duties "to the nation and duties to the race" and for this Americans owe a great debt to these men.

With regards to the Civil War, Roosevelt (1899) declares in "Expansion and Peace" that although wars between civilized communities are dreadful, that "even with civilized peoples, as was shown by our own experience in 1861, it may be necessary at last to draw the sword rather than to submit to wrong-doing." It was men like Lincoln and Grant who had "too much common sense to be misled by those who preached that war was always wrong, and with a fund of stern virtue deep in their souls which enabled them to do deeds from which men of over-soft natures would have shrunk appalled" (qtd. in Theodore Roosevelt, Retrieved March 3, 2008, from http://www.bartleby.com/58/2.html).

Roosevelt utilized a seminal event like the U.S. Civil War, and the legacies of Lincoln and Grant to construct a national identity that supported his cause for war, and validated his views. In these speeches, Roosevelt was inventing a tradition by using references to historical narratives to construct a new language that evoked these legacies of strife and victory, but altered and transformed them to give them new meanings that applied to his generation and for the goals of the present circumstance.

In the political context the past was sanctified through tradition. Tradition maintained precedent by bestowing the testimony of ancestors from one generation to the next, and as Hannah Arendt (1968) states that the testimony of the ancestors who first witnessed and "created the sacred founding and then augmented it by their authority throughout centuries" (124). This historical precedent locates authority in founding moments such as the consolidation of land and state control through indigenous warfare.

The Civilizing Process…Threat to Civilization

Within the context of civility and the civilizing process all acts regardless of outcome are considered to serve a higher good. For instance, William McKinley's speech to a Methodist Church group in November 1899 begins with his acknowledgement that a higher power had a higher purpose for the Philippines. McKinley proclaims that, "I walked the floor of the White House night after night until midnight; and I am not ashamed to tell you, gentlemen, that I went down on my knees and prayed Almighty God for light and guidance more than one night." McKinley tells his audience that it would be "cowardly and dishonorable" to "give back" The Philippines to Spain. It would also be bad business for the United States to let other imperial competitors to take control of this area for this would leave them in a state of

anarchy because Filipinos are incapable of governing for themselves, and "that there was nothing left for us to do but take them all, and to educate the Filipinos, and uplift and civilize them, and by God's grace do the very best we could by them..."

William McKinley declared war on Spain in his "War Message" address to Congress in 1898. His speech carried a series of assertions as to why the United States should enter a war on behalf of Cuba. McKinley reminds congress that the spirit of "all our acts hitherto has been earnest, unselfish desire for peace and prosperity in Cuba…The forcible intervention of the United States as a neutral to stop the war, according to the large dictates of humanity and following many historical precedents where neighboring states have interfered to check the hopeless sacrifices of life by internecine conflicts beyond their borders is justifiable on rational grounds. It involves, however, hostile constraints upon both the parties to the contest as well to enforce a truce as to guide the eventual settlement" (qtd. in William McKinley, Retrieved March 1, 2008, from http://www.mtholyoke.edu/acad/intrel/mkinly2.htm).

McKinley provides four grounds for the basis for U.S. intervention into Cuba. A humanitarian mission is the theoretical basis for the first ground. He argues that, "in the cause of humanity and to put an end to the barbarities, bloodshed, starvation, and horrible miseries now existing there, and which the parties to the conflict are either unable or unwilling to stop or mitigate. It is no answer to say this is all in another country, belonging to another nation, and is therefore none of our business. It is specially our duty, for it is right at our door." The rest of his grounds are concerned with American citizens, economic interests, trade, and the effect the Cuban insurrection will have on the United States. Given the proximity of Cuba to the United States, President McKinley warns

Congress of the dangers of allowing the island to be engaged in warfare for so long because U.S. interests are at stake. For the President, the only hope of subduing the insurrection is by warfare and by pleading, "in the name of humanity, in the name of civilization, in behalf of endangered American interests which give us the right and the duty to speak and to act, the war in Cuba must stop" (qtd. in William McKinley, Retrieved March 1, 2008, from http://www.mtholyoke.edu/acad/intrel/mkinly2.htm).

William McKinley's (1901) Second Inaugural Address incorporates an imperialistic rhetoric when he advocates, "force will not be needed or used when those who make war against us shall make it no more. May it end without further bloodshed, and there be ushered in the reign of peace to be made permanent by a government of liberty under law!" In other words, McKinley is drawing a distinction between those waging war in the Philippines, and those supportive of U.S. sovereignty in their country. McKinley's imperialism will bring order out of chaos, provide security of life, and "property, liberty, freedom of conscience, and the pursuit of happiness" (qtd. in William McKinley, Retrieved March 1, 2008, from http://www.pbs.org/wgbh/amex/1900/filmmore/reference/primary/se...).

The previous section demonstrated Roosevelt's rhetorical move to use history as a historical precedent in "The Strenuous Life" and "Expansion and Peace," but for Roosevelt that was only half the message. He is concerned with securing peace through war, but only in terms of demonstrating the masculinity and valor of the white race. This is accomplished by couching so much of his rhetoric in the preservation and promotion of civilization that provides legitimacy for intervention. It serves a dual purpose of bringing

civilization to those deemed incapable of self-government, and establishes American supremacy in the hierarchies of civilization.

Theodore Roosevelt (1899) issues a reminder that it is not simply a matter of removing "medieval tyranny only to make room for savage anarchy" if that was the case he claims that the project should have never begun at all. He claims that just because a nation, in particular the United States, has its domestic affairs in order, it is not absolved from its duties in the world. Refusing to do so for Roosevelt is forfeiting the "right to struggle for a place among the peoples that shape the destiny of mankind."[41]

> The problems are different for the different islands…The Philippines offer a yet graver problem. Their population includes half-caste and native Christians, warlike Moslems, and wild pagans. Many of their people are utterly unfit for self-government, and show no signs of becoming fit. Others may in time become fit but at present can only take part in self-government under a wise supervision, at once firm and beneficent. We have driven Spanish tyranny from the islands. If we now let it be replaced by savage anarchy, our work has been for harm and not for good. I have scant patience with those who fear to undertake the task of governing the Philippines, and who openly avow that they do fear to undertake it, or that they shrink from it because of the expense and trouble; but I have even scanter patience with those who make a pretense of humanitarianism to hide and cover their timidity, and who cant about "liberty" and the "consent of the governed," in order to excuse themselves for their unwillingness to play the part of men. Their doctrines, if carried out, would make it incumbent upon us to leave the Apaches of Arizona to work out their own salvation, and to decline to interfere in a single Indian reservation. Their doctrines condemn your forefathers and mine for ever having settled in these United States (qtd. in Theodore Roosevelt, Retrieved March 3, 2008, from http://www.bartleby.com/58/1.html).

Once again Roosevelt is invoking the Frontier Myth to support his position by replacing "Filipinos" with "Apaches." By substituting "Filipinos" with "Apaches" in his

[41] Quoted from "The Strenuous Life" (Speech before the Hamilton Club, Chicago, April 10, 1899)

speech places the burden on his rivals to renounce the authority of the United States national myth, while also having to explain why their ancestors dispossessed Native Americans of their tribal lands. As Richard Slotkin (1992) notes, the myth of the Indian wars was used to justify the execution of the Philippine War, and "the terms of that justification were translated into a revision of domestic political ideology" (121). An imperial war in the Philippines for Roosevelt is a march towards order, but more importantly, it provides a measure of racial superiority. Especially when he states:

> ….So, if we do our duty aright in the Philippines, we will add to that national renown which is the highest and finest part of national life, will greatly benefit the people of the Philippine Islands, and, above all, we will play our part well in the great work of uplifting mankind. But to do this work, keep ever in mind that we must show in a very high degree the qualities of courage, of honesty, and of good judgment. Resistance must be stamped out. The first and all-important work to be done is to establish the supremacy of our flag. We must put down armed resistance before we can accomplish anything else, and there should be no parleying, no faltering, in dealing with our foe. As for those in our own country who encourage the foe, we can afford contemptuously to disregard them; but it must be remembered that their utterances are not saved from being treasonable merely by the fact that they are despicable.
>
> I preach to you, then, my countrymen, that our country calls not for the life of ease but for the life of strenuous endeavor. The twentieth century looms before us big with the fate of many nations. If we stand idly by, if we seek merely swollen, slothful ease and ignoble peace, if we shrink from the hard contests where men must win at hazard of their lives and at the risk of all they hold dear, then the bolder and stronger peoples will pass us by, and will win for themselves the domination of the world. Let us therefore boldly face the life of strife, resolute to do our duty well and manfully; resolute to uphold righteousness by deed and by word; resolute to be both honest and brave, to serve high ideals, yet to use practical methods. Above all, let us shrink from no strife, moral or physical, within or without the nation, provided we are certain that the strife is justified, for it is only through strife, through hard and dangerous endeavor, that we shall ultimately win the goal of true national greatness (qtd. in Theodore

> Roosevelt, Retrieved March 3, 2008, from http://www.bartleby.com/58/1.html).[42]

Theodore Roosevelt's (1899) "Expansion and Peace"[43] argues that whenever a "progressive" white civilization and a "barbarian" primitive race come into contact with each other, war is the foreseeable outcome (qtd. in Theodore Roosevelt, Retrieved March 3, 2008, from http://www.bartleby.com/58/2.html). According to Roosevelt the primitives are either destroyed or subjugated. Basing his argument on the U.S. experience with Native Americans and the Indian wars, Roosevelt posits that indigenous/native opposition to the imposition of a progressive establishment is assumed to be illogical, and open to war (Slotkin, 1992: 492).

> Wars between civilized communities are very dreadful, and as nations grow more and more civilized we have every reason, not merely to hope, but to believe that they will grow rarer and rarer…Scant attention is paid to the weakling or the coward who babbles of peace; but due heed is given to the strong man with sword girt on thigh who preaches peace, not from ignoble motives, not from fear or distrust of his own powers, but from a deep sense of moral obligation.
>
> The growth of peacefulness between nations, however, has been confined strictly to those that are civilized…With a barbarous nation peace is the exceptional condition. On the border between civilization and barbarism war is generally normal because it must be under the conditions of barbarism…In the long run civilized man finds he can keep the peace only by subduing his barbarian neighbor; for the barbarian will yield only to force, save in instances so exceptional that they may be disregarded. Back of the force must come fair dealing, if the peace is to be permanent. But without force fair dealing usually amounts to nothing. In our history we have had more trouble from the Indian tribes whom we pampered and petted than from those we wronged…
>
> Every expansion of civilization makes for peace. In other words, every

[42] "The Strenuous Life" (Speech before the Hamilton Club, Chicago, April 10, 1899)
[43] "Expansion and Peace" (Published in the "Independent," December 21, 1899)

> expansion of a great civilized power means a victory for law, order, and righteousness. This has been the case in every instance of expansion during the present century…In every instance the expansion has been of benefit, not so much to the power nominally benefited, as to the whole world. In every instance the result proved that the expanding power was doing a duty to civilization far greater and more important than could have been done by any stationary power….The rule of law and of order has succeeded to the rule of barbarous and bloody violence. Until the great civilized nations stepped in there was no chance for anything but such bloody violence.
>
> So it has been in the history of our own country. Of course our whole national history has been one of expansion…While we had a frontier the chief feature of frontier life was the endless war between the settlers and the red men. Sometimes the immediate occasion for the war was to be found in the conduct of the whites and sometimes in that of the reds, but the ultimate cause was simply that we were in contact with a country held by savages or half-savages…Then it was succeeded at once by a peace which has remained unbroken to the present day. In North America, as elsewhere throughout the entire world, the expansion of a civilized nation has invariably meant the growth of the area in which peace is normal throughout the world….
>
> It is only the warlike power of a civilized people that can give peace to the world.…Such a barbarian conquest would mean endless war; and the fact that nowadays the reverse takes place, and that the barbarians recede or are conquered, with the attendant fact that peace follows their retrogression or conquest, is due solely to the power of the mighty civilized races which have not lost the fighting instinct, and which by their expansion are gradually the world hold sway (qtd. in Theodore Roosevelt, Retrieved March 3, 2008, from http://www.bartleby.com/58/2.html).

In both "The Strenuous Life" and "Expansion and Peace" Roosevelt claims that warfare against savages is the most honorable of all wars, for peace is brought about through force. In particular, and for him, the need for such savage wars arises due to the racial quality of the opposing factions, and the success of civilization serves the moral uplift of the world (Slotkin, 1992: 52). Roosevelt refutes the argument to accept peace at all costs for it displays weakness to one's opponents, and among the civilized nations of the world. In addition, Roosevelt believes that peace is only possible between civilized

nations that "feel the same spirit." In the United States the constant frontier battles were between settlers and Native Americans, and Roosevelt believes that peace was secured by subduing the Indians. This rationale is applied to a larger context when he states that, "such a barbarian conquest would mean endless war; and the fact that nowadays the reverse takes place, and that the barbarians recede or are conquered, with the attendant fact that peace follows their retrogression or conquest, is due solely to the power of the mighty civilized races which have not lost the fighting instinct, and which by their expansion are gradually the world hold sway." Any questioning of Roosevelt's imperial mission is tantamount to "race suicide" that would render American politics and the white race impotent (53).

Senator Albert J. Beveridge's[44] "The March of the Flag" shares Frederick Jackson Turner's view of the frontier when he argues that seizing the Philippines is an opportunity for virile young men (Slotkin, 1992: 108). The Senator shares many of the views of Roosevelt, and believes that it is the white man's burden to save the Philippines.

> Have we no mission to perform, no duty to discharge to our fellow-man? Has God endowed us with gifts beyond our deserts and marked us as the people of His peculiar favor, merely to rot in our own selfishness, as men and nations must, who take cowardice for their companion and self for their deity -- as China has, as India has, as Egypt has?... "The rule of liberty that all just government derives its authority from the consent of the governed, applies only to those who are capable of self-government. ... Would not the people of the Philippines prefer the just, humane, civilizing government of this Republic to the savage, bloody rule of pillage and extortion from which we have rescued them? ... "...do we owe no duty to the world? Shall we turn these people back to the reeking hands from which we have taken them? Shall we abandon them, with Germany, England, Japan, hungering for them? Shall we save them from these nations, to give them a self-rule of tragedy?..."...Jefferson, who dreamed

[44] "The March of the Flag, " Albert J. Beveridge 1898.

> of Cuba as an American state; Jefferson, the first Imperialist of the Republic -- Jefferson acquired that imperial territory which swept from the Mississippi to the mountains, from Texas to the British possessions, and the march of the flag began!... "American energy is greater than Spanish sloth... Their trade will be ours in time... We cannot fly from our world duties; it is ours to execute the purpose of a fate that has driven us to be greater than our small intentions. We cannot retreat from any soil where Providence has unfurled our banner; it is ours to save that soil for liberty and civilization"

Senator Beveridge (1900) elaborates his claims of racial conquest and dominance when he speaks on the Philippine question in Washington, D.C. In his speech Beveridge states the Philippines belong to the United States forever, and the vast territories in the "Orient." For Beveridge the control of the Philippines and the markets of Asia are not simply about economics and U.S. financial interests, but he sees it as a quest for civilization. Beveridge argues that "it is the power most necessary for the ruling provisions of our race--the tendency to explore, expand, and grow, to sail new seas and seek new lands, subdue the wilderness, revitalize decaying peoples, and plant civilized and civilizing governments all over the globe." Colonial expansion and control is ordained from up high, and whites would be remiss to not engage in this "holy" work. Instead of focusing on the costs of the war, Beveridge equates the control of the Philippines as proof of the virtuous characteristics of the American white race.

> The Philippines are ours forever, "territory belonging to the United States," as the Constitution calls them... And just beyond the Philippines are China's illimitable markets…We will not retreat from either... We will not repudiate our duty in the archipelago. We will not abandon our opportunity in the Orient... We will not renounce our part in the mission of our race, trustee, under God, of the civilization of the world…And we will move forward to our work, not howling out regrets like slaves whipped to their burdens but with gratitude for a task worthy of our strength and Thanksgiving to Almighty God that He has marked us as His chosen people, henceforth to lead in the regeneration of the world….

> God has not been preparing the English-speaking and Teutonic peoples for a thousand years for nothing but vain and idle self-contemplation and self-admiration… No! He has made us the master organizers of the world to establish system where chaos reigns... He has given us the spirit of progress to overwhelm the forces of reaction throughout the earth… He has made us adepts in government that we may administer government among savage and senile peoples... Were it not for such a force as this the world would relapse into barbarism and night… And of all our race… He has marked the American people as His chosen nation to finally lead in the regeneration of the world… This is the divine mission of America, and it holds for us all the profit, all the glory, all the happiness possible to man… We are trustees of the world's progress, guardians of its righteous peace...
>
> What shall history say of us? Shall it say that we renounced that holy trust, left the savage to his base condition, the wilderness to the reign of waste, deserted duty, abandoned glory, forget our sordid profit even, because we feared our strength and read the charter of our powers with the doubter's eye and the quibbler's mind? Shall it say that, called by events to captain and command the proudest, ablest, purest race of history in history's noblest work, we declined that great commission? Our fathers would not have had it so... No!
>
> What mighty work for the world, for humanity, even for ourselves has ever been done with ease? ...Do you remind me of the precious blood that must be shed, the lives that must be given, the broken hearts of loved ones for their slain? And this is indeed a heavier price than all combined... And, yet, as a nation, every historic duty we have done, every achievement we have accomplished has been by the sacrifice of our noblest sons... Every holy memory that glorifies the flag is of those heroes who have died that its onward march might not be stayed...That flag is woven of heroism and grief, of the bravery of men and women's tears, of righteousness and battle, of sacrifice and anguish, of triumph and of glory… It is these which make our flag a holy thing... (qtd. in Albert J. Beveridge, Retrieved March 1, 2008, from http://www.international.ucla.edu/eas/documents/phlpqust.htm).

Beveridge's grandiose claims of establishing a new society is making a teleological claim for a historicist model of history that suggests imperialism is simply part of the development phase of civilization.

Richard Slotkin (1992) argues that according to the terms of the Frontier Myth, once an imperial war is conflated with a savage war, "both sides become subject to the logic of massacre", and war correspondent *Henry Loomis Nelson* suggests as much when writing on a soldier's account of the war in the Philippines (112).

> Moreover, the soldiers reasoned that, as the United States have imposed upon them the duty of putting down the insurrection, these brown men must be overcome at all hazards; while the war against them must be conducted upon the principles of savage warfare, since most of those who are fighting are classed as barbarians…. (Now quoting from the letter of an officer who had served in the Philippines) "There is no use mincing words. There are but two possible conclusions to the matter. We must conquer and hold the islands or get out. The question is, Which shall it be? If we decide to stay, we must bury all qualms and scruples about Weilerian cruelty, the consent of the governed, etc., and stay. We exterminated the American Indians, and I guess most of us are proud of it, or, at least, believe the end justified the means; and we must have no scruples about exterminating this other race standing in the way of progress and enlightenment; if it is necessary." (qtd. in Slotkin, 1992: 112)

In order to justify the acts, the savage must terrorize, torture, and kill indiscriminately the civilized race. The only means by which the civilized race can survive and succeed is to learn savagery since it is proven the best way to defeat their adversaries. This statement argues that a U.S. victory can end the war, and prevent genocide. Although it is suggested that the civilize races engage savage acts of massacres and genocides to end all hostilities, their saving grace is having the ability to put their bestial impulses in check once the goal has been achieved. That is the distinction being made between the civilized and the savage races, the civilized races only temporarily engage the state of nature, while the savage can never find a way out. This is how the savage must be subdued. This argument makes the case for the imperial

power to use any and all means necessary to bring about a conclusion to the war. The rhetoric of extermination, especially in this case, was a political tool for the domestic public to accept particular measures required of imperialism (Slotkin, 1992: 112).

The frontier for the United States provides the presence of badness that enables the advanced nation of civilized people to craft reasonable and comprehensible claims of their violent excesses for "foundation or imperial adventure" (Fitzpatrick, 2001: 128). Even though the United States has engaged in imperial acts it is in the colonial context where the savage serves as the negative measure of progress, by comparing how far the advanced people evolved compared to the other (Fitzpatrick, 1992: 133). This comparison of progress serves as the justification of the colonial consolidation of territories thereby leading into the "natural" course of imperialism. The categories of the frontier and savage can be placed onto differing locations and bodies for similar political goals.

War and Terror

President George H. W. Bush's (1991) address to the Nation on the invasion of Iraq incorporated elements of the frontier myth, such as the captivity narrative, and savage war. To guarantee victory, President Bush references the U.S.-Vietnam War to state that the conflict in the Gulf War will strengthen the American spirit. A victory in the Gulf War is compensation for U.S. failure in Vietnam. Besides Bush's references to the U.S.-Vietnam war, his speech carries a distinctly imperial rhetoric to it. The President argues that the Gulf War will engender a new world order that supplants jungle law with the rule of law. Bush is stating that this conflict will bring order out of chaos.

> This is an historic moment…We have before us the opportunity to forge for ourselves and for future generations a new world order -- a world where the rule of law, not the law of the jungle, governs the conduct of nations. When we are successful -- and we will be -- we have a real chance at this new world order, an order in which a credible United Nations can use its peacekeeping role to fulfill the promise and vision of the U.N.'s founders. [45]

Immediately after the September 11th attacks President George W. Bush made a series of speeches to an international audience that set the tone for the U.S. war on terror. In his speeches the President made a series of statements that ranged from sorrow to declarations of war against the perpetrators of these attacks. To reach a larger audience, and to justify U.S. intervention into other nation-states, President Bush made general claims as to who and what the terrorists attacked. He positioned the war as battle between good and evil, which is a rhetorical device to prevent the questioning of his actions.

> This enemy attacked not just our people, but all freedom-loving people everywhere in the world. The United States of America will use all our resources to conquer the enemy. We will rally the world. The freedom-loving nations of the world stand by our side. This will be a monumental struggle for good versus evil. But good will prevail. 9/12/01

On September 20th, just 9 days later, the President stated that the war on terror was a battle for the preservation of civilization. It was not simply a matter of bringing those who committed the acts to justice, but a war for moral uplift. Adding a moral component to the war enables Bush to extend the scope and range of his war.

> This is the world's fight. This is civilization's fight. This is the fight of all who believe in progress and pluralism, tolerance and freedom. 9/20/01

> Americans have known the casualties of war, but not at the center of a great city on a peaceful morning. Americans have known surprise attacks-

[45] George H. W. Bush Address to the Nation on Invasion of Iraq delivered 16 January 1991

> but never before on thousands of civilians. All of this was brought upon us in a single day-and night fell on a different world, a world where freedom itself is under attack. 9/20/01

Conclusion

The analysis of these colonial and imperial speeches and letters demonstrate that the concept of civilization is associated with documents of barbarism. The civilizing process is described as a moral lift that leads to progress and freedom, but yet associated with aggression and warfare. This chapter demonstrates the strategic use and utility of the rhetoric of savagery; however, a distinction must be made. The savage can be reclaimed to civilization either being killed, dominated, or recuperated to serve a higher master. The barbarian can never be reclaimed. Their presence engenders the logic of extermination, but what we have scene is the conflation on both these terms to legitimate the logic of race wars.

History itself serves as case study to legitimate the use of force. For the colonial and imperial eras, the use of violence was proof of historical origin. By using historical wars as legal precedent for colonial and imperial projects, violence becomes legal and sanctioned.

According to the terms of the Frontier Myth, once a colonial or imperial war is conflated with a savage war, "both sides become subject to the logic of massacre." In the natural conditions of the frontier the savage is constructed as the embodiment of terror with the ability and desire for torture and the annihilation of the "civilized races." The "civilized races" claim that their only means of survival and success is to learn savagery, for it has proven the best way to defeat their adversaries, especially, since they claim, that

the rules of civilized warfare do not apply. Absolute victory is necessary to end an ongoing war, and prevent genocide. Although it is suggested that the civilize races engage savage acts of massacres and genocides to end all hostilities, their saving grace is having the ability to put their bestial urges in check once the goal has been achieved. That is the distinction being made between the civilized and the savage races, the civilized races only temporarily engage the state of nature, while the savage can never find a way out. This is how the savage must be subdued. This argument makes the case for the imperial power to use any and all means necessary to bring about a conclusion to the war. The rhetoric of extermination was a political tool for the domestic public to accept particular measures required of imperialism (Slotkin, 1992: 112).

Chapter Four: Frontier Cinema

This chapter uses film analysis of U.S. Westerns to provide a framework to demonstrate films' relationship to national history. Scholars and critics treat films as a cultural by-product to reflect on the current social, cultural, and political climate of the nation. Films are a reflection of the times in which they are produced, but exist as art forms onto themselves. This chapter demonstrates that barbaric sovereignty is dependent and contingent on the extension of the colonial hierarchy in the modern world. This chapter in particular demonstrates how generative colonial tropes are in cinema, but with an emphasis on how these films produce a national narrative of the United States that treats brutality as both an aberration and as an elemental phase of progress. My goal is the reveal that these cinematic themes are derived from colonial tropes. Films incorporate images, scenes, scenarios, and dialogue that are assumed to reflect universalistic values, but my focus is to challenge the assumption that the myths incorporated into film are ageless and universal by demonstrating how they validate the nation's colonial past.[46]

The genre of the Western often depicts the westward-moving frontier of violence and dispossession of native land. It has therefore provided the basic language of national mythology.[47] The popular images of Westerns depict Indian males as armed warriors

[46]For Hegel (1977), mind and culture differ from realm of nature. He states that true art mediates between form and content, between idea and image. Art seeks a full incarnation—one that will offer the greatest degree of intimacy and union between the universal idea and the concrete image. Hegel argues that true fine art is a vehicle of divine truth. It is said that art is a cultural storehouse of the wisdom of the ages. Art is a key to unlocking the key to understanding a dead civilization.

[47]The majority of my methodology will be a discourse analysis of the dialogue in the films, with critical evaluations of the scenery, environment, and actions when deemed necessary. As stated earlier my focus will be on the dialogue, which will be reproduced with as much attention to accuracy and detail as possible. Some of the spelling may not be exact in terms of colloquial speech, some of words will be deleted, and certain sections that are deemed irrelevant will be omitted. I have done my best to reproduce the dialogue

combating cavalry troops. The real history of Indian/white relations includes famine, sickness, genocide, and the shooting of women and children. Despite popular understandings of violence and illegality towards Native Americans, Westerns create an image of a virtuous frontier; a frontier that threatens to unravel the social fabric of the nation were it not for a few brave men who are willing to sacrifice themselves for a greater good. My analysis of these Westerns interrogates the colonial imagery incorporated within these films in order to understand how these representations create an honorable mythic past that substantiates the claims of a just state. Even though the stories revolve around Indians in the West, Native Americans are used to anchor and legitimate the nation's history. I examine the complex relationships between identities as mediated in terms of narrative film and histories as rendered invisible to the nation.

Film the Legend: The Myth Making of the Frontier

Cinema is an important medium in the United States for transforming barbaric sovereignty into a grand myth of celebrated achievements. The national character is defined by the taming of the frontier. Mythology reduces history and experience into a collection of metaphors through a series of complex structure of narratives that emphasizes a dramatic sense of history. Myth making is a psychological and social activity that affects the mind by altering the perception of reality and actions. The process of myth making is viewed as credible source that transforms knowledge into power for "it provides a scenario or prescription for action, defining and limiting the possibilities for human response to the universe" (Slotkin, 1973: 7).

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with as much accuracy as humanly possible. The difficulty lies in reproducing the dialogue from subtitles, and in some cases only from audio dialogue.

The association of a grand and just myth with a legendary hero allows for a dominant society to support the practices that permit them to function because that society must "devise cultural strategies to promote the identification of its subjects with the moral and legal system that 'authorizes' the society's practices" (White, 1987: 86-87). The hero enables for a favorable representation of a just and law-abiding society. Within the context of Westerns the suggestion of a hero demonstrates the ability of settlers, or a lone character, to use a righteous, honest, and just past to secure the frontier for the advancement of civilization. These characters themselves may not see the product of their labor, but their legacy will live in the history of the nation; however, the hero may have never been involved or toiled for the conquering of nature, but is celebrated none the less. In mythical representations, it does not matter if the beloved figured never sacrificed his personal interests for a greater good, but his life is fabricated to project such an image to invite settlers and citizens to rejoice in false sense of accomplishment without the complicated history of conquest. In this legendary account of settlement the story is more important than the facts. Mythologizing settlement distorts the process of barbaric sovereignty by negating the deliberate use of force to achieve objectives.

The choice of printing the legend over historical accountability served as the theoretical underpinning of John Ford's *The Man Who Shot Liberty Valance* (1962). The story revolves around the homecoming of Shinbone's most distinguished resident, Senator Ransom Stoddard, returning with his wife Hallie to bury their friend Tom Doniphon. Ransom Stoddard is known as the man who shot Liberty Valance, and built a significant political career from this achievement. The film's conclusion reveals that it

was Tom Doniphon who killed Liberty Valance with only a select few who remember his life, and contribution.

The arrival of Ransom Stoddard creates quite a stir in the town, and members of the press interview the senator about his return.[48] After confessing to the men that it was Tom, and not he, who shot the outlaw Liberty Valence—and because of this feat he went on to Washington where the territory won statehood, then became first governor, then senator, and may possibly be next vice president—Mr. Scott tears up his writer's story. Ransom asks if they are not going to use the story. Mr. Scott says, "No, sir. This is the West, sir. When the legend becomes fact, print the legend." Mr. Scott's statement suggests that telling the truth would dismantle the myth of the frontier. The editor believes that the legend of Ransom Stoddard is much more important than the historical relevance of the man who actually did the killing. The view of the senator suggests that a much more sanitize and virtuous reading of the town's history far outweighs the concern of the legitimacy of Doniphon killing Valance. Doniphon's action was a necessary condition for the success of the town, but the celebration of Stoddard changes the history of the town from being founded upon murder, but by an act of self-defense. In addition, Ransom Stoddard gains fame, recognition, and political power based on the assumption that he shot the famed outlaw Liberty Valance.[49]

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[48] News of the senator's arrival spreads throughout the town. Two newspaper reporters, and Mr. Scott, the editor of the Shinbone Star, interview the senator to find out why he has returned. Ransom tells the men that he and his wife returned to bury their good friend Tom Doniphon. The men are not familiar with the town's history and insist that the senator tell them of his visit because the people have a right to know, and a right to story. Ransom eventually agrees because he is the only that can tell the complete story, which is narrated through flashbacks.

[49] *The Man Who Shot Liberty Valence* begins with Ransom Stoddard's arrival into Shinbone. Ransom tells the newspaper writers about his journey to come west and settle. Ransom tells the men that he had "taken Horace Greeley's advice literally. [Flash back begins.] "Go west, young man, go west…and seek fame, fortune, adventure." Before Ransom makes it to town Liberty Valance and his gang attack and rob a

Initially Ransom is apprehensive about accepting the nomination to be the representative of Shinbone. He came to Shinbone to instill law and order by enforcing the rule of law, but is celebrated for his achievements of choosing a pistol over a law book. It is during the convention that Doniphon informs Ransom that he shot Liberty Valance. After this revelation Ransom accepts the nomination since he is without sin for no blood is on his hands. Ransom is relieved to know that he upheld the rule of law, and never betrayed his ethics, even though he thought he did. Doniphon's actions allow Stoddard to abstain from the violence of taming the frontier. The rule of law conquers the state of war, and the state of nature has been replaced. Tom and Liberty are two sides of the same coin, both use guns, but Tom is presented as having a moral code. Tom commits murder to usher in a new era. He sacrifices his ethics, beliefs, desires, and material wealth for the state, for progress. Even though Ransom and Tom believe in justice, each has a different way of securing democracy. Stoddard naively believes that every man will respond to the rule of law simply on principle, whereas Doniphon

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stagecoach. Ransom tries to prevent the men from taking a woman's pin from her dead husband. He asks the bandits what kind of men are they, and Liberty reverses the question to ask Ransom what kind of man he is. Ransom responds, "I'm an Attorney at Law! And I'm duly licensed for the Territory! And you may have us in your guns now…but I'll see you in jail for this!" Liberty laughs at Ransom's belief in the law. Liberty demonstrates that cruelty and force is how things are achieved in the West. Then the bandits go through Ransom's things, and find his law books. Liberty rips pages out of the book, and goes over to Ransom to whip him again while telling him that he will teach him "Western law."

Tom brings Ransom in to town to be helped. The townspeople treat Ransom gently, and care for his well being. As soon as Ransom starts to regain consciousness, he asks about the identity of the man who beat him. Ransom wishes to prosecute Liberty under the letter of the law, and Tom informs him that guns settle disputes and frontier justice is the law in the west. This is how the tension between martial law and the rule of law are set up. Ransom believes in the letter of the law, but Tom believes in force for good. Tom and Liberty are two sides of the same coin. They both believe in force and violence, but for different ends.

Liberty comes into the Ericson's restaurant, and immediately starts to intimidate the customers. Tom and Liberty have a tense stand off in the restaurant, but Liberty leaves when it is apparent that Tom and Pompey are willing to use force to resolve the situation. Tom mocks Ransom's belief in the law. He asks Ransom what scared Liberty off. He is trying to prove his point that authority must be back with force. Peabody makes a joke at Ransom's expense by stating "You know what scared him? The spectacle of law and order here…rising up out of the gravy and the mashed potatoes."

acknowledges that a show of force is the only means of securing peace. Yet, it is Ransom that is rewarded because he does not represent the brutality of settling the frontier. The blood of Liberty Valance is not on his hands.[50]

Ransom represents the next phase of the frontier. Tom Doniphon is presented as a righteous settler that lives off the land, and is willing to protect his claims and support justice through the use of force. For Doniphon killing is just one of many factors needed for settlement. The film contrasts Doniphon's waning spirit of settlement to Ransom Stoddard's progressive movement of statehood that promotes a juridical response to conflict. After being voted by the men of Shinbone to represent them in the Territorial Convention, Ransom and Peabody, arrive at Capitol City to have a showdown with the cattlemen to determine who sends a delegate to Washington. Peabody makes a speech

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[50] Tom arrives at convention looking haggard. Starbuckle (the mouthpiece for cattlemen) argues that only claim Ransom has it that he killed Liberty Valance. Starbuckle tries to discredit Ransom by painting him as a vigilante, and a believer in frontier justice. Starbuckle questions Ransom's ability as a lawyer by claiming, "Yes, but what kind of lawyer? A man who usurps the function of both judge and jury…and takes the law into his own hands?" The irony cannot be overstated since it is the cattlemen that are against statehood because it allows them to usurp the rule of law for their own economic interests. Starbuckle says that Ransom has blood on his hands, and that he killed an honest citizen. Starbuckle makes Liberty appear innocent to discredit Ransom. He argues that Ransom has the mark of Cain on him, and the mark of Cain will be on all of them if they send him with blood-stained hands…to walk the hallowed halls of government… "where Washington, Jefferson--….Yes, and Lincoln still live—immortals in the memory of man." The men from Shinbone protest. Ransom secretly walks out. Tom asks Ransom where he is going. Ransom says he is going home, back east where he belongs. At this moment Tom reveals to Ransom that it was Tom, and not him that killed Liberty.
(Flashback from Tom's point of view—flashback within a flashback.) We see Tom parallel with Ransom (he is off to the side, away from view). Pompey tosses Tom his rifle, and fires when Ransom and Liberty fire at each other. Ransom asks why Tom did it.

Ransom: But, Tom, why did you do it?
Tom: Cold-blooded murder. But I can live with it. Hallie's happy. She wanted you alive.
Ransom: But you saved my life!
Tom: I wish I hadn't. Hallie's your girl now. Go on back in there and take that nomination. You taught her how to read and write. Now giver her something to read and write about!

Tom's answer suggests that he was willing to sacrifice his personal interests for the greater good. Tom represents the necessary sacrifices, and evils men are willing to do to tame and settle the frontier.

for statehood,[51] and then goes on to nominate Ransom Stoddard so that the rule of law, and not lawlessness can govern the territory.[52] Ransom's nomination is a statement for progress and civility. Tom Doniphon is left a broken, haggard, and bankrupt man. The editor's decisions to print the legendary account of Ransom Stoddard's shooting of Liberty Valance despite being false enables the residents of Shinbone to celebrate and identify with the heroic qualities of Stoddard. Instead of focusing on the demise of one man sacrificing himself for the territory, the film concludes with preserving the myth of progress that allows everyone to inherit a mythology of progress based on a false premise. Printing the legend does not necessarily revolve around celebrating a hero for false accomplishments, but the process can turn an unscrupulous individual into a champion as well.

Fort Apache (1948) was the first of John Ford's "cavalry trilogy" which include *She Wore a Yellow Ribbon* (1949), and *Rio Grande* (1950). Based on a fictionalized account of Colonel Custer's last stand, *Fort Apache* follows the life of Colonel Owen Thursday and his relocation to Fort Apache with his daughter Philadelphia in tow. Col. Thursday sees his assignment to the outpost as insult for someone with his self-imposed stature. His concern is the lack of fame, notoriety, and opportunities in the outpost of Fort Apache that will prevent him from rising in the military ranks. Thursday's quest for

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[51] Peabody: ….I could see once again the vast herd of buffalo…and savage redskin roaming our beautiful territory...with no law to trammel them except the law of survival—the law of the tomahawk and the bow and arrow. And then, with the westward march of our nation…came the pioneer and the buffalo hunter…the adventurous and the bold—And the boldest of these…were the cattlemen, who seized the wide-open range…for their own personal domain…and their law was the law of the hired gun!....But now, now today…have come the railroads…and the people…the steady hardworking citizens…the homesteader, the shopkeeper…the builder of cities. We need roads to join those cities…dams to store up the waters of the Picket Wire…and we need statehood to protect the rights…of every man and woman however humble.

[52] Peabody: He is a man who came to us…not packing a gun…but carrying instead a bag of law books. Yes, he is a lawyer…and a teacher--…has come to be known through out this territory…as a great champion of law and order!

military prominence leads to reckless decisions that escalate into a battle between the cavalry and Apache Indians. Even though Thursday's arrogance and contempt cost men their lives he is remembered as a legendary figure to bolster the image of the men who endure in the military.

At the end of *Fort Apach*e Captain Kirby York informs newspaper reporters about his long campaign against Geronimo, and then another reporter asks about Col. Thursday's contribution to the fort. Thursday has already been mythologized as a great hero and honorable man. York goes along with this assessment despite his own reservations about the type of leader that Thursday really was. During their conversation with York, the reporters recreate Thursday's fall during his battle with Cochise as if they were actual witnesses to the event. They construct a hagiographic history of Thursday and his "legacy." The reporters render Thursday and the troops who died during the battle with the Apaches as heroes of the frontier. York validates their rendering of Thursday's last charge by declaring it is "true in every detail." He presents Thursday's legend as being heroic, honorable, and accurate in order to praise the men as unsung heroes, and mentions that certain men have become forgotten by history, but as long as the army lives the memory of these men will exist for eternity. He validates this view to honor the men and the military. The conclusion of the film is an intended tribute to the men who sacrificed their lives for a cause; they settled the land for later generations to inherit. Similar to the writing of history, the narration or the story preserves the memory of these men, and not with the atrocities associated with solving the "Indian problem."

This renders a sanitized construction of history to celebrate the achievements of wars without mentioning death and violence.[53]

She Wore a Yellow Ribbon (1949) offers another innocent narrative of peaceful settlement by focusing on members of the U.S. cavalry trying to prevent a race war between white settlers and Native Americans who have become embolden by the defeat of Custer. The film celebrates the men as martyrs for a just cause, and Ford again demonstrates his persistency to print the legend. *She Wore a Yellow Ribbon* follows the impending retirement of Captain Nathan Brittles. On the eve of Brittle's retirement news breaks of Custer's demise. The nation and territories are concerned with an Indian uprising, and Brittles takes it upon himself to avert a war. After preventing a confrontation between the U.S. cavalry and the various Indian tribes, Captain Nathan Brittles is offered a position as chief of scouts for the U.S. Army to extend his military service. The film concludes with the narrator commemorating the cavalry's efforts in serving, settling, and defending the nation through their efforts in the frontier. The narrator suggests the men do it out of duty to create a nation, and not for wealth, fame, or recognition.[54] The conclusion of *She Wore a Yellow Ribbon* presents a more egalitarian view of history by suggesting that the real heroes of the west are the men who conquer, tame, and settle the frontier for the sake of the nation, and not for personal wealth or gain.

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[53] In *Fort Apace* (1948), Colonel Thursday has issued his orders for his regiment to ride out to apprehend Cochise, and his band, while the women watch anxiously hoping the men return safely. Mrs. Collingwood, referring to her husband, "I can't see him. All I can see is the flags." Her statement draws attention to loyalty and the unanimity of the men. The film depicts the army as the great equalizer because all the men are the same united by the same goals, duties, and responsibilities. The final suggestion of this scene, which appears in the ending of the film, is that despite their deaths, the men will live on. The army mythologizes its fallen into the status of heroes.

[54] Narrator: [as the troop passes by] So here they are: the dog-faced soldiers, the regulars, the fifty-cents-a-day professionals... riding the outposts of a nation. From Fort Reno to Fort Apache - from Sheridan to Startle - they were all the same: men in dirty-shirt blue and only a cold page in the history books to mark their passing. But wherever they rode - and whatever they fought for - that place became the United States.

Westerners present the common soldier's toil as a legendary feat that paved way for settlement, advancement, and civilization. The settlement of the frontier in these films is not done by barbarians destroying a previous society to build a new civilization, but by men of honor who are creating another civilization that respects the natives, but as peacefully as possible secures white settlement.

Westerns often times present the military, and the cavalry in particular, as an example of the living history of the U.S. Usually certain figures are celebrated as the paragon of virtue, but these films also position the rank and file of the army as unnamed heroes as well. Cavalrymen may not be remembered personally in historical accounts, but many westerns suggest that their memories will live on through the continuation of the military. Raoul Walsh's *They Died With Their Boots On* (1941) confuses fact with fiction to construct a biopic of the life of George Armstrong Custer from his days at West Point up to his death at Little Big Horn. When Colonel George Custer arrives at Fort Lincoln he gives the troopers orders on how the regiment should conduct itself because the regiment is a living entity, and how they serve will be mythologized forever.[55] As Custer organizes his regiment, a voice over narration states "And so was born the immortal 7th U.S. Cavalry, which cleared the plains for a ruthlessly advancing civilization that spelled doom to the red race." The suggestion is that the cavalry is aiding in the inevitable surge of civilization against a dying race.

Westerns present heroes to be unique figures within in their own time. These characters serve as champions whose sacrifices invite settlers and citizens to share in

[55] Custer: I needn't tell most of you that a regiment is something more than just six hundred disciplined fighting men. Men die. But a regiment lives on; because a regiment has an immortal soul of its own. Well, the way to begin is to find it. To find something that belongs to us alone. Something to give us that pride in ourselves that'll make men endure - and, if necessary, die... with their boots on.

their mythological achievements. The hero serves as an archetype of excellence for subjects of the nation to emulate without questioning the veracity of their accomplishments. Walsh's film incorporates the colonial trope of printing the legend by depicting Custer's willingness to sacrifice his life for a higher purpose. Custer warns Congress that private interests are profiting from a war between Sioux and white settlers, and the general warns that in this situation the federal government is breaking its word with the Indians. In order to have his testimony submitted as a dying declaration, Custer sacrifices his life at the battle of Little Big Horn to bring peace between the Sioux and white settlers. Custer's death in the film marks an end of corruption, and a celebration of his life and the regiment.[56] Constructing Custer's death as a sacrifice displaces the history of Indian wars and broken treaties to the nobility of a man willing to risk his life to save a doomed race. More importantly, presenting Custer's death as a sacrifice to the nation makes his actions noble, mythical, and serves as the paradigm of U.S. Western history.

The concept of the legend is also referenced to the exploits of an adversary to augment the claims of greatness of the heroic male lead. The greater the opponent, the

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[56] On June 25, the 7th Cavalry are on the Rosebud Ridge above the Little Bighorn River. The cavalry ride in while the Sioux emerge on top of a hill and begin their charge on the cavalry, and the battle begins. Fighting on foot the troops shoot at the Indians charging them. During a climatic moment Custer stands by the 7th Cavalry flag as considerable causalities, particularly his regiment. After besting Custer Crazy Horse rides off with the 7th's flag.

After the battle General Sheridan is speaking to Major Romulus Taipe (ret.), and Ned's father William Sharp. Sheridan informs the men that Custer actions prevented settlers from being massacred. Taipe said that Custer had a fair hearing, but General Sheridan informs Taipe that Custer that he made a dying declaration, and his words are going to speak the truth of Taipe's actions.

Libby Custer comes to the men with a letter from Custer that addresses the nation. She says he restates his testimony that he gave the inquiry. Custer wrote the letter on June 25th in anticipation of his death as a dying declaration as a testimony against corruption. Custer's last will and testament is to honor the treaty with Crazy Horse. Taipe resigns, and the company is dissolved. General Sheridan tells Libby that her "soldier won his last fight after all." The last image of is close up of Custer in his buckskins superimposed over cavalry riding out. This juxtaposition suggests that not only did Custer influence and change the army, but also his memory will live on in the military.

more legendary are the triumphs of the hero. The title character in *Major Dundee* (1965) engages in his own personal campaign to bring down the infamous Apache Sierra Charriba. Dundee hyped up his opponent to justify his military campaign into Mexico to establish himself as a great military leader. After the killing of Charriba, a trooper questions the size of their adversary compared to the costs of tracking him, and Major Dundee states he was "big enough" for his goals.[57]

Myth making does not have to revolve around a particular person. Typically printing the legend is associated with colonial campaigns that erase the mechanisms of settlement that include: warfare, famine, disease, genocide, relocation, and extermination. For instance, the closing scenes of *Soldier Blue* (1970) demonstrate how colonial, or Indian and military relations, are discussed in a conventional manner to promote nation building. The closing scene begins with Col. Iverson sitting on his mount with his arm in a sling.[58] Col. Iverson is having his photograph taken while he is addressing his command and the Indian survivors. The site has been cleared of all bodies. The photograph centers on Col. Iverson in full uniform with the natural scenery surrounding him while the soldiers, captives, and the burned out village are placed behind the photographer to hide the carnage from the attack. Instead of showing the after effects of a massacre the photograph will show a leader after a victory. The men cheer after his speech. Col. Iverson:

> And to each of you…to officer and soldier alike…I offer my most profound admiration…my deepest affection…and my overwhelming

[57] Tim Ryan, the bugler, is responsible for killing Charriba. The next day Ryan looks at Charriba's body, and somewhat questions the extent of their campaign by mentioning that Charriba looks so small compared to what it took to kill him. Maj. Dundee suggests that he was big enough, at least for his purposes, and kicks Charriba's body into a burial pit.

[58] Colonel Iverson is a fictionalized version of Colonel John Chivington of the Sand Creek Massacre.

> gratitude for a job well done! You men here today…have succeeded…at making another part of America a decent place for people to live. We have given the Indian…a lesson he will not soon forget, but more than that…for the rest of your lives…you men will hold your heads proud when this day is mentioned. And you will say, yes…I was with Iverson.

The burden of history has been placed on the Indians to contest the articulation of a massacre as an honorable military battle.[59]

Law of the Land: The Selective Application of the Rule of Law

Legality plays a critical role in defining the legitimacy of colonialism. The rule of law presents itself as a line of defense that prevents a civil society from falling into barbarous anarchy (Fitzpatrick 2001). The saving grace of a civil society is the preservation and promotion of law to secure the transformation of a settlement. The distinction between the civil and the savage is that civilized peoples upheld universalistic principles for a greater purpose. The savage is depicted as only being able to understand their particular interests. An imposing legal order provides security against the threat of savage anarchy. The only right the savage has is to be dominated, and in situations that present themselves as a threat to legal authority, martial law is deployed to preserve order and stability. The presence of a racial menace enables the suspension of civil law, and

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[59] The soldiers cheer. The next shot shows the soldiers, surviving Indians, and burned out teepees, and charred land. The bodies of the dead have been removed. There are not in the shot. Cresta goes with the survivors while Honus is shackled to a wagon. The closing scene is a camera shot panning over charred land, hollowed and burned out teepees, and crosses over anonymous graves. The film concludes with a text referencing the Sand Creek massacre.
Narration/Voice over:

> On November 29, 1864…a unit of Colorado Cavalry numbering over 700 men…attacked a peaceful Cheyenne village at Sand Creek, Colorado. The Indians raised the American flag and a white flag of surrender. Nevertheless, the cavalry attacked…massacring 500 Indians…more than half of whom were women and children. Over 100 scalps were taken…bodies dismembered…plus numerous reports of rape. General Nelson A. Miles, Army Chief of staff, termed the massacre…"Perhaps the foulest and most unjust crime in the annals of America.

places policing or military matters in an extra-legal realm with very ambiguous categories.

John Ford's *Rio Grande* (1950) occurs after the U.S. Civil War when the army transfers its attention from the Confederacy to Apache Indians. The Apache leader Natchez and his band are positioned as a threat to the stability of the United States and Mexico. Colonel Kirby Yorke tells General Sheridan that the Indians have been leading raids from the Mexican border into the territory, and then fleeing back into Mexico making it impossible to apprehend him. Yorke and Sheridan criticize the weakness of government policy preventing their ability to apprehend the Indians.[60]

During his pursuit of the Indians, Yorke meets Mexican soldiers in the middle of the Rio Grande River to discuss how this "problem" straddles both borders. Yorke tells the Mexican officer that Natchez and his band "are a scourge to both your country and mine." Yorke suggests that they can apprehend them now if the lieutenant will place him under his command. Yorke is so determined to apprehend the Apaches that he is willing to disregard orders from both countries to do so. In this matter, federal law is an inconvenient issue that he needs to temporarily disregard to capture Natchez; however, the Mexican lieutenant has to decline his offer. Colonel Yorke's willingness to break the law is not seen as being criminal or pathological, but a necessary act to preserve the security of the territory from a savage threat. Yorke's pursuit of Natchez is an attempt to patrol, police, and apprehend a suspect in another country. It is an effort to legitimize his

[60] There is an Apache attack on the fort to rescue Indian prisoners. Yorke leads a group of soldiers after the Apaches. The film shows Indians using the cover of night to disguise their attacks, which is a reference to the "treacherous" and "sneaky" stereotypes projected onto Indians.

extension into Mexico by suggesting that both nations would benefit from his presence.[61] While *Rio Grande* promotes the suspension of the rule of law to apprehend an enemy of the state, *Sergeant Rutledge* uses a civil rights discourse to preserve the rule of law to free an innocent man from false imprisonment.

Sergeant Rutledge (1960) is a unique western in that the protagonist is an African-American sergeant for the 9th regiment on trial for the rape and murder of a white girl. What establishes Sergeant Rutledge's excellence is his honor, loyalty, and sense of duty. His relationship to military service, and his engagement against Indian resistance affords him, albeit slightly, the benefit of doubt. Rutledge believes in doing everything by "the book." In a western that incorporates so much of the rhetoric and ideology of the Civil Rights Movement, Braxton Rutledge's humanity is demonstrated by a direct comparison to Indian savagery. After Sergeant Rutledge is apprehended he still acts according to the rules, ethics, and norms of the military. Even when he flees his captors Rutledge is still bound by a sense of duty. As Sgt. Rutledge rides away he sees the Apaches hiding in the bushes by the riverbank waiting to ambush the 9th Cavalry when they cross the river.[62] Sgt. Rutledge charges across the river ruining the element of surprise for the Apaches. The men retreat from the river, and find ground to make their attack. Sgt. Rutledge asks Lt. Cantrell to remove his cuffs, and give him a weapon to fight.[63] The soldiers stave off the Apache attack because of Rutledge's devotion to military codes.

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[61] General Sheridan gives Yorke orders to go into Mexico to apprehend Natchez and his band. The general warns Yorke that he his on his own, and that he cannot guarantee his protection if something happens. Yorke is delighted by the general's orders.

[62] Sgt. Rutledge: I tried to tell myself what happened to the 9th Cavalry weren't no concern of mine. I wasn't Top Soldier no more. Now was my time to ride away. Ride away north, where I'd be free.

[63] Sgt. Rutledge: Sir, like the book say? [Lt. Cantrell takes off the cuffs, and he assumes command over the 9th.]

The following scene returns to the courtroom where Capt. Shattuck questions Sgt. Rutledge about returning to his men at the expense of his own freedom.[64] Shattuck assumes that Sgt. Rutledge's motive of returning to the cavalry and fight against the Apaches was to win favor with the court. Sgt. Rutledge defends himself by suggesting that bravery and nobility had nothing do with his return. Shattuck badgers Rutledge to admit that he is trying to win favor, and Rutledge responds, "It was because the 9th Cavalry was my home. My real freedom. And my self-respect. And the way I was desertin' it, I wasn't [voice cracking] nuthin' worse than a swamp-runnin' nigger. And I ain't that! [He stands.] Do you hear me? I'm a man." Rutledge states that he does not believe in running and hiding, as in his maroon reference, but more importantly, his decision to stay is a reflection in his belief in the rule of law. He believes in the institutions of the state, and is willing to defend them at the expense of his own freedom.[65]

Lt. Cantrell: Top Soldier back. [The men cheer.]

[64] Capt. Shattuck: Now, let me get this straight, Rutledge. What you're asking this court to believe is that, with freedom before you, you deliberately turned your back on it, and by incredible ride and a noble disregard for your own life, you saved that patrol from annihilation.
Sgt. Rutledge: No, sir. That ain't how I meant it, and there was nothing noble about it.
Capt. Shattuck: Oh, come, Rutledge, of course there was. It was a brave act, admit it.
Sgt. Rutledge: And I wasn't thinking brave.
Capt. Shattuck: Then what were you thinking? Why did you come back? Tell us.
Sgt. Rutledge: I don't know.
Capt. Shattuck: You don't know?
Sgt. Rutledge: All I know, I kept riding. And something kept telling me I had to go back. It was like…It was like…I just ain't got the words to say it.

[65] After Lt. Tom Cantrell's comments about Rutledge's bravery, Col. Fosgate orders a recess before the defense begins their case. The board members of the court-martial retreat back to the judge's chambers, and begin playing cards while discussing the case. The poker table is a metaphor for the gamble that Sgt. Rutledge took by agreeing to go to trial to prove his innocence. The scene and dialogue suggests that the members of the court martial are interested in justice, and not race. For instance, Colonel Fosgate commends the board members of the court martial "I'm glad that none of you gentlemen have mentioned the color of the man's skin." Keeping in line with theme of civil rights, Fosgate's comment suggests that the court's focus is on the evidence presented, and not on an assumed notion of guilt based on race.

Sergeant Rutledge focuses on the integrity of laws to a free a man while Sam Peckinpah's *Major Dundee* (1965) revolves around the anti-hero character of Major Amos Dundee who is relegated to a jailer/warden in a prisoner-of-war camp in the New Mexico Territory during the U.S. Civil War. Major Dundee uses the killing of a family of ranchers and a relief column of cavalrymen by Apache Chief Sierra Charriba to raise his own private army to apprehend Charriba for personal glory. When Major Dundee assembles his eclectic group of volunteers, outlaws, Union soldiers, and forced Confederate soldiers to track down Sierra Charriba, he states that any man that deserts will be shot. Captured Confederate O.W. Hadley deserts creating tension within the camp. Dundee, disgusted by Haley, orders his execution, but Captain Ben Tyreen requests that the Confederates punish him themselves. Maj. Dundee is willing to risk dividing his camp by going by the book to shoot Hadley for deserting because it serves his interests in demonstrating his authority. When Tyreen reasons with Dundee to "forget about the book" and let the matter be resolved among the men, Dundee chooses to uphold this law. For Dundee to go against the popular opinion of the camp and allow the soldiers to punish Hadley demonstrates his authority over the men. Dundee is willing to alienate his troops and enforce the law to prove his authority; however, the major is willing to supersede laws for his own advantage. In other words, Dundee's decisions to either enforce or break laws depends on what opportunities of advancement it allows him.[66] For characters like Dundee the rule of law is not meant to be followed by those in

[66] Maj. Dundee orders a firing squad to kill Hadley. He tells the lieutenant to exclude the Confederates. Capt. Tyreen ends up shooting Hadley in the back to prevent the Union soldiers from killing him. Tyreen has robbed Dundee, and the Union soldiers the ability to kill a Confederate soldier:
Capt. Tyreen: Look, Major, forget about the book.
Maj. Dundee: The men of this command risked their lives for those supplies.

a position of power instead it serves to either punish those that test its boundaries, or as device to secure loyalty and allegiance to an absolute sovereign power. The rule of law in the frontier in these films is not so much about justice, but about securing commitment to authority.

Howard Hawks' *Red River* (1948) has an absolute sovereign in cattle baron Thomas Dunson. The unpredictable nature of the frontier provides Dunson the ability to create and enforce the law as he sees fit to secure his economic interests, and authority over his men. The film follows the life of rancher Thomas Dunson who builds a cattle empire in Texas, and out of economic necessity is forced to brave a dangerous cattle trail to bring his cattle to market. Dunson's empire is acquired through theft. He stole the land from Don Diego, and he includes/steals the cattle of other ranchers to bolster his numbers. In his quest for capital, Dunson becomes harsh and tyrannical by enforcing unreasonable labor demands. As Thomas Dunson's crazed behavior becomes noticeable to the men, it is evident that Dunson is willing to sacrifice any man's life for his quest. The next day, after the herd is taken across the Red River, Cherry brings back two of the

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Capt. Tyreen: It may have slipped your mind, but he also risked his life.
Maj. Dundee: Trooper…you're gonna be shot. [Tyreen yells for his men to stay in order.]
Capt. Tyreen: Major, hand him over to us. I'll deal with him. I'm not going to let you kill him.
Maj. Dundee: You used to be a soldier. Do you know what you are saying?
Capt. Tyreen: I'm saying if you kill that boy that's the beginning of it and not the end.
Maj. Dundee: [To Tyreen] You're wearing out, Ben. You were a rock once, now you're crumbling like old chalk…
Capt. Tyreen: [Trying to restrain his men] I said will shall serve under this command and we will serve! But only until we have caught the Apache. And then, Major I'm going to kill you!
Maj. Dundee: Are you, Ben?
Capt. Tyreen: Yes. Yes, Amos.
O.W. Hadley: [Hadley is to be executed for desertion] You gonna let them shoot me, captain?
Capt. Tyreen: I'm obliged to, son. You should've remembered you belong to the Major, and not to me. I'm sorry.
O.W. Hadley: [As he is about to be executed for deserting] …Hell, Major, you're just doing what you got to do. But damn your soul for it, and God bless Robert E. Lee.
[Tyreen shoots Hadley in the back.]

three deserters. Teeler and Laredo are brought back to camp, but Kelsey resisted and was killed. They ride up to a seated Dunson, who tries them for thievery and desertion. Laredo claims that the law will see the matter differently, but Dunson claims that he is the supreme sovereign in the frontier, and what he declares is the law. Teeler tells Dunson that he may have deserted, but he is not the man they signed on with to drive this herd. He then goes on to claim that the herd represents hope and opportunity for the ranchers. Once Teeler finishes, Dunson announces to the men that they will not be shot, but hanged. Matt takes a stance against Dunson, and refuses to allow the hanging to occur. Dunson's insistence on killing deserters is a subterfuge to prevent the questioning of his tyrannical rule. In other words, the use of desertion enables Dunson to execute transgressors not because they broke the law, but it reinforces his position of authority through the coercion of death.

The Profits of Race Wars: Is It Personal?

Westerns sometimes display a tendency to make unjust treatment of Indians appear pathological, and not as a mechanism of social control. Settler societies secured economic interests by acquiring permanent command of the land. In several westerns, traders are depicted as corrupt capitalists that exacerbate tensions in the frontier for their own personal gain. On the one hand, the trader or merchant is blamed for the conflicts and tensions by taking advantage of the "poor savages" that need his help, but on the other hand, the trader serves as an antithesis to the noble cavalryman or settler that is willing to uphold a sense of duty to bring peace and harmony to the land. This agent, sometimes a former army officer or state employee, serves as a paternalistic figure that supposedly represents and protects the interests of the natives. For instance, in *Fort*

Apache, after attacking Diablo and his band, the troops arrive at the trading post of Silas Meacham. He is a corrupt trader that exacerbates the tensions in the frontier between the Army and the Indians for his own personal financial gain. Meacham presents himself as a savior to savages that need his goods and services. He cheats the Indians out of their rations by using weights with skewed calibrations, sells them military rifles, and alcohol to sustain hostilities for his personal profit. When Meacham is questioned about his dealings with Indians, and why the Apaches would engage in war, Meacham refers to them as misguided children. Meacham is a war profiteer that forfeits the settlement of the frontier for short-term gains. This is how most westerns depict traders on the frontier. In Marxist terms, Meacham demonstrates how the state becomes the apparatus of power for the bourgeoisie. Meacham, just like the bourgeois, make their private interests of economic gain become the public interest of the polity. The state's maintains and secures his interest at the expense of the people.

York, on the other hand portrays an idealized sense of duty and responsibility that the Cavalry has to the Indians. He admonishes Meacham for his corrupt ways. York is a cavalryman that seeks peace, justice, equality, and liberty, but men like Meacham sacrifice the greater good for personal rewards. Meacham can also be seen as a personalized and pathological attempt of frontier racial mistreatment of Indians. In other words, the argument could be made that Indians, settlers, and the Army could coexist if it was not for people in authority profiting from perpetuating hostilities. Meacham can be seen as one who stirs up conflict among those "content" to live among each other. Yet, York is just as paternalistic as Meacham. Despite Meacham referring to the Apaches as wayward children, York believes that the Indians are being misguided by Meacham

instead engaging in a legitimate claim to fight and resist the army's and settler's occupation of their land. Meacham is a crutch to erase the colonial process of relocation. Thursday does have his standards, and is sickened by Meacham's practices, but his dedication to policy allows Meacham to continue. Thursday reflects the inability of the state to reform itself. Although Thursday destroys Meacham's goods, he still protects Meacham's rights. The military protects Meacham's economic interest and legal position because, as a citizen and a representative of the government, he is valued higher than Native Americans.[67]

They Died With Their Boots On shows how military history and success are used in the service of financial gain. After his service in the Civil War, Custer cannot function in a civil society. William and Ned Sharp use this opportunity to approach Custer with a business proposition to use Custer's name and reputation to make profits for their company. The Sharps try to convince Custer that he can save his country again, but through economic means by removing Indians from their territories for settlement. William and Ned tell Custer that he, and the company would help "bring civilization to an enormous waste of territory…which is now in the hands of blood-thirsty savages." Native Americans living in communal environments were used to construct them as savages, and these leaving arrangements were deemed wasteful for the cause of civilization. This served as a justifiable means of penetrating Indian land. The Sharps

[67] There is a trader scene in *The Searchers* (1956) when Ethan and Martin go the trading post of Jerem Futterman to get some information about the whereabouts of Debbie. Once again, the image of a crooked trader is used to demonstrate how personal financial gain comes at the expense of settling the frontier. Futterman demands the $1,000 reward for sending Ethan the letter with a piece of calico from Debbie's dress. Ethan tells Futterman he will get his reward when he finds Debbie, but in the meantime he demands information from Futterman. That night at the campfire, Martin tells Ethan he has a feeling that they have been followed. Ethan brushes it off as, "That's the Injun in ya." Ethan is well aware that they have been followed and uses Martin as bait because he knows that Futterman and his gang has followed them to ambush the camp for the reward money.

are trying to manipulate Custer to attach his name and reputation to their financial endeavors to undermine the Sioux's claim to their land for personal profit. Custer is more concerned with his legacy, and states he will gamble with anything accept his good name, and refuses the offer.[68]

Naturalizing the Colonial Landscape

Barbaric sovereignty presents the natural landscape as a menacing force that needs to be dominated by a superior race. The images of nature are images of the "geographical space which houses 'the nation'" (Suzuki, 1998: 35). Borrowing from Cronon's (1992) claims about history and nature I explain how landscapes in American Westerns are presented so harshly in order to make the human struggle against it appear even more positive and heroic (1355). The control and manipulation marks the distinction between controlled and chaotic environments. The transformation of nature is a distinguishing mark of the "civilizing races." Changing nature is a mark of conquering it, and its inhabitants. Nature is a metaphor of values, and is in a state of becoming. For instance the colonial frontier territory is associated with a severe, cruel, unrelenting, and harsh persona, and the settler must overcome its hostilities. These values are not just associated with terrain, but what resides in it as well. The settler changes the frontier by

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[68] Sharp: We're offering you the presidency of the Western Railroad Land and Trading Company…at the salary of $10,000.
Sharp, Sr.: It's a corporation I organized for the developing the Dakota Territories.
Custer asks what use he could be since he is only a soldier.
Sharp, Sr.: Well, you're a national hero, Custer. Your name would make it easy for us to get government concessions…such as trading monopolies at Army posts. It would go far in selling stock to the public.
Custer: My name? I see. What's this stock worth?
Sharp, Sr.: Nothing, naturally, until it begins to earn dividends.
Custer: Then I'm not interested. My name stands for something. I'll not gamble its meaning on the success or failure of any business venture. Not interested.
Sharp, Sr.: General, I'm afraid you've an inclination to be a romantic fool.
Sharp, Sr.: We're offering you a chance to serve the nation as you did in battle. The company will bring civilization to an enormous waste of territory…which is now in the hands of blood-thirsty savages.

trying to dominate it, and is justified in using force to tame the terrain and native inhabitants. In particular Native Americans are constructed as cruel savages due to their ability to survive in the frontier, thereby reinforcing the perception that they are another obstacle to white settlement. Since terror is assumed, settlers are justified in any course of action they choose.

Thomas Dunson in *Red River* decides to break off from the trail near the northern border of Texas to start his cattle ranch. It is 1851, Dunson and his longtime comrade, Nadine Groot, have joined a wagon train in St. Louis heading towards California. For Dunson, his departure is honorable because he never took an oath to the finish the journey to the West coast. Dunson tells the wagon master, "I signed nothing. If I had, I'd stay. You'll remember I joined your train after you left St. Louis." He justifies leaving the wagon train because his allegiance and association to them was not official. The film suggests that in order for the wagon train to survive the bloodthirsty, "savage" Indians in the area they need Dunson's skills with a firearm for protection.

The wagon master warns Dunson that they are in hostile Comanche territory. He says, "They're around somewhere - I can feel 'em." The specter and threat of Indians determines the choices and sacrifices that the pioneers/settlers are forced to make. The Indian presence, or their lack thereof, serves to anchor the location, time, and the historical era that the film is associated with, but also enables the characters to prove themselves in the face of adversity. The Indians in the territory serve as a foil and an obstacle for settlers to overcome for the sake of progress. In their own territory, the Indians are viewed as aggressors thwarting the efforts of expansion and settlement.

In the case of *A Man Called Horse* (1970) the presence of Indians and the harsh terrain allow spoiled British aristocrat John Morgan to earn a place among the Yellow Hand tribe. In England John Morgan's birthright secured his title and position, but in the frontier of the United States he must earn a place among the Sioux. Nature in this film is presented as an egalitarian and democratic space that rewards actions over status.

A Mapped, Controlled, and Manicured Environment

In barbaric sovereignty the values of nature are used to demonstrate its harshness, and the necessary use of force to subdue its unruly character. *The Searchers* (1956) begins with a camera shot going through part of the cabin, through the door, and opening onto the wilderness of Texas. John Ford uses the shots between the interior of the cabin, and the wilderness to show a clash of civilization versus the frontier. The interior of the cabin demonstrates the settlers' domesticity, and civilized values. The land is seen as savage, untamed, and threatening. Immediately afterwards the loner Ethan Edwards appears.[69]

The creation of a new settlement needs traces of the previous society to demonstrate the generative qualities of colonialism, or a binary to draw distinctions between Europe and the colonies. Several films mark distinctions between the "new world" and "old world." When John Morgan in *The Return of a Man Called Horse* (1976) longs for the ways of his fictive Sioux family, the movie draws a distinction between the dejected and defeated tribe leaving their ancestral lands and a foxhunt in England. The film compares a "natural" environment versus a "pristinely manicured"

[69] Ethan returns to his family after serving the Confederacy during the Civil War, and then he spends some years in Mexico. The mysterious medal that Ethan gives his niece may be the Order of St. Guadalupe awarded to him by Emperor Maximilian of Mexico during the French-Mexican expedition.

field. John is unfulfilled, and feels that something is lacking despite the luxurious life he lives. He decides to return to the Yellow Hand. In a sense, he decides to return to something more natural, thereby assuming a more "pure" way of life opposed to the controlled surroundings of England. The juxtaposition of the landscape demonstrates how Europeans manipulate their land to fit their needs, as opposed to living in nature following its natural design. The ability to dominate one's natural surroundings serves as the legitimate grounds to master the land's inhabitants.

Terrence Malick's *The New World* (2005) uses the tropes of nature to advance the metaphor of the contact between two different worlds. When the British first arrive, the territory is deemed a land of new opportunity. When Captain Newport returns to Virginia with new settlers and reinforcements, he addresses the colonists by claiming that they have escaped the bondage of the Old World. Eden is before them, and there is plenty of land to create a new world. Newport states that the land is a birthright that will provide them with the opportunity to reach their full stature. He stresses, "God has given us a promised land, a great inheritance. Woe betide if ever we turn our back on him." Newport argues that providence has brought the British to the virgin colony, and the settlers are the legitimate heirs to this new land that will provide an escape from European vice and strife.

The New World reveals the differences in the "old world" when Pocahontas and her family are invited to England by the king. She arrives in a crowded, dirty, noisy cold, windy, and wet London. The shots of England are of very well manicured trees and lawns to demonstrate how the new colonizers control their environments.

The colonial gaze of land and settlement negates the claims of the indigenous inhabitants. During a scene in *Major Dundee* an old Apache man enters the camp of the troopers to inform them about the kidnapped children. Major Dundee has Sgt. Gomez question him to get some information to determine whether or not it is a trap. The old Apache is asked why he joined the raiding party, and he replies that it is Indian land, and they have a right to fight for it. The assumption of joining a raiding party is actually questioned in this scene. Dundee asks why the man joined in the raids if he is a good Indian, and the old man states that if the land belongs to Native Americans. The Apache does not consider himself as being rebellious, but defending his claim to the land. Thereby challenging Dundee's assumptions. Through the development and transformation of the natural environments the settler claims to belong to the land, and the land is their property because of the invested labor and sacrifice.

Blood and Settlement: Pain, Suffering, and Sacrifice

The American mission was to transform and make the continent conform, as Ostler states, "to their belief that they had achieved the highest form of human existence in history." Extending the domain of civilization involved using the resources of the continent to recreate it (Ostler, 2004: 27). In barbaric sovereignty the settlers and the state do not focus on their devastation, but the sacrifices they make to pass on the inheritance of land and the myth of civilization. *Red River* both demonstrates the sacrifices required to acquire and settle land, but also the great exertion to maintain capital in a devastated economy. Dunson and Groot leave the wagon train, and head towards Texas. As they make it to the banks of the Red River, they notice black smoke rising from direction of the wagon train. The smoke is a sign that "hostile" Indians

attacked the wagon train. Dunson and Groot hear Indian's drumming, and this confirms their suspicions that the pioneers have been slain. Before Dunson has crossed the Red River, blood has been spilled, a reference to the first sacrifice for his empire. Before the crossing into Texas, Fen's blood was spilled as a means to consecrate the land. The loss of Fen's reflects the sacrifices that Dunson is willing to make. Dunson is willing to sacrifice the lives of others for his own personal gain of land, cattle, and wealth. Property, wealth, and resources hold a higher premium than life. Groot is upset about the unseen attack, and frustrated by the Indians destruction of the wagons. He laments, "Why do Indians always want to be burnin' up good wagons?"

After their two thousand mile trek, Dunson looks surveys over the land, and claims all the sweeping grazing lands north of the Rio Grande. As Dunson is explaining his Red River brand, two men ride up and approach them. The two Mexican men work for the land baron Don Diego, and ask Dunson, Groot, and Matt about their intentions on the land. More importantly, the men are there to issue a reminder that the land belongs to Don Diego.[70]

Dunson challenges the Mexican landowner's rights through his sense of entitlement, and the fact that the land was stolen from Indians sets a precedent for the appropriation of all the land north of the Rio Grande for himself. In a sense, Dunson has established the boundary between the United States and Mexico. When Groot discovers

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[70] Mexican Man: Remain here on Don Diego's land. You are welcome for a night, a week—
Thomas Dunson: Are you Diego?
Mexican Man: No—
Thomas Dunson: Where is he?
Mexican Man: At his home across the river. 600 km south?
Groot: How far is that?
Thomas Dunson: About 400 miles.
Groot is prompted to remark: "That's too much land for one man. Why it ain't decent."
Mexican Man: Senor, it is for Don Diego to do as he chooses. This land is Don Diego's.

how vast Don Diego's land claim is, he validates Dunson's claim by suggesting that Diego owns too much, and that it is indecent to allow for so much land to go waste. Groot wants to see the land developed, and endorses Dunson's theft of it. Development serves a reasonable means for stealing land. Dunson and Groot are making the same claims for taking Don Diego's land as colonials and settlers have made against Indians, and their land rights. Dunson's claim is the land was always taken, and that he has legitimate right to claim it under the same falsehood as before so he can create his cattle empire.[71]

A showdown occurs with Dunson killing one Mexican man, and sending the other man back to Don Diego to issue a warning that the land has a new owner. Dunson has taken ownership of the land through violence, and his eliminated his second obstacle of removing the other to make the land white. Now Dunson grabs his shovel and Bible to bury the man, and read scripture over him. In a primitive ceremony, Dunson, Matt, and Groot bury the slain man, and place a cross by his mound to mark the grave, and his second sacrifice to kill for his land.[72]

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[71] Thomas Dunson: What is that River you were talking about?
Mexican Man: Rio Grande—
Thomas Dunson: Tell Don Diego, tell him that all the land north of that river's mine. Tell him to stay off of it.
Mexican: Oh, but the land is his.
Thomas Dunson: Where did he get it?
Mexican: Oh many years ago by grant and patent, inscribed by the King of all of Spain.
Thomas Dunson: You mean he took it away from whomever was here before. Indians maybe.
Mexican: Maybe so.
Thomas Dunson: Well, I'm takin' it away from him.
Mexican: Others have thought as you, senor. Others have tried.
Thomas Dunson: And you've always been good enough to stop 'em?
Mexican: Amigo, it is my work.
Thomas Dunson: Pretty unhealthy job. (He backs up and warns Matt.) Get away, Matt.

[72] Thomas Dunson: "We brought nothing into this world, and it's certain we can carry nothing out. The Lord gave and the Lord hath taken away. Blessed be the name of the Lord. Amen.
In the foreground of the low-angle shot is a branding iron pointing toward the grave.

Dunson predicts what the next decade and a half will bring with a spoken description of the development of his estate, a ranch that will produce beef to feed the whole country.[73] The film illustrates the passage of time, and the creation of his cattle kingdom through a montage. Dunson's spoken word comes to fruition. He does not focus on the theft and violence that it took to build his empire. Instead, Dunson describes his ranch as a good place to live, a place that will grow beef to feed the nation. Dunson focuses on the services he is providing for the West, settlers, and the nation, and not his own personal stake in the matter.[74] Dunson believes he has transformed the land to aid in the settlement of the United States. After building his empire Dunson faces the risk of losing everything due to the economic recession after the Civil War.[75] Dunson, Matt, and Groot are forced to embark on a long cattle drive.[76]

The Searchers presents the harshness of the land, and the sacrifices of the settlers. After a year of searching for Lucy, Ethan and Martin arrive at the Jorgensen's homestead. Before their arrival Ethan sent the Jorgensen's a letter about Brad's Death. In this scene, the audience is shown the character of the settlers. Mr. and Mrs. Jorgensen do not blame

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[73] After Dunson's male bull and Matt's female cow are branded, Dunson orders to untie and free them so they can mate and produce his new herd for the ranch, and his new domain.

[74] The next scene is fifteen years later, and the Red River D ranch is built. Dunson was willing to sacrifice his love, the shedding of Indian blood in the Red River, and 7 more graves to justify, validate, and legitimatize his holdings. Each grave represents his willingness to kill, defend, sustain, and maintain his claim (the first one being Diego's employee).

[75] Dunson has become a white-haired, rough, single-minded, self-made, autocratic Texas cattle king, with thousands in his herd. Now it is 1865, and the Civil War is over, but Dunson is facing his greatest challenge. His first challenge was building his ranch, and now he has to combat bankruptcy. The war has destroyed the southern economy, and took the capital out of the South. Dunson has the difficult task of herding up his livestock, taking them on a dangerous cattle drive across the Red River into Missouri. He needs to make it to Missouri to have access to the railways to sell his cattle to markets that offer better and higher prices, but getting to there poses a significant problem because has to battle the elements and border gangs.

[76] Dunson walks away leaving Groot and Matt to speak alone. Matt tells Groot that he senses that Dunson is afraid. They both discuss the strain on Dunson, and the sacrifices he made to manufacture his empire from the time of the "wagon train massacre" (1851) and up to the end of the Civil War (1865).

Ethan for the death of Brad; rather, Mr. Jorgensen blames the land. Mrs. Jorgensen has faith in the land, but says it will take time to make it a good place to live. The death of a son is intended to demonstrate the sacrifices families are willing to make to settle the frontier to civilize the land, which is subtle reference that white settlers are willing to surrender more than others for progress. She expresses hope that the frontier will change through the belief of manifest destiny. The process will take more families, and more lives, but she believes that progress will be made. The process of expansion is ongoing and inevitable. Again, a nod is made to the trials and tribulations of ranchers with a complete erasure of the presence of Indians and their claims to land.[77] Patience is articulated in several western scenes when settlement is concerned with no mention of forced removal of tribes to their ancestral lands.

During one the courtroom flashback scenes in *Sergeant Rutledge* Mary Beecher is brought back to testify for the defense. She goes over the incidents of the night when Sgt. Rutledge saved the men from the ambush. While camping in the desert Mary tells Lt. Cantrell that she cannot remember her father's face, but only his rough hands and gentle touch. He tries to console her by suggesting that the frontier will be a good place. He suggests that they follow Sgt. Rutledge's advice and believe that someday things will be better.[78] The suggestion of patience relates to a Civil Rights discourse with an element

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[77] Mrs. Jorgensen: Now Lars!...It just so happens we be Texicans. Texican is nothing but a human man way out on a limb. This year and next…and maybe for a hundred more. But I don't think it'll be forever. Someday this country's gonna be a fine, good place to be. Maybe it needs our bones in the ground before that time can come.

[78] Mary Beecher: No, Tom, I hate this land. It killed my mother, and now it killed my father. I wish I'd never come back to it.
Lt. Cantrell: Oh, but, Mary, it's a good land. It really is. Maybe not now, but…like Rutledge says, "Someday."
Mary Beecher: Tom, you're not going to take him back now, are you?

of waiting for whites to transform the land that benefit all—Native Americans in abstention.

In barbaric sovereignty white sacrifice trumps any indigenous claims to land, sovereignty, and autonomy. White males are depicted as men willing to sacrifice themselves for settlement of a frontier, and for the plight of indigenous peoples. In *A Man Called Horse* (1970) John Morgan earns a position among the Yellow Hand for his participation in the Sun Vow ritual. His willingness to suffer transforms him from a British captive to a ranking member of the tribe. Before the ritual begins Chief Yellow Hand is pleased by John's words and spirit, but the Medicine Man believes that John is weak and not willing to suffer to join the tribe.[79] John has his pectoral muscles pierced with bones, and then leather straps are looped around the bones, and then he is suspended in mid air.[80] John Morgan proves his willingness to suffer for the Yellow Hand once again in *The Return of a Man Called Horse.* Elk Woman informs John that the Sioux are waiting for a sign or savior, and his return suggests that. John tells Elk Woman that the

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[79] Batise: Yellow Hand say your words good. But, Medicine man say your words not good.
John Morgan: Now, tell them this one, day I will be a chief. One day, I will be a chief!
Batise: [Translating for Medicine Man] Say, what proof you brave? Suffer pain, yes. Give up, now. Out. He said because you white, you weak, you give up. Shame before Wakantanka.
John Morgan: Oh?
Batise: [Yellow Hand gives John Medicine bag] Medicine bag, bones, beads. Good luck things. Great honor.
John Morgan: Jesus!

[80] During the Sun Vow ritual John sees a bird, and then his vision begins with him seeing a buffalo. The images of his vision question reflect his past and future. The next image is of a warrior wearing a headdress, holding a spear, sitting on a horse that is rearing up, and the horse is wearing a headdress as well. Then John is shown hunting before the Yellow Hand captured him. John is seen wearing his British clothes. His hair is long and blowing in the wind. The wind continues to blow on John tearing away his western clothing only until he is donning Indian clothing. At this point John sees his bride running across a body of water. He begins to run towards her, and they embrace. John renames his wife to represent his freedom.
Voice during Sun Vow: I am Tatankaska, spirit animal, buffalo, white. Speak the truth in humility to all people. Only then can you be a true man and free of your chains. I want you. My hunger is real. But freedom is what you mean to me. When the chance comes, I shall go.
Running Deer/Little Freedom: I know. I know.

people must fight back or they will die.[81] He is felling dejected, lost, and confused. John needs the indigenous/native way for he feels hollow without it. His rebirth into his native identity will serve as the strength, courage, and rebirth of the tribe. John is willing to suffer, and sacrifice his pain for the Yellow Hand, which places him again in a position of leadership.[82] The Sun Vow ritual begins with John inside sweat lodge making his pledge to fulfilling his vow.[83] Once again John is transformed from his old world identity to his new native self.[84]

John begins the Sun Vow ritual. Instead of being suspended, in *The Return of a Man Called Horse* John has pectoral muscles pierced, blows whistle, dances while being

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[81] Elk Woman: Shunkawakan, why you come back? You look for something?
John Morgan: [Laying down and downtrodden] Oh, yes. Yes. Look for something that I found when I was here before. The power of the Great Spirit. I tried to take it back with me to England. But when I got there, it left me, and now I'm lost. I'm lost. So I came back. I can back…only to find the people as broken…and as lost as I am…all—all waiting to die.
Elk Woman: We wait for sign.
John Morgan: For what sign? For lighting to strike the fort.
Elk Woman: If Evil Spirit go away, Yellow Hand kill enemy…go back to Sacred Land.
John Morgan: [Annoyed] Your enemies are not afraid of the Evil Spirits, Elk Woman. They've got guns, cannon, power.
Elk Woman: If Yellow Hands all die…that is way it will be.
John Morgan: [Stunned and surprised] You're not afraid of death?
Elk Woman: Are you afraid to die? You have forgot much.
John Morgan: Elk Woman…help me. Help me.
Elk Woman: You must forget yourself. Fast four days and four nights. Purify your body. Seek your vision. You must suffer for the people. [John nods.] Then you will be reborn.

[82] John's vision: John is on the plains, and it is snowing. John is running up a hill. He is wearing knee-high black boots, black hat, slacks, black jacket, and white ruffled blouse. He screams (silent), but nothing is heard. This is similar to his return when he yells for the Yellow Hand, but nobody hears him. John is panting in the lodge as his vision continues. As John runs up the hill he comes across an old man. The old man is standing in front of him with a peace pipe in his right hand (his arm is extended and pointing upwards). When John reaches the old man, the man squats. The man is an elderly version of John dressed as a Yellow Hand. John is now standing over himself. John recognizes the old man as himself. As the old man squats holding the peace pipe close to himself, he looks up at John and speaks.

[83] Old John: This…is the center of the universe. It is a circle without beginning and without end…and in it you will find your own center…where there is no future and no past.

[84] The old man is still squatting, and he makes circular motion with peace pipe around his body. When the circle comes back around from where it started, the camera raises up and younger John is dressed in Sioux clothing. The British and Native Johns have switched. The young John looks up and sees the older version of him dressed as his former British self. Old John turns around and walks away, suggesting death and rebirth. John exits the sweat lodge, smiles, and is handed a pipe.
John Morgan: The smoke from the sacred pipe mixed with my breath will rise and spread throughout the universe and become one with the breath of the Great Spirit, who has shown me the way.

tied to a circular structure. He has to dance until the piercings are ripped from his pectoral muscles.[85] A young boy joins John in the Sun Vow ritual. John's actions inspire other men in the village to join. Chief Lame Wolf proclaims that his people are now free after John has completed the Sun Vow ritual. The young boy completes the ritual with John, and makes the women and chief proud.[86] The Indians may suffer, but whites are willing to sacrifice themselves suggesting a greater good beyond particular rights thereby placing them in a position of power.

The Logic of Savage's Race War

In the colonial frontier the indigenous presence provides the grounds for the legitimacy of war. Barbaric sovereignty needs a perceived threat to justify the use of force, but with the assumption that the violence deployed was for self-defense. The concept of a just war rests on the theory that when a state is confronted with a threat of hostility that can "endanger its territorial integrity or political independence, it has a *jus ad bellum* [right to make war]" (Hardt and Negri, 2000: 12). Legitimacy of the military apparatus as being justly grounded and the effectiveness of military action to attain order and peace are the two elements combined in the concept of a just war (13).

In *Fort Apache* Col. Thursday insists on racist assumptions concerning the Apaches that he precludes any political meanings to their actions for autonomy. Upon hearing the news that Cochise is willing to discuss peace, Thursday sees this as an opportunity for glory and advancement. Thursday states that his goal was to trick

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[85] John Morgan: O Wakantanka (Great Spirit) you see here a sacred place. You see here a sacred center, which we have fixed, and in which I shall suffer. O Great Spirit, on behalf of the people, I offer all my suffering.

[86] Chief Lame Wolf: [To boy] What you have done is sacred. (The chief places feather in boy's hair.) You have suffered for your people. Now the Great Spirit is within us. We are reborn.

Cochise to come onto American soil to be apprehended. Protesting Thursday's decision, York states that he gave Cochise his word, and no one will make a liar of him. Col. Thursday is indignant at the suggestion that York intends to keep his word with Cochise. Thursday tells York, "Your word to a breech-clouted savage? An illiterate, uncivilized murderer and treaty-breaker? There's no question of honor, sir, between an American officer and Cochise." York tells Thursday there is a question of honor for him. Even though Thursday is the treacherous one in this encounter, he projects this image onto Cochise. He does not have to be honest because he assumes that Indians are dishonest to begin with, and for him there is no question of honor and integrity.

The assumption of savagery justifies a military response. When the Apaches and regiment meet to negotiate, Cochise wishes to discuss peace, but Thursday is looking for any pretense for war. Cochise reveals to Col. Thursday the conditions by which the Indians were forced to live under Meacham's corruption, and failed protective measures by the federal government. The Apaches refuse to return to their reservation, but are willing to discuss peace with Col. Thursday once Meacham is removed from his post. Thursday chooses to interpret Cochise's demands as a threat, and justification for war. Thursday refers to the Apaches as "recalcitrant swine" and demands Beaufort to inform Cochise and the Apaches that they are speaking to a representative of the United States government. Thursday's comments and actions not only demonstrate Indian-White Relations, but a reflection of federal military policies towards Native Americans.

When the troops attempt to begin their attack on Cochise and the Apaches, Thursday's racial animosity causes him to underestimate his opponent. Thursday is not familiar with Apache techniques for combat, and mockingly declares that York makes

Cochise to be a student of Alexander the Great or Bonaparte. His actions are ill-advised and place his men in harms way. He is even fooled by Apache diversions to misdirect the men. York has ridden in to save the colonel, but Thursday has decided to die with his men rather than face disgrace.

Indian resistance (and racial self-defense) to land appropriation and cultural genocide was used to denounce them as bestial, treacherous, and monstrous. *She Wore a Yellow Ribbon* is set in 1876 after Custer's demise, and there is concern of an Indian uprising. News of Custer's death reaches the country, and Brittles's last campaign is to prevent an Indian War. The beginning narration of the film suggests an impending doom. The opening scene of the film is a close-up of the Seventh Cavalry flag, and then transitions into settlers worried about the news of Custer's fall with images of tribes banding together to resist and fight both the army and settlers. The film depicts the panic and concern the settlers fear by showing a rider for the Pony Express traveling with the news of an impending Indian attack. The opening narration suggests that not only are Indians uniting in a common war against the cavalry, but also the presence of whites in the West is threatened.[87] Resistance by indigenous people is articulated as savagery that could only be controlled by the use of, or the threat of violence.

The criminalization indigenous peoples removes the political meaning of groups resisting state authority by suggesting such actions are a threat to national unity.

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[87] Voice Over: Custer is dead. And around the bloody guidon of the immortal 7th Cavalry lie 212 officers and men. The Sioux and Cheyenne are on the warpath. By military telegraph, news of the Custer massacre is flashed across the long, lonely miles to the Southwest. By stagecoach to the 100 settlements and the 1,000 farms standing under threat of an Indian uprising. Pony express riders know that one more such defeat as Custer's and it'd be a hundred years before a wagon train crossed the plains. And from the Canadian border to the Rio Bravo, 10,000 Indians [Music changes to sound more menacing] Kiowa, Comanche, Arapaho, Sioux, and Apache under Sitting Bull are uniting in a common war against the United States Cavalry.

Removing political context from resistance focuses on inherit lack among the group, and dismisses the systemic structure of excessive force. The process of criminalization enables disproportionate policing, state violence, and the suspension of political rights. Criminalization, especially in the context of indigenous groups, erases prior ownership to land, claims to land rights, and rights to self-determination (Cunneen, 2001: 10).

Hondo (1953) follows the life of Hondo Lane, a dispatch rider for the cavalry who takes up residence with Angie Lowe, and her son Johnny. When Hondo arrives at the Lowe's ranch he informs Mrs. Lowe that Indian/white relations are strained, and she should prepare for an attack. Mrs. Lowe tells Hondo that her family is at peace with the Apache, but he warns her to pack up and leave her home because trouble is brewing in the Apache lodges. Hondo explains that Vittorio, the Apache chief, has called a council.[88] The basis of the hostility stems from a broken treaty. Hondo tells Mrs. Lowe "We broke that treaty, us whites. There's no word in the Apache language for lie, and they've been lied to. If they rise, there won't be a white left in the territory." Indian resistance is presented as a threat to white settlement and property.

A race war between whites and Indians is demonstrative of the tensions between these two groups. Despite the fact that the Apaches did not have their treaty honored, they are still presented as the aggressors in the matter, and a threat to white settlement. The suggestion of a race war discredits their reasons behind the strikes. Hondo's warning suggests that the Apaches are planning significant attacks, and these warnings suggest something much more portentous in the works. The focus is not on the broken treaty, but

[88] Hondo tells Mrs. Lowe a story about a couple arguing and fighting. He likens the Apache to a mad woman that made an irrational decision.

that the Apache's being lied to will result in severe consequences for white settlers.[89] The mentioning of a broken treaty does nothing to validate the sentiments of the Apaches. Rather, the hostilities are presented as another danger that settlers must endure to tame and recreate the land. The tensions within the territory suggest a proclivity or inclination towards violence by the tribes, instead of frustration against political deceit.

Lt. McKay arrives to evacuate settlers and he is surprised that Mrs. Lowe and Hondo were not harmed during their encounter with Vittorio. The lieutenant praises the courage that Hondo displayed against this "cowardly criminal." Hondo informs Lt. McKay that the Apaches left them in peace, and it is only according to U.S. law that Vittorio may be a criminal but he does not see it that way. Lt. McKay's knowledge of the terrain and of Indians skews his acuity of the frontier. He refuses to concede to a nuanced understanding of Vittorio and his motives. Despite the breaking of a treaty, the Apaches are seen as the aggressors. Their actions of challenging state authority and sovereignty through military action makes them an excess that the state must subdue. Vittorio and his warriors cannot be allowed to have a legitimate or authoritative use of violence. That is why the Army has been brought in. The Cavalry serves a policing role to protect the exodus of settlers leaving the territory. They are there to provide security, protection, and evacuation for the settlers.[90]

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[89] As war is becoming imminent the Apaches are preparing for battle in a stereotypical manner through war paint and drumming before attacking C troop. Hondo rides into town to deliver his report to the Army. While in the tent he meets Mr. Lowe, who is complaining about the lack of military protection of whites in the frontier. Mr. Lowe reminds the army that it is the cavalry's responsibility to protect the interests of the settlers. Hondo tells both men that C Troop has been defeated, and all the Apaches are uniting against the Army and settlers.

[90] Lt. McKay [Troop D, 8th Cavalry]: You people are lucky. Obviously, Vittorio and his renegade band just happened not to find this hidden valley.
Hondo: Vittorio's been here lots.
Lt. McKay: And you lived? One lone man stood off Vittorio?

Lt. McKay's comments are quite telling about history. When Hondo tells the lieutenant an Indian story to challenge his perspective, McKay discredits the story by suggesting that "the story goes back further than the Indians." The lieutenant claims that the story goes back to the Roman army, which reflects the centrality of European history and thought that plays in the national mythology of the United States. In terms of white settler societies, it is usually accepted that the indigenous populations have lived on their land prior to European contact, invasion, and conquest. By suggesting that the story goes back further than the Indians, the intended meaning is that European conquest is legitimated by history. McKay's comments suggest that the Indians have derived their sense of history, understanding, and identity from a European story, and that classical societies such as Egypt, Greece, and Rome are the founding societies of civilization. In addition, Lt. McKay's comment that the story goes back to Rome argues that Indians have no history, and with no history they have no claim to land. McKay' remarks demonstrates a form of colonial history that states that the natives inherit their history from European conquest, and people without histories are savages.

Larger military reinforcements are being deployed to combat the Apaches. Buffalo Baker states, "that'll be the end of the Apache." With Hondo responding "Yeah, end of a way of life. Too bad, it's a good way." They lament the demise of the Indians,

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Hondo: No lone man stands off the Apache. He let us live here.
Lt. McKay: There are almost 100 dead settlers in the basin. Scalped by this cowardly criminal.
Hondo: Vittorio may be a criminal by the books, I don't know. But if he's a coward, it hasn't showed up yet.
Buffalo Baker: Amen, brother.
Lt. McKay: I must disagree with you, Mr. Lowe…He's run before us for 200 miles.
Hondo: Indians have a story they tell your young ones about a hunter who chased a wildcat until he caught it. Then it was the other way around.
Lt. McKay: The story goes back further then the Indians. [McKay says the story goes back to Roman army.]

but accept it as a consequence of white expansion into the frontier. The passing of race, to them, is inevitable, unfortunate, but necessary. The film ends with settlers going on to transform the frontier into new settlements. It suggests that sacrifices are necessary. *Hondo* demonstrates that racial conflict is a struggle for truth, representation, and history. The violence from settlers or the military has value, but indigenous resistance to the appropriation of their land was implemented as a means to condemn them as savages (Horsman, 1981: 204).

Despite providing a rare glimpse into army-Indian relations by showing the aftermath of a massacre, John Ford in *The Searchers* still concentrates on the savagery of Indians. Martin and Ethan ride into an Indian camp see the remains of an army massacre. Both men follow the cavalry to determine whether they have Chief Scar, or if Debbie is one of the captives.[91] The Seventh Cavalry herds the survivors into the fort, and Ethan and Martin request permission to inspect the white captives taken from the Comanches. The film depicts white females as imbeciles after living—and sleeping—with Comanches.[92] A fear in westerns is the threat that a white woman or girl has social and sexual encounters with an Indian transforming her into an animal.[93] In this context the native must be removed to prevent a massacre, or the corruption of the white racial stock. The men no longer see the women as white. Ethan is revolted by what he sees, and the magnitude of his feelings is reflected from a rare and powerful close-up of his eyes.

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[91] It must be mentioned that showing the cavalry committing a massacre against Native Americans was rarely shown, and in *The Searchers,* Ford reveals the aftermath of such an event.

[92] In the chapel of the fort they find a crazy white woman crying and moaning to her doll, and then she howls when the men approach her. There are two other young white girls in the chapel hanging onto to each other, with insane expressions upon their faces.

[93] Sergeant Keefer: It's hard to believe they're white.
Ethan: (grimly) They're ain't white…anymore. They're Comanche.

Debbie is not among the captives. The quest for Debbie is Ethan's quest for self-discovery, revenge for his family, revenge for Martha, and the extermination of Comanches. He accomplishes this with his knowledge of Indians, and knowing how to survive in the frontier. *The Searchers* gives Ethan's bloodlust a meaning. His crusade against Indians in the film has a purpose, but acts of vengeance by Indians is viewed as an inherit deficiency.

The frontier is often associated with the brutal conditions of survival, but Westerns also depict the brutality of the frontier through torture and terror. Historical accounts demonstrate that both the army and Native Americans have both engaged in acts that could be considered as depraved acts, but the films brandish an image of Native Americans as torturous savages. Typically the act is devoid any context to suggest that torture was simply an act of enjoyment from a pathological being. When Maj. Dundee and his officers find a dead soldier's body they discuss whether or not the soldier was alive when he was mutilated. One of the officers says that the solider was alive to suggest the Indians joy of torture.[94] In order for the subject to be tortured, the subject had to know it is torture so the perpetrators can take pleasure in the act. Maj. Dundee wants to use the attack on the Roste's ranch and rescuing the children as means to justify capturing Charriba for his own personal advancement.

The racialization of Native Americans as irrational brutes enabled the U.S. Cavalry to project its savage acts onto Indians to suspend or subvert the limitations of military warfare. In *They Died With Their Boots On* Custer receives a letter making him

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[94] Maj. Dundee: I hope he was dead when they did that to him.
Sgt. Gomez: If he was dead, they wouldn't have bothered.

a Lt. Colonel, and he is ordered to raise a regiment of cavalry at Fort Lincoln in the Dakota Territory. While on the wagon train to the fort California Joe gives the Custers advice on the territory, and Indian fighting.[95] He states that normal laws and fighting tactics are not the best means to fight Indians. For Joe, Indians must be fought the way they fight. Custer believes this is sound advice to fight Indians by the rules of savage/guerilla warfare because the perception is that their opponents know no restraint.

Westerns such as *Soldier Blue* have challenged the assumption of the military projecting its pernicious acts onto Native Americans by revealing the deprave acts of the cavalry during the course of battle. After surviving a Cheyenne attack in the beginning of *Soldier Blue*, Cresta mocks Honus' idealized values and his inability to survive in the frontier.[96] Cresta enrages Honus when laments the loss of her hat over the death of his regiment.[97] For Cresta, the Indians actions were connected to acts of self-defense and

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[95] California Joe: Indians is too ignorant to fight right. They fight wrong every time. That's why the soldiers always get licked. To lick an Indian, you gotta fight them like an Indian.

[96] Cresta: You're not gonna touch something that was robbed from the dead, are you?

[97] Honus: 21 men lying dead back there, and you sit here mourning a yellow hat….21 men.
Cresta: A drop in the old bucket.
Honus: A what?
Cresta: It's not the Army, soldier blue. They're not the ones getting killed off in this damn fool country.
Honus: Our country, Miss Lee, is neither damned or foolish.
Cresta: Balls.
Honus: Miss Lee, you have a most profane way of speaking.
Cresta: You should hear me in Cheyenne, you want to?
Honus: No.
Cresta: Good brave lads…coming out here to kill themselves a real-life Injun. Putting up their forts in a country they've got no claim to. So, what the hell do you expect the Indians to do? Sit back on their butts, while the Army takes over their land?
Honus: You saw for yourself what they did, taking off scalps.
Cresta: Yeah, and who taught'em that little trick? The white man.
Honus: And cutting off hands and cutting off feet and cutting off--…
Cresta: I know what they cut off…but at least they don't make tobacco pouches out of them, uh-uh. That's something else you soldier boys made up.
Honus: You're lying.
Cresta: You ever see an Indian camp after the Army's been there, huh? You ever see the women and what was done to them before they were killed? Ever see the little boys and girls stuck on the long knives, hmmm? Stuck and dying? Well, I have.

self-preservation. Honus judges the actions of the Cheyennes as being barbaric. Through their conversation Cresta reveals the atrocities that Indians have suffered at the hands of the cavalry. Since the crimes against the Indians are so cruel and horrific, Honus refuses to believe Cresta. He can believe in the rhetoric of the army, the frontier, and of the nation because he has never had his assumptions challenged. This ignorance allows for his moral superiority.

Honus and Cresta come across a trader, and Honus believes that the trader is selling guns and dealing with the Cheyenne for the paymaster's chest. Honus searchers the trader's wagon and finds the weapons. Cresta admits that she knew that the trader has been selling guns to Indians.[98] Once again, both of them argue for the best course of action for Native Americans. Cresta believes that fighting is the only chance Indians have for survival, and Honus accuses Cresta of being a traitor to her country**.** Honus assumes that being wards of the state is their best course of action. He dismisses any

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Honus: You're lying. You're lying.

[98] Honus: You've known it all along. The rifles are inside. Then you have met him before.
Cresta: Twice.
Honus: Selling guns.
Cresta: Yes.
Honus: To the Cheyennes.
Cresta: Yes.
Honus: To kill American soldiers…and you wouldn't stop him?
Cresta: I couldn't then, I wouldn't now.
Honus: For your own people?
Cresta: Most people I know live in New York City.
Honus: For your country then?
Cresta: Whose country then? This isn't my country. We're in Indian country.
Honus: All right. Why? Tell me why did you ever leave the Cheyennes?
Cresta: All right, you really want to know? Because they talk different, they dress different and they eat different. Because I am not a Cheyenne, Soldier Blue and I never will be…but I can tell you right now I'd rather be one than any runt butt soldier of any bloodthirsty Army you can name.
Honus: You're a traitor, Miss Lee.
Cresta: Well, at least that's settled.

notions of mistreatment of Indians.[99] The suffering of indigenous people is blamed on racial weakness than for any systemic reasons.

Cresta learns of the army's plans to invade the Cheyenne campground, and she leaves to warn them. When she arrives at the campground, Cresta is welcomed with open arms. There is a voice over of Col. Iverson while Cresta is with Cheyenne.[100] Col. Iverson is projecting the atrocities committed by the army against Indians onto the Cheyenne. He is manipulating events to render Indians as savages that need to be dealt with violently. Col. Iverson creates a dichotomy of a virtuous army responding, with force and brutality, to a barbaric opponent. An Indian council forms to decide what is their best course of action.[101]

Honus informs Col. Iverson that the rifles the Cheyenne were counting on were destroyed.[102] Despite this news Col. Iverson instructs the soldiers that they will move against the enemy at daybreak.[103] As the regiment assembles outside of the Cheyenne camp, Col. Iverson orders the men to get ready. The cannons are being loaded while

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[99] Honus: What about the guns?
Cresta: They stay where they are.
Honus: You're going to let him bring those guns in now when you know what they'll be used for?
Cresta: I'm giving the Cheyennes something to keep them alive.
Honus: Nobody's going to murder them. They'll be given land, a place to live in peace.
Cresta: Bullshit.

[100] Col. Iverson: Think of it, men! Put into your minds the dark abominations of these godless barbarians. Murder, rape, torture. And when you think of your comrades…fallen, butchered comrades…ask yourself are we going to give them the same mercy? You just bet we are.

[101] Chief Spotted Wolf: We want no war. Your people gave me flag and medal of friendship.
Indian: [He is part of the council, and is wearing U.S. cavalry hat] I do not trust them. They will kill our people.
Chief Spotted Wolf: No.
Indian: We will fight.
Chief Spotted Wolf: I say peace.

[102] Honus: They can't possibly win.

[103] Col. Iverson: 21 of your own close comrades murdered! Cut to pieces!
Honus: I know, Sir—
Col. Iverson: The price will be paid, soldier.
Honus: Is it worth it?

Spotted Wolf rides out with U.S. flag.[104] Before the invasion Lt. McNair sees Spotted Wolf coming out with a flag of truce.[105] Col. Iverson refuses to acknowledge the surrender, and orders Lt. McNair to open fire. The Cheyenne camp is bombarded with cannon fodder. Spotted Wolf throws down the U.S. flag. Honus runs to where the cavalry is, and screams for them to stop because there is a white woman among the Indians. Col. Iverson orders that Honus be arrested. The fighting becomes extremely brutal with rapes, mutilations, scalping, and the murder of women and children.[106] Col. Iverson orders to "Raise the village! Burn this... pestilence!"[107]

While Col. Iverson is sitting down being bandaged by his men a young Cheyenne girl is trying to escape. Her left leg has been cut off, and she attempts to escape, but Col. Iverson shoots her in the back.[108] Honus screams and carries the mutilated girl to Col. Iverson to put her in Iverson's arms screaming "why?". Honus' sympathy is seen as madness. The soldiers are dancing around the burned out teepees with war bonnets, heads, etc. They are "yelping" to mock the slain Indians. They are dancing with Indian

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[104] Col. Iverson: [Speaking to Cresta's fiancé, Lt. McNair] No matter what we might think of her, she's still a white woman. That can't be helped.

[105] Lt. McNair: My God, sir, he's got a flag of truce. Yes, sir. It's a white flag.
Col. Iverson: Nonsense.

[106] At that moment, the band of Indians that wanted to fight charge the cavalry from the side. The U.S. flag and white flag of truce were together. A face off between the Cheyennes and cavalry happens. The cavalry charges into the village of the Cheyenne. The troops trample over the American flag with their horses. As the troopers enter the village, all the Cheyennes are in their teepees. Spotted Wolf steps out, throws his spear to the ground, and rips his medal off, and tosses it. Col. Iverson orders charge. Spotted Wolf shoots Col. Iverson, and injures him.

[107] Atrocities: A soldier decapitates Indian woman. Soldiers laugh as they kill Spotted Wolf, and mock and taunt him by doing "Indian calls." A soldier rapes an Indian woman against a teepee. Soldiers rape a women in front of the children. Soldier cuts an Indian woman's breast off after she slaps the same soldier who is raping her. When a band of soldiers come across women and children they are ordered to get white women out of there, and then open fire on the women and children. The soldiers laugh as they shoot. Horses drag an Indian woman; a child is impaled on soldier's saber. A soldier rides by with an Indian head on his stir-up. An old woman is stabbed with spear. Raped woman is strung up on burned out teepee; she is naked, and covered in blood.

[108] Col. Iverson: Put one poor devil out of its misery.

weapons and body parts. Honus witnesses the massacre, and can no longer claim ignorance, or hide behind the noble image of the cavalry. *Soldier Blue* reflects a fictionalized account of the real Sand Creek Massacre, but within the cannon of Westerns this film is viewed as a social commentary piece that stands outside the normative understanding of the genre.

The supposed savagery of Indians is challenged when compared to brutal acts of the military and European powers. *Major Dundee* reveals the legacy of European conquest and colonization that both challenges the civilizing myth, and establishes the methodical use of brutality to achieve particular military, political, and economic goals. Maj. Dundee discovers that the French soldiers have destroyed the Mexican village in retaliation for helping his men. Dundee is unaffected by what the French did to the Mexican villagers. He is concerned with finding the location of Charriba. Potts tells Dundee that the actions of the French make the Apaches look like missionaries.[109] And Capt. Tyreen[110] warns Dundee to never "underestimate the value of a European education." Tyreen's comments reveal the cruelty of European colonialism as something learned, generational, and structural. It is a learned behavior to achieve colonial goals. Potts and Tyreen's comments about the cruelty of the French to the Mexicans suggest that their campaign against Charriba may not be warranted, or at the very least not deserve the type of obsession that Dundee is displaying. French cruelty, albeit not shown, overshadows the murders at Rostes Ranch, but this of no concern to Dundee. The

[109] Samuel Potts: Them boys in the pretty hats make the Apache look like missionaries.
[110] Capt. Tyreen: Never underestimate the value of a European education.

colonial terror enacted by the French troops reveals that the use of violence is not only productive, but also used to send a message against resistance.

Good Savage, Bad Savage: The Hostile Territory of White Savages

As I have stated earlier the construction of the landscape as foreboding creates a strengthened sense of both fear and anxiety. A predetermined tense environment serves as a legitimate factor for warfare. As Capt. Brittles and Sgt. Tyree enter a Kiowa village, while the voice over narration suggests that the men are entering hostile territory while tensions mount with several tribes uniting under the goal of "war to drive [the] white man" out.[111] Both men reveal to each other how frightened they are while on their way to meet the old "progressive" chief to discuss peace.[112]

Despite the presentation of Indians as savages capable of heinous acts, whites are presented with a greater capacity for terror, especially when they believe they have been scorned. Haunted by the specter of Dunson in *Red River*, Matt and Groot calculate the days it will take for Dunson to reach them. Matt expresses self-doubt about the rebellious confrontation with Dunson. The presence of Comanches complicates the cattle drive. Fearing the alternative, Matt offers his men a choice, "Which would you rather have? What's behind, or what might be ahead?" Buster and Cherry are sent ahead on the trail to issue any warnings, and Matt and Teeler both have dreams and nightmares of Dunson's

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[111] Narration: [Brittles and Tyree entering camp] In the Kiowa village, the drumbeat echoes in the pulse of young braves. Fighters under a common banner, old quarrels forgotten…Comanche rides with Arapaho, Apache with Cheyenne. All chant of war. War to drive white man forever. From the red man's hunting ground. Only the old men stand silent. Even Pony That Walks has been howled down at the council fires.

[112] Brittles informs Chief Pony That Walks that his "heart is sad at what it sees. Young men painted for war." Pony That Walks says it is a bad thing, and many will die. Brittles wishes to prevent a war, and Pony That Walks tells him it is too late, "Young men do not listen to me…They listen to big medicine. Yellow hair. Custer dead. Buffalo come back, great sign. Too late, Nathan." Pony That Walks tells Brittles that both of them are too old for war, and Brittles agrees. Brittles tells him "old men should stop wars." Pony That Walks calls Brittles his brother, and tells him to go in peace.

revenge. Matt reveals to Teeler, "how can a man sleep with Indians out ahead and him behind us?"[113] Despite the situation that Matt and the rest of the men find themselves in, they fear Dunson's wrath instead of the threat of Indians behind them. Even though the film does not suggest that Dunson is a savage it is still quite telling how he is feared. The determination of whites in Westerns is presented as a menacing force.

In the third flashback of *The Searchers*, Martin and Ethan come across a small herd of buffalo in a snow-covered field. Ethan shoots at a herd of buffalo to cause a stampede. He goes into a frenzy, shooting at all the buffaloes to slaughter the herd to starve, and deprive the Indians of food for the winter. Martin tries to prevent Ethan from doing this, but he is knocked to the ground. Ethan believes in killing as a means of cleansing an Indian influence or encounter. This circular statement, as Scar killed Jorgensen's cattle to lure the men from their homes, Ethan is killing buffalo to deprive the Indians of their food supply.

Yet, westerns present Indians that have spent a significant amount of time among whites as losing their "natural" and "savage" abilities by becoming tame. If the savagery of Indians is taken away, then their value in the frontier is diminished. After an ambush attack by the Apaches Major Dundee begins to further question the abilities of his Indian tracker. Maj. Dundee asks Potts how Charriba knew their strategy, and he replies

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[113] Buster returns to the cattle drive and tells Matt that they found a traveling brothel with women, coffee, pie, and other foods and comforts that the men have gone without. The men get excited, and Matt permits them to go out of their way for some enjoyment. As they approach closer to the wagons, gunfire is heard over the next ridge. Comanche Indians are attacking the wagons. The wagon train surrounded by a large band of one hundred Indians. The Indians are yelling and circling the wagons. This time the Indians are in great numbers, and visible. Men laments that they are "Saving a bunch of gamblers and women." Matt leads the men in a charge, and they go inside the circled wagons. They push over the wagons, hold their ground, and stave off the attack. Matt makes the acquaintance of Tess (the Madame of the brothel). She is Matt's version of Fen.

"They're Apache."[114] There are a few assumptions operating here. The first one is an essentialist argument. The Apaches knew of the attack because of some innate understanding. The second assumption is that if Apaches can sense an impending attack, then why did Riago not know. Riago justifies his inability to determine the attack because "I'm a tame Apache. A camp dog. Christian Indian. Charriba is Apache." His Indian identity has been discredited because he is Christian and "civilized," and Charriba is a real Indian because he lives in the wild like a savage. His lack of indigeniety makes him a liability in the frontier. This justification further validates Maj. Dundee assumption that he cannot be trusted. Dundee refers to Riago as a "camp dog" to further denounce his Indian identity through his inability to track and or hunt.

Charriba leaves Dundee and his men a message by killing Riago and crucifying his body to a tree. Major Dundee reinforces the racist notion that the only good Indian is a dead Indian. Good in this sense would be his allegiance to Dundee and not Charriba. Potts demands that Maj. Dundee cut down Riago. Only in death is Riago's loyalty proven.[115] It is suggested that an Indian can only prove their loyalty or honesty through death.

Part of the process of barbaric sovereignty is to project images of cruelty and treachery onto the Other, which is more revealing about the settler and state, and not the indigenous. The actions of white residents or European immigrants do not garner the

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[114] Maj. Dundee: [After the Apache ambush] How did they know?
Samuel Potts: They're Apache.
Maj. Dundee: [On Riago] Just what in hell is he?
Riago: I'm a tame Apache. A camp dog. Christian Indian. Charriba is Apache.
Maj. Dundee: Sam, you take this camp dog and go find me Charriba.
Samuel Potts: That's what you pay us for, Amos.

[115] Tim Ryan: March 23rd. Today we learned that Riago had been a true soldier. I bitterly regret my suspicions, as I'm sure does the major.

same criticisms of savagery as the actions of Native Americans. In addition, whether an Indian speaks an European language, dresses in a colonial fashion, or becomes a Christian, the white colonists does not fully trust the native because of the assumption that an Indian will always have a savage nature. *Jeremiah Johnson* (1972) abandons the trappings of 19th century modern life to become a mountain man. After Johnson and Del Gue defeat a Flathead scouting party they are taken to an Indian village. Del Gue serves as a colonial expert in this film. He speaks native dialects, and uses his knowledge to help Johnson survive. Del Gue tells Jeremiah that this tribe is Christian, and French missionaries educated the chief. During the meeting with Chief Two-Tongues Le Beau, Johnson offers him the scalps and horses. Del Gue warns Johnson that if the chief cannot find an adequate gift they will be killed. The chief decides to give Johnson his daughter in marriage.

Johnson is being forced by the Flathead chief to marry an Indian girl. Del Gue uses the image of Indian savagery to force Johnson to marry the chief's daughter. Del Gue warns Jeremiah "he may speak well and read the Bible; but he's still an Indian and his rules is his rules." He essentializes an Indian identity by suggesting that because the chief reads the Bible, he is still an Indian with a savage nature. Del Gue once again warns Johnson that if he refuses the marriage their lives are at stake.

The image of savagery does not always come from violent acts, but the relationship that Native Americans share with the land. Living within the boundaries of nature is deemed as proof of an animalistic disposition. The tensions between Indians

and British colonial subjects become strained in *The New World*.[116] One of the men justifies the presence of the British by stating that they improve the conditions of the land, regardless of the fact that the men were unwilling to work for the communal good.[117] The fighting stops, but the British want to continue fighting the Indians. A British man shoots an Indian, and the fighting commences and the British retreat back to the fort. Smith narrates a dialogue to God, and asks that the British not "be brought to nothing."

The Colonial Expert

Adam Ashforth (1990) argues that modern western civilization preserves "values and techniques of mastery; mastery of 'man' over 'nature'; mastery of the state over the social world" (5). The desire for mastery drives the intellectual "domain of the 'problem' as a question of action amenable to, and indeed requiring, reasoning as the most effective relation between means and ends" (Ashforth, 1990: 5). This urge for mastery produces an expert that is in a position to both understand and solve the problem with the native. Knowledge possessed by non-Western peoples becomes valid when offered by a white or colonial expert, or as Deloria, Jr. (1997) states, the "color of skin guarantees scientific objectivity" (35).

In *Fort Apache* Col. Thursday pays 2nd Lt. Michael O'Rourke compliments on the completeness of his report concerning an Indian incident. He says that the report "speaks a knowledge of the savage Indian…, which I am sure you did not acquire at the military academy." This comment demonstrates the difficulty of mapping colonial ideology onto

[116] Priest: Seeds of sulfur! Sons of fire! Devils in the mouth of hell!
[117] Man: (Screaming) You're like a herd of deer! How can you own land?! This earth was for such that shall improve it and knows how to live!

the frontier and the indigenous. Thursday's comments reflect his textbook understanding about the terrain in which he is sent to maintain, secure, regulate, and dominant. The film contends that experience in the field with Indians is of more value than from any knowledge gained in a text or manual, and Thursday's ability to perform as a leader in the field is impeded by his racism.[118]

Thursday's inexperience, brashness, and arrogance almost cost the men their lives. When riding to where he thinks the Apaches are, Thursday requests advice from York, but with a pretense of not requesting these services. York is needed to locate the Apaches for Thursday. As the Apache appear, York mentions to Thursday that the Apaches outnumber them four to one. He asks Thursday, "Do we talk or fight?" Thursday attempts to displace his ineptness onto York by dismissing the presence of the Apache Indians. He tells York, "You seem easily impressed by numbers captain." After surveying the situation, he says, "however, I'll honor your word to Cochise. Tell him we've come to talk."[119] Thursday only concedes to talk when he witnesses the magnitude of the situation, and his inexperience in the frontier dealing with Native Americans.

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[118] Thursday further demonstrates his ignorance of his surroundings when he assembles the platoon to go after Diablo and his band. Captain York presents Thursday with the troop, and Thursday chastises his men for not being properly uniformed. This is once again intended to demonstrate that his textbook knowledge of Army procedure does not match up with the demands of frontier life. Thursday cannot conquer or map the colony.

[119] [Col. Thursday is meeting with Cochise, and Beaufort translates Cochise's Spanish into English.]
Sgt. Johnny Beaufort: He says, "The Apaches are a great race," sir. "They've never been conquered. But it is not well for a nation to be always at war. The young men die... the women sing sad songs... and the old ones are hungry in the winter. And so I led my people from the hills. And then came this man. [Indicating Meacham]
Lt. Col. Thursday: [Cochise speaks more - Beaufort pauses] What did he say?
Sgt. Johnny Beaufort: Well, sir, a free translation would be that "Meacham's a yellow-bellied polecat of dubious antecedents and conjectural progeny." Cochise's words, of course, sir - not mine.
Lt. Col. Thursday: [looks at Meacham] That's a matter of opinion.
Sgt. Johnny Beaufort: [Cochise continues - Beaufort translates] "He is worse than war. He not only killed the men, but the women and the children and the old ones. We looked to the Great White Father for protection. He gave us slow death. We will not return to your reservation while that man…[Indicating

Within the terrain of the frontier certain claims of essentialized native traits present themselves as a useful commodity for a white colonial subject. Having a mixture of "biological gifts" from Indian and primarily white lineage present themselves as advantageous traits. Films like *Hondo* suggest that Indian biological traits heighten one's ability to survive among nature. Combining Indian traits with a white intellect produces a hybrid that can co-exist and control both worlds. Hondo's dog, Sam, can smell Indians from a significant distance. Hondo explains the process to Mrs. Lowe by telling her that it involves a "tame Indian" to beat the dog several times a day. The first assumption is that Indians can by essentialized through the senses, and second, the dog can learn to hate all Indians for the cruelty it received as a puppy. Hondo goes on to explain that Indians can smell white people as well. The imagery here is to suggest racist behavior of an animal that treats Indians as a game animal that can be tracked, hunted, and killed. Indians are also presented with extraordinary sensory capabilities like that of animals that make them effective trackers and hunters.[120]

Meacham] is there or anyone like him. Send him away and we will speak of peace. If you do not send him away, there will be war. And for each one of us that you kill, ten white men will die!
Lt. Col. Thursday: Are you threatening us?
Captain York: Don't interrupt, sir, it's an insult.
Lt. Col. Thursday: I'll not sit here and be threatened. Beaufort... no preliminary nonsense with him... no ceremonial phrasing. Straight from the shoulder as I tell you, do you hear me? They're recalcitrant swine and they must feel it.
Sgt. Johnny Beaufort: He's only speaking the truth, sir.
Lt. Col. Thursday: Is there anyone in this regiment that understands an order when it's given?
Sgt. Johnny Beaufort: What does the Colonel wish me to say, sir?
Lt. Col. Thursday: Tell them I find them without honor.
[Beaufort translates the words to Cochise]
Lt. Col. Thursday: Tell them they're not talking to me, but to the United States government. Tell them that government orders them to return to their reservation. And tell them that if they have not started by dawn, we will attack. Tell 'em that!
[Col. Thursday turns and walks away - Cochise and his group walk away]

[120] Hondo: He can smell an Indian at half a mile.
Mrs. Lowe: He smells Indians? I don't believe it.
Hondo: Sure, lots of dogs smell Indians. You can teach them.

Hondo's biological gifts of being part Indian make him an effective rider, hunter, and tracker. It is suggested that his gifts of living off the land have more to do with biology than experience. This conversation goes beyond just simply essentializing Hondo, but demonstrates his expertise. His mixed blood identity is a metaphor for existing in the frontier. It is a connection to the natural, and a sense of duty and responsibility to the settlement of the land. It is both a respect for and domination of the land.

Hondo's ability to perform in the frontier is predicated on his ability to live in both a white and native world. He is able to guide inexperienced military officers through the terrain while allowing him to assume the leadership position when necessary. Especially when handling freshly graduated officers out of West Point like Lt. McKay. Regardless of the advice that Lt. McKay receives, he tells Hondo that his orders will be executed no matter what. McKay's military training from an academy suggests that his schoolbook understanding of the frontier is not adequate. The knowledge and training he has received is a disadvantage for the survival of his men, and the settlers. The experience of men like Hondo and Buffalo Baker carries much more value. On the one hand, this can be attributed to a hierarchical relationship of those with rank and no

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Mrs. Lowe: Teach them? How?
Hondo: First you get yourself a puppy and then you hire yourself a tame Indian and cut a willow switch. Then you get the Indian to beat the puppy with a willow switch 4 or 5 times a day. And when he grows up, he'll always signal when he smells an Indian.
Mrs. Lowe: Beat a puppy. How cruel.
Hondo: That's how they do it. [They discuss different scents.]
Hondo: As a matter of fact, Indians can smell white people.
Mrs. Lowe: I don't believe it.
Hondo: Well, it's true.
Hondo: I'm part Indian, and I can smell you when I'm downwind of you.
Hondo: I could find you in the dark, Mrs. Lowe, and I'm only part Indian.

experience risking the lives of others, and of those with experience and no rank that suffer the consequences of such acts.

The Searchers demonstrates that Ethan Edwards is a colonial expert. Although Ethan Edward's judgment is clouded by his racism, he is not ignorant of the Comanches way of life. In the quest for the girls the Searches find a Comanche Indian buried under a large sandstone rock. Brad Jorgensen, Lucy's love interest, slams a large stone over the head of the dead Comanche. Ethan tells him to finish the job and shots out the eyes of the dead Comanche. Ethan's racism and hatred is shown through his desecration of the dead body.[121] Not only is Ethan's hatred shown, but also his awareness of Indian customs and beliefs, especially those concerning the spirit world by forcing the departed Comanche to wander without his eyes.[122]

The colonial expert in Westerns is either a man who has lived with Indians, or is part Native American. Either way, this character is able to live in both an Indian and white world. His ability to live in both worlds makes him an expert in Indian affairs, and this ability to understand both societies places him in a position to transcend beyond particular interests. Presenting the colonial expert as the one who transcends the crises between whites and Indians serves two purposes. The colonial expert sees value in the

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[121] Ethan: Why don't you finish the job?
[Ethan shoots out the eyes of the Comanche warrior]
Reverend Sam Clayton: What good did that do you?
Ethan: By what you preach, none. But what that Comanch believes…ain't got no eyes... he can't enter the spirit land. Has to wander forever between the winds. You get it, Reverend.

[122] A considerable amount of time has passed, and Ethan and Martin have not found Debbie. They have lost the Comanche trial in the snow, but Ethan is undaunted by the weather and setbacks. They head back, but Ethan tells Martin that he will still continue the search. Ethan is obsessed, and refuses to concede defeat. Once again, Ethan's dialogue is intended to demonstrate the differences between Native Americans, and settlers, but something else is demonstrated here. Ethan tells Martin that an Indian has limits, and will quit when a goal is reached. However, Ethan is suggesting that a white man is relentless, and never quits regardless of the goal. His comments also suggest that a white man will always continuously chase or hunt an Indian. It is a drive or desire that cannot be satisfied.

traditions, customs, and cultures in Native Americans, but as an agent of an expanding colonial entity, he serves the interests of the conquering race. The colonial expert choosing to support and defend white civilization is intended to demonstrate the superior position of the white race, and to encourage Indians to abandon their cosmology as a dying tradition to bolster the claim of a white civilizing mission. Second, the colonial expert is the one who generates the chronicles of the indigenous populations, which is written from the vantage point of whites as the victors of history.

The Civilizing Mission: Saving Those Against Themselves

Salvation is at the heart of the civilizing mission, and the desire to save is based on some sort of understanding of justice. To paraphrase Thucydides, justice is what the strong do may seem misplaced, but in actuality it is quite relevant to the colonial trope of the civilizing mission. In barbaric sovereignty the strong barbarians determine what justice is related to the productive capabilities of conquest, relocation, massacres, exterminations, and cultural genocide. Such aggressive policies of subjugation are often couched in the rhetoric of saving the subject. Violence, in this regard, is a liberating force to incorporate the savage into society. Either the subject needs to be killed to be saved from itself, or allowed to survive once they accept whiteness over their native ways. In either case, the civilizing mission requires a subject to demonstrate their liberation by allowing himself or herself to be fully dominated by a master.

The Searchers raises questions about white hostilities towards Indian and white relations. Ethan believes the best way to save his niece is to murder her. Her extermination and the extermination of Indians in general is one solution towards Indians. Debbie at this point in the film is “too native” to be recouped into white society. Camped

at the creek, Martin asks Ethan about Scar's intentions. At that moment Debbie appears running down the side of a sand dune to speak with Martin. Debbie begins to remember her childhood, but she also exhibits how she has "turned native" and has accepted her position within the tribe as Scar's wife.[123] Debbie wants Martin to leave to protect him from Scar. At that moment, Ethan pulls out his revolver with the intention of killing Debbie because she has gone native, and slept with an Indian male. For Ethan, Debbie is no longer white. Before Ethan can come closer to kill Debbie, he is struck in the shoulder by a poisonous Comanche arrow. The poison in his system is a metaphor for the racism in his blood, but the poison/racism is removed when Martin treats him. Debbie escapes, and a war party of Comanches attack Martin and Ethan. They escape and take refuge in a cave. They stave off an Indian attack. Ethan starts to become more accepting of Martin, especially when he bequeaths Martin all his belongings. In Ethan's last will and testament, he identifies Martin as his sole survivor and disconnects Debbie from his lineage. Martin refuses to be Ethan's heir, and chastise Ethan for his condemnation of Debbie, his "blood kin." Ethan refuses to acknowledge Debbie because she has been "livin' with a buck." The dialogue reflects the tension that Ethan feels when the issue of Debbie having sexual relations with an Indian man. To him, they only way to "save" her is to kill her, but it suggests that he would rather kill a relative then accept

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[123] Martin: Debbie... Debbie, Debbie, don't you remember? I'm Martin, I'm Martin, your brother. Remember? Debbie, remember back. Do you remember how I used to let you ride my horse? And tell you stories? Oh, don't you remember me, Debbie?
Debbie: I remember. From always. At first, I prayed to you: "Come and get me, take me home." You didn't come.
Martin: But I've come now, Debbie.
Debbie: These are my people... Go. Go, Martin, please!
Ethan: Stand aside, Martin. [Ethan has pulled his revolver intending to shoot Debbie.]
Martin: [Shielding Debbie] No, you don't, Ethan. Ethan! No, you don't! [He pulls his gun on Ethan.]
Ethan: Stand aside!

racial miscegenation. Her gender suggests that her "corruption" is beyond salvaging, and Ethan is entitled to destroy her.

Ethan and Martin return back to Texas to inform the people that they have found Debbie, and to assemble another posse. Laurie pleads with Martin to let it go. She agrees with Ethan that Debbie is no longer a white woman, and that she is better off dead. Laurie believes that Debbie is beyond the point of no return to reclaim her racial status, but Martin insists on her "rescue."[124]

Martin finds Debbie asleep in Scar's teepee. At first he surprises her, and then she rejoices in the fact that he has come to rescue her. Scar enters the tent, and Martin whirls around shooting him dead. Hearing the gunshots, the rangers begin their attack. As Martin and Debbie escape the camp, Ethan discovers the body of Scar. Ethan takes out his bowie knife and scalps Scar. This act demonstrates several things: 1) Ethan's castration of scar, 2) His use of "savage" techniques such as scalping, 3) and the scalp is his trophy of hatred. Once he leaves Scar's mutilated body, he searches for Debbie. As Debbie runs away, Ethan pursues her. Debbie falls at the entrance of a cave, and Ethan is standing over her, at that moment he picks her up and utters, "Let's go home, Debbie." Debbie's return to her white family, and Ethan's ability to dominate her allows Debbie to

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[124] Laurie Jorgensen: [Martin is preparing to join a raid against the Indians and rescue Debbie] You're not goin', not this time.
Martin: You crazy?
Laurie Jorgensen: It's too late. She's a woman grown now.
Martin: But I gotta go, Laurie, I gotta fetch her home.
Laurie Jorgensen: Fetch what home? The leavings of Comanche bucks, sold to the highest bidder, with savage brats of her own?
Martin: Laurie, shut your mouth.
Laurie Jorgensen: Do you know what Ethan will do if he has a chance? He'll put a bullet in her brain. I tell you, Martha would want him to.
Martin: Only if I'm dead.

return the family. Now that she has renounced her Indianness, she is permitted to rejoin the family that will save her.

The civilizing mission can also allow killing to occur for a greater good. Indian acts are rarely viewed as having any political significance or attributed to actions of self-defense. Rather, any military campaign by Indians is viewed as further proof of their heathen ways. The killing of Indians can also be seen as a way of spreading or enforcing the gospel. If an Indian does not deracinate, then they forfeit their right to exist. *Major Dundee* uses the character of Reverend Dahlstrom to demonstrate the Christian principle of vengeance. Rev. Dahlstrom's mission relies on Christian scripture as a means to justify the destruction of Sierra Charriba for destroying his flock.[125] The association to Christianity inadvertently supports the men in their quest to hunt down Charriba, but not the mission of the Apaches. In addition from avenging the fallen captivity narratives of saving whites from Indians is used as a justifiable means to encroach upon native land. Barbaric sovereignty utilizes any aspect of salvation to give grander meanings to particular actions. These actions—whatever they may be—are about the here and now, and for the future of the next generation.

Jeremiah Johnson skills as a mountain man are needed to assist the 3rd Cavalry. Lt. Mulvey and Rev. Lindquist use a captivity narrative of rescuing whites before Indians and the weather harm them. This narrative serves a justification for trespassing on sacred

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[125] Maj. Dundee: Name?
Rev. Dahlstrom: Dahlstrom. Any man with a just cause should travel with the word of God.
Maj. Dundee: With all due respect, God has nothing to do with it. I intend to smite the wicked, not save the Heathen.
Rev. Dahlstrom: Seventeen years ago I married John and Mary Rostes. Who that destroyeth my flock, I will so destroyed.
Maj. Dundee: [Smiles] Reverend.

burial land. Johnson sees the land from an Indian perspective, but the rescue group understands the land through a colonial lens.[126] Rev. Lindquist undermines Johnson claim that the settlers are lost on Crow land. Lindquist "corrects" Johnson by stating that the land belongs to the Department of Colorado. The reverend's statement serves as a validation for the army to travel upon any and all lands necessary for the rescue regardless of Indian land claims. Lt. Mulvey needs Jeremiah Johnson's help, but he is reluctant. Rev. Lindquist places a hierarchy on humanity by suggesting that Johnson would allow Christians to suffer and die. He phrases his comments in terms of a moral mission.[127]

While leading the 3rd Cavalry to the settlers, the search party comes across a sacred Crow burial site. Johnson warns the troopers that they must go around to not disturb the spirits, or offend the Crow. Rev. Lindquist is shocked that Johnson would mention this. He asks Johnson if he believes this, and Johnson replies that it does not

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[126] Lt. Mulvey (3rd Cavalry): I'm Lieutenant Mulvey, Third Cavalry. That's Reverend Lindquist. We've been watched ever since we started the climb up from the Gila. Who are they, Flathead? I said, are they Flathead? Did l say something?
Jeremiah Johnson: No. It's been a long time... since l had...so much of the English language spoken at me. I ain't used to it. Crow. This is Crow land.
Rev. Lindquist: Well, This is the Department of Colorado.
Lt. Mulvey: You're on good terms with them.
Jeremiah Johnson: Crow? Who gave you that idea?
Lt. Mulvey: People talk about it down below.
Rev. Lindquist: You live up here.
Jeremiah Johnson: I do that.
Rev. Lindquist: And you know the high country.
Lt. Mulvey: Do you know Feather Mesa?
Jeremiah Johnson: I do. So?
Rev. Lindquist: We have wagons there. Three of them. Broke down in the snow and ice.
Lt. Mulvey: We got to get them out of there before they freeze. Or the Indians get them.
Jeremiah Johnson: Would be wise.

[127] Rev. Lindquist: These are Christian families. Christian women and children starving. Do you mean to tell me that you intend to let those people die?

matter what he believes, but the Crow believe.[128] Lindquist sees Christianity as the only real religion, and treats Crow beliefs as folklore. On the one hand, Johnson is validating an alternative spiritual belief because he is aware of the implications of disturbing sacred burial ground; and on the other hand, Rev. Lindquist feels threatened by any other form of spiritual belief that challenges Christianity. Lindquist states that Johnson has become superstitious living among nature, and not with society to take seriously the beliefs of the Crow. Lt. Mulvey decides to go through anyway, and Johnson reluctantly assists them. Once they cross the burial ground Rev. Lindquist ridicules Johnson's concern for Crow land by scoffing at the fact they survived.

The civilizing mission is evoked to secure land holdings for either state control or individual financial gain. Oftentimes indigenous peoples are constructed as primitives thwarting the progress of civilization thereby enabling the penetration of their land. In

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[128] Lt. Mulvey: Did you hear something?
Jeremiah Johnson: Can't go through here.
Lt. Mulvey: Why not?
Jeremiah Johnson: Crow burial ground. Sacred. We'll have to turn around and head east.
Lt. Mulvey: How far east?
Jeremiah Johnson: Next pass. 20 miles or so.
Rev. Lindquist: Johnson, those people are waiting for us! Now they're freezing, hungry and scared.
Jeremiah Johnson: Crow only come with medicine men and burying parties!
Rev. Lindquist: We are not Crows!
Lt. Mulvey: What would happen, Johnson?
Jeremiah Johnson: I don't know. I don't know. This is big medicine. They guard it with spirits.
Rev. Lindquist: You don't believe that.
Jeremiah Johnson: It doesn't matter. They do.
Rev. Lindquist: You've been up here too long, believing in this!
Lt. Mulvey: What chance would l have finding a way through, just by riding west?
Jeremiah Johnson: Poor chance. Or none.
Lt. Mulvey: Thanks all the same, Johnson, but we're riding through. Sergeant! Prepare to move!
Jeremiah Johnson: You won't make it.
Lt. Mulvey: You have to hunt, you said. I have to try.
Jeremiah Johnson: Tell your men to keep behind me in single file. Tell them to go slow and stay quiet.
Lt. Mulvey: Sergeant! Single file, slowly…keep them quiet.
Rev. Lindquist: We seem to have escaped. How long have you been carrying your squaw?
Lt. Mulvey: Thank you--
Jeremiah Johnson: Move them fast. Crow don't take kindly to trespassing.

They Died With Their Boots On The Sharps are losing money, and are exploring means to break the treaty with the Sioux to make profits.[129] The men risk war and instability to save their investments. They compare profits to civilization, and refer to the Indians as savages slowing down progress. The Sharps and Taipe fabricate a story about gold being found in the Black Hills to force settlers to come and open up the territory, and Ned asks about the Sioux.[130] Both Taipe and the Sharps exaggerate the threat of the Sioux to settlers so they can open up the Black Hills for prospecting.

Conclusion

The colonial categories of barbaric sovereignty present themselves in modern Westerns as well. *The Missing* (2003) is about a man returning to his daughter to make amends for walking out on his family. As Maggie Gilkeson, his daughter, rejects his offer of reconciliation she must utilize his skills as a tracker to find her kidnapped eldest daughter, Lilly. *The Missing* incorporates the major themes of *The Searchers*, but with the elements of Ethan Edwards divided between father and daughter. Samuel's ability as a tracker are learned from his years living among Indians, and Maggie shares Ethan's racism towards Indians because she feels that they have taken her family as well. The difference is that Samuel chooses to leave, whereas Ethan's family was massacred. In the beginning of the film Samuel Jones comes to Maggie's ranch to be healed, and make amends for running out on her when she was a child. She is cold and distant to him, and does not acknowledge him as her father. Later that night, Maggie tells Brake that the

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[129] Sharp, Sr.: We're here because the company's facing bankruptcy on account of this idiotic treaty with the Sioux….There'll be no settlers till the railroad's pushed on. The railroad's only route is through the Black Hills, the gateway to the West. A few thousand savages have stopped the march of American civilization.

[130] Taipe: Treaty of no treaty, we cannot allow thousands of Americans to be massacred.

visitor is her father, and he left her family, and "gone Indian." For Maggie, her father is a beast and a scavenger.[131]

Maggie seeks the assistance of the sheriff to rescue her daughter from the Indian and white men that kidnapped Lilly. At the sheriff's station Maggie receives word from a telegraph that a band of Indians fled the San Carlos reservation. Sheriff Purdy shares his excitement about the technology of the telegraph. This scene juxtaposes the harsh frontier settlement of Maggie's ranch with the coming age of technology that is transforming the town. When the communiqué is being sent, Maggie is looking out of the window and sees the graphaphone that Lilly wanted to see. This is how *The Missing* plays on the clash of civilizations differently from *The Searches*. *The Missing* uses technology, while *The Searches* uses the domestic environment to suggest civility. A message comes back to the sheriff informing him about the recent Indian raids in the territory. Technology is making advancements in the settlements for progress.

Sheriff Purdy tries to placate Maggie by notifying her that the Army is handling the situation. Furthermore, he tells her that the Army has Apache scouts, and that it "takes an Apache to catch an Apache." On the one hand, this comment suggests that

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[131] Critics have compared Ron Howard's *The Missing* (2003) to John Ford's *The Searches* for its similarity in narrative. *The Missing* is set in New Mexico in 1885. The story revolves around a rancher and healer named Maggie who searches for her eldest daughter kidnapped by a band of Native Americans and whites. These men abduct girls and women and sell them across the border in Mexico to become prostitutes. Maggie and her estranged father, Samuel Jones embody different elements of Ethan Edward's character from *The Searchers*. One is racist, and the other knows Indian ways. Maggie is racist and hateful towards Indians because her father left the family to live among Native Americans. For Maggie, her father chose Indians over her white family. Samuel Jones is mistaken of being an Indian himself because of his dress, demeanor, and knowledge of Indian methods.

Another parallel between the films is the estrangement Sam has with his family. Much like Ethan, Samuel is distant and ignorant of the conditions of his family. He has no bond with them or white society in general. This attempt to find his granddaughter is an attempt to heal the rift between him and his daughter, but there are limits to his inclusion into the family and society. Whereas Ethan leaves after Debbie's rescue, Samuel dies protecting his family.

Indians are so familiar with the terrain and eluding the military that it takes one Indian to find another. On the other hand, this comment reflects that Indian agents were complicit in the colonial process as agents of conquest. The need for an Indian to catch an Indian establishes Maggie's need for her father and his tracking abilities. Samuel reflects the same type of Indian familiarity and knowledge as Ethan Edwards. Both men are experts in Indian affaires, but the assumption does not work for Indians to become experts on whites.

Maggie, her father, and the youngest daughter Dot come to a home to that was attacked by the Brujo's group. This scene shows how Maggie's racism clouds her judgment. She assumes that not only are Indians behind this, but that this is typical behavior for them. Samuel tells her that Indians were responsible, but warns her not to make such gross generalizations. Samuel goes inside the house, and sees an Indian scout for the Army. Samuel jokes that the scout is the pride of his people. Cavalrymen arrive at the home, and assume Samuel Jones is responsible for their deaths. They are about to hang him, and Maggie steps in to save her father by vouching for his whiteness by stating that he is her father. His appearance once again is presumed to be Indian and dangerous. The lieutenant offers an explanation to the motives behind the Indian raids due to the 4th Cavalry hanging their chief.[132] This might be an attempt to not outright vilify the Indian characters, but the film situates them in a stereotypical manner. The film still uses Native

[132] Maggie: The Indians were American soldiers?
Lt. Jim Ducharme: Then a couple of months ago, some of them turned...shot some white officers and jumped the reservation in San Carlos. The 4th Cavalry started all this by hanging their chief. Don't know what they were thinking.
Samuel Jones: What makes you think they were thinking?
Lt. Jim Ducharme: This whole territory's gone topsy-turvy. You got Indians running with whites, whites running with Indians.

Americans as a backdrop to advance the narrative of a family's healing with the association of a clash of civilizations.[133]

The film constantly ascribes racialist meanings to Samuels's attire and presentation to reflect a performative aspect of race that distances him from whites. The scene where Samuel appears alone before the kidnappers to try and convince the men to sell him two of their captors is the dialogue between Samuel and El Brujo that revolves around the character of an Indian. El Brujo refuses to sell him the women as a metaphor of how Indians accept monetary compensations for the atrocities they have endured. For the Brujo, he is not interested in money or reconciliation. He wants whites, in particular Samuel, to experience what it means to be an Indian. For the Brujo, pain is the only indicator of being an Indian.[134] Even though *The Missing* was attempting to make a modern take on the Western by not reproducing racist stereotypes, it is connected the process of barbaric sovereignty. Relying on these tropes to advance the narrative of a western demonstrates the hegemony of the colonial process because of how the film inadvertently validated the colonialism.

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[133] An encounter between Samuel and Apache scout Happy Jim is the films attempt to demonstrate that an Indian perspective does not have to be drawn along racial lines. Samuel chastises Happy Jim for helping the Army. He warns that the Army, like whites and the government, will betray him by sending him in leg irons to a prison in Florida.

[134] Samuel Jones: You have two girls I want to buy.
Brujo: You are a make believe Indian. Is that what you are?
Samuel Jones: Yeah, that's right.
Brujo: You want to become a real Indian? Like them?
Samuel Jones: I want to give you 600 dollars for two girls.
Brujo: Some here want your money. For the evil your people have done... I want your pain. Look at me. Inside you are two dogs. One is evil, the other is good. The mean dog fights the good dog all the time. Which one wins?
Samuel Jones: I don't know. Whichever one I feed the most.
Brujo: No. They are killing each other. That is what makes you sick. I will make you a real Indian. That is what your soul asks me for. This will tear out your soul. You were born white, but you will die an Indian.

The films I have selected by no means reflect every avenue of the Western genre. I selected films that ranged from seminal works, standard bearers of the genres, reconceptualized the Western, remakes, or popular films that incorporate many elements of a definitive Western. My intention in this chapter demonstrates how films reflect the process of colonialism in the present by relying heavily on colonial tropes that create a national mythology of the frontier. The study of cinema, and Westerns in particular, demonstrate how a popular understanding of the nation is produced. I concede the point that films are a reflection of the times in which they were produced, but I treated these films as symbolic representations of the generative aspect of frontier colonialism. Cinema's value relies in its ability to educate or reinforce a dominant narrative of the nation through a common sense or popular view of history. Western films provide the structure by which the frontier is remembered, which is a history that argues that all forms of violence and aggressions were equal. Presenting all things as equal substantiates a claim that a greater race won out over a weaker one. Despite the incorporation of Native Americans and colonial histories into Westerns, which serve to authenticate colonialism, the genre still substantiates the claims of barbaric sovereignty by focusing on the decisions that settlers and the state had to make to create a nation-state.

Chapter Five: Australia's White Settler Legacy

For this chapter I will focus on Australia and its relationship to its white settler society legacy with an emphasis on what racial representation engenders for barbaric sovereignty. On the surface it may appear that a comparison to the United States may not be appropriate considering that each country has a different colonial relationship to England, and different histories with regards to their indigenous populations. The United States fought a revolutionary war to break its ties with England, while the Crown encouraged Australia to become an independent commonwealth. In addition, the United States negotiated treaties with Native Americans, and Indians were considering domestic dependents within the nation with a particular set of rights that the courts had to address. Australia, on the other hand, does not view Aborigines as domestic dependents, did not negotiate treaties with them, and their whole colonial campaign of settling the land was based on the assumption of *Terra Nullius*, which means empty land. Even though these events suggest that Australia would be a counter example to the United States, it is their relationship to the frontier and colonialism that demonstrates a larger systematic approach to the accumulation of land, state power, race wars, and the rhetoric of savagery. In other words, racial representations of savagery enabled both the state and its residents to engage in various campaigns against indigenous Australians that were mutually beneficially to both parties. The structure of this chapter will reveal this argument by following the same arrangement of the overall dissertation. The first section deals with three important massacres in Australia's history, the second section focuses on the rhetoric of savagery within the nation, and the last section demonstrates the

importance of Australian national cinema and its relationship to the nation's colonial past.

Australian Massacres

Australia's barbaric sovereignty treats the frontier as a continual source of terror to aid in the progression of settlement through categories of knowledge and methods of coercion intended for indigenous Australians. Early writings of colonists reveal that Aborigines were a continual source of contemplation and speculation. Aborigines were investigated as part of a search for human essence because they were believed to represent a primitive human origin (Morris, 1992: 73). There was never a singular perception of Aboriginal humanity, rather, as Barry Morris (1992) demonstrates, "this heterogeneity of Aboriginal representations revealed the epistemological problems in constructing the colonial subject, and it carried its own sense of threat and disruption to the exercise of colonial power" (73).[135] For colonialism, and the Australian frontier in particular, knowledge was as a facet of surveillance and evaluation, which was indivisible from the machinery of colonial power. Aboriginal representation in colonial discourse rendered native Australians knowable (74). This power and knowledge in the colonial setting was not monolithic, for competing discourses existed in terms of the status of the indigenous.

The frontier became a space of terror based on the temperament and predations of the indigenous Australians themselves. Whether or not these depictions were true or not, it still was an important element in the organization of frontier life for the settlers. Stories on the frontier reaffirmed the use of force. Accounts of not using sufficient force

[135] Europeans had considerable debates about whether or not Aborigines were animals or fallen human beings (Morris, 1992: 73-74).

when dealing with hostile Aborigines resulted in disastrous results; therefore settlers argued that the exercise of force was an indispensable requirement of frontier life. Ignoring such advice was done at one's own expense (Morris, 1992: 78). Portraying Aborigines as unpredictable and volatile was influential in the construction of violence against them (80). Morris demonstrates that the excess of meaning "inscribed in the unstable images of Aborigines was created in part by colonial civilization itself in its distancing and disavowal of Aboriginal existence as a condition of 'savagery'"(81). Whether it was genuine or imagined, ambivalence and insecurity permeated the most basic of relations (81). There was never a single construction of a native and their relations with settlers and the territory.

Similar to the United States image of Indians the apparent treachery of Aborigines was ubiquitous, and appeared to have the capacity to aggressively disrupt and disturb the social order of everyday life. Morris reminds us that the point is not whether these representations were accurate or not, but instead barbaric sovereignty demonstrates how they played in the formation of the colonial imagination. He claims that the "inferiorising mythology of the frontier relied upon the empowering of Aboriginal otherness with a predatory and destructive efficacy" (85). The perception of a treacherous indigenous Australian provided the ability to wreak bedlam and devastation because of the Aborigines unpredictable nature (85).

Retaliatory raids against Aborigines provided European settlers the means for acts of redemptive violence. Barbaric sovereignty enabled settlers and the state to meet any acts of violence by Aborigines with a greater use of aggression for terror to "extinguish" future threats. Representations of Aborigines as treacherous beings devoid of

compassion or pity, served to sanction and inspire greater acts of terror (Morris, 1992: 86).

England's colonization of Australia did not afford Aborigines the same protection of the law as other subjects, but alterations in the legal status of Aborigines began in the late 1830's with the sway of anti-slavery reformers in British Parliament. These reformers raised issues of indigenous rights in Australia, Canada, and other colonial territories. The 1830's and 1840's are critical years for Australian colonial Native policies particularly because the relationship between white settlers and Aborigines were becoming established. During the periods of colonial expansions, the Australian population transformed due to competition for land and resources. Indigenous Australians experienced population declines brought about by wars, famine, disease, influx of European immigrants, and land grabs. Social Darwinism was gaining momentum as whites viewed the destruction of Aboriginal societies as the natural progress towards empire.

Australia's legal view of its colonization suggests it was a peaceful process of settlement. Police dispersals of indigenous Australians secured the removal and jurisdiction of the land and its owners. Chris Cunneen (2001) argues that "dispersal" became the euphemism for armed conflict causing the death of 20,000 Aborigines in the settlement of "unoccupied land" (53). More importantly, Cunneen demonstrates that colonial governments could not openly endorse murder, but they could ignore what would become normal frontier activities (53). The policing of the frontier demonstrates the generative aspect of colonialism, and three examples that I discuss below are important events the nation's history especially when the issue of Aboriginal-white

relations are brought up. Australia's barbaric sovereignty needed to present Aborigines as savages deserving death to give meaning to the violence of the frontier as something that not only benefited Australians, but also aided in the conversion in becoming a nation-state.

Waterloo Creek Massacre

In September and November of 1837, four white servants were murdered at stations on the Namoi and Gwydir rivers, in New South Wales. Due to the settlers' request for better protection, Major James Nunn was sent to the area with 23 members of the mounted police. Major Nunn was instructed by the Acting Governor, Colonel Kenneth Snodgrass, to use "your utmost exertion to suppress" Aboriginal attacks (Cunneen, 2001: 54).

Australia Day, January 26, 1838, Major Nunn and his mounted police and stockmen killed between 100 and 300 (accounts vary) members of the Kamilaroi Nation at Waterloo Creek (also known as Snodgrass Swamp). Days after the massacre, the bodies of children, women, and men, totaled around 300 were found in a nearby swamp. Waterloo Creek is considered the largest massacre/mass murder in Australian history. The killings at Waterloo Creek suggest more than a tacit acknowledgement, but rather the result of official sanction. Cunneen states that there was no legal rationalization for the hunt and killings due to the fact that the acts were not in self-defense or the declaration of martial law (54).

Even with the arrival of Governor George Gipps, who was sympathetic to the circumstances of Aborigines, there was no investigation into Waterloo, and Major Nunn and his posse were not tried for the murders. Despite Governor Gipps attempts, his

ability to prosecute Nunn and his men were constrained because the colonial frontier depended on the actions of police forces to use violence and intimidation to suppress any forms of resistance (Cunneen, 2001: 54).

Myall Creek Massacre

The Myall Creek massacre became one of Australia's most significant events because it resulted in the conviction and execution of seven white men for the murder and burning of twenty-eight Aboriginal women, children, and men, which caused a great controversy in colonial society because whites felt they were being punished for protecting their masters' property. In addition, Myall Creek occurred five months after Waterloo Creek in the same district. Morris (1992) argues that what is not given enough attention in terms of this massacre is that it was an organized form of terror on the frontier as indicated by documentary record of the incident (79). Morris claims that the "bushwack" that resulted in the Myall Creek massacre began on June 8, 1838, at Bell's station. Convict Andrew Burrowes, and ex-convict John Russell, along with seven or eight men assembled at the station.[136] The next day the men began their search down the Gwydir River, and then stopping at Gineroi station where another convict joined the group for the "bushwack." Heading towards Myall Creek the men picked up another convict to join their campaign.

Before the Myall Creek Massacre there had been incidents of attacks by whites and Aborigines. In March, indigenous Australians killed two of Surveyor Finch's men, looted stores in the next district of New England. In April this same group killed one of Robert Fitzgerald's hutkeepers on the Gwydir. After these two incidents, stockmen at

[136] Nearly all the men were convicts or ex-convicts.

stations along the Gwydir organized themselves into armed patrols with the intended goal of removing all the Aborigines in the district (Reece, 1974: 34). In May, a group of about forty or fifty indigenous Australians arrived at Henry Dangar's station on Myall Creek, which happens to be near the Gwydir River, and set up their camp.

On June 8th John Russell and seven or eight stockmen gathered at Archibald Bell's station searching for Aborigines that were believed to be responsible for spearing some cattle and a horse down river (Reece, 1974: 36-37). The men inquired if there were any Aborigines at Myall Creek, they were informed that a group had been there for four or five weeks, but were not the ones responsible for the depredations down river. Sunday, June 9th the posse arrived at Myall Creek handcuffing and tethering the Aborigines to their horses. Anderson asked Russell what his men were going to do with the Aborigines, Russell responded that they were going to take the group back the range and scare them. Russell's group slaughtered everyone in the group, with the exception of one or two women that managed to escape. The men butchered their captives and a day or so latter burned the bodies. Still not satisfied with their expedition, the men rode to McIntyre's station to kill an unknown number of Aborigines and disposed of the bodies at a nearby creek (Reece, 1974: 40).

The Myall Creek Trials

> From time immemorial it had been the custom for the influential settlers to head parties like this, against the blacks. All former governors had sanctioned this method of proceeding, by immediate reprisals; and some of these men had thus been initiated into it. They were hanged for doing what they had been taught was perfectly lawful by their masters; and some of the masters magistrates of the territory (qtd. in Reece 140).
> (Alexander Harris)

Sir George Gipps had to deal with the violent relations between settlers and Aborigines due to a policy that stressed that indigenous Australians were British subjects with rights to be upheld. This policy was secured by a small faction of British and colonial philanthropists concerned with the extinction of Aborigines (Reece, 1974: 140). The conviction and execution of seven of the men after a previous acquittal of the killing of twenty eight Aborigines at Henry Dangar's Myall Creek Station on the Liverpool Plains in June of 1838 created quite a stir in the colony (145). It was considered an extraordinary and unprecedented for a white man to be hanged for killing an Aborigine. Bringing this trial about was no easy task considering the hostilities from squatters and overseers, but certain men made sure that the evidence was gathered and the matter went to a hearing (146).

The burning of the bodies made it quite difficult to identify the remains, therefore the men could only be charged with evidence consisting of remains of an Aborigine called "Daddy" or of an Aborigine "to the Attorney-General unknown" (148). Witnesses were brought in, but no one could positively identify the headless and armless body of "Daddy." The jury's sympathies towards the accused reached a not guilty verdict within fifteen minutes of deliberating. One juror stated:

> I look on the blacks as a set of monkies, and the earlier they are exterminated from the face of the earth the better. I would never consent to hang a white man for a black one. I knew well they were guilty of murder, but I for one would never see a white man suffer for shooting a black. (qtd. in Reece 149)

The juror's comment of equating an Aborigine to a monkey reflects a view that not only were indigenous seen as lesser than human, but more importantly, this view of Aborigines as animals argues that the law of reciprocity does not apply to whites. For the

juror the killing of an Aborigine does not equate to the killing of a white man. In the great chain of being, this juror's statement argues that the differences in humanity is not a justifiable ground to punish whites for doing the nation's work.

Attorney-General Plunkett immediately had the men remanded for a new indictment could be prepared to charge seven of the men with twenty counts for the murder of a child named Charley (Reece, 1974: 149). During the second trial, which took place in December of 1838, the seven men were found guilty of the first five charges, and Judge William Westbrooke Burton sentenced the men to death by hanging (153). Unlike Waterloo Creek where no one was held responsible for the massacre, only the stockmen, who were convicts and former convicts, were arrested, tried, and hanged, but none of the leaders.

Both trials served to undermine the confidence of squatters and their hired hands that had either killed Aborigines or had attempted to do so. According to the squatters, the Myall Creek trials displayed the government's inability to provide them with protection. Notwithstanding the fact that Myall Creek was a massacre that resulted in the murder of mostly women and children with no connection to the attacks of the cattle and sheep down river, the men were represented as dutiful servants protecting their masters' property (161). This Myall Creek trial was more of an exception than the norm in terms of Australia's frontier histories. More importantly, after the trials, white settlers and squatters took greater care of concealing and destroying the bodies of the Aborigines they

killed to prevent further prosecutions.[137] The settlers felt the state was not protecting their interests, and the trial encouraged them to take matters into their hands.

Coniston Massacre

The 1928 Coniston Massacre is considered the Australia's last recorded massacre. The massacre is said to have lasted over a span of several weeks resulting in the death of sixty or seventy Walpiri people. Constable W.G. Murray, the officer in charge, openly admitted to a policy of shoot to kill. In this campaign, it was reported that adults were shot dead while the children were clubbed in the back of the neck. Constable Murray admitted to killing 31 Aborigines, but other estimates claim 70 to 100 were killed by this expedition. Prime Minister Stanley Bruce initiated an inquiry headed by police magistrate Cairns, a police inspector from Oodnadatta in South Australia, and Murray's superior J.C. Cawood. During the inquiry indigenous, Australians were refused legal representation, and those involved were cleared of the chargers against them (Cunneen, 2001: 55).

The Coniston Massacre is viewed as the final act of the dreadful days of Australia's colonial past, but this sentiment rings hollow. Why is Coniston just another reminder of the barbarity that occurred over and over again in colonial Australia? This event is associated with the usual suspects of hostilities between settlers and Aborigines, and complicit administrators, politicians, and police officers giving into the dominant perceptions of a racist Australia. If it is understood as the closing of the Australian

[137] While squatters after the trials tried to present Aborigines as animalistic, there was a response by Evangelicals to demonstrate their humanity. As details of the massacre were revealed, the Evangelicals were incensed because the massacre reflected the injustice Aborigines experienced from white settlers (162). Reverend John Saunders stated to his Baptist congregation in Sydney that this history was an issue of "national guilt" (Reece, 1974: 163). The Waterloo Creek massacre was in many ways a precedent for the Myall Creek massacre and trials.

frontier coincided with the federation, then how does a massacre that occurred 28 years later serve as the remnants of a dying tradition? Claiming that Coniston was the last massacre concerning Aborigines creates a breaking point for the influence of colonialism in Australia. In other words, racist acts such as Coniston are not connected to any modern projects of nationalism, but are seen as vestiges of a dying colonialism. Viewing Coniston as the concluding atrocity towards Aborigines goes beyond minimizing the effects of race, but whitewashes the history of a white only policy during federation, and the abduction of haste-caste Aborigines.

Rhetoric of Savagery

As I argue in chapter three, language claims to denote the truth, which aids in the construction of a particular form of reality that creates a shared form of conscious for society. Much like the U.S. case these Australian speeches concerning savagery, barbarism, violence, and history, utilize the tropes of history, myth, and civilization to enact barbaric sovereignty to justify race wars as a productive force in the cause for progress. The use of history and tradition in these speeches makes a larger claim that the process of death is a shared goal that, however unfortunate, created a better nation. The rhetoric concerning the treatment of indigenous Australians invites settlers to inherit a shared sense of purpose for creating a civilization that can be passed onto the next generation, and if need be, force will be administered to secure this objective.

Frederick Farrar and H.K. Rusden used Social Darwinism as the basis for their call for the extermination for indigenous Australians:

> …to the Aryan…apparently belong the destinies of the future. The races whose institutions and inventions are despotism, fetishism, and cannibalism—the races who rest in content in…placid sensuality and

> unprogressive decrepitude, can hardly hope to contend permanently in the great struggle for existence with the noblest division of the human species…The survival of the fittest means that might—wisely used—is right. And thus we invoke and remorselessly fulfil the inexorable law of natural selection when exterminating the inferior Australian. (qtd. in Stannard 244)[138]

Arguments that suggest the inevitable demise of a population such as Farrar's and Rusden's does, advocates that violence, used correctly, is permissible because it is advancing the cause of civilization. Destroying one civilization for the benefit of another is couched in terms of progress to place the focus on the productive aspects of extermination, and not its devastation. Farrar's and Rusden's evolutionary model is based on a social engineering view of history that believes the removal of a weaker race to aid the progress of a stronger race is related to the rules of nature. The insinuation is that white settlers on the one hand are aiding in the natural demise of a race, and on the other hand, this argument suggests that removal of a weaker race prevents interracial mixing to thwart the spread of less than desirable traits among the general population. This evolutionary model based on social Darwinism is linked to arguments that claim the atrocities of history are part of the developmental phase of civilization. In barbaric sovereignty the victors of conquest narrate the history of the nation by implying that both divinity and nature aided them in their quest of settlement.

Although Australia does not have any national founding moments like the United States does (Revolutionary War, state sanctioned slavery, a Civil War, and Indian Wars), both nation-states locate their legitimacy and authority on their conquest of the frontier. This is predominantly apparent in the nineteenth and early twentieth centuries. The

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[138] See Raymond Evans, Kay Saunders, and Kathryn Cronin, *Exclusion, Exploitation, and Extermination: Race Relations in Colonial Queensland* (Sydney: Australia and New Zealand Book Company, 1971).

ideologies associated with the civilizing of nature and the native provides the framework for other projects. Australia's relationship towards their indigenous populations does provide a similar basis for the state to respond to nationalistic and imperial endeavors. The Aborigines were constructed as being so treacherous and dangerous that the use of force was the only means available for control.

Colonial Secretary Palmer[139] states:

> The nature of the blacks was so treacherous that they were only guided by fear—in fact, it was only possible to rule a savage race, and the Australian aboriginal in particular, by brute force, and by showing him you are his master….They knew that the native black of Australia was essentially a treacherous animal—that they would spare neither man, woman, nor child, cattle, sheep, horses, nor pigs—that the only way to keep him down was by using a firm hand, and that the only way to ensure that firm hand was to show them that the whites were superior animals and could beat them down. (qtd. Reynolds 25)

Or Attorney General Burton[140] claiming that he has come to the conclusion:

> that the only way of effectively dealing with all these coloured races, whether blackfellows, or Indians, or Chinamen, is to treat them like children. I have proved it—in my own small experience. You can only deal with them effectively, like you deal with naughty children—whip them. It is the only argument they recognize, brute force. It is no use talking to these blackfellows, and be kind to them, and expect them to take any notice; not the slightest use. It has no effect upon them. But give a blackfellow a little stick—if he deserves it, mind: I draw attention to that, for if you give it to them when they don't deserve it, it only makes them infinitely worse; but give them a little stick when they really deserve it, and it does them a power of good—far more good than any other punishment. If they deserve it, they never forget it. They rather delight in it, in fact; they will tell you so afterwards, and thank you for it. (qtd. Reynolds 26)

Australia's attempt to realize its path to goodness of settling the land is, as Jennifer Rutherford claims, a display of the logic of power (Rutherford, 2000: 26).

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[139] H. Palmer (Colonial Secretary): Q.P.D., XXXIII, 1880, pp. 137-8.)
[140] (S. Burton (Attorney General), W.A.P.D., II, new series, 1892, p. 398)

Identifying the power to do good "underpins the numerous attempts at social engineering that have characterized Australia's shady history of black/white relations: relations that have deprived Aboriginal Australians, at every turn, of their good" (Rutherford, 2000: 27).[141] Coupling white racial superiority with a promotion of civilization argument places the burden of proof for the indigenous to prove themselves in accords with racist standards that view them as lacking. This structure always places the indigenous as a problem to be solved while any use force against them is presented a harsh, but necessary measure for salvation.

For John West, the Aborigines are incapable to govern themselves, which gives whites license to dominate them.[142] He states:

> The assumption of sovereignty over a savage people is justified by necessity—that law, which gives to strength the control of weakness ….It

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[141] C.J.M. Scallon expresses indignation by the ingratitude that Aborigines displays to whites for the improved conditions of civilization. He is bothered by indigenous Australians remembrance of the "butchery" they endured by the hands of white.
Scallon:

> It seems a fair means of deduction and elucidation to review the first generation of the white man's occupation of the country and the history relating to it and from it to gather the facts that unmerciful and unnecessary butchery and punishment were often inflicted upon them to bring them into subjection. In other words, the dawn of their civilization presents a picture to the blacks, handed down from their forefathers till now, of a hunted beast of the field whose very existence was only at the white man's will…
>
> In spite of the improved civilization to the present day, the better welfare and conditions of the blacks, and the now most generally humane treatment by the whites, there stands this hereditary barrier of inappreciation and ingratitude—the remembrance of the blood-red dawn of their civilization. The 'contempt' of the white man in the early days of their occupation is now reflected in the 'contempt' of the black for every benefit he receives, so that whatever a white man may do to gain fidelity in his black employees, by kind and just reward, he is baulked and baffled in all his endeavors by the traditions of the past—the hereditary hated of the whites through the butchery of their ancestors….
>
> It is therefore a question of speculation whether the Queensland blacks are the lowest type of blacks in the world, or whether they hereditary biased prejudice they have against ourselves is the result of inhumanity to man handed down by their forefathers, which may account for the ingratitude of the present generation" (C.J.M. Scallon, 'Aborigine Hereditary Ingratitude,' Science of Man, 21 August 1901, p. 115.; Reynolds 35).

[142] (John West, History of Tasmania, 2 vols., Launceston, 1852, II, pp. 92-96)

> is not in the nature of civilization to exalt the savage. Chilled by the immensity of the distance, he cannot be an equal: his relation to the white can only be that of an alien or a slave. By the time astonishment subsides, the power of civilized men is understood, and their encroachment is felt. Fine houses garrison his country, enclosures restrict his chase, and alternately fill him with rage and sadness. He steals across the land he once held in sovereignty, and sighs for the freedom and fearlessness of his ancestors; he flies the track of his invaders, or surprises them with his vengeance;—a savage he was found, and a savage he perishes. (qtd. Reynolds 97-98)

In an anonymous letter to the *Queenslander* a writer explains that the lives of Aborigines must be sacrificed for the sake of white settlers.[143] He claims that the history of settlement has always been about savagery. Invading races engage in barbaric acts to conquer new lands. In this context, whites are no different than the natives, but whites are justified in this brutality because they work for posterity, and have a history. For the writer, white settlers' ability to transform nature was the advancement of history, which was equal to progress. In material terms, the writer states that the Aborigines have no sense of history, and therefore no measurement of progress. For the author, whites are improving the conditions of the land for the next generation to inherit, along with their historical progress. According to Eric Hobsbawm (1989), "continuous improvement, even of those things which clearly required it, was guaranteed by historical experience" (26).

Frontier Opinion:

> The question then arises, What lives are we to sacrifice—black or white? Are we to protect the black or protect the white? Shirk it as we will, this is the question. So long as we have country to settle, so long as men have to trust their lives to their own right hands, so long shall we come in contact with natives, and aggressions and reprisals will take place….Is

[143] Letter from 'Never-Never', Queenslander, 8 May 1880

there room for both of us here? No. Then the sooner the weaker is wiped out the better, as we may save some valuable lives by the process. If the blackfellow is right in murdering white man, woman, and child who sits at home at ease in our towns and townships is a murderer, for if they had the courage of their opinions they would not stop on in a colony built up on bloodshed and rapine….our policy towards the black, is bad, but it is only the game we played all over the world; and it starts with the original occupation of the country, and any other policy would be equally outrageous that entailed the taking of the land from the blacks….We all want to get on here, and we all want to get somebody else to do the work needful; and if there is any dirty work necessary we are the first to cry out against it—when we are in a position to do so. This is the black question, as put forward by the protectors of the poor savage, I know full well that I shall hear of atrocities, of barbarities, and other disgraceful proceedings committed by the whites; but that does not touch the point at issue. The unanswerable fact remains that by overrunning this or any other country we expose the natives to the chances of suffering the rigours of guerilla warfare—always the cruelest and worst—and, knowing that, we come here and take up our quarters with our eyes open; by our very presence in the land justifying the act of every white ruffian in the outside country. We are all savages; look beneath the thin veneer of our civilization and we are very identical with the blacks; but we have this one thing not in common—we, the invading race, have a principle hard to define, the harder to name; it is innate in us, and it is the restlessness of culture, if I dare call it so. The higher we get in the educated scale, the more we find this faculty; and if we do not show it in one shape we do in another. We work for posterity, we have a history, and we have been surrounded by its tales and legends since infancy. We look upon the heroes of this history as familiar friends, and in all our breasts there is a whisper that we too by some strange chance may be known to posterity. This brings us here to wrest lands of a weaker race from their feeble grasp, and build up a country that our children shall inherit; and this feeling is unknown to the native of Australia. He has a short history, but it is more a matter of gossip than anything else, and only goes back one generation. He has no thought of the future, because he never knew of anyone being remembered more than a lifetime, therefore he has no interest but to pass through life as easily as possible, and he never seeks to improve land for those who will come after him. This justifies our presence here; this is the only plea we have in justification of it, and having once admitted it we must go the whole length, and say that the sooner we clear the weak useless race away the better….

In conclusion, I wish it to be *thoroughly understood* that I am not defending the acts of individuals. I, in common with other bushmen, am regretfully compelled to admit that deeds of blood curdling atrocity have

> been committed by white men, but parallel acts are to be found in the history of subjugation of any barbarous nation' and my object in writing is to condemn the wholesale slander of the whole white race in the colony for the acts of the few. (qtd. Reynolds 103-105)

Australia's federation was associated with a white only policy to secure the interests of white settlers.[144] The debates were couched in terms of a war to save civilization itself. Edmund Barton, who would become Australia's first Prime Minister, cited Charles Henry Pearson's *National Life and Character* during the readings and debate on the Immigration Restriction Bill (1901). Barton quoted passages from Pearson's book, such as, "We are guarding the last part of the world in which higher races can live and increase freely for the higher civilization" (quoted from Carey, 2003:

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[144] *('Savages and Civilized Men', unsigned article in Science of Man, II, No. 6, 21 March 1903, p. 34)*

> The idea that all men are equal is one of those errors that will soon be corrected by a residence and observations in Australia, for on the one hand will be seen the savage aboriginals, and on the other the civilized white people. These two varieties of peoples differ from each other in all essential particulars. One of them is from a black race, the others from white ones. The blacks have been for thousands of years roaming over the plains and forest lands of Australia, and have died without leaving any buildings, gardens, farms or erections of a permanent character. The whites have only been here for little more than one century and have everywhere given evidence of their presence by what they produced of houses and other buildings, or farms, orchards, gardens, with all that pertained thereto….From the commencement of the Christian era the whites have in all countries been improving all the time, but during all these generations the blacks have made no improvements or advancements of themselves, what they were then they are still, without any fresh inventions or progress made towards civilized culture or home comfort, but instead of progress they die off by the circumstances the whites have introduced. The blacks domesticated none of the animals they found here, nor did they cultivate any food plants of any sorts. But the whites, from their first entry into this country, began the cultivation of the soil and the breading of domesticated animals for food, pleasure or profit. Both physically and mentally the blacks and whites were in all things unalike, and it is not possible for observing people to believe that they both were offsprings from one stock or race originally….The blacks *never* by their own unaided inventions or efforts rise into civilized conditions, and are not often able to adopt and follow the examples presented to them by the whites; and generally they are merely able for steady employment. They will for a time do certain work, but will after a while leave and wander from place to place in a state of unrest. The native laws of the blacks of Australia were strict and severe penalties followed upon breach or neglect, but since the advent of the whites these usages have deteriorated, and instead of the blacks being better they are worse in every way….(qtd. Reynolds 126-128)

82-83). This need to secure the freedom of a higher civilization also works for the imperial endeavors of the state.

War on Terror

The defense of civilization argument has extended from its use in Australia's federation to the state's current involvement in the war on terror. Former Australian Prime Minister John Howard echoed the sentiments of President George W. Bush when he defended Australians involvement in the war on terror. Even though Australia was not attacked, Howard equates the war on terror to the battle for and protection of civilization itself. For him, the threat of civilization anywhere is just grounds for war. Howard believes a strong and stern response to terrorism reflects greatly on the character of Australians. He criticizes his opponents who favor the withdrawal of Australian troops form Iraq as a sign of weakness that only emboldens their enemies.[145]

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[145] Below are excerpts from two speeches by John Howard that I reference in this chapter.
John Howard's Iraq speech March 30, 2004 to Parliament

> The world faces, at the present time, a unique challenge to its safety, its stability and its security. The threat of terrorism is unlike any other threat the world has seen. This is not the threat of invading armies poised on borders, ready to roll over those borders and to capture civilian populations and devastate towns, cities and villages; this is a different kind of threat, and it is a threat that requires a different kind of response….
>
> If the world at the present time trembles and shows any kind of equivocation in the face of the threat posed by terrorism, I believe that the world—of which Australia is inextricably a part will pay a very heavy price in the future. The decision we take on how we deport ourselves over the months ahead will go very much to the reputation and standing of this country in the councils of the world. If we choose to cut and run, if we choose to abandon our friends, if we choose to give the wrong signal to the terrorists, that will not only make the world a less safe place but also damage the reputation of this country around the world….
>
> As to their motives and the causation—the events leading up to that attack—unless you can get into the minds of the terrorists, it is not possible to know. But this we do know, and that is that the terrorists who committed that attack and those who are their allies around the world are watching how the world reacts. If the world reacts wrongly, if the world shows confusion and disarray, if the world looks as though it can be knocked off

John Howard's Iraq speech March 30, 2004 to Parliament argues that Australia must be engaged in the fight against terrorism because:

> If the world at the present time trembles and shows any kind of equivocation in the face of the threat posed by terrorism, I believe that the world—of which Australia is inextricably a part will pay a very heavy price in the future. The decision we take on how we deport ourselves over the months ahead will go very much to the reputation and standing of this country in the councils of the world. If we choose to cut and run, if we choose to abandon our friends, if we choose to give the wrong signal to the terrorists, that will not only make the world a less safe place but also damage the reputation of this country around the world…. If the world reacts wrongly, if the world shows confusion and disarray, if the world looks as though it can be knocked off course and be diverted from its resolve in fighting terrorism…will have sown a degree of confusion and disorder within the political ranks of the free world….

> course and be diverted from its resolve in fighting terrorism…will have sown a degree of confusion and disorder within the political ranks of the free world…

Prime Minister John Howard, January 25, 2006, Address to the National Press Club, Great Hall, Parliament House

> Of course, our world is also fragmented and in conflict. This is the fifth year that we have lived under the shadow of global terrorism and nothing suggests that shadow is lifting any time soon. Terrorism remains the defining element in Australia's security environment. Australians and Australian interests continue to be a terrorist target, both abroad and at home. This tests our sense of balance no less than our resolve. We know what our enemies think and what they are capable of. They hate our freedoms and our way of life. They despise our democratic values. They have nothing but contempt for a diverse society which practices tolerance and respect. Australia must continue to work with friends and allies in the fight against global terrorism. And in 2006, living with the threat of terrorism also means recognising that national security begins at home…
>
> Our social cohesion and national unity is pivotal in enabling Australia to contribute effectively to the international effort to combat terrorism, and to safeguard Australia domestically. This Government will do what is necessary to protect the Australian community, but we will do it in a way that does not diminish us as a community or as a nation. This means finding the right balance between the legitimate interests of the community on the one hand and individual civil rights on the other. And inevitably this will be a matter for passionate debate…
>
> Warts and all, I believe in our unique democracy because I believe passionately in the virtue of politics. The political philosopher Bernard Crick put it well when he said 'The moral consensus of a free state is not something mysteriously prior to or above politics: it is the activity (the civilising activity) of politics itself.' With all its compromises, parochialism and imperfections, this place of mere politics works as the great balancing wheel of our national life.

Much like Theodore Roosevelt's imperial speeches Howard is advocating for Australians to earn a place among the great fighting races of the world. Although he is making his distinctions between friends of civilization and terrorists, the structure and language is very similar to the comparisons between the great white fighting races versus savages. In addition to marking their place among the great nations of the world Howard is also suggesting that Australia's failure to act will embolden terrorists thus causing chaos. For Howard, Australia's involvement in Iraq will bring order out of chaos.

On January 25, 2006, in an address to the National Press Club John Howard states that the "shadow of global terrorism" is not "lifting any time soon." Howard is arguing for an ongoing war against the ever-present threat of terrorism. In a related manner the threat to civilization is always imminent, and similar to colonial and imperial rhetoric. Civilization needs a constant threat to legitimize the use of force. Howard is arguing for a constant state of alertness to defend both the nation and the world. The Prime Minister is using the external threat of terrorism for domestic purposes to reign in and quash any and all political dissent against the state and his policies when he declares that:

> Our social cohesion and national unity is pivotal in enabling Australia to contribute effectively to the international effort to combat terrorism, and to safeguard Australia domestically. This Government will do what is necessary to protect the Australian community, but we will do it in a way that does not diminish us as a community or as a nation. This means finding the right balance between the legitimate interests of the community on the one hand and individual civil rights on the other. And inevitably this will be a matter for passionate debate….

Through it all Howard wants to blindly accept his policies and the war on terror as a necessary good for all Australians when he reminds his citizens that democracy must be accepted:

> Warts and all, I believe in our unique democracy because I believe passionately in the virtue of politics. The political philosopher Bernard Crick put it well when he said 'The moral consensus of a free state is not something mysteriously prior to or above politics: it is the activity (the civilising activity) of politics itself.' With all its compromises, parochialism and imperfections, this place of mere politics works as the great balancing wheel of our national life.

Australian Cinema

Barbaric sovereignty allows colonialism to become a known narrative, which is normality built into a language of pioneers and settlement or colonization and massacres. I argue that these films concerning contact, settlement, land rights, and identity reside in the political unconscious compelled by the alternating structures of guilt and celebration. Australia has had three waves of cinema. The first wave (1930s-50s) celebrated Australia as a modern nation. The second wave (1970s) focused on settlers becoming native Australians, and the third wave (contemporary) places the indigenous Australian at the center of the narrative. My focus will be on the second and third wave of cinema to reveal the national anxiety Australia feels from its past as a colonial frontier, and its treatment of Aborigines.

Through the analytic category of barbaric sovereignty I examine how cinema is used to construct an Australian Identity. Australia cannot claim the same types of founding moments as the United States does. Australia did not fight a revolutionary war with England to gain its independence; it did not engage in a massive civil war that nearly

destroyed the state; and continues to struggle to find authentic moments to create a national myth, and to justify the dispossession of its native inhabitants. Australia's desire for a history outside of England creates a national anxiety in terms of the history with its indigenous populations. I argue that these films concerning contact, settlement, land rights, and identity reside in the political unconscious compelled by the alternating structures of guilt and celebration.

The Standard of Exception: The Selective Application of the Rule of Law

Australians engaged in what would be deemed exceptional acts to bring about an end to violence or war, but the use of exception carries a much greater meaning for frontier settlements. Breaker *Morant* (1980) focuses on the court martial of Australians Lt. Harry "Breaker" Morant, Lt. Peter Handcock, and Lt. George Ramsdale Witton for war crimes committed during the Boer War. Lord Kitchener ordered the trial in an attempt to end the war by showing that he is willing to severely and harshly judge his own soldiers if they disobey the rules of war. The political motive behind Kitchener ordering the trial is to prevent Germany from entering the war on the behalf of a murdered German missionary.[146] *Breaker Morant* is important in three regards. First the film deals with a new policy of using the principles of savage warfare to replace the

[146] Major Bolton arrives to see Lord Kitchener and Colonel Hamilton. They instruct Bolton on the case they want him to prosecute. Hamilton asks Bolton if he has heard of the Bushveldt Carbineers. They are a special force created by Kitchener to deal with the Boer guerillas. Hamilton states that most of the men are Colonials, Australians. This is intended to distinguish this group from British soldiers. Hamilton tells him they have arrested three of them for shooing Boer prisoners and a German missionary. The German government has lodged a serious protest about the death of the missionary. Hamilton informs Bolton that Germany may use this as an excuse to enter the war on the Boer's behalf, and it is England's duty to prosecute these men to prevent them from joining the war. Kitchener states that the "the Germans couldn't give a damn about the Boers. It's the diamonds and gold of South Africa they're interested in." He states this is a civilizing mission. Bolton claims that the Germans lack the British sense of Altruism. They give Bolton the report, and say they have plenty of evidence. They tell him an Australian is going to represent them.

"civilized" rules of war for fighting the Boers in the frontier. In particular, the film demonstrates the complexity of prosecuting soldiers for murder during an actual war. Second, the film demonstrates how Australia was complicit in the sacrifice of the accused men to demonstrate that the state has transformed from a frontier colony to a nation state, and the third aspect deals with how the men believed they were serving the interests of the empire while at the same time celebrating an Australian identity through their service to the Crown.

Major J.F. Thomas, the defense attorney, makes a strong and impressive case on behalf of his fellow Australians despite the fact that the verdict has already been predetermined.[147] Maj. Thomas draws attention to the issue of legality by arguing that states of exception are necessary during a military campaign. The Boer War reflects a new type of warfare for the British forces, and they adapt by fighting the Boers by mimicking their guerilla tactics.

The first charge is of murder for a Boer man named Visser who was found wearing the uniform of the slain and mutilated Captain Simon Hunt. Morant orders a firing squad to execute Visser for wearing the uniform of a British officer. Lord Kitchener ordered all Boers wearing British uniforms to be executed. The prosecution provides a witness from Morant's command to testify that Visser did not receive a fair trial. Prosecutor Major Charles Bolton is attempting to divorce the acts committed during a war into a criminal realm to make the case for murder. Thomas, during his cross-

[147] During the first day of the trial Thomas declares the court-martial unconstitutional, and mentions that the prosecution has had six weeks while the defense has had only one day to prepare. He also claims that Australia is an independent commonwealth, and must be prosecuted by Australia. The judge informs Thomas that the men were serving in a unit under British command, and therefore the court has jurisdiction over the Australians.

examination, informs Drummond that Lord Kitchener issued orders to execute Boers wearing Khakis. The judge states that, "Lord Kitchener's order only applied…if they were wearing khaki with an intention to deceive." Morant and Thomas have not heard this version, and agree that the courts are choosing this interpretation to find the men guilty. In order to prevent other European powers such as Germany from entering the war Lord Kitchener is changing the meaning of war and killing to justify the court martial of Morant, Handcock, and Witton to demonstrate impartial justice by framing the men. Kitchener's decision to prosecute the men will call into question the perceived exceptional acts of war. In other words, what belonged to the realm of warfare will now be viewed as callous and inappropriate for civilian populations, and that blurs the distinction from warfare to massacres.

The prosecution compares Morant's killing of Visser to the present court martial to demonstrate that Visser did not receive a fair trial. Morant answers Bolton's question about killing Visser by stating that, "It is customary during a war to kill as many of the enemy as possible." The judge asks Morant if Visser's trial resembled the trial he is receiving. In an outrage tone, Morant responds:

> No, sir, it wasn't quite like this. No, no, sir, it wasn't quite so handsome. And as for rules…we didn't carry military manuals around with us. We were out on the veldt, fighting the Boer the way he fought us. I'll tell you what rule we applied, sir. We applied rule 3-0-3. We caught them and we shot them under rule 3-0-3 (caliber).

The court is attempting to rewrite England's involvement in South Africa. They are using the court martial of Morant, Handcock, and Witton to erase the relationship between the harsh treatment of Boers and the British military order that produced that

result, and attribute the deaths to the whims of three rogue soldiers. Extermination was an instrumental tool for British policy for the second South African War. The British declared that the "gentlemen's war" was over.

Thomas wants to establish that orders were given to shoot prisoners by filing a formal request for Lord Kitchener to attend court-martial to say for himself he gave the orders to shoot prisoners. He is attempting to demonstrate the necessity of barbarity in times of war.

> Judge: Are you suggesting that the most senior soldier in the British Army…a man venerated throughout the world…would be capable of issuing an order of such barbarity?
>
> Thomas: I don't know sir. But I do know…that orders that one would consider barbarous…have already been issued in this war. Before I was asked to defend these men…I spent some months burning Boer farmhouses…destroying their crops…herding their women and children into stinking refugee camps…were thousands of them have died already from disease. Now, these orders were issued, sir…and soldiers like myself and these men here…have had to carry them out, however damned reluctantly!

The following scene shows Lord Kitchener and Colonel Ian Hamilton discussing the legal "complexities of charging soldiers with murder while they're actually in the field." Kitchener's argues that his reason for charging the men with murder is to end the war, and that if the Boer's see a court-martial then he can prove "the demonstration of our impartial justice. Even if it means the sacrifice of three Australians to bring a peace conference." Kitchener sends Hamilton on his behalf to testify, and on the stand Hamilton testifies that he has no recollection of speaking to Hunt about shooting prisoners. Empire building even requires the sacrifice of whites to prove the necessity of the project.

During his closing remarks Maj. Thomas states that it is difficult to judge the actions of his defendants unless they have been in the same situation. Thomas argues that, "when the rules and customs of war…are departed from one side…one must expect the same sort of behavior…from the other." He is arguing that a different war emerged and the soldiers were required to engage in savage acts to secure the end of war. Thomas states that war calls for barbaric acts, and these acts are not committed by abnormal men, but by normal men in unusual situations. More importantly, Thomas claims that soldiers at war should not be judged by civilian rules because it would undermine the mechanisms of warfare, and hold soldiers responsible for murder. More importantly, the trial would undermine the state's goal for engaging in war in the first place. Thomas is making a distinction between the types of laws that apply in times of war over peace to demonstrate that Kitchener's decision to sacrifice the Australians to end the war is achieved by hiding the political decisions behind the death of so many Boers.[148] Morant and Handcock were the necessary scapegoats to be sacrificed in the service of empire building. *Breaker Morant* displays that it is the sovereign state that decides on the exception, and even during the exception negate the concept to create a body to be sacrificed to demonstrate the supposed impartiality of the state.

Ned Kelly (2003) follows the real life of a bush ranger and his gang. Kelly and his gang become a threat to the British's authority through their destruction of Crown

[148] Thomas: The fact of the matter is…that war changes men's natures. The barbarities of war are seldom committed by abnormal men. The tragedy of war is that these horrors are committed by normal men in abnormal situations. Situations in which…the ebb and flow of everyday life have departed…and have been replaced by a constant round of fear…and anger and blood and death. Soldiers at war…are not to be judged by civilian rules…And if every war, particularly guerilla war…all the men who committed reprisals were to be charged and tried…as murderers…court-martials like this one would be in permanent session. Would they not?

property. The Crown views these acts as so threatening to the established order of the Empire that any subject is permitted to kill any member with no legal consequences. Superintendent Francis Hare is brought in from South Africa to dispose of the Kelly Gang. When Superintendent Hare informs the police officers of their orders to capture Ned Kelly, he reminds the men of the crimes committed by his gang to devalue their political significance. Hare tells the men that the Kelly gang has out run them, and not to let them do so again. A policeman jokes that they will kill the gang like animals, and Hare reminds the officers that the men have become glorified leaders of a movement, "a movement that threatens the stability of an entire country."

Before his capture, Ned addresses his captives and informs them that war has been declared on his gang with the highest bounty ever placed on their heads. More importantly, Ned Kelly declares, "We're the only four lads in the whole country—the entire empire, in fact—that any one of you fine citizens is allowed to kill... no questions asked. No, it's true. The queen said so herself. That's right. It's Regina versus us, the Kelly gang." The Crown has rendered these outlaws as the "bare life," and as a bare life the men are without a legal, moral, or political status. The Queen's declaration empowers British citizens to suspend the rule of law to kill these men. The significance behind her declaration is that citizens are asked to serve as agents of the state. Killing the Kelly Gang is presented as serving the interests of the Crown and its citizens.

Criminalization removes the political meaning of groups resisting state authority by suggesting such actions are a threat to national unity. Removing political context from resistance focuses on an inherit lack among the group, and dismisses the systemic structure of excessive force. The process of criminalization enables disproportionate

policing, state violence, and the suspension of political rights. In *Breaker Morant* the soldiers argued that a new type of war in the bush with a new type of opponent that required the British troops to fight in accordance with the rules of guerilla warfare. The argument was that the Boers did not fight to the same standards as British troops, and British success could only be achieved by fighting as savages. The projection of cruelty served as the means to engender a new type of exceptional warfare. In *Ned Kelly* the men were seen as criminals that threatened the political legitimacy of English law in Australia. The Crown declared war on the Kelly Gang as if they were a nation-state primarily because their criminal acts took on a political significance that threatened the legitimacy of the crown.

The Terror of the Frontier

The frontier is associated with assumptions of wild, savage, and backwards behavior. The presentation of the frontier as a savage land enables the use of barbaric sovereignty to achieve political goals, but the agents of aggression disassociate themselves from their actions to suggest the end result is leading towards progress. *Ned Kelly* demonstrates how police authorities use a frontier mentality to harass the Irish-Australian population. When Ned Kelly is forced to flee from false charges, he and his posse retreat in the wilderness.[149] Ned soon discovers that the police have no interest in taking him alive, and as the movie suggests, was turned into an outlaw by the unjust and corrupt ways of Australian authority figures.

[149] Ned Kelly is willing to surrender to authorities after they wrongly arrest his mother. Ned Kelly: [Narrating] I made them an offer at the outset: Charge me and let me mother go. The answer came back: "We don't bargain with outlaws. We'll catch you anyway. "

When the men secretly return home Ned discovers that he and his posse have nearly a 6,000-pound bounty on each of their heads. A new act is passed to apprehend the Kelly Gang. Parliament is recalled to pass the Felons Apprehension Act, which allows for citizens to take the law in their own hands, and shoot any member of the gang without legal repercussions. The change in law renders the men outlaws. Ned justifies his actions as a means to protect those he loves from cruel and unjust laws.[150] Not only does this law render the men criminal, but encourages citizens to mobilize on the state's behalf.

The Proposition (2005) revolves around the dilemma of apprehended outlaw Charlie Burns to decide which brother to sacrifice to the colonial police.[151] Captain Stanley—who was brought in to "civilize this place"—makes a proposition with Charlie, kill his older brother Arthur, or allow for his younger brother, Mikey, to be executed for their crimes.[152] Captain Stanley informs Charlie Burns that being brought to Australia to civilize the territory enables him the use any and all force necessary to achieve his goal. The film stresses the barbaric elements of "civilizing" the frontier.

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[150] Ned Kelly: [Narrating] They said I'd lost what it meant to be human. Maybe I never had it in the first place. [Birds Screeching] But wasn't this about protecting the ones I loved... the ones who gave me food and shelter, even the clothes on me back. And therefore, wasn't it now a war?

[151] The beginning of the film begins with an apology of the dead before presenting colonial photographs of Indigenous Australians and white settlers. During the montage the music is from the song, "There is a Happy Land."

[152] Captain Stanley, who is brought from England to "civilize" the land, tells Charlie Burns that on Christmas Day he has made plans for Mikey to be taken from the jail in Banyon and hanged. Charlie tells him that he is a copper, not a judge and jury. Stanley says, "I am what I wish to be," while looking over the bodies of the two dead Asian prostitutes. The captain states that his mission is to civilize "this place." Stanley wants Arthur Burns, and he wants Charlie Burns to bring him in. Stanley makes Charlie a proposition; sacrifice one brother for the other. Stanley gives Charlie a horse, a gun, and a chance to pardon him and Mikey if Charlie kills Arthur.

Stanley: Australia (looks at tracker and men digging graves). What fresh hell is this? I've kept company with bad men all my life. I was 22 years in Her Majesty's Land Forces. I dealt with your type many times…. Make no mistakes, Mr. Burns. It will be done…. I will civilise this place.

Captain Stanley is not popular among his officers and the residents of the town because of his British methods, and for an assumed ignorance of the harshness of Australia. Sergeant Lawrence is drinking with men in town and complaining about Stanley being pathetic for giving the Aborigines rights. Sergeant Lawrence says that the "Captain is weak. A weak man….Came out here to sort out niggers, fuck me, he's done nothing. Those black bastards, they're running all over us. They chose the wrong man for the job. This isn't London. It's not England. This is fucking Australia." Lawrence's statement suggests that in the frontier a perpetual state of war exists against Aborigines to uphold the white racial hierarchy. Lawrence is disgusted with Stanley's unwillingness to kill all Aborigines. Even with the recognition of the rule of law, racial terror is still a legitimate means of surveillance and control. The sergeant reveals that the captain let Charlie go. Stanley's decision creates tension among the townspeople, and they question his methods. He is chastised for not understanding the harsh nature of the Australian frontier. Eden Fletcher, who hired Stanley for this mission, is displeased with his captain's methods and practices as well, especially when dealing with Aborigines. Fletcher wants Stanley to exterminate all Aborigines as part of the civilizing process. Fletcher states that if an Aborigine kills a white to not just kill one Aborigine, but to kill them all. Fletcher refers to this as the law of reciprocity.[153]

In response to the release of Charlie Burns, the townspeople demand that Mike Burns be flogged. Stanley prevents the mob from dispensing with its own brand of

[153] Stanley's wife, Martha, is a marker of civility and domesticity. Fletcher informs Stanley that Martha is clever and well-bred. He tells Stanley that he has done well for himself. Then Fletcher tells Stanley that he heard that he released Charles Burns to bring back Arthur Burns. Fletcher wants Mike Burns flogged as a public display of legal action. Stanley says that Mike Burns is not responsible for his actions. He says that it is Arthur Burns that has to be stopped. Martha overhears this. Stanley is worried that the 100 lashes will kill Mike Burns.

justice. The men of the town say they want justice. Fletcher addresses the crowd that has formed and states that Mikey's flogging is "A message to all who dare transgress the laws of this land." Fletcher exaggerates the threat of Mike Burns to justify the flogging, but is more interested in displaying state authority through a public spectacle. Men, women, and children witness the flogging with a mob mentality, but walk away ashamed after witnessing Mikey's public torture.

The Tracker (2002) uses five generic character titles as quintessential representatives of Australian society to demonstrate the racial terror of Australian society and of the frontier itself. The Fanatic, the Follower, and the Veteran follow the Tracker to capture the Fugitive (Aborigine) for the rape and murder of a white woman. During the first night of the campaign, the men discuss how to apprehend the fugitive. The fanatic claims that the fugitive is in the bush to escape natural justice. While the veteran claims that the fugitive is looking for his tribe to protect him.

The interaction between troopers and Aborigines in the bush is a moment that flashes up to demonstrate the nature of barbaric sovereignty. The following day the men spot "bush blacks," and pull out their guns. The Tracker tells the Fanatic that the "bush" people are peaceful, and that the Fugitive is not among them. The Fanatic sees a trooper's uniform, and uses this as a suitable means for extermination. After humiliating the captured Aborigines, the Fanatic shoots one in the tongue, and then proceeds to kill them all. While cleaning his gun—a metaphor for wiping away the blood of his actions—the Fanatic tells the Follower that this is what the state expects since the men

have been provided with firearms.[154] The Fanatic even personifies his weapon by commenting how nice it is to "have a comrade who speaks English." The Fanatic's comments demonstrate that the killing of Aborigines is the national language of the state. He further justifies his actions, by assuming Aborigines are treacherous, and it was in the best interest for their survival to murder them.[155] The Fanatic walks to the Follower and squats near him, facing the opposite direction.[156]

Being in a very difficult situation, the Tracker tries to console the Follower by making a comment about the lack of innocence among blacks.[157] The Tracker laughs as a means of preventing the Fanatic from being suspicious of him. The Fanatic and the Veteran get rope and hang up dead the Aborigines on tree limbs as a "warning" for other indigenous Australians. The Fanatic's killing demonstrates that in the frontier Aborigines are assumed to not only be guilty of something, but also the projection of treachery onto them serves as a justifiable means to engage in torturous and murderous acts.

Throughout the film the Fanatic's bloodlust continues to increase until the Follower eventually orders him, with the aid of his rifle, to stop killing unarmed Aborigines. After submitting to the Follower's demands the Fanatic accuses the

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[154] *Walkabout* (1971) shows two white hunters in the bush engaging in excessive carnage by shooting more animals than necessary. One of the hunters slices the throat of ox to bleed it, and then cleans the blood off the blade. Washing the blood off the knife symbolizes the act of erasing the nation's violence.

[155] Fanatic: [Looking at, and speaking to his gun] Well spoken. Nice to have a comrade who speaks English. (Looking at The Follower) These are your best friends out here [referring to their guns], you must use them too. (He turns around at dead Aborigines at motions his gun) Sic Transit Gloria Mundi. (Spins cylinder of revolver and puts gun away) So passes the glorious world. They're cannibals, very treacherous, you have to be firm with them, they'll kill a white man in broad daylight.
Veteran: Leave him alone. He's had enough.

[156] Fanatic: The government employs me for a certain duty, ay. Supply me with men, rifles, and revolvers, ammunition in abundance…they expect me to use them for the benefit of the country. [Follower sobs.]
Tracker: [Getting the Fanatic to leave] We better keep after the other savage. Hey, boss?
Fanatic: We'll hoist a little warning.

[157] Tracker: It's all right boss. No such thing as an innocent black. The only innocent black is a dead black.

Follower of mutiny. The Tracker walks over to dead man's body and weeps. The Fanatic looks down from horse. The Tracker looks up at him, goes over to his horse and pulls him down. The Tracker points and shows the Fanatic the dead man. The Fanatic is arrogant, and boasts about the accolades he will receive for killing Aborigines. "They'll give me a medal for it. And they'll hang that black lover. I'll see to that. And you (sigh of joy), I will flog you till the very edge of existence."

In addition to the violence of the frontier, the nation also makes attempts to demonstrate its measure of progress. In *Breaker Morant* Bolton meets with Thomas outside of court to inform him that the Australian government wants the men prosecuted to distance itself from being a frontier colony. Australia, now a federation, wants the men sacrificed to prove they are no longer associated with frontier justice. They are a sacrifice for the nation and civility.[158]

Conquering The Colonial Landscape

Barbaric sovereignty is reflected in the alteration and control of the settler's natural surroundings. *The Proposition* (2005) shows how British colonial officer Captain Stanley tries to map and conquer his homestead. Stanley's' home is in the outback surrounded by desert. The land is wild, but their property and vegetation is fenced in, manipulated, and manicured. The yards have borders and trim with planted roses to accent the property. Stanley has an Aboriginal servant doing gardening. Stanley and

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[158]Despite the perceived harshness of the frontier, films like *Rabbit-Proof Fence* (2002) demonstrate how three Aboriginal girls brave these conditions to return to their homeland. Moodoo, the tracker assigned to bring the girls back to the camp tells his accompanying police officer that Molly's cleverness is a reflection of her desire to return home. The commitment and understanding of the girls and the land is apparent when the police officer states that he would not venture out in the outback.
Text: Western Australia 1931. For 100 years the Aboriginal Peoples have resisted the invasion of their lands by white settlers. Now, a special law, the Aborigines Act, controls their lives in every detail.

Martha's well maintained property is an attempt to make Australia appear like England. Tobey, their aboriginal servant, wears pants, suspenders, a white buttoned up shirt, shoes, and parts his hair. Before Tobey leaves the premises he takes off his shoes, and leaves them in the yard before going out the gate and walking barefooted out in the outback. On their property Tobey wears shoes as a reflection of the civilizing process, but takes them off when entering the frontier because they are not necessary. This is a visual attempt to draw distinctions between private space, and the frontier.

A Diminished Aboriginal Presence

Despite the attempt for the second and third wave film attempts to address the legacies of colonization and the effects its had on Australia's indigenous populations these films still present the Aborigines as an element to authenticate Australia's uniqueness from Europe. The presence of Aborigines serves more as an element to advance the struggles and sacrifices of whites to transform Australia into a modern nation-state. Rarely is the focus on the conditions of Aborigines. While the Kelly Gang is riding through a village, the townspeople come out to meet them. A man from the town asks Ned where he will go. Ned responds that the country belongs to them, and they will go wherever they please. His statement is intended to be a populous message, but for the immigrants of Australia, and not its indigenous populations. They are rendered invisible in their claim to ancestral land. Aborigines are mentioned in these films as a previous civilization to mark the difference between settler societies, and European nation-states.

When Charlie walks into a tavern during his trek to find his older brother he is startled by Jellon Lamb. Charlie draws his pistol, but Lamb informs Charlie that there is

nothing to fear since both men are white.[159] Each man's whiteness serves as the grounds for them to trust each other. During their conversation Lamb makes racist insults at the expense of the Irish, and Charlie warns Lamb that if he makes another crack about the Irish he will shoot him. Charlie's distaste for Lamb's racist comments speaks to the racism that Irish immigrants have endured in Australia, but does nothing to challenge the racialization of Aborigines as savages. During their conversation Lamb tells Charlie that he has been all over the world, but that Australia is the most godforsaken place he has been to.[160] Sensing that he is a tracker, Charlie attacks Lamb, but Lamb places his knife to Charlie's throat. Lamb tells Charlie to unhand him because they are white men and not beasts.[161] Lamb tells Charlie that he is tracking Arthur Burns.[162] Lamb's position of race suggests that violence is not permissible among the white race because it challenges the perceptions of civility.

After the apprehension of Aborigines Captain Stanley goes into the holding cell to interrogate the captured men. First Stanley makes sure that the men are secured with shackles and chains to demonstrate how threatening the police find Aborigines. Stanley asks Jacko, the Aboriginal tracker, to serve as an interpreter to find out how long the men have been "hiding" in the ranges.[163] The men tell him they live in the ranges so therefore

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[159] Lamb: No, no need for that, sir. No need for that. We are white men, you and I.
[160] Lamb: Perhaps you've read On the Origin of the Species by Means of Natural Selection by Charles Darwin. Oh, don't be thrown by the title. He had some fascinating things to say. Chilling things! Mr. Darwin spent time studying Aboriginals. He claims we are at bottom…[laughs] one and the same. He infers, Mr. Murphy (fake name given), that we share a common ancestry with monkeys. [Laughs] Monkeys! Mr. Murphy, Russia, China, the Congo…Oh, I traveled among unknown people in lands beyond the seas, but nothing…nothing could have prepared me for this godforsaken hole.
[161] Lamb: We are white men, sir. Not beasts.
[162] Lamb eventually tracks, and finds Charlie recovering in a cave. Lamb captures Charlie, and ties his hands to the rope around his neck. Lamb mocks Charlie, "To be speared by a savage. How extraordinarily quaint…For what is an Irishman, but a nigger turned inside out?"
[163] Stanley: No, leave the door open. It's rank in here.

they were not hiding.[164] Stanley's Euro perspective assumes that the Aborigines are foreigners to their land. The framing of Stanley's questions demonstrates how Aborigines are dissociated from the nation. The captain is trying to assess if the men have seen Arthur Burns in the caves.[165] Jacko tells Stanley that Arthur Burns has dog qualities that make him elusive to the police.[166] The relationship to nature that indigenous bodies are meant to have serves as a means to demonstrate how well a white bushman knows the terrain. Knowing the frontier as well as an indigenous other demonstrates valuable knowledge in alluding authorities, and the services of a native tracker are required to capture him. The native is used to elevate the settler's ability to live in the wilderness. The incorporation of indigenous peoples to enforce the law elides the coercive character of the state.

The troopers are patrolling the frontier, and engage in a retaliatory raid against Aborigines. The men sing about freedom after a military strike against indigenous Australians. As they sing the men enjoy themselves with smoke, drink, and sing by a fire

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Stanley: Are you sure you put enough iron on these men, Sergeant? [Men are bound with chains and locks.]
Sergeant: They have been adequately secured, sir.
Stanley: Jacko, get over here.
Jacko: Yes, captain sir.
Stanley: Ask them how long they've been hiding up in the ranges. [Jacko speaks Aboriginal language.]
Jacko: He says they very tired.

[164] Stanley: Ask them, again, how long they've been hiding up in the ranges.
Jacko: Captain, Sir, he said they don't hide in the ranges. They live in the ranges…. Them always been living in the ranges, Captain, Sir.

[165] Stanley: Ask him if they've seen a white man up there.
Jacko: They've seen white men. White men catches them.
Stanley: Jesus Christ! I don't mean the police.

[166] Jacko: Fellow in the picture, he live in a cave. Dog man. Big fella. He said Dog Man never sleep. He sit there all day. Sit down, in the cave. Way up. He live with small fella…and black fella. Cannot catch him. Cannot kill him. He is dog…. He changed to dog. He grows ears. He grow teeth, sharp. And he grows a tail, this way. [Prisoners growl and hum] Long. And he stand with two leg, like this. And he goes…[howls].

inside a cabin.[167] Their celebration of freedom is predicated on the subjection of Aborigines.

The association of Aborigines to animal imagery furthers their supposed treacherous nature, which is actually a projection of settlers' actions onto Aborigines themselves that aids the concept of barbaric sovereignty. No longer trusting the Tracker the Fanatic orders for chains to be placed on him.[168] The Veteran places a shackle around the Tracker's neck and apologizes for this degradation. The Fanatic tells the Veteran to feel sorry for the packhorse, and not the Tracker because the animal is an "innocent victim." The Fanatic at another point assaults the Follower to express that even though the Follower is stupid, he is still a white man. Thus making him superior to Aborigines, and in particular the Tracker who is described as a monkey.

> Fanatic: (Grabbing Follower collar and pulling him down) See this man? This man, for a white man, displays a particularly low level of intelligence, but he understands what you can't because he's a white man. Do you understand? Don't get smart with me. You're a monkey.
> Tracker: (Smiling and tilting head back) Yes, boss, I'm a monkey.
> Fanatic: If I don't catch him it will be your ears I take back with me. [To Follower.] You see? You have to be firm with the natives. Otherwise they think you're afraid. Then they won't hesitate to take advantage.

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[167] The lyrics: While thou shalt flourish great and free. The dread and envy of them all. Rule Britannia, Britannia rules the waves. Britons never, never, never will be slaves.

[168] The association to nature and animal behavior is used to demonstrate Aborigines superiority in the frontier. The Tracker wearing neck shackle now. The chain goes to the Fanatic. The Fanatic holds chain like it is leash. The Tracker sees smoke, and tells them that trouble is coming. The Tracker tells men that they are a couple hours away from the Fugitive. The Follower makes signs, and the Fanatic pulls back chain of the Tracker to stop him. The Fanatic looks at Follower and asks him what his problem is. The Follower does not believe in the Tracker's tracking abilities, and claims that he is wasting time and hoping for the best. The Follower nods. The Fanatic speaks Aboriginal language to the Tracker, and the Tracker speaks back. The Fanatic tells the Follower that the Tracker will show him, and throws down chain. The Follower gets off his horse and walks over to the Tracker. The Tracker motions him to come over to where he is a shows him a missing stone out of thousands. The Tracker informs the Follower that there are signs like this all over the place that help him track. The Follower whispers "sorry into the Tracker's ear. The Tracker smiles.

Using a logic of reciprocity the Tracker decides to hang the Fanatic for his crimes against humanity. The Fanatic tries to prevent his execution by questioning the loyalty of the Tracker by suggesting that he is not a good Aborigine because he does not submit to white authority.[169] The Fanatic argues that his brutality is his attempt for instilling civility and moral virtue to Aborigines. The Tracker accuses him of murder, and hangs the Fanatic from a tree.[170]

When the Tracker and Follower find the Fugitive, the Fugitive claims that he did not rape and kill the white woman. Nevertheless the Follower insists that the Fugitive be brought in, and make his case before the court. The Tracker responds that the "court

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[169] Fanatic: I must admit I have come across one or two natives during my travels who were good. I once worked with tracker I could trust. I mean really trust. As a white man can be trusted. (Tracker walks by him with rope. Fanatic's eyes well up). He was a full blood like you. Not one of these half-castes that simply take on worst characteristics of both races. No, he was a man. And he was a splendid tracker like you. He never failed me. Over stones, through spin effects, over high ranges, through swamps, and long grass. And if he ever lost tracks for a few minutes…his instincts would direct him and on he go. He understood we whites were here for a purpose. That tradition points to the fact that native were once better than they are. They've deteriorated in their moral worth. If they are not taken in hand…they will be worst than ever. Well this black tracker, uh, despite his natural born ignorance he figured I was the man for the job, he may well be right. You cannot serve all mighty God any better than by improving his poor degraded creatures. I've seen that the blacks can be made…tractable and docile. But you have to be both firm and kind to them, and you can teach them to work for their own interests. You can impress upon them minds that they mustn't kill each other. They must not kill the squatters' cattle. They must do onto others as they wish themselves to be done by. They must speak the truth. (Noose swings past him) Now if I were given …the resources, then I would establish a chain of ration depots, I'd collect the blacks, I would feed and clothe the old and infirm, and some of the others at times. I would raise their condition, all of their condition by diplomacy and kindness. It's the dream I have. My "check" is still alive now. It's pretty old, but doing well. I see him from time to time. When I am town. I helped him get a little cottage on the outskirts. He lives there quietly with his gin. I taught him the white way, and he's a happy man. Sitting on his porch, he says 'Hey boss, how's it going? When are you going to teach all those other blacks the proper way to live.' And it hurts me to have to tell him not yet. Not yet, but then I quote him a little poem, and he is happy again. 'The world is full of beauty, as are the worlds above. And if we do our duty, it might be full of love.' Now I don't know if any of that means anything to you, but if it does, I would like you to think upon it.

[170] Tracker: You are charged with the murder of innocent people. How do you plead?
Fanatic: Who the hell are you (now sounds defiant)?
Tracker: On behalf of my people, and all people. I'm your judge and jury. How do you plead? [The Fanatic shouts to wake up the Follower.] I find you guilty as charged. For your actions, you forfeited the right to live among your fellow humans. I sentence you to hang by the neck until dead.
[The Fanatic tells him he cannot kill him.]
Tracker: Sic Gloria Transit Mundi.

already find him guilty boss. Blackfellas. He is telling the truth anyway."[171] The Tracker gets on a horse to return home, "my land is far away, but always I can find it." The Follower wonders who killed the woman, and the Tracker inverts the racist stereotypes of black criminality and responds, "Probably a whitefella, boss. They are murderers. They are shifty. Thieving. Dishonest mob. Can't trust them one bit." The conclusion of the film makes the viewer question whether the intention of the film was to reveal the conditions of Aborigines in Australia, or the rude awakening the Follower receives from his experiences in the frontier.

Walkabout constantly draws comparisons of actions and lifestyles in major Australian cities versus those in the bush to demonstrate two different worlds, one occupied by whites and their material surroundings, and the other is of Aborigines having to make due in the frontier.[172] Despite the presentation of two spaces (colonial and settled), the two white children map and understand the frontier from a white European understanding. For instance, when the children are first stranded and they see the young Aborigine, the girl shouts, "We're English! English, do you understand? This is Australia, yes? Where is Adelaide?"

Towards the end of *Walkabout* Black Boy is assumed to be gone, and Girl interprets his absence for her own needs, as well as a way for her and her brother to

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[171]The Fugitive is speared for raping a woman at a waterhole when he was on the run. The Tracker spears the Fugitive as well for his crime, the Follower asks him why he is engaging in Aboriginal justice.
Follower: But you're a Christian. I heard you give absolution.
Tracker: God respects Aboriginal law, as much as he respect white law.

[172] The scenes of the Aborigine living off land are shown as photographs. They are posed mages. The next shot is of him trying to spear and hunt a kangaroo. He is chasing an injured kangaroo. It whimpers. He spears it. He runs over, and beats hit. This scene is paralleled with butcher in city butchering meat. It compares how he butchers and uses animal, and how a butcher cuts and prepares meat. It shows him using the tendons for his weapon. The comparison is of nature and living off land versus city and purchasing services.

distance themselves from him especially when the possibility of returning to her city life presents itself. For instance the Girl mentions that she is glad that she washed her brother's things so they will appear "nice when they find us" this is a reference to being discovered by a civilized race. As they prepare to leave they find the body of the Aborigine hanging from a tree in a crucified pose. Their encounter with his body is awkward; Girl plays it casually acknowledging his body, and prepares her brother for their departure.

She stares at a gravel road with a clear demarcation between the land and road. This suggests an imagery of divide between landscapes, and their journey back into their "world." She pauses before she steps onto the road. As they continue to walk they see a man in his home, but he is quite inhospitable. He warns them that they are on private property and must leave. The film is making a distinction between the Aborigine helping them in the frontier by sharing his food and water, while the white serves the interests of a mining corporation.

Rabbit-Proof Fence challenges the dominant narrative of concentrating on the experiences of white Australians. The film's focus is to demonstrate how Aborigines have no legal authority over themselves and their children.[173] *Rabbit-Proof Fence* reveals that the removal of Aborigine children from their families was articulated as a civilizing mission that served the interests of the state, and as a means of saving Aborigines from themselves. Such a civilizing mission invalidates the concerns and issues of indigenous Australians. Chief Protector of Aborigines A. O Neville orders the

[173] Mr. A. O. Neville, the Chief Protector of Aborigines, is the legal guardian of every Aborigine in the State of Western Australia. He has the power "to remove any half-caste child" from their family, from anywhere within the state (before scene begin).

removal of Molly Craig, Daisy Kadibill, and Gracie Fields from the reserve so they may be sent to the Moore River Native Settlement to learn domestic skills. The children are forcibly removed from their families, but Molly, Daisy, and Gracie runaway, and brave the harsh conditions of the outback so they can return to their land.[174]

When Neville discovers that the girls are following the rabbit-proof fence thus hindering their capture, he credits their ingenuity, and tells the inspector that they do not have Neolithic minds just because Aborigines "use Neolithic tools."[175] This scene can be read as Neville giving the girls credit for thwarting the police, it can also suggest that due to being Aborigines they are assumed to be ignorant, and therefore they are being underestimated, but this negated by the suggestion that Aborigines use Neolithic tools. Incorporating the verb use in present tense still suggests that they are backwards.

The Empire and Empty Crown Land

Barbaric sovereignty needs a strong national identity or narrative to sustain itself. *Gallipoli* (1981) follows two young Australians—one is idealistic and patriotic, and the other is practical and opportunistic—who enlist in the Australian Army during the First World War where they are sent to Turkey to fight at the Battle of Gallipoli. The film demonstrates much more than the loss of innocence or the terror of war. Archy Hamilton (idealist) and Frank Dunne (opportunist) are a reflection of the Australian national character. *Gallipoli* is a film that demonstrates the importance of locating an

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[174] A car drives up to the reservation. Realizing that it is a constable coming to take away the children, the women shout and crab the children. Constable Riggs uses the car to cut them off, and jumps out to take the children. He tells Maude that she has no say in the legal matter. Constable Riggs grabs the children and places them in the car. He puts Daisy in the car and tells her that if she runs he will lock her mother up. Maude protests and tries to fight the man off. He rips the children from her, and declares that Mr. Neville is their legal guardian. Riggs tells Maude that he has the papers and she has no say in the matter.

[175] Neville: (To Inspector on the case) Just because people use Neolithic tools, Inspector, does not mean they have Neolithic minds.

"authenticate" Australian identity. Both the Boer War and Gallipoli help define a national identity, but these identities are created outside of Australia, and for the service of the British Empire. Archy wants to serve his country and the empire, while Frank, who is of Irish descent, is not interested in helping the crown but wishes to rise above his current social and economic status through the military. The film demonstrates that Australians enlisted because they did not want to leave "their mates" behind. Many of the young men saw the war as a chance of adventure and opportunity to prove themselves among their peers.[176]

Bushrangers carry an element of populism with them. When Ned Kelly and his gang rob a bank, they discover the mortgage deeds and destroy them. This makes them folk heroes. The fact that the Kelly Gang would damage Crown property makes them public enemy number one. In order to subdue the gang, the Queen summons Superintendent Francis Hare, from his assignment in South Africa, to subdue them.[177] Kelly mocks Hare for not being able to catch him, or the lack of Australians willing to aid the superintendent. The Kelly gang gives the poor settlers money to help them out. They

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[176] Archy and Frank meet at race, and Archy narrowly beats Frank. Army recruiting group is at the race. They have a wooden Trojan horse. A man yells, "Lads for the Light Horse, over here." Men walk over to the area. Man says, "Come on. Don't let your mates over there do all the fighting…The empire needs you. Your country needs you and your mates need you. So come and find out how to get into the greatest game of them all." A crowd gathers around the horse.

[177] Ned Kelly: [Narrating] So I killed their policeman, and I robbed their bank... but burning their mortgages—well, that was destroying Crown property. It was like slappin' Queen Victoria herself across the face. So they send in Hare, Superintendent Francis Hare... late of Cape Town, South Africa. And wasn't this the challenge of your whole life, Superintendent? A feather in your cap. You can't catch me. You don't have a hope of catching me, so you take my friends instead. Over a hundred men arrested, stuck in stinkin' cells without trial...while their crops perish in the fields. And guess what. Not one of 'em caves in and tries to claim the reward... not one of 'em. They loved me just the same and hated you all the more, didn't they? Did you really think I was gonna let 'em all rot?

are charitable to the depressed. When robbing a bank Ned has Joseph write a letter to Premier Berry with the aid of the people to list their grievances.[178]

Vacant Possession (1995) incorporates the use of a devastating storm as a metaphor for Aboriginal-white relations. Tessa's father, Frank, comes to visit his daughter, and a storm forces Tessa, Millie (an Aborigine teenager), and Frank into the basement for shelter. As the storm rages it destroys the home, and kills the white cat named Cook.[179] While in the basement, Tessa and Frank speak about her past, such as her love affair with an Aboriginal man, his racism towards indigenous Australians, and his claim to the house.

With regards to the night Frank shot Mitch, he tells her that he and her mother wanted to "protect" her from dating an Aborigine. Frank describing his assault on Mitch as protecting his daughter reflects a large trend to associate violence towards racial

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[178] Ned Kelly: My mother is rotting away in a prison cell…because of the lies of a policeman named Fitzpatrick. She's an innocent woman, and so are these boys here. My Irish brethren have been unlawfully imprisoned...and blacklisted from their selections. How do you expect me to behave other than to stand up against this treatment? [Exhales Strongly] Any one of you here can take a shot at me and not be charged for it. There's me gun. Any of you feeling brave enough, go ahead. No? That's what I thought. So if I can beg your patience, this is my statement to the Premier of Victoria, Graham Berry, and you here are my witnesses. Joe, take out a pen and paper. We'll write ourselves a letter.
Ned Kelly: Dear sir. Dear Sir.
Premier Berry: [Reading letter] "Dear sir. I wish to acquaint you with some of the occurrences of the present, past and the future. It will pay government to give those people who are suffering..."
Ned Kelly: justice and liberty.
Premier Berry: "justice and liberty. I seek revenge for the evil name given me and my relations. By the light that shines, this is my warning."
Ned Kelly: My brother and sisters and mother have to put up with the brutal and cowardly conduct of a parcel of....
Ned Kelly: Or English landlords, better known as what? The Victorian police.
Premier Berry: [To the Superintendent Hare] "This section here you might find less amusing, Superintendent."
Ned Kelly: I give fair warning to all those who have reason to fear me, not to attempt to reside in Victoria. Neglect this and abide by the consequences, which shall be worse than the rust in the wheat. I do not wish to give this order full force without timely warning but I am a widows son outlawed and my orders must be obeyed!
[The letter scene went back and forth from the bank robbery and Graham Berry's office.]

[179] Millie named the cat Cook because he never left their home.

communities as something positive. His treatment of Tessa's lover also reveals his views towards indigenous Australians by referring to them as lazy, never wanting to work, and always claiming land rights.[180]

Frank wishes to buy back the house. Tessa's mother won the land as an attempt to reclaim vacant crown land.[181] Before Mabo the understanding was that when the British commandeered the various parts of Australia in "1788, 1824, 1829, and 1879 the Crown became both the absolute sovereign and the beneficial owner of the land" (Reynolds, 1996: 116). Besides the erasure of indigenous land claims, the partition and redistribution of land reveals settlement as an act of creation. These modern settlements allow white Australians to own, invest, and build up Crown land. They have an invested interest in their land, and their nation. In addition these settlements aid in the formation of nuclear families that serve as a microcosm of the nation, and the land is passed on from one generation to the next, further distancing any legitimacy of native land claims. Tessa tells her father that they should sell their land, and give the profits to Millie and her

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[180] Frank: I was drunk.
Tessa: And were you still drunk when you laid charges against him? Was mom drunk when she lied and told me he didn't want to see me?
Frank: Understand your mother's position.
Tessa: I understand anybody's position.
Frank: We wanted to protect you.
Tessa: From what?
Frank: You know bloody well what. If you've married an Abo, what sort of life would've you had? They don't wanna work. They just wanna lie around get drunk, and talk about bloody land rights.
Tessa: Are you talking about Millie?

[181] Frank: Well, she always owned the land…[after war] It was one of those schemes they had for dividing up vacant crown land. You put your name and ten pounds in a hat…it was a lottery, and your mother got lucky. And the bloody judge gave her the lot.
Tessa: Vacant crown land, huh? Taken possession of by the crown, owned by the queen. You know what I think? I think that if there is anything left up there worth having, we should give it to Aunty Beryl and her family. Compensation for losing their son. Yes, he's dead. Mitch is dead.
Frank: Don't be a fool.
Tessa: Don't you talk to me about fools.
Frank: Your mother turned you against me.
Tessa: Oh, no, she didn't do that. She felt sorry for you.

family. Millie chastises Tessa for thinking that whites always know what Aborigines want.[182] Tessa's suggestion actually precludes Aboriginal self-determination because she is deciding what she thinks is best for native Australians.

Colonials

Gallipoli reveals national hierarchies for the British Empire by drawing a class distinction between English and Australian soldiers. The British soldiers ride horses while wearing monocles, and then ask other men to remove animals in their path. The men apologize and salute. Frank stops Billy form saluting. Frank and his mates buy donkeys, follow the British soldiers, and mock them by wearing monocles, holding canes, and speaking in a very aristocratic manner.[183] The men sing a song about Australia helping England in battle.

The national hierarchy of the British Empire is displayed when it is revealed that the Australian soldiers are being used as diversion at the charge at the Nek to secure a safe landing of British troops at Sulva Bay.[184] As the Australians are being gunned down the British officers are having tea at the beach.

A Nation's Saving Grace: Saving Those Against Themselves

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[182] Millie: We don't want your house. Why do you white people think you always know what we want?
Tessa: I just thought…when I heard y'all talking about a bank loan.
Millie: We was only gaming. You know, joking. We was talking about our home, not a house. A home is a place. It's where you belong.

[183] British officer: You Australians are crude, undisciplined, and the most ill-mannered soldiers I've encountered.
Billy: Well, you should meet the New Zealanders.
British soldier: Rabble.

[184] Archy: (Writing letter to his uncle) I know you still haven't forgiven me for running off. But I'm sure in my own mind that I was right, and so would you if you were here with me now. We're getting ready to make an all-out assault on Johnny Turk. Ad we know we're gonna give a good account of ourselves and our country. Everyone is terribly excited. There's a feeling that we're all involved in an adventure that's somehow larger than life.

The Proposition follows Charlie's quest to save his brother Mikey, but ultimately the film concentrates on the sacrifices Charlie makes to save the nation. Sensing that the authorities are pursuing them, Arthur burns his books, drawings, and any object that resembles any material markings of civility. The burning signifies his return to savagery. Arthur Burns and his gang arrive at the home of Captain Stanley and his wife Martha to perform their version of barbarism by attacking him, and raping her.[185]

Charlie walks into the house, and stops the brutality by killing Samuel and shooting his brother in the stomach and chest.[186] Charlie follows Arthur out of the house leaving a stunned Martha and Captain Morris Stanley. Charlie walks through the rose garden following the trail of blood. Arthur has stumbled over the flowers and has broken the fence. He is sitting on the ground outside of the house with his hands resting on his outstretched legs. Charlie sits next to him. He sits next to Arthur as he watches the sun set.[187] Charlie has chosen civilizing the land, and the nation through the death and sacrifice of his brothers.

Rabbit-Proof Fence demonstrates the concept of saving those against themselves through Australia's policy of removing half-caste children from their families so they can be saved from their Aboriginal heritage. As Chief Protector of Aborigines in Western Australia, A. O. Neville delivers a speech to a group of women about the civilizing

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[185] Samuel drags Martha in the next room while Arthur has a gun pointed at Stanley's head. Stanley's head is covered with the Union Jack flag. He is tied up and bloody. Arthur shoots him through the shoulder. The shot knocks him to the ground. As he lying down, still tied to the chair, Arthur uncovers his head and tells him he won't want to miss what is about to happen. Arthur then sits down as Samuel begins to rape Martha.

[186] Charlie: No more.

[187] Arthur: You got me, Charlie. What are you going to do now?
Charlie does not answer. They both watch the sunset. Arthur dies.

mission of taking half-caste Aborigines and preparing them for domestic labor.[188] He also discusses the importance of his work of racially stamping out the Aboriginal gene through race mixing, and cultural assimilation. Neville's discusses his work in terms of helping and saving Aborigines against themselves.[189] Neville's mission reflects Australia's colonial mission of removing the trace of Aborigines to create a white nation-state.

To demonstrate the ongoing process of colonialism in Australia the film displays the girls being transported in cages like animals to Moore River.[190] The subjugation and indoctrination of the girls begins immediately especially when the girls are required to

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[188] Molly narrates during the beginning of the film. Molly: (Narrating in Aboriginal language while camera is giving overview shots of Western Australia) This is a true story—story of my sister Daisy and my cousin Gracie and me when we were little. Our people, the Jigalong mob, we were desert people then, walking all over our land. My mum told me about how the white people came to our country. They made a storehouse here at Jigalong—brought clothes and other things—flour, tobacco, tea. Gave them to us on ration day. We came there, made a camp nearby. They were building a long fence…My dad was a white man working on that fence. The white people called me a half-caste.
Chief Protector of Aborigines in Western Australia A. O. Neville's task of "civilizing" aborigines gives him complete control over every facet of their lives. From buying shoes to getting married, Neville has the final say in the matter. Neville issues a report to authorize the removal of the three girls. Neville is concerned with the youngest girl because she is promised to a full blood. The girls are to be sent to Moore River.

[189] Neville:

> (Showing women slides of half-castes) As you know, every Aborigine born in this state comes under my control. Notice, if you will the half-caste child. And there are ever-increasing numbers of them. Now, what is to happen to them? Are we to allow the creation of an unwanted third race? Should the coloreds be encouraged to go back to the black, or should they be advanced to white status and be absorbed in the white population? Now, time and again, I am asked by some white man, 'If I marry this colored person, will our children be black?' And as chief protector of Aborigines, it is my responsibility to accept or reject those marriages. Here…is the answer. Three generations. Half-blood grandmother, quadroon daughter, octoroon grandson. Now, as you can see, in the third generation, or third cross, no trace of native origin is apparent. The continuing infiltration of white blood finally stamps out the black color. The Aboriginal has simply been…bred out. Now…we come to…We come to the Moore River Native Settlement. Ladies, most of you are familiar with our work here—the training of domestic servants and farm laborers. I would like to thank you for your continuing support. Hundreds of half-caste children have been gathered up and brought here to be given the benefit of everything our culture has to offer. For if we are to fit and train such children for the future, they cannot be left as they are. And in spite of himself, the native must be helped.

[190] Moore River Native Settlement is 1200 miles south from Jigalong.

make their beds and clean their dorm before breakfast to learn domestic skills. Before breakfast the girls are required to make a Christian prayer before they are allowed to eat. The girls are not allowed to speak during breakfast. Gracie speaks in native language and an Aborigine man slams his cane on the table and says no wonker will be spoken, only English. After breakfast the girls are bathed, given new clothes, and informed that they are only permitted to speak in English. The children are assembled to sing for Mr. Neville. Mr. Neville is inspecting the children to find the "fair" ones to send to school. Molly is called up front to be inspected by Neville. Nina tells her to get up quick or they will whip her. Neville addresses the children, and tells that the school is intended to improve their chances and opportunities in society.[191] He inspects Molly's skin tone, and says, "No" denying her the ability to go to school.

The girls' success from running away demonstrates their agency in resisting cultural genocide, and serves as a challenge to Neville's civilizing mission. Neville is concerned with the delay in capturing the three girls because he believes that the exposure his department receives will work against his efforts. Neville views his role in the stolen generation as trying to help Aborigines from themselves. To him, they are the problem that must be solved.[192] Neville states his mission to Riggs when the funds to continue the search have run out. Neville states:

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[191] Neville: We're here to help and encourage you in this new world. Duty, service, responsibility. Those are our watchwords.

[192] Neville: I do not expect you to understand what I am trying to do for these people, but I will not have my plans put into jeopardy. People fail to understand that the problem of half-castes is not simply going to go away. If it is not dealt with now, it will fester for years to come. These children are that problem.

> We face an uphill battle with these people—especially the bust natives—who have to be protected against themselves. If they would only understand…what we are trying to do for them.[193]

Aborigines are not accepted as experts in their own affairs. Their knowledge in legal, historical, or cultural matters are not taken seriously unless it comes from a white expert to validate their views. Peter Weir's *The Last Wave* (1977) uses apocalyptic themes in his film about a Sydney lawyer David Burton volunteering his time to defend five Aboriginal men for the murder of another Aborigine. Burton tries to make the claim that the killing was tribal and does not belong in a criminal court. While David is discussing the case with Annie, his wife, she is looking through books about Aborigines in his study. The pictures are before and after images of contact and conquest.[194] Annie proposes that the men charged with the crime may be tribal Aborigines. David tells her that Don, from legal aid claims that there are no tribal Aborigines in the city. Annie raises the possibility that Don may be wrong, but David rebuts her comments by mentioning that he works "with these people." Don represents the colonial expert who "knows" Aborigines. He is not the focus of inquiry; rather the Aborigines must prove themselves to fit the standard of Western knowledge.

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[193] At the end of the film Molly narrates what happened to them after they returned home. She discusses how they walked for nine weeks to get home. She got married and had two baby girls. They took her and her two kids back to Moore River, and she walked back again. She carried her little one, Annabelle, with her. Neville took her away when she was three. Molly never saw her again. Gracie has passed away, and she never made it back to Jigalong. Molly and Daisy live on their land. She says they are never going back to that place.

Text: Aboriginal children were forcibly removed from their families throughout Australia until 1970. Today many of these Aboriginal people continue to suffer from this destruction of identity, family life and culture. We call them the Stolen Generation.

[194] The before picture shows Aborigines as proud and dignified, and the after shows a man that is either homeless, or drunk in the street. His shirt is unbuttoned, and he is sitting next to a full trashcan. She looks to the left of the book for the fatal impact….then Aboriginal man facing left with distinguished look. His head is held up.

The Court's Authority To Legislate Against Colonialism

Court's aid the process of barbaric sovereignty by addressing colonial concerns, but preclude their influence or significance in legal matters. The courts legislate an official history of the nation through legal decisions, and lawyers serve as the colonial experts embodying both worlds. The legal context of *The Last Wave* works as both a narrative about a colonial authority using the law and courts to do what is best for Aborigines, and during the trial the film demonstrates the complexities of introducing tribal elements into a criminal case. David is asked by Legal Aid to defend the Aboriginal men on trial. David and the barrister, Michael Zeadler, meet at the bar where the men tracked down Billy to discuss the night in question. Before their clients arrive both men discuss what they believe is best for their clients.[195] The men have already been abused in police custody, and now both try to work out a lenient sentence for their clients. Zeadler tells the accused that he intends to help, but they must help him as well, which means accept a guilty plea for a lesser sentence.

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[195] David: They won't tell me anything—nothing important.
Barrister: You mean, you couldn't get anything out of them.
David: I don't know…I've been reading about a case in the desert region above South Australia—a tribal killing. Some of the men were talking about tribal secrets. A woman overheard them. One of the men broke a bottle and slit her throat.
Barrister: So?
David: They were let off. The Judge put them in the hands of, of his tribal elders. Uh, they speared him in the leg three times, and that was his punishment.
Barrister: Yes. Well, the tribal law angle might work if you were dealing with tribal people in a tribal area. But we're not! These are city people.
David: You might be wrong.
Barrister: Oh, come on, David! I think I've got to dispel a few romantic notions you seem to have. Number one: The traditional culture of Aborigines only survives among full-bloods in the far north and in some parts of the dessert. The nearest tribal Aborigines live a thousand miles from Sydney. Number two: The people we call Aborigines in the cities…are no different culturally from depressed whites. We destroy their languages, and their ceremonies, their songs, their dances, and their tribal laws. The only thing to do is to [the Aboriginal defendants enter the bar] is to plead guilty from the beginning. Get a light sentence, send them up the river for six months then to their wives and kids. That's all we can do.

After coming to the conclusion that the case is a tribal matter David goes to Michael Zeadler's office to discuss the case. David's white paternalistic and romantic attitudes present themselves when he believes he knows what is best for their clients. Actually both men present themselves as Aboriginal experts by deciding what is best for their clients without consulting them.[196] The Prosecution begins the murder trial by asking the jury to exclude the violent histories of colonialism and cultural genocide when judging the case. The recognition of colonialism in the court is to disconnect the relationship that colonialism, racism, and forced assimilation play in the current affairs of indigenous Australians.[197]

Where The Green Ants Dream (1984) deals with the issue of land rights between Aborigines and the defendants the Aires Mining Company and the commonwealth of Australia.[198] In the beginning of the trial the judge makes a case for indigenous

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[196] David: It's tribal.
Michael: What's tribal? What are you talking about?
David: I just had my life threatened. They're all part of some secret tribal group. There's an old man…Charlie…
Michael: It doesn't happen in the city.
David: I want to plead not guilty. I think we can get them off.
Michael: I think you're making a mistake.
David: Then I suggest you drop out.
Michael: Good. 'Cause I don't want to make a fool of myself or of them. You know something? That middle-class patronizing attitude of yours towards the blacks revolts me. The best part of ten years I've worked with these people while you sat making a fortune on tax dodgers and corporations, and you come in here with this idiotic, romantic crap about tribal people.

[197] Prosecutor: Now, you mustn't permit the sorry history of conflict between the Aboriginal and European cultures to cloud your judgment. Your verdict must not in any way reflect the sympathy we all feel for the few unhappy survivors of the original inhabitants of this land. Who operated, until the arrival of white man, under a system of tribal laws. Your verdict must be based upon the law as it prevails today. Over and for the protection of all Australians. And the accused, in killing Billy Corman, broke that most sacred law of all.

[198] Judge: (Opening remarks for the case) I feel it is important to say at the outset that this case before this High Court is not merely one of Aborigines dispossessed of their ancestral land by the white man. Finding in the activities of Aires Mining Company a final assault on their beliefs. It's also a case that raises fundamental moral questions of great complexity. We must here discover whether the Aboriginal plaintiffs hold in fact in common law a land right's title valued before 1788 to territories annexed by Governor Phillip, who by hoisting the flag claimed all of this vast continent for the British Crown.

dispossession of Aboriginal tribal lands, but reinforces the claim that British Crown is still the absolute sovereign in land claims. During the trial Dayipu takes the stand with his interpreter. Miliritbi says that they are here to tell them about the land so the court can recognize the land that "we live on." He testifies that the mining company destroys the land and it will destroy the people. The feeling is that if the land is destroyed it will stop the green ants from dreaming. "If you going to destroy the land, which is sacred land, a special area, dreaming land for green ants…you are going to destroy the people and the green ants can never come back again."

The solicitor general is not satisfied with answers from Aborigines. He asks lawyer of plaintiffs to explain gesture in terms of Aborigine's response to expanse of territory. He is upset about the evidence allowed in the case. He says Aboriginal testimony relies on hearsay. The judge references other indigenous trials in Canada and West Africa to justify the acceptance of hearsay as legitimate testimony.[199] Indigenous land claim cases serve as legal precedents in trials in various countries.

Mr. Arnold is brought to court to testify, and his concern is for the Aborigines.[200] Arnold is on stand to testify on Aboriginal numerical concepts. An Aboriginal man gets on the stand with Arnold to speak. The judge asks Miliritbi to translate, but he cannot because it is a different dialect. The judge thought the man was a mute. The lawyer for the plaintiffs explains that the man is called the Mute because there is no one left that

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[199] The judge gives solicitor general summary of West African case to tell him that hearsay is admissible evidence.

[200] Arnold: Progress, here you talk about progress over and over again. And where does it leave the Aborigine? It is progress into nothingness. What have the last two hundred years brought? Extinction, and where that wasn't radical enough, cultural extermination by the white civilization. Simple outright murder was only part of it.
Judge: Order. This court is not a forum for political oratory.

speaks his language. He is the last of his people. He carries the last of their secrets. This a romantization of the Aborigines plight by the director because the reality is that Aborigines have to speak a colonial language in the courtroom to make claims for autonomy and land right claims. Aborigines are forced in many instances to reveal sacred and secret artifacts into the court to make a title claim. The structure of the court always places the Aborigines at a disadvantage because the court does not recognize their sacred objects or histories as valid legal claims against the Crown's claim. Miliritbi presents sacred evidence to the court to argue for his people to keep the rights to their dreaming land.[201] In the end the judge rules on behalf of the defendants, and the title lies with the Crown.[202]

The United States appears to be unlike most white settler societies such as Australia, but comparing both nation-states in terms of their colonial histories and treatment of indigenous populations demonstrates a larger trend in what racial representations can engender for both states and their citizens. The state sponsored campaigns against indigenous populations in the United States and Australia have allowed for a historicist interpretation of these events as a march towards progress and civilization that makes questioning these policies very difficult. Even though Australians still debate the legitimacy of their colonial campaigns—whether or not extermination campaigns happened—and the role of the settler in the country it cannot be denied that

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[201] He shows the judge the most sacred object to demonstrate why they belong on the land. He asks the judge to remove the covering of the object, but the people must be removed from the court so the object will not be ruined. The object has been buried for 200 years, and it is very important. They show it to the court to show how important it is to them and the land, and why they belong. The object is uncovered, but the viewer does not see it. It is a wooden object carved with markings that the court cannot make out.

[202] Judge: The claims of the Aborigines do not accord with the provisions of English common law, which though imported is nonetheless perhaps regrettably the law of the land.

both countries have utilized a successful form of barbaric sovereignty that enables each country to engage in a state of emergency to secure its interests.

Conclusion

Chapter five served as a natural conclusion to this dissertation by demonstrating how the concept of barbaric sovereignty works in another settler society. Despite the ending of chapter five, I wanted to reiterate the concept of barbaric sovereignty, and explain its significance for understanding colonial settler societies. The other purpose of establishing barbaric sovereignty was to offer a tool to analyze contemporary declarations of national emergencies and states of exception. My dissertation investigates the United States as a white settler society through the concept of barbaric sovereignty. The need to convey an account for territorial extension and advancement initiated the use of categories such as savage and civilization. Barbarians and savages are categories that when theorized, in comparison and in conjunction, produce the concept of barbaric sovereignty. Race wars in the United States created these categories within the nation, and the representations of indigenous people as savages were utilized to justify these massacres for social, cultural, political, and historical purposes. These wars enabled U.S. and Australian national consolidation, and justified the use of martial law in response to these emergencies. This type of "savage war," depended on the conviction that particular races, or ethnic groups, are inclined to barbaric violence. This dissertation explains how white settler colonialism, expressed as barbaric sovereignty, served as the basis for social, cultural, and political mechanisms that drive the United States and other white settler societies, Australia in particular. Barbarians and savages generate new categories of knowledge that serve as the basis of power for both the state and its residents.

Barbaric sovereignty explains how the removal, relocation, exclusion, and wars waged against these native populations enables the constitution of the United States and

Australia. Despite their differences the United States and Australia share similar attributes with regards to their indigenous populations, racialized communities, responses to national emergencies, and to their detention of asylum seekers, and suspected terrorists. These similarities do not rest on any assumption of coincidence, but rather their histories of being former settler societies, and their policies of creating a white nation-state. More importantly, the relationship these two countries share with one another stems from the treatment of their indigenous populations, particularly in the 19th century. The 19th century provides the key for understanding contemporary racial formations, and states of emergency that implement the rhetoric of savage wars versus civilize wars for the preservation of civilization. With this category of barbaric sovereignty my attempt was not to introduce a category into the past that did not exist, or to suggest that certain contemporaries theories be interjected into colonial histories. The intention of this dissertation was to reveal how colonial societies used a concept of barbaric sovereignty that aided in the transformation from a settlement to a nation-state. By investigating race wars, the rhetoric of savagery, the interpretation of colonial violence I was able to demonstrate the productive capabilities of barbaric sovereignty that also serves as a critical tool for understanding contemporary situations that seem to echo the sentiments of colonialism.

Each chapter of this dissertation articulated, developed, and explained different facets of barbaric sovereignty. Chapter one discussed the theoretical concepts that produced barbaric sovereignty. Barbaric sovereignty provides a critical approach to understanding the generative aspects of colonialism, but also provides the means of understanding contemporary declarations of exceptions and emergencies. Part of this

dissertation is to question the logic of progress itself. Grand claims about producing a new world, or fighting wars to end wars, are teleological arguments that must be avoided because they argue that destruction represents a march towards progress. These acts serve as a window to understand the use of state power in national emergencies for the 20th and 21st centuries. This historicist model of history is associated with official state histories because the underpinning of all their claims is that destruction is a march towards civilization.

In chapter two I explain through barbaric sovereignty the state's power to situate people into the official history of the nation, and its ability to interpret particular historical, social, and cultural experiences that legitimate state actions. The state's interpretation of particular events frames the discourse of how an event is perceived. In the colonial process an atmosphere of terror managed to sustain conquest and dispossession, and continues to be an important element. For this chapter I situate the history of American colonial events to demonstrate their significance for the nation in terms of history, warfare, states of emergency, and remembrance. I argue that the 19th century provides the key for understanding contemporary racial formations and states of emergency that implement the rhetoric of savage wars versus civilize wars for the preservation of civilization, and the march towards progress. Understanding U.S. expansion into the frontier, and the treatment of Native Americans by settlers and the State offers an insight into state power. The United States' refusal to enforce Indian treaties against U.S. citizens/settlers left tribes open to all types of violent encroachment, leaving the tribes to enforce the treaties themselves.

Chapter three explains the value of categories of barbarians, savages, and civilization for engendering new political projects during the turn of the twentieth century. In white settler societies the indigenous populations and colonial past demonstrate how historical accounts of violence tailor speeches for national leaders when they are responding to national emergencies in their time. The colonizers, settlers, and states construct a new language that creates a new space, and situates the role of natives in the "discovery" of new land. Contact between whites and indigenous, especially in the U.S. context, developed a conception of warfare that represented the struggle as a necessary genocide, a savage war was developed with a lack of limitations of aggression and laws for its use. Language and historical achievements are instrumental for the process of barbaric sovereignty. On the one hand historical erasure is necessary to remove colonial texts from the specter of violence that surrounds them, but on the other hand, colonial events are necessary to serve as a historical precedent that can be reinterpreted for contemporary goals. Connecting these texts with the histories of indigenous groups provides the framework in which the state can deploy mechanisms to remove groups of people from historical, political, cultural, and juridical realms. Colonial history creates tension in how states celebrate their historical and current national achievements.

Even though native peoples are celebrated as being the anchor of a new civilization, they are not considered as members of the nation. In chapter four I focused on the genre of Westerns to reveal not only the generative aspects of colonialism, but also to explain how cinematic representations of the frontier serve in constructing a national narrative that justifies colonial expansion. Indigenous populations are incorporated into

these films to substantiate the claim of a new civilization all the while providing a myth for a just frontier that both the state and its citizens can celebrate. Cinema, and Westerns in particular, are important because they offer a popular understanding of the nation's history that the general population does know much about. They legitimate past atrocities as unfortunate, but inevitable events that lead to the creation of a just country that all citizens are invited to share in the accomplishments of civilization.

Chapter five analyses another white settler society to demonstrate the importance of barbaric sovereignty. While the U.S. and Australia were oppositional in their colonial relationships to England, their policies against their indigenous and subsequent racialized populations demonstrate remarkably similar techniques in the exercise of power among the state, territories, and settlers. The U.S. is distinct from other white settler societies in that it broke its colonial ties to England far earlier than any other colony, and has a presidential democratic system. Australia, one of the last to extricate itself fully from the British Empire in 1986 mirrors the Unites States in its colonial and contemporary race policies. The extermination of Native bodies was a defining moment in the colonial processes of both the United States and Australia. The importance of these massacres for both the United States and Australia goes beyond colonial expansion and the regeneration of the white race, although both are very important to these colonial histories; rather, they stress the importance of race for legitimatizing the use of force. I conclude chapter five by examining how cinema is used to construct an Australian nation identity.

In many ways this dissertation was leading towards a comparison with Australia to demonstrate how generative barbaric sovereignty is, but first it had to be established quite firmly in the United States for two reasons. First, I wanted to place the United

States within the framework of a settler society to demonstrate the generative aspects of colonialism. U.S. colonialism is usually relegated to the original thirteen colonies prior to the revolution against the British Crown. Second, in terms of what would be seen as colonialism in the United States is either referred to as Indian/White relations, or the American frontier, but the significance of colonialism in the United States is severely under theorized. While the U.S. and Australia were oppositional in their colonial relationships to England, their policies against their indigenous and subsequent racialized populations demonstrate remarkably similar techniques in the exercise of state power. Given the current circumstances of both the United States and Australia involved in the war on terror it was important for this dissertation to offer a theoretical analysis of the process colonialism had in shaping both these nation-states. Comparisons have been made between U.S. and Australian involvement in the war on terror to their colonial past, but it seems the focus was to demonstrate that both nations are racist. Although helpful, these arguments are very limited, and miss significance that race plays for nation-states.

For the last seven years the United States has been involved in an ongoing war on terror. To maintain such a war, concepts of savagery, terror, and emergencies are implemented to sustain, and legitimate, a war; however, categories of savagery and terror have been used before to engender new social and political projects. Drawing comparisons between barbarians, savages, terror, and exceptions are useful in determining the similarities between colonialism, and the war on terror. Comparisons elucidate what is and what is not distinctive about a given historical occurrence, and my dissertation uses to create a concept that serves as a critical tool for reading the past, and

as an analytical category to trace the of colonial tropes to determine the political purposes for which they are being used.

White settler societies employ barbaric sovereignty as a means of transforming themselves into nation-states, but because total destruction of the past is not possible, such sovereignty produces both the state and a continual anxiety that haunts the nation. Former white settler societies are persistently forced to legitimate their violent histories and reconcile their national anxieties, while disavowing any connections to a larger legacy of colonialism. The late 19th and early 20th centuries were associated with white racism and explicitly racist aspects underpinning several areas of national policy. Modern nation-states, especially those that are built upon former white settler societies, share a legacy of violence against their indigenous populations, for each serve as the anchor for legitimating the state and justifying contemporary political action. I argue that these states operate on a form of "barbaric sovereignty" premised on dismantling challenges to its authority, through eradication and extermination campaigns against indigenous groups. Without this recognition of colonialism, all acts of violence can be construed as aberrations.

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