

CARCERAL CONTINUITIES:
INDIGENOUS PEOPLES AND THE COLONIAL POLITICS OF PRISONS

Edited by

Holly Randell-Moon,¹ Bell Murphy,² and Pounamu Jade Aikman³

HE KUPU TĪMATA: EDITORIAL

Pounamu Jade William Emery Aikman

Ten years ago, on October 15 2007, the New Zealand Police stormed the small Ngāi Tūhoe community of Ruatoki, conducting heavily armed paramilitarised ‘anti-terror’ raids in the hunt for evidence of separatist terrorism. No such evidence was found, and no charges were brought to bear under the Terrorism Suppression Act. Nevertheless, the raids – conducted in front of numerous kuia, koro, pakeke, and tamariki (*elders, parents and children alike*) – have left a traumatic wake in their path. This Special Issue of *Sites*, ‘Carceral Continuities: Indigenous Peoples and the Colonial Politics of Prisons’, emerges from contributions to the 2016 conference *Space, Race, Bodies II: Sovereignty and Migration in a Carceral Age*, which combined activist and academic insights to address the nexus between Indigenous sovereignty, criminal justice, and the incarceration of peoples of colour.⁴ The 2007 raids exemplify these interconnected themes, and it is fitting that we open our Special Issue by acknowledging that although a decade has since passed, Indigenous peoples largely remain the unwilling recipients of on-going settler colonial violence.⁵ This collection of essays variously explores this premise within the Australian, Canadian and Aotearoa New Zealand contexts. The overarching critique interwoven throughout the contributors’ essays concerns the (violent) management and regulation of Indigenous life by the settler colonial state. This objective is realised through a multiplicity of sites – such as public spaces, prisons, and rural Indigenous communities – and is demonstrative of a sustained, multipronged assault on Indigenous sovereignty.

We were privileged to hear esteemed Māori lawyer Moana Jackson speak at *Space, Race, Bodies II*, and are humbled to have him open this Special Issue with a reflection upon the themes of our 2016 conference. Drawing on the

work of Black revolutionary thinker Frantz Fanon, he interrogates the racist foundations of the settler colonial state – exemplified through Aotearoa New Zealand – that are fundamental to the dispossession of Indigenous peoples from their ancestral landscapes. ‘For colonisation is a race-based process’, Jackson writes, precipitating a logic of inferiority, inequality, and ultimately, exploitability (p.7). For our tūpuna Māori (*ancestors*), racism was anathema to a world that valued relationships between and amongst people, ‘... because we had no sense that whakapapa (*genealogical heritage*) could be so demeaned or a people’s worth inferred from something as ephemeral as their physical appearance’ (p.8). Yet this reality endures today, with Māori typecast as an inherently criminal and violent people. Nowhere is this more apparent than the disproportionate rate of Māori incarceration, constituting over fifty per cent of the prison population. Indeed, the prison, and disproportionate rates of Indigenous incarceration across the settler colonial world, are fundamental components in undermining Indigenous sovereignty (see Randell-Moon 2017). This is why Jackson urges that the abolition of prisons – a cause he has championed in the New Zealand context – ‘... is not just a move towards a more humane way of dealing with harm and protecting those who have been harmed – it is also a step away from the racism which underpins it and the colonising society which benefits from it’ (p.11). In this line of thinking, therefore, he dares us to envision a world in which we put an end to prisons, and, by extension, the colonial structures and inequalities they maintain (p.11; see also Jackson, Brown-Davis, and Sykes 2016).

The prison is as central to the Canadian settler colonial project as it is to New Zealand’s. In her essay, Margaret Boyce explores how the incorporation of Indigenous knowledge and culture into Canada’s penal system serves only to expedite the incarceration of Indigenous women. She interrogates these ‘carceral recognition-based policies’ through a close analysis of the Okimaw Ochi Healing Lodge, a purpose-built prison for Indigenous women in Saskatchewan. While ‘carceral recognition’, as she terms it, is lauded as accommodating Indigenous difference, its effect not only normalises the presence of Indigenous peoples in prison, but also develops a method for the tailored and effective incarceration of designate groups. Making the prison a more ‘Indigenous friendly’ environment does not change the central role the prison plays in the settler colonial project, and the on-going subjugation of Indigenous peoples. This is a timely reminder for Aotearoa New Zealand, where, during the lead up to the recent national elections, Deputy Leader of the Labour Party Kelvin Davis suggested the way forward for tackling high rates of Māori incarceration was to construct a ‘prison based on Māori values [to] be run [...] along Māori lines’ (Gower 2017). As Canada continues to pursue these politics,

Indigenous incarceration becomes increasingly reified as an ontological reality, and efforts at decolonisation – specifically, by contesting the existence of the prison-industrial complex – become severely hampered.

This leads to the next major theme of our Special Issue: the incarceration of Indigenous youth into state care. Remaining in Canada, David MacDonald and Jacqueline Gillis examine the systemic removal of Indigenous youth from their whānau (*families*) into institutional welfare, where the Indian Residential School system, in concert with the church, enacted violent forms of assimilation that sought to eliminate ‘all that was Indigenous in these children’ (p.35). The ‘60s Scoop’ is a particularly virulent example of this, where Indigenous children were – and continue to be – forcibly removed from their homes and inducted into foster or adoptive care, directly contributing to the ‘extremely high rates of Indigenous imprisonment in Canada’s settler colonial justice system’ (p.35). Adopting Michel Foucault’s notion of biopower, MacDonald and Gillis explore how this process simultaneously undermines Indigenous sovereignty while consolidating settler colonial power. In this way, they demonstrate how Canada has either disciplined Indigenous peoples into becoming productive citizens of white settler society, or biopolitically eliminated them in the ‘purification’ of the body politic.

I continue to explore these themes in my essay, using Taika Waititi’s hilarious *Hunt for the Wilderpeople* as a window to examine the methods through which state sovereignty is violently reinscribed in contemporary Aotearoa New Zealand. I begin by comparing the film’s premise – a paramilitary manhunt to apprehend a Māori youth and incarcerate him back into child welfare – to the sombre realities of child neglect and abuse endemic throughout post-war New Zealand’s institutional child welfare system. Māori remain the disproportionate victims of this system. As I stipulate, this exemplifies the operation of biopower, whereby certain Indigenous subjectivities are ‘let to die’ for the health and ‘purity’ of the overall population. Drawing the conversation back to the 2007 Ruatoki raids, I suggest that this biopolitical logic likewise undergirds the numerous violent Police incursions that have targeted Ngāi Tūhoe over the last century, including the recent (but much less well known) paramilitary raids over the past five years. These military exercises, I argue, are instrumental in shoring up Aotearoa New Zealand’s racialised state sovereignty: the raids cannot be understood as aberrations of Police procedure, but instead as nominal functions of the settler colonial state in the twenty-first century.

The day-to-day policing of Indigenous life is essential to the on-going exercise of state sovereignty, and our final contributor, Liam Grealy, examines the

effects of this amongst Aboriginal and Torres Strait Islander peoples in Australia's Northern Territory. Here, he explores 'paperless arrests', a scheme that empowers Police to temporarily imprison individuals suspected of committing – or being on the verge of committing – an offence. Indigenous peoples are the main object of this regime, which arose as a strategy to address and regulate their consumption of alcohol in public, particularly in sites of white middle-class leisure. This form of arrest then contributes to the on-going disciplining and regulation of Indigenous peoples that is pervasive within white settler Australia. The enforcement of racialised norms within public spaces is tangibly evident in the Northern Territory's use of paperless arrests to 'designate acceptable spaces for alcohol use' (p.91), by identifying 'acceptable persons' welcome in such areas, and those bereft of this privilege. Mundane norms of mobility and record-keeping are fundamental to this process, whereby Police use their discretion to 'move-on' or provisionally incarcerate people – Indigenous people – thereby 'consolidat[ing] state power through spatial discipline' (p.91). Through the embodied yet 'unspectacular violence' (p.81) of preventative detention, paperless arrests signal the continuation of 'settler colonial accumulation through dispossession' (p.82). Grealy also considers the role of the Larrakia Nation Aboriginal Corporation (LNAC), as mediator between the government and transient Indigenous populations (long-grass campers). Through the provision of indigenised social services – which reduce contact between Indigenous people and the criminal justice system, mitigating its harmful effects – the LNAC assists the state to achieve its racist aims of 'public propriety and community' (p.88), thus complicating straight forward readings of state power as repressive.

Each of our contributors reflects upon the various ways Indigenous life has – and continues to be – managed by contemporary settler colonial states, effected through, for example, the slow, methodical violence of enforcing norms of public space, or the explicit violence demonstrated in the state's arsenal of weaponry. Read together, these essays reveal the multifaceted ways state sovereignty is ardently maintained at the expense of Indigenous existence. Here in Aotearoa New Zealand, the stories and experiences of Ngāi Tūhoe epitomise this discussion, where the overly simplistic assumption by certain commentators, that Tūhoe have 'moved on' from the 2007 raids (Webby 2017), is belied by the repeated blows from the sharpened spear of state violence that the community continues to bear.

We are humbled by the time, patience, and energy generously provided by whānau from across the Indigenous world, whose perspectives are interwoven throughout our essays, and whose struggles galvanise us in our endeavours

toward racial, and spatial, justice. Our heartfelt thanks go to you all – ō mātou mihi maioha ki a koutou katoa.

NOTES

- 1 Holly Randell-Moon is a Senior Lecturer in Communication and Media at the University of Otago, Aotearoa New Zealand. Her publications on popular culture, biopower, gender and sexuality have appeared in the edited book collections *Common Sense: Intelligence as Presented on Popular Television* (2008) and *Television Aesthetics and Style* (2013) as well as the journals *Feminist Media Studies* and *Refractory*. She has also published on race, religion, and secularism in the journals *Critical Race and Whiteness Studies*, *borderlands*, and *Social Semiotics* and in the edited book collection *Religion After Secularization in Australia* (2015). Along with Ryan Tippet, she is the editor of *Security, Race, Biopower: Essays on Technology and Corporeality* (2016).
- 2 Bell Murphy is a Pākehā scholar, teacher, activist and musician with Celtic ancestry. She holds a BA (Hons) in Social Anthropology, and is a PhD candidate in the Department of Sociology, Gender and Social Work at the University of Otago. She is also an accredited teacher and member of the Women's Self Defence Network-Wāhine Toa. She has a chapter in the upcoming Palgrave collection *Orienting Feminisms* edited by Rosemary Overell and Catherine Dale. Her research interests include, social change, empowerment, embodiment, resistance, intersectional feminist approaches to violence prevention, decolonisation and prison abolition.
- 3 Tēnā koutou, ko Pounamu Jade Aikman ahau, he uri nō Tainui, Ngāti Maniapoto, Ngāi Te Rangi, Ngāti Awa hoki. I am a doctoral student at the School of Culture, History and Language at the Australian National University, and my research focuses upon the nexus between Indigenous sovereignty and state violence. Nei ra te mihi ki te tangata whenua o taua rohe, o ngā Ngūnawal me ngā Ngambri hoki; I here acknowledge the traditional owners of the land in the Australian Capital Territory, upon whose dispossession white Australian society was founded, and my tenure at university made possible. Ngā mihi nui rawa ki a koutou e te mana whenua.
- 4 See the *Space, Race, Bodies* website for more information, and respectively for podcasts and transcripts from keynote speakers: www.spaceracebodies.com.
- 5 I do not mean to imply that Indigenous peoples are passive recipients of colonial violence incapable of resistance and agency, but rather, I am commenting on the

omnipresence of the state's monopoly on force, despite our collective efforts to the contrary.

ACKNOWLEDGEMENTS

Our deepest gratitude goes to the *Space, Race, Bodies II: Sovereignty and Migration in a Carceral Age* Conference Committee: Mahdis Azarmandi, Rula Abu-Safieh Talahma, Tonga Karena, Anne Russell, and Matiu Workman. Without your significant time, effort, and dedication, our conference, and subsequent publications such as this Special Issue, would not have happened. Our thanks go also to the blind reviewers, whose insights helped craft and refine the essays presented herein, and our copy-editors, for their tireless attention to detail. Finally, our sincere appreciation goes to the contributors of this Special Issue, and their generous sharing of expertise and knowledge for a wider audience. Ngā mihi nui rawa ki a koutou katoa.

REFERENCES

- Gower, Patrick. 2017. 'Labour Proposes Māori Prison to Fix Rising Numbers.' *News-hub*, May 8, accessed 15 October, 2017, <http://www.newshub.co.nz/home/politics/2017/05/labour-proposes-maori-prison-to-fix-rising-numbers.html>
- Jackson, Moana, Brown-Davis, Sina, and Annette Sykes. 2016. 'Decarceration, Not Prison; Justness, not Justice; Constitutional Transformation, Not Treaty Settlements.' Paper presented at *Space, Race, Bodies II: Sovereignty and Migration in a Carceral Age*, Dunedin, University of Otago, May 6.
- Randell-Moon, Holly, ed. 2017. *Incarceration, Migration and Indigenous Sovereignty: Thoughts on Existence and Resistance in Racist Times*. Dunedin: Space, Race, Bodies.
- Webby, Kim. 2017. 'Te Urewera Raids – A Decade of Rebuilding.' *Native Affairs, Māori Television*, October 10, accessed October 17, 2017, <https://www.maoritv.com/news/regional/native-affairs-te-urewera-raids-decade-rebuilding>