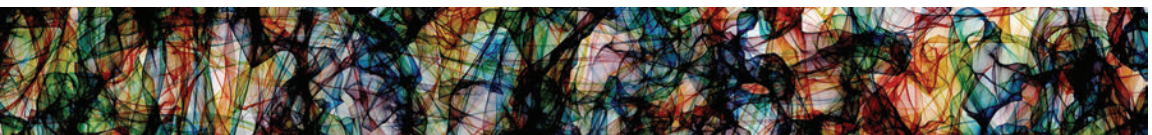


## Openings and Retrospectives



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## CONSENT'S REVENGE

AUDRA SIMPSON

Columbia University

 <http://orcid.org/0000-0002-6392-8055>

What is it in the way that we imagine the political that might demand or suggest an easy answer? By “easy answer” one might think of a diagnostic, a characteristic of action, a statement of effect, rather than analysis that may course to the unthinkable. *Recognition, repair, resilience, resistance, revolution*—all diagnostics, all characterological, all containers for describing the political. And in this, for grasping at intent and at outcomes. *The political* describes distributions of power, of effective and affective possibility, the imagination of how action will unfold to reach back to that distribution for a re-sort, but also for a push on what should be. For anthropologists this is a record of the observed and of the political, rendered objectlike. And this rendering of complexity is far from new. The early Africanists like [E. E. Evans-Pritchard \(1940\)](#) took structure and function to constrain action, and even Americanists like [Lewis Henry Morgan \(1851\)](#) saw governance and hierarchy converge into stages of civilization that one could sort people into, seamlessly, in a global project of naming and sorting. Morgan’s gaze on material culture operated as an anthropological and political magic wand of sorting, ordering, and ranking. The context for both was the colonial and imperial

project, and the very occasion of their anthropology owed itself to Indigenous dispossession (Morgan) or imperial governance (Evans-Pritchard). The paradigmatic work in political anthropology was itself inherently political, and yet what was defined as “political” in these texts was presented as an order outside of the ordering context itself. The people; the place; their culture—all orderable, ranked, discernible, and ultimately (it was thought) governable. Meanwhile, these colonial encounters were and still are a mess of disorder, of so-called transformation, of dispossession of people from land and culture. The easy answers for the emergent field were the ethnological grid; the kinship chart; the orderly, predictable clan unit<sup>1</sup>—categories that contained difference and controlled for the nightmare many Indigenous people were thrust into as they came into anthropological purview.

When I first conceived of the project that would become my book *Mohawk Interruptus: Political Life Across the Borders of Settler States* (Simpson 2014), my plan was a study of nationhood and citizenship among an Indigenous people in North America who are resolutely committed to jurisdiction over territories of various forms. Their own object was and is territory in a material sense, their land—but also ideas, the past, the present, the future, their membership within the polity itself. They make all of this effort as they travel across various borders and boundaries on their inherited and their claimed territories. They assert their histories in the face of the bordered contestation of those claims by liberal, democratic, and still-settling states. Because these are my own people, I had a very strong, a priori ethnographic sense of what was going on. However, I was *paying attention* differently for years before my formal fieldwork began. Our band council (tribal council) was evicting non-Native people from the community, the evictions were of a piece with a 50 percent blood-quantum requirement for membership that was vigorously debated, contested, embraced, defended. These processes were symptoms of something more than intolerance or liberal subject failure, and I wanted to know why. I looked for linkages between land, law, and governance within and beyond the reserve. The project turned into something else when I got into the archive and when I conducted interviews—when supposed observations and materials from the community took form in dense, identifiable lines of argument, of stances, of theories themselves. Suddenly I had something else, and that something was no easy answer. In fact, before me was a study in difficulty, a study of constraint, of contradictions, and I had no way to describe or theorize what was crucial. What was crucial were the very deliberate, willful, intentional actions that people were making in the face of the expectation that they consent

to their own elimination as a people,<sup>2</sup> that they consent to having their land taken, their lives controlled, and their stories told for them.

Refusal was a stance but also a theory of the political that was being pronounced over and over again. It emerged in my own writing through observation of Kahnawà:ke action, but also through their words. I would hear “enough is enough,” “it’s not us, it’s them,” “the white man put that there, not us”—on the international border. The people of Kahnawà:ke used every opportunity to remind non-Native people that this is not their land, that there are other political orders and possibilities. This meant longer waits at borders, awkward (to say the least) interactions with cashiers, as well as difficult personal decisions. I also saw that these matters of moral and political habit were articulated quite perfectly to larger actions by the Iroquois Confederacy through time, to broader efforts to demand recognition of existing agreements, as well as refusals to play various games. Among these games is citizenship: voting, paying taxes—actions that would move Mohawks out of their own sovereignty into settler citizenship and into the promise of whiteness.<sup>3</sup> All of this pointed *analytically* to the deeply unequal scene of articulation that people were thrown into and remaking through the quotidian and the grand. This deeply unequal scene of articulation that I am describing may be understood as the settler-colonial present.<sup>4</sup> How, then, do those who are targeted for elimination, those who have had their land stolen from them, their bodies and their cultures worked on to be made into something else articulate their politics? How can one articulate political projects if one has been offered a half-life of civilization in exchange for land? These people have preexisting political traditions to draw from—so how do they, then, do things? They refuse to consent to the apparatuses of the state. And in time with that, I refused then, and still do now, to tell the internal story of their struggle. But I consent to telling the story of their constraint.

This relationship between refusal and consent became the point to needle through and then stitch with. Part of the context for this argument is “let’s not pretend that there is an even playing field for interpretation, let’s not pretend that the Iroquois are not already prefigured, that their actions are going to be interpreted fairly *or* that we do not push on all of these processes in a *full-court press*.” So I refused to be *that* thick description prosemaster who would reveal in florid detail the ways in which these things were being sorted out. As such, my ethnographic refusal operated at the level of the text: it was deliberate, it was willful, it was—like the people I was working with and the process I was documenting—very aware of its context of articulation. That context includes a settler

suspicion of Indigenous peoples, and at times, as we saw during the so-called Oka Crisis of 1990, a deep hatred for Mohawks.<sup>5</sup>

How then to describe or theorize that which is cognizant of its own space of articulation? The history that governs apprehension? This was also a way of listening that opened up a theoretical possibility for imagining and writing the political *ethnographically*.<sup>6</sup> Here was a writing strategy and an analytic that stood outside the repetitive stance of resistance, which again overinscribed the state with its power to determine what mattered (Abu-Lughod 1990), which treated domination as an all-encompassing frame for action and treated engagements with it as one-up events, or concealed acts of sly, double-meaning subterfuge (Scott 1990). Here refusal offers its own structure of apprehension that maintains and produces sociality through time, manifest in a political posture of acute awareness of the conditions of this production. Settler colonialism is not eventful; it is enduring, it has its own structure and logic and refusal as well, operating like a grammar and posture that sits through time. It is a politics deeply cognizant of its own production, of the never-ending nature of inequity and the need to stay the course. So refusal availed itself through the research and helped as well in thinking beyond what counted through the channel of recognition (Coulthard 2014; Povinelli 2002; Simpson 2014) while pointing to the overly determined, effective capacity of the state.

The people I worked with and belong to know all this, and of course they know this in stratified ways. The condition of Indigeneity *globally* is to know this. Indigenous peoples are grappling with the fiction of justice while pushing for justice. So this is not particular to Kahnawà:ke or to Haudenosaunee peoples (McCarthy 2016) and can be found in Indigenous ethnography and cultural criticism elsewhere. In her book *The White Possessive*, Aileen Moreton-Robinson (2015) revisits the interpretive debate between Gananath Obesekeyere and Marshall Sahlins on the right way to think about Captain Cook's interpretation by Kanaka Maoli—was he a god, was he an invader? How did “the Natives” think about him? This was a tired exchange that met on the terrain of questions of structure. Moreton-Robinson revisits it with those that saw Cook and their stories of his arrival on another Indigenous coast. Her presentation and analysis of the narratives offer a gorgeous triangulation between accounts and a variance in interpretation. She centers the Bubu Gujin elder Hobles's version, as told to Deborah Bird Rose: “I know you been stealing country belong to mefellow. Australia. What we call Australia, that's for Aboriginal people. But him been take it away. You been take the land, you been take the mineral, take the gold, everything. Take it up this

big England” (Moreton-Robinson 2015, 117). Suddenly “how ‘Natives’ think” (Sahlins 1995) is not a presumptive claim of interpretive ownership; it is a statement of theft, in raw form.

What does one do with this sort of knowledge? If such histories animate the consciousness of your people, do you then consent to notions of just law, of just governance? Of the *lawful* theft of your land? It is just this sort of cognizance of differing social and historical facts that make for the posture of refusal. Refusal holds on to a truth, structures this truth as stance through time, as its own structure and comingling with the force of presumed and inevitable disappearance and operates as the revenge of consent—the consent to these conditions, to the interpretation that this was fair, and the ongoing sense that this is all over with. When I deploy the term *revenge*, I am hailing historical consciousness. As such it is a manifestation of deep awareness of the past, of, for example, theft, in raw form. We see this with Hobbes, who asserts this knowledge against the grain of presumed fairness, of justice, of settled affairs. As such this consciousness *avenges* the prior—the deep inequities of interpretation that structure the sense of settlement, of matters that are done. Revenge does not mean individuated harm inflicted on a perpetrator in a transaction that renders justice. In my usage here, I mean avenging a prior of injustice and pointing to its ongoing life in the present.<sup>7</sup> This refusal to let go, to roll over, to play this game, points to its presumptive falsity of contractual thinking. With this, the notion of two parties knowingly abstracting themselves out of their own context to contract into an agreement.<sup>8</sup> So-called treaties are the paradigmatic imagination of the social contract in the New World (North American variant) and are in many cases the foundational document of colonial recognition, the mechanism by which Indigenous nationhood is first recognized and affirmed. The matter of *postcolonial* frankly eludes the North American case: “They” never left; the Native never disappeared. Treaties are central to contractual thinking in Native history and politics, regardless of the fact that most treaties were for land cessions, and many were signed under duress. These conditions were sometimes so forceful that if they were actually conditions of equal standing, they probably still would not have been signed in the first place.<sup>9</sup> Yet they represent legal forms of incontrovertible rights to land, to resources, to jurisdiction. Regardless of intent, regardless of interpretation, they represent agreement and recognition; they are forms of covenant-making that bind. And that is where consent is bound with recognition and its refusal, symptomatic of truth itself and a mechanism for other possibilities.

I want to turn now to a different anthropological case to define and theorize refusal further. In *Barrio Libre: Criminalizing States and Delinquent Refusals of the New Frontier*, [Gilberto Rosas \(2012\)](#) takes on the structuring role of neoliberalism and capitalism in the production of criminals. His interlocutors are Mexican youth who are pushed and moved through borders not of their making. They move through sewers, through filth, in passages that are dangerous, and which hold nothing for them, it seems, but uncertainty on the other side. Yet they move, and their posture is one of nonconsent, as well as, at times, flagrant and ostentatious cruelty. They call themselves Barrio Libre, denizens of the free neighborhood. This is a space without constraint under conditions of “neo-liberal sovereignty-making” ([Rosas 2012](#), 100), a sovereignty-making that is incomplete, that in its commitment to free trade and not people, cooks people in the desert. This militarization and violent precarity of life’s passage (and possible death, horrible death, body-slicing death through or beyond the border) is what [Rosas \(2012](#), 105) names neoliberal sovereignty’s incomplete but “violent affirmation.” In spite of the precarity of life through the border, the youth with whom Rosas worked feel freedom—deeply, linguistically, behaviorally. Their own force on others is a manifestation of this unvanquished and internal script of refusal. Here [Rosas \(2012](#), 109) describes their geopolitics, their mapping, and their stance: “Barrio Libre was more than a free-floating geography, superimposed over a dominant one . . . to belong to it was an expansive, furious refusal of normativity, an enraged subversion of the respective sovereignties of the U.S. and Mexico that seeped from under the new frontier.”

What of these politics? Is this an agreed-upon resistance? Is this resilience, with lives and bodies contorting to withstand and accommodate pain and structures of injustice?<sup>10</sup> They inflict pain. They walk through shit to get to where they are going. They get arrested. They get deported. They run and climb and get killed, fleeing from officers. Their refusal to see this condition as anything other than a state of freedom is a refusal for us of the easy answer, of a structure of consent, of ease. There is nothing easy in what I have charted out in this brief thesis on refusal. Rosas’s interlocutors smash these categorical imperatives—what I want to call “the easy answers.” The people I work with refuse the eliminatory efforts of the state. They operate as nationals in a scene of wardship and dispossession. They differ from Rosas’s interlocutors, but they operate from a similar and flagrantly self-assured position, and from an impossible-to-record, or to-analyze, easy answer. My ethnographic prerogative is to make the practice of ethnography itself a refusal in time with theirs.

## NOTES

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1. Here, I am indebted to [Mark Rifkin's \(2011\)](#) crucial argumentation.
2. See [Wolfe 2006](#) for exposition on this key definitional point on settler colonialism (contra other colonialisms). What is desired is land, not labor (although this can be amended with recourse to data)—Indigenous people are “in the way” and so must be eliminated as it is their land that is desired.
3. Please note that all four essays in this Openings collection point to the deep sociality that is also tied to the act of refusal.
4. For a book-length examination of the temporality of settler colonialism, see [Veracini 2015](#).
5. *Haudenosaunee* means “people of the Longhouse” (people who build a house, Mohawk). This was heard and translated into French and popularized through time as “Iroquois.” *Haudenosaunee* or *Iroquois* refers to the confederation of six nations (Tuscarora, Seneca, Cayuga, Onondaga, Oneida, Mohawk). Kahnawà:ke Mohawks are of the easternmost nation, whose role was and is imagined as Keepers of the Eastern Door of the metaphoric and geographical Longhouse that extended across what is now the northeastern United States.
6. See [Simpson 2007](#), which was an earlier attempt to name and document this ethnographic practice. The article was heavily revised and appears as the fourth chapter of my book *Mohawk Interruptus* ([Simpson 2014](#)).
7. Thanks to Elisa Sobo for pushing me on this.
8. I am deeply indebted to both [Robert Nichols \(2013, 2014\)](#) and [Sherene Razack \(2002\)](#) for their thinking on the coloniality of the contract. I am taking it in a different direction here, but their work has led me to this point.
9. For conditions of starvation and the so-called numbered treaties in Canada, see [Daschuk 2013](#). For an important interpretation of the treaty-signing moment as imperfect but manifesting the best intentions (for Indigenous signatories), see [Lyons 2010](#).
10. See [Fennell 2012](#) for an important analysis of the production of affects of pleasurable vulnerability and resilience in discussions over a Chicago housing project museum.

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