MARK PEARCEY

# THE EXCLUSIONS OF CIVILIZATION

Indigenous Peoples in the
Story of International Society

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Mark Pearcey
Carleton University
Ottawa, Ontario, Canada

*To my daughter, Abigail*

# Series Editor Foreword

As Editors of the Palgrave Macmillan History of International Thought series, we aim to publish the highest quality research on the intellectual, conceptual, and disciplinary history of international relations. The books in the series assess the contribution that individual writers—academics, publicists and other significant figures—have made to the development of thinking on international relations. Central to this task is the historical reconstruction and interpretation that recovers the intellectual and social milieu within which their subjects were writing. Previous volumes in the series have traced the course of traditions, their shifting grounds or common questions, exploring heretofore neglected pathways of international theory and providing new insight and refreshed context for established approaches such as realism and liberalism. The series embraces the historiographical turn that has taken place within academic international relations with the growth of interest in understanding both the disciplinary history of the field and the history of international thought. A critical concern of the series is the institutional and intellectual development of the study of international relations as an academic pursuit. The series is expressly pluralist and as such open to both critical and traditional work; work that presents historical reconstruction or an interpretation of the past, as well as genealogical studies that account for the possibilities and constraints of present-day theories.

The series is interdisciplinary in outlook, embracing contributions from international relations, international history, political science, political theory, sociology and law. We seek to explore the mutually constitutive triangular relationship of international relations, theory and history. We

take this to mean the appreciation of the importance of the history in the theory of international relations, of theory in the history of international relations, and even of international relations in the history of international thought! In this last case, we hope that the series can become more broadly intercultural also, including scholarship from outside Europe and North America as well as delving into more of the non-Western context of the development of international relations theory, though we acknowledge that the Eurocentric/ethnocentric character of the field is presently mirrored in its disciplinary history.

Mark Pearcey's book examines the important, although largely overlooked, evolving relationship between international society and indigenous peoples. In doing so, his book fulfills many of the aims of the series. He argues that the Eurocentricism of international relations, especially the mythical story it tells about the Peace of Westphalia and its ingrained state-centric bias, has led to an uncritical acceptance of the expansion of international society narrative. This narrative, which is central to the work of the English School, has also, according to Pearcey, resulted in obscuring the role of a European discourse on civilization in substantiating colonial and imperial endeavours. Central to his critical examination of the concepts of civilization and international society is the argument that while the process of expansion obviously involved the inclusion of some, it entailed the exclusion of others. Pearcey shifts the focus away from the usual state-centric focus of international relations to consider indigenous peoples. He carefully examines the historical and contemporary relations of these non-state actors with the society of states.

Drawing on the insights of postcolonial theory, he shows that the unequal 'exclusion through inclusion' of indigenous peoples within sovereign states and under domestic law has underpinned the relations between states and indigenous peoples from the time of the Spanish conquest to the present. Forcibly included within sovereign states, indigenous peoples are rendered invisible to international law and society. The European discourse on civilization played a key role in constituting the institutions that define the relations between indigenous peoples and international society, persisting through the colonial, imperial, and even (in modified form) into postcolonial period up to today.

Pearcey's ability to integrate theoretical and historical analysis with the aim of achieving critical insights is on display throughout the book. Although he is sharply critical of some aspects of the English School's

work on civilization and the expansion of international society, Pearcey is interested in finding a way to realize the School's critical potential, returning to the work of Martin Wight and engaging with the arguments on international society made by Barry Buzan, Edward Keene, Antony Anghie and Paul Keal. *The Exclusions of Civilization* is an erudite historical investigation, a solid basis for understanding the challenge that indigenous peoples face in global politics today and a guide to rethinking the relationship of indigenous peoples and the international society of states.

## Notes

1. At the time of writing an Algonquin land claim is being negotiated that involves the Ontario side of the Ottawa-Gatineau region. Details of this land claim can be found here: Government of Ontario, "The Algonquin Land Claim," Government, *Government of Ontario*, (2016), https://www.ontario.ca/page/algonquin-land-claim#section-0.
2. My use of term 'global space' is discussed in more detail in Chap. 2.
3. The Canadian Museum of History's homepage can be accessed here: Canadian Museum of History, "Canadian Museum of History," *Canadian Museum of History*, accessed May 17, 2016, http://www.historymuseum.ca/.
4. At the time of writing, the Canadian Museum of History is in the process of renovation for a new exhibit titled, The Canadian History Hall. More information can be found here: Canadian Museum of History, "The Canadian History Hall," *Canadian Museum of History*, accessed May 17, 2016, http://www.historymuseum.ca/event/the-canadian-history-hall/.
5. In this book I have placed this turn of phrase ('exclusion by inclusion') in shudder quotes for two interrelated reasons. First, to reflect the fact that this turn of phrase has been employed elsewhere with specific relevance for international relations; for example, see: Eva Hartmann, "The Educational Dimension of Global Hegemony," *Millennium: Journal of International Studies* 44, no. 1 (September 2015): 89–108; David Lloyd, "Settler Colonialism and the State of Exception: The Example of Palestine/Israel," *Settler Colonial Studies* 2, no. 1 (2012): 59–80; Mark Pearcey, "Sovereignty, Identity, and Indigenous-State Relations at the Beginning of the Twentieth Century: A Case of Exclusion by Inclusion," *International Studies Review* 17, no. 3 (September 2015): 441–454; Second, to reflect the fact that others have explored the idea behind it, even if they do not use this exact turn of phrase; for example, see: Tanja E. Aalberts, "Rethinking the Principle of (Sovereign) Equality as a Standard of Civilisation," *Millennium: Journal of International Studies* 42, no. 3 (June 2014): 767–789; Antony Anghie,

*Imperialism, Sovereignty and the Making of International Law*, vol. 37, Cambridge Studies in International and Comparative Law (Cambridge: Cambridge University Press, 2005); Brett Bowden, *The Empire of Civilization: The Evolution of an Imperial Idea*, (Chicago: The University of Chicago Press, 2009); Prasenjit Duara, "The Discourse of Civilization and Decolonization," *Journal of World History* 15, no. 1 (March 2004): 1–5; Prasenjit Duara, "The Discourse of Civilization and Pan-Asianism," *Journal of World History* 12, no. 1 (Spring 2001): 99–130; John M. Hobson, *The Eurocentric Conception of World Politics: Western International Theory, 1760–2010* (Cambridge: Cambridge University Press, 2012); John M. Hobson, *The Eastern Origins of Western Civilisation* (Cambridge: Cambridge University Press, 2004); Naeem Inayatullah and David L. Blaney, *International Relations and the Problem of Difference*, vol. 1, Global Horizons (New York: Routledge, 2004); Paul Keal, *European Conquest and the Rights of Indigenous Peoples: The Moral Backwardness of International Society*, vol. 92, Cambridge Studies in International Relations (Cambridge: Cambridge University Press, 2003); Martti Koskenniemi, *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870–1960*, Hersch Lauterpacht Memorial Lectures (Cambridge: Cambridge University Press, 2002); James Tully, *Strange Multiplicity: Constitutionalism in an Age of Diversity*, The John Robert Seeley Lectures (Cambridge: Cambridge University Press, 1995); R.B.J. Walker, *Inside/outside: International Relations as Political Theory*, vol. 24, Cambridge Studies in International Relations (Cambridge: Cambridge University Press, 1993); Ayşe Zarakol, *After Defeat: How the East Learned to Live with the West*, vol. 118, Cambridge Studies in International Relations (Cambridge: Cambridge University Press, 2011).

6. Turan Kayaoglu, "Westphalian Eurocentrism in International Relations Theory," *International Studies Review* 12, no. 2 (June 2010): esp. 204–209.

7. Hedley Bull and Adam Watson, "Introduction," in *The Expansion of International Society*, ed. Hedley Bull and Adam Watson (Oxford: Clarendon Press, 1984), 6; See also: Keal, *European Conquest and the Rights of Indigenous Peoples*, 92: 33.

8. Bull and Watson, "Introduction," 2.

9. My telling of a "connected history" draws on the respective works of Gurminder K. Bhambra and Sanjay Subrahmanyam and is discussed in more detail in Chap. 2; see: Gurminder K. Bhambra, "Talking among Themselves? Weberian and Marxist Historical Sociologies as Dialogues without 'Others,'" *Millennium: Journal of International Studies* 39, no. 3 (May 2011): 667–81; Gurminder K. Bhambra, "Historical Sociology, International Relations and Connected Histories," *Cambridge Review of*

*International Affairs* 23, no. 1 (March 2010): 127–43; Gurminder K. Bhambra, *Rethinking Modernity: Postcolonialism and the Sociological Imagination* (Basingstoke: Palgrave Macmillan, 2007), esp. 30–33, Conclusion; Sanjay Subrahmanyam, *Explorations in Connected History: Mughals and Franks* (New Delhi: Oxford University Press, 2005); Sanjay Subrahmanyam, *Explorations in Connected History: From the Tagus to the Ganges* (New Delhi: Oxford University Press, 2005); Sanjay Subrahmanyam, "Connected Histories: Notes towards a Reconfiguration of Early Modern Eurasia," *Modern Asian Studies* 31, no. 3 (July 1997): 735–62.

10. For a wider discussion of Eurocentrism in international theory that includes a specific discussion of the 1945–1989 period (a period of time that witnessed the initial publication of *The Anarchical Society: A Study of Order in World Politics*, 1977, and *The Expansion of International Society*, 1984), see: Hobson, *The Eurocentric Conception of World Politics*, esp. 319–327.

11. Inayatullah and Blaney, *International Relations and the Problem of Difference*, 1: 85.

12. Karena Shaw rightly notes, "the literature of Indigenous politics within international relations comprises a rather slim file." Karena Shaw, *Indigeneity and Political Theory: Sovereignty and the Limits of the Political*, vol. 1, Routledge Issues in Contemporary Political Theory (London: Routledge, 2008), 63; Though "slim," it is not non-existent; for example, see: David Bedford and Thom Workman, "The Great Law of Peace: Alternative Inter-Nation(al) Practices and the Iroquoian Confederacy," *Alternatives: Global, Local, Political* 22, no. 1 (March 1997): 87–111; J. Marshall Beier, ed., *Indigenous Diplomacies* (New York: Palgrave Macmillan, 2009); J. Marshall Beier, "Introduction: Indigenous Diplomacies as Indigenous Diplomacies," in *Indigenous Diplomacies*, ed. J. Marshall Beier (New York: Palgrave Macmillan, 2009), 1–27; J. Marshall Beier, "Inter-National Affairs: Indigeneity, Globality and the Canadian State," *Canadian Foreign Policy Journal* 13, no. 3 (2007): 121–131; J. Marshall Beier, *International Relations in Uncommon Places: Indigeneity, Cosmology, and the Limits of International Theory* (New York: Palgrave Macmillan, 2005); Yale D. Belanger, "The Six Nations of Grand River Territory's Attempts at Renewing International Political Relationships, 1921–1924," *Canadian Foreign Policy Journal* 13, no. 3 (2007): 29–43; Neta C. Crawford, "A Security Regime among Democracies: Cooperation among Iroquois Nations," *International Organization* 48, no. 3 (Summer 1994): 345–385; Roger Epp, "At the Wood's Edge: Toward a Theoretical Clearing for Indigenous Diplomacies in International Relations," in *International Relations-Still an American Social Science? Toward Diversity in International Thought*, ed. Robert M.A. Crawford and Darryl S.L. Jarvis, SUNY Series in Global Politics (Albany: State University of New York

Press, 2001), 299–324; Keal, *European Conquest and the Rights of Indigenous Peoples*; Benedict Kingsbury, "'Indigenous Peoples' in International Law: A Constructivist Approach to the Asian Controversy," *The American Journal of International Law* 92, no. 3 (July 1998): 414–457; Robert Lee Nichols, "Realizing the Social Contract: The Case of Colonialism and Indigenous Peoples," *Contemporary Political Theory* 4, no. 1 (February 2005): 42–62; Franke Wilmer, *The Indigenous Voice in World Politics: Since Time Immemorial*, vol. 7, Violence, Cooperation, Peace (Newbury Park: Sage Publications, 1993).

13. Kayaoglu, "Westphalian Eurocentrism in International Relations Theory," esp. 204–209.

14. For a similar perspective, see: J. Ann Tickner, "Dealing with Difference: Problems and Possibilities for Dialogue in International Relations," *Millennium: Journal of International Studies* 39, no. 3 (May 2011): 607–618; See also: Arlene B. Tickner and Ole Waever, eds., *International Relations Scholarship around the World*, Worlding Beyond the West (New York: Routledge, 2009).

15. For a wider discussion on deepening international relations' engagement with non-Western perspectives, see: Amitav Acharya, "Dialogue and Discovery: In Search of International Relations Theories Beyond the West," *Millennium: Journal of International Studies* 39, no. 3 (May 2011): 619–637; Amitav Acharya and Barry Buzan, "Why Is There No Non-Western International Relations Theory? An Introduction," *International Relations of the Asia-Pacific* 7, no. 3 (September 2007): 287–312; See also: Tickner, "Dealing with Difference"; Tickner and Waever, *International Relations Scholarship around the World*.

16. Timothy Dunne, "Colonial Encounters in International Relations: Reading Wight, Writing Australia," *Australian Journal of International Affairs* 51, no. 3 (1997): 309–323.

17. This point is the first of several "sensitivities" that Shilliam identifies for "an anti- or post-colonial engagement by the Western Academy with non-Western thought." See: Robbie Shilliam, "The Perilous but Unavoidable Terrain of the Non-West," in *International Relations and Non-Western Thought: Imperialism, Colonialism and Investigations of Global Modernity*, ed. Robbie Shilliam, Interventions (London: Routledge, 2011), 21.

18. Carsten-Andreas Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society," *Millennium: Journal of International Studies* 42, no. 3 (June 2014): esp. 840–844; Broadly speaking, my use of the term "orthodox" echoes what others have referred to as the "classical," "conventional" and/or "orthodox" English School. For example, see: Barry Buzan and Richard Little, "The Historical Expansion of International Society," in *Guide to the English School in*

*International Studies*, ed. Cornelia Navari and Daniel M. Green, Guides to International Studies (Chichester: Wiley Blackwell, 2014), 59–75; Tim Dunne, "The English School," in *The Oxford Handbook of International Relations*, ed. Christian Reus-Smit and Duncan Snidal, Oxford Handbooks of Political Science (Oxford: Oxford University Press, 2008), 267–285; Edward Keene, "The Standard of 'Civilisation', the Expansion Thesis and the 19th-Century International Social Space," *Millennium: Journal of International Studies* 42, no. 3 (June 2014): 651–673.

19. Buzan and Little, "The Historical Expansion of International Society," esp. 60–64.

20. For another perspective on China and Japan in the story of international society, see: Shogo Suzuki, *Civilization and Empire: China and Japan's Encounter with European International Society*, The New International Relations (London: Routledge, 2009), esp. 12–20.

21. For example, see: Barry Buzan and George Lawson, *The Global Transformation: History, Modernity and the Making of International Relations*, vol. 135, Cambridge Studies in International Relations (Cambridge: Cambridge University Press, 2015); Keal, *European Conquest and the Rights of Indigenous Peoples*; Edward Keene, *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics*, LSE Monographs in International Studies (Cambridge: Cambridge University Press, 2002); Suzuki, *Civilization and Empire*; For a constructivist perspective, see: Zarakol, *After Defeat*.

22. Molly Cochran, "The Ethics of the English School," in *The Oxford Handbook of International Relations*, ed. Christian Reus-Smit and Duncan Snidal, Oxford Handbooks of Political Science (Oxford: Oxford University Press, 2008), esp. 291–293.

23. Dunne, "The English School," 267.

24. The spirit of Haida Gwaii is a sculpture by Bill Reid of the Haida nation; see: Tully, *Strange Multiplicity*, 17.

25. Ibid., 25–26.

26. Epp, "At the Wood's Edge," 313.

27. For a wider discussion on the "perils of representing the non-West," see: Shilliam, "The Perilous but Unavoidable Terrain of the Non-West," esp. 15–18.

28. With great appreciation, I would like to acknowledge a number of works that proved central to the conceptual development of this book; see: Anghie, *Imperialism, Sovereignty and the Making of International Law*; Bhambra, *Rethinking Modernity*; Bowden, *The Empire of Civilization*; Hedley Bull, *The Anarchical Society: A Study of Order in World Politics*, 3rd ed. (New York: Columbia University Press, (1977) 2002); Hedley Bull and Adam Watson, eds., *The Expansion of International Society* (Oxford:

Clarendon Press, 1984); Barry Buzan, *From International to World Society? English School Theory and the Social Structure of Globalisation*, vol. 95, Cambridge Studies in International Relations (Cambridge: Cambridge University Press, 2004); Gerrit W. Gong, *The Standard of 'Civilization' in International Society* (Oxford: Clarendon Press, 1984); Inayatullah and Blaney, *International Relations and the Problem of Difference*; Keal, *European Conquest and the Rights of Indigenous Peoples*; Keene, *Beyond the Anarchical Society*; Ronald Niezen, *The Origins of Indigenism: Human Rights and the Politics of Identity* (Berkeley: University of California Press, 2003); Subrahmanyam, "Connected Histories: Early Modern Eurasia"; Suzuki, *Civilization and Empire*; Robert A. Williams, Jr., *The American Indian in Western Legal Thought: The Discourses of Conquest*, (New York: Oxford University Press, 1990).

# PREFACE

In September 2007, I moved to Ottawa, Canada, to embark on my doctoral studies at Carleton University. Like many capital cities, Ottawa is replete with large and well-funded museums that detail the history of the country, in this case, Canada's. One of those museums is the Canadian Museum of History, which sits across from Canada's parliament buildings, in Gatineau, Quebec. Apart from the clear symbolism of the museum's location, straddling the Ontario-Quebec border (long considered the division between English and French Canada), the museum sits on Algonquin lands. That is where the Canadian Museum of History sits, on land that now forms the Ottawa-Gatineau region. That land is historically complex and politically contentious; it is evidence of Europe's imperial expansion and the legacies of that history.[1] Although no one, at least to my knowledge, would advocate for the imminent departure of Ottawa-Gatineau's citizens, or the demolishment of the Canadian Museum of History, the existence of both reminds us of a colonial history that often escapes the empirical and theoretical interests of disciplinary international relations. In fact, it could be argued that that history has been effaced by a disciplinary tendency to overlook the much less attractive aspects of Europe's imperial expansion and to downplay the legacies that that expansion handed down for indigenous peoples. None of this is to deny the important role Europe played in the constitution of the global space[2] or to suggest that the beneficiaries of that history (such as the inhabitants of Ottawa-Gatineau, myself included) should not call Ottawa-Gatineau home. What it does suggest is a need to reflect critically on the processes that led to where we are today and to engage more thoughtfully with their consequences. For example, it

is worth noting that the former name of the Canadian Museum of History was the Canadian Museum of Civilization, a name that provokes all sorts of interesting questions about the meaning of civilization and its relationship to Canada's historical constitution. In fact, as visitors to the Canadian Museum of Civilization entered its main galleries, they rode an escalator down to the Grand Hall (and still do today). Featured in the Grand Hall are exhibitions on the indigenous peoples of Canada that engage with their historical pasts and contemporary presents.[3] The reason this is interesting from the perspective of both international and Canadian history is that it begs the question, would any of those exhibitions have been featured in a museum of civilization until quite recently?

Since the onset of Spanish colonialism in the Americas, at the absolute latest, European powers have rationalized their expansion through a civilizational discourse, a discourse that warrants intervention in the lives of those they deem uncivilized. In light of that, there is a certain irony to the fact that the Canadian Museum of Civilization featured indigenous peoples in the Grand Hall, as indigenous peoples were long regarded by European, and later Western powers, to be in a state of civilizational pupillage. In that respect, interestingly, it is also worth noting that as visitors scaled up the Canadian Museum of Civilization, they were introduced to exhibits that chronologically depicted the arrival of Europeans and the emergence of the Canadian state.[4] In fact, the appearance of those exhibits seemed to coincide with the gradual disappearance of exhibits on indigenous history; it was almost as if the exhibits on indigenous history were being effaced by the appearance of exhibits on European history. I draw attention to this because it helps serve as a metaphor for much of what is argued in what follows—specifically, that Europe's imperial expansion resulted in a process of 'exclusion by inclusion,' whereby indigenous peoples were gradually subsumed within the boundaries of European empires, only to be excluded from meaningful participation within the global space. Although this turn of phrase ('exclusion by inclusion') is not often used in the international relations literature, the idea itself is not new. A critical body of literature has emerged with a central concern with the complex relationship between insider and outsider relations, including the exclusionary dynamics of inclusion.[5] This literature is especially important in this book, because it helps us to understand why indigenous peoples and their political histories have been widely overlooked by disciplinary international relations. As is argued in the coming chapters, this is in part because of a conventional account on the Peace of Westphalia

that places a priority on the sovereign state, laying the foundations for an orthodox account of the evolution and expansion of international society that valorizes European international society.[6]

In my opinion, that account of the expansion is epitomized by the joint and respective works of Hedley Bull and Adam Watson on the evolution and expansion of international society; *The Anarchical Society: A Study of Order in World Politics* by Bull, *The Expansion of International Society* coedited by Bull and Watson and to a lesser extent, *The Evolution of International Society: A Comparative Historical Analysis* by Watson (which was more interested in the evolution of regional societies, European and non-European alike). Although I will leave the details of my criticism of these texts for the chapters to come, suffice it to note here that one of my chief concerns is that Bull and Watson avoided a sustained engagement with non-Europeans' political history until about the twentieth century, focusing instead on European history and blinding themselves to the intersections and interconnections of both in the process. While that might appear to be a strong indictment of their work, it should be noted from the outset that my criticisms are absolutely not meant to downplay or discredit Bull and Watson's contributions to the field. As any reader of one of their texts will quickly discover, Bull and Watson were meticulous in their line of argumentation, rich in historical detail and often much more nuanced in their treatment of international history than is usually given credit. In fact, Bull and Watson did not necessarily see their account as one that depicted the projection of European institutions into the non-European world, but rather as one interested in the relationship between *evolution* on the one hand and *expansion* on the other.[7] And, given that the expansion of European empires was necessarily marked by their encounter with non-European peoples, we might even go one step further and conclude that Bull and Watson implicitly acknowledged the constitutive role of non-Europeans in the formation of today's international society (something that becomes much more explicit in their treatment of decolonization during the mid-twentieth century).

The problem with taking this reading at face value, I think, is that Bull and Watson's account of the evolution and expansion of international society comes from a very particular perspective. Overtly Eurocentric (something Bull and Watson associate with "the historical record"),[8] it is an account that depicts European international society as the source and subsequent centre of contemporary modernity in international relations, without paying much attention to the role of non-Europeans in the

constitution of it. And, while I am sympathetic to the fact that Bull and Watson were interested in the relationship between evolution and expansion, I am not wholly convinced that this did much to prevent them from describing the story of international society as anything but the ultimate triumph of European institutions; in particular, the role of these institutions in ordering anarchy via the evolution and expansion of European empires. Instead, I believe that a better way to understand the Bull and Watson account—without diminishing its contributions—is to treat it as one part of a much more complicated history; that is, as a specific account that tells us a great deal about the European side of the story, but much less about the non-European side and how these two sides interacted. In light of this, we might want to think about (re)telling the story of international society's evolution and expansion in line with what Gurminder K. Bhambra and Sanjay Subrahmanyam respectively refer to as a "connected history."[9] And, in these respects, to take heed of critical scholarship that reminds us of the links between mainstream international relations theory and the imperial and Eurocentric discourses that underpin it.[10]

To re-emphasize the point above, this critical reflection on the works of Bull and Watson should not be construed as an attempt to obfuscate their important insights and trail-blazing work (after all, this book would not have been possible without their pioneering scholarship!). But, it is intended to provoke some critical reflection on a narrative that has proven deeply influential for our understanding of international history and, in the process, concealed "connected histories" that would help broaden our understanding of this subject matter. Indeed, the theory and practice of international relations has evolved from an imperial past that has dealt with the Other by excluding it through processes of homogenization. Reproduced in mainstream scholarship on the evolution and expansion of international society, this has impeded us from a more comprehensive understanding of our origins. As Naeem Inayatullah and David L. Blaney so poignantly observe, "IR fails to herald a unique contribution to social theory because it persistently avoids and denies the historical problem from which it surfaced, namely the problem of what to do about cultural difference."[11] It is with this view in mind that the chapters of this book unfold, tendering an alternative account on the evolution and expansion of international society that does not so much seek to do away with the orthodox account, but rather to retell it as a "connected history" that must engage more comprehensively with the role of a European discourse

on civilization in shaping the colonial, imperial and contemporary relations between states and indigenous peoples. Doing so, it picks up on Inayatullah and Blaney's important interjection in an effort to advance critical engagements with an historical discourse that played a key role in the constitution of Self-Other identities and the makings of the global space. To do so, I build on bodies of English School and postcolonial scholarship to detail a process of 'exclusion by inclusion' that was enacted through a colonial discourse on civilization and propelled European and later Western imperialism. But, before I make that case, I would like to draw attention to a number of issues that I believe deserve some unpacking before engaging with the central line of argumentation.

## TOWARDS A CROSS-THEORETICAL DIALOGUE

Despite an upsurge in more critical accounts of the evolution and expansion of international society, indigenous peoples remain relatively absent from the story (with a few notable exceptions, such as Paul Keal's, *European Conquest and the Rights of Indigenous Peoples*).[12] As noted above, and argued at length in the chapters to come, that absence is linked to a conventional account of the Peace of Westphalia, 1648, that leads to a distinctly Eurocentric story about how a once European international society became global.[13] However, I would also propose that it is linked to a general sense of resistance by mainstream and critical approaches—broadly speaking—to engage in constructive dialogue. Leaving aside for a moment the epistemological and methodological cleavages that have bifurcated disciplinary international relations, it strikes me that the discipline has succumbed to a rather unfortunate predisposition towards working in theoretical silos. This is not to deny the abundance of edited collections that bring together individual scholars to speak on a similar topic, but it is to say that there is a relative paucity of literature that puts into practice theoretical cross-fertilization. No doubt—to return to the issue of methodological and epistemological bifurcation—inter-theoretical coalitions are not always possible. Indeed, it is hard to imagine a hardline positivist and a hardline postmodernist sharing a common voice on the subject of methodology. However, it strikes me that there are issues, areas and ways that theoretical cross-fertilization is possible under certain conditions, in particular, a condition of respect.[14] Allow me to emphasize that I am not suggesting theorists simply ignore their concerns and criticisms of other

approaches; rather, I am stating the fairly obvious: theorists of different stripes stand to benefit from a dialogue with others. And yet, that rarely seems to happen as the first impulse of international relations scholarship seems to be the entrenchment of theoretical positions via the critique of another. Perhaps what I am suggesting then is the need for international relations' theoretical camps to acknowledge a greater degree of their own fallibility and the potential value of cross-fertilization where appropriate.

To return to the relative paucity of international relations research on indigenous politics, I believe that much more can be said about that subject through a cross-theoretical dialogue; in particular, a dialogue between the English School and postcolonial theory. While these two bodies of thought represent fundamentally different approaches to the story of international society's evolution and expansion, I conceptualize their core concepts, themes and interests as complementary elements in the telling of "connected histories." In a sense, this move is reflective of a wider disciplinary interest—especially amongst international relations' more critical branches—to advance a more inclusive approach to international relations theories (not to mention the desire for a deeper engagement with non-Western international relations theory).[15] In what follows then, I hope to advance a cross-theoretical dialogue between the English School and postcolonial theory, a dialogue that has already begun in the form of a critical body of literature on the evolution and expansion of international society. In fact, it should be noted that Timothy Dunne observed parallel interests in the works of Martin Wight and postcolonial scholars like Edward Said and Tzvetan Todorov, about 20 years ago.[16]

Admittedly, a cross-theoretical dialogue can only be stretched so far and will no doubt prove controversial to others, especially the implications of its close relationship to Western knowledge. In light of this, I do not claim to escape all the challenges and trappings of such a dialogue. But, I can assure the reader that I most definitely do take them seriously, heeding Robbie Shilliam's important reminder/caution of the colonial "meta-context" in which the knowledge contained in a book of this type is produced.[17] With this in mind, it is my aim to practice what I preach and to engage two very different perspectives on the evolution and expansion of international society in dialogue with one another for the betterment of historical understanding. By no means is this approach intended to reduce debate or diminish the value of theoretical plurality, nor is it perceived as a panacea for all that ails disciplinary divisions; instead, I see it as a starting point for conversation. In this book, I hope it is a discourse that helps

us to think through the historical evolution of international relations, in particular, the relations between unlike societies and the role of these relations in defining the social content of the global space.

## Classification and Caricature

It might be added to the discussion above that disciplinary divisions facilitate a good deal of generalization and caricature, of which I am at least partly guilty. Thus, let me try to be as clear as possible with respect to what I mean by 'orthodox,' 'critical' and 'second-generation' English School scholarship in this book. To begin, it should be noted that it is becoming increasingly common for scholars to distinguish between orthodox and critical accounts of the expansion of international society (though the terminology does vary). In fact, it should be noted that these terms have been used elsewhere to describe similar bodies of literature as the ones I concern myself with here. For example, in his analysis of civilization, international society and the historical place of Latin American states within it (as well as indigenous peoples), Carsten-Andreas Schulz distinguishes between "orthodox" and "revisionist" bodies of English School literature on the subject of expansion.[18] In line with this kind of distinction, my use of the term 'orthodox' refers to a body of English School scholarship that depicts the evolution and expansion of international society as a process that begins in Europe with the gradual demise of Latin Christendom and the appearance of a regional state-system. Over the course of centuries, this system is said to have expanded into the non-European world as a European international society coalesced around shared institutions in the eighteenth and nineteenth centuries, establishing a degree of international order. Over time, this European international society would become global in scope with the gradual inclusion of non-Western members. Reaching a zenith in the mid-twentieth century with the onset of decolonization, the entry of non-Western members challenged the value-base of the once European international society (a challenge seen as a potential threat to world order, but also as a possible advancement in world justice), though they largely accepted its primary institutions.

This description of the orthodox account closely follows the line of argumentation Buzan and Little describe of the "classical expansion story," as highlighted by—though not limited to—four key texts: *The Anarchical Society*, *The Expansion of International Society*, *The Standard of 'Civilization' in International Society* by Gerrit W. Gong (originally

drafted as a Ph.D. dissertation under the supervision of Bull) and *The Evolution of International Society.*[19] Though I follow closely in line with Buzan and Little's description of this literature, I differentiate in my categorization of it because of how I see *The Standard of 'Civilization' in International Society* as fitting in with my typology. Here, I understand orthodox accounts as being underpinned by a normative predisposition towards European international society because of its role in the establishment of world order. Though I understand Gong to similarly produce an inclusionary story of international society's expansion (with a focus on the 'entry' of China, Japan and Siam), he is in my opinion more critically attuned to the forms of cultural imperialism that accompanied European international society (at least in relation to the works of Bull and Watson).[20] In my typology then, Gong's work represents something of a gateway between an orthodox and critical account that cannot be easily lumped into either category. In this respect, the distinction I make between my use of the term 'orthodox' and Buzan and Little's use of the term "classical" has less to do with a difference in interpretation of the above texts and more to do with the way these texts fit within my typology.

This leads directly to the issue of defining critical and second-generation English School scholarship. Over the past two decades, a growing number of English School scholars have taken up the task of revising orthodox renderings of the evolution and expansion of international society.[21] Speaking to a broader shift in the work of the English School, Molly Cochran refers us to a body of work sometimes referred to as "second-generation,"[22] while Dunne refers us to a "post-classical phase" of English School scholars characterized by the likes of Buzan, Edward Keene and Andrew Linklater, amongst others, since the 1990s.[23] While this kind of distinction is useful for describing a transition in the interests and themes addressed by the English School from a temporal perspective, it does not seamlessly fit in with my reference to a body of critical English School scholarship. That is because scholars like Gong and Wight—both of whom shed critical light on key aspects of international society's evolution and expansion—wrote well before the 1990s. For this reason, I refer to critical English School scholarship as that which I perceive to be more reflective in its take on the evolution and expansion of international society (or as Schulz puts it, "revisionist"), and thus I do not restrict the application of my usage of the term 'critical' to a temporal period of English School scholarship. However, I do use the term second-generation to more specifically refer to what Cochran and Dunne

have observed, that is a shift in the approach and interests of English School scholars since about the 1990s. In that respect, it is entirely possible for orthodox and critical scholarship to also be second-generation scholarship, though the link is not a necessary one.

With all this in mind, I want to make it clear that I present these categories as general classifications for the purpose of structuring analysis in this book, recognizing the inherent risk of caricature bound up with labels of these types. So, let me state from the outset of this book that these categories are absolutely not intended to permanently fix a scholar's identity as orthodox, critical or second-generation—consider the liminal space I perceive Gong to occupy between orthodox and critical scholarship—but to help facilitate the structure and line of argumentation in the chapters to follow.

## On the Subject–Object Relationship

I would like to make it clear from the outset that I am not an indigenous person—to the best of my knowledge I am a descendant of Western Europe, with English, Austrian, and probably French ancestors. I say that because the arguments presented in this book are in no way intended to speak for or on behalf of indigenous peoples, or for that matter, any other people(s); they are a product of my own interpretation of the secondary and primary literature on the subject at hand. With that in mind, the arguments are intended to bring to light an often overlooked history, and in that respect, do try to advance a revised account of the evolution and expansion of international society that supplements our disciplinary understandings of history through the reintegration of indigenous relations with the now members of international society by taking seriously a cross-theoretical dialogue and the telling of a "connected history." In at least two respects, this approach echoes James Tully's description of a constitutional dialogue informed and symbolized by *The spirit of Haida Gwaii*,[24] which takes seriously the act of listening. "By listening to the different stories others tell, and giving their own in exchange, the participants come to see their common and interwoven histories together from a multiplicity of paths."[25] First, this act of listening speaks directly to the idea of a cross-theoretical dialogue, insofar as it speaks to a respect for the insights of the parties involved (though that is not to say that respect for different insights and perspectives should guard against a critical engagement with them). Second, this act of listening speaks to the idea of a "connected

history," insofar as it establishes a basis with which to listen to international relations' empirical and historical margins, and the interrelations between those margins and the core in constituting the contemporary global space.

But, with that in mind, I would like to at least acknowledge some of the inherent risks of my approach in an effort to lay bare some of the challenges that face the text (challenges that I am all too well aware may not have been fully overcome despite my best efforts). For example, while it is true that the orthodox account is one that risks universalizing a Eurocentric narrative, Roger Epp observes that there is a similar risk in the telling of a counter-narrative—"the parallel story of sovereignty as domestication within a territory of exclusive domain"—that overstates its historical findings.[26] And, consider also the risks involved with the inclusion of non-Western histories within international relations theory, in particular, their treatment by Western perspectives that are themselves coloured by the colonial and imperial pasts (and presents).[27] Recognizing my own location within a western tradition of thought, I have thus tried to tell the story I am about to tell as honestly as possible, making an effort to acknowledge acts of indigenous agency (especially those that highlight the role of indigenous actors in engaging with the members of international society), to help problematize and engage with orthodox interpretations of international society, its origins, evolution and expansion.

Again, these efforts are not intended to appropriate an indigenous voice, advance a particular position on behalf of another, or unduly valorize the achievements of indigenous peoples (e.g., there remains an important debate on the actual capacity to implement the rights articulated in the Declaration on the Rights of Indigenous Peoples), but rather are an attempt to minimize the inherent risks of (re)telling the story of the evolution and expansion of international society, and its sister story about the exclusionary practices it engendered.

In terms of structure, the book advances through a series of chapters that have been written with a view to being read in order, or on a standalone basis. Chapter 1 details the book's purpose and sets out some of the basic assumptions that underpin it; Chap. 2 develops the theoretical framework and explains how it is applied; Chap. 3 begins to trace a European discourse on civilization from the time of the Spanish conquest to the mid-nineteenth century; Chap. 4 continues to trace the evolution of that discourse from the late nineteenth century to the mid-twentieth century; Chap. 5 examines the role of indigenous transnationalism in challenging

the discourse on civilization from the mid-twentieth century to the early twenty-first century; and, Chap. 6 concludes the book by drawing out its key findings and implications for the theory and practice of international relations. Because of the vast period of history being covered, however, I would like to acknowledge that many important issues and events have been left out of the analysis. For example, it might be asked why the Treaty of Tordesillas of 1494 is not discussed in a text that is fundamentally concerned with the colonial origins of contemporary institutions like international law. The answer to that question is simple and somewhat unsatisfactory; for the purpose of performing a focused analysis of the subject at hand, analytical, conceptual and logistical parameters were imposed to help navigate an ambitious historical timeline. Moreover, I would like to emphasize that I have selected what I believe to be the most important and relevant issues of that historical timeline for the purposes of this book. Accordingly, I have relied heavily on secondary literature to help guide my understanding of key historical events and primary literature that I do not consider myself an expert on. Thus, I would like to encourage the reader to review the materials consulted, for which I am both grateful and heavily indebted.[28]

Ottawa, ON, Canada                                                Mark Pearcey

# Acknowledgments

This book is the end result of a process that began in the year 2000 when I embarked on my university career as an undergraduate student at McMaster University in Hamilton, Canada. Over the course of the past 15 years or so, I have accrued many debts of thanks that are difficult to repay in full. I do hope, however, to acknowledge a few here. To begin, I am deeply indebted to the members of McMaster's department of political science, who not only guided me through a Bachelor of Arts and a Master of Arts but also ignited a very genuine passion for international relations that I hope comes through in the chapters to follow. However, I would like to especially thank J. Marshall Beier, whose approach to teaching was what taught me the power of voice and the role we can play in the production of knowledge.

Another debt of institutional thanks must be extended to Carleton University and the members of its department of political science. To the faculty of this department, I am deeply indebted to your role in challenging me to think critically, both of the international relations literature but especially of the assumptions I make of it. It is the gift of critical self-reflection that is, in my view, the single most important contribution one can make to an individual's academic growth. To the students of Carleton, I would also like to thank you for awakening my very deep love of teaching. To those concerned with the 'new' generation of undergraduate student, I would suggest meeting the students of political science at Carleton, whose enthusiasm and passion are amongst my greatest motivators.

Of course, this book would not have been possible without the support of colleagues and mentors. In alphabetical order, I would like to

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# Introduction

The concept of civilization is deceptively complex. While we use it in our everyday lives without much hesitation, the fact remains that it has long been employed as a discursive tool to delineate an inside from an outside, that is, between the civilized and uncivilized worlds. Whether it came in the form of *white man's burden*, *the mission civilisatrice*, or *manifest destiny*, discourses on civilization have played a central role in defining the boundaries between Self and Other. For others, civilization refers more specifically to a cultural entity. Perhaps the best example of this is Samuel P. Huntington's now famous thesis, outlined in "The Clash of Civilizations?" which was premised on the idea that civilizations, plural, would define the trajectory of conflict in the post–Cold War era along cultural lines—a departure from the more ideological and economic lines of conflict that characterized decades past. For Huntington, a civilization "is defined both by common objective elements, such as language, history, religion, customs, institutions, and by the subjective self-identification of people."[1] Huntington further nuanced his definition by noting "levels of identity" within civilizations, as well as the associated challenge of neatly demarcating one civilization from another.[2] And, on that basis, he proceeded to describe a state of affairs in which the Western world would have to contest with a number of rising civilizations in the post–Cold War period, in particular, "several Islamic-Confucian states."[3] As others have argued, however, that line of argumentation could be perceived as

perpetuating an imperial discourse on civilization, rooted in problematic assumptions about Western civilization, and the uncivilized peoples beyond it. Citing Huntington's wider body of work, for example, Naeem Inayatullah and David L. Blaney suggest that his is an approach that results in an inversion of violence; specifically, "the violence of international relations against an external other is simultaneously turned inward against the ungovernable other within."[4] Speaking to the Self's relationship to the "other within," Inayatullah and Blaney's point raises interesting questions about the way civilization is defined and deployed in international relations, as well as its consequences for theory and practice (not least, their concern with the discipline's sidestepping of cultural difference). In the context of this book, for example, it provokes thought on the relationship between inclusion and exclusion, and how inclusions and exclusions have been manifested through a European discourse on civilization. Answers to these sorts of questions, however, are something of a moving target, as the historical meaning of civilization has varied from one society to the next. For example, the Chinese, Greeks, and Ottomans all adopted discourses on civilization that varied in their specific content: the Chinese with their Emperor, the Greeks with their "language and culture," and the Ottomans with Islam.[5] But with that said, the discursive purposes of civilization have operated in a fairly consistent way across those that employ it as a discourse, that is, as a structuring device that can subsume and exclude the Other by way of its inclusion within the Self.[6]

From a disciplinary point of view, it is disappointing to find that this function of civilization is largely missing from mainstream international relations theories. Where the English School is concerned, for example, it has traditionally fixed its focus on the specific content of a European discourse on civilization in defining membership in the society of states through a standard of civilization. That is in large part due to the fact that the orthodox account of international society's evolution and expansion frames it as one of inclusion; in particular, a story that involves the expansion and transformation of a once European international society into a global one, culminating with the rapid entry of non-Western states in the mid-twentieth century with their adoption of European institutions (of note, my usage of the term 'orthodox' echoes others who have described a similar expansion story within the English School, such as Buzan and Little, and Carsten-Andreas Schulz, the latter who also refers to an "orthodox account" epitomized by *The Expansion of International Society*).[7] What that story misses is the more complicated interrelationship between

inclusion and exclusion. Despite his critical view of the legal standard of civilization, for example, Gerrit W. Gong's skillful analysis was fundamentally concerned with the role of the standard of civilization in defining membership in the society of states. What is not sufficiently addressed is how the gradual inclusion of non-Western countries foreclosed the possibility of them exercising alternative forms of sociopolitical existence. That is not to say that Gong's analysis ignored the exclusionary dimensions of the standard of civilization—far from it—his analysis is deeply concerned with the cultural hierarchies implicit in the standard of civilization's content (such as the role of the standard in eroding the sovereignty of non-Western societies until their inclusion within the society of states). But, the exclusionary aspects of the standard of civilization did not end with the entry of non-Western countries into the society of states; rather, it facilitated and institutionalized the exclusion of non-Western forms of sociopolitical organization from international society.

In effect, the evolution and expansion of international society enabled a process of 'exclusion by inclusion.' Although this turn of phrase is not often used in the international relations literature, the idea itself is not new, as a critical body of literature has increasingly concerned itself with the complex relationship between insider and outsider relations (including the exclusionary dynamics of inclusion).[8] Building on this body of literature, the central claim in this book is that the story of international society was underwritten by a European discourse on civilization that subsumed indigenous peoples within its expanding boundaries, resulting in the exclusion of indigenous peoples from the 'international.'

That history of the colonial encounter—including the subsequent evolution of indigenous-state relations—provokes important questions about issues at the cutting edge of English School theory, such as the relationship between international and world society (broadly understood here as the relationship between state and non-state societies in the global space, and discussed in Chap. 2), and the colonial history of the former's evolution and expansion. With a view to generating new insights and fresh thinking on those issues, I ask two interrelated and primary research questions: How did European colonialism and imperialism shape contemporary relations between state and non-state societies, in particular, those between states and indigenous peoples?[9] And, what does that tell us about the theory and practice of international relations? While a wave of critical and second-generation English School scholarship has begun to make important headway on these matters, I begin from the premise that the

English School has much more to say on the evolution and expansion of international society, especially from a critical perspective. As such, I place the English School in dialogue with postcolonial theory in a way that conceptualizes their core concepts, themes, and interests (especially on the subject of international society's evolution and expansion), as complementary elements in the telling of what Gurminder K. Bhambra and Sanjay Subrahmanyam have respectively referred to as a "connected history."[10]

Through that dialogue, I undertake a critical analysis of the evolution and expansion of international society, with a specific focus on the evolution of relations between states and indigenous peoples from the time of the Spanish conquest to the present. A key moment in world history, the arrival of the Spanish in the Americas laid the foundations for the inception of modern international law and was premised on the question of legal relations between two fundamentally unlike societies, the Amerindians and the Spanish; as Antony Anghie has persuasively argued, subsequent stages of international law—as well as the institution of sovereignty—evolved from these origins and perpetuated colonial structures.[11] How these stages have influenced the contemporary relations between indigenous peoples and international society from an English School perspective has, in my view, yet to be comprehensively explored (although an important exception is Paul Keal's *European Conquest and the Rights of Indigenous Peoples*). As such, the book proceeds with an examination of the legacies of that history for the relations between indigenous peoples and international society today to generate insights into the colonial and imperial constitution of institutions that govern those relations, and the wider social content of the global space. With a view to 'setting the table' for this line of argumentation, this chapter proceeds through four sections. First, I explain how this book conceptualizes civilization, with a specific focus on the content of a European discourse on civilization. Second, I reflect critically on the orthodox English School's account of the evolution and expansion of international society, as epitomized by the joint works of Hedley Bull and Adam Watson. Third, I describe the book's empirical focus and historical timeline, that is, the historical relations between indigenous peoples and international society from the time of the Spanish conquest to the present. Fourth, the chapter concludes by sketching out its main line of argumentation and provides short chapter summaries to help guide the reader.

## Civilization

In this book, my discussion of civilization is almost exclusively targeted at a European discourse on civilization that evolved over the course of Europe's colonial and later imperial expansion. Despite a retreat from the more overt racial assumptions that were once characteristic of this discourse, its lingering assumptions about Self and Other are perpetuated through Eurocentric discourses on the theory and practice of international relations today.[12] With that in mind, defining civilization with any specific set of criteria is difficult, even if the scope is narrowed to a European discourse. For example, while it is true that a European discourse on civilization gradually came to associate itself with the sovereign state in the nineteenth century, its origins in like-terms suggest something rather different. Citing the work of Norbert Elias, Andrew Phillips reminds us that early European conceptualizations of civility were closely associated with "discipline and self-restraint."[13] And, it was this meaning that was associated with the term *civilisation*, in 1756, by the elder Mirabeau (Victor de Riqueti); who, in the words of Phillips, "understood civilisation to refer […] to a refinement of popular manners and internal moral sensibilities," but "also […] to the regulation of public violence."[14] The inscription of civility (and later civilization) with self-restraint draws attention to the fact that discourses on civilization evolve over time and have been employed for both more progressive and violent purposes. Though I do not want to diminish the variety of ways that discourses on civilization have been used, I do want to draw attention to a European discourse's specific role in the colonial and imperial constitution of Self–Other identities, as well as the implications this has had for the theory and practice of international relations. That is because it is this aspect of a European discourse on civilization that I understand to have featured most prominently in the evolution and expansion of international society—at least in the context of colonial and imperial relations between European and non-European societies.

To do so, I conceptualize civilization broadly, as a discourse with the power to define inclusions and exclusions within the global space. In this respect, Prasenjit Duara describes more specific "bookends" of civilization; at least those that have helped frame its meaning since about the beginning the twentieth century (despite important differences and changes in its meaning).[15] According to Duara:

> Most of these uses have shared an understanding of 'civilization' as a way of identifying and ordering value in the world. The identification of value, however, sometimes implies the identification of a *community* of value, and civilization can also become the means of marking the Self from the Other. […] However, what distinguishes the civilizational idea from nationalism is its appeal to a higher, transcendent source of value and authority, capable of encompassing the Other [italics in the original].[16]

These "bookends" should not imply an escape from the more specific content of a European discourse on civilization, however. Although the substantive meaning of a European discourse on civilization has varied, it is only by better understanding its constitution that a basis is established to critically engage with the ways it stratified the global space. In this respect, Brett Bowden has usefully drawn attention to both an "idea" and "ideal of civilization"; "the idea of civilization as both a process and a destination or state of being; […] the ideal of civilization as a comparative benchmark that manifests itself in a 'standard of civilization.'"[17] Bowden's distinction is important to this book for two interrelated reasons. First, it is important for the way it draws our attention to the sociopolitical character of a European discourse on civilization (discussed in a moment). Second, it is important because it sheds light on the teleological function of a European discourse on civilization in promoting universal visions of progress.[18] Moreover, these insights can be neatly situated within the "bookends" identified by Duara and used to detail the function of a European discourse on civilization in facilitating the processes of 'exclusion by inclusion.'

Indeed, these insights speak to the role of a European discourse on civilization in hierarchically stratifying the global space along the lines of a totalizing vision of European sociopolitical advancement. Despite being first documented in French as a legal term in 1743 (as *civilisation*),[19] civilization quickly adopted a normative association that distinguished savage and barbarian peoples from civilized, predominantly European, societies (these European societies viewing themselves as exhibiting higher levels of social, political, and legal order). And, critically, this distinction was intimately connected to the constitution of a European Self in juxtaposition with non-European Others. Inayatullah and Blaney, for example, describe the concept of 'wildness' in European-Christian thought, and its function in defining the relations between Europeans and the peoples of the Americas during the colonial encounter (as well as the lingering

implications of that for the theory and practice of international relations today).[20] Thus, with the purported benefits of spreading civilization to uncivilized peoples in the non-European world, Europeans could feel justified in their colonial and imperial expansion as a type of civilizing mission. Of course, the specific ways by which civilization was 'exported' to non-Europeans by Europeans varied according to time and place; but as is discussed in this book, the exportation of civilization was driven largely by the colonial and imperial expansion of Europe over the course of several centuries.[21] Until about the late eighteenth century, much of this was achieved through colonial enterprises. That is, European empires asserted control over overseas territories, with European officials taking on the main roles of governance (in effect, what Jürgen Osterhammel calls *formal empire*).[22] In the late eighteenth century, Western empires came to rely less on such direct forms of control, instead, oscillating between direct and indirect means of influence over 'their' territories; affording them a partial degree of autonomy provided that their imperial interests were secure (in effect, what Osterhammel calls *informal empire*).[23] Irrespective of the type of colonial or imperial activity involved, however, what remained fairly consistent was the role of a European discourse on civilization in subsuming uncivilized others within Europe's expanding boundaries—if not with explicit reference to the term 'civilization,' then in much the same way as Duara describes civilization's "bookends" (as is discussed in Chap. 3, for example, Anghie, Bowden, and others have noted that Spanish colonialism relied on a discourse on civilization to substantiate its assertion of sovereignty over the Amerindians in the 'New World,' well before the term *civilisation* was articulated in the eighteenth century).[24]

Indeed, it was not until the nineteenth century that civilization's association with the sovereign state would crystalize, as evidenced by the appearance of the standard of civilization in the latter decades of that century.[25] The nineteenth century is thus a critical moment in the evolution of a European discourse on civilization, marking the moment that the intersection between territorial sovereignty and civilization was made explicit. Consider here, for example, the role of Western academic disciplines during this period in popularizing the idea of civilizational stages of advancement and their implications for international practice. Through a distinction between savage, barbarian, and civilized, Western academics and legalists advanced an outlook of the non-European world that warranted European intervention in the lives of uncivilized peoples.[26] Indeed, savagery did not necessarily imply an inability on the part of savages and

barbarians to become civilized; rather, what was required was a form of European paternal guardianship to lead their way to civilization. That is not to say that all Westerners felt the same way; some certainly believed that savages were forever savage, while others were much more progressive in relation to their peers. But, the history of Western imperialism from at least the early-nineteenth century on is suggestive of a general tendency on the part of Western powers—and individuals for that matter—to understand their expansion as a form of civilizing mission. For example, David Long draws our attention to J.A. Hobson, a noted critique of imperialism who was quite ready to accept imperialism in the form of a paternal guardianship. Oscillating between internationalism and imperialism, Hobson agreed that "civilized Governments" could exercise authority over "lower races" under certain conditions; this despite his vocal admonishment of colonialism's effects on local and indigenous peoples.[27] And, as we shall see in Chap. 5, such a paternalistic attitude persisted well into the twentieth century in the relations between the world's indigenous peoples and states, an attitude that others have shown to persist in the institutions, practices, and theories of international relations today.[28]

In the chapters to follow I do not claim to perform a complete genealogy of a European discourse on civilization; rather, I set out to more specifically understand how a European discourse on civilization (understood according to the terms above) facilitated a process of 'exclusion by inclusion' over the course of international society's evolution and expansion—a process that continues to this day. So, it is with this in mind that I turn to the next section, where I detail my critique of the orthodox account of the evolution and expansion of international society—an account that sidesteps a more comprehensive engagement with the colonial and imperial interconnections of European and non-European history, and thus, the more violent dimensions of a European discourse on civilization.

## Westphalia and the Orthodox Account

The discipline of international relations has traditionally traced the history of modern international relations to the Peace of Westphalia in 1648 (which was itself comprised of the Treaty of Münster and the Treaty of Osnabrück) and continues to perpetuate that account today. It was at that critical moment that the belligerents of the Thirty Years War are said to have established the foundational institution of international politics, sovereignty. By providing territorial units the power to exercise internal and

external sovereignty over a prescribed territory, the Peace of Westphalia resolved the political turmoil caused by an unstable system characterized by secular and religious authorities with overlapping spheres of influence and power. However, a surge of historically minded research has provoked important new thought on the validity of that account. For example, it has been proposed that there is a lack of textual evidence within the treaties that comprise the Peace of Westphalia to support the idea that sovereignty was institutionalized at that moment, and that the account we know of it today results from political propaganda, as well as some suspect readings of the Peace itself.[29] Though the angles from which critiques of the conventional account of the Peace of Westphalia vary, they share in common a concern with its implications for the theorization of international relations today. Speaking to the narrative that has evolved around it, Barry Buzan and Richard Little refer to a *Westphalian straightjacket*, a concept that speaks to the idea that the theories of international relations tend to operate through an ahistorical framework that spatially and temporally fixes the sovereign state as the main point of reference, emphasizing continuity over difference and obscuring alternative sociopolitical forms and histories.[30]

Critics of the conventional account of Westphalia thus draw our attention to the problematic biases that the discipline of international relations perpetuates by tracing the inception of the international system or society (depending on the scholar) to the heart of Europe, and the supposed institutionalization of the sovereign state. As such, these critical reflections are suggestive of the way the orthodox account of the evolution and expansion of international society—as epitomized by the joint works of Bull and Watson (*The Anarchical Society: A Study of Order in World Politics* by Bull, *The Expansion of International Society* coedited by Bull and Watson, and to a lesser extent, *The Evolution of International Society: A Comparative Historical Analysis* by Watson)—obscures the role of a European discourse on civilization in substantiating colonial and imperial endeavors. In an important critique of the conventional account of Westphalia, for example, Turan Kayaoglu describes the Eurocentric influence of it on international relations theory. Paying close attention to the English School, Kayaoglu details the normative dimensions of this narrative by drawing our attention to its role in the valorization of the West as the source of world order and modernity, and, in the process, the narrative's role in the constitution of "a normative hierarchy in which the non-Western tortoise will never catch the European hare."[31] Meanwhile, Sanjay Seth

argues that Eurocentric origin stories have "sanitised" the colonial and imperial violence of international society's expansion.[32] Indeed, perhaps more than any other branch of international relations theory, the English School's account of the expansion has been accused of taking Eurocentric assumptions as historical facts, inhibiting a broader understanding of non-European contributions to the evolution of contemporary international relations, as well as masking the "darker face" of what Shogo Suzuki refers to as "Janus-faced European International Society."[33]

With these points in mind (points that I am in full agreement with, and to which I return), it must be acknowledged that there is a certain irony in my argument that follows: *The Anarchical Society* and *The Expansion of International Society* make relatively few references to the Peace of Westphalia itself, given their scope.[34] According to their respective indexes, the Peace of Westphalia appears only four times in *The Anarchical Society*[35] and only five times in *The Expansion of International Society* (though I am aware of several other cases).[36] In fact, of the core texts identified above, the only one to pay the Peace of Westphalia any sustained attention is *The Evolution of International Society.* In it, Watson devoted a chapter to discussing the settlement and the events around it by noting its significance for the subsequent evolution of European international society, in particular, how the "wartime practices [of the coalition aligned against the Holy Roman Empire] were established by the Westphalian settlement as the rules of the new commonwealth of Europe."[37] But, with that said, it is not difficult to tease out the Westphalian assumptions that underpin the joint works of Bull and Watson in *The Anarchical Society* and *The Expansion of International Society.* In keeping with Kayaoglu's argument, for example, both texts depict the expansion as a unidirectional process, characterized by the projection of European power into the non-European world—a process that resulted in the gradual inclusion of non-European states within international society. It is, in other words, a story that depicts Europe as the progenitor of contemporary institutions and world order via the universalization of the Westphalian state. In fact, Bull would later draw a direct connection between the Peace of Westphalia and the inception of international society in his contribution to *Hugo Grotius and International Relations.* "What the Peace of Westphalia did mark […] was the emergence of an international society as distinct from a mere international system, the acceptance by states of rules and institutions binding on them in their relations with one another, and of a common interest in maintaining them."[38] Although it might be unfair to read

this statement into Bull's earlier publications, it is hard to imagine that the conventional story of the Peace of Westphalia was not, at least, informing his take on the subject matter at hand. For, in this passage, we see the Peace of Westphalia playing the role of a gateway between the systemic interactions of European powers and the evolution of societal behavior between and amongst them.

If it is true that the orthodox account is underpinned by a conventional account on the Peace of Westphalia (an account that is increasingly up for debate), then it is reasonable to subject its claims and conclusions to critique. In that respect, much of what is to follow centers on a critique of *The Expansion of International Society*, and that is because it is not just one of the most important texts on the evolution and expansion of international society (if not *the* most),[39] it is also one of the most important contributions of the wider English School to international relations theory. Brunello Vigezzi points out that *The Expansion of International Society* is marked by important convergences with the work of the British Committee, as well as represents the development of Bull's thought since the initial publication of *The Anarchical Society* in 1977.[40] In a way that speaks directly to the interests of this book, Schulz suggests that it was in this text "that the orthodox account was developed in full."[41] Prior to engaging in a critique of *The Expansion of International Society*, however, I would like to make an important note. Despite some misconceptions, *The Expansion of International Society* does concern itself with the relations between European and non-European societies.[42] The problem is that this engagement does not occur in a sustained and comprehensive way—and by that I mean, in a way that is attuned to the agency of Europeans and non-Europeans alike, in the constitution of the global space—until the twentieth century. In that respect, the argument that Bull and Watson do not engage with non-European societies is only a half-truth; what is really problematic is why they do not engage with non-Europeans as agents in the story of international society before the twentieth century.[43] Indeed, it is in that question that the Eurocentric assumptions and implications of the conventional account of Westphalia come to the foreground.

To begin, Bull and Watson were explicit in their Eurocentrism, rationalizing it in fact, rather than acknowledging it as supposition. "Because it was in fact Europe and not America, Asia, or Africa that first dominated and, in so doing, unified the world, it is not our perspective but the historical record itself that can be called Eurocentric."[44] Perhaps, but does the "historical record" really substantiate the relative marginalization of

non-European political histories? As John M. Hobson rightly points out, the historical record to which Bull and Watson refer "excludes almost all Eastern contributions to the rise of Europe and to globalization."[45] And what is interesting about this point is that it is one that Bull seems to admit when he acknowledges the relative exclusion of Asia's influence from the story of expansion, as well as the inherent problems associated with the idea that major non-European powers are only written into the story of the expansion as fully autonomous entities once "they came to pass a test devised by nineteenth-century Europeans."[46] Rather than explore these non-European political histories (as well as their relationship to European ones), however, Bull justifies their exclusion by quickly noting the adoption of a European system/society of sovereign states and its institutions by non-Europeans.[47] What is apparent here, I think, is reluctance on the part of Bull to diverge from a conventional account of Westphalia, which he uses—at least implicitly—to substantiate the prominent role accorded to European states in the constitution of world order. Rather than engage with non-European political histories, Bull tries to make them fit with conventional tropes (even if he is aware of the issues with doing so), resulting in the marginalization of non-European political agency until the twentieth century. In other words, non-Europeans only become important to the story of international society once they assume membership within international society in the mold of Westphalian states (though it must be noted that this does not signal their equality within it).[48]

If a conventional account of Westphalia helps us understand the historical neglect of non-Europeans as agents in the story of international society, it is fair to say that it has also conditioned the way the orthodox account thinks about world order. Though he acknowledged that international society was not "historically inevitable or morally sacrosanct,"[49] Bull did perceive it as the most realistic option for the generation of world order in practice. And, for Bull, this was important because of its relationship to the betterment of humankind; specifically, because he ties international order to the advancement of world order amongst humankind.[50] Though it is difficult to disagree with this moral purpose of international society, a case can be made that the way Bull goes about arguing it has the effect of downplaying non-European contributions in its constitution. Citing a wider body of critical research, for example, Schulz notes that the moral purpose ascribed to international society results in its description as a "teleological force for good," a consequence of which is the effacement of European imperialism.[51] Citing the work of Kayaoglu and Keene,

Hobson suggests that Bull and Watson's approach to the constitution of world order is one that effectively licenses European imperialism, "insofar as it served to spread the 'benefits' of European international society to the non-Western world."[52] From this vantage point, we can then see how Bull's benign reference to the "historical record" is turned into a Eurocentric account of Europe's imperial expansion, as rationalized by its normative purpose in international relations. But even if we do not go quite this far (though I believe Hobson is correct on this point), another point can be made; the Bull and Watson account of world order is one that leads to a story that recasts Europe's imperial expansion as a process of inclusion. Again, that is not to say that Bull and Watson were not aware of or even concerned by the more violent aspects of the expansion; but, it is to say that they largely fail to engage with these aspects in a meaningful way. Instead, they tender a limited account of the expansion that focuses on the adoption of European institutions by non-Europeans.[53] That is, a process that begins with the demise of Latin Christendom, the emergence of a states system in Europe, and the subsequent expansion of a European international society that became global over time. Leaving aside the fact that the entry of non-European states in this story is often depicted as a destabilizing force (at least for the value-base of international society),[54] the description of this process as one of inclusion suggests that the emergence of non-Western states relied on a sort of Western benevolence. For Seth, this is problematic because it deemphasizes the agency of non-Europeans by accounting for their inclusion as a kind of moral awakening on the part of Western states, and because it skirts the much more malicious effects of international society's expansion.[55] Where indigenous peoples are concerned, for instance, Roger Epp observes that Bull and Watson's account of the evolution and expansion of international society—when we take stock of its colonial and imperial origins—can be (re)told as a history of "exclusion" and "homogenization."[56] In the process of explaining the expansion as an inclusionary process rooted in the triumph of the sovereign state, the story effaces a colonial history, particularly in the Americas, that was simultaneously characterized by "a repudiation of other modes of coexistence and a domestication of the aboriginal peoples."[57]

As is being suggested, the orthodox account of the evolution and expansion of international society—as epitomized by the joint works of Bull and Watson, especially *The Expansion of International Society*—is one that avoids a comprehensive and sustained engagement with non-European political history until the twentieth century, despite being fundamentally

concerned with it (by virtue of the orthodox interest in the expansion of a European international society into the non-European world). Doing so, it skirts a troubling history of colonial and imperial exploitation connected to a European discourse on civilization, while at the same time asserting the normative value of international society as a mechanism for world order. However, that account of the expansion is not unaware of non-Europeans (as noted above). Watson's *The Evolution of International Society* placed an emphasis on understanding the competing non-European systems of the ancient world, and Bull had considered the idea of a study—one that would ultimately lead to *The Expansion of International Society*—that would involve a concern with "the encounters between European and non-European political entities (the Ottoman, Chinese and Mogul empires, African Kingdoms and tribes etc.)."[58] Nevertheless, what the above suggests is that the orthodox account of the evolution and expansion of international society is underpinned by a Westphalian origin story that masks Europe's colonial and imperial expansion, blinding us to the interconnection between European and non-European political histories in the making of the global space.

## Focus and Historical Timeline

By placing a focus on the historical relations between indigenous peoples and international society, this book seeks to broaden the English School's account of the evolution and expansion of international society through the telling of a "connected history." That is because the normative bias that Bull held for international society—as the means for generating world order, and possibly even justice—limited him in what he could say about the substate peoples that resided within the territorial boundaries of its members. This is the case on at least two levels. First, by conceptualizing sovereign states as the primary unit of international society (if not "the principal institutions" in ensuring the smooth functioning of its rules),[59] Bull diminished the relevance of non-state societies for contemporary global politics. For example, in *The Anarchical Society*, Bull distinguished between international society and "primitive stateless societies."[60] The problem with this, as Karena Shaw observes, is that Bull's "argument clearly establishes the international arena as a particular—modern, secular—space in which their [indigenous peoples'] ontologies are inappropriate."[61] This is important, because, second and related, by rendering indigenous peoples "primitive" (and, effectively, unimportant to the

study of international relations), Bull diminishes the agency of indigenous peoples as global political actors. That is not only on face value of the term "primitive," but also a consequence of logic. Given that every corner of the world is now claimed by states—with the exception of Antarctica—it would seem to follow that "primitive" societies are now subsumed within "modern" states.

This perspective is not limited to the English School; rather, it is symptomatic of a discipline that has until recently focused on the state-to-state relations of international politics. For much of the mainstream international relations literature, for example, decolonization rectified colonial wrongs through the extension of territorial sovereignty to the former colonies of Europe. Problematically, that view overlooks the fact that decolonization did very little to resolve the substate claims of peoples ensconced within old and newly defined territorial boundaries. This was especially true for indigenous peoples residing in the settler states of the Americas, who were almost entirely bypassed by the official processes of United Nations' decolonization in the mid-twentieth century. And, this was also true for indigenous peoples who found themselves encased within newly created states in Africa and Asia. Indeed, indigenous peoples have been largely overlooked by the international relations literature in general and the English School in particular (though on both counts, the literature has grown over the past decade or two).[62] This may be a consequence of not just theoretical issues but practical ones as well. If it is true that the sovereign state has served as international relations' main focus of attention, indigenous political activity in the global space challenges us to rethink this view. For example, Ronald Niezen observes that sovereignty is contested by indigenous calls for self-determination at both the international and domestic levels. Where the former is concerned, this includes a move on the part of indigenous transnationalism to revise the norms and values of international society through an engagement with international law (as is discussed in Chap. 5), and where the latter is concerned, this involves "a pluralistic force within states that presses for realization in practice of the notion, […] of nations within nations, peoples who have rights to self-determination nested within their rights as citizens of states."[63] In a way that speaks to the points raised by Inayatullah and Blaney on the question of cultural difference, these points thus speak to the role of indigenous transnationalism in contesting assimilationist processes through the recognition of cultural identities. Considering the critical role sovereignty has played in the discipline of international relations then, as well as the

effacement of cultural difference through the universalizing and homogenizing narratives of international relations, an engagement with indigenous peoples and their political histories can provoke some uncomfortable questions about its theory and practice.

The flip side of this, however, is that a focus on the relations between indigenous peoples and states can also benefit the English School, and the wider discipline of international relations via a better understanding of the historical relations that constituted the global space in which we now live (a process that has already been taken up by others). With a growing push in the literature to take stock of non-state actors involved in global politics (especially in the context of globalization), a conceptual space has opened for research into non-state actors like indigenous peoples and their historical relations with states. Since about the beginning of the new millennium, for example, this has been evidenced by growing interest in the indigenous transnational movement, both inside and outside the confines of the United Nations. This movement has achieved a number of important gains that challenge conventional thought on international relations, in particular, the role of non-state actors in shaping the norms, values, and institutions of the global space.[64] Moreover, the emergence of the indigenous transnational movement has lent credence to academic efforts that blur the distinction between the 'domestic' and the 'international' to speak more broadly of the 'global.' But with that said, Marshall Beier cautions us to remember that indigenous diplomatic activity goes beyond a mere focus on the events in state-based organizations at the international level; indeed, they are "much more broadly sited, far more nuanced and complex, and more wholly *sui generis* than a focus on recent developments at the UN alone might reveal them to be."[65] Thus, in taking stock of this reminder, the ensuing chapters do not aim to provide a singular, definitive account of the role indigenous peoples have played in global politics. Rather, I set out to contribute a more modest analysis of a European discourse on civilization in shaping the relations between indigenous peoples and international society. What follows then is a "connected history" focused on the historical relations between indigenous peoples and international society, with a special emphasis on understanding the colonial and imperial constitution of these relations through a European discourse on civilization and its legacies. To achieve that, I take the colonial encounter as my point of departure—as informed by postcolonial theory, which, broadly speaking, sees imperialism as central to the constitution of international relations and the identities of actors therein.[66] From here, I trace

the relations between indigenous peoples and international society to the realization of the Declaration on the Rights of Indigenous Peoples in 2007. Given this expansive timeline, chapters proceed by delineating three loosely defined historical periods: the colonial, imperial, and postcolonial periods (see below). Selection of these periods is informed by research on the evolution of international law. Here, I draw especially on Anghie's rough periodization of international law and Bowden's historical analysis of civilization. Where Anghie is concerned, he describes his periodization as follows, "Vitoria and the sixteenth century represent naturalism, the nineteenth century positivism and the twentieth century pragmatism."[67] Where Bowden is concerned, he traces a European discourse on civilization from the thirteenth century on, with reference to key historical figures and events that also figure prominently in this book.[68]

Of note, particular attention is paid during these periods to the role of major international organizations, especially during the twentieth century. Acknowledging Beier's important caution, noted above, this focus is not intended to diminish the relevance of alternative sites through which indigenous diplomacy has occurred. For example, one might consider the role of indigenous peoples on the Arctic Council, the realization of the Sami Parliament, or the creation of Nunavut, amongst many others. While each of these sites is significant in its own right, the focus on international organizations in this book is a consequence of focus. That is to say that organizations like the United Nations and the League of Nations are important to an analysis of the historical relations between indigenous peoples and states, and not because I believe that these organizations necessarily represent some manifestation of international society. Rather, it is because it was through these kinds of organizations that indigenous peoples made some of their first appeals to the members of international society. Moreover, it is important not to discount the ways by which indigenous peoples have engaged in these multilateral forums. Indeed, the move on the part of indigenous transnationalism to advance its interests through the established language of human rights (especially on the issue of self-determination), in organizations like the United Nations, can be conceptualized "as an emerging form of indigenous political resistance."[69] For these reasons, it is my view that these organizations offer an ideal site for tracing a European discourse on civilization in shaping the relations between indigenous peoples and international society.

As mentioned above, the historical periods discussed in this book are loosely referred to as the 'colonial,' 'imperial,' and 'postcolonial' periods.

The colonial period refers to a period of time bookended by the onset of Spanish colonialism in the sixteenth century and the emergence of a European international society in the nineteenth century (though it is acknowledged that others have associated the emergence of a European international society with preceding centuries). The imperial period refers to a period of time bookended by the entry of non-European members into European international society in the nineteenth century and the interwar period of the twentieth century. Finally, the postcolonial period refers to a period bookended by the dismantlement of European empires in the mid-twentieth century and the adoption of the Declaration on the Rights of Indigenous Peoples in 2007.

## ARGUMENTATION AND CHAPTER SUMMARIES

Despite my criticism of the orthodox account, the fact remains that the English School has maintained an interest in the concept of civilization, usually being mentioned as a discriminatory benchmark to define membership in the society of states. But, in my view, *The Expansion of International Society* did not sufficiently engage with the full implications of a wider European discourse on civilization. Where civilization is addressed in a comprehensive way, it is usually discussed with reference to the standard of civilization, which was discussed by Gong "as an explicit legal principle" that non-Western states had to grapple with if they were to gain entry into the society of states.[70] In that respect, it is true that *The Expansion of International Society* did begin to tease out the role a European discourse on civilization played in the evolution and expansion of international society, but it did so in narrow terms. For example, Gong's chapter on the entry of China into the society of states is deeply concerned with the concept of civilization, but from the vantage point of the standard of civilization, which emerged at the turn of the twentieth century. Specifically, Gong suggests that China's entry into European international society resulted from the imposition of unequal treaties that asserted Europe's extraterritorial influence and pressured China to conform to European international society's standards.[71] In fact, it was in the same year that *The Expansion of International Society* was published that Gong published *The Standard of 'Civilization' in International Society*, which focused on the emergence of a standard of civilization—articulated through positive international law—that pressured non-European countries to conform to European standards, heavily premised on the

sociopolitical and cultural characteristics of European international society. Accordingly, Gong pushed the orthodox account down a more critical path by paying closer attention to the negative implications of civilization for aspiring non-European members. But, with that said, Gong's account remained fundamentally interested in the process of inclusion, in particular, how the membership of international society was broadened to include non-Western members. As is being suggested then, Gong's more critical analysis is valuable for the role it played in drawing attention to the more discriminatory dimensions of international society's evolution and expansion, but it was somewhat limited in how far it went down that critical path.[72] Its rather narrow focus on the standard of civilization overlooks the role of a wider European discourse on civilization in hierarchically stratifying the global space, as well as denying non-European peoples membership in the society of states—and not because those peoples necessarily failed to meet the criteria of the standard, but because they had already been subsumed within international society and its members (e.g., the Cherokee Nation, who are discussed in Chap. 3). It is that function of civilization that this book is interested in; that is, the role of a European discourse on civilization in advancing a process of 'exclusion by inclusion.'

In terms of similar arguments on the interplay between inclusion and exclusion, Inayatullah and Blaney have detailed the role of homogenizing discourses in international relations that sidestep and even obfuscate cultural difference.[73] Dipesh Chakrabarty, meanwhile, has argued for the provincializing of Europe as a way to begin the process of recognizing a plurality of non-Western and subaltern histories that have been obscured by Eurocentric, universalizing discourses.[74] And, Hobson has demonstrated how contemporary international theory is indebted to a history of Eurocentric thought that includes racist, imperial, and paternalistic assumptions that can both subsume and push non-Europeans to the margins of disciplinary concern.[75] And, this is not to mention the work of others, especially Anghie's *Imperialism, Sovereignty and the Making of International Law* and Bowden's *The Empire of Civilization: The Evolution of an Imperial Idea*, both of which engage in a critical reappraisal of the origins of contemporary international law and society, and to which I am deeply indebted. In addition to this critical body of literature, it must also be recognized that investigations into the relationship between inclusion and exclusion are not foreign to the English School. Martin Wight's "theory of mankind," for example, explicitly addressed the issue of relations with "barbarians," which included specific reference to the relations

between Western powers and indigenous peoples.[76] Moreover, critical and second-generation English School scholarship has shown a growing interest in revising the story of international society's evolution and expansion. Edward Keene's, *Beyond the Anarchical Society*, for example, represents an attempt to rethink the purported effects of international society in generating world order. In fact, Keene draws our attention to a European imperial process that saw the 'partition' of the world, that is, a partition defined by "an order promoting toleration within Europe, and an order promoting civilization beyond."[77] Speaking directly to the interests of this book, Keal calls into question the very legitimacy of international society by focusing our attention on the colonial and imperial evolution of its relations with indigenous peoples. In what is probably the most comprehensive English School engagement with indigenous political histories, *European Conquest and the Rights of Indigenous Peoples*, Keal does so by describing the erosion of indigenous peoples' rights over the course of the expansion through an inside-outside dichotomy of inclusion and exclusion. Suzuki, meanwhile, challenges orthodox accounts through a critical engagement with the expansion of European international society, paying attention to the relationship between European imperialism (especially its civilizing impulses) and its effects on the international socialization of China and Japan.[78] And, this is not to mention others like Buzan and George Lawson's work on the crucial role of the nineteenth century in the evolution and expansion of international society, focusing especially on the "complex configuration of industrialization, rational state-building and ideologies of progress [including the concept of civilization]."[79]

The reason for this very brief review of the literature is to situate much of what is to follow in the coming chapters, a "connected history" that engages the English School in a cross-theoretical dialogue with postcolonial theory to deepen our understanding of the evolution and expansion of international society. Focused on the relations between indigenous peoples and international society, I argue that the story of international society has been underwritten by a discourse on civilization that subsumed indigenous peoples within its boundaries over the course of its expansion, thereby facilitating their exclusion from the 'international.' In this book, this line of argumentation unfolds in five chapters (excluding this Introduction), beginning with a detailed description of the theoretical framework of this book, then progressing through three more empirically minded chapters on the colonial, imperial, and postcolonial history of the relations between indigenous peoples and international society, and finally

concludes by way of a chapter concerned with the implications of its main line of argumentation for international relations. Below, I present short chapter summaries for the purpose of reference.

### *Chapter Summaries*

Chapter 2 establishes the theoretical framework and conceptual foundations of the book. Building on the work of Buzan and Keene, respectively, it proposes an analytical framework that takes seriously the relations(hips) between state and non-state societies operating in a global space.[80] On this basis, the theoretical framework of this book contributes to scholarship interested in the concept of world society and its relationship to international society. With these analytics established, the chapter proceeds to describe a cross-theoretical dialogue between the English School and postcolonial theory—one that understands their core concepts, themes, and interests to be complementary elements in the telling of "connected histories." It is through that dialogue and history that the book seeks to deepen our understanding of the colonial and imperial origins of international relations, specifically by taking the English School down a critical path to broaden its understanding of the evolution and expansion of international society. That is, through a more sustained and comprehensive history of the relations between indigenous peoples and international society, and how they have come to shape contemporary institutions and the social content of the wider global.

Chapter 3 marks the first of three empirically driven chapters. Focused on what I loosely refer to as the colonial period, this chapter traces the evolution and expansion of international society through a European discourse on civilization. Here, I begin with the jurisprudence of Francisco de Vitoria; in particular, his role in articulating a natural law framework that would subsume the Amerindians within a European-derived legal framework. Vitoria's natural law framework is important because, as others have shown, it would set precedents for subsequent stages of international law. To demonstrate how the historical constitution of international law came to exclude indigenous peoples through their inclusion within it, the chapter closes with a case study analysis of US Supreme Court cases involving the Cherokee Nation in the nineteenth century.

Building on the history discussed in Chaps. 3 and 4 turns to an analysis of the imperial period by describing the crystallization of a European discourse on civilization around the sovereign state at the

turn of the twentieth century, specifically with reference to the standard of civilization. Whereas the standard of civilization has traditionally been discussed as a way of understanding the exclusion and subsequent inclusion of non-Western states in international society, this chapter concerns itself with its effects on the relations between indigenous peoples and the members of international society. Thus, it draws attention to the ways a civilizational discourse was used by the dominion of Canada and Great Britain to prevent the diplomatic mission of Chief Levi General, on behalf of the Six Nations, from being heard at the League of Nations.

Chapter 5 marks the last of the three empirically driven chapters, turning to an examination of the colonial legacies of civilization from the mid-twentieth century onward, with a specific interest in how the emergence of an indigenous transnational movement has challenged these legacies. Specifically, it argues that despite its more overtly discriminatory assumptions falling into disrepute in the mid-twentieth century, a European discourse on civilization persisted through new standards that impeded indigenous peoples from experiencing decolonization in the mid-twentieth century. This is achieved through a brief discussion of indigenous self-determination, which sets the stage for a critical analysis of the decolonization period that highlights the way self-determination bypassed indigenous peoples as a consequence of a United Nations discourse. The chapter then turns to the role of indigenous transnationalism in challenging the legacies of a European discourse on civilization, while reflecting on the way that this discourse persists.

Chapter 6 concludes the book by summarizing its main line of argumentation, and detailing its implications for international relations. Where the latter is concerned, it focuses on the implications of a cross-theoretical dialogue between the English School and postcolonial theory, the implications of a better understanding of 'exclusion by inclusion,' and a brief discussion of decolonizing international relations theory. Finally, the chapter concludes by discussing the legacies of a European discourse on civilization in the contemporary context, with reference to the realization of an indigenous right to self-determination in practice.

## Notes

1. Samuel P. Huntington, "The Clash of Civilizations?," *Foreign Affairs* 72, no. 3 (Summer 1993): 24.
2. Ibid.
3. Ibid., 48.
4. Inayatullah and Blaney, *International Relations and the Problem of Difference*, 1:100.
5. Jack Donnelly, "Human Rights: A New Standard of Civilization?," *International Affairs* 74, no. 1 (January 1998): 2, 3, 2.
6. This perspective on civilization draws especially on the work of Prasenjit Duara, and is discussed in more detail below with reference to a European discourse on civilization; see: Duara, "The Discourse of Civilization and Decolonization," 1–2; See also: Duara, "The Discourse of Civilization and Pan-Asianism."
7. Buzan and Little, "The Historical Expansion of International Society," esp. 60–64; Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society," esp. 840–844 For guidance on my use of the terms 'orthodox,' 'critical,' and 'second-gener-ation' in the context of English School literature on the subject of expan-sion, see Preface section, "Classification and Caricature."
8. See Preface, endnote 5.
9. Broadly speaking I refer to: (1) colonialism as a form of domination that is undertaken by one society over another through the direct appropriation of territory; and (2) imperialism as a form of domination that is undertaken by one society over another through direct and indirect methods of con-trol. In both cases, colonialism and imperialism are undertaken for the purpose of advancing the interests of the dominant society through the exploitation of the subordinate society. For a wider discussion of colonial-ism and imperialism (from which the preceding definitions have been influ-ence by); see: Jürgen Osterhammel, *Colonialism: A Theoretical Overview*, trans. Shelley L. Frisch, 2nd Markus Wiener Publishers Edition (Princeton: Markus Wiener Publishers, 2005), esp. Chapter 1.
10. Bhambra, "Talking among Themselves?"; Bhambra, "Historical Sociology, International Relations"; Bhambra, *Rethinking Modernity*; Subrahmanyam, *Explorations in Connected History: From the Tagus to the Ganges*; Subrahmanyam, *Explorations in Connected History: Mughals and Franks*; Subrahmanyam, "Connected Histories: Early Modern Eurasia."
11. Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: Chapter 1.
12. For a wider discussion of the Eurocentric and racist origins of international theory, see: Hobson, *The Eurocentric Conception of World Politics*.

13. Andrew Phillips, "Civilising Missions and the Rise of International Hierarchies in Early Modern Asia," *Millennium: Journal of International Studies* 42, no. 3 (June 2014): 699; Here, Phillips is referring to the idea of civility in Erasmus' *De civilitate morum peurilium*, 1530, noted in: Norbert Elias, *The Civilizing Process: Sociogenetic and Psychogenetic Investigations*, ed. Eric Dunning, Johan Goudsblom, and Stephen Mennell, trans. Edmund Jephcott, Revised Edition (Malden: Blackwell Publishing, [1939]2000).
14. Phillips, "Civilising Missions and the Rise of International Hierarchies in Early Modern Asia," 699–700, 700.
15. Duara, "The Discourse of Civilization and Decolonization," 1.
16. Ibid., 1–2.
17. Bowden, *The Empire of Civilization*, 23.
18. Bowden elaborates on the sociopolitical character of civilization, and its association with notions of progress, with specific reference to its origins in the French, English and German languages (though an important distinction is drawn between the terms "kultur" and "zivilisation" in German); see: Ibid., esp. Chapters 2 & 3.
19. Citing Jean Starobinski, Bowden refers us to the Trévoux *Dictionnaire universel*, 1743, which defined *civilisation* in the following way: "Term of jurisprudence. An act of justice or judgement that renders a criminal trial civil. *Civilisation* is accomplished by converting informations (*informations*) into inquests (*enquêutes*) or by other means [italics in the original]." Quoted in: Ibid., 26; As a point of note, Elias associates the origins of the term *civilisation* with the work of the elder Mirabeau, but acknowledges that "perhaps it had previously existed in conversation." See: Elias, *The Civilizing Process*, 35.
20. Inayatullah and Blaney, *International Relations and the Problem of Difference*, 1:esp. 42–51.
21. For a similar argument that engages critically with orthodox accounts of China and Japan's 'entry' into international society, see: Suzuki, *Civilization and Empire*.
22. Osterhammel, *Colonialism*, 20.
23. Ibid., 20–21; Of note, Osterhammel refers us to a third form of control, "Non-colonial 'determinant' influence", whereby "the economic superiority of the stronger national partner or of its private enterprise […] and/or its military protective function confers upon it opportunities to influence the politics of the weaker partner that its 'normal' neighbors do not possess." See: Ibid., 21.
24. Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37:esp. Chapter 1; Bowden, *The Empire of Civilization*, esp. 112–117.
25. Gong, *The Standard of 'Civilization' in International Society*.

26. On this point, Bowden draws our attention to the disciplinary function of anthropology and ethnology in supporting an association between a European discourse on civilization, sociopolitical organization, and progress; see: Bowden, *The Empire of Civilization*, esp. 53–59.

27. Quoted in: David Long, "Paternalism and the Internationalization of Imperialism: J.A. Hobson on the International Government of the 'Lower Races,'" in *Imperialism and Internationalism in the Discipline of International Relations*, ed. David Long and Brian C. Schmidt, SUNY Series in Global Politics (Albany: State University of New York Press, 2005), 76.

28. For a handful of works that explore the persistence of civilizational discourses in international relations, see: Anghie, *Imperialism, Sovereignty and the Making of International Law*; Bowden, *The Empire of Civilization*; Gong, *The Standard of 'Civilization' in International Society*; Hobson, *The Eurocentric Conception of World Politics*; Inayatullah and Blaney, *International Relations and the Problem of Difference*; Suzuki, *Civilization and Empire*.

29. Andreas Osiander, "Sovereignty, International Relations, and the Westphalian Myth," *International Organization* 55, no. 2 (Spring 2001): esp. 260–268; For a number of critical reflections on the conventional account of the Peace of Westphalia, see: Benjamin de Carvalho, Halvard Leira, and John M. Hobson, "The Big Bangs of IR: The Myths That Your Teachers Still Tell You about 1648 and 1919," *Millennium: Journal of International Studies* 39, no. 3 (May 2011): 735–758; Siba N. Grovogui, "Regimes of Sovereignty: International Morality and the African Condition," *European Journal of International Relations* 8, no. 3 (September 2002): 315–338; Inayatullah and Blaney, *International Relations and the Problem of Difference*, 1:esp. Chapter 1; Kayaoglu, "Westphalian Eurocentrism in International Relations Theory"; Keene, *Beyond the Anarchical Society*, esp. 18–22; Stephen D. Krasner, "Compromising Westphalia," *International Security* 20, no. 3 (Winter/96 1995): 115–151; Sebastian Schmidt, "To Order the Minds of Scholars: The Discourse of the Peace of Westphalia in International Relations Literature," *International Studies Quarterly* 55, no. 3 (September 2011): 601–623; Benno Teschke, *The Myth of 1648: Class, Geopolitics, and the Making of Modern International Relations* (London: Verso, 2003).

30. Barry Buzan and Richard Little, "Why International Relations Has Failed as an Intellectual Project and What to Do About It," *Millennium: Journal of International Studies* 30, no. 1 (January 2001): 24–28.

31. Kayaoglu, "Westphalian Eurocentrism in International Relations Theory," 196, esp. 193–197.

32. Sanjay Seth, "Postcolonial Theory and the Critique of International Relations," *Millennium: Journal of International Studies* 40, no. 1 (September 2011): 171, esp. 168–174.

33. Suzuki, *Civilization and Empire*, 7, esp. 20–25.

34. In what follows, I critique key texts authored/edited by Bull and Watson, respectively and jointly, including *The Expansion of International Society*. It is acknowledged that a critique of this nature risks generalizing the arguments and positions of a large number of contributors to that edited collection. Thus, the critique is primarily focused on the chapters individually and co-authored by Bull and Watson, with references to others being used to highlight key points of critique.

35. Here I am specifically referring to the third edition of *The Anarchical Society*; see: Bull, *The Anarchical Society*.

36. These references to the Peace of Westphalia, as identified by the index of the first edition of *The Expansion of International Society*, appear in chapters written by Bull, Ali Mazrui, and Watson, respectively. See: Hedley Bull, "European States and African Political Communities," in *The Expansion of International Society*, ed. Hedley Bull and Adam Watson (Oxford: Clarendon Press, 1984), 111; Ali Mazrui, "Africa Entrapped: Between the Protestant Ethic and the Legacy of Westphalia," in *The Expansion of International Society*, ed. Hedley Bull and Adam Watson (Oxford: Clarendon Press, 1984), 296, 305, 306; Adam Watson, "European International Society and Its Expansion," in *The Expansion of International Society*, ed. Hedley Bull and Adam Watson (Oxford: Clarendon Press, 1984), 27.

37. Adam Watson, *The Evolution of International Society: A Comparative Historical Analysis*, 2nd ed. (London: Routledge, [1992] 2009), 195; One of Watson's main sources of concern in *The Evolution of International Society* was understanding how different regions of the world similarly experienced systems characterized by an oscillation between hegemony on the one hand, and multiple independencies on the other hand. It is in this vein that he views the Peace of Westphalia; specifically, as a movement towards the latter in Europe (albeit, a movement that was not permanent). See: Ibid., esp. Chapter 17.

38. Hedley Bull, "The Importance of Grotius in the Study of International Relations," in *Hugo Grotius and International Relations*, ed. Hedley Bull, Benedict Kingsbury, and Adam Roberts (Oxford: Clarendon Press, 1990), 75–76.

39. Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society," 841.

40. Brunello Vigezzi, "The British Committee and International Society: History and Theory," in *Guide to the English School in International*

*Studies*, ed. Cornelia Navari and Daniel M. Green, Guides to International Studies (Chichester: Wiley Blackwell, 2014), esp. 51–52.

41. Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society," 841.

42. Citing the work of Ian Clark, Carsten-Andreas Schulz makes an important distinction on this point; "Eurocentrism as a theory of history should not be confused with Eurocentricity as neglect of the non-European world. It is simply not the case that the English School has failed to engage with colonialism and its historical legacy." See: Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society," 843; See also: Ian Hall, "The Revolt against the West: Decolonisation and Its Repercussions in British International Thought, 1945–75," *The International History Review* 33, no. 1 (March 2011): 43–64.

43. Pearcey, "A Case of Exclusion by Inclusion," esp. 441–444.

44. Bull and Watson, "Introduction," 2.

45. Hobson, *The Eurocentric Conception of World Politics*, 225; For a wider discussion on the influence of Asia in the makings of Europe, and contemporary international relations, see: Hobson, *The Eastern Origins of Western Civilisation*.

46. Hedley Bull, "The Emergence of a Universal International Society," in *The Expansion of International Society*, ed. Hedley Bull and Adam Watson (Oxford: Clarendon Press, 1984), 123; See also: Richard Little, "Reassessing The Expansion of the International Society," in *System, Society & the World: Exploring the English School of International Relations*, ed. Robert W. Murray (Bristol: e-International Relations, 2013), 20.

47. Bull, "The Emergence of a Universal International Society," 124.

48. As Kayaoglu points out, non-Europeans remain in a subordinate position to the Western members of international society even after their entry, staying in a perpetual state of 'catch-up.' See: Kayaoglu, "Westphalian Eurocentrism in International Relations Theory," 195–196.

49. Bull, *The Anarchical Society*, 65.

50. Ibid., 21.

51. Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society," 842; See also: Shogo Suzuki, "Japan's Socialization in Janus-Faced European International Society," *European Journal of International Relations* 11, no. 1 (March 2005): esp. Chapter 1.

52. Hobson, *The Eurocentric Conception of World Politics*, 227.

53. Suzuki, *Civilization and Empire*, esp. Chapter 1.

54. The relationship between disorder, justice, and the entry of non-European societies into international society, especially in the mid-twentieth century,

is a point of interesting debate. For example, the extent to which the entry of non-Europeans into international society actually undermined order through the destabilization of normative content of European international society and its institutions remains open to interpretation. For a number of perspectives, see: Hedley Bull, "The Revolt Against the West," in *The Expansion of International Society*, ed. Hedley Bull and Adam Watson (Oxford: Clarendon Press, 1984), 217–228; For a number of perspectives, see: Ibid.; Hedley Bull and Adam Watson, "Conclusion," in *The Expansion of International Society*, ed. Hedley Bull and Adam Watson (Oxford: Clarendon Press, 1984), 425–435; Hall, "The Revolt against the West: Decolonisation and Its Repercussions in British International Thought, 1945–75"; Stanley Hoffman, "Hedley Bull and His Contribution to International Relations," *International Affairs* 62, no. 2 (Spring 1986): 179–195; Elie Kedourie, "A New International Disorder," in *The Expansion of International Society*, ed. Hedley Bull and Adam Watson (Oxford: Clarendon Press, 1984), 347–355; Hidemi Suganami, "British Institutionalists, or the English School, 20 Years On," *International Relations* 17, no. 3 (September 2003): 253–271.

55. Seth, "Postcolonial Theory and the Critique of International Relations," 171.
56. Epp, "At the Wood's Edge," 312.
57. Ibid.
58. Quoted in: Vigezzi, "The British Committee and International Society," 51.
59. Bull, *The Anarchical Society*, 68.
60. Ibid., esp. 57–62.
61. Shaw, *Indigeneity and Political Theory*, 1: 62.
62. See Preface, endnote 12.
63. Niezen, *The Origins of Indigenism*, 148.
64. Within the United Nations system, for example, achievements include the establishment of the Permanent Forum on Indigenous Issues, two *International decades of the World's Indigenous People*, and the *Declaration on the Rights of Indigenous Peoples.* The successes and limits of indigenous transnationalism are discussed in more detail in Chap. 5.
65. Beier, "Indigenous Diplomacies as Indigenous Diplomacies," 2; Beier makes this statement in the introduction to an edited collection, with the purpose of contextualizing the perspectives of its authors; see: Beier, *Indigenous Diplomacies.*
66. Geeta Chowdhry and Sheila Nair, "Introduction: Power in a Postcolonial World: Race, Gender, and Class in International Relations," in *Power, Postcolonialism and International Relations: Reading Race, Gender and Class*, ed. Geeta Chowdhry and Sheila Nair, vol. 16, Routledge Advances in International Relations and Global Politics (London: Routledge, 2004), 2.

67. Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: 11.
68. Bowden, *The Empire of Civilization*.
69. Niezen, *The Origins of Indigenism*, 147 Niezen made this comment over a decade ago. With the adoption of the Declaration on the Rights of Indigenous Peoples in 2007 (discussed in Chap. 5), I believe it reasonable to conclude that this type of indigenous engagement at the international level has become an 'established', as opposed to an "emerging" form of resistance.
70. Gong, *The Standard of 'Civilization' in International Society*, 14.
71. Ibid., Chapter 5; Gerrit W. Gong, "China's Entry Into International Society," in *The Expansion of International Society*, ed. Hedley Bull and Adam Watson (Oxford: Clarendon Press, 1984), 171–183.
72. For a few of other views on the work of Gong, similar to my own, see: Bowden, *The Empire of Civilization*, esp. 104–106; Hobson, *The Eurocentric Conception of World Politics*, esp. 227–228; Suzuki, *Civilization and Empire*, esp. 17–18.
73. Inayatullah and Blaney, *International Relations and the Problem of Difference*.
74. Dipesh Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference*, Princeton Studies in Culture/Power/History (Princeton: Princeton University Press, 2000).
75. Hobson, *The Eurocentric Conception of World Politics*; See also: Hobson, *The Eastern Origins of Western Civilisation*.
76. Martin Wight, *International Theory: The Three Traditions*, ed. Gabriele Wight and Brian Porter (New York: Holmes & Meier, 1992), esp. Chapter 4; For a much wider discussion of Wight and his work, see: Ian Hall, *The International Thought of Martin Wight*, Palgrave Macmillan History of International Thought (New York: Palgrave Macmillan, 2006).
77. Keene, *Beyond the Anarchical Society*, 7.
78. Suzuki, *Civilization and Empire*.
79. Buzan and Lawson, *The Global Transformation*, 135: 1.
80. Here, I am referring to two works in particular; see: Buzan, *From International to World Society?*; Keene, "The Standard of 'Civilisation', the Expansion Thesis and the 19th-Century International Social Space."

# Theoretical Framework

Sovereignty has been a major point of interest for scholars of international relations who have until recently, and quite uncritically, traced its inception to the Peace of Westphalia, 1648. Indeed, sovereignty remains a hallmark of disciplinary concern, a hallmark that is justified by historical precedents set in Europe. As was discussed at length in the Introduction, this is also true of the English School, which has imbued the concept of international society and the institution of sovereignty with a normative argument around the ordering effects of a society of sovereign states. Accordingly, the orthodox account tends to downplay the colonial and imperial constitution of this society.[1] Instead, it describes a process that resulted in the projection of sovereignty into the non-European world, establishing the conditions for order, and, in the process, valorizes the role of Europe through a "normative hierarchy."[2] In light of this, it is of little surprise that the English School has traditionally focused its attention on international society. While it is true that Bull made a point of noting that the society of states was only one possible configuration for order in world politics, the normative value attached to that concept implies its importance for disciplinary study. Why study the complex and confusing concept of world society when the primary and existing means for order— and potentially justice—is the society of states?

In general, world society has played more of an ancillary role in the English School, such as helping clarify the meaning and purpose of

international society, as well as providing the English School its normative thrust.[3] For example, the role it plays in the work of Bull, who understood the value of international society to be not only its ability to generate international order but the role of that order in allowing for advancement of humankind (presumably, a type or component of world society).[4] In addition to teasing out the more normative dimensions of English School theory, a more sustained engagement with world society is important for two interrelated reasons: first, because it holds the potential for a deeper engagement with other societal forms (i.e., societies that do not necessarily conform to the Westphalian model) and second, because an engagement with these alternative forms allows for a richer analysis of the relations between state and non-state societies. In these and other respects, scholars have begun to propose a variety of ways to advance the study and/or application of the world society concept. These efforts have ranged in scope from redefining its analytical parameters to more conceptual attempts at defining its institutions.[5] It is by way of the former, however, that the book grounds its theoretical framework, specifically through the use of analytical concepts that take seriously the interrelationship between international and world society, and allows for a cross-theoretical dialogue between the English School and postcolonial theory to proceed. Indeed, it is through a more comprehensive engagement with world society—along the lines proposed below—that a basis is established to reflect on the indigenous political histories that were so central to the story of international society's evolution and expansion. And, as is suggested in the chapters to come, the implications of that dialogue are important not only for the English School's account of the evolution and expansion of international society but also for disciplinary debates about contemporary institutions and their Eurocentric frame of reference (e.g., some scholars argue that conventional understandings of sovereignty are narrow, and ignore the historical context in which their meaning was constituted).[6] Accordingly, this chapter proceeds first by establishing the analytics of the book, with a view to better engaging with a European discourse on civilization and the historical relations between indigenous peoples and international society. Building on the work of Buzan and Keene, respectively, it tenders a set of analytical concepts that draw attention to the interrelations between state and non-state societies operating within a global space. With the analytics of the book established, the chapter describes a cross-theoretical dialogue between the English School and postcolonial theory in four stages: establishing and acknowledging its precedents, describing how it is applied in this book,

detailing its methodology as the telling of a "connected history,"[7] and briefly explaining the ethos of the approach taken in this book. Finally, the chapter concludes by setting out three of the book's main objectives (these objectives are later elaborated as 'implications' in Chap. 6).

## CIVILIZATION AND ENGLISH SCHOOL ANALYTICS

Above it was asked: Why study the complex and confusing concept of world society when the primary and existing means for order—and potentially justice—is the society of states? The answer to that question rests—at least partially—in a European discourse on civilization and its role in defining the constitutive outside of international society. Within the English School, civilization has been primarily discussed as a value-based standard that has played a determining role in the inclusions and exclusions of international society. For example, Gong's analysis of the standard of civilization is one that details the function of a civilizational standard in defining the boundaries of membership in the society of states. As such, it was mostly concerned with the degrees to which non-European countries conformed to a European-derived standard of civilization to be included within the society of 'civilized' states. Thus, it was interested in how the norms, values, and institutions of international society defined relations between the established and 'aspiring' members of international society, ultimately leading to the broadening of its membership. What Gong was largely silent on was how that inside-outside dichotomy resulted in the exclusion of peoples that did not conform to European forms of sociopolitical organization, and/or had been engulfed by the expansion of European empires because of civilizing missions. In that respect, *The Standard of 'Civilization' in International Society* speaks to a very particular aspect of a European discourse on civilization. The problem is that the European discourse on civilization that propelled centuries of colonial and imperial expansion was much more complex than a focus on the standard of civilization allows. To begin, a European discourse on civilization evolved over the course of European expansion, though it remained closely linked—as Bowden observes—to European forms of sociopolitical organization and associated views on progress.[8] And, while it is true that the criteria of the standard of civilization established boundaries between inside and outside, these boundaries were never so clear-cut as might be implied by the criteria of the standard of civilization alone.[9] Far from it, clear-cut boundaries between inside and outside, Self and Other, were

often the exception rather than the norm. As will be described, this is especially true for the relations between indigenous peoples and international society, the former being much more engaged in the global space than is usually discussed (even when they were being actively marginalized from it). In that respect, traditional renderings of a European discourse on civilization obscure a more complicated matrix of relations between state and non-state societies. Indeed, the consolidation of a state-based society did not so much rely on clear-cut distinctions between Self and Other, as it did on a civilizational hierarchy that stratified the global space.[10] It was this conceptual move that helped enable imperial expansion. By blurring the lines between Self and Other, members of a European international society established a basis to 'include' Others within their expanding boundaries, thereby leading to the social, cultural, economic, and political exclusion of the Other as it was subsumed within the Self.

Why then is this important for the concept of world society and the analytics of this book? As I have suggested, a European discourse on civilization highlights a complex web of relations between state and non-state societies at the global level—a web of relations defined by the exercise of power in all its manifestations. Detailing the relations within this web becomes almost impossible when the concept of world society is spoken of in a multiplicity of ways that blend analytic differentiations with philosophic premises; indeed, "[w]orld society remains something of an analytical dustbin."[11] Thus, I use the concept of world society to refer, quite simply, to the realm of non-state actors. This move follows the path set by Buzan, who proposes an analytical framework defined by three societal categories (each composed of a spectrum of societal types based on their degree of social integration): "interstate," "interhuman," and "transnational."[12] Whereas "interstate" societies are effectively state-based ones, "interhuman" and "transnational" societies refer to two categories of non-state ones—the distinction being made to distinguish between "first-" and "second-order" societies, respectively.[13] Though this distinction does not figure explicitly in the chapters to come, it serves the more implicit purpose of analytical differentiation, which helps maintain some sense of order in the analysis. Moreover, it provokes interesting questions about the very conceptualization of indigenous peoples within this framework, helping attune the book's line of argumentation to nuances and subtleties in the constitution of a society, and the implications for its relations with others. For example, an indigenous person may understand him/herself not only to be participating in an "interhuman" society (e.g., as an individual

member of the Lakota Nation or perhaps as part of a wider community bound by *indigeneity*),[14] but also as an individual participating in a wider "transnational" society like the indigenous transnational movement, which is composed of prominent individuals, indigenous peoples and their related organizations, as well as non-indigenous allies.

Of important note, Buzan's reconceptualization of the English School framework does not end with the disappearance of international and world society altogether, as these terms are reintroduced to contextualize the dynamics between "interstate," "interhuman," and "transnational" societies. Specifically, international society reappears as an "arrangement […] where the basic political and legal frame is set by the states-system, with individuals and TNAs being given rights by states within the order defined by interstate society."[15] World society, meanwhile, reappears as an arrangement where "no one of the three domains or types of unit is dominant over the other two, but all are in play together."[16] I raise this here to acknowledge that in much of what is to follow I understand the historical relations between states and indigenous peoples to have evolved within a context that could be likened to Buzan's use of the term international society, in the sense described directly above (though the 'extension' of rights to indigenous peoples was not really witnessed until about the mid-twentieth century, as is discussed in Chap. 5). But, I do not employ this term in the same way that he does; rather, I am inclined to retain the meaning assigned to the term international society—sometimes referred to as the society of states—by Bull and Watson in *The Expansion of International Society* (see below). This is to avoid confusion with the majority of English School scholarship that has—speaking in generality—accepted their definition and to ensure consistency with the language of my main source of critique, *The Expansion of International Society.*

In addition to the above, this book conceptualizes international and world societies as operating within a much wider social structure, that is, a global space. Though the term has been employed elsewhere, I draw on it here with reference to the work of Keene. In a critique of the English School's account of the expansion, Keene observes that the story is rather narrow. As Keene points out, one of the problems with this story, for example, is its failure to recognize that a number of small but 'civilized' principalities in Europe vanished in the nineteenth century.[17] For Keene, this points to the need for rethinking the story of expansion as a story of social stratification, and on this basis, he proposes the Weberian-inspired concept "of international social space where international actors may be located in

terms of the distribution of three kinds of power, depending on their level of material capability (strength), how highly they are esteemed by others (prestige), and what legal rights they possess (authority)."[18] This concept draws attention to the constitution of social hierarchies, conditioned by material and immaterial sources of power, allowing for a reorientation in analysis toward a better understanding of social stratification. To return to my use of the term 'global space' then, it must be noted that I use it in much the same way as Keene employs the idea of "international social space." Though I remain interested in questions of inclusion and exclusion in/from international society, I follow Keene—broadly speaking—in understanding these inclusions and exclusions through a lens of social stratification within a wider global space, rather than as straightforward cases of inclusion/exclusion within/from the society of states. Where changes in terminology are concerned (i.e., the move from "international social space" to 'global space'), these changes are meant to underscore points of emphasis that I think are important for an historical analysis of the relations between indigenous peoples and international society, and not because of any substantive disagreement with the idea of "international social space." First, I employ the term 'global' instead of the term 'international' to underscore the operation of intersocietal relations occurring between state and non-state societies at and through the domestic and international levels. Given the longstanding association of the term international with interstate politics, reference to the global reminds us that indigenous peoples are self-determining peoples, whose 'domestic' relations with(in) settler states are a form of "inter-national affairs."[19] Second, I drop the term social to emphasize the fact that the sources of power in a global space define not only social hierarchies but cultural, economic, political, and legal ones as well, amongst others (as I believe is implied in Keene's use of the term 'social').[20] With this in mind, and for the purpose of clarity, I present a series of definitions below to clarify the usage of these terms in this book before turning my attention to a cross-theoretical dialogue between the English School and postcolonial theory in the next section.

I define *international society* (sometimes referred to as a society of states) in accordance with Bull and Watson's definition, as "a group of states (or, more generally, a group of independent political communities) [… that] have established by dialogue and consent common rules and institutions for the conduct of their relations, and recognize their common interest in maintaining these arrangements."[21]

I define *world society* as the realm of non-state societies. This analytical concept can be further subdivided in line with the work of Buzan, who distinguishes between "interhuman" and "transnational" societies.

I define *global space* in a similar way as Keene refers to an "international social space" in which social hierarchies are forged and conditioned by multiple sources of power. Terminological changes reflect a desire to emphasize the *global* dimensions of the concept, as well as the constitution of not just social hierarchies but also cultural, economic, legal, and political ones (to name a few). It is within the global space that international (state) and world (non-state) societies operate.

## A Cross-Theoretical Dialogue

### *Precedents*

The idea of a cross-theoretical dialogue between international relations' theoretical traditions is not new and has received attention in recent years.[22] Amongst the most influential proposals for such a dialogue are those from scholars influenced by Critical theory. For example, Andrew Linklater proposed the idea of a wider disciplinary engagement with issues of inclusion and exclusion in international relations—with Critical theory playing a key role in the development of such a framework.[23] The challenge with such a framework, as premised in Critical theory, is the inadvertent risk of conditioning it with Western biases when the objective is to affect some sort of emancipatory aim for the marginalized. Critical of Linklater (and the wider project of Critical theory as a whole), Beate Jahn argues that the terms proposed by such an emancipatory project can reinscribe and universalize liberal political values (values that played a role in Europe's imperial expansion).[24] This is important for what it says about the Western-liberal biases that are so often couched in the language of emancipation—for example, it should be recalled that civilizing missions were premised on the idea that they could promote the betterment of uncivilized peoples. Thus, while the cross-theoretical dialogue I describe below is indebted to earlier calls for an intertheoretical dialogue on the question of insider-outsider relations, its aim is much more modest: to leverage the collective insights of the English School and postcolonial theory to perform a critical historical analysis of the relations between indigenous peoples and international society. In that respect, it does not set out an emancipatory agenda; instead, it is concerned with using the

collective insights of these approaches to scrutinize the orthodox account of the evolution and expansion of international society, and in that small way to broaden and hopefully help decolonize our understanding of this story to some extent.

With that in mind, it should be acknowledged that the English School and postcolonial theory could be understood as mutually antagonistic, as they have historically tendered two very different accounts of the evolution and expansion of international society. On the one hand, the English School has, to varying degrees and depending on the scholar, valorized Europe's expansion by associating it with the projection of world order through the consolidation of a European international society. From that perspective, it was the expansion of a once regional society of European empires that projected the stabilizing effects of sovereignty into the non-European world. On the other hand, postcolonial scholars have argued that it is a consequence of that expansion that contemporary power imbalances, ones that privilege Western states, currently exist. Focusing on the constitution of a Self–Other dichotomy—between Western and non-Western societies—postcolonial scholars tend to engage in research on the role of discursive and material power in constituting postcolonial legacies. From the perspective of postcolonial theory, the evolution and expansion of international society is better conceptualized as a centuries-long process marked by the exercise of European power in excluding non-Western peoples from equal participation at the international level (a situation that persists because of colonial legacies embedded within today's institutions, organizations, and practices). In light of these two very different accounts of the evolution and expansion of international society, it is acknowledged that a cross-theoretical dialogue between the English School and postcolonial theory could appear at best unconventional and at worst contradictory.

Leaving competing accounts of the evolution and expansion of international society aside, for the moment, there is no reason to assume that these two approaches to the study of international relations need to be in a constant state of struggle. Both share a common interest in the historical origins of international relations and their legacies for contemporary practice, as well as a concern with the institutions that define social relations between actors. In fact, noting the work of Edward W. Said (amongst other postcolonial scholars), Buzan and Lawson indicate that their *The Global Transformation: History, Modernity and the Making of International*

*Relations* "is written within the spirit of coeval histories," producing a more comprehensive account of modernity and its historical origins in the nineteenth century.[25] In my view, cleavages that do exist are not an inherent problem with the analytics or interests of these approaches, but rather have to do with the legacies of Eurocentric biases associated with the orthodox account; biases that have marginalized the role of non-Western societies operating within the global space (largely as a consequence of not conforming to the Westphalian model). Importantly, however, recent English School scholarship has begun to make important revisions to the orthodox account, opening a space for thinking through the relations between Western and non-Western societies. And, while critical English School accounts do not all claim to use postcolonial theory, it is clear that they incorporate non-Western political histories in ways that share affinities with postcolonial research. In that respect, the cross-theoretical dialogue described here builds on an already existing body of literature. Though I certainly do not want to put words in their mouths, Keene's critical engagement with European imperialism and the constitution of international order(s) stands as one good example,[26] while Suzuki's engagement with "Janus-faced European international society" and the effects of its civilizing missions on the international socialization of China and Japan stands as another.[27]

Here, it is acknowledged that such an approach could remain problematic—not least because the concept of international society is steeped in problematic assumptions about imperialism and world order. Speaking to issues of race in international relations theory, for example, Siba N. Grovogui rightly observes that, "[u]nderneath the radicalism of today's theorists of international society, civil society, and human rights lie disturbing silences, banalizations, and erasures."[28] Indeed, Grovogui draws our attention to the imbrication of racial assumptions with international relations theory, such as the way 'black' Africa has become "the symbol of international dysfunction."[29] Grovogui's concern underlines the very need for a more sustained engagement with the colonial past, as well as the need to engage critically with a body of literature that perpetuates its assumptions. Though it might seem contradictory (given some of Grovogui's principal criticisms are directed at the English School), I would suggest that it also underscores the need for a dialogue between the English School and postcolonial theory. If orthodox accounts of international society are marked by "silences, banalizations, and erasures"

(which I do believe they are), then there is a dire need to address these problems through the incorporation of insights from other perspectives. And, because postcolonial theory places a central focus on understanding the legacies of colonialism and the expansion of European empires (the very side of international society's history that the English School overlooks), postcolonial theory seems especially well suited for this task. In fact, for some theorists, postcolonial accounts of international society are not necessarily at odds with the interests of English School theory. Epp, for example, reflects on the work of the English School, noting a particular concern on the part of Wight to engage with insider-outsider relations,[30] as well as noting the seeds of the English School's wider "critical potential" in its hermeneutics.[31] Similarly, Timothy Dunne observes that such issues of "culture and identity" are not foreign to the English School, as evidenced again by Wight, whose work resonates with postcolonial scholars like Said and Tzvetan Todorov.[32] Admittedly, English School inquiries of these kinds have been relatively few and far between, and have tended to be more exploratory than comprehensive. But, the combined works of scholars like Buzan and Lawson, Dunne, Epp, Keene, Suzuki and Wight (amongst others, such as Keal)[33] represent sites for a more sustained and engaging dialogue between the English School and postcolonial theory. Below, I set out to continue building that dialogue by describing and outlining how one can operate through an analytical framework that takes seriously non-state societies. In fact, it suggests that the (re)integration of non-state societies into the English School framework—via the concept of world society—leads toward a more critical English School that takes seriously postcolonial theory and the relationship between state and non-state societies in the constitution of the global space.

## *Application*

As described above, this book proceeds through an analytical framework that takes seriously the concepts of international and world society (the latter referring to "interhuman" and "transnational" societies), operating within a global space. Central to this framework, as well as to the wider English School, is the role of institutions in shaping relations between actors. Conventionally, English School scholarship has focused its attention on the degree to which these institutions facilitate order and justice by regulating the behavior of international society's members. For example, Bull drew a connection between international society's five main

institutions and the creation of world order (via international order); those institutions being "the balance of power, international law, the diplomatic mechanism, the managerial system of the great powers, and war."[34] By (re)integrating non-state societies into the English School framework, a basis is established to broaden and deepen English School interpretations of these and other institutions through a more comprehensive engagement with the relations(hips) between state and non-state societies. The approach being proposed here can thus be conceptualized as a natural by-product of taking seriously the world society concept according to the terms outlined above. And, importantly, the critical insights generated by this approach need not be perceived as inimical to the more conventional interests of the English School, but rather be thought of as an important corrective to longstanding dogmas. Indeed, the (re)integration of non-state societies draws attention to the trappings of an approach that has for too long fixated on the intrasocietal relations between the members of international society, by broadening analysis to include the intersocietal relations between state and non-state societies alike (as well as those between non-state societies themselves). While the critical insights generated by such an approach may well-destabilize assumptions about the role of international society and its institutions in creating world order, they do not imply throwing the baby out with the bathwater. English School research into the role of institutions has provided important insights into the social behavior of international society. And recently, this has been used to push the English School down a more critical path. As is being suggested then, the (re)integration of the world society concept can help revise orthodox accounts of the evolution and expansion of international society by drawing attention to the relationship between state and non-state societies in the historical constitution of contemporary institutions and the social content of the wider global space.

With that in mind, I would suggest that the English School has until quite recently tendered a fairly limited account of power in the making of contemporary institutions. While the orthodox English School has certainly dealt with the power of institutions to constrain and facilitate state behavior in the creation of world order, it has said much less about the discursive side of their historical constitution. That is to say that contemporary institutions are effectively described as originating in Europe (again, note here a connection to the Peace of Westphalia), and later being adopted by non-Europeans. In this way, institutions are treated as endogenous to Europe, and their internationalization relies mainly on the material power

of Europe to impose them on non-European countries, or on the good sense of non-Europeans to accept and adopt them as necessary features of modernity and life in the ranks of international society.[35] Again, this is not to suggest that members of the English School were not concerned with the social dynamics of international society's members (as is made quite clear by the fact that it is social relations that bind the society of states together). Wight, for example, was concerned with relationships of power involved in insider-outsider relations in his "theory of mankind."[36] Moreover, Gong was interested in the role of civilization in demarking the boundaries of international society through a standard of civilization.[37] Nevertheless, the discursive side of power is downplayed in favor of understanding the conditioning effects of material power in the constitution of institutions. While this certainly tells us one part of the story, it says rather little about another; specifically, it says much less about the role of institutions as the crystallizing effects of social discourses centered on attributes of identity. It is in this respect that postcolonial theory can help push the English School toward a more critical account of the institutions that define international behavior and the relations between state and non-state societies in the global space.

In the view of Geeta Chowdhry and Sheila Nair, "a postcolonial understanding of power in IR [international relations]" is one concerned with "representation and cultural politics, resistance and agency, and the intersections of race, gender, and class."[38] Such an approach draws our attention to the constitution of Self–Other identities and the implications of this, such as its legacies for international relations today. For example, Said demonstrated how Europeans constructed an exotic image of the 'Orient'; an image that supported a European conceptualization of the Self, as well as its imperial behavior in the East.[39] Such an approach does not jettison the material dimensions of power; rather, it enables a deeper understanding of the relationship between power's discursive and material dimensions. Because of its sometimes-close relationship with poststructural theory, postcolonial approaches have come under critique for overemphasizing the discursive dimensions of power at the cost of a deeper engagement with material realities (e.g., Marxists have argued that too strong a focus on such things as discourse can obscure postcolonial theory from a better understanding of global disparities in material wealth).[40] Although these critiques point to an important issue in the history of colonialism (the military and economic forces applied by expanding empires), they do not take full account of the connection postcolonial theory can make between the discursive and material exercise of

power and the historical legacies of the exercise of power for the theory and practice of international relations today. To return to the institutions of international society then, postcolonial insights into the colonial exercise of discursive and material power, as well as their legacies, establish a basis for thinking critically through the constitution of institutions. These insights are used in the chapters to come to better understand the evolution and expansion of international society, as well as helping us to better understand how power, in the words of Shilliam, "ha[s] been incorporated, appropriated, resisted and/or transformed in […] 'target' societies."[41]

Thus, whereas the (re)integration of the world society concept allows for a more detailed analysis of the evolution and expansion of international society and its institutions, which takes stock of the relations between state and non-state societies, the introduction of a postcolonial account of power enables a much deeper analysis of the historical constitution of these institutions, as well as their implications and legacies. As it pertains to material power, this approach draws attention to the role of discursive power in delineating an inside from an outside, which can in turn be used to justify the exercise of material power to civilize the uncivilized, thereby enabling long-term legacies in the theory and practice of international relations.

### *Methodology*

On a superficial level, a cross-theoretical dialogue between the English School and postcolonial theory, on the issue of methodology, might seem uncontroversial. Both view history as a central component to fostering our understanding of contemporary international relations, and both have—to lesser and greater degrees—challenged the methodologically driven approaches of behavioralists who understand the international system in more mechanistic terms. But as has been noted above, both tender very different accounts of the history of international relations, differences that I would suggest can be accounted for, in part, because of competing methodological approaches.

To begin, it would not be a stretch to conceptualize the orthodox account of the evolution and expansion of international society (at least from the vantage point of postcolonial theory), as one that perpetuates a universal account of modernity, specifically one that subsumes the non-Western Other within a Western developmental frame of reference.[42]

Here, I am thinking of the rather sudden appearance of non-Western peoples as agents in the orthodox account, that is, during the decolonization period, at which point they appear as newly independent states (and their rather marginal role in the story of international society before that point). Non-Western societies become important to the orthodox account only once they fit within the European trajectory of sociopolitical development. In that respect, the orthodox account can be interpreted as a dominant Western narrative that sets the terms of agency in the global space through a Eurocentric discourse that downplays non-Western political histories. And, this is in part attributable to a methodological tendency to describe the developmental history of Europe as a universal narrative, one that subsumes non-European political histories within a Western frame of reference. As Chakrabarty suggests of Eurocentric histories more broadly, that is because 'Europe' is not simply a geopolitical place, but an imagined space that has merged itself with historical narratives on modernity. "Analysis does not make it go away."[43] The effects of this are manifold. Not only do Eurocentric narratives on the history of international relations marginalize the agency of non-Western societies in the constitution of international relations, they (re)produce accounts of history that obfuscate difference by transposing the Western experience onto the non-Western world.[44] With this in mind then, how can one forge ahead methodologically through a cross-theoretical dialogue between English School and postcolonial theory? As has been suggested, the orthodox account of the evolution and expansion of international society is one that universalizes a Eurocentric understanding of modernity. And, given its rather strict focus on the concept of international society, it is one that tells the story of how a once regional society of states located in Europe became a global international society. In these ways, it is an account that effaces difference by skirting not only the history of non-European societies but also the historical relations between European and non-European societies.[45] As such, the orthodox account is susceptible to critique, and is in need of revising.

The noted historian, Subrahmanyam, has advanced an important critique of approaches to world history that compartmentalize the world, limiting our understanding of the interconnections that came to constitute it. For example, Subrahmanyam draws our attention to historical ethnography, observing a relationship between the imperial project (European and non-European imperialism alike) and the classification of difference, that is, "the desire to be able to map the world in its entirety and locate

each human 'species' in its niche, and thus, *to separate the civilized from the uncivilized*, as well as to distinguish different *degrees of civilization* [my emphasis]."[46] He continues, "almost any process of early modern empire building was also a process of classification, of identifying difference either in order to preserve it […], or in order to further a *civilizing mission* of acculturation [my emphasis]."[47] The point of raising these statements here are twofold. First, it is to note the connection that Subrahmanyam draws between historical ethnography, imperialism, and civilization. This is especially relevant to this book, which seeks to better understand the colonial and imperial constitution of a European discourse on civilization, and its implications for the contemporary relations between indigenous peoples and international society. Second, it is to contextualize the orthodox English School's account of the evolution and expansion of international society as one that is similarly restrictive. That is, in the sense that it produces a Eurocentric narrative that describes a fairly straightforward view of history and details the geographical expansion of a particular society (beginning in Europe and ending with the internationalization of its institutions), ultimately producing a degree of world order through a global international society.[48] In doing so, it pays little attention to the colonial and imperial interconnections between different state and non-state societies involved in the constitution of the global space (not to mention saying very little about the interrelationship between the local and the global levels).[49]

Applied outside the discipline of history, such an approach has been applied by Bhambra. Building on the work of Subrahmanyam, Bhambra draws on "connected histories" to challenge Eurocentric conceptions of modernity, in particular, through the deconstruction of Eurocentric histories, which describe a particular vision of modernity (visions of modernity that are then used as a sort of measuring stick with which to judge and direct the development of non-Europeans without reflecting critically on their colonial and imperial constitution).[50] These deconstructive efforts are thus key to revealing colonial structures and silences in the theory and practice of international relations; however, there is another side to these efforts. As Bhambra explains, "connected histories" help us to reconstruct historical narratives:

> Connected histories and connected sociologies, together with a recognition of 'international interconnectedness', allows for the deconstruction of dominant narratives at the same time as being open to different perspectives and

seeks to reconcile them systematically both in terms of the reconstruction of theoretical categories and in the incorporation of new data and evidence.[51]

With a view to deepening our understanding of the evolution and expansion of international society, it is this simultaneous process of deconstruction and reconstruction that I find of particular value here. To be clear, I do not claim—or aim—to speak on behalf of another; nor do I try to insert the voice of an Other into the history I am about to tell. In what follows, my principle aim is to challenge orthodox renderings of the evolution and expansion of international society through a more detailed account of the colonial and imperial relations between indigenous peoples and international society, using the materials at hand. As such, the perspective being added to the story of international society is my own. But, in so doing, I am not trying to dismiss the insights of the orthodox account out of hand either, or for that matter to downplay the very important role Europe did play during the periods under consideration. Through the telling of a "connected history," my goal is to nuance the story of international society by taking stock of the colonial and imperial interconnections that constituted it. With that said, a second and related point needs to be made. Speaking as a member of the Western tradition—and for that matter, as a white man of Western European descent—there is no doubt that my telling of a "connected history" comes with the risk of reinscribing Europe as the primary agent in the history of international relations (it is also acknowledged that I work within a theoretical framework that values a degree of analytical classification [as the analytics of this book make clear]). In the chapters to follow, it is fair to say that I do see Europe, and later the West, as the most powerful agent in the constitution of the global space from the nineteenth century on—hierarchically stratifying that space along civilizational lines. However, I do not take the telling of "connected histories" to imply the denial of Europe's colonial and imperial power and/or ascendance; rather, I see them as an opportunity to critically engage with that history in a much more sustained and comprehensive fashion. Thus, the "connected history" I tell can be understood as an attempt to deconstruct and reconstruct the orthodox account (and the "theoretical categories" associated with it) with "new data and evidence." It is along these lines that I treat the core concepts, themes, and interests of the English School and postcolonial theory as complementary elements in the telling of "connected histories."

### *Ethos*

In the Introduction to *The Anarchical Society*, Bull reflects on the purpose of his study, referring to it as a pursuit "of inquiring into the subject and following the argument wherever it might lead."[52] Importantly, he qualifies this by acknowledging its relationship to "moral and political premises," noting that "I [Bull] am no more capable than anyone else of being detached about a subject such as this. But I believe in the value of attempting to be detached or disinterested."[53] On this point, I find myself in complete agreement. Indeed, Bull's point serves as a reminder that in the process of deconstructing and reconstructing knowledge (though he likely would not have used these terms), not just anything goes—a point that I would venture to say is almost universally agreed upon by all manner of international relations theorist. In that respect, important philosophical questions are raised about the reading and writing of history, in particular, the role of the reader/writer as an active subject in the constitution of history itself. Drawing on Jacques Derrida's *coup de force*, for example, Beier understands history "as a performative practice that must be reenacted in order to endure."[54] In what follows, then, readers will no doubt find points of convergence and divergence between my telling of history and their own reading of it. With that in mind, I would like to underscore that I do not seek to escape the trappings of writing/telling history, but instead seek to engage with them with an ethos of honesty. Though he advocates an "ethic of prudence," I draw this idea from James Mayall.[55] "In most human activities, the most that one can aspire to is honesty, to be true to one's experience of the external world, and to the understanding one can arrive at through its study, combined with such intuitive insights that can be gained through introspection."[56] Indeed, it is the idea of 'honesty' that guides my approach to the subject matter in this book; specifically, I seek to tell the story that I do as accurately as I can in light of the information at hand. For some, this will no doubt smack of a 'cop-out' that avoids the challenge of telling an objective history by insulating myself from critique with a shield of subjectivity. For others, it likely does not go far enough down the poststructural path (though I try to maintain a critical self-awareness of the embedded power structures that condition, and are reproduced through my own articulation of the story being told). To both groups, I concede that an ethos of honesty has its limits, but would argue that the evaluation of an "historical narrative," following Bhambra, should reside in its "*plausibility* and a relation to the conditions of the

production of history [italics in the original]."[57] It is on that basis that I hope my telling of a "connected history" is judged.

## Conclusion

Despite tendering two very different stories, the common historical interests of the English School and postcolonial theory are at least suggestive of a point of departure for a retelling of the story of international society's evolution and expansion. Broadly speaking, both draw our attention to European expansion/imperialism as a key moment in the constitution of modern international relations (though from different perspectives). While that is not to suggest that any one moment in history can or should be conceptualized as *the* origin of modern international relations, it does provide a starting point for a long-term historical analysis of the kind taken by this book. Thus, in the next chapter, I begin with the onset of Spanish colonialism in the Americas for tracing a European discourse on civilization in the relations between indigenous peoples and international society. By taking this point in time seriously, a conceptual meeting place is established for a cross-theoretical dialogue between the English School and postcolonial theory. Working through a revised set of English School analytics, I engage in a cross-theoretical dialogue to retell the story of international society's evolution and expansion by way of a "connected history" interested in the historical constitution of relations between indigenous peoples and international society (with a specific focus on the role of a European discourse on civilization). Doing so, the ensuing chapters seek to take the English School down a more critical path, and hopefully go some small way toward decolonizing international relations theory. *Where the first objective is concerned*, the application of a cross-theoretical dialogue is intended to push the English School down this more critical path by using it as a tool to deconstruct and reconstruct the orthodox account of the evolution and expansion of international society. *Where the second objective is concerned*, the ensuing chapters seek to develop our understanding of 'exclusion by inclusion,'[58] specifically the role of a European discourse on civilization in not only impeding indigenous peoples from participation within the global space but also subsuming them within the boundaries of international society. *Where the third objective is concerned*, I seek to advance the process of decolonizing international relations theory through the telling of a "connected history" that deepens our understanding of the colonial and imperial constitution of the relations between indigenous peoples and international society.

## Notes

1. For a wider discussion of how I use the terms 'orthodox,' 'critical,' and 'second-generation' in the context of English School scholarship, see Preface section, "Classification and Caricature."

2. Kayaoglu, "Westphalian Eurocentrism in International Relations Theory," 196, esp. 193–197.

3. Buzan, *From International to World Society?*, 95: 44; See also: Richard Little, "The English School's Contribution to the Study of International Relations," *European Journal of International Relations* 6, no. 3 (September 2000): esp. 411–414; John Williams, "The International Society—World Society Distinction," in *Guide to the English School in International Studies*, ed. Cornelia Navari and Daniel M. Green, Guides to International Studies (Chichester: Wiley Blackwell, 2014), 127–142.

4. Bull, *The Anarchical Society*, esp. 19–21; See also: Buzan, *From International to World Society?*, 95: esp. 35–38; Pearcey, "A Case of Exclusion by Inclusion," esp. 441–444.

5. Where the former is concerned, see: Buzan, *From International to World Society?*; Where the latter is concerned, see: Matthew S. Weinert, "World Society as Humankind," in *System, Society & the World: Exploring the English School of International Relations*, ed. Robert W. Murray (Bristol: e-International Relations, 2013), 54–57.

6. For some indigenous perspectives on sovereignty, see: Joanne Barker, ed., *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*, Contemporary Indigenous Issues (Lincoln: University of Nebraska Press, 2005).

7. See Preface, endnote 9.

8. Bowden, *The Empire of Civilization*, esp. Chapters 2 & 3.

9. In his analysis of a European discourse on civilization and the "entry" of Latin American states within international society, Schulz has made a similar point regarding "heterarchical" stratification in the nineteenth century. See: Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society," esp. 858–859.

10. The intersection between civilization, hierarchy, and social stratification has been recently taken up in detail within the June 2014 issue of Millennium: Journal of International Studies. For a selection of articles from this issue of Millennium, see: Barry Buzan, "The 'Standard of Civilisation' as an English School Concept," *Millennium: Journal of International Studies* 42, no. 3 (2014): 576–594; John M. Hobson, "The Twin Self-Delusions of IR: Why 'Hierarchy' and Not 'Anarchy' Is the Core Concept of IR," *Millennium: Journal of International Studies* 42, no. 3 (June 2014): 557–575; Keene, "The Standard of 'Civilisation',

the Expansion Thesis and the 19th-Century International Social Space"; Phillips, "Civilising Missions and the Rise of International Hierarchies in Early Modern Asia"; Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society."

11. Buzan, *From International to World Society?*, 95: 44.

12. These categories/concepts are developed in stages by Buzan; see: Ibid., 95:esp. Chapters 4 & 5; Definitions of these categories/concepts can be found here: Ibid., 95: xvii, xviii.

13. Buzan, *From International to World Society?*, 95: esp. 118–128; Definitions of these categories/concepts can be found here: Ibid., 95: xvii, xviii.

14. 'Indigeneity' is not easily defined, and speaks to the political contestation over what it means to be indigenous (as evidenced by the fact that it is commonplace at the international level to operate without a definition of the term, or perhaps a working definition only). In fact, despite its many references to the term 'indigenous,' the *Declaration on the Rights of Indigenous Peoples*, 2007, does not actually define the term; though, as Stefania Errico notes, Article 33 does make reference to the idea of self-identification. With this in mind, I understand 'indigeneity' to refer broadly to the association one makes (be it a person, people or peoples) between themselves and being indigenous. See: Stefania Errico, "The Draft UN Declaration on the Rights of Indigenous Peoples: An Overview," *Human Rights Law Review* 7, no. 4 (2007): 746; For guidance on the meaning of term "indigenous" itself, as applied at the international level, see: José Martinez Cobo, "Study of the Problem of Discrimination Against Indigenous Populations.," UN Doc. E/CN.4/Sub.2/1986/7/Add.4 (United Nations. Sub-Commission on Prevention of Discrimination and Protection of Minorities, 1986), para. 379; International Labour Organization, "Convention 169: Indigenous and Tribal Peoples Convention, 1989 (No. 169): Convention Concerning Indigenous and Tribal Peoples in Independent Countries," *International Labour Organization*, 1989, Article 1, http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169; World Bank, "World Bank Operational Manual, Operational Policy 4.10" (World Bank, 1991 Revised April 2013), para. 4, http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTOPMANUAL/0,contentMDK:20553653~menuPK:4564185~pagePK:64709096~piPK:64709108~theSitePK:502184,00.html; For a number of interesting reflections on indigenous identity, see also: Karen Engle, *The Elusive Promise of INDIGENOUS DEVELOPMENT: Rights, Culture, Strategy* (Durham: Duke University Press, 2010); Kingsbury, "'Indigenous Peoples' in International Law"; Niezen, *The Origins of Indigenism*; Shaw, *Indigeneity and Political Theory*.

15.  Buzan, *From International to World Society?*, 95: 202.
16.  Ibid.
17.  Keene, "The Standard of 'Civilisation', the Expansion Thesis and the 19th-Century International Social Space," esp. 654–657.
18.  Ibid., 653.
19.  Beier, "Inter-National Affairs."
20.  I believe this is implied based on Keene's discussion of Pierre Bourdieu and Max Weber; see: Keene, "The Standard of 'Civilisation', the Expansion Thesis and the 19th-Century International Social Space," esp. 660–663.
21.  Bull and Watson, "Introduction," 1.
22.  For a wider discussion on my views of inter-theoretical dialogue in international relations theory, see Preface section, "Towards a Cross-Theoretical Dialogue."
23.  Andrew Linklater, "The Question of the Next Stage in International Relations Theory: A Critical-Theoretical Point of View," *Millennium: Journal of International Studies* 21, no. 1 (March 1992): 77–98; See also: Andrew Linklater, *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era*, Studies in International Relations (Columbia: University of South Carolina Press, 1998).
24.  Beate Jahn, "One Step Forward, Two Steps Back: Critical Theory as the Latest Edition of Liberal Idealism," *Millennium: Journal of International Studies* 27, no. 3 (September 1998): 613–641.
25.  Buzan and Lawson, *The Global Transformation*, 135: 330.
26.  Keene, *Beyond the Anarchical Society*.
27.  Suzuki, *Civilization and Empire*
28.  Siba N. Grovogui, "Come to Africa: A Hermeneutics of Race in International Theory," *Alternatives: Global, Local, Political* 26, no. 4 (October 2001): 437.
29.  Ibid., 427.
30.  Roger Epp, "The English School on the Frontiers of International Society: A Hermeneutic Recollection," *Review of International Studies* 24, no. 5 (December 1998): esp. 56–58.
31.  Ibid., esp. 61–62.
32.  Dunne, "Colonial Encounters in International Relations," 312, esp. 313–317.
33.  Buzan and Lawson, *The Global Transformation*; Dunne, "Colonial Encounters in International Relations"; Epp, "The English School on the Frontiers of International Society"; Keene, *Beyond the Anarchical Society*; Suzuki, *Civilization and Empire*; Wight, *International Theory*, esp. Chapter 4; In my view, Keal's thoughtful engagement with the historical

relations between indigenous peoples and international society (and their bearing on the normative value of international society) speaks to the historical interests of postcolonialism, however, Keal's conclusions regarding international society are suggestive to me, at least, of a liberal orientation (that is, the capacity of international society to serve "as a standard bearer" in the advancement of indigenous rights). See: Keal, *European Conquest and the Rights of Indigenous Peoples*, 92: 223.

34. Bull, *The Anarchical Society*, 71.

35. On this point, Suzuki argues that English School accounts of the expansion have tended to adopt a structuralist perspective that escapes a more sustained engagement with the processes of socialization involved in the story of international society itself; see: Suzuki, *Civilization and Empire*, esp. 12–20; See also: Kayaoglu, "Westphalian Eurocentrism in International Relations Theory"; Turan Kayaoglu, "The Extension of Westphalian Sovereignty: State Building and the Abolition of Extraterritoriality," *International Studies Quarterly* 51, no. 3 (September 2007): 649–675.

36. Wight, *International Theory*, esp. Chapter 4.

37. Gong, *The Standard of 'Civilization' in International Society*; Gong, "China's Entry Into International Society."

38. Chowdhry and Nair, "Introduction," 10.

39. Edward W. Said, *Culture and Imperialism* (New York: Vintage, 1994); Edward W. Said, *Orientalism* (New York: Pantheon, [1978]1994).

40. Chowdhry and Nair, "Introduction," 21–22.

41. Shilliam, "The Perilous but Unavoidable Terrain of the Non-West," 24.

42. In an important contribution, Buzan and Lawson have explored the nineteenth century as a critical moment in the story of expansion and its relationship to the evolution of global modernity; see: Buzan and Lawson, *The Global Transformation*; And, in ways that share affinities with my proposal of a cross-theoretical dialogue, it should be noted here, that with a view to building a global international relations, Tickner has levied a similar critique against Westphalian origin stories more generally, and advanced the combined insights of feminism and postcolonialism toward that end. See: Tickner, "Dealing with Difference," 611–614.

43. Chakrabarty, *Provincializing Europe*, 28.

44. Bhambra, *Rethinking Modernity*; Chakrabarty, *Provincializing Europe*; Inayatullah and Blaney, *International Relations and the Problem of Difference.*

45. Inayatullah and Blaney make this argument more broadly of the international relations literature, see: Inayatullah and Blaney, *International Relations and the Problem of Difference*; For more focused critiques of the English School, see: Kayaoglu, "Westphalian Eurocentrism in International

Relations Theory"; Seth, "Postcolonial Theory and the Critique of International Relations."

46. Subrahmanyam, "Connected Histories: Early Modern Eurasia," 761.

47. Ibid.

48. Kayaoglu, "Westphalian Eurocentrism in International Relations Theory," esp. 204–209; Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society," 842–843; Suzuki, *Civilization and Empire*, esp. Chapter 1.

49. Kayaoglu similarly observes that the "Westphalian narrative," which underpins the English School, impedes a more sustained engagement with "cross-civilizational and cross-regional interdependencies." See: Kayaoglu, "Westphalian Eurocentrism in International Relations Theory," 195.

50. Bhambra, *Rethinking Modernity*; See also: Bhambra, "Talking among Themselves?"; Bhambra, "Historical Sociology, International Relations."

51. Bhambra, "Historical Sociology, International Relations," 140.

52. Bull, *The Anarchical Society*, xxxv.

53. Ibid.; See also: Hedley Bull, "International Theory: The Case for a Classical Approach," *World Politics* 18, no. 3 (April 1966): 361–377.

54. Beier, *International Relations in Uncommon Places*, 21.

55. James Mayall, "The Limits of Progress: Normative Reasoning in the English School," in *Theorising International Society: English School Methods*, ed. Cornelia Navari, Palgrave Studies in International Relations (Basingstoke: Palgrave Macmillan, 2009), 226; See also: James Mayall, *World Politics: Progress and Its Limits*, Themes for the 21st Century (Cambridge: Polity, 2000).

56. Mayall, "The Limits of Progress," 209.

57. Bhambra, *Rethinking Modernity*, 10.

58. See Preface, endnote 5.

# The Colonial Period

The influence of the Peace of Westphalia as an origin story of modern international relations is pervasive and continues to resonate throughout the discipline despite the critiques levied against it.[1] In the Introduction of this book, an association between a conventional account on the Peace of Westphalia and the orthodox account on the evolution and expansion of international society was drawn.[2] However, a wider body of scholarship has been similarly influenced by it. Indeed, the Peace of Westphalia helps order discussions around the theory and practice of international relations, despite the fact that its role in the generation of sovereignty is being increasingly called into doubt. Andreas Osiander, for example, has argued that the conventional account of the Peace of Westphalia is linked to the work of Leo Gross, who interpreted the settlement through the prism of the twentieth century.[3] That is, Gross depicted the Peace of Westphalia as a point of transition toward a system composed of juridically equal states.[4] But, as Osiander points out, Gross' claims were not supported by the textual evidence; in fact, the Peace of Westphalia "is silent on the issue of sovereignty, or, less technically, independence, of European actors."[5] Despite this, a conventional account continues to influence international relations' interpretation of the settlement today, justifying Eurocentric assumptions about the origins of world order. And, as previously discussed, it was that kind of narrative that underpinned Bull and Watson's account of the evolution and expansion of international society. With this in mind, it must be

acknowledged that there are important nuances within the English School literature on the subject. In *The Anarchical Society*, for example, Bull made distinctions between the idea of a loosely based Christian international society rooted in the work of natural law thinkers from the fifteenth to seventeenth centuries, a European international society that emerged in the eighteenth and nineteenth centuries (though he would later associate the inception of this society with the Peace of Westphalia in "The Importance of Grotius in the Study of International Relations"), and the emergence of a global (or world) international society in the twentieth century.[6] And, in Wight, we discover an even more nuanced, almost contingent interpretation of origin stories. In considering key markers with which to date the origins of the state-system—1492, 1494, and 1648—Wight observes, "the Westphalian starting-point is itself eroded by the historiographical desire to establish continuity and the tendency for 'origins' to slide ever backwards in time."[7]

Nuances and subtleties aside, the influence of a conventional account on the Peace of Westphalia has proven difficult to dislodge from disciplinary thought. Both in and outside the English School it has created a self-reinforcing logic: the Peace of Westphalia substantiates a focus on the evolution and expansion of a European international society, while the evolution and expansion of that society substantiates a focus on the Peace of Westphalia.

Critically, this logic has had considerable implications for the way the discipline of international relations conceptualizes world order, producing what Kayaoglu refers to as a "normative hierarchy."[8] And, it is through the prioritization of Europe that the orthodox English School has been able to justify its relative neglect of non-European societies as actors in the historical makings of international society (as well as the wider global space). Consequently, this has led to a good deal of Eurocentrism that has resulted in an account of the evolution and expansion of international society that is empirically thin on content, avoiding a sustained and comprehensive engagement with societal difference.[9] As it specifically relates to the orthodox account of the evolution and expansion of international society, a conventional account on the Peace of Westphalia has helped circumscribe an engagement with non-European societies. And, it is in this respect that the conventional account of the Peace of Westphalia has impeded us from a better understanding of how European colonialism helped constitute the social content of the global space, specifically through the colonial relations between European and non-European societies alike. In light of

that, this chapter embarks on the process of deconstructing and reconstructing the orthodox account of the evolution and expansion of international society. Of important note, this chapter does not seek to do away with the Peace of Westphalia as an important part of the story (or for that matter the contributions of the orthodox account); Westphalia was no small achievement in European history. What the following chapters do try to show, however, is that the social content of the global space evolved out of the interactions and interconnections between Europeans and non-Europeans alike. Thus, this chapter begins to trace a European discourse on civilization in shaping the colonial relations between indigenous peoples and international society. This is achieved in four sections. The first section issues a very brief note to readers regarding the inherent risk of telling the story I am about to, specifically the potential risk of overplaying the exclusionary aspects of colonialism as an inevitable outcome of Europe's ascendance. The second section builds on the first by detailing the role of a European discourse on civilization in substantiating Spanish colonialism in the Americas, through the work of Francisco de Vitoria (an individual whose jurisprudence, I believe, can be framed according to the "bookends" of civilization noted by Duara; see Chap. 1). The third section turns to the impact of a European discourse on civilization in a subsequent generation of European international law, in particular, the emergence of the Doctrine of Discovery. This is achieved with reference to the US Supreme Court under the leadership of Chief Justice Marshall and its decisions on a series of cases that involved the US relationship with indigenous peoples. Finally, the final section briefly concludes this chapter with a view to setting the stage for Chap. 4.

## A Note

International relations is a discipline that has come under scrutiny for universalizing Eurocentric discourses about its theory and practice.[10] That has been the case with the conventional account of the Peace of Westphalia and its implications for the theory and practice of international relations, for example, the Eurocentric assumptions embedded in the orthodox account of the evolution and expansion of international society. In problematizing these assumptions, however, a space opens for critical reflection. This is not intended to diminish the role European empires played in that history (it is worth recalling that European empires came to exercise control over vast swaths of the globe by the late nineteenth century). Rather, it

is to underscore the fact that Europe was not the only actor involved in the constitution of contemporary international relations, despite becoming the most powerful in and around the nineteenth century. European empires were by necessity engaged in relations with non-European peoples throughout the world, as they pushed their territorial boundaries outward. Accordingly, it only makes sense that the colonial relations between European and non-European societies be accounted for in a history of the evolution and expansion of international society.[11] If then we chose to challenge the Peace of Westphalia as *the* starting, where and how can we trace the historical evolution of relations between state and non-state societies?

Recognizing discourse as a source and product of power, one option is through a European discourse on civilization. That discourse did not simply appear with the articulation of the term *civilisation* in the eighteenth century, however. Rather, civilizational discourses were employed by Europeans and non-Europeans alike since early-classical times to hierarchically stratify Self and Other. In terms of where to begin then, a growing body of literature has begun pointing to the significance of Francisco de Vitoria's legal thought on the relations between the Amerindians and the Spanish.[12] And, it is here that I too begin tracing a European discourse on civilization. Before doing so, however, I would like to emphasize a couple of points. First, and as mentioned above, this decision is grounded in the assumption that a European discourse on civilization allows for a better understanding of the colonial and imperial relations between indigenous peoples and international society, and how these relations shaped the social content of the contemporary global space. In this vein, tracing the historical relations between indigenous peoples and international society through a European discourse on civilization is not being proposed as *the* origin of international relations. Rather, it is being proposed as *a* point of entry for study. Second, my account of a European discourse on civilization and its role in the exclusion of non-European societies should not be confused with the idea that non-Europeans were passive recipients of 'civilization,' or for that matter that there was anything inevitable about Europe's ascendance. The historical record shows that non-Europeans engaged in sophisticated diplomatic relations with expanding European empires to mediate conflicting interests, build alliances, and protect against territorial encroachment, amongst other purposes. For example, the indigenous peoples of North America entered into treaty relations with European powers, which implied at least some form of a nation-to-nation relationship.[13] In fact, Keal observes that the

erosion of indigenous sovereign rights was a gradual process that did not reach a peak until the emergence of positive international law in the late nineteenth century,[14] at which point Europe's imperial project was itself reaching its zenith. With that in mind, it would be difficult to deny the role of a European discourse on civilization in facilitating the marginalization of non-European peoples. The story I tell in the chapters to come is thus one which is deeply concerned with the role of a European discourse on civilization in subsuming 'uncivilized' Others into the boundaries of a 'civilized' Self. But, it is also a story of non-European agency and contestation in the constitution of the global space. In the next section, I begin to tell this story with reference to the colonial period, highlighting the role of a civilizational dialogue in being defined by, and defining the relations between the Amerindians and the Spanish, thereby setting the foundations for the evolution and expansion of international society.

## Vitorian Jurisprudence

Amongst the most important thinkers on the colonial relations between Europeans and non-Europeans was Francisco de Vitoria, who was key to defining the legal relations between the Amerindians and the Spanish. In fact, Bull refers to the work of Vitoria—amongst other natural law thinkers—in *The Anarchical Society* when he observes that his natural law framework recognized "that social bonds existed between Christians and others."[15] However, there is a more exclusionary side to Vitoria's jurisprudence, a point acknowledged by Bull who observed that natural law thinkers advanced a gradated system of law that privileged the relations between Christians.[16] And, it is this more exclusionary side of Vitoria's jurisprudence that became embedded within subsequent formulations of European international law. As Anghie observes, this is because its constitution occurred at a key moment in world history, the inception of relations between the Spanish and the Amerindians. "The essential point is that international law, such as it existed in Vitoria's time, did not *precede* and thereby effortlessly resolve the problem of Spanish–Indian relations; rather, international law was created out of the unique issues generated by the encounter between the Spanish and the Indians [italics in the original]."[17] Anghie's observation is important for the English School; if it is true that international law is a core institution of the society of states, and that contemporary international law is a descendant of the colonial relations between Spain and the Amerindians, then the relevance

of a European discourse on civilization in informing these relations is key to understanding the contemporary relationship between indigenous peoples and international society (as well as its constituent members). Indeed, Vitoria's jurisprudence helped establish the very foundations upon which legal relations between indigenous peoples and Europeans would later proceed.

It is important to recall at this stage that Vitoria's jurisprudence did not occur in a vacuum, nor was it the only source of influence on contemporary international law; rather, it informed and was informed by a wider debate occurring in Spain on the character of the Amerindians. In that respect, Vitoria's articulation of Spanish–Amerindian relations is very much part of a wider discourse on identity, hierarchy and the relationship between Self and Other.[18] For example, about 20 years after Vitoria delivered his lecture "On the Indians Lately Discovered," Bartolomé de Las Casas became a key character in the Valladolid Debate of 1550–1551. At issue in the Valladolid Debate was the treatment of the Amerindians by the Spanish. Whereas Las Casas defended the Amerindians, Juan Ginés de Sepúlveda supported Spanish colonialism through a representation of the Amerindians as uncivilized.[19] Though the outcome of the debate remains open to historical interpretation,[20] the key point is that the concepts and themes that Vitoria addressed were not restricted to him alone.[21] Rather, they are reflective of a much wider discourse on the relations between Self and Other.

In terms of how to address the question of Spanish-Amerindian relations, Vitoria proceeded through a natural law framework. In *De Indis*, Vitoria advanced a line of argumentation that confirms the rights of the Amerindians to hold title over their lands by virtue of their relative sameness to Europeans, that is, their shared ability for reason. And, it is for these kinds of reasons that Vitoria's writings on the legal relations between the Spanish and the Amerindians have been traditionally read in a positive light. But, as Vitoria's line of argumentation continues in *De Indis*, the more exclusionary implications of his inclusion of the Amerindians within *jus gentium* are teased out.[22] Indeed, by way of their inclusion within *jus gentium*, the Amerindians are entitled not only to the same rights as their Spanish counterparts but also to what are essentially the responsibilities of upholding them. Before turning to these responsibilities, it is worthwhile noting that the natural law framework Vitoria articulates is not one premised on the idea of full equality between nations. Like Bull, Wight observed that what actually appeared with the work of natural law thinkers,

especially with the later Grotius, was a system of international law that operates according to "three concentric circles": at the center, municipal law to govern the domestic affairs of the state; in the middle, *jus gentium* to govern the members of international society in their relations with one another; and at the outside, natural law to govern all humankind.[23] The issue with Vitoria is that he "confused" the outside circle with the middle circle, equating *jus gentium* with the broader natural law.[24] As is being suggested then, there is more to Vitoria's *jus gentium* than meets the eye; Vitoria's legal framework does constitute a body of international law that defends Amerindian rights, but it does so by masking its inherent gradations. This is not to condone subsequent generations of law in making these gradations more apparent (here Wight refers us to the development of nineteenth- and early-twentieth-century positive international law), but it is to suggest that the masking of these gradations also hides the simultaneous inclusion and exclusion of the Amerindians. To return to the issue of responsibilities then, we find Vitoria articulating the rights of nations under *jus gentium* to travel freely in foreign lands. As Anghie observes, the problem is the environment within which these rights are to be observed. In effect, the Amerindians must uphold these rights in spite of Spanish colonial activity, or face war on account of their failure to uphold *jus gentium*.[25] Thus, we see that this is a reciprocal right in theory, but an exclusive right of the Spanish in practice, while the responsibility to uphold it falls primarily—if not exclusively—to the Amerindians. In a manner that speaks directly to the main argument in this book, Jahn observes, "[t]he 'inclusion' of the Amerindians into humanity and the 'communication' which the Spaniards had universalised meant their 'exclusion' from any kind of equal treatment."[26]

Vitoria's *jus gentium* is thus something of a legal trap that extends rights to the Amerindians, but only on the condition that they conform to Spanish standards of behavior. In fact, Anghie has referred to Vitoria's interpretation of Amerindian identity as "schizophrenic," since the Amerindians are at once acknowledged not only to possess reason but also to deviate from "universal norms" (e.g., by way of pagan rituals involving human sacrifice).[27] While I certainly do not want to condone such things as human sacrifice, the point remains that the "universal norms" to which the Amerindians are said to be in violation of are "Spanish practices"; it is on this basis that Vitoria can then substantiate the assertion of Spanish sovereignty over the Amerindians.[28] In the case of Spain's role in the promotion of Christianity amongst the Amerindians, for example,

Vitoria writes, "brotherly correction is required by the law of nature, just as brotherly love is. Since, then, the Indians are all not only in sin, but outside the pale of salvation, therefore, it concerns Christians to correct and direct them; nay, it seems that they are bound to do so."[29] But, as noted above, even if the Amerindians were to conform to Spanish practices, the context in which the rights were to be exercised—coupled with the rights and responsibilities imposed by *jus gentium*—ensures that the Amerindians remain open for colonization.

What then does this mean for the orthodox account of the evolution and expansion of international society? First, it is suggestive of the need for a more sustained engagement with the colonial evolution of contemporary institutions. As others have observed, dimensions of Vitoria's jurisprudence foreshadow the emergence of a standard of civilization, such as the one that emerged at the turn of twentieth century.[30] Second, and related, it is suggestive of the need to tackle the legacies of colonialism in the relations between indigenous peoples and the members of international society. Indeed, Vitoria's jurisprudence reflects Wight's view that rationalist conceptions of barbarian relations imply a trustee-ward relationship.[31] In the next section, this process is discussed with reference to a more express discourse on civilization, as articulated through the Doctrine of Discovery, and applied in the early nineteenth century by the US Supreme Court.

## THE DOCTRINE OF DISCOVERY

In his analysis of colonialism in British Columbia, Canada, Cole Harris identifies four features of the colonial project in dispossessing indigenous peoples of their lands, including economic motivations driving colonialism, the exercise of material and state power to facilitate colonialism (at least at the outset), a normative discourse on civilization to substantiate colonialism, and "disciplinary technologies" to manage colonialism (especially law).[32] Importantly, Harris' analysis points to the influence of international legal thinkers, like Vitoria, in defining generations of colonialism. Mirroring Harris' points above, Vitoria's jurisprudence was in part related to Spain's economic interests in the Americas, leading to the articulation of a legal framework premised on civilizational assumptions that supported Spanish colonialism in the Americas. As noted above, that is not to suggest that Vitoria's jurisprudence was the only influence on subsequent generations of European colonialism and imperialism—we may recall that

Vitoria was just one voice amongst other prominent legalists. Subsequent thinkers such as Grotius and Emerich de Vattel would similarly exercise a profound influence on the trajectory of international law (not to mention Vitoria's contemporaries in Spain). However, it does suggest that prominent thinkers would come to share similar opinions as Vitoria on the question of European relations with non-European peoples. For example, John Locke and John Stuart Mill have both been critiqued for advancing political philosophies that premised themselves on a distinction between civilized and uncivilized peoples. Locke has been critiqued for a political philosophy—grounded in social contract theory—that justified British imperialism by associating it with socioeconomic advancement (e.g., through the acquisition and productive use of land).[33] Meanwhile, Mill has been critiqued for his characterization of a civilized–barbarian dichotomy that substantiated imperial rule over barbarous peoples.[34] With that said, the point being made here is that subsequent generations of international law would come to play a similar function as the one articulated by Vitoria; international law—as an evolving institution of a nascent European international society—would continue to substantiate colonialism and imperialism through a European discourse on civilization.

At this stage, it should be recalled that the success of European colonial and imperial activity—especially in North America—often relied on good diplomatic relations with indigenous peoples. For example, newly established colonies were often ill equipped for the challenges of settlement, as evidenced by the large number of colonies that failed during that period. The reason for mentioning this here is that it underscores the point made above that there was nothing inevitable about the subsequent expansion of European empires. Thus, it is important not to overplay the role of international law in facilitating dispossession, nor to depict the realization of Europe's imperial aspirations as foregone conclusions. Moreover, it is to remind us that the influence of a European discourse on civilization—as well as its legacies for contemporary international relations today—is much more engrained than the orthodox account of the evolution and expansion of international society suggests. It was central to the articulation of European relations with the non-European world and was employed as a discursive instrument to facilitate the eventual (though not inevitable) exclusion of indigenous peoples from the 'international' (an exclusion that is being challenged today in the form of indigenous transnationalism). Moreover, while it is true that critical, and second-generation English School scholarship has begun revealing the imperial origins of

international law in an effort to revise orthodox assumptions, what is not well understood by this literature is how the Doctrine of Discovery—as an incantation of international law (broadly understood)—was used to marginalize non-state societies through their inclusion within the boundaries of European empires (and later states).

So, it is on these terms that this section turns to the application of the Doctrine of Discovery in the US Supreme Court of the early nineteenth century, that is, a ten-point framework that evolved over the course of European imperialism. As Robert J. Miller lists them, these points were *First discovery*, *Actual occupancy and current possession*, *Preemption/ European title*, *Indian title*, *Tribal limited sovereign and commercial rights*, *Contiguity*, *Terra nullius*, *Christianity*, *Civilization*, and *Conquest*.[35] Doing so, this section first reflects on the case *Johnson v. M'Intosh*, 1823, to demonstrate the relationship Chief Justice John Marshall drew between the USA and a wider European international society to erode the rights of indigenous peoples via the Doctrine of Discovery.[36] With this established, it then turns to the Cherokee cases of the 1830s to elaborate on the ways that indigenous rights were further eroded through the application of colonial history and law to further subsume indigenous peoples within the fabric of the USA. Indeed, having recently defeated the English in the American War of Independence, 1775–1783, the USA was eager to consolidate its power both domestically and internationally. And, it was in this context that Chief Justice Marshall presided.

### The Marshall Court

From the outset, it should be noted that the Supreme Court decisions discussed below are small components of a much larger story, one that involved the political relations between the executive, legislative, and judicial branches of the US government in the nineteenth century, as well as the wider redefinition of sovereignty at the international level. Indeed, the decisions arrived at by the Marshall Court are reflective of political considerations that stretched well beyond the specific terms of the decisions themselves, speaking more broadly to issues around sovereignty.[37] In her research, for example, Lisa Ford details the role of domestic courts in the Anglophone world of the nineteenth century—especially from the 1820s on—in facilitating a redefinition in sovereignty through the assertion of territorial jurisdiction over indigenous peoples.[38] Meanwhile, Jill Norgren has detailed the key role of the Cherokee cases of the nineteenth century in

constituting the relationship between the USA and the indigenous peoples within its borders.[39] In this section, such insights are important for what they tell us about a European discourse on civilization, and its role in the articulation of relations between an aspiring member of European international society (the USA) and the indigenous peoples within it. Indeed, the decisions arrived at by the Marshall Court can be contextualized as a representative component of the wider story of international society. It was through these cases that the Marshall Court drew on the identity of the USA as a member of European international society to erode indigenous sovereign rights; and in this respect, *Johnson v. M'Intosh*, 1823, stands as an important moment in history for English School theory.[40]

In terms of the case itself, *Johnson v. M'Intosh* centered on disputed land claimed by white property owners: Joshua Johnson and Thomas Graham (the plaintiffs) and William M'Intosh (the defendant).[41] Though the processes by which these parties acquired the land is complicated, suffice it to note here that Johnson and Graham acquired it though "deeds obtained directly from the Indians by predecessors organized as the United Illinois and Wabash Land Companies," while M'Intosh acquired it directly from the US government.[42] In effect, the question before Marshall was whether the indigenous peoples encased within the territorial borders of the USA retained the right to sell their property to entities other than the US government. Without engaging in all the legal arguments involved in the case, what is important for the purposes of this book is the rationale Marshall used to decide on the case. Ultimately siding with the defendant, Marshall appealed to a suspect account of European conquest and 'discovery' that drew a relationship between the USA and a European international society. This is made clear in part of the summary of the defendant's case (which Marshall would side with)[43]:

> On the part of the defendants, it was insisted, that the uniform understanding and practice of European nations, and the settled law, as laid down by the tribunals of *civilized states*, denied the right of the Indians to be considered as independent communities, having a permanent property in the soil, capable of alienation to private individuals. They remain in a state of nature, and have never been admitted into the *general society of nations*. All the treaties and negotiations between the *civilized powers of Europe* and of this continent […] have uniformly disregarded their supposed right to the territory included within the jurisdictional limits of those powers. Not only has the practice of all *civilized nations* been in conformity with this doctrine, but the whole theory of their titles to lands in America, rests upon the

hypothesis, that the Indians had no right of soil as sovereign, independent states. Discovery is the foundation of title, in European nations, and this overlooks all proprietary rights in the natives. The sovereignty and eminent domain thus acquired, necessarily precludes the idea of any other sovereignty existing within the same limits [my emphasis].[44]

From the perspective of English School theory, this passage is important because of the distinction it draws between a "general society of [civilized] nations" and the "Indians" who "remain in a state of nature." Evoking the language of civilization, it is this distinction that allows for the erosion of indigenous sovereign and property rights. This is a point made by Jedediah Purdy, who (drawing on the work of Keene) notes an explicit connection between the language of civilization in Marshall's ruling and the constitution of a Self–Other dichotomy. As Purdy points out, the language of civilization in *Johnson v. M'Intosh* facilitates a distinction between civilized and uncivilized societies that bears directly on the issue of sovereignty. On the one hand, it is only by being civilized that a society is entitled to sovereignty, and with it, to inclusion within a wider society of civilized states that are to entreat with one another on like terms. On the other hand, it is by being uncivilized that a society's sovereignty is limited, and without it, outside the wider society of civilized states and the rules that govern it. The 'civilized' can thus deal with the 'uncivilized' on different terms.[45] As it pertains to the main line of argumentation in this book, Purdy's insights speak directly to the discursive power of European civilization in substantiating the erosion of indigenous sovereignty within the USA, leading to a process that saw the uncivilized Other subsumed within the boundaries of the civilized Self. And, as it relates to the case itself, it is on this basis that Marshall can then find in favor of M'Intosh. Having had their property and sovereign rights limited over the course of discovery—ultimately being subsumed within the USA—indigenous peoples are no longer entitled to sell their land freely. In fact, the only entity with the right to purchase it directly from them becomes the federal government that encases them. Thus, it follows for Marshall that M'Intosh held title to the land in question, as he purchased it from the only entity with the exclusive right to acquire it—or approve such a purchase—from the "Indians" in the first place, the USA which had acquired this right via the Doctrine of Discovery.[46]

The implications of *Johnson v. M'Intosh* would have long-term effects for indigenous peoples residing within the USA. However, it was by no

means the only decision reached by the Marshall Court to have a direct and deleterious effect on the sovereign rights of indigenous peoples; in fact, the Marshall Court would soon be involved in a series of cases that pitted the Cherokee Nation against the state of Georgia. And, like *Johnson v. M'Intosh*, these cases are important for what they say about a Self–Other dichotomy in structuring the relations between a presumptive member of European international society, and its relations with the indigenous peoples subsumed within its boundaries. As noted above, it must be recalled that the Cherokee cases took place within a context characterized by evolutionary changes in the theory and practice of sovereignty, as well as tensions over the sovereign rights of states vis-à-vis the US federal government. And, it was in this context that the state of Georgia saw an opportunity to press for the extension of its jurisdictional powers following the 1828 presidential election of Andrew Jackson.[47] The election of Andrew Jackson should not be understated. In a letter to then-President James Monroe in 1817, Jackson refers to US "treaties with the Indians an absurdity, not to [be] reconciled to the principles of our Government. The Indians are the subjects of the United States, inhabiting its territory and acknowledging its sovereignty, then is it not absurd for the sovereign to negotiate by the treaty with the subject [...]."[48] With Jackson's election then, Georgia saw an opportunity to move ahead with the extension of its jurisdictional powers, and thus the assertion of its own sovereignty. Indeed, between 1827 and 1830, Georgia passed a series of resolutions that extended the legal jurisdiction of its counties over Cherokee territory, while simultaneously eroding the legal rights of the Cherokee Nation and its people.[49]

The contestation over Georgian and Cherokee sovereignty came to a head in 1830, when the state of Georgia arrested, tried, and sentenced George Tassel to death for murder. Although a trial and sentence of this nature is unremarkable, Ford observes (citing the work of Tim Garrison) that "[d]espite some evidence to the contrary [...] it is fairly certain that George Tassel, and most likely his victim, were Cherokee Indians and that his crime was committed on Cherokee land."[50] In these respects (and assuming them to be true), Georgia's actions were a clear provocation that challenged the Cherokee Nation's sovereignty head on. The real significance of the Tassel case for this book, however, lies probably less in the trial of Tassel by a Georgia court and its subsequent consideration by a convention of judges from Georgia (though it is important to note that it did cite Marshall's opinion in *Johnson v M'Intosh*, and subordinated

Cherokee sovereignty through the language of civilization),[51] and more in what unfolded as a consequence of it. In fact, Marshall never heard a case on the Tassel arrest. That is because officials from the state of Georgia did not appear before the Supreme Court, even after it had issued a writ of injunction.[52] Indeed, the failure on the part of Georgia to appear before the Supreme Court speaks directly to the contested nature of sovereignty in the USA during this period. By refusing to appear before the Supreme Court, Georgian officials were at once repudiating the authority of the Supreme Court in what Georgia perceived as state matters, while asserting its right to assert sovereignty over indigenous peoples within Georgia's territorial borders (e.g., Georgia went on to pass resolutions asserting its own sovereignty).[53]

Despite Tassel's execution at the hands of Georgian authorities, his arrest and sentence raised important questions about sovereignty in the USA (a point that sadly seemed to foreshadow the impending Civil War, 1861–1865). Where the Cherokee Nation are concerned, however, the Tassel arrest was also important because the "aggregated complaint filed in January of 1831, which included the actions taken against Tassel, became the beginning of the nationally important case of *Cherokee Nation v. Georgia* [italics in the original]."[54] Here, the Cherokee Nation turned to the Supreme Court in the hopes of obtaining an injunction to restrain the state of Georgia from enforcing its laws in Cherokee territory. In fact, the bill issued by the Cherokee Nation made clear reference to their status as a "foreign state,"[55] something that they needed to be recognized as in order to bring their case before the Supreme Court. As far as the decision itself goes, it must be noted that it unfolded in a way that at first seemed promising for the Cherokee Nation, establishing that there were indeed historical and legal precedents for recognizing the Cherokee Nation as a state (e.g., treaties between the Cherokee and the USA). Indeed, "the argument as was intended to prove the character of the Cherokees as a state, as a distinct political society, separated from others, capable of managing its own affairs and governing itself, has, in the opinion of a majority of the judges; been completely successful."[56] However, Marshall went on to place a very important restriction on the status of the Cherokee Nation, indicating that they could not be considered a *foreign* state. And that was precisely because the Cherokee had become subsumed within the USA after centuries of colonial activity. In fact, Marshall went on to describe the relationship between the Cherokee Nation and the USA in a way that soundly resonates with the jurisprudence of Vitoria. Having acknowledged their

rights of possession, Marshall explains that the Cherokee "are in a state of pupillage. Their relation to the United States resembles that of a ward to his guardian."[57] To this point, it must be added that Marshall's characterization of Cherokee-US relations is then substantiated with a reference to the 'international,' and the place of the USA in it. As Marshall explains:

> They [the Cherokee] and their country are considered by foreign nations, as well as by ourselves, as being so completely under the sovereignty and dominion of the United States, that any attempt to acquire their lands, or to form a political connexion with them, would be considered by all as an invasion of our territory, and an act of hostility.[58]

What is interesting here, from the standpoint of English School theory, is that there is a distinct sense that Marshall, when speaking of "foreign nations," is speaking about those nations similarly entitled to the rights and obligations of the Doctrine of Discovery. And, if that is true, Marshall is substantiating the sovereignty of the USA over the Cherokee, vis-à-vis the former's relationship to a wider European international society. As it concerns the indigenous peoples of the USA, Marshall's rationale in *Cherokee Nation v. Georgia* thus reasserts the sovereignty of the USA and the location of the Cherokee Nation within it. And, it is by being situated within these boundaries that the Cherokee Nation is denied a voice in the court, as well as at the international level.

Just one year after his unfavorable decision in *Cherokee Nation v. Georgia*, Marshall once again found himself deciding on a case that pitted the Cherokee Nation against Georgia, *Worcester v. Georgia*, 1832. At issue in this case was the imprisonment of two Christian missionaries, Samuel Worcester and Elizur Butler, who had been imprisoned by the state of Georgia "for being in the Cherokee County without a Georgia issued passport."[59] Because this act of imprisonment breached "federal treaties" with the Cherokee, Marshall understood Georgia's actions to be "unconstitutional."[60] Although it may be true that Marshall was genuinely concerned by the implications of Georgia's actions, the decision may have also been a tactic to force the hand of an opponent, President Jackson, who was seeking reelection. Through his decision against Georgia, "Marshall created a situation to force Jackson either to act to uphold the Court or to reveal himself during the election campaign as a fickle supporter of national authority."[61] Although this is not meant to downplay the precedents that *Worcester v. Georgia* set for the future advocates of indigenous

sovereign rights in the USA, the fact remains that the case did little to advance the rights of indigenous peoples—let alone their claim to sovereignty—in the short term. In 1838, the Cherokee were removed from their territory and forced to march to new lands in what is present-day Oklahoma—a march now referred to as the Trail of Tears (1838–1839) because of its remarkable human toll, with more than 4000 Cherokee estimated to have lost their lives to it.[62] While it may not have been Marshall's intent to dispossess indigenous peoples of their lands, or to perpetuate the cruelties of dislocation, his decisions are reflective of a colonial discourse on civilization that came to be embedded within international law, and that of the USA. As Norgren so aptly puts it, these decisions, as well as that of *Fletcher v. Peck*, 1810, "saw the creation of an Americanized law of international relations and an American law of continental real estate that favored the United States while diminishing the rights of Native American sovereignties."[63] Moreover, they represent the role of that discourse in delineating a civilized "society of nations" from uncivilized "Indians," a distinction central to the encasement of indigenous peoples within the 'domestic,' and their subsequent exclusion from the 'international.'

## Conclusion

As Benno Teschke observes, the conventional story on the Peace of Westphalia "has given the discipline of IR [international relations] a sense of theoretical direction, thematic unity, and historical legitimacy."[64] This, however, has begun to change with the emergence of a critical body of literature concerned with the conventional account's Eurocentric assumptions, and their implications for the way we conceptualize the evolution and expansion of international society. Without rehashing the critiques brought against the orthodox account (described at length in this chapter and in Chap. 1), suffice it to recall here the effects of the Peace of Westphalia—as conventionally understood—in facilitating the marginalization of non-European peoples and their political histories from the story of international society (at least until the twentieth century). Indeed, it is a story—when depicted as universal—that escapes a deeper engagement with the effects of the colonial encounter in shaping the historical relations between European and non-European peoples. It is this troubling aspect of the orthodox account that this chapter has sought to challenge through a critical analysis of the colonial relations between indigenous peoples and the emerging members of European international society. Specifically, it is

through a European discourse on civilization that this chapter has begun tracing the colonial and imperial history of relations between indigenous peoples and international society, to deepen our understanding of the evolution and expansion of international society. That is certainly not to say that this is the only way of telling the story of international society's origins, nor is it an attempt to do away with the Peace of Westphalia as an important historical moment. Rather, it is to begin the process of deconstructing and reconstructing the orthodox account along the lines proposed in Chap. 2.

In my view, this is important for what it says about the influence of a colonial discourse on civilization in shaping the institutions of international society, and the social content of the global space. Indeed, it draws our attention to the role of a civilizational discourse in hierarchically stratifying the global space according to a Self–Other dichotomy that juxtaposed a civilized Self against an uncivilized Other. And, while the specific meaning of a European discourse on civilization may have evolved over time, it consistently established the foundations for a process of 'exclusion by inclusion,'[65] whereby indigenous peoples were subsumed within the expanding boundaries of a nascent society of European states. For example, Vitoria's inclusion of the Amerindians within a natural law framework that justified Spanish colonialism or the appeal to colonial international law by the Marshall Court to legally justify the erosion of indigenous sovereign rights. This latter case is of particular interest, suggestive of the way international law was internalized by an aspiring member of European international society not only to consolidate its territorial sovereignty but also to appeal for its inclusion within the "society of nations" by subsuming indigenous *peoples* as domestic *populations*. And, while this chapter has placed an emphasis on the implications of this for the relations between the USA and the indigenous peoples that reside within it, an important corollary can be drawn. Using the Doctrine of Discovery to subsume indigenous peoples within the boundaries of the USA, the Marshall Court was helping to set an international precedent. By describing the Cherokee Nation as being under the sovereignty of the Unites States, it follows that the USA would similarly recognize the sovereign authority of other members of a European international society over indigenous peoples subsumed within their boundaries. It is to this issue that the next chapter turns, specifically to the turn of the twentieth century, the standard of civilization, and the diplomatic efforts of Chief Levi General.

## Notes

1. de Carvalho, Leira, and Hobson, "The Big Bangs of IR: The Myths That Your Teachers Still Tell You about 1648 and 1919."
2. For a wider discussion of how I use the terms 'orthodox,' 'critical,' and 'second-generation' in the context of English School scholarship, see Preface section, "Classification and Caricature."
3. Osiander, "The Westphalian Myth," esp. 264–266; In a similar vein, Sebastian Schmidt suggests that conventional understandings of the Peace of Westphalia can be traced to the work of Richard Falk, as well as Gross (amongst others). Schmidt, "To Order the Minds of Scholars," esp. 612–615; See also: Richard A. Falk, "The Interplay of Westphalia and Charter Conceptions of the International Legal Order," in *The Future of International Legal Order*, ed. Richard A. Falk and Cyril E. Black, vol. 1 (Princeton: Princeton University Press, 1969), 32–70; Leo Gross, "The Peace of Westphalia, 1648–1948," *The American Journal of International Law* 42, no. 1 (January 1948): 20–41.
4. Gross, "The Peace of Westphalia, 1648–1948," esp. 28–29.
5. Osiander, "The Westphalian Myth," 266; To some extent Gross acknowledged this, and argued that the significance of the Peace of Westphalia rested in its future effects. Gross, "The Peace of Westphalia, 1648–1948," 26; Osiander, "The Westphalian Myth," 264–265; But, even this more contextual approach is problematic when one considers the political discourses that influenced interpretations of the Peace of Westphalia (Gross' included). As Osiander suggests, many of the conventional assumptions we make about it have been conditioned by anti-Habsburg propaganda of the seventeenth century. Ibid., esp. 260–268; And, Kayaoglu suggests "that the Westphalian narrative was first developed by German historians and usurped by international jurists in the nineteenth century." See: Kayaoglu, "Westphalian Eurocentrism in International Relations Theory," 195; See also: Keene, *Beyond the Anarchical Society*, esp. 17–22.
6. Bull, *The Anarchical Society*, esp. 26–38; See also: Bull, "The Emergence of a Universal International Society"; Bull, "The Importance of Grotius."
7. Martin Wight, *Systems of States*, ed. Hedley Bull (Leicester: Leicester University Press, 1977), 114.
8. Kayaoglu, "Westphalian Eurocentrism in International Relations Theory," 196, esp 193–197.
9. For a wider discussion of the ways that international relations has sidestepped an engagement with difference (one that speaks directly to the Peace of Westphalia), see: Inayatullah and Blaney, *International Relations and the Problem of Difference*.
10. Hobson, *The Eurocentric Conception of World Politics*; See also: Hobson, *The Eastern Origins of Western Civilisation*.

11. Seth makes a similar point, see: Seth, "Postcolonial Theory and the Critique of International Relations," 174.

12. For example, see: Aalberts, "Rethinking the Principle of (Sovereign) Equality as a Standard of Civilisation"; Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: esp. Chapter 1; Bowden, *The Empire of Civilization*, esp. 112–117; In addition to discussing the significance of Vitoria, Bowden also draws our attention to an earlier period of time; specifically, 1245 and the work Pope Innocent IV in detailing relations between the Church and infidels. See: Ibid., esp. 107–112.

13. For another good example of non-European diplomacy with Europe, consider the Great Khan Guyuk of the Mongols, and his reaction to the diplomatic missions of Pope Innocent IV. See: Bowden, *The Empire of Civilization*, esp. 107–112; Williams, Jr., *The American Indian in Western Legal Thought*, Introduction, esp. 43–50.

14. Keal, *European Conquest and the Rights of Indigenous Peoples*, 92: esp. Chapter 3.

15. Bull, *The Anarchical Society*, 27.

16. Ibid., 27–28.

17. Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: 15; See also: Wight, *International Theory*, 69–70.

18. For a discussion on the work of Vitoria and its relationship to European-Christian ideas of "wildness", see: Inayatullah and Blaney, *International Relations and the Problem of Difference*, 1: esp. 42–59.

19. Keal, *European Conquest and the Rights of Indigenous Peoples*, 92: 91–92.

20. Although the outcome of Valladolid is debated, Wight, citing the work of J.H. Parry, suggests that Las Casas did in fact win the debate, as evidenced by a moderation in Spanish colonialism. See: Wight, *International Theory*, 69.

21. The works of Vitoria that are under consideration here (and are the subject of critique by many others), *De Indis* and *De Iure Belli*, were originally delivered as lectures in 1532. These lectures were published posthumously in 1557 within *Relectiones Theologicae*. See: Franciscus de Victoria, *De Indis et De Iure Belli Relectiones*, ed. Ernest Nys, vol. 7, Classics of International Law (Buffalo: William S. Hein & Co., [1557]1995).

22. The inclusion-exclusion dynamic within the work of Vitoria has been noted by a number of scholars, for examples, see: Aalberts, "Rethinking the Principle of (Sovereign) Equality as a Standard of Civilisation," esp. 770–775; Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37:esp. Chapter 1; Bowden, *The Empire of Civilization*, esp. 112–117; Robert J. Miller, *Native America, Discovered and Conquered: Thomas Jefferson, Lewis & Clark, and Manifest Destiny*, Native America: Yesterday and Today (Westport: Praeger, 2006), esp. 13–17; Williams, Jr.,

*The American Indian in Western Legal Thought*, esp. 96–108; For a section by section account of *De Indis*, see: Ibid., esp. 97–103.

23. Wight, *International Theory*, 73.
24. Ibid.
25. Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: 21–22; See also: Aalberts, "Rethinking the Principle of (Sovereign) Equality as a Standard of Civilisation," 773–774; Miller, *Native America, Discovered and Conquered*, 16–17.
26. Jahn, "One Step Forward, Two Steps Back," 630 Jahn makes this comment in a critique of Critical theory generally, and the work of Linklater specifically.
27. Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: 22.
28. Ibid.
29. Quoted in: Williams, Jr., *The American Indian in Western Legal Thought*, 104.
30. Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: esp. Chapter 1; Aalberts, "Rethinking the Principle of (Sovereign) Equality as a Standard of Civilisation," esp. 770–775; Bowden, *The Empire of Civilization*, 117.
31. Wight, *International Theory*, 79; See also: Aalberts, "Rethinking the Principle of (Sovereign) Equality as a Standard of Civilisation," esp. 770–775; Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: esp. Chapter 1; Williams, Jr., *The American Indian in Western Legal Thought*, esp. 103–108.
32. Cole Harris, "How Did Colonialism Dispossess? Comments from an Edge of Empire," *Annals of the Association of American Geographers* 94, no. 1 (March 2004): 179.
33. For a handful of wider discussions on the role of social contractarian thought and European political philosophy in marginalizing and excluding indigenous peoples, see: Bowden, *The Empire of Civilization*; Keal, *European Conquest and the Rights of Indigenous Peoples*, 92: esp. Chapter 3; Nichols, "Realizing the Social Contract"; In addition to the political philosophers noted in this section, Thomas Hobbes has been similarly critiqued for his role in the constitution of a political philosophy that substantiates European civilization via a caricatured vision of the state of nature. For a discussion of the work of Hobbes and its effects for indigenous peoples in disciplinary study, see: Shaw, *Indigeneity and Political Theory*, 1: esp. Chapter 2.
34. Beate Jahn, "Barbarian Thoughts: Imperialism in the Philosophy of John Stuart Mill," *Review of International Studies* 31, no. 3 (July 2005): 599–618.

35. Miller defines these aspects of the Doctrine of Discovery in full; see: Miller, *Native America, Discovered and Conquered*, 3–5.
36. For a wider discussion of how the Doctrine of Discovery was expressly applied by Chief Justice Marshall in Johnson v. M'Intosh, see: Ibid., esp. 50–53.
37. For a wider discussion of sovereignty, law, and indigenous rights in the nineteenth century, see: Lisa Ford, *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788–1836*, vol. 166, Harvard Historical Studies (Cambridge: Harvard University Press, 2010); Jill Norgren, *The Cherokee Cases: Two Landmark Federal Decisions in the Fight for Sovereignty*, (Norman: University of Oklahoma Press, [1996]2004); For a similar discussion on these topics that stretches back to the Crusades, see: Williams, Jr., *The American Indian in Western Legal Thought*.
38. Ford, *Settler Sovereignty*.
39. Norgren, *The Cherokee Cases*.
40. Of note, *Johnson v M'Intosh*, 1823, was not the first case the Supreme Court ruled on with clear implications for indigenous peoples within the United States, for example, *Fletcher v. Peck*, 1810, is a good example.
41. As Eric Kades notes, the land in question did not actually overlap, raising suspicions about the motivations behind the case. See: Eric Kades, "History and Interpretation of the Great Case of Johnson v. M'Intosh," *Law and History Review* 19, no. 1 (Spring 2001): 99–100.
42. Ibid., 67–69, 69.
43. I have selected this passage for two reasons. First, because it is the summary of the defendant's case, which Marshall decided in favor for; second, because its explicit reference to a civilized "society of nations" as contrasted against "Indians" in a "state of nature" bears directly on English School scholarship, and the historical origins of European international society.
44. Johnson and Graham's Lessee v. William M'Intosh, 21 (8 Wheaton) U.S. 543 (United States Supreme Court 1823), 567–568; Portion quoted in: Joanne Barker, "For Whom Sovereignty Matters," in *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*, ed. Joanne Barker, Contemporary Indigenous Issues (Lincoln: University of Nebraska Press, 2005), 7.
45. Jedediah Purdy, "Property and Empire: The Law of Imperialism in Johnson v. M'Intosh," *The George Washington Law Review* 75, no. 2 (February 2007): esp. 349–353.
46. Miller, *Native America, Discovered and Conquered*, esp. 50–53; Williams, Jr., *The American Indian in Western Legal Thought*, esp. 312–317.
47. Norgren, *The Cherokee Cases*, 45–46.
48. Quoted in: Nichols, "Realizing the Social Contract," 54.

49. Robert S. Davis, "State v. George Tassel: States' Rights and the Cherokee Court Cases, 1827–1830," *Journal of Southern Legal History* 12 (2004): 43.
50. Ford, *Settler Sovereignty*, 166: 189; For more details on George Tassel and the crime, see: Davis, "State v. George Tassel," esp. 52–53.
51. Ford, *Settler Sovereignty*, 166: 189–190.
52. Norgren, *The Cherokee Cases*, 97; See also: Ford, *Settler Sovereignty*, 166: 191.
53. Ford, *Settler Sovereignty*, 166: 191; See also: Georgia Legislative Documents, *Acts of the General Assembly of the State of Georgia. Resolutions Which Originated in the House of Representatives, 230*, vol. 1, 1830, http://metis.galib.uga.edu/ssp/cgi-bin/ftaccess.cgi?galileo_server=galfe3.gsu.edu&galileo_server_port=80&galileo_server_id=14&instcode=publ&instname=Guest&helpuserid=&style=&_id=eaf9c472-65f3386396-0227&dbs=ZLGL.
54. Davis, "State v. George Tassel," 49.
55. *Quoted in: The Cherokee Nation v. The State of Georgia, 30 U.S. (5 Peters) 1, (United States Supreme Court 1831),* 3.
56. Ibid, 16.
57. Ibid, 17; Quoted in: Norgren, *The Cherokee Cases*, 101.
58. The Cherokee Nation v. The State of Georgia, 30 U.S. (5 Peters) 1, (United States Supreme Court 1831), 17–18.
59. Stephen G. Bragaw, "Thomas Jefferson and the American Indian Nations: Native American Sovereignty and the Marshall Court," *Journal of Supreme Court History* 31, no. 2 (July 2006): 156; See also: Ford, *Settler Sovereignty*, 166:192; Norgren, *The Cherokee Cases*, esp. 112–122.
60. Bragaw, "Jefferson and the American Indian Nations," 156.
61. Ibid., 157.
62. Tully, *Strange Multiplicity*, 210.
63. Norgren, *The Cherokee Cases*, 6.
64. Teschke, *The Myth of 1648*, 2.
65. See Preface, endnote 5.

# The Imperial Period

The late nineteenth century is an important moment in the story of international society, as it is around this time that the European society of states admitted some of its first non-European members (though it must be acknowledged that this process began earlier, e.g., with the invitation of non-European states to major international conferences).[1] While the cultures of these states varied, they shared in common a desire to be recognized as territorially sovereign members of European international society. And, as the story goes, it was in recognizing the value of membership within international society that non-Europeans came to adopt, or at least strived to adopt, European institutions. Thus, it was during this period that the standard of civilization emerged as "an explicit legal principle" that associated membership in the society of states with the sociopolitical and cultural criteria of Europeans (discussed below).[2] But, it was also

through these standards that the hierarchical stratification of the global space took place. And, as others have pointed out, hierarchical stratification was not limited to the outside of international society, but was also a feature of international society itself.[3] Indeed, just because a non-Western state was accepted into international society did not mean that it would not continue to face the stigmatizing effects of European cultural standards (as Japan found out through its experience in the League of Nations).[4] As is being suggested then, the turn of the twentieth century is important because it represents the crystallization of an explicit relationship between a European discourse on civilization, the institutions of international society (especially sovereignty), and the social stratification of the global space.[5] And, this relationship is important in this book because it helped consolidate what preceding centuries of colonial and imperial expansion had begun, a process of 'exclusion by inclusion' that saw the world's indigenous peoples excluded from the 'international' by being subsumed within the 'domestic.'[6]

From a disciplinary point of view, international relations theory has very much perpetuated these kinds of exclusions by advancing a distinctly territorial account of sovereignty, especially more mainstream theories that concern themselves with the mechanical interaction between states at the international level. Realism, for example, predicates itself on the assumption that states continue to be the primary agents of the international system. Structural realists (and the work of Kenneth Waltz in particular) pay special attention to the interaction of states under conditions of anarchy to better explain their behavior under that structure.[7] And, these sorts of state-centric assumptions have been reproduced in the works of scholars that eschewed behavioralism. Despite his advocacy of a "classical approach" to international theory,[8] for example, Bull also juxtaposed "primitive stateless societies" against "modern" international society.[9] As Shaw explains, the primitiveness with which Bull associates stateless societies renders them "out of time" and "behind the times."[10] Indigenous peoples are represented as relics of the past, whose political agency within the global space is limited. In fact, it could be inferred that indigenous political agency is reduced to the diplomatic endeavors of the states that ensconced them, specifically the extent to which those states (as members of international society and the 'guardians' of indigenous 'populations') will bring indigenous concerns to bear on the international agenda. Leaving aside the very problematic tendency to depict indigenous peoples as populations, one problem is that Western states, empires and

dominions—especially the now-settler states of Australia, Canada, New Zealand and the USA—did not typically voice the interests of indigenous peoples at the international level. And when they did, their aims were often couched in a paternalistic attitude toward them that reasserted a ward-guardian relationship. As historiographical research has shown, this period in time was one marked by a complex, even paradoxical oscillation between internationalism and imperialism that at once preached the virtues of liberalism, while asserting a paternalistic attitude of guardianship toward savage and barbarian peoples.[11] For example, the members of European international society sought to regulate the international supply of liquor to indigenous peoples during the late nineteenth and early twentieth centuries. Invoking the language of civilization, a treaty suggested by the USA in 1902 sought to check the trade of alcohol "in the western Pacific, or in any other *uncivilized quarter* where the salutary principle of liquor restriction could be practically applied [my emphasis]."[12] And, in many cases, Western powers actually sought to limit indigenous concerns—at least those emanating from within their own territorial borders—from being heard at the international level (something that could reflect negatively on the sovereignty of those states). Some dominions of the British Empire were especially keen to keep indigenous issues from being discussed internationally, given that their own credibility as international actors was still very much up for debate. After all, it was not until "1931 [that] the Statute of Westminster established legislative equality for the (mainly white) dominions of the British Empire."[13] Given that, it was important for these dominions to clearly demonstrate that indigenous issues were indeed domestic concerns.

From a disciplinary point of view, it could be argued that indigenous peoples have not only been excluded from the theory and practice of international relations (or at least marginalized from it), but that their absence obscures the discipline from a better understanding of how the evolution and expansion of international society perpetuated domestic injustices, undermining the normative value of international society itself.[14] This issue is important not only for what it says about the relative valorization of international society by the orthodox account[15] but also for what it says about sovereignty as a social construct at the turn of the twentieth century, in particular, its association with territory. As Taiaiake Alfred has observed, "[t]he reification of sovereignty in politics today is the result of a triumph of a particular set of ideas over others—no more natural to the world than any other man-made object."[16] In light of this,

how does our interpretation of the emergence of a global international society change when it is studied with a specific focus on the European discourse on civilization and its influence on the relations between state and non-state societies (and in the context of this book, relations between international society and indigenous peoples)? To answer that question, this chapter proceeds in three sections. First, it examines the effects of the standard of civilization on the relations between indigenous peoples and international society at the turn of the twentieth century. Second, it turns to a case study analysis of Chief Levi General's diplomatic mission to the League of Nations to defend the sovereign rights of the Six Nations against the policies of, and territorial encroachment by, the Canadian government. That case is important for not only what it says about a European discourse on civilization at the turn of the twentieth century but also how it played out through the institutions of international society, that is, the role these institutions played in the dynamic between exclusion and inclusion. In fact, Martti Koskenniemi has referred to international law during this period as "a discourse of exclusion-inclusion" that is because of its dual role in excluding indigenous peoples from the same rights as Europeans, while seeking to include them within European modernity through the effacement of their customs (social, political, cultural, etc.) within the sovereign state.[17] Indeed, it is precisely this discourse of "exclusion-inclusion" that would prove so inimical to the delegation of the Six Nations, which was at once included within the fabric of empire, but on account of this excluded from sharing the same rights as the members of European international society. Finally, the chapter concludes by way of a reflection on the implications of Chief Levi General's diplomatic mission, in particular, for our understanding of sovereignty and the story of international society.

## The Standard of Civilization and Indigenous Peoples

That the orthodox account ignores the colonial processes that led to the eventual emergence of a global international society is well documented. Indeed, the story of expansion "was more protracted than is traditionally supposed, it contained finer gradations of insider and outsider status, and it involved more complicated power relations, including a more assertive role for non-European peoples."[18] It can also be said that the orthodox

account of the expansion has obscured the complex relations between state and non-state societies during the colonial period, in particular, the nuanced processes of hierarchical stratification that resulted in the erosion of the legal and sovereign rights of non-state societies through the emergence of a privileged class of European states. Indeed, the consolidation of an international society at the turn of the twentieth century was just one aspect of a much more complicated global process that involved the evolution of a civilizational hierarchy which gradually excluded non-state societies from participation within the 'international.' That is not to downplay the critical part that Europe played during the imperial period, but to emphasize that colonial relations rested on a Self–Other dichotomy that rationalized hierarchical stratification along civilized–uncivilized lines. This section of the chapter details this process with reference to the relations between indigenous peoples and the members of international society, focusing especially on the association between civilization and territorial sovereignty, and how this association led to the exclusion of indigenous peoples from the 'international.'

Elements of this process were central to the carving up of Africa at the Berlin Conference in 1884–1885, which relied on a European discourse on civilization to justify the subsuming of African peoples within the expanding boundaries of European empires. Although the purpose of the Berlin Conference was to create a negotiated agreement to facilitate order among Europe's empires during a period of rapid imperial expansion into Africa, the appropriation of African territory would not have been possible without a normative basis to justify such 'acquisitions.' Thus, the General Act of the Conference of Berlin Concerning the Congo, 1885, was underpinned by a discourse on civilization that not only justified European expansion into Africa but also compelled it. Article Six of the General Act is written with an explicit tone of European paternalism when it depicts the expansion of European civilization as a benefit to African 'natives' by highlighting the benefits of European civilization, especially trade and commerce, in helping to promote civilization[19]:

All Powers exercising rights of sovereignty or an influence in the Said territories engage themselves to watch over the conservation of the indigenous populations and the amelioration of their moral and material conditions of existence and to strive for the suppression of slavery and especially of the negro slave trade; they shall protect and favor without distinction of nationality or of worship, all the institutions and enterprises religious, scientific or

charitable, created and organized for these objects or tending to instruct the natives and to make them understand and appreciate the advantages of civilization.[20]

Paternalistic in tone, the General Act justified European expansion on the basis of Europe's superior civilization. In fact, Charles H. Alexandrowicz suggests that the Berlin Conference introduced the 'sacred trust of civilization.'[21] What is particularly important about this legal principle is its association with European forms of sociopolitical organization, for the sacred trust of civilization conceptualized European sociopolitical organization as the means of bringing civilization to, and building civilization among, 'uncivilized' peoples. Notably, this discourse did not in itself invalidate the possibility of African peoples' becoming credible international actors; rather, it was used to establish an international hierarchy that depicted African peoples as part of a lower rung of civilization that could be brought up to par through European intervention. In fact, for some late nineteenth-century and early-twentieth century statesmen, Europe maintained an obligation to expand the norms and values of Europe through the expansion of the interstate system or society into Africa; the sacred trust was seen as "a 'mission' on the part of the Europeans […] for preparing the way to their [Africans'] reversion to independence and for effecting their entry into the Family of Nations on a footing of equality."[22]

In effect, the association between civilization and sovereignty became a tool with which to stratify the global space hierarchically, and to use that stratification to justify the subsuming of 'uncivilized' societies within the expanding borders of European empires. Moreover, as a growing number of non-European countries began to seek membership in the society of states, the relationship between civilization and sovereignty gradually became institutionalized in the form of a standard by which to define membership within the society of states. Indeed, the standard emerged as an "explicit legal principle," with which to extend the protections of international law to a country that "guarantees basic rights […] especially that of foreign nationals"; "exists as an organized political bureaucracy"; "adheres to generally accepted international law [… and] also maintains a domestic system of courts, codes, and published laws"; "fulfils the obligations of the international system by maintaining adequate and permanent avenues for diplomatic interchange and communication"; and "conforms to the accepted norms and practices of the 'civilized' international society."[23] In short, the test of civilization rested increasingly on the capacity of

a country to demonstrate its successful mastery of European sociopolitical organization, as well as European cultural standards (as implied by the fifth criteria, above). With the criteria of the standard established, the members of international society defined entry into their club according to a civilizational standard that was predicated on European assumptions about sovereign statehood. As Gong observes, the standard was deeply paternalistic and humiliating to those required to meet it, especially for those who by their own cultural standards considered themselves to be highly civilized.[24] The standard was also made all the more insulting by its claim to objectivity. Whereas European international law had previously associated civilization with abstract criteria, found in such things as religion and human nature (premised in hierocratic and natural law, respectively), the standard claimed inspiration from positive international law. In that respect, Gong notes that the standard was developed in two stages; first, its requirements were codified (e.g., those found in treaties between European and non-European countries), and second, publicists articulated them.[25] Yet, for all its purported objectivity, the standard was rooted in the power dynamics of imperial relations between Europeans and non-Europeans, the latter being forced to sign notably unequal treaties under duress that privileged the interests of the former.[26]

A problem is that English School scholars have concerned themselves largely with the way the standard defined relations between the members of international society, but have said much less about how the standard has defined relations between the state members of international society and non-state societies within the global space. As previously noted, however, one important exception is Keal's *European Conquest and the Rights of Indigenous Peoples*. In it, Keal reminds us that proponents of the standard were concerned with questions about the relationship between the 'civilized' members of international society and the 'uncivilized' peoples it engaged with. For example, John Westlake was interested in the relationship between a society's level of civilization and its corresponding ability to claim and exercise sovereignty. And, on this subject, Westlake turned to a defense of European civilization by arguing that in cases of colonial expansion, the right of indigenous peoples to retain their title to land and traditions fell to the colonizing power (presumably a Western power). As Keal explains of Westlake's opinion, "[t]he title to land was regarded as issuing from a grant by the colonising state, the authority of which derived from territorial sovereignty. Consequently, it was open to colonisers to dispossess the 'less advanced' or 'uncivilised.'"[27] And,

as Keal observes, Westlake's views on sovereignty had two interrelated implications for indigenous peoples. First, Westlake's defense of civilization (as an authorizing force for the assertion of sovereignty by a colonial power) denied indigenous peoples an international voice, since "the establishment of a colony meant the inhabitants prior to colonisation were now contained within a state."[28] Second, it guarded against any rights or protections being afforded to indigenous peoples by international law and/or the members of international society, as the former's civilizational identity and location within a member of the latter foreclosed that possibility.[29] Indeed, since indigenous peoples were situated within the territorial borders of states, their claims to sovereignty necessarily overlapped with those made by the members of international society. In his famous mission to the League of Nations, for instance, Chief Levi General petitioned its members to have the sovereign rights of the Six Nations recognized but was ultimately rebuffed on the grounds that his petition was an internal matter of the dominion of Canada. Like the rationale used at the Berlin Conference, Westlake's jurisprudence ultimately proved to be a form of legal reasoning that articulated a basis for European expansion by defining an international hierarchy (based on the distinction between civilized and uncivilized peoples), which in turn justified the subsuming of indigenous peoples within the territorially sovereign borders of European empires, resulting in the erosion of their sovereign and legal rights.

At both the national and international levels, this association between indigenous peoples and a lack of civilization was thus crucial to ensuring the consolidation of territorial sovereignty on the part of states. Indeed, the standard came to embody a European discourse on civilization that defined membership in the society of states on the basis of sociopolitical organization, specifically by enacting a civilized–uncivilized dichotomy between Self and Other. Thus, the standard defined not only a basis for relations between the (future) members of international society but also the contours of relations between the 'civilized' society of territorially sovereign states and the 'uncivilized' peoples it engaged with. Where indigenous peoples are concerned, this manifested itself in a process of 'exclusion by inclusion,' by which they were gradually subsumed within the boundaries of international society and its members, thus losing their capacity to claim membership in the 'international' (let alone the society of states). As described above, this process was predicated on the capacity of European empires to define the hierarchical stratification of the global space along

civilized–uncivilized lines, which was based on an association between civilization and territorial sovereignty. The way in which a European discourse on civilization was manifested in practice can be seen in the exclusion of Chief Levi General's diplomatic mission from the League of Nations.

## Chief Levi General and the League of Nations

By the early twentieth century, civilization had not only been expressed through the standard but also been codified into the Covenant of the League of Nations in 1919 under Article 22. Specifically, Article 22 used the concept of civilization to extend the sovereign reach of some of its members to the former territories of Imperial Germany and the Ottoman Empire, which had been lost with the end of World War I. This was achieved by placing those territories under the tutelage of mandatories. Paternalistic in tone, Article 22 made assumptions similar to those of the General Act, insofar as the mandatories maintained an 'obligation' to exercise sovereignty over the mandates in an effort to bring them the benefits of civilization. Noting the relationship between the mandate system and Vitoria's jurisprudence (in particular, the idea of guardianship), Anghie notes that the mandate system "justified and lent even further reinforcement to the continuing presence of the colonial powers—now mandatory powers—in these territories, as the task of these powers was not to exploit, but rather to civilize, the natives."[30] Notably, the association between civilization and sovereignty also manifested itself in the way that Article 22 ranked the mandate territories; stratifying them according to A, B, and C categories, which was itself premised on European notions of sociopolitical "advancement."[31] Whereas the A mandates—the former territories of the Ottoman Empire (and those sharing a likeness with the European model of sociopolitical organization)—were granted provisional independence, that was denied to B and C mandates; C mandates, for instance:

> such as South-West Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of *civilisation*, or their geographical contiguity to the territory of the Mandatory, and other circumstances, can be best administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population [my emphasis].[32]

Although Article 22 assigned League members to serve as mandatories for the former territories of Imperial Germany and the Ottoman Empire, similar functions were already being performed within the borders of some of the victors of World War I. In that respect, there is an interesting parallel between the mandate system and the efforts of settler states to 'civilize' indigenous peoples within their borders. Specifically, indigenous peoples found themselves increasingly under the guardianship of settler states that, through policies of "displacement" and "'improvement'" rendered and treated indigenous peoples as minority populations.[33] Having become subsumed within the boundaries of expanding European empires, many of the world's indigenous peoples had fallen within the territorial borders of nascent states. In Canada, for example, "the Six Nations were faced with two levels of colonial administration that made their separate political and legal existence tenuous," that is, their location within Canada, a dominion of the British Empire.[34] Thus, any recourse for indigenous peoples to reclaim their sovereign rights—usually having been recognized through treaties signed with colonial powers—was to be treated as an internal affair. Perhaps ironically, as Maivân Clech Lâm notes, it was not until the establishment of the League of Nations that indigenous peoples saw an international organization as a place where they could pursue their interests. Until that point, indigenous peoples had been required to submit their grievances to the governments of the states in which they lived, the very same governments that "enabled that injustice."[35]

Thus, even though the League of Nations perpetuated the European discourse on civilization through the mandate system, several indigenous leaders viewed it as an organization through which they could address some of their issues. Perhaps the most important of these leaders was Chief Levi General (Deskaheh),[36] who arrived in Geneva in September 1923 to address the erosion of indigenous sovereign rights following the introduction of the Indian Act, 1876 (of note, this was not the only legislation threatening the Six Nations, as the Oliver Act, 1911/1914, and the Soldier Settlement Act, 1919, also challenged Six Nations sovereignty in the dominion of Canada).[37] Reflective of colonial international law, Niezen observes that the Act divided indigenous sovereignty, in part, through a discourse on civilization. The Act assumed that civilization could be extended to indigenous peoples through "deputized 'self-government,'" which would be characterized by well-defined parameters established by the Canadian government.[38] In an effort to 'improve' indigenous-state relations, the Indian Act was marked by a contradiction: On the one

hand, it granted indigenous peoples some degree of self-government; on the other hand, it sought to ensure that this self-government led toward a particular form of Western civilization (i.e., the Act sought to assimilate indigenous peoples within the fabric of the dominion). "Canadian government officials pushed their policy of 'Indian Advancement,' one that included the replacement of the traditional government with an elected system and the extension of Canadian citizenship to the Indians on the reserve."[39] Evoking paternalistic assumptions about European civilization—and the responsibility of bringing it to uncivilized peoples—the Indian Act and the related policy of Indian advancement led to increased efforts on the part of the Canadian government to assert its authority over indigenous peoples within 'its' borders.[40] Though there are a variety of examples to choose from, these efforts culminated in 1923 with "the building of Royal Canadian Mounted Police (RCMP) barracks on the Six Nations' Grand River lands," as well as raids purportedly conducted for the purpose of finding criminal batches of alcohol (amongst other activities that directly challenged Six Nations sovereignty).[41] From the perspective of the Six Nations, such activity ran counter to their status as a sovereign nation, as evidenced by treaties signed between themselves and the British, French, and Dutch, respectively, as well as other statements and proclamations to that effect.[42] Amongst those was the Haldimand Treaty, 1784, which compensated "those Iroquois who had fought on the side of the British during the American Revolution," with land in what is present day Canada.[43] Noting this, Deskaheh explained that he perceived the Canadian government's actions as "an act of war" that posed "a menace to international peace" in *The Redman's Appeal for Justice*, 1923.[44]

As suggested above, the major diplomatic hurdle facing Deskaheh was demonstrating to League members the legitimacy of the Six Nations' claim to participate in the state-based organization, given that the Six Nations were located within two League members, the dominion of Canada and Great Britain. To do that, Deskaheh needed to describe the Six Nations in terms consistent with a European discourse on civilization, that is, by framing his appeal in terms consistent with Six Nations statehood. As Laurence M. Hauptman observes, Deskaheh was thus advised by his lawyer to seek the Permanent Court of International Justice through Article 17 of the League's Covenant; a move "to get sanctions (provided for under Article 16 of the Covenant) placed on the Canadian government."[45] According to a portion of Article 17:

> In the event of a dispute between a Member of the League and a State which is not a Member of the League, or between States not Members of the League, the State or States not Members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Council may deem just. If such invitation is accepted, the provisions of Articles 12 to 16 inclusive shall be applied with such modifications as may be deemed necessary by the Council.
>
> Upon such invitation being given the Council shall immediately institute an inquiry into the circumstances of the dispute and recommend such action as may seem best and most effectual in the circumstances.[46]

Deskaheh's efforts to gain entry—even by way of this "backdoor strategy"[47]—were something of a concession to League members. Intended to defend the rights of the Six Nations from the encroachment of government forces, Deskaheh was forced to describe his petition in a manner consistent with membership in the League. He did that by demonstrating the Six Nations' capacity to assume the responsibilities of statehood.[48] Interestingly, it was also through a discourse pertaining to statehood that the Canadian government sought to rebuff Deskaheh's mission to the League, when it cast doubt on the ability of the Six Nations to fulfill this role. In disparaging tones, the Canadian government's Department of Indian Affairs argued that the Six Nations were best thought of as a domestic population that had lost its sovereignty over the course of colonialism and imperialism:

> The Six Nations are not now, and have not been for 'many centuries', a recognized or self-governing people but are […] subjects of the British Crown residing within the Dominion of Canada. […] The Dominion of Canada has at no time entered into any treaty with the Six Nations, or recognized them as having any separate or sovereign rights.[49]

That position was in keeping with Canada's longstanding view of Indigenous peoples in Canada during the late nineteenth and early twentieth centuries; as Yale D. Belanger observes of the Canadian position, indigenous peoples were to be treated "as wards of the state in need of both civilizing and federal protection."[50] In that respect, the Canadian position resonated with the European discourse on civilization; specifically, it justified the subsuming of the Six Nations into the Canadian state through an international hierarchy based on the concept of civilization that justified Canada's sovereign right, and obligation, to 'civilize' the 'uncivilized.'

Canada, however, was not the only League member to advance this kind of argument, for it received support from Great Britain, which also sought to block Deskaheh's petition from being heard by the League. For Great Britain, the confrontation between the Canadian government and the Six Nations was a Canadian domestic matter, and thus internal to the British Empire.[51] In that respect, the joint British-Canadian position appealed to territorial sovereignty to silence criticism from foreign countries,[52] thereby preventing the Six Nations from having their voices heard beyond the borders of the British Empire, and limiting the extent to which other League members could advocate on their behalf. Paradoxically, however, this argument was never used to question Canada's status as a League member, despite the fact that it continued to answer to the British Parliament (it could be argued that the dominion of Canada did not achieve full sovereignty until 1982 with the signing of the Canada Act, and even now it remains a constitutional monarchy whose head of state, technically speaking, remains the British monarch). Why then did the British Empire feel it reasonable to enact this double standard? As has been suggested, the answer rests in a civilizational discourse that defined a society's position in the global space on the basis of its proximity to the Westphalian model of territorial sovereignty. Here, Canada's efforts to 'civilize' the Six Nations could be justified as its 'sovereign' prerogative without its membership in the League being called into question.

## Conclusion

A shift in the way that international relations conceptualizes the evolution and expansion of international society changes the way we perceive the turn of the twentieth century. By moving away from a story that depicts the evolution and expansion of international society as a process that saw the projection of European norms, values, and institutions into the non-European world, and toward one with a more specific focus on the imperial constitution of the relations between state and non-state societies, international society's emergence seems much more tenuous. Indeed, its emergence was not the historical inevitability of Europe's sociopolitical superiority, but a product—in part—of colonial and imperial relations between state and non-state societies. Again, this is not to downplay the role of Europe's military and economic power but to underscore the fact that the social content of the global space was never inevitable. In fact, Deskaheh's diplomatic mission to the League of Nations actually

resonated with a number of League members that extended varying degrees of support (discussed below). That the Six Nations were rebuffed by the League of Nations was not a matter of the intrinsic superiority of European standards of civilization, but a consequence of the political dynamics of the day. It might be recalled that the Six Nations—previously the Five Nations—had engaged in sophisticated forms of diplomacy for centuries, which Europeans had themselves entreated with. In fact, the Two Row Wampum represents a vision of these relations (and is often traced to an agreement reached between the Five Nations and the Dutch in the seventeenth century),[53] specifically a diplomatic vision of coexistence that predicates itself on a mutual respect for the independent paths of the parties involved.[54]

Where sovereignty is specifically concerned, the colonial legacies of a European discourse on civilization speak to its association with European forms of sociopolitical organization, especially the emergence of territorial sovereignty. Indeed, the emergence of territorial sovereignty is a product of the synergistic relationship between Europe's material power and an imperial discourse that juxtaposed a civilized society of states against uncivilized non-state societies. From that perspective, the turn of the twentieth century is interesting because of what it says about the way a European discourse on civilization grafted itself with territorial conceptions of sovereignty to marginalize substate peoples. Encased within the territorial boundaries of states (as well as dominions and other territorial configurations of empire), indigenous peoples found it increasingly difficult to have their voices heard internationally as their identity as *peoples* shifted to that of *populations*. Through that transition, states substantiated processes to subsume indigenous peoples within their domestic fabric and deny them recourse to international law. Indeed, relations with the Six Nations were to be conducted as those between a government and its citizens, because the Six Nations could not be called a peoples existing as a sovereign state. Far from it, the Six Nations were, from the perspective of the dominion of Canada and Great Britain, in need of civilizing via their domestication as citizens.[55]

With that in mind, it is important to note two aspects of the Deskaheh case. First, despite being blocked from the League of Nations, Deskaheh's mission represents a specific example of indigenous agency in the global space at a time when recognition of indigenous peoples as peoples had been very much eroded. Again, this reminds us that indigenous peoples were not mere victims of the imperial project but were engaged actors

that actively struggled against the imperial ambitions of European empires and Western states through diplomatic and legal strategies conducted at the global level. In fact, though they were working within the confines of empire, the Nisga'a and Maori had also, respectively, tried to lobby the British Crown in the early twentieth century (the latter also turning to the League of Nations in 1922).[56] And, as noted above, this is important because those appeals came at a time when the international status of British dominions was very much in debate. For example, Epp observes that "New Zealand had spoken for other white dominions in its concern over the possibility of compulsory arbitration in the League's covenant," because it was worried that League members might perceive its policy toward the Maori as contrary to the norms and values of international society, and thus be seen as an international issue.[57] Second, although the Six Nations were ultimately rebuffed from the League of Nations, the position of Canada and Great Britain was not shared by all League members; when Deskaheh arrived in Geneva in 1923 he did so on an Iroquois passport that the Swiss accepted.[58] In addition to the symbolism of this action, its recognition by the Swiss would seem to suggest at least tacit acknowledgment of the Six Nations' status as an international political actor. And, as briefly noted above, despite being rebuffed by the League of Nations, Deskaheh did manage to garner some support from League members frustrated by Canada's "attempt to win by resolution a narrow interpretation of article 10 [of the Covenant of the League of Nations]." These League members included Estonia, Ireland, Panama, and Persia (and of note, the Dutch had also been approached by the Six Nations to support their cause in 1922, but were subjected to diplomatic pressure by Great Britain not to get involved).[59] A testament to the persuasive advocacy of the Six Nations' diplomatic mission, that support was provided in the face of British imperial power and would foreshadow subsequent generations of indigenous political activity in the global space.

As this chapter has sought to show, a European discourse on civilization played a key role in the evolution of relations between indigenous peoples and international society at the turn of the twentieth century. Specifically, civilization's association with territorial conceptions of sovereignty was central to the marginalization of indigenous peoples from the 'international.' From that perspective, it is little wonder that mainstream approaches to the study of international relations have paid so little attention to the role of non-state societies in the evolution of international relations (especially substate ones). As for what that means for the

relationship between international and world society, it suggests that the prominence of the former has been predicated upon the marginalization of the latter—a position that was relatively easy to sustain with the prominence of interstate politics until the rapid acceleration of globalization in the late twentieth century. In the next chapter, I begin to detail the role of non-state societies in challenging the *status quo* through an account of the indigenous transnational movement and its sustained diplomatic activity conducted through the United Nations to realize the Declaration on the Rights of Indigenous Peoples, 2007. Specifically, I show how that society has been central to the shaping of a contemporary discourse on the right to self-determination, and the relationship of that discourse to a European discourse on civilization.

## Notes

1. For a concentrated discussion of a discourse on civilization in the stratification of nineteenth-century Latin America, with reference to indigenous peoples, see: Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society."
2. Gong, *The Standard of 'Civilization' in International Society*, 14, esp. 14–15.
3. Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society."
4. For a wider discussion of China and Japan's relationship with international society, see: Gong, *The Standard of 'Civilization' in International Society*; Suzuki, *Civilization and Empire*; For a constructivist perspective on the entry of other non-European states into international society (Japan, Russia, and Turkey), see: Zarakol, *After Defeat*.
5. A similar "intersection" during the nineteenth century has been explored by Keene (amongst others), see: Keene, "The Standard of 'Civilisation', the Expansion Thesis and the 19th-Century International Social Space"; See also: Bowden, *The Empire of Civilization*, esp. Chapter 5; Buzan and Lawson, *The Global Transformation*; Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society."
6. See Preface, endnote 5.
7. Kenneth Neal Waltz, *Theory of International Politics*, Addison-Wesley Series in Political Science (Reading: Addison-Wesley, 1979); See also: John J. Mearsheimer, *The Tragedy of Great Power Politics*, The Norton Series in World Politics (New York: W.W. Norton & Company, 2001).
8. Bull, "A Classical Approach to Theory."

9. Bull, *The Anarchical Society*, esp. 57–62.

10. Shaw, *Indigeneity and Political Theory*, 1: 62.

11. For a wider discussion of the relationship between internationalism and imperialism at the turn of the twentieth century, see: David Long and Brian C. Schmidt, eds., *Imperialism and Internationalism in the Discipline of International Relations*, SUNY Series in Global Politics (Albany: State University of New York Press, 2005).

12. Quoted in: David P. Fidler, "The Globalization of Public Health: The First 100 Years of International Health Diplomacy," *Bulletin of the World Health Organization* 79, no. 9 (September 2001): 843.

13. Buzan and Lawson, *The Global Transformation*, 135: 199.

14. For a wider discussion of international society's legitimacy vis-a-vis its relations with indigenous peoples, see: Keal, *European Conquest and the Rights of Indigenous Peoples.*

15. For a wider discussion of how I use the terms 'orthodox,' 'critical,' and 'second-generation' in the context of English School scholarship, see Preface section, "Classification and Caricature."

16. Taiaiake Alfred, "Sovereignty," in *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*, ed. Joanne Barker, Contemporary Indigenous Issues (Lincoln: University of Nebraska Press, 2005), 46.

17. Koskenniemi, *The Gentle Civilizer of Nations*, 130.

18. Keene, "The Standard of 'Civilisation', the Expansion Thesis and the 19th-Century International Social Space," 655. In making this statement, Keene also points out that critical histories of the expansion are insufficient for challenging the very idea of 'expansion' itself.

19. Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: 97.

20. "General Act of the Conference of Berlin Concerning the Congo," *The American Journal of International Law* 3, no. 1, Supplement: Official Documents ([1885]1909): 12; Portion quoted in: Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: 97; Article Six of the General Act continues,

> The christian missionaries, the savants, the explorers, their escorts, properties and collections shall be equally the object of special protection.
> Liberty of conscience and religious toleration are expressly guaranteed to the natives as well as to allegiants and to strangers.
> The free and public exercise of all forms of worship, the right to erect religious edifices and to organize missions belonging to all forms of worship shall not be subjected to any restriction or hindrance.

"General Act of the Conference of Berlin Concerning the Congo," Article 6.

21. Charles Henry Alexandrowicz, *The European-African Confrontation: A Study in Treaty Making* (Leiden: A.W. Sijthoff, 1973), 5–6.
22. Ibid., 112.
23. Gong, *The Standard of 'Civilization' in International Society*, esp. 14–15.
24. Ibid., 12–13.
25. Ibid., esp. 25–35.
26. For a wider discussion on the subject of unequal treaties, see: Ibid., esp. 66–69.
27. Keal, *European Conquest and the Rights of Indigenous Peoples*, 92: 105.
28. Ibid.
29. Ibid.
30. Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: 145.
31. Ibid., 37: 121.
32. League of Nations, "The Covenant of the League of Nations (Including Amendments Adopted to December, 1924)," *Yale Law School: Lillian Goldman Law Library*, 1919/24, 2008, Article 22, http://avalon.law.yale.edu/20th_century/leagcov.asp.
33. Niezen, *The Origins of Indigenism*, 29–30.
34. Laurence M. Hauptman, *Seven Generations of Iroquois Leadership: The Six Nations since 1800*, The Iroquois and Their Neighbors (Syracuse: Syracuse University Press, 2008), 125.
35. Maivân Clech Lâm, *At the Edge of the State: Indigenous Peoples and Self-Determination*, vol. 5, Innovation in International Law (Ardsley: Transnational Publishers, 2000), 33.
36. Although the name Deskaheh is used in this chapter, the term is a "chiefly title"; as Niezen, acknowledging Norman Jacobs of the Six Nations, observes, the word was mistakenly used as a name in the 1920s and has since become "popularized." See: Ronald Niezen, "Recognizing Indigenism: Canadian Unity and the International Movement of Indigenous Peoples," *Comparative Studies in Society and History* 42, no. 1 (January 2000): 123 (footnote 4).
37. Niezen, *The Origins of Indigenism*, 31; Belanger, "The Six Nations of Grand River Territory's Attempts at Renewing International Political Relationships, 1921–1924," 35.
38. Niezen, *The Origins of Indigenism*, 31.
39. Hauptman, *Seven Generations of Iroquois Leadership*, 126.
40. The policy of "Indian advancement" can be traced to The Indian Advancement Act, 1884. For a history of discriminatory policies affecting indigenous peoples in Canada, see: Wendy Moss and Elaine Gardner-O'Toole, "Aboriginal People: History of Discriminatory Laws" (Government of Canada, [1987]1991), http://publications.gc.ca/Collection-R/LoPBdP/BP/bp175-e.htm.

41. Hauptman, *Seven Generations of Iroquois Leadership*, 131.
42. Deskaheh, "The Redman's Appeal For Justice," August 1923, 2–3, http://law.lib.buffalo.edu/collections/berman/pdfs/Redmanappeal.pdf.
43. Niezen, *The Origins of Indigenism*, 33.
44. Deskaheh, "The Redman's Appeal For Justice," 5; Quoted in: Niezen, *The Origins of Indigenism*, 33.
45. Hauptman, *Seven Generations of Iroquois Leadership*, 133.
46. League of Nations, "The Covenant of the League of Nations," Article 17; Portion quoted in: Hauptman, *Seven Generations of Iroquois Leadership*, 132–133.
47. Hauptman, *Seven Generations of Iroquois Leadership*, 132.
48. Yale D. Belanger suggests that Deskaheh's efforts were part of a wider, long-term strategy on the part of the Six Nations to (re)assert their sovereignty. See: Belanger, "The Six Nations of Grand River Territory's Attempts at Renewing International Political Relationships, 1921–1924."
49. Canadian government. Department of Indian Affairs, "Document Four: The Canadian Government's Reply to the League of Nations and the Six Nations' Claim (Excerpts): Statement Respecting the Six Nations Appeal to the League of Nations," *Native Studies Review* 10, no. 1 ([1923]1995): 86; Portion quoted in: Niezen, *The Origins of Indigenism*, 34; Niezen, "Recognizing Indigenism," 124.
50. Belanger, "The Six Nations of Grand River Territory's Attempts at Renewing International Political Relationships, 1921–1924," 34.
51. Hauptman, *Seven Generations of Iroquois Leadership*, 134.
52. Belanger, "The Six Nations of Grand River Territory's Attempts at Renewing International Political Relationships, 1921–1924," 38.
53. The exact date of this agreement is open to debate, though the year 1613 seems to be the most often cited. For a wider discussion on the Two Row Wampum, see: *Journal of Early American History* 3, no. 1 (2013).
54. For two perspectives on Iroquoian diplomacy from the perspective of international relations theory, see: Bedford and Workman, "The Great Law of Peace"; Crawford, "The Iroquois"; For a perspective on the Two Row Wampum from the perspective of political theory, see: Tully, *Strange Multiplicity*, 127–129.
55. To this end, Jeff Corntassel identifies "five major tactics" employed by the Canadian Government and the British Crown to deny the Six Nations from being heard within the League of Nations. See: Jeff Corntassel, "Toward Sustainable Self-Determination: Rethinking the Contemporary Indigenous-Rights Discourse," *Alternatives: Global, Local, Political* 33, no. 1 (January 2008): 110.
56. Epp, "At the Wood's Edge," 314; Lâm, *At the Edge of the State*, 5: 33, 33 (footnote 99).

57.  Epp, "At the Wood's Edge," 314.

58.  Corntassel, "Toward Sustainable Self-Determination," 109.

59.  Epp, "At the Wood's Edge," 314; Hauptman, *Seven Generations of Iroquois Leadership*, 134; See also: Deskaheh, "Document One: Six Nations' Appeal to the Government of The Netherlands," *Native Studies Review* 10, no. 1 ([1922]1995): 80–82; Niezen, *The Origins of Indigenism*, 33.

# The Postcolonial Period

The cultural superiority of international society's members was called into doubt with the end of World War II, following a series of atrocities that could only be regarded as characteristically uncivilized.[1] As Gong observed, the implications of this for international society were significant, as the standard of civilization could no longer be sustained in the same way as it had in preceding decades. But, as he is careful to remind us, the advance of *new* standards of civilization followed the retreat of the *old* standard of civilization, and on this point, Gong directs us to a "standard of human rights" and a "standard of modernity."[2] Whereas the former is associated quite straightforwardly with the post–World War II discourse on rights, the latter takes two shapes: the first being an association with rationality and progress and the second being an association with an international cosmopolitanism grounded in notions of human progress.[3] However, speaking to these standards, Bowden reminds us that Gong wrote at a time marked by the polarization of the Cold War, and it was not until its end that the West could go about establishing the parameters of civilization according to its own worldview.[4] Nevertheless, it is worth noting here that despite this, the East and West were both committed to the preservation of territorial sovereignty. Both the USA and the Soviet Union paid homage to the view that sovereign states were the highest form of political organization whose territorial integrity was not to be challenged. In practice, this was ignored when the interests of the Great Powers led to

territorial incursions, either directly through military intervention (as was the case in Afghanistan and Vietnam) or 'indirectly' through the imposition of 'friendly' political elites (as was the case in many East-bloc and Latin-American states). Still, the two superpowers were quick to agree in principle, at least, that the sanctity of territorial sovereignty was not to be threatened.

This was apparent in the context of decolonization and the push for political independence by peoples encased within the colonial boundaries of crumbling European empires. To be clear, there is little doubt that many societies achieved their independence during, as well as after the formal decolonization period. But, this process was facilitated through a territorial approach to the question of who constituted a 'peoples' with the right to exercise a full right to self-determination. Indeed, while self-determination may have emerged as a principle of international law in the mid-twentieth century, who could exercise its external dimensions was restricted to the former overseas territories of Europe. However, the principle of self-determination remained a site and source of debate, later seized upon by indigenous transnationalism to advance the interests of the world's indigenous peoples. As James (Sa'ke'j) Youngblood Henderson observes, the term 'peoples' is significant, because it "infers the application of the principle of self-determination to Indigenous peoples within the boundaries of independent or decolonizing states."[5]

In practice then, it is fair to say that the associated meaning between the terms 'peoples' and 'self-determination' has generated a fair degree of discourse and debate, with very real implications for practice. To return to the decolonization period, these implications were such that self-determination was extended to the former territories of European empires, with the related effect that substate and non-state peoples were to be conceptualized as domestic populations entitled to human rights.[6] In that respect, the rights extended to indigenous peoples during that period performed a dual function. While these rights intended to safeguard indigenous peoples from discriminatory practices, they also played a role in processes of assimilation. For example, International Labour Organization Convention No. 107, *The Indigenous and Tribal Populations Convention*, 1957, sought to safeguard indigenous peoples from discriminatory practices through the promotion and protection of their basic rights, but did so through an assimilationist approach that fell to state governments to implement (though this was framed in the language of "integration").[7]

The Convention's approach thus evidences the persistent role of a European discourse on civilization in helping define the relations between indigenous peoples and international society in the mid-twentieth century. Importantly, however, this did not prevent indigenous peoples from speaking out against such imperialist-like approaches.[8]

Taking stock of the contestation over the related-terms 'peoples' and 'self-determination,' this chapter examines the nexus between sovereignty, self-determination and a European discourse on civilization in the mid-twentieth century to the early twenty-first century by paying special attention to the ways that the members of international society—Western and non-Western states alike—invoked new standards of civilization to restrict the full exercise of self-determination to states, and how the indigenous transnational movement 'challenged' this.[9] To achieve this, the chapter proceeds in four sections. First, it details the concept of self-determination with a view to establishing the conceptual foundations for subsequent sections. Second, it assesses critically decolonization to demonstrate how that period in time did little to challenge the foundational assumptions of international society; in fact, it suggests that the emergence of two new standards related to human rights and modernity actually helped substantiate the exclusion of indigenous peoples.[10] Third, it discusses the role of indigenous transnationalism in its efforts to articulate an indigenous right to self-determination. Finally, it concludes by way of some brief reflections on the actual capacity of the Declaration on the Rights of Indigenous Peoples to advance an indigenous right to self-determination in practice. But, before proceeding, an important caveat needs to be made. Specifically, it must be acknowledged that the language of this chapter (as well others, but especially here) replicates the language of international society. That is important because of the way this language can serve as a gatekeeping device that forces indigenous peoples to express their desires through state-based terms. But, as James Tully observes, such language can be revised:

> When Aboriginal people at the United Nations, for example, demand recognition as 'nations' with 'the right of self determination', they are arguing that the prevailing criteria and reference of these terms ought to be revised to include them, rather than to exclude them, as they have done for the last five hundred years.[11]

It is in this spirit that I hope the following sections will be read.

## Self-Determination

The term 'peoples' is crucial to a discussion of the term 'self-determination,' because it is by determining who is a 'peoples' that a basis is established to determine who can exercise self-determination. From the standpoint of states, determining who is a peoples thus bares directly on their own sovereignty. "The aggregate signifier, 'peoples,' of course, bespeaks cohesive political communities with, therefore, a basis to sustain claims of group rights. […] It also raises the specter of sustainable material claims against states that are the beneficiaries of colonialism."[12] In light of this, it is unsurprising to find that some of the major diplomatic hurdles facing indigenous transnationalism have revolved around what others have called the *Battle of the 'S,'* that is, the right for indigenous peoples to call themselves peoples, plural (as opposed to a people, population, or something other).[13] With power concentrated in the hands of states, however, discussions on who is a 'peoples' have necessarily been informed by anxieties about the territorial integrity of states. For example, it might be asked why the former colonial territories of European empires were granted a right to pursue their full independence in the post-war period, while the internally colonized peoples of settler states were not? Similar to the arguments of the orthodox English School,[14] the answer to that question has rested on prevailing assumptions about world order—the concern being that the exercise of self-determination by substate peoples could lead to secession and disorder. Without doubt, there is truth to that perspective, as highlighted by conflicts in Africa and the Middle East. But, it is also important to recall that many of those conflicts have been born out of the legacies of colonialism and imperialism—that is, the imposition of territorial borders by Europeans that took little to no account of the sociopolitical contexts of the territories on which they were being imposed. In that respect, the restriction of self-determination to the former colonial territories of Europe in the mid-twentieth century reflected a concern, and a conflation between the principle of self-determination and the slippery slope to secession.

Self-determination need not adopt such an extreme form, however. Though it has continued to evolve in ways specific to indigenous peoples, it is a more internal dimension of self-determination that has been a driving force behind indigenous transnationalism, that is, to achieve greater levels of autonomy within states via the promotion and protection of collective rights. Karen Engle, for example, suggests that despite earlier

calls for a stronger form of indigenous self-determination, indigenous transnationalism was marked by a shift toward a more internal view of self-determination that became increasingly connected to cultural recognition within the state.[15] And, in Engle's view, S. James Anaya's rights-based framework is symbolic of that transition.[16] According to Anaya, the principle of self-determination is associated with the term 'peoples,' but unlike the more territorially driven definitions of that term, Anaya suggests that the meaning of the term 'peoples' "must attend to the broad range of associational and cultural patterns actually found in the human experience."[17] Challenging territorial approaches to self-determination, Anaya describes a multifaceted approach that takes stock of self-determination's "substantive" and "remedial aspects" (the former Anaya further divides into a "constitutive" and an "ongoing aspect").[18] And, crucially, "remedial" forms of self-determination need not be inimical to the territorial sovereignty of states.[19] Indeed, indigenous peoples in the post-decolonization era have not so much sought a right to self-determination for the purposes of secession, so much as they have sought a greater say over their own destinies within the states that encase them. Given the historical relationship between indigenous peoples and states, Anaya's approach is thus one that seeks to break from the rather narrow conceptualization of what self-determination has traditionally entailed, as presupposed by territorial assumptions. Instead, he proposes a framework that allows indigenous peoples—in partnership with states—to advance their right to self-determination by taking stock of historical contexts and contemporary realities.

The question is though, how far can a framework like Anaya's go in rectifying colonial and imperial wrongs? Indeed, there is a tension between the universalism of human rights and the cultural relativism that can underpin indigenous calls for self-determination. Speaking to the early days of the indigenous transnational movement, for example, Engle notes such a concern amongst the movement's supporters, for example, in reifying the assimilation of indigenous peoples as minority populations.[20] Indeed, "to the extent that human rights are inseparable from the civilizing mission of colonial days or the globalizing or liberalizing mission of neocolonialism, they would seem to offer little […] to those whose aim is to reject assimilation."[21] Echoing this perspective, the preceding chapters of this book have similarly suggested that it was the very incorporation of indigenous peoples within the boundaries of states that facilitated their exclusion from the 'international.' Thus, could it not also be the case that incorporation

within a rights-based framework could effect exclusions of some kind or another? Jeff Corntassel, for example, has questioned Anaya's approach in its ability to deliver on indigenous self-determination without a more sustained engagement with "the sustainability of self-determination in praxis."[22] With this in mind, below, I take stock of the human rights framework in advancing indigenous self-determination from the mid-twentieth century to the present (with a view to understanding how a European discourse on civilization continues to permeate a discourse on indigenous self-determination). Of important note, this analysis is not intended to obfuscate the gains made by indigenous transnationalism through the rights-based framework, nor is it intended to glorify them. Rather, it is to contextualize them in the light of a European discourse on civilization's legacies, as well as in its reincantations.

## DECOLONIZATION

Decolonization figures prominently in the work of the English School for what it says about the relationship between order and justice.[23] Indeed, despite differences in the way that English School scholars interpret its effects, they tend to agree that decolonization marked a period of destabilization in the normative, value-based fabric of international society. Though the extent to which the normative foundations of international society were changed by this process is open for debate, it is true that the foundational institutions of international society remained largely unchanged. While decolonization may have resulted in the broadening of international society's membership (challenging cultural hierarchies and associated norms and values), the primacy of institutions like international law and sovereignty remained intact. With that in mind, it is worth noting that foundational documents of the decolonization period seemed to borrow from earlier incantations of a European discourse on civilization. In a way that harkens back to the language of the Berlin Conference, and the mandate system of the League of Nations, the Charter of the United Nations refers to a "sacred trust" in the introductory paragraph of Article 73, Chapter XI: *Declaration Regarding Non-Self-Governing Territories.*[24] Speaking in generality, the Article establishes the basic principles and responsibilities that are to govern the actions of a state administering a non-self-governing territory, including the possible role of the latter in guiding the former toward "self-government."[25] To be clear, the terms imposed by Article 73 duly note obligations on the part of the

administrating power to advance the interests of non-self-governing territories and the peoples therein. However, the Article can also be read as a modernizing move that tries to guide the non-self-governing territories toward a particular form of sociopolitical organization, that is, one that fits with the architecture of the international environment.

Indeed, the United Nations' approach to decolonization would come to promote and reaffirm the sovereign state as the foundational unit of international politics. For example, United Nations General Assembly Resolution 1541, *Principles which should guide Members in determining whether or not an obligation exists to transmit the information called for under Article 73e of the Charter*, 1960, lists three types of "self-government" that can be achieved by non-self-governing territories; "[e]mergence as," "[f]ree association with," or "[i]ntegration with an independent State."[26] Furthermore, it relied on a suspect philosophical premise, the *blue water thesis*, to ensure that the meaning of a non-self-governing territory was restricted to "a territory which is geographically separate and is distinct ethnically and/or culturally from the country administering it."[27] In that way, United Nations' member states agreed that self-determination was to be restricted to the former overseas territories of Europe. Where indigenous peoples were concerned, they "would have their grievances individually addressed via the fast-developing body of human rights law or, collectively, via the wardship concept of self-government, self-rule, or autonomy, where they were available."[28] Importantly, it was not just Western states that supported the *blue water thesis*, however. This became evident when Belgium made the case for expanding the meaning of Chapter XI, when it argued that reference to a "sacred trust" (as found in the Charter of the United Nations) be interpreted as a "sacred trust of civilization" (as found in the Covenant of the League of Nations). Doing so, Belgium was trying to situate the idea "within a civilizational rather than a political-institutional framework."[29] And on this basis, Yassin El-Ayouty observes that Belgium made the case for extending decolonization procedures to substate peoples.[30] Although seemingly progressive, this position was in fact a strategy on the part of Belgium "to diffuse the political momentum coalescing against colonialism."[31] A move that could prove deeply inimical to decolonizing states for at least two reasons. First, because it posed a challenge to states with large numbers of indigenous peoples living within them, thus leveraging a point of tension in the discourse on decolonization. In fact, the *blue water thesis* prevailed in part because of the advocacy of South and Central American countries to restrict the terms of

Chapter XI.[32] Second, and related, it prevailed because it challenged national unity in decolonizing states. Indeed, the territorial boundaries of states throughout Asia, Africa, and the Americas were often the legacy of European colonial activity, which paid little attention to local relations between peoples, dividing and subsuming them through the imposition of manufactured boundaries that often resulted in future strife.[33] Expanding the meaning of who could claim a right of self-determination would have thus undermined the fragile unity of decolonizing states.

As noted above, it seems that the Belgium thesis had the opposite effect that Belgium desired, as the proposal generated consensus around the *blue water thesis*, restricting self-determination to "geographically separate" non-self-governing territories. But, through the fermentation of the *blue water thesis* as the basis for decolonization, indigenous peoples were, for all intents and purposes, effectively bypassed. In turn, the formal processes of decolonization became marked by an ironic twist: a move on the part of aspiring members of international society to support Westphalian institutions—as underpinned by a European discourse on civilization—that had been used against them in the not so distant past. Indeed a consistent narrative emerged around self-determination and the exclusive right of former European territories to exercise it (as expressed in Resolutions 1514, *Declaration on the Granting of Independence to Colonial Countries and Peoples*, 1960,[34] and 1541), and, it was this narrative that would engender a rights-based discourse to address the issues of indigenous *peoples* who were now widely regarded as indigenous *populations*. While the 'erosion' of the standard of civilization may have opened a space for a broadening of international society's membership, it did very little to challenge its foundational institutions. With this in mind, the next section turns to the role of the indigenous transnational movement in challenging indigenous exclusions from the 'international' via an engagement with the principle of self-determination, and the legacies and reincantations of a European discourse on civilization.

## Indigenous Self-Determination

Over the course of international society's expansion, indigenous peoples have faced considerable barriers to having their voices heard in key international organizations. The rebuffed delegation of Chief Levi General on behalf of the Six Nations to the League of Nations, for example, underscored the political resistance states have felt toward missions that, in

their view, threaten their sovereignty. As described above, that resistance has persisted well into the twentieth century as the member states of the United Nations restricted a full right of self-determination to territories, not peoples. In fact, the Iroquois turned to the United Nations in 1945 (about 20 years after Deskaheh had petitioned the League of Nations), but despite this and subsequent efforts, indigenous peoples were rebuffed on the basis that the United Nations "could not deal with private […] sub-missions."[35] Nevertheless, indigenous diplomatic endeavors persisted and gained traction in the mid- to late twentieth century with the rise of an indigenous transnational movement. Coalescing around a variety of shared concerns and interests amongst the world's indigenous peoples, the indigenous transnational movement has emerged as a prominent agent in the global space. Although its origins are diffuse, it can be said that it evolved out of interplay between the domestic and international levels. At the domestic level, indigenous movements emerged with increasing frequency in the 1970s to address a spectrum of contemporary issues generated by the colonial and imperial pasts, and in the process garnered global attention to their cause(s) (as well as leading to greater levels of indigenous transnational political activity and cooperation). At the international level, the United Nations began taking a greater interest in indigenous issues around this time. For example, this included the commissioning of the *Study on the Problem of Discrimination Against Indigenous Populations*, by the United Nations' Sub-Commission on Prevention of Discrimination and Protection of Minorities in 1972.[36] Through it, the study's author, Jose Martinez Cobo, outlined a working definition of the term indigenous that has become a touchstone for contemporary understandings of the term and helped put indigenous issues on the United Nations' map.[37] In short, at roughly the same time that indigenous movements were coalescing domestically and organizing transnationally, internationally the United Nations was emerging as a venue for action. As Henry Minde observes of this dynamic, "[t]heir [indigenous peoples'] concerns and aspirations could now be addressed in solidarity on a global stage."[38]

Amongst other reasons, the indigenous transnational movement that evolved in the mid- to late twentieth century is important for the theory and practice of international relations for what it says about the evolution of a "transnational society" and its role in shaping the social content of the global space. And, what is particularly interesting about this (in the context of this book) is the way that the movement seized upon an international vocabulary to advance an indigenous right to self-determination

and to thereby challenge the historical legacies of European civilization. As Niezen points out, "[t]he assertion by indigenous peoples of their rights of self-determination is […] their main point of defense against the assimilation goals of nation-states."[39] And, it is through this strategy that indigenous peoples have realized a number of important achievements through the United Nations, such as the successful realization of the First and Second International Decade of the World's Indigenous People, 1995–2004 and 2005–2014, respectively; the establishment of the Permanent Forum on Indigenous Issues, 2000; and the adoption of the Declaration on the Rights of Indigenous Peoples, 2007. Indeed, all are a testament to the indigenous transnational movement and its role in shaping the social content of the global space, especially in relation to the principle of self-determination. For example, despite the initial reservations of United Nations' member states, the Declaration on the Rights of Indigenous Peoples includes two articles—Article 3 and Article 4—that make explicit reference to an indigenous right to "self-determination" (the term 'self-determination' is also mentioned twice in the Preamble, and is reinforced by other articles in the Declaration).[40] While the inclusion of those articles reflects an important shift away from the problematic conceptualization of indigenous peoples as minority populations, the realization of that shift required a decades-long engagement between the indigenous transnational movement and the members of international society.

In terms of bureaucratic history, the realization of the Declaration on the Rights of Indigenous Peoples can be loosely traced to the establishment of the Working Group on Indigenous Populations, 1982,[41] which began work on the content for a declaration.[42] On the issue of self-determination, however, progress was slow. This was due in part to a concern of the Working Group's leadership that progress on self-determination could threaten United Nations' member states, which could then in turn terminate the Working Group.[43] In fact, the Working Group did not include mention of self-determination in the Draft Declaration on the Rights of Indigenous Peoples until 1991,[44] and it was not until 1993 that self-determination was written into Article 3.[45] In that same year, the Working Group then completed a draft declaration, which was agreed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in 1994.[46] In 1995, an open-ended intersessional working group was then created and charged "with the sole purpose of elaborating a draft declaration."[47] However, with the creation of this new body,

discussions moved to the Commission on Human Rights (which became the United Nations' Human Rights Council, 2006), which threatened headway because of the fact that the Commission on Human Rights was a state-based forum. And, while provisions were established to ensure that the representatives of indigenous peoples were allowed to participate, initial participation was limited in practice.[48] The result was a walk-out by indigenous representatives, which was later resolved only when "[t]he chair eventually agreed to accept the Indigenous representatives along with the states as part of the consensus in the informal sessions of the WGDD."[49] Moreover, with states proving resistant to the language of self-determination in the draft, a *no-change* position was later adopted by the representatives of indigenous peoples. As Kenneth Deer points out, this was seen as important by indigenous representatives for its role in preventing the dilution of the draft.[50] However, it has also been perceived as being representative of ethnonationalism; but, the rationale behind the *no-change* position is less characteristic of ethnonationalism, and much more so representative of a desire to see that indigenous peoples enjoy already existing human rights. That is because the draft declaration was not really creating rights, so much as its intent was to apply "universal human rights to indigenous peoples."[51] In that respect, the *no-change* position was not an affront to the values of international society; rather, its end goal was very much to affirm them for indigenous peoples. In 2004, the stalemate was broken when a text was proposed by Denmark, Finland, Iceland, New Zealand, Norway, Sweden, and Switzerland, and a subsequent push by the Sami Council to open up conversation on it, leading to compromises on both sides, and the eventual adoption of a final text by the Human Rights Council in 2006.[52]

While that draft was successful in mobilizing support from both sides, the text would be objected to by the African Group, which was concerned by the potential application of self-determination as a tool for secession (an argument that was being pitched by the four settler states that would vote against the Declaration on the Rights of Indigenous Peoples in the UN General Assembly—Australia, Canada, New Zealand, and the USA—as well as Russia which abstained in that final vote (along with ten others)).[53] In effect, this view echoed previous anxieties associated with the Belgian thesis and can be interpreted as a legacy of a European discourse on civilization. With the exception of the James Bay Cree, secession had not been genuinely or recently sought by an indigenous nation.[54] And, it should be noted that the Cree case is more complex than might be assumed, as

they sought a right of secession, potentially, as a means to stay part of Canada in the event of Quebec separation.[55] Regardless, the principle of self-determination provoked major concerns for the African bloc of states. Again, that concern can be traced to the colonial legacies of a European discourse on civilization, since the root of African concerns rested in the fact that their inherited boundaries encompassed a large number of peoples that might be considered indigenous.[56] Though the African position would soften with diplomatic intervention, anxieties regarding the territorial integrity of states would reappear in the final text of the Declaration on the Rights of Indigenous Peoples, which was passed in the United Nations' General Assembly in 2007. For example, Article 46, Paragraph 1 of the Declaration on the Rights of Indigenous Peoples now affirms the "territorial integrity" of states in its last sentence.[57]

As is being suggested by this brief history, the transition from the old standard of civilization to new standards of human rights and modernity did not put an end to the hierarchical stratification of the global space. Far from it, the legacies of the European discourse on civilization persisted through the language of rights and modernity to assert the prominence of territorial sovereignty, thus ensuring that indigenous self-determination would not be conflated with territorial independence. This is perhaps best evidenced by the role of a European discourse on civilization in shaping the political interests of African states, who found themselves defending their own territorial sovereignty as a consequence of the long-term effects of the imperial carving up of Africa, and the role that it played in the political strategies of the decolonization era with respect to the Belgian thesis. Indeed, modernity and the extension of human rights ironically became tools with which the institutions of international society and the legacies of civilization—as predicated upon a European discourse on civilization—could be sustained. This is not to suggest that indigenous transnationalism was a victimized agent; far from it, it was and is an active participant in a political struggle to redefine relations between indigenous peoples and international society. By working through the Working Group on Indigenous Populations, indigenous peoples and their representatives engaged with international society in an effort to shape prevailing norms that governed indigenous-state relations and to advocate for greater levels of indigenous self-determination within the state. For that reason, the Declaration on the Rights of Indigenous Peoples is, and justifiably so, viewed as a hard-fought step toward indigenous self-determination in practice.[58]

## Conclusion

While it is true that the entry of non-Western states in the mid-twentieth century helped broaden the membership of international society, this process of 'entry' did not challenge its foundational institutions.[59] This is not to say that the emergence of these states did not precipitate greater reflection upon the norms and values that governed the relations between members of international society, however. For example, Anghie notes that "Third World jurists have attempted to transform the old, Eurocentric, international law into an international law responsive to the needs, the interests and the histories of the developing world."[60] But, as he similarly observes, international law and sovereignty remain particular manifestations of the colonial past and continue to reproduce colonial and imperial structures. In that respect, discourses on self-determination emphasize that point. As described above, the legacies of a European discourse on civilization resonated within the United Nations' procedures of decolonization. African states, whose territorial boundaries were a legacy of European colonialism and imperialism, found themselves defending a view of self-determination that restricted the principle to territorial entities. Through the reassertion of territorial sovereignty, the members of a now global international society found themselves rearticulating assumptions that had underpinned the standard of civilization of the late nineteenth and early twentieth centuries, as well as using new standards based on human rights and modernity to close off membership to substate peoples. Indeed, human rights began to be employed in much the same way as the concept of guardianship had been in the past, and critically, it was through this process that indigenous peoples would be shut out from participating in the 'international,' given their position within the 'domestic' as *populations.*

It was not until the emergence of indigenous transnationalism that progress was made on challenging the legacies of colonialism and imperialism in the specific context of relations between indigenous peoples and international society (a point, it is acknowledged that has been debated by others). Operating through the United Nations' system, indigenous peoples and their representatives successfully negotiated a series of important achievements that were capped with the adoption of the Declaration on the Rights of Indigenous Peoples in 2007. As a number of scholars have pointed out, however, the success of indigenous transnationalism is by no means complete; the Declaration on the Rights of Indigenous Peoples is not a form of hard law but is instead an aspirational document. Moreover,

it was initially voted against by four settler states in which a large number of indigenous peoples reside: Australia, Canada, New Zealand, and the USA. Although each of these states tendered somewhat different reasons for their vote, it seems that the common denominator amongst them was a more general resistance to the concept of indigenous self-determination and its potentially corrosive effects on state sovereignty. And, while it is true that these settler states have come to support the Declaration on the Rights of Indigenous Peoples to varying degrees, their position at the General Assembly on the day of the vote speaks to fundamental cleavages between settler states and indigenous peoples. In fact, Corntassel goes so far as to suggest that states within the United Nations' system dulled indigenous diplomacy by offering the "*illusion of inclusion.*"[61] As is being suggested then, the adoption of the Declaration on the Rights of Indigenous Peoples is an important success, but it is also one whose process of realization—as well as its final text—is marked by the legacies of a European discourse on civilization that became closely tied to territorial definitions of sovereignty. Finally, it should be noted that the achievement of the Declaration on the Rights of Indigenous Peoples is not necessarily a reflection of a more cosmopolitan (or perhaps solidarist) society of states that decided to generously include indigenous peoples, as has sometimes been suggested. While it is true that the Declaration on the Rights of Indigenous Peoples would not have been possible without important state allies, as well as the willingness of states to enter into negotiations in good faith, this chapter clearly shows that the impetus to redefine the relations between states and indigenous peoples has emanated from the latter, who have had to challenge the embedded legacies of civilization. In those respects, the legacies of the European discourse on civilization should not be perceived as inevitable, nor should they imply a disappointing *status quo*. Rather, progress on the Declaration on the Rights of Indigenous Peoples signals, if nothing else, the potential for contestation and change.

## Notes

1. Gong, *The Standard of 'Civilization' in International Society*, 87.
2. Ibid., 91, 92; Of note, Gong also refers to a "'standard of human rights'" as a "'standard of non-discrimination'". See: Ibid., 91.
3. Gong, *The Standard of 'Civilization' in International Society*, esp. 90–93.
4. Bowden, *The Empire of Civilization*, esp. 166–168.

5. James (Sa'ke'j) Youngblood Henderson, *Indigenous Diplomacy and the Rights of Peoples: Achieving UN Recognition* (Saskatoon: Purich Publishing, 2008), 26.

6. Maiván Clech Lâm, "Making Room for Peoples at the United Nations: Thoughts Provoked by Indigenous Claims to Self-Determination," *Cornell International Law Journal* 25, no. 3 (March 1992): 616.

7. International Labour Organization. General Conference, "Convention 107: Convention Concerning Indigenous and Tribal Populations" (International Labour Organization, 1957), Article 2.1, http://www.ilo.org/images/empent/static/coop/pdf/Conv107.pdf; See also: S. James Anaya, *Indigenous Peoples in International Law* (New York: Oxford University Press, 1996), 44; It should be acknowledged that despite its flaws, ILO Convention 107 was one of the first international agreements that sought to address the rights of indigenous peoples, and set the foundations for the subsequent realization of ILO Convention 169, Indigenous and Tribal Peoples Convention, which attempts to address and revise the assimilationist approach of Convention 107. International Labour Organization, "Convention 169"; For a wider discussion of ILO Conventions 107 and 169, see: Engle, *The Elusive Promise of INDIGENOUS DEVELOPMENT*, esp. 36–38, 106–113.

8. Engle, *The Elusive Promise of INDIGENOUS DEVELOPMENT*, 37–38.

9. For an interesting discussion of indigenous transnationalism and the shifting meaning of self-determination in that movement (with a special focus on the Americas), see: Engle, *The Elusive Promise of INDIGENOUS DEVELOPMENT*; For an interesting discussion of identity formation and its relationship to indigenous transnationalism, see: Niezen, *The Origins of Indigenism*.

10. For another perspective on the emergence of human rights as a modern day "standard," see: Donnelly, "Human Rights: A New Standard of Civilization?"

11. Tully, *Strange Multiplicity*, 39; Tully makes this comment in a wider discussion on the language of constitutionalism, and its capacity to marginalize, see: Ibid., esp. 38–41.

12. Beier, "Inter-National Affairs," 127–128.

13. For a wider discussion on the *Battle of the 'S,'* see: Niezen, *The Origins of Indigenism*, esp. 160–165.

14. For a wider discussion of how I use the terms 'orthodox,' 'critical,' and 'second-generation' in the context of English School scholarship, see Preface section, "Classification and Caricature."

15. Engle, *The Elusive Promise of INDIGENOUS DEVELOPMENT*, esp. Chapters 3 & 4.

16. Ibid., 98–99.

17. Anaya, *Indigenous Peoples in International Law*, 78.
18. Ibid., esp. 80–85.
19. For a similar perspective, cited by Anaya, see: Erica-Irene A. Daes, "Some Considerations on the Right of Indigenous Peoples to Self-Determination," *Transnational Law and Contemporary Problems* 3, no. 1 (Spring 1993): 1–11.
20. Engle, *The Elusive Promise of INDIGENOUS DEVELOPMENT*, esp. 42–45.
21. Ibid., 43–44.
22. Corntassel, "Toward Sustainable Self-Determination," 117; Corntassel proposes a process of "sustainable self-determination [that] seeks to regenerate the implementation of indigenous natural laws on indigenous homelands and expand the scope of an indigenous self-determination process." See: Ibid., 119; For another, more critical perspective on the work of Anaya, see: Will Kymlicka, "Theorizing Indigenous Rights," *The University of Toronto Law Journal* 49, no. 2 (Spring 1999): 281–293.
23. I would like to acknowledge the graduate work of Audrey Jane Roy, which proved helpful in directing initial research on this section; see: Audrey Jane Roy, "Sovereignty and Decolonization: Realizing Indigenous Self-Determination at the United Nations and in Canada" (Master of Arts, University of Victoria, 2001).
24. United Nations, "Charter of the United Nations" (United Nations, 1945), Article 73, http://www.un.org/en/documents/charter/index.shtml.
25. Ibid., Article 73.b.
26. United Nations. General Assembly, "General Assembly Resolution 1541 (XV): Principles Which Should Guide Members in Determining Whether or Not an Obligation Exists to Transmit the Information Called for under Article 73e of the Charter" (United Nations, 1960), http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/1541(XV).
27. Ibid., Principle IV; See also: Errico, "The Draft UN Declaration on the Rights of Indigenous Peoples," 742 (footnote 4).
28. Lâm, "Making Room for Peoples at the U.N.," 616.
29. Yassin El-Ayouty, *The United Nations and Decolonization: The Role of Afro-Asia* (The Hague: Martinus Nijhoff, 1971), 50.
30. Ibid., esp. 50–53; See also: Anaya, *Indigenous Peoples in International Law*, 60 (footnote 29); Joshua Castellino, *International Law and Self-Determination: The Interplay of the Politics of Territorial Possession with Formulations of Post-Colonial "National" Identity*, vol. 38, Developments in International Law (The Hague: Martinus Nijhoff Publishers, 2000), 65.
31. Anaya, *Indigenous Peoples in International Law*, 60 (footnote 29).
32. Ibid.
33. Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: 205.

34. United Nations. General Assembly, "General Assembly Resolution 1514 (XV): Declaration on the Granting of Independence to Colonial Countries and Peoples" (United Nations, 1960), http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/1514(XV).

35. Lâm, *At the Edge of the State*, 5: 34.

36. United Nations. Department of Economic and Social Affairs. Permanent Forum on Indigenous Issues, "State of the World's Indigenous Peoples" (United Nations, 2009), 2, http://www.un.org/esa/socdev/unpfii/documents/SOWIP/en/SOWIP_web.pdf; For a detailed account of the rise and role of the indigenous transnational movement in the twentieth century, through the lens of identity, see: Niezen, "Recognizing Indigenism"; See also: Engle, *The Elusive Promise of INDIGENOUS DEVELOPMENT*; Henry Minde, "The Destination and the Journey: Indigenous Peoples and the United Nations from the 1960s through 1985," in *Indigenous Peoples: Self-Determination, Knowledge, Indigeneity*, ed. Henry Minde (Delft: Eburon, 2008), 49–86.

37. For a wider discussion of Cobo's report and working definition, see: Keal, *European Conquest and the Rights of Indigenous Peoples*, 92: 6–16; Minde, "The Destination and the Journey," esp. 55–58.

38. Minde, "The Destination and the Journey," 58.

39. Niezen, *The Origins of Indigenism*, 218.

40. United Nations. General Assembly, "United Nations Declaration on the Rights of Indigenous Peoples" (United Nations, 2007), Articles 3 & 4, http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf.

41. United Nations. Economic and Social Council, "ECOSOC Resolution 1982/34: Study of the Problem of Discrimination against Indigenous Populations" (Office of the High Commissioner for Human Rights, 1982), http://ap.ohchr.org/documents/E/ECOSOC/resolutions/E-RES-1982-34.doc.

42. Errico, "The Draft UN Declaration on the Rights of Indigenous Peoples," 742.

43. Minde, "The Destination and the Journey," 78.

44. Lâm, *At the Edge of the State*, 5: 63, esp. 63–67.

45. Ibid., 5: 78–79.

46. Errico, "The Draft UN Declaration on the Rights of Indigenous Peoples," 742–743.

47. United Nations. Economic and Social Council, "ECOSOC Resolution 1995/32: Establishment of a Working Group of the Commission on Human Rights to Elaborate a Draft Declaration in Accordance with Paragraph 5 of the General Assembly Resolution 49/214 of 23 December 1994" (United Nations, 1995), http://www.un.org/documents/ecosoc/res/1995/eres1995-32.htm; See also: Megan Davis, "The United

Nations Declaration on the Rights of Indigenous Peoples," *Australian Indigenous Law Review* 11, no. 3 (2007): 56.

48. Davis, "The United Nations Declaration on the Rights of Indigenous Peoples," 56.

49. Kenneth Deer, "Reflections on the Development, Adoption, and Implementation of the UN Declaration on the Rights of Indigenous Peoples," in *Realizing the UN Declaration on the Rights of Indigenous Peoples: Triumph, Hope, and Action*, ed. Jackie Hartley, Paul Joffe, and Jennifer Preston (Saskatoon: Purich Publishing, 2010), 21; See also: Davis, "The United Nations Declaration on the Rights of Indigenous Peoples," 56.

50. Deer, "Reflections on the Development, Adoption, and Implementation of the UN Declaration on the Rights of Indigenous Peoples," 21–22.

51. Paul Oldham and Miriam Anne Frank, "'We the Peoples…': The United Nations Declaration on the Rights of Indigenous Peoples," *Anthropology Today* 24, no. 2 (April 2008): 6; For a wider discussion on the distinction between ethnonationalism and "indigenism", see: Niezen, *The Origins of Indigenism*, 6–11.

52. Les Malezer, "Dreamtime Discovery: New Reality and Hope," in *Realizing the UN Declaration on the Rights of Indigenous Peoples: Triumph, Hope, and Action*, ed. Jackie Hartley, Paul Joffe, and Jennifer Preston (Saskatoon: Purich Publishing, 2010), 32–33.

53. For a wider discussion on the concern of African countries, see: Siegfried Wiessner, "Indigenous Sovereignty: A Reassessment in Light of the UN Declaration on the Rights of Indigenous Peoples," *Vanderbilt Journal of Transnational Law* 41, no. 4 (October 2008): esp. 1159–1166; Malezer, "Dreamtime Discovery: New Reality and Hope," esp. 34–36; Oldham and Frank, "'We the Peoples…,'" 6-7.

54. Wiessner, "Indigenous Sovereignty," 1160.

55. For a wider discussion of the James Bay Cree, and their position on secession, see: Niezen, *The Origins of Indigenism*, 149–157; Jill Wherrett, "Aboriginal Peoples and the 1995 Quebec Referendum: A Survey of the Issues," *Parliament of Canada*. *Library of Parliament*, February 1996, http://www.parl.gc.ca/Content/LOP/ResearchPublications/bp412-e.htm.

56. Malezer, "Dreamtime Discovery: New Reality and Hope," 36; Wiessner, "Indigenous Sovereignty," 1160–1161.

57. United Nations. General Assembly, "Declaration on the Rights of Indigenous Peoples," Article 46; See also: Stefania Errico, "The UN Declaration on the Rights of Indigenous Peoples Is Adopted: An Overview," *Human Rights Law Review* 7, no. 4 (2007): 757–758; Wiessner, "Indigenous Sovereignty," 1165–1166.

58. Phil Fontaine, "Foreword: A Living Instrument," in *Realizing the UN Declaration on the Rights of Indigenous Peoples: Triumph, Hope, and Action*, ed. Jackie Hartley, Paul Joffe, and Jennifer Preston (Saskatoon: Purich Publishing, 2010).

59. As others have argued, the idea of the expansion of international society itself (as understood through the 'entry' of states), misses an opportunity to reflect on processes of socialization, see: Keene, "The Standard of 'Civilisation', the Expansion Thesis and the 19th-Century International Social Space"; Suzuki, *Civilization and Empire*.

60. Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: 312.

61. Jeff Corntassel, "Towards a New Partnership? Indigenous Political Mobilization and Co-Optation During the First UN Indigenous Decade (1995–2004)," *Human Rights Quarterly* 29, no. 1 (February 2007): 161, 162; See also: Corntassel, "Toward Sustainable Self-Determination," 115.

# Conclusion

This book set out to answer two primary and related research questions: How did European colonialism and imperialism shape contemporary relations between state and non-state societies, in particular, those between states and indigenous peoples? And, what does that tell us about the theory and practice of international relations? Working through a cross-theoretical dialogue between the English School and postcolonial theory, the focus of analysis centered on the historical role of a European discourse on civilization in constituting the relations between indigenous peoples and international society (as well as its individual members). To that end, a European discourse on civilization that played such a central role in the evolution and expansion of international society took different forms at different times, though it revolved around European notions of sociopolitical organization (eventually crystalizing as the standard of civilization at the turn of the twentieth century).[1] Indeed, it was through a European discourse on civilization that the expansion of European empires—the nascent members of European, and later global international society—was facilitated. Rationalized as civilizing missions, their imperial expansion was justified through an altruistic duty to spread civilization to the uncivilized. And, it was in this way that the uncivilized Other became subsumed within the boundaries of the civilized Self; hence, there was a process of 'exclusion by inclusion.'[2]

It is this function of a civilizational discourse that can prove so inimical to those it renders Other. Of course it is true that discourses on civilization have been used to facilitate more clear-cut cases of exclusion, but it is through processes of inclusion that exclusion is often perpetrated. In the case of Europe's imperial expansion, this is precisely what happened as indigenous peoples were subsumed within the 'domestic,' gradually being excluded from the 'international.' This history is important for what it tells us about disciplinary origin stories, in particular, the conventional story of the Peace of Westphalia and its influence on the orthodox account of the evolution and expansion of international society (an account that I associate with the joint, and respective works of Bull and Watson: *The Anarchical Society* by Bull, *The Evolution of International Society* by Watson, and *The Expansion of International Society* coedited by Bull and Watson).[3] Indeed, the relative absence of indigenous peoples from international relations is not an objective fact of the "historical record" (as would seem to be implied by Bull and Watson's take on it);[4] rather, the "historical record" has obscured indigenous peoples through a homogenizing narrative of Europe's ascendance. In that respect, the orthodox account on the evolution and expansion of international society is one that depicts a complicated global history as European history. That is not to say that the orthodox account is ignorant of non-European peoples, but it is to say that non-Europeans are largely made to fit within an established historical narrative that obscures their role as agents in the global space. Having become subsumed within the boundaries of the members of international society, as facilitated through a European discourse on civilization, indigenous peoples are barely discussed by the orthodox account. In this respect, the orthodox account is complicit in the reproduction of a civilizational discourse that excludes substate societies from the story of international society.

By drawing attention to the historical relations between indigenous peoples and international society, I have aimed to deconstruct and reconstruct the orthodox account. How can we take seriously an account that effaces non-European history from global history because the former does not seem to fit with the European experience? Again, this is not to deny the insights generated by orthodox scholars. Although the joint and respective works of Bull and Watson have been singled out for critique here, theirs is an account that was pioneering in the way that it drew detailed attention to the European side of that story. And, there is certainly truth to the fact that Europe did come to dominate the globe,

and it is a consequence of that dominance that we live in a global space marked heavily by its institutions. But to accept that Europe almost single handedly defined the content of the global space is misleading. It is to deny how the social content of the global space was constituted through the historical relations between state and non-state societies (even if it was European states that often set the terms from the nineteenth century onward), and in so doing, to efface the agency of oft-neglected actors like indigenous peoples. The key point here then is that the orthodox account of the expansion tells only one side of a much more multidimensional story. As such, it has been proposed that there is considerable scope for the retelling of this story in a way that highlights the interconnectedness of the peoples and societies that constitute it. This book has thus sought to deepen our understanding of the colonial and imperial origins of the contemporary global space through the telling of a "connected history."[5]

In this concluding chapter, I draw out some of the core implications of the main line of argumentation in three sections. First, I summarize the main line of argumentation. Second, I detail three implications of it for the study of international relations; specifically, my reflections on a cross-theoretical dialogue between the English School and postcolonial theory, processes of 'exclusion by inclusion,' and the potential for decolonizing international relations theory through the telling of "connected histories." Finally, I conclude with a brief conversation related to the legacies of a European discourse on civilization.

## Summary of Argument

The Peace of Westphalia, 1648, has long stood as an historical benchmark with which to pin the inception of modern international relations, as well as for many, the institutional foundations of international society. That is not to say that scholars conceive of international society as existing in the seventeenth century as it does today, but that the Peace of Westphalia established the institutional preconditions for the society of states to evolve into a European international society premised on the institution of territorial sovereignty; as a wave of research shows, however, there are reasons to challenge this account.[6] While the Peace of Westphalia may represent *an* important moment in the evolution of international society, it is most certainly not *the* only moment of critical importance. Nonetheless, its treatment as *the* moment in the makings of international relations has resulted in a disciplinary mythology that sidesteps a sustained engagement

with the political histories of non-Western peoples. In that respect, the conventional account of the Peace of Westphalia has proven to be a barrier to the articulation of a more nuanced account of the evolution and expansion of international society. To begin, it shuts out non-European political histories from disciplinary consideration until the twentieth century by focusing on the expansion of European empires. This leads to a normative argument that describes the expansion as a benefit to humankind via the generation of world order; as a result, a sustained engagement with the colonial and imperial relations between Europeans and non-Europeans is circumvented. Instead, the story of international society is presented as an inclusive process that saw non-Europeans enter it via their adoption of European institutions.[7] As others have argued, this account is problematic on a variety of fronts; but what is of particular concern here is the role this account plays in the virtual effacement of indigenous peoples, who barely register in the story because of their very location within the members of international society.

In these ways, the orthodox account limits the potential of the English School framework, specifically by considerably diminishing the role of non-state actors in the makings of the global space. Thus, it also obscures the conceptual development of world society, understood here as a category of analysis that is composed of non-state societies.[8] But, by rethinking critically the conventional account of the Peace of Westphalia, alternative sites for thinking about the historical evolution and expansion of international society are opened, allowing for the deconstruction and reconstruction of the orthodox account to proceed through a cross-theoretical dialogue between the English School and postcolonial theory—one that takes seriously the telling of a "connected history" (the implications of which are discussed in more detail below), as informed by the works of Bhambra and Subrahmanyam.

Acknowledging that the origins of today's international society are diffuse, and related to the colonial and imperial relations between Europeans and non-Europeans, a European discourse on civilization provides a point of entry for study (though this is not to suggest that it is the only point of entry). Indeed, it was not long after that important moment that Vitoria began articulating his version of *jus gentium*, which would lay the foundations for the future legal relations between the indigenous peoples of the Americas and the members of international society. For Vitoria, Spain could only undertake its colonial expansion when the Amerindians were found in breach of natural law. But, because the Amerindians were by their

very nature in breach of Spanish customs (benchmarks in Vitoria's *jus gentium*), a basis was established for the assertion of Spanish sovereignty over them.[9] In this way, Vitoria's jurisprudence helped set in motion a system of international law, predicated on a discourse on civilization, which would come to distinguish a nascent society of Europeans states from an uncivilized collection of non-European peoples. And it was through that discourse that expansion was compelled on normative grounds, as societies came to be hierarchically stratified according to their civilizational status. Those that failed to conform to European standards were rendered Other and in need of civilizing by the Self. For example, this view found expression in the USA in the early nineteenth century when Chief Justice Marshall decided on a series of cases that were fundamentally concerned with sovereignty, and its relationship to colonial history and European civilization.[10] In 1823, for example, Marshall drew a distinction between a "general society of [civilized] nations" and uncivilized "Indians" to erode the sovereign rights of the latter.[11] Later, in 1831, Marshall would go on to describe the relationship between the Cherokee Nation and the USA as that between "a ward to his guardian."[12] In effect, Marshall's rulings resulted in the erosion of indigenous sovereign rights by subsuming them within the fabric of the USA (rulings that were themselves premised on the legal implications of what Marshall understood to be the colonial and imperial history of European expansion).

Institutions of European international society were thus being articulated in a way that reflected a European discourse on civilization that could justify the subsuming of uncivilized peoples within the boundaries of civilized empires-come-states (simultaneously rationalizing the erosion of indigenous sovereign rights). Indeed, by the turn of the twentieth century, the European discourse on civilization had become so pervasive that key features of European sociopolitical organization were finding expression in a legal principle, the standard of civilization. In fact, it was through the standard of civilization that positive law scholars justified the hierarchical stratification of the global space according to Eurocentric criteria. This was embodied by the mandate system of the League of Nations, a system that assigned mandatories to oversee the development of mandates; mandates were themselves stratified according to their level of sociopolitical development.[13] Through the codification of the standard a basis was also established to preclude indigenous peoples from the 'international.' Indigenous peoples, in a way that parallels the conception of C mandates, were considered to be in need of civilizing. Thus, when Chief Levi General

petitioned the League of Nations on behalf of the Six Nations to hear their case against the Canadian government, he was ultimately rebuffed on the basis that the Six Nations could not be considered a sovereign state. From the perspective of the dominion of Canada and Great Britain, the Six Nations were a domestic population whose grievances could only be addressed as an internal matter of the British Empire.[14]

It was not until the mid- to late twentieth century that an indigenous transnational movement coalesced around common interests to challenge the discriminatory legacies of a European discourse on civilization.[15] The emergence of this society also occurred around the same time as a transition in a European discourse on civilization, a transition toward civilizational standards premised especially on human rights and modernity.[16] It was through these new standards that a European discourse on civilization persisted, extending a variety of individual rights to indigenous peoples on the assumption that indigenous peoples were domestic populations, and as such, were to be integrated or assimilated within the fabric of the state. During the United Nations' discourse on decolonization, for example, a full right to self-determination was denied to indigenous peoples but extended to territories that promised to extend individual rights to their domestic populations (a move that helped confer their legitimacy as members within the society of states). Confronted by these barriers, indigenous transnationalism engaged in a sustained discourse with the members of international society through the United Nations from the late twentieth century on, leading to the adoption of the Declaration on the Rights of Indigenous Peoples in 2007. While indigenous transnationalism was successful in its efforts to have an indigenous right to self-determination recognized, the right itself has remained limited in scope by language marked by anxieties about the territorial integrity of states. In fact, African states that had once resisted the extension of self-determination to substate peoples during the period of decolonization once again found themselves in the position of defending Westphalian principles, resulting in revisions to the Declaration on the Rights of Indigenous Peoples that reasserted the territorial integrity of states. Despite having been excluded from membership within the society of states until the mid- to late twentieth century, African states found themselves grappling with the implications of a European discourse on civilization once again, though this time in the context of their legitimacy as sovereign members of international society. Of course, it should be recalled that it was four Western states that would vote against the Declaration on the Rights of Indigenous Peoples

in the General Assembly (Australia, Canada, New Zealand, and the USA). And, in that respect, African states were not alone in having reservations (or even the strongest reservations) about an indigenous right to self-determination. Nevertheless, their concerns remind us of the ironic and even paradoxical legacies of a European discourse on civilization in being defended by those who were once considered 'uncivilized.'

## IMPLICATIONS

The main line of argumentation in this book suggests that a European discourse on civilization remains embedded within the institutional fabric of the global space and continues to be rearticulated in new forms. Interestingly, however, it is also through new standards of civilization that the legacies of colonialism and imperialism are being challenged (such as the way that indigenous transnationalism employs human rights to advance indigenous self-determination). Through a critical analysis of the historical relations between indigenous peoples and international society, from the time of the Spanish conquest to the present, I have attempted to sketch out how a European discourse on civilization has shaped some of the contemporary institutions of international society, the social content of the wider global space, as well as the legacies of this discourse and the ways that they are being confronted. In doing so, it is hoped that this book contributes to international relations theory in at least three interrelated ways: first, its application of a cross-theoretical dialogue between the English School and postcolonial theory as an attempt to broaden and deepen our understanding of the story of international society; second, its focus on the historical relations between indigenous peoples and states as a way of shedding light on the processes of 'exclusion by inclusion'; and third, its telling of a "connected history" as a means of decolonizing international relations theory. In this section, these implications are drawn out.

### *A Cross-Theoretical Dialogue*

The historical evolution and expansion of international society has long been a concern of the English School. Despite my critique of their work, there is little doubt that both Bull and Watson believed that a thorough-going account of this process was key to a better understanding of international relations more generally. And, as has been suggested, a more

comprehensive account can be facilitated through a cross-theoretical dialogue that takes stock of the colonial and imperial periods, as well as the legacies they handed down for today. In that vein, scholars from inside and outside the English School have embarked on research aimed at expanding our understanding of the historical relations between European and non-European societies in the makings of the global space. And, in that respect, the cross-theoretical dialogue advanced in this book is very much an addition to or perhaps extension of an already existing (and growing) body of literature. With this in mind, I would suggest that with the exception of a few, much of this literature has focused on the implications of colonialism and imperialism for the contemporary relations between the Western and non-Western members of international society. Indeed, much less has been said about the implications of colonialism and imperialism for the relations between state and non-state societies. In that respect, at least, there is considerable scope for a more comprehensive understanding of our colonial and imperial pasts and their implications for the here and now. My application of a cross-theoretical dialogue between the English School and postcolonial theory has thus sought to do just that, by treating the core concepts, themes, and interests of these approaches as complementary elements in the telling of a "connected history." Such an approach should not be taken as an affront to the traditional concerns of the English School, but should, in my view, be seen as part of a process in the construction of a much more comprehensive account of the evolution and expansion of international society. Doing so, it is also hoped that this approach can benefit international relations theory by fostering new theoretical discourses.

In my view, such an approach can foster intratheoretical and intertheoretical discourses, dialogues, and debates. Intratheoretically, I am thinking here of furthering dialogue within the English School on the evolution and expansion of international society to promote a more comprehensive account of it; that is, one that better understands the historical interconnections that came to shape the global space. Such an approach nuances the orthodox account with critical insights to reconstruct global history in a way that is attentive to not just the interstate relations between the Western and non-Western members of international society but also those involving non-state societies. That is not to say that critique and deconstruction are not in order; indeed, much of this book has sought to destabilize the orthodox account. But, it is to say that a more critical account of the evolution and expansion of international society need not

disregard orthodox insights. Far from it, its aim should be to challenge the orthodox account with new research in an effort to tell a broader and more persuasive history of our origins. Where intertheoretical dialogue is concerned, I am thinking of the sort of cross-theoretical dialogue applied in this book, between the English School and postcolonial theory. Such a dialogue need not be restricted to these two bodies of thought, however; indeed, alternative configurations may also prove promising (consider here, e.g., the potential benefits of Marxism in better detailing the political economy that was constructed by the colonial and imperial expansion of international society). Moreover, it should be added that an intertheoretical dialogue of this kind need not be limited to the confines of disciplinary international relations but is altogether capable of generating interdisciplinary dialogue and debate as well; in this book, for example, much of the research engaged with literature from the discipline of international law (and, it must be recalled that much of the international relations literature on postcolonial theory is itself indebted to the work of people like Said, who worked out of the field of literary studies).

In these ways, it is my hope that the preceding chapters have not only evidenced a basis for communication between theoretical approaches and disciplines but have also pushed the English School down a more critical path. Leveraging intratheoretical, intertheoretical and interdisciplinary insights, this book has sought to deepen the English School's critical awareness by attuning it to the colonial and imperial relations between indigenous peoples and international society, and, through that history, to draw its attention to processes of 'exclusion by inclusion.' It is to this idea that I now turn.

## *'Exclusion by Inclusion'*

There is little doubt that Europe exercised a growing and eventually preponderant amount of material power over the course of its imperial expansion (reaching a zenith in the nineteenth and early twentieth centuries). But, a focus on these material sources of power alone is incapable of accounting for the social and discursive strategies that justified imperial and colonial activities. From an English School perspective, for example, Buzan and Lawson have suggested the need to move beyond a strict focus on material power and toward the *mode of power*.[17] In a similar vein, the preceding chapters have tried to detail the social and discursive sides of power, specifically by detailing the role of a European discourse on

civilization in facilitating European colonial and imperial expansion. In the sixteenth century, this discourse was articulated by Vitoria in the form of a natural law framework that substantiated Spanish colonialism; in the USA during the nineteenth century, this discourse was articulated through the Supreme Court to erode the sovereign rights of indigenous peoples; at the League of Nations in the twentieth century, this discourse was applied by the dominion of Canada and Great Britain to substantiate the exclusion of the Six Nations; and during the United Nations' discourse on decolonization, it was applied by Western and non-Western states alike to restrict a full right of self-determination to the former overseas territories of European empires. In all of these cases, a European discourse on civilization facilitated a process of 'exclusion by inclusion,' whereby indigenous peoples were subsumed within the boundaries of states. But, it must be cautioned that this was certainly not an historical inevitability in the march toward Western progress and modernity, nor should this be used as a tool to justify disciplinary neglect of indigenous peoples. As has been emphasized in the preceding chapters, indigenous peoples played a central role in the constitution of the global space, challenging its norms and values in acts of political agency, most recently through the indigenous transnational movement.

Indeed, I believe this function of a European discourse on civilization is important for what it tells us about the interplay between exclusion and inclusion. While the exclusionary aspects of international society's expansion have been increasingly well documented, it seems to me that there is much more to say about their paradoxical relationship with inclusionary ones (though, as noted in the Preface and Introduction, this does not suggest that the idea of 'exclusion by inclusion' has not already been explored, as is evidenced by a growing body of literature that explores the subject without necessarily using this turn of phrase).[18] In that respect, a focus on a European discourse on civilization provokes critical reflection on disciplinary origin stories. In this book, the focus has been placed on the orthodox account of the expansion of international society, as underpinned by a conventional account of the Peace of Westphalia. Specifically, it was argued that such an account is one that depicts the story of international society, for the most part, as an inclusionary process. One of the problems is that it can only be read as an inclusionary process if we approach it from a Eurocentric perspective.[19] Even if we leave aside the more violent aspects of Europe's imperial expansion, it is difficult to sustain the idea that non-European societies only became relevant to the story of inter-

national relations when they became recognized as independent states in the twentieth century. From that perspective, non-European societies can only be seen as legitimate international actors once they have been recognized as such by the established members of international society, thus reinforcing a kind of gatekeeping role played by European international society. To return to indigenous peoples then, this is a problem precisely because it (re)inscribes a domestic-international dichotomy that precludes indigenous peoples from the latter; subsumed within the social fabric of states, indigenous peoples have been virtually effaced from the orthodox story of international society. And yet, indigenous peoples are central to the story of international society's evolution and expansion. And, by taking their political histories seriously, important implications for the way we tell the story of our origins begins to unfold. Sticking with the orthodox account of the evolution and expansion of international society, for example, a focus on the relations between indigenous peoples and international society provokes a critical rethinking of world order. Specifically, it suggests that sovereignty is not a static institution, and the order generated by it has always been relative.[20] As it pertains to indigenous peoples, this is key, because it reminds us of a history of contestation and change that saw their sovereignty eroded via their 'inclusion' within the boundaries of purportedly 'civilized' sovereign states. And, in the context of this book, it reminds us of a constitutive relationship between a European discourse on civilization and its relationship to inclusion, exclusion, and social stratification within the global space.

### *Decolonizing International Relations*

To me, there is something irking about the idea of decolonizing international relations theory; not because of the potential value of doing so, but because of the scope such a project implies. What specifically should be decolonized, and how? Is a full-scale decolonization even possible, and should this even be our aim? Answers to those questions are hinted at in the very meaning of the term postcolonialism itself; as Seth explains, "[t]he 'post' in postcolonialism […] signifies the claim that conquest, colonialism and empire are not a footnote or episode in a larger story […] but are in fact a central part of that story and are constitutive of it."[21] If that is true, then the decolonization of international relations theory is almost a limitless process that will require a long-term, sustained engagement with not just European colonial and imperial activity but non-European

colonial and imperial activity as well. Is the full-scale decolonization of international relations possible, and should this be our aim? This is a question for which I do not have an answer (though I would like to reply, yes). With that in mind, the preceding chapters have sought to make a moderate contribution toward this goal by engaging with a European discourse on civilization and its role in the constitution of relations between indigenous peoples and international society (as well as its legacies). So, while I would not want to suggest that colonial and imperial legacies cannot be contested, it must be acknowledged that they have proven remarkably resilient. To answer the first question then, what should be decolonized, my answer is a very tentative one: yes, through an engagement with specific manifestations of colonialism and imperialism in the contemporary theory and practice of international relations. If this answer strikes the reader as a touch underwhelming, I sympathize; but my hope is that I have at least done so to some small measure through the preceding chapters. Also, that I can provide a more fulfilling answer to the second question, *how*?

To be clear, my view of decolonization does not necessarily imply an emancipatory objective, as has sometimes been implied by critical theorists through the creation of open and equitable discourses on inclusion and exclusion.[22] Rather, I view decolonization more modestly as a process of contestation; one that sets out to destabilize Eurocentric narratives that make the evidence 'fit' with European and Western experiences. In that respect, I heed Branwen Gruffydd Jones, who observes that "[t]he routine reproduction of Eurocentric forms of social inquiry is parasitic on widespread ignorance of world history, including the histories of colonialism and imperialism and, even more so, the histories of non-European peoples."[23] Indeed, this perspective draws our attention to the historical omissions of disciplinary narratives; omissions that have become so well engrained that they have become foundational props to support the theory and practice of international relations. Accordingly, the type of decolonization I have in mind is one that generates critical reflection on, to borrow the words from Grovogui, "silences, banalizations, and erasures" generated by Eurocentric histories.[24] Thus, to return to the question of *how*, by drawing our attention to the global interconnections that have shaped the global space, I see the application of "connected histories" as a valuable approach with which to generate some critical reflection on our global origins. Indeed, it is by telling these kinds of stories that a space is generated for a better understanding of the constitution of the global space, and the relations that occur within it (be they between state-based

societies, state and non-state societies, or non-state societies themselves). Thus, it is in this respect that I hope the "connected history" told here has helped engage the English School in the process of decolonizing itself, through a sustained engagement with oft-neglected relations between unlike societies. With this in mind, however, one important point must be added. While this book has sought to advance the process of decolonizing international relations theory, by highlighting processes of 'exclusion by inclusion,' it has also in the process highlighted indigenous agency within the global space. This is important, because whether or not indigenous efforts have succeeded or failed, the fact remains that indigenous peoples have always been engaged in the constitution of the global space. The point being made here then is that there is always an inherent risk involved in disciplinary histories, both mainstream and critical, to overplay the exclusionary forces of history, thereby reinforcing a false view of the marginalized being marginal. It is my hope that the telling of "connected histories" can help guard against this by staying attuned to the interrelations between actors, as agents, in the global space. In practical terms, this helps underscore the real-world acts of decolonization that challenge universalizing and assimilationist discourses (sometimes operating in and through them).

## CIVILIZATION AND ITS LEGACIES

For the most part, indigenous peoples and their political histories have been a marginal concern of the discipline of international relations. The reason for this is not a malicious effort on the part of international relations theorists to deny the role of indigenous peoples in the constitution of the global space but a consequence of Eurocentric assumptions that perpetuate a civilizational discourse and the valorization of the sovereign state.[25] Thus, an important theme of this book has been to challenge these assumptions by highlighting their relationship to the exclusion of indigenous peoples from the theory and practice of international relations. For example, in Chap. 5, I suggested that the legacies of civilization continue to inform debates on indigenous self-determination through discourses on human rights. While rights-based frameworks have been seized upon by indigenous transnationalism, the capacity of these frameworks to promote indigenous self-determination at the ground level remains a work in progress. In the context of decolonization, for example, it was observed that while human rights were viewed as a way to prevent the discrimination

of indigenous peoples, they were also promoted in a way that supported assimilation—as was the case with ILO Convention No 107. And, while the indigenous transnational movement has challenged that association through the negotiation of the Declaration on the Rights of Indigenous Peoples, the practicalities of exercising those rights in practice often relies on the extent to which states actually go about ensuring them. To be very clear, I am by no means intending to diminish the achievements of indigenous transnationalism, nor would I want to negate the very real value of human rights, or even the role that states can play in advancing order and justice in international relations. What I am pointing out, however, is that discourses on civilization are not just a matter for historical inquiry; they persist through the institutions of international society. For example, Anghie has demonstrated that contemporary international law is itself a product of colonial relations and continues to inhibit the full participation of postcolonial states in a Western-derived system that reproduces colonial structures.[26] That is important, because it highlights the contradictory nature of international society's institutions and their role in paradoxically including and excluding at the same time. While it is true that postcolonial states found themselves included within exclusionary structures of international society, those states also found themselves rearticulating the legacies of civilization through their defense of Westphalian assumptions in the mid- to late twentieth century (and still do). Specifically, postcolonial states found themselves defining an inside and an outside, a domestic and an international, restricting the full exercise of self-determination to territorial entities by denying it to substate peoples within their borders. Indeed, the legacies of a European discourse on civilization are still present today and are being rehashed through new standards of human rights and modernity. Again, this is not to diminish the value of the human rights framework but to underscore its relationship to a once more overt discourse on civilization that stretches back centuries.[27] Indeed, that relationship was evident in the way that language was inserted into the Declaration on the Rights of Indigenous Peoples to reaffirm the territorial integrity of states. It was also on display during the General Assembly vote on the Declaration on the Rights of Indigenous Peoples, when Australia, Canada, New Zealand, and the USA voted against it.

From a contemporary standpoint, these legacies speak to the potential challenges of actually implementing the Declaration on the Rights of Indigenous Peoples in practice. While indigenous transnationalism has made important headway in asserting the rights of indigenous peoples, it

remains to be seen whether these rights will be translated into positive new relations with states. In Canada, for example, the Idle No More movement that came to prominence in the summer of 2013 brought/brings public attention to important questions about the colonial legacies of Canada's relationship with the indigenous peoples in its borders, as well as issues related to self-determination and sovereignty. Indeed, while it is clear that the rights-based language of the Declaration on the Rights of Indigenous Peoples has played a key role in the quest for indigenous self-determination, it is also unclear whether it will ever be able to provide for it in practice. The fact that these struggles persist suggests that the rights-based framework of the Declaration on the Rights of Indigenous Peoples is still a long way from being realized at the ground level. While the coming decades will help clarify the extent to which it has helped catalyze change in the relations between indigenous peoples and the society of states, there is considerable work to be done. Much of the potential success for mobilizing change will hinge on the capacity of indigenous peoples and states to challenge the colonial legacies of civilization. This is because, and despite the important role of indigenous transnationalism in negotiating an indigenous right to self-determination, the realization of the Declaration on the Rights of Indigenous Peoples in practice is also in the hands of states, which have "slowed developments and, in some cases, reasserted the logic of domestication and domination."[28] Unfortunately, recognition of this fact leads to an unsavory conclusion: the legacies of the European discourse on civilization will continue to persist in the institutions and hierarchies of the global space.

Although I have sought to reflect critically on the Eurocentric biases associated with international society, international society is not in itself an inherent bad, nor is it a panacea for the challenges facing indigenous-state relations. International society is, in part, a product of a European discourse on civilization, and for that reason will continue to struggle in managing a fine balance between the interests of its members and the rights-based standards expected of a 'civilized' society in relation to non-members.[29] Indeed, revisions to the social content of the *global space* would not be possible without the efforts of substate, and other non-state societies to hold the members of international society to account. In turn, this means that the decolonization of the global space will depend on a sustained dialogue between the societies that comprise it. As it pertains to the specific context of indigenous peoples and their ongoing struggle for meaningful participation within the global space, Phil Fontaine reminds us that "[t]he adoption

of the *Declaration* by the United Nations was not an endpoint; it is the beginning."[30] A next step to see this process through, at least in the theory and practice of international relations, will be continued and comprehensive engagement with the legacies of a European discourse on civilization.

## NOTES

1. My account of a European discourse on civilization is especially influenced by the work of Bowden and Duara, respectively. See (see also Chap. 1): Bowden, *The Empire of Civilization*, esp. Chapter 2 & 3; Duara, "The Discourse of Civilization and Decolonization"; Duara, "The Discourse of Civilization and Pan-Asianism"; See also: Gong, *The Standard of 'Civilization' in International Society.*
2. See Preface, endnote 5.
3. My reference to an orthodox account, as well as a critical account, follows others who make similar distinctions, such as and Buzan and Little, and Schulz, the latter who also uses the term "orthodox." See (see also Preface section, "Classification and Caricature"): Buzan and Little, "The Historical Expansion of International Society"; Schulz, "Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society."
4. Bull and Watson, "Introduction," 2.
5. See Chap. 2 sub-section "Methodology," and Preface endnote 9.
6. This line of argumentation builds on the insights of others; for a number of perspectives that engage with the conventional account of the Peace of Westphalia critically, see (see also Chaps. 1 and 3): de Carvalho, Leira, and Hobson, "The Big Bangs of IR: The Myths That Your Teachers Still Tell You about 1648 and 1919"; Grovogui, "Regimes of Sovereignty"; Inayatullah and Blaney, *International Relations and the Problem of Difference*, 1: Chapter 1; Kayaoglu, "Westphalian Eurocentrism in International Relations Theory"; Krasner, "Compromising Westphalia"; Osiander, "The Westphalian Myth"; Schmidt, "To Order the Minds of Scholars"; Teschke, *The Myth of 1648.*
7. This line of argumentation builds on the insights of others; for a number of perspectives on the story of international society, see (see also Chap. 1): Epp, "The English School on the Frontiers of International Society"; Hobson, *The Eurocentric Conception of World Politics*; Kayaoglu, "Westphalian Eurocentrism in International Relations Theory"; Keal, *European Conquest and the Rights of Indigenous Peoples*; Keene, "The Standard of 'Civilisation', the Expansion Thesis and the 19th-Century International Social Space"; Seth, "Postcolonial Theory and the Critique

of International Relations"; Suzuki, *Civilization and Empire*. See also: Pearcey, "A Case of Exclusion by Inclusion."

8. My analytical framework builds the work of Buzan and Keene, respectively; see (see also Chap. 2): Buzan, *From International to World Society?*; Keene, "The Standard of 'Civilisation', the Expansion Thesis and the 19th-Century International Social Space."

9. Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: Chapter 1; See also: Aalberts, "Rethinking the Principle of (Sovereign) Equality as a Standard of Civilisation"; Bowden, *The Empire of Civilization*, esp. 112–117; Williams, Jr., *The American Indian in Western Legal Thought*, esp. 96–108.

10. For a wider discussion of the relationship between indigenous rights, sovereignty and the Marshall court, see (see also Chap. 3): Ford, *Settler Sovereignty*; Norgren, *The Cherokee Cases*.

11. Johnson and Graham's Lessee v. William M'Intosh, 21 (8 Wheaton) U.S. 543, (United States Supreme Court 1823), 567; See also: Purdy, "Property and Empire," esp. 349–353.

12. The Cherokee Nation v. The State of Georgia, 30 U.S. (5 Peters) 1, (United States Supreme Court 1831), 17.

13. For a wider discussion of the mandate system and its relationship to the idea of guardianship, see: Anghie, *Imperialism, Sovereignty and the Making of International Law*, 37: esp. Chapter 3.

14. For a wider discussion of Deskaheh and his diplomatic mission to the League of Nations, see (see also Chap. 4): Belanger, "The Six Nations of Grand River Territory's Attempts at Renewing International Political Relationships, 1921–1924"; Hauptman, *Seven Generations of Iroquois Leadership*, esp. Chapter 8; Niezen, *The Origins of Indigenism*, esp. 31–36; Pearcey, "A Case of Exclusion by Inclusion"; Grace Li Xiu Woo, "Canada's Forgotten Founders: The Modern Significance of the Haudenosaunee (Iroquois) Application for Membership in the League of Nations," *Law, Social Justice & Global Development Journal*, no. 1 (April 2003), http://www2.warwick.ac.uk/fac/soc/law/elj/lgd/2003_1/woo/.

15. For a wider discussion of indigenous transnationalism, see (see also Chap. 5): Engle, *The Elusive Promise of INDIGENOUS DEVELOPMENT*; Niezen, *The Origins of Indigenism*.

16. Gong, *The Standard of 'Civilization' in International Society*, 90–93.

17. Buzan and Lawson, *The Global Transformation*, 135: 307.

18. See Preface, endnote 5.

19. Kayaoglu, "Westphalian Eurocentrism in International Relations Theory."

20. For a similar point of view, see: Hobson, *The Eurocentric Conception of World Politics*; Pearcey, "A Case of Exclusion by Inclusion" See also: Keene, *Beyond the Anarchical Society*; Suzuki, *Civilization and Empire*.

21. Seth, "Postcolonial Theory and the Critique of International Relations," 174.
22. For an example of the kind of discourse I have in mind, as influenced by Critical theory, see (see also Chap. 2): Linklater, *The Transformation of Political Community*; Linklater, "The Next Stage"; For a critical perspective of critical theory, see also: Jahn, "One Step Forward, Two Steps Back."
23. Branwen Gruffydd Jones, "Introduction: International Relations, Eurocentrism, and Imperialism," in *Decolonizing International Relations*, ed. Branwen Gruffydd Jones (Lanham: Rowman & Littlefield Publishers, 2006), 6.
24. Grovogui, "Come to Africa," 437.
25. For a wider discussion of Eurocentrism in international relations, see: Hobson, *The Eurocentric Conception of World Politics*; See also: Hobson, *The Eastern Origins of Western Civilisation*.
26. Anghie, *Imperialism, Sovereignty and the Making of International Law*.
27. In this respect, I echo Keene who maintains a certain affection for human rights, but also recognizes the need to reflect critically on them and their origins; see: Keene, *Beyond the Anarchical Society*, 149.
28. Nichols, "Realizing the Social Contract," 58 At the time of his writing, Nichols was referring to the Draft Declaration on the Rights of Indigenous Peoples, not the Declaration on the Rights of Indigenous Peoples (which had not yet been adopted by the General Assembly).
29. For a wider discussion of the historical relations between indigenous peoples and international society, and what that tells us about the normative value of the latter, see: Keal, *European Conquest and the Rights of Indigenous Peoples*.
30. Fontaine, "Foreword," 9.

# References

Aalberts, Tanja E. 2014. Rethinking the Principle of (Sovereign) Equality as a Standard of Civilisation. *Millennium: Journal of International Studies* 42(3): 767–789.

Acharya, Amitav. 2011. Dialogue and Discovery: In Search of International Relations Theories Beyond the West. *Millennium: Journal of International Studies* 39(3): 619–637.

Acharya, Amitav, and Barry Buzan. 2007. Why is There No Non-Western International Relations Theory? An Introduction. *International Relations of the Asia-Pacific* 7(3): 287–312.

Alexandrowicz, Charles Henry. 1973. *The European-African Confrontation: A Study in Treaty Making*. Leiden: A.W. Sijthoff.

Alfred, Taiaiake. 2005. Sovereignty. In *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*, ed. Joanne Barker, 33–50. Contemporary Indigenous Issues. Lincoln: University of Nebraska Press.

Anaya, S. James. 1996. *Indigenous Peoples in International Law*. New York: Oxford University Press.

Anghie, Antony. 2005. *Imperialism, Sovereignty and the Making of International Law*. vol. 37. Cambridge Studies in International and Comparative Law. Cambridge: Cambridge University Press.

Barker, Joanne. 2005a. For Whom Sovereignty Matters. In *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*, ed. Joanne Barker, 1–31. Contemporary Indigenous Issues. Lincoln: University of Nebraska Press.

———, ed. 2005b. *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*. Contemporary Indigenous Issues. Lincoln: University of Nebraska Press.

Bedford, David, and Thom Workman. 1997. The Great Law of Peace: Alternative Inter-Nation(al) Practices and the Iroquoian Confederacy. *Alternatives: Global, Local, Political* 22(1): 87–111.

Beier, J. Marshall. 2005. *International Relations in Uncommon Places: Indigeneity, Cosmology, and the Limits of International Theory*. New York: Palgrave Macmillan.

———. 2007. Inter-National Affairs: Indigeneity, Globality, and the Canadian State. *Canadian Foreign Policy Journal* 13(3): 121–131.

———. 2009a. Introduction: *Indigenous* Diplomacies as Indigenous *Diplomacies*. In *Indigenous Diplomacies*, ed. J. Marshall Beier, 1–27. New York: Palgrave Macmillan.

———, ed. 2009b. *Indigenous Diplomacies*. New York: Palgrave Macmillan.

Belanger, Yale D. 2007. The Six Nations of Grand River Territory's Attempts at Renewing International Political Relationships, 1921–1924. *Canadian Foreign Policy Journal* 13(3): 29–43.

Bhambra, Gurminder K. 2007. *Rethinking Modernity: Postcolonialism and the Sociological Imagination*. Basingstoke: Palgrave Macmillan.

———. 2010. Historical Sociology, International Relations and Connected Histories. *Cambridge Review of International Affairs* 23(1): 127–143.

———. 2011. Talking among Themselves? Weberian and Marxist Historical Sociologies as Dialogues without 'Others.' *Millennium: Journal of International Studies* 39(3): 667–681.

Bowden, Brett. 2009. *The Empire of Civilization: The Evolution of an Imperial Idea*. Chicago: The University of Chicago Press.

Bragaw, Stephen G. 2006. Thomas Jefferson and the American Indian Nations: Native American Sovereignty and the Marshall Court. *Journal of Supreme Court History* 31(2): 155–180.

Bull, Hedley. 1966. International Theory: The Case for a Classical Approach. *World Politics* 18(3): 361–377.

———. 1984a. The Emergence of a Universal International Society. In *The Expansion of International Society*, eds. Hedley Bull, and Adam Watson, 117–126. Oxford: Clarendon Press.

———. 1984b. European States and African Political Communities. In *The Expansion of International Society*, eds. Hedley Bull, and Adam Watson, 99–114. Oxford: Clarendon Press.

———. 1984c. The Revolt Against the West. In *The Expansion of International Society*, eds. Hedley Bull, and Adam Watson, 217–228. Oxford: Clarendon Press.

———. 1990. The Importance of Grotius in the Study of International Relations. In *Hugo Grotius and International Relations*, eds. Hedley Bull, Benedict Kingsbury, and Adam Roberts, 65–93. Oxford: Clarendon Press.

———. (1977) 2002. *The Anarchical Society: A Study of Order in World Politics.* 3rd ed. New York: Columbia University Press.

Bull, Hedley, and Adam Watson. 1984a. Conclusion. In *The Expansion of International Society*, eds. Hedley Bull, and Adam Watson, 425–435. Oxford: Clarendon Press.

———. 1984b. Introduction. In *The Expansion of International Society*, eds. Hedley Bull, and Adam Watson, 1–9. Oxford: Clarendon Press.

———, eds. 1984c. *The Expansion of International Society.* Oxford: Clarendon Press.

Buzan, Barry. 2004. *From International to World Society? English School Theory and the Social Structure of Globalisation.* vol. 95. Cambridge Studies in International Relations. Cambridge: Cambridge University Press.

———. 2014. The 'Standard of Civilisation' as an English School Concept. *Millennium: Journal of International Studies* 42(3): 576–594.

Buzan, Barry, and George Lawson. 2015. *The Global Transformation: History, Modernity and the Making of International Relations.* vol. 135. Cambridge Studies in International Relations. Cambridge: Cambridge University Press.

Buzan, Barry, and Richard Little. 2001. Why International Relations Has Failed as an Intellectual Project and What To Do About It. *Millennium: Journal of International Studies* 30(1): 19–39.

———. 2014. The Historical Expansion of International Society. In *Guide to the English School in International Studies*, eds. Cornelia Navari and Daniel M. Green, 59–75. Guides to International Studies. Chichester: Wiley Blackwell.

Canadian government. Department of Indian Affairs. (1923) 1995. Document Four: The Canadian Government's Reply to the League of Nations and the Six Nations' Claim (Excerpts). *Native Studies Review* 10(1): 86–87.

Canadian Museum of History. *Canadian Museum of History.* http://www.historymuseum.ca/. Accessed 17 May 2016.

Canadian Museum of History. The Canadian History Hall. *Canadian Museum of History.* http://www.historymuseum.ca/event/the-canadian-history-hall/. Accessed 17 May 2016.

Castellino, Joshua. 2000. *International Law and Self-Determination: The Interplay of the Politics of Territorial Possession with Formulations of Post-Colonial "National" Identity.* vol. 38. Developments in International Law. The Hague: Martinus Nijhoff Publishers.

Chakrabarty, Dipesh. 2000. *Provincializing Europe: Postcolonial Thought and Historical Difference.* Princeton Studies in Culture/Power/History. Princeton: Princeton University Press.

Cherokee Nation v. Georgia, 30 U.S. (5 Peters) 1 (United States Supreme Court 1831).

Chowdhry, Geeta, and Sheila Nair. 2004. Introduction: Power in a Postcolonial World: Race, Gender, and Class in International Relations. In *Power, Postcolonialism and International Relations: Reading Race, Gender and Class*, eds. Geeta Chowdhry and Sheila Nair, vol. 16, 1–32. Routledge Advances in International Relations and Global Politics. London: Routledge.

Cobo, José Martinez. 1986. Study of the Problem of Discrimination Against Indigenous Populations. UN Doc. E/CN.4/Sub.2/1986/7/Add.4. United Nations. Sub-Commission on Prevention of Discrimination and Protection of Minorities.

Cochran, Molly. 2008. The Ethics of the English School. In *The Oxford Handbook of International Relations*, eds. Christian Reus-Smit and Duncan Snidal, 286–297. Oxford Handbook of Political Science. Oxford: Oxford University Press.

Corntassel, Jeff. 2007. Towards a New Partnership? Indigenous Political Mobilization and Co-optation During the First UN Indigenous Decade (1995–2004). *Human Rights Quarterly* 29(1): 137–166.

———. 2008. Toward Sustainable Self-Determination: Rethinking the Contemporary Indigenous-Rights Discourse. *Alternatives: Global, Local, Political* 33(1): 105–132.

Crawford, Neta C. 1994. A Security Regime among Democracies: Cooperation among Iroquois Nations. *International Organization* 48(3): 345–385.

Daes, Erica-Irene A. 1993. Some Considerations on the Right of Indigenous Peoples to Self-Determination. *Transnational Law and Contemporary Problems* 3(1): 1–11.

Davis, Megan. 2007. The United Nations Declaration on the Rights of Indigenous Peoples. *Australian Indigenous Law Review* 11(3): 55–63.

Davis, Robert S. 2004. State v. George Tassel: States' Rights and the Cherokee Court Cases, 1827–1830. *Journal of Southern Legal History* 12: 41–71.

de Carvalho, Benjamin, Halvard Leira, and John M. Hobson. 2011. The Big Bangs of IR: The Myths That Your Teachers Still Tell You About 1648 and 1919. *Millennium: Journal of International Studies* 39(3): 735–758.

Deer, Kenneth. 2010. Reflections on the Development, Adoption, and Implementation of the UN Declaration on the Rights of Indigenous Peoples. In *Realizing the UN Declaration on the Rights of Indigenous Peoples: Triumph, Hope, and Action*, eds. Jackie Hartley, Paul Joffe, and Jennider Preston, 18–28. Saskatoon: Purich Publishing.

Deskaheh. (1922) 1995. Document One: Six Nations' Appeal to the Government of The Netherlands. *Native Studies Review* 10(1): 80–82.

———. 1923, August. The Redman's Appeal For Justice. http://law.lib.buffalo. edu/collections/berman/pdfs/Redmanappeal.pdf

de Victoria, Francisci. (1557) 1995. *De Indis et De Iure Belli Relectiones*. Ed. Ernest Nys, vol. 7. Classics of International Law. Buffalo: William S. Hein & Co..

Donnelly, Jack. 1998, January. Human Rights: A New Standard of Civilization? *International Affairs* 74(1): 1–23.

Duara, Prasenjit. 2001. The Discourse of Civilization and Pan-Asianism. *Journal of World History* 12(1): 99–130.

———. 2004. The Discourse of Civilization and Decolonization. *Journal of World History* 15(1): 1–5.

Dunne, Timothy. 1997. Colonial Encounters in International Relations: Reading Wight, Writing Australia. *Australian Journal of International Affairs* 51(3): 309–323.

Dunne, Tim. 2008. The English School. In *The Oxford Handbook of International Relations*, eds. Christian Reus-Smit and Duncan Snidal, 267–285. Oxford Handbooks of Political Science. Oxford: Oxford University Press.

El-Ayouty, Yassin. 1971. *The United Nations and Decolonization: The Role of Afro-Asia*. The Hague: Martinus Nijhoff.

Elias, Norbert. (1939) 2000. *The Civilizing Process: Sociogenetic and Psychogenetic Investigations*. Eds. Eric Dunning, Johan Goudsblom, and Stephen Mennell and Trans. Edmund Jephcott. Revised Edition. Malden: Blackwell Publishing.

Engle, Karen. 2010. *The Elusive Promise of INDIGENOUS DEVELOPMENT: Rights, Culture, Strategy*. Durham: Duke University Press.

Epp, Roger. 1998. The English School on the Frontiers of International Society: A Hermeneutic Recollection. *Review of International Studies* 24(5): 47–64.

———. 2001. At the Wood's Edge: Toward a Theoretical Clearing for Indigenous Diplomacies in International Relations. In *International Relations-Still an American Social Science? Toward Diversity in International Thought*, eds. Robert M.A. Crawford and Darryl S.L. Jarvis, 299–324. SUNY Series in Global Politics. Albany: State University of New York Press.

Errico, Stefania. 2007a. The Draft UN Declaration on the Rights of Indigenous Peoples: An Overview. *Human Rights Law Review* 7(4): 741–755.

———. 2007b. The UN Declaration on the Rights of Indigenous Peoples Is Adopted: An Overview. *Human Rights Law Review* 7(4): 756–759.

Falk, Richard A. 1969. The Interplay of Westphalia and Charter Conceptions of the International Legal Order. In *The Future of International Legal Order*, eds. Richard A. Falk and Cyril E. Black, vol. 1, 32–70. Princeton: Princeton University Press.

Fidler, David P. 2001. The Globalization of Public Health: The First 100 Years of International Health Diplomacy. *Bulletin of the World Health Organization* 79(9): 842–849.

Fontaine, Phil. 2010. Foreword: A Living Instrument. In *Realizing the UN Declaration on the Rights of Indigenous Peoples: Triumph, Hope, and Action*, eds. Jackie Hartley, Paul Joffe, and Jennifer Preston, 8–11. Saskatoon: Purich Publishing.

Ford, Lisa. 2010. *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788–1836*. vol. 166. Harvard Historical Studies. Cambridge: Harvard University Press.

General Act of the Conference of Berlin Concerning the Congo. (1885) 1909. *The American Journal of International Law* 3(1): 7–25. Supplement: Official Documents.

Georgia Legislative Documents. 1830. *Resolutions Which Originated in the House of Representatives. 230*, vol. 1. http://metis.galib.uga.edu/ssp/cgi-bin/ftac-cess.cgi?galileo_server=galfe3.gsu.edu&galileo_server_port=80&galileo_server_id=14&instcode=publ&instname=Guest&helpuserid=&style=&_id=eaf9c472-65f3386396-0227&dbs=ZLGL

Gong, Gerrit W. 1984a. China's Entry Into International Society. In *The Expansion of International Society*, eds. Hedley Bull, and Adam Watson, 171–183. Oxford: Clarendon Press.

———. 1984b. *The Standard of "Civilization" in International Society*. Oxford: Clarendon Press.

Government of Ontario. 2016. The Algonquin Land Claim. Government. *Government of Ontario*. https://www.ontario.ca/page/algonquinland-claim#section-0

Gross, Leo. 1948. The Peace of Westphalia, 1648–1948. *The American Journal of International Law* 42(1): 20–41.

Grovogui, Siba N. 2001. Come to Africa: A Hermeneutics of Race in International Theory. *Alternatives: Global, Local, Political* 26(4): 425–448.

———. 2002. Regimes of Sovereignty: International Morality and the African Condition. *European Journal of International Relations* 8(3): 315–338.

Hall, Ian. 2006. *The International Thought of Martin Wight*. Palgrave Macmillan History of International Thought. New York: Palgrave Macmillan.

———. 2011. The Revolt Against the West: Decolonisation and Its Repercussions in British International Thought, 1945–75. *The International History Review* 33(1): 43–64.

Harris, Cole. 2004. How Did Colonialism Dispossess? Comments from an Edge of Empire. *Annals of the Association of American Geographers* 94(1): 165–182.

Hartmann, Eva. 2015. The Educational Dimension of Global Hegemony. *Millennium: Journal of International Studies* 44(1): 89–108.

Hauptman, Laurence M. 2008. *Seven Generations of Iroquois Leadership: The Six Nations since 1800*. The Iroquois and Their Neighbors. Syracuse: Syracuse University Press.

Henderson, James (Sa'ke'j) Youngblood. 2008. *Indigenous Diplomacy and the Rights of Peoples: Achieving UN Recognition*. Saskatoon: Purich Publishing.

Hobson, John M. 2004. *The Eastern Origins of Western Civilisation*. Cambridge: Cambridge University Press.

———. 2012. *The Eurocentric Conception of World Politics: Western International Theory, 1760–2010*. Cambridge: Cambridge University Press.

———. 2014. The Twin Self-Delusions of IR: Why 'Hierarchy' and Not 'Anarchy' Is the Core Concept of IR. *Millennium: Journal of International Studies* 42(3): 557–575.

Hoffman, Stanley. 1986. Hedley Bull and His Contribution to International Relations. *International Affairs* 62(2): 179–195.

Huntington, Samuel P. 1993. The Clash of Civilizations? *Foreign Affairs* 72(3): 22–49.

Inayatullah, Naeem, and David L. Blaney. 2004. *International Relations and the Problem of Difference*. vol. 1. Global Horizons. New York: Routledge.

International Labour Organization. 1957. General Conference. Convention 107: Convention Concerning Indigenous and Tribal Populations. International Labour Organization. http://www.ilo.org/images/empent/static/coop/pdf/Conv107.pdf

———. 1989. C169: Indigenous and Tribal Peoples Convention, 1989 (No. 169). International Labour Organization. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169

Jahn, Beate. 1998. One Step Forward, Two Steps Back: Critical Theory as the Latest Edition of Liberal Idealism. *Millennium: Journal of International Studies* 27(3): 613–641.

———. 2005. Barbarian Thoughts: Imperialism in the Philosophy of John Stuart Mill. *Review of International Studies* 31(3): 599–618.

Johnson and Graham's Lessee v. William M'Intosh, 21 U.S. (8 Wheat.) 543 (United States Supreme Court 1823).

Jones, Branwen Gruffydd. 2006. Introduction: International Relations, Eurocentrism, and Imperialism. In *Decolonizing International Relations*, ed. Branwen Gruffydd Jones, 1–19. Lanham: Rowman & Littlefield Publishers.

Kades, Eric. 2001. History and Interpretation of the Great Case of Johnson v. M'Intosh. *Law and History Review* 19(1): 67–116.

Kayaoglu, Turan. 2007. The Extension of Westphalian Sovereignty: State Building and the Abolition of Extraterritoriality. *International Studies Quarterly* 51(3): 649–675.

———. 2010. Westphalian Eurocentrism in International Relations Theory. *International Studies Review* 12(2): 193–217.

Keal, Paul. 2003. *European Conquest and the Rights of Indigenous Peoples: The Moral Backwardness of International Society*. vol. 92. Cambridge Studies in International Relations. Cambridge: Cambridge University Press.

Kedourie, Elie. 1984. A New International Disorder. In *The Expansion of International Society*, eds. Hedley Bull, and Adam Watson, 347–355. Oxford: Clarendon Press.

Keene, Edward. 2002. *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics*. LSE Monographs in International Studies. Cambridge: Cambridge University Press.

———. 2014. The Standard of 'Civilisation', the Expansion Thesis and the 19th-Century International Social Space. *Millennium: Journal of International Studies* 42(3): 651–673.

Kingsbury, Benedict. 1998. 'Indigenous Peoples' in International Law: A Constructivist Approach to the Asian Controversy. *The American Journal of International Law* 92(3): 414–457.

Koskenniemi, Martti. 2002. *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870–1960*. Hersch Lauterpacht Memorial Lectures. Cambridge: Cambridge University Press.

Krasner, Stephen D. 1995/96. Compromising Westphalia. *International Security* 20(3): 115–151.

Kymlicka, Will. 1999. Theorizing Indigenous Rights. *The University of Toronto Law Journal* 49(2): 281–293.

Lâm, Maivân Clech. 1992. Making Room for Peoples at the United Nations: Thoughts Provoked by Indigenous Claims to Self-Determination. *Cornell International Law Journal* 25(3): 603–622.

———. 2000. *At the Edge of the State: Indigenous Peoples and Self-Determination*. vol. 5. Innovation in International Law. Ardsley: Transnational Publishers.

League of Nations. The Covenant of the League of Nations (Including Amendments Adopted to December, 1924). *Yale Law School: Lillian Goldman Law Library*, (1919/24) 2008. http://avalon.law.yale.edu/20th_century/leagcov.asp

Linklater, Andrew. 1992. The Question of the Next Stage in International Relations Theory: A Critical-Theoretical Point of View. *Millennium: Journal of International Studies* 21(1): 77–98.

———. 1998. *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era*. Studies in International Relations. Columbia: University of South Carolina Press.

Little, Richard. 2000. The English School's Contribution to the Study of International Relations. *European Journal of International Relations* 6(3): 395–422.

———. 2013. Reassessing the Expansion of the International Society. In *System, Society & the World: Exploring the English School of International Relations*, ed. Robert W. Murray, 19–24. Bristol, UK: e-International Relations.

Lloyd, David. 2012. Settler Colonialism and the State of Exception: The Example of Palestine/Israel. *Settler Colonial Studies* 2(1): 59–80.

Long, David. 2005. Paternalism and the Internationalization of Imperialism: J.A. Hobson on the International Government of the 'Lower Races.' In *Imperialism and Internationalism in the Discipline of International Relations*, eds. David Long and Brian C. Schmidt, 71–91. SUNY Series in Global Politics. Albany: State University of New York Press.

Long, David, and Brian C. Schmidt, eds. 2005. *Imperialism and Internationalism in the Discipline of International Relations*. SUNY Series in Global Politics. Albany: State University of New York Press.

Malezer, Les. 2010. Dreamtime Discovery: New Reality and Hope. In *Realizing the UN Declaration on the Rights of Indigenous Peoples: Triumph, Hope, and Action*, eds. Jackie Hartley, Paul Joffe, and Jennifer Preston, 29–46. Saskatoon: Purich Publishing.

Mayall, James. 2000. *World Politics: Progress and Its Limits*. Themes for the 21st Century. Cambridge: Polity.

———. 2009. The Limits of Progress: Normative Reasoning in the English School. In *Theorising International Society: English School Methods*, ed. Cornelia Navari, 209–226. Palgrave Studies in International Relations. Basingstoke: Palgrave Macmillan.

Mazrui, Ali. 1984. Africa Entrapped: Between the Protestant Ethic and the Legacy of Westphalia. In *The Expansion of International Society*, eds. Hedley Bull, and Adam Watson, 289–308. Oxford: Clarendon Press.

Mearsheimer, John J. 2001. *The Tragedy of Great Power Politics*. The Norton Series in World Politics. New York: W.W. Norton & Company.

Miller, Robert J. 2006. *Native America, Discovered and Conquered: Thomas Jefferson, Lewis & Clark, and Manifest Destiny*. Native America: Yesterday and Today. Westport: Praeger.

Minde, Henry. 2008. The Destination and the Journey: Indigenous Peoples and the United Nations from the 1960s through 1985. In *Indigenous Peoples: Self-Determination, Knowledge, Indigeneity*, ed. Henry Minde, 49–86. Delft: Eburon.

Moss, Wendy, and Elaine Gardner-O'Toole. (1987) 1991. Aboriginal People: History of Discriminatory Laws. *Government of Canada*. http://publications. gc.ca/Collection-R/LoPBdP/BP/bp175-e.htm.

Nichols, Robert Lee. 2005. Realizing the Social Contract: The Case of Colonialism and Indigenous Peoples. *Contemporary Political Theory* 4(1): 42–62.

Niezen, Ronald. 2000, January. Recognizing Indigenism: Canadian Unity and the International Movement of Indigenous Peoples. *Comparative Studies in Society and History* 42(1): 119–148.

———. 2003. *The Origins of Indigenism: Human Rights and the Politics of Identity*. Berkeley: University of California Press.

Norgren, Jill. (1996) 2004. *The Cherokee Cases: Two Landmark Federal Decisions in the Fight for Sovereignty*. Norman: University of Oklahoma Press.

Oldham, Paul, and Miriam Anne Frank. 2008. 'We the Peoples…': The United Nations Declaration on the Rights of Indigenous Peoples. *Anthropology Today* 24(2): 5–9.

Osiander, Andreas. 2001. Sovereignty, International Relations, and the Westphalian Myth. *International Organization* 55(2): 251–287.

Osterhammel, Jürgen. (1995) 2005. *Colonialism: A Theoretical Overview*. Trans. Shelley L. Frisch, 2nd ed. Princeton: Markus Wiener Publishers.

Pearcey, Mark. 2015. Sovereignty, Identity, and Indigenous-State Relations at the Beginning of the Twentieth Century: A Case of Exclusion by Inclusion. *International Studies Review* 17(3): 441–454.

Phillips, Andrew. 2014. Civilising Missions and the Rise of International Hierarchies in Early Modern Asia. *Millennium: Journal of International Studies* 42(3): 697–717.

Purdy, Jedediah. 2007. Property and Empire: The Law of Imperialism in Johnson v. M'Intosh. *The George Washington Law Review* 75(2): 329–371.

Roy, Audrey Jane. 2001. Sovereignty and Decolonization: Realizing Indigenous Self-Determination at the United Nations and in Canada. Master of Arts, University of Victoria.

Said, Edward W. (1978) 1994. *Orientalism*. 25th Anniversary Edition. New York: Vintage Books.

———. 1994. *Culture and Imperialism*. New York: Vintage Books.

Schmidt, Sebastian. 2011. To Order the Minds of Scholars: The Discourse of the Peace of Westphalia in International Relations Literature. *International Studies Quarterly* 55(3): 601–623.

Schulz, Carsten-Andreas. 2014. Civilisation, Barbarism and the Making of Latin America's Place in 19th-Century International Society. *Millennium: Journal of International Studies* 42(3): 837–859.

Seth, Sanjay. 2011. Postcolonial Theory and the Critique of International Relations. *Millennium: Journal of International Studies* 40(1): 167–183.

Shaw, Karena. 2008. *Indigeneity and Political Theory: Sovereignty and the Limits of the Political*. vol. 1. Routledge Issues in Contemporary Political Theory. London: Routledge.

Shilliam, Robbie. 2011. The Perilous but Unavoidable Terrain of the Non-West. In *International Relations and Non-Western Thought: Imperialism, Colonialism and Investigations of Global Modernity*, ed. Robbie Shilliam, 12–26. Interventions. London: Routledge.

Subrahmanyam, Sanjay. 1997. Connected Histories: Notes towards a Reconfiguration of Early Modern Eurasia. *Modern Asian Studies* 31(3): 735–762.

———. 2005a. *Explorations in Connected History: From the Tagus to the Ganges.* New Delhi: Oxford University Press.

———. 2005b. *Explorations in Connected History: Mughals and Franks.* New Delhi: Oxford University Press.

Suganami, Hidemi. 2003. British Institutionalists, or the English School, 20 Years ON. *International Relations* 17(3): 253–271.

Suzuki, Shogo. 2005. Japan's Socialization in Janus-Faced European International Society. *European Journal of International Relations* 11(1): 137–164.

———. 2009. *Civilization and Empire: China and Japan's Encounter with European International Society.* The New International Relations. London: Routledge.

Teschke, Benno. 2003. *The Myth of 1648: Class, Geopolitics, and the Making of Modern International Relations.* London: Verso.

Tickner, Arlene B. and Ole Waever, eds. 2009. *International Relations Scholarship Around the World.* Worlding Beyond the West. New York: Routledge.

Tickner, J. Ann. 2011. Dealing with Difference: Problems and Possibilities for Dialogue in International Relations. *Millennium: Journal of International Studies* 39(3): 607–618.

Tully, James. 1995. *Strange Multiplicity: Constitutionalism in an Age of Diversity.* The John Robert Seeley Lectures. Cambridge: Cambridge University Press.

United Nations. 1945. Charter of the United Nations. United Nations. http://www.un.org/en/documents/charter/index.shtml

———. 1960. General Assembly Resolution 1514 (XV): Declaration on the Granting of Independence to Colonial Countries and Peoples. United Nations. http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/1514(XV)

———. 1960. General Assembly Resolution 1541 (XV): Principles Which Should Guide Members in Determining Whether or Not an Obligation Exists to Transmit the Information Called for under Article 73e of the Charter. United Nations. http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/1541(XV)

———. 1982. Economic and Social Council. ECOSOC Resolution 1982/34: Study of the Problem of Discrimination against Indigenous Populations. Office of the High Commissioner for Human Rights.

———. 1995. Economic and Social Council. ECOSOC Resolution 1995/32: Establishment of a Working Group of the Commission on Human Rights to Elaborate a Draft Declaration in Accordance with Paragraph 5 of the General Assembly Resolution 49/214 of 23 December 1994. http://www.un.org/documents/ecosoc/res/1995/eres1995-32.htm

———. 2007b. United Nations Declaration on the Rights of Indigenous Peoples. United Nations.

———. 2009. Department of Economic and Social Affairs. Permanent Forum on Indigenous Issues. State of the World's Indigenous Peoples. United Nations Publications. http://www.un.org/esa/socdev/unpfii/documents/SOWIP/en/SOWIP_web.pdf

Vigezzi, Brunello. 2014. The British Committee and International Society: History and Theory. In *Guide to the English School in International Studies*, eds. Cornelia Navari and Daniel M. Green, 37–58. Guide to International Studies. Chichester: Wiley Blackwell.

Walker, R.B.J. 1993. *Inside/outside: International Relations as Political Theory*. vol. 24. Cambridge Studies in International Relations. Cambridge: Cambridge University Press.

Waltz, Kenneth Neal. 1979. *Theory of International Politics*. Addison-Wesley Series in Political Science. Reading: Addison-Wesley.

Watson, Adam. 1984. European International Society and Its Expansion. In *The Expansion of International Society*, eds. Hedley Bull, and Adam Watson, 13–32. Oxford: Clarendon Press.

———. (1992) 2009. *The Evolution of International Society: A Comparative Historical Analysis*. 2nd ed. London: Routledge.

Weinert, Matthew S. 2013. World Society as Humankind. In *System, Society & the World: Exploring the English School of International Relations*, ed. Robert W. Murray, 54–57. Bristol, UK: e-International Relations.

Wherrett, Jill. 1996, February. Aboriginal Peoples and the 1995 Quebec Referendum: A Survey of the Issues. Parliament of Canada. Library of Parliament. http://www.parl.gc.ca/Content/LOP/ResearchPublications/bp412-e.htm

Wiessner, Siegfried. 2008. Indigenous Sovereignty: A Reassessment in Light of the UN Declaration on the Rights of Indigenous Peoples. *Vanderbilt Journal of Transnational Law* 41(4): 1141–1176.

Wight, Martin. 1977. *Systems of States*. Ed. Hedley Bull. Leicester: Leicester University Press.

———. 1992. *International Theory: The Three Traditions*. Eds. Gabriele Wight and Brian Porter. New York: Holmes & Meier.

Williams, John. 2014. The International Society—World Society Distinction. In *Guide to the English School in International Studies*, eds. Cornelia Navari and Daniel M. Green, 127–142. Guides to International Studies. Chichester: Wiley Blackwell.

Williams, Robert A. Jr. 1990. *The American Indian in Western Legal Thought: The Discourses of Conquest*. New York: Oxford University Press.

Wilmer, Franke. 1993. *The Indigenous Voice in World Politics: Since Time Immemorial*. vol. 7. Violence, Cooperation, Peace. Newbury Park: Sage Publications.

Woo, Grace Li Xiu. 2003. Canada's Forgotten Founders: The Modern Significance of the Haudenosaunee (Iroquois) Application for Membership in the League of Nations. *Law, Social Justice & Global Development Journal* 1. http://www2.warwick.ac.uk/fac/soc/law/elj/lgd/2003_1/woo/

World Bank. 1991. World Bank Operational Manual, Operational Directive 4.10. World Bank. http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTOPMANUAL/0,,contentMDK:20553653~menuPK:4564185~pagePK:64709096~piPK:64709108~theSitePK:502184,00.html. Accessed April 2013.

Zarakol, Ayşe. 2011. *After Defeat: How the East Learned to Live with the West*. vol. 118. Cambridge Studies in International Relations. Cambridge: Cambridge University Press.

*Journal of Early American History* 3(1) (2013). http://booksandjournals.brillonline.com/content/journals/18770703/3/1

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