Citation for published version


DOI

https://doi.org/10.1111/j.1468-2230.2010.00832_1.x

Link to record in KAR

https://kar.kent.ac.uk/26026/

Document Version

UNSPECIFIED

Copyright & reuse
Content in the Kent Academic Repository is made available for research purposes. Unless otherwise stated all content is protected by copyright and in the absence of an open licence (eg Creative Commons), permissions for further reuse of content should be sought from the publisher, author or other copyright holder.

Versions of research
The version in the Kent Academic Repository may differ from the final published version. Users are advised to check http://kar.kent.ac.uk for the status of the paper. Users should always cite the published version of record.

Enquiries
For any further enquiries regarding the licence status of this document, please contact: researchsupport@kent.ac.uk

If you believe this document infringes copyright then please contact the KAR admin team with the take-down information provided at http://kar.kent.ac.uk/contact.html

This book is a pleasure to read. Threading together an analysis of a rich and varied range of texts, from narratives of Palestinian refugees, laws, ordinances and policies relating to land and governance, to the personal diaries of colonial agents, Ghandour disrupts conventional historical discourses of Mandate Palestine. Ghandour’s style of writing is perceptive, engaging and reflects a depth of sense that is not often encountered in academic prose. The sense that I speak of encapsulates an acute empathy for the subjects of her analysis, an incisive political analysis, and an intellectual project that is realised through a strategy of unsettling.

In this review, I will discuss three aspects of the book that I found particularly innovative and which contribute meaningfully to existing literatures on post-colonial theory and legal analyses of the colonial settlement of Palestine. The first regards the writing of history. The author’s aim is to challenge the very rules of history as a genre and specifically to disrupt the linear teleological narratives that characterise dominant discourses of the Mandate in Palestine. At the outset of the book she poses the question: ‘[w]hat would happen to the discipline of history if historical studies were received as though they were works of art: as the emotive, evocative, subjective creations of their author?’ (83).

She unsettles the authorial power of dominant historical discourses on Mandate Palestine in a variety of ways. Most pointedly, she does so by relaying the voices of Palestinian refugees, speaking about a range of experiences but most particularly the Rebellions of 1935–1939. Along with challenging ‘accepted linguistic and cultural constructs’ she also hopes that the narratives of Palestinian refugees might ‘make the reader feel slightly sick and uncomfortable when faced with them’ (5).

Uncovering narratives of the subaltern is not a new strategy in post-colonial theory, invested as it is in challenging dominant, imperial discourses of colonisation. However, rather than utilise the transcripts of her interviews to provide evidence of a counter-narrative of settlement or to provide proof that imperial discourses are rife with orientalist ideologies and mistaken assumptions, Ghandour quite simply lets the voices speak for themselves. In Chapter Three, the narratives of people involved in the Rebellion conclude the chapter without immediate commentary or analysis by Ghandour, and the effect is very powerful: the very terms and vocabulary of imperial discourses on the Rebellion are irrevocably altered by the refugees themselves, as Palestinian memories and understandings of what happened create an entirely different framework for understanding the Rebellion. In this way, Ghandour suggests that whether or not the Rebellion successfully achieved de-colonisation is really not the point. In shifting our gaze, she challenges an imperial logic that sees power relations as a zero-sum game. Violence, in the context of the Mandate, becomes inevitable rather than necessary, but necessary as a ‘reclamation of the self’ (10). The value of the rebellion is assessed by Ghandour in very different terms as the value it had for the colonial subject who was fighting, perhaps, to exit the distress of [an]

The second innovative aspect of the book is its exploration of the relationship between affect, knowledge and power. She examines travel narratives of three British men involved in governing the Mandate (and other colonies) in order to trace the relationship between affect and knowledge production within the colony, and how this shaped relations of power between the coloniser and colonised. She poses the question: ‘Why should those men and their cultural and emotional baggage matter to us? Why bother to poke around their personal motivations, their insatiable emotional needs, their fixation with honour and fairness or the pain behind their wanderlust?’ (18) In taking account of the emotional needs and obsessions of the colonial authorities she sheds light on the affective dimensions of supposedly ‘rational’ justifications for colonial policies. Ghandour ponders how these men ‘made political domination look like devotion and selflessness’ (16). For instance, the assertion that ‘we recognise your right to self-government but cannot grant you that’ (in some cases, yet; in other cases, ever) carries with it, in the perverse affective universe of the coloniser’s obsession with control, emotional resonances of care and benevolence. The affective and emotional dimensions of colonialists’ self-perception (and self-delusion) lay at the basis of some rather tricky strategies they employed to maintain and rationalise their control over subject populations.

The diaries of colonial agents, which form almost a sub-genre within the travel literature of that period, have given us a rich archive of how colonisers and other Europeans viewed non-European subjects. Ghandour goes beyond the question of representation and analyses the personal writings and diaries of colonial administrators in order better to understand the relationship between how affect is implicated in knowledge production of the native subject. She reads these accounts in a nuanced manner, unveiling how their observations, and the feelings and sensations that accompanied these observations, helped form the value judgements that they made about native subjects and the landscape. In turn, these judgements formed the basis of colonial strategies of governance.

At times Ghandour’s observations are peppered with a playful quality; but this is not to underestimate their significance. I found a candidness that was refreshing, novel, and thought provoking. She skillfully disrupts the usual attribution of emotion to the native subject in contrast to the rational, scientific mind of the European by paying close attention to the feelings expressed in Captain F. D. Lugard’s diary.

Lugard had marched from Mombasa on the coast to Buganda through plains, mountains and forest. He arrived with his sleeves rolled up (as it was his habit to march, and this must have made him look quite confident and laid-back), with a continually seeping wound in his arm (where he had been shot whilst storming a slaver’s stockade two years previously, and which was so severe Lugard was still periodically pulling out splinters of bone), and a no less serious wound in his heart (a romantic betrayal which ‘nearly destroyed his mind’). (20–21)

In mentioning the heartbreak that Lugard endured, and how this may have deranged his mind, she introduces the place of contingency into the unfolding of historical events. The decisions taken by Lugard, as with other men in powerful
positions, were not simply or transparently the outcome of cold hard rationicingation about the geo-politics of whichever territory they were attempting to colonise.

The third aspect of the book that contributes significantly to post-colonial theory is the discussion of key colonial strategies utilised to settle the land and colonise the population. Two strategies stand out. The first is how colonial authorities recognised the rights and entitlements of some colonial subjects to govern themselves in varying degrees, while simultaneously refusing to grant the subject population self-government. Sometimes this recognition was explicit; at other times, acknowledged discreetly among colonial authorities concerned about how to manage troublesome native insurgents. Ghandour comments on the effects of this recognition of the right to self-govern and its simultaneous denial:

Wordplay aside, it is clear that the concept of self-determination, as well as the use of the term in this context is not an absolute, unqualified or self-sufficient one . . . but one which is dependent on the word which must precede it, the concept of entitlement to it: I (war victor), am not pronouncing you (ex-enemy territory) self-determining, but I am willing to concede that you are entitled to self-determination. So what? In terms of actual self-determination, this is beginning to sound like its antithesis. (32)

Recognition and refusal operate in tandem with the objective of prolonging the victor’s occupation. Deferral of granting the very thing that they recognised as the entitlement of the colonised population was an ancillary technique deployed in the same vein. Ghandour discusses the continual deferral of creating a Legislative Council for Palestinians (137–138). It is not difficult to imagine the supreme arrogance this entailed on the part of the occupying power.

Central to maintaining his psycho-affective and political power, Ghandour also notes how the coloniser has quite regularly to put the native in her place. ‘He must display his physical/mental prowess on a regular basis in order to remind the native that he is his superior’ (45). This compulsive flexing of muscles, so to speak, aids the shoring up of the coloniser's sense of mastery. This corresponds to Orientalist ideologies and racist understandings of the native as weak, rife with moral and physical oddities and defects, decrepit.

There is nothing new per se about a discussion of how Orientalist and racist ideologies underpin colonial policies pertaining to land appropriation and governance. However, this discussion sets the stage for a discussion of the strategy employed to protect and bolster colonial domination: namely, lawfare. Drawing on the work of John Comaroff, Ghandour refers to the origins of the term: the Tswana speaking people in South Africa in the 19th century referred to law as the English mode of warfare (J. Comaroff, ‘Symposium Introduction: Colonialism, Culture and the Law - a Foreword’ (2001) 26 Law and Social Inquiry 305). Lawfare is a particular type of military-political aggression. It can refer to the making legal of warfare before, during and after a conflict. One of the oldest tactics in the arsenal of colonial ideological weaponry, the legal justification of violence by the military also recalls Benjamin’s insights into the state’s monopoly of violence. Civilian deaths become an unwanted cost in a military operation that becomes a necessity (even if, ostensibly unwanted), when targets are defined legally as military targets.
Lawfare also operates, in the historical context of the Mandate, as a way of articulating and making manifest the relationship between Orientalist and racist ideologies and the imposition of legal norms and principles. The second chapter of the book deals with the appropriation of land in Mandate Palestine, and the imposition of English land law principles. The decrepit and decaying qualities of native subjects are transposed onto the land itself; the land becomes in need of development and regeneration, which is only possible with the imposition of English property laws. Thus the ground is fortified for the imposition of a new regime of ownership and the erasure of pre-existing law; the dispossession of peoples realised with reference to contractual norms and principles of exchange.

By promising to match dearth with cornucopia, laziness with technology... the colonialist claims moral, spiritual, intellectual and cultural superiority over the native. He reinforces this with wholesale references to treaties, covenants and agreements, to legal education and training, to regard for the principles of equity and respect for local custom. Together, these form an artificial moral headquarters or base camp (46).

Ghandour focuses on the technology of mapping as key to the British assertion of an epistemological and material hold over the land. Ghandour’s analysis of colonial technologies is also bolstered by a very clear explanation of the pre-existing forms of tenure and property ownership that were in effect wiped out in order to impose market-oriented reforms that benefited the colonial power. While the chapter on land is certainly engaging, in some ways it does not go far enough (or as far as the analyses of the Rebellion and the creation of religious, communal identities) in pushing the boundaries of contemporary understandings of the relationship between law, colonialism and property law.

How do affective dimensions of colonial knowledge production also contribute to the appropriation of land? The settler and the native, property and racial-ity are co-constitutive, and this co-constitution has affective dimensions that Ghandour so carefully reveals in other chapters of the book. How would our understanding of property and the particular forms of ownership she identifies become unsettled if they were subjected to the same sense of critique as the events of the Rebellion, or the colonial fabrication of religious communalism, explored in Chapter 4? Having said that, the chapter is meticulously detailed in its analysis of Palestinian and English forms of property ownership, and the techniques employed to stamp out the former.

In sum, Ghandour reveals how the colonialist rendering of the history of Mandate Palestine was a creation in which the affective and emotional dispositions of its authors were intricately bound up with the knowledge production of natives and native territory. In unsettling these creative acts and revealing the violence of this form of knowledge production, Ghandour unmakes history, and in doing so, presents us with an invaluable and powerful offering of post-colonial resistance to dominant discourses of occupation.

Brenna Bhandar*

*Law School, University of Kent