This book sets out to survey the range of attitudes held by Britons towards the indigenous peoples of what were to become settler colonies in Australia, southern Africa, and North America, at the time when large numbers of British settlers were first coming into direct contact with these peoples. The broad argument is that there was a shift in official, philosophical, and juridical approaches towards indigenous peoples between the mid-eighteenth and early nineteenth centuries. During this period, an initial approach founded on relatively open enquiry as to the nature of human difference changed into an approach founded on more rigid hierarchical notions of racial difference. The earlier approach was associated with official policies based on conciliation, especially in North America where native peoples were useful as military allies, but also in Australia and the Cape, while succeeding attitudes became associated with policies of compulsion and conversion in each site.

After an initial chapter outlining British imperial expansion during the eighteenth century and the administrative apparatus designed to cope with it, the book is divided into regional chapters: North America from 1760 to 1783, especially relations with “Indian” tribes during successive wars; New South Wales from 1784 to 1798, especially conceptions of Aboriginal land rights, and the Cape from 1795 to 1814, especially settler relations with Khoisan and Xhosa groups. In each of these chapters, the focus is not so much on the nitty gritty of colonial relations “on the ground,” but rather on how metropolitan officials understood each set of relations at a distance. As Borch explains, “My aim ... is to study the development of attitudes among ministers and government officials in London towards the peoples who already inhabited the land on which British colonists settled.” These attitudes “can, I believe, be extracted from the documents produced at the Colonial Office and ... can be seen as the foundation on which policy measures were based” (p. xiii).

After the regional chapters, there are two more general survey chapters, one on European conceptions of law relating to indigenous land rights, and another on European philosophical approaches to “racial” difference, both of which are well executed. The conclusion claims that the complex of beliefs about the intrinsic differences between Europeans and the indigenous peoples of each colony that were shaped by colonial and metropolitan officials and European juridicists and philosophers, had important roles to play in the dispossession and marginalization of these peoples during the first decades of the nineteenth century. It is a shame that some of the maps, of which there are twelve contained in one section, are far too small to actually make out any of the labels.

The book certainly contains evidence of Borch’s great erudition. She has covered an enormous and divergent literature, ranging from discussions of European Enlightenment philosophy to detailed empirical histories of colonization in three contexts. This reading is supplemented with primary research in the British official archives. In one sense, then, the story told in the book is wide-ranging. Borch is right to suggest that it enables a broader contextualization of colonial policies that are often examined in each site in isolation. The book is therefore a welcome challenge to parochial colonial histories, too many of which ignore the interconnected, networked nature of imperialism and the trajectories of ideas, practices and policies that circulated between different colonial terrains. The chapters placing each episode of in-
digienous dispossession against the backdrop of European discussions of “race” and of international law do indeed “encourage a more profound understanding of developments” in each colonial site (p. xv). On that basis, the book is to be recommended.

And yet, in another sense, the book is rather narrow. This is because it is only certain kinds of British and broader European discussions that are enlisted to provide this “backdrop”—namely elite and intellectual ones. Those few Britons with direct colonial experience who feature in this book are largely governors and lawyers. Those more prominent Britons whose impressions of indigenous “others” were shaped at a distance, tend to be Colonial Office officials, politicians and well-known philosophers and literary figures. An analysis of their viewpoints allows us to gain an impression of how distanced, brutal processes of indigenous dispossession were understood in legal and philosophical terms, but not of how they were enacted “on the ground.” Given its focus, indigenous agents are missing from this account, but so too are other kinds of Britons—the traders, settlers, missionaries, and so on, who actually played key roles in the dispossession and the colonization in each place.

This means that the book is premised on a rather limited conception of the geographies of British imperialism. As Borch admits, “Despatches sent from London to the colonies form the basic source-material for the discussion” (p. xiv). But what of the dispatches (let alone missionary reports, settler letters, newspapers etc) that traveled in the other direction? Did these not first of all condition the responses and directions of imperial officials? Since they were the primary sources of knowledge upon which metropolitan officials relied, of course, they did. Did they not also inform philosophical and legal discussions about racial difference in Europe? Again, I would suggest that European-based philosophers relied to a considerable extent upon both “knowledge” and “specimens” sent from the colonies themselves. The career of Robert Knox as medical officer in the Cape frontier wars (and collector of Xhosa skulls) before becoming one of Britain’s most influential racial scientists is a case in point. More to the point, did not the dispatches, reports, letters and newspapers originating within colonial places more materially, directly and immediately reflect the dispossession of indigenous peoples, and the understanding of it, that was actually being produced in each colonial site?

In its focus on European legal and philosophical understandings of indigenous dispossession, rather than the messy and bloody intricacies of that dispossession “on the ground,” this book has something in common with a genre that has been described as “juridical history.” In this genre, it is the lineage of legal understandings of complex colonial situations, rather than the actual encounters giving rise to colonial outcomes, that is the object of study. Juridical history is history written for the benefit of contemporary lawmakers and judges so that they can review past injustices towards indigenous people (for example, in the famous Mabo case in Australia, in which Native Title was restored).[1] On the one hand this genre of history makes a more direct contribution to a postcolonial politics than the theoretical agonizing of avowedly postcolonial scholars. On the other hand, though, juridical history is a peculiarly distorted rendition of the past. In the absence of an account of the messy, often bloody, often intimate, relations between settlers and Aborigines “on the ground,” for instance, it implies that Aboriginal people were dispossessed simply by legal fiat: because Australia was described by British lawyers as terra nullius (although actually it never was, but we won’t go into that), therefore the Aborigines were dispossessed.

While we may agree that such past legal understandings were wrong and unjust and therefore, that law courts should now reverse their effects, we must also remain aware that of course Aborigines were never dispossessed simply because lawyers understood their land to be unoccupied. They were dispossessed because settlers wanted their land and their resistance to settler occupation proved a nuisance. They were dispossessed by disease and by innumerable acts of intimidation and cruelty often culminating in mass murder, not by the stroke of a pen in a lawyer’s office.

Juridical history thus presents dilemmas. If we, as academics, want to try to generate understandings of what happened to indigenous peoples under colonial encounters and why, it is bad history. If we, as postcolonial scholars, want to contribute to redressing some of the wrongs of colonial encounters, it is much more useful than the kind of historical writing that we may, as scholars, admire. However, juridical history, as Bain Attwood argues, can also let the majority of the settler-descended population off the hook—blaming the judiciary for setting the terms of dispossession rather than the real culprits—settlers themselves (see fn 1).

Conciliation-Compulsion-Conversion is not a juridical history in any narrow sense. It contains far more than just a discussion of European legal and philosophical un-
understandings, and it is not directed at overturning any piece of national legislation in particular. The chapters on each colonial site do recount elements from recent historiography that give a more fully fleshed-out picture of those Britons involved in dispossessive acts "on the ground," than does juridical history as a whole. But perhaps there are ways in which a useful juridical history (or historical geography) can be written while still addressing more intensively the multiple agencies and the multiple loci of responsibility for acts of violence.

Cole Harris’s *Making Native Space* is a good model of such a historical geography, charting as it does, not only the official and legal understandings that gave rise to Native reserve confinement in British Columbia, but also the located practices of dispossession by traders, farmers, and local officials, and the efforts at negotiation by Native chiefs, with which those understandings were bound up.[3] We have in Harris’s book both a record of dispossession by legal fiat, which contemporary lawyers can use in attempts to gain redress, and a complicated history of dispossession which attributes responsibility to a variety of historical agents, many of them the direct ancestors of Harris’s contemporary readership. The question is, whether contemporary readerships will be interested enough in the intricacies of colonial encounters to turn such works into the basis for postcolonial campaigns of redress.

Notes


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