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Indigenous Internationalism Against Imprisoned Indigeneity in Australia and Palestine

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ABSTRACT

Indigenous Australians and Palestinians experience some of the highest rates of incarceration and state violence in the world. In this article's first section we focus comparatively on administrative detention and other forms of incarceration to underline a commonality of oppression that is both historical and contemporary. We examine settler colonial structures of domination and the impact of structural violence on Indigenous bodies, seeking to understand how incarceration acts as a form of elimination, and how it contributes to the consolidation of settler colonial nationhood. To counter incarceration and elimination, this article's second and third sections call for a politics of solidarity premised on shared indigeneity.

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Israeli Ambassador to Australia Naftali Tamir explained in a 2006 interview with *Haaretz* that 'Israel and Australia are like sisters in Asia. 'We are in Asia without the characteristics of Asians.' He added:

We don't have yellow skin and slanted eyes. Asia is basically the yellow race. Australia and Israel are not – we are basically the white race. We are on the western side of Asia and they are on the southeastern side. (Tamir cited in Hallé 2006).

When Tamir's racist comments became public, he was immediately recalled to Israel. After being initially cleared of 'misconduct' and scheduled to return to Australia, Tamir was stripped of his ambassadorship (Lynfield 2006). Tamir's comments were problematic on two levels: Not only had they reiterated Zionism's founder Theodor Herzl's explicitly colonialist vision that the future Zionist state would 'form a portion of a rampart of Europe against Asia, an outpost of civilization as opposed to barbarism,' they also embarrassed the Zionist and the Australian states by

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drawing attention to the racist underpinnings of their settler colonial alliance (see, for an early example, Herzl 1896, 15). His comments, however, offer an opportunity to reflect on the affinities of two settler colonial societies.

Saying that ‘Australia’ and ‘Israel’ are settler-colonial polities is both obvious and insufficient. Both are countries established on Indigenous lands, and both are premised on a “logic of elimination” and on a denial of Indigenous sovereignties. As Patrick Wolfe explains, settler colonialism is an inherently eliminatory mode of domination characterized by access to and control of territory, which is its ‘specific, irreducible element’, even if he also clarified that ‘elimination’ covers a wide diversity of settler practices and not only physical elimination (Wolfe 2006, 387). Israel and Australia are no exception to this eliminatory pattern. Then again, convergence does not mean sameness, and settler colonialism as a specific mode of domination takes a bewildering variety of forms. We need to account for this diversity when thinking comparatively and relationally, and when thinking about Palestine and Australia. Yet, diversity cannot obscure a commonality of Indigenous oppression. This commonality constitutes a necessary prerequisite for solidarity as engaged praxis (Land 2015).

We thus focus on shared indigeneity in Australia and Palestine but also on Indigenous experience of incarceration, historically and in the present. In particular, we examine administrative detention, a form of imprisonment that fundamentally characterises the Indigenous experience in both countries. Zahi Zalloua (2023) recently explained that while they have become ‘constitutive of the Palestinian question’, claims to Palestinian indigeneity are both powerful and dangerous (see also Samara 2023, Nabulsi 2023). While it could precipitate a strategic crisis in Zionist reclamation of priority and autochthony in Palestine, Zalloua fears that it also could result in a narrowing of the Palestinian question to a liberal identity politics approach, which abdicates the *universality* of the Palestine question and forecloses decolonisation. We agree, and in this article we emphasise the question of indigeneity and sovereignty, a point Zalloua also underscores. We believe that an emphasis on Palestinian indigeneity is crucial to undermining spurious claims about the settler having become ‘native’ on the one hand and settler ontological belonging to the land on the other (see Sa’di and Masalha 2023, and Amara and Hawari 2019, who conclude their call to harness indigeneity ‘to achieve Palestinian rights and sovereignty’ by noting that indigeneity ‘allows Palestinians to draw solidarity links with other indigenous peoples and to recognize intertwining threads of oppression’). The acknowledgement of Palestinian Indigeneity also works to demystify Zionist exceptionalism, instead placing the Zionist settler project within a global context. Such recognition allows for the fostering of solidarity between other Palestinians and other Indigenous peoples, who also face repression and oppression. We write with this particular task in mind.

Incarceration, Administrative Detention, Elimination

Incarceration has been used by colonial regimes throughout history. It was also crucial to the establishment, consolidation, and operation of the settler colonial states. While we examine the differing mechanism of incarceration in both the Australian

and Palestinian contexts, and while we believe that dissimilar strategies of incarceration overlap and blur into each other, occupying a continuum of captivity, we focus here on one specific mechanism: administrative detention (see Venczel 2023).

Commenting on the Additional Protocols to the Geneva Conventions, Jelena Pejic defines administrative detention as the ‘deprivation of liberty of a person that has been initiated/ordered by the executive branch—not the judiciary—without criminal charges being brought against the internee/administrative detainee’ (Pejic 2005). Administrative detention is a form of bureaucratic incarceration that fundamentally defines colonial legal systems. It has been used widely across the world, including in Australia and Palestine. It is a ‘distinct type of incarceration with a particular social and political function, legal status, and social impact’ (Nethery 2021, 1). Those who are subject to administrative detention ‘are detained not because of something they have done, but because they have been classified into a social category’ (Nethery 2021, 2). Administrative detention has been used to ‘other’, lockup, and socially erase racial minorities, non-citizen immigrants, dangerous outsiders and those accused of terrorism. As Keramet Reiter and Alexa Koenig explain,

once an institution or government labels an individual a potentially dangerous outsider, that individual is absorbed into an architectural setting that feels like a traditional prison, with razor wire, locked doors, and severe restrictions on movement – despite the façade that the detention facility is legally and technically non-punitive (Reiter and Koenig 2015, 4).

In addition, unlike other forms of judicial detention and incarceration, in most cases, administrative detention is indefinite, a characteristic that confirms an eliminatory design (Nethery 2021, 3).

Indigenous Incarceration and Administrative Detention in Australia

Settler Australia infamously was founded as a penal colony. It became a veritable global laboratory of imprisonment practices, and still is, as the current systematic extra-judicial detention of refugees and asylum seekers confirms. Incarceration and other forms of penal punishment have also been ‘a central part of the operation of the colonial state in its governance of Indigenous peoples’ (Cunneen et al 2013, 26). As Amangu Yamatji Aboriginal scholar Crystal McKinnon notes, in Australia ‘the colonial project of policing and incarceration is systematic and expansive’ (2020, 694). Historically, the incarceration of Aboriginal and Torres Strait Islander people has been pursued through a dual system, with Aboriginal people both subject to the colonial criminal justice system, as well as a separate penal regime which functioned as part of ‘protection’ legislation (Cunneen et al 2013, 30).

Legal scholar Thalia Anthony similarly has noted that ‘Indigenous people were detained in administrative and penal institutions’, and that ‘instruction and hard labour became the means for transforming Indigenous lives’ (Anthony 2013, 31). It also enforced a disconnect from Country (i.e. lands, waterways, seas, and skies that Aboriginal peoples are connected to), a crucial strategy in a pattern of dispossession and elimination. This containment, detention, and control of Indigenous lives was

necessary because Aboriginal and Torres Strait Islander people posed ‘a threat to the expansion of British colonial capital’ in the area (Anthony 2013, 31).

In the early to mid-nineteenth century, with pastoralism playing a significant role in European settler-colonial expansionism and the development of the capitalist colonial economy, settlers were given a free rein to disperse and kill violently Indigenous populations (Moses 2004, 33; see also van der Walle 2018). Any Indigenous resistance also quickly was criminalised with colonial courts handing down corporal punishment or sanctioning public executions of Indigenous people (Anthony 2013, 31). However, in the late nineteenth century and in the first half of the twentieth, elimination patterns began to change, with the intervention of Christian missionaries and the ascendancy of liberal reformers, who advocated for state-sponsored protection of Indigenous communities (Kociumbas 2004, 93).

Under the auspices of the various Aboriginal ‘Protection Acts’, Indigenous people now also forcibly were removed from their traditional lands and detained on administratively established reserves and missions. They had no legal rights. As Amy Nethery remarks,

for the large majority of Aboriginal people, living ‘under the Act’ meant the removal from country, prohibition from practicing language and customs, enforced separation of families, indentured labour arrangements (including child labour), control over mobility, no right to personal property, control over decisions to marry, and systematic emotional, financial, physical and sexual abuse (Nethery 2021, 4).

As a result, both Aboriginal and Torres Strait Islander peoples, ‘whether in or out of [penal] institutions’ were always subjects of ‘discretionary surveillance and control’ by colonial authorities (Hogg 2001, 363). During Australia’s protectionist and assimilationist eras, the first lasting from the end of the nineteenth century to the mid-1930s, the second replacing the previous one and being pursued all the way to the mid-1970s, bureaucratic incarceration and administrative detention were deployed as a tool of control and elimination. In Australia, as in other settler colonies, administrative detention was (and is) a ‘compelling and useful tool’ because it enables ‘the suppression and genocide of Indigenous population’, while also facilitating ‘the removal of unwanted groups from the community, and the management of outsiders wishing to enter’ (Nethery 2021, 2).

As such, various forms of detention were part of a comprehensive effort by European settlers and their governments to quell all Indigenous resistance and to consolidate the settler colonial regime (Anthony 2013, 31). Establishing the Aboriginal and Torres Strait Islander reserves and missions in Australia during the protectionist and assimilationist eras were just as fundamental to establishing the settler colonial nation as the earlier frontier wars had been. Both were eliminatory in nature, working to eliminate the Indigenous populations not only physically, but also to eliminate ‘the native as the native’ (see Kehaulani Kauanui 2016). (Separating communities from Country and culture, enforcing cultural assimilation, and ensuring settler control, however, were not practices unique to Australia, and Indigenous populations in North America, for example, were likewise forced to live under forms of bureaucratic and administrative detention and institutionalisation, including military prisons, reserves, and residential schools; see Taylor Saito 2021).

In the 1970s, after decades of Indigenous activism, the explicitly eliminatory legislative framework of the protection and assimilationist eras finally was dismantled state by state. This transformation came in the wake of the successful 1967 referendum campaign led by Indigenous activists, the Aboriginal land rights protests of the Gurindji and Yolngu people in the Northern Territory, and the Aboriginal Tent Embassy protest on the lawns of Parliament House in Canberra, all of which were landmark events in the context of this struggle. On the back of this activism, the Whitlam Labor government (1972–1975) promised a new era of ‘self-determination’, with a ‘shift toward Aboriginal control and responsibility’ for Aboriginal affairs (Whitlam 1973; see also Gardiner-Garden 1998–1999, and Hocking 2018). This policy of ‘self-determination’, however, would be dropped when the Fraser Liberal-National Coalition came to power in 1975. Indigenous Self-determination would be reinstated as official government policy during the period of the Hawke Labor government (Gardiner-Garden 1998–1999, 6). The policy would then remain in place until 2004, when the Aboriginal and Torres Strait Islander Commission (ATSIC)—which had been established in 1989 both as a representative body for Indigenous people and to provide policy advice to the Federal government—was dismantled by the Howard Liberal-National Coalition (see Behrendt 2005; and Curchin and Rowse 2020, 148).

While the policy of self-determination provided a political and policy break with earlier explicitly eliminatory settler colonial practices, the settler state’s promise of recognition and inclusion was in reality very limited (see Veracini 2011; and Strakosh and Macoun 2012). As Elizabeth Strakosh explains, within the context of a settler state, self-determination for an Indigenous minority, as is the case with Aboriginal and Torres Strait Islanders, typically means granting limited decision-making authority over some issues, rather than full Indigenous control over Indigenous affairs (Strakosh 2015). This ensures that Indigenous people have no real power to change the oppressive and still eliminatory structures of the settler state, allowing a structure of elimination to continue existing in a different form. A widespread pattern of Indigenous incarceration persisted.

After the administrative detention practices enacted through the Protection and Assimilation legislative framework were discontinued during the self-determination era, Aboriginal and Torres Strait Islander people now were subjected to imprisonment primarily through the criminal justice system. Between 1990 and 2018 the incarceration of Indigenous adults doubled: from 1124 per 100,000 adults, to 2481 per 100,000 adults (Leigh 2020, 10). According to the 2014–2015 National Aboriginal and Torres Strait Islander Social Survey, 1 in 7 (14.5%) Aboriginal and Torres Strait Islanders over the age of 15 had been arrested in the previous five-year period, while 1 in 10 (8.8%) aged 15 and over had been incarcerated in their lifetime (Australian Bureau of Statistics 2016). Forms of administrative detention, however, persist, with many Aboriginal and Torres Strait Islander individuals remanded for lengthy periods without charges, including children. This further is exacerbated by the lack of translators in regional and remote areas, where English is often a second or third language.

While adult Indigenous male incarceration continues to be of great concern, incarceration rates for Aboriginal and Torres Strait Islander children, youth and women have risen at alarming rates (this is an issue in Palestine as well, see below). In its

most recent report released in April 2022, the Australian Institute of Health and Welfare (AIHW) noted that even if the overall number of children being imprisoned had fallen, almost half of all children and youth incarcerated in Australia are Indigenous. According to the AIHW report, while Indigenous children make up just 5.8% of the national youth population in Australia, they comprise 49% of all young people in detention (AIHW 2021). However, while Indigenous youth account for 45% of all sentenced youth in detention, the figure for unsentenced detention is higher at 51% (AIHW 2021, 20, 23). While the number of unsentenced Indigenous youth varies state to state, Indigenous children comprise 95% of all unsentenced youth in remand without charges in the Northern Territory (AIHW 2021, 20).

In 1991, the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) found that Aboriginal people were ‘grossly over-represented in custody’, and that Indigenous deaths in custody were a result of a consistent pattern of overincarceration. The Commission, which had been established in 1987 after decades of campaigning by Indigenous communities, noted that unjustifiable high levels of Indigenous overincarceration directly were related to eliminatory practices, including the dispossession and removal of Indigenous individuals and communities from their lands, and the removal of Aboriginal and Torres Strait children from their families. The Commission also emphasised the impacts of entrenched institutional and structural racism (Royal Commission into Aboriginal Deaths in Custody 1991). Nonetheless, overincarceration persists and continues unabated. Indigenous incarceration has increased, as has the incidence of Aboriginal deaths in custody. In the 31 years since the Royal Commission, a further 516 Indigenous deaths in custody have been documented. Between 2021 and 2022, 24 Indigenous deaths in custody were recorded, the highest since 2017 (McAlister and Bricknell 2022).

Indigenous Incarceration and Administrative Detention in Palestine

In Palestine too there is a long history of various forms of incarceration for Indigenous peoples, with administrative detention in particular being enacted in both historical and contemporary contexts (see, i.e. *Al Jazeera* 2022). Historically, administrative detention was used as a control mechanism during the Mandate period (1922–1948), enacted by British imperialists through a range of military regulations and ordinances in response to the Palestinian Arab resistance to both the British occupation of Palestine and Zionist settler colonialism (see Moffet 1989, Hughes 2019; Khalidi 2020). These regulations, in particular those enacted in response to the Great Palestinian Revolt (1936–1939), included provisions for administratively detaining individuals for indefinite periods of time, prohibiting the publication of books, newspapers and other print material, as well the demolition of houses and the imposition of curfews.

The establishment of Israel in 1948 did not change this pattern of systematic extrajudicial incarceration, as the former British Emergency Regulations were adopted and adapted by the new state for its own use (see Dowty 1998; and Do and Provence 2016). During the second half of the twentieth century, Israel routinely adopted administrative detention to control the displaced Palestinian Arabs who remained

inside the newly created Zionist state. Separating targeted individuals from their communities, administrative detention specifically was designed to prevent political organising. As Arnon Degani explains, by September 1948, the areas of ‘the new state with a high concentration of Palestinian-Arab residents were declared closed security areas, administered by the Israeli army and subject to the Emergency Regulations that Israel adopted from the British Mandate’s legal code’ (2015, 90; see also Dowty 1998). By early 1949, Israel would establish military command structures in the North, in the Central region, and in the South of the new state ‘to enact restrictions on civilian movement such as curfews, administrative arrests, relocation of individuals away from their place of residence, as well as many other punitive measures’ (Degani 2015, 91).

According to Israeli historian Adam Raz, barbed-wire fences were used to demarcate the ‘security zones’ and often were referred to as ‘ghettos and concentration camps’ in Israeli military documents (Raz 2020). Confirming a regime of generalised restricted mobility, Palestinian Arabs were required to obtain permission from the local military governor if they wished to conduct any activity outside of the town boundaries to which they were administratively restricted, whether for employment, medical care, schooling, or shopping. Political activity of any kind was banned. Martial law, mandating various forms of imprisonment, lasted twenty years until 1968. After Israel seized control of the West Bank, Gaza, and East Jerusalem in 1967, administrative detention continued, an integral part of the ongoing pattern of frontier violence that ensued in the Occupied Palestinian Territories. There were significant shifts in the forms of detention, and while the focus was on restricting Palestinian movement and access to land before 1967, in recent decades the accent has been placed on the criminalisation of all resistance under the rubric of ‘terrorism’ (see Ballas 2023, Ben-Natan 2023). These shifts are significant in the ways in which the targeted populations are conceived; nonetheless, incarceration, like it was for Australia, remains constant (for works demonstrating the connection between detention, imprisonment, and settler colonialism in Palestine, see Viterbo 2017, Shalhoub-Kevorkian 2019).

Today, as Patrick Wolfe has explained, ‘Israel/Palestine remain locked in a frontier situation’, where the process of territorial invasion continues to take place and a ‘wide range of settler-colonial modalities co-exist simultaneously’ (2013, 257–270). While Gaza was turned into an open-air prison (before later being targeted for genocide), administrative detention continues to be part and parcel of an ongoing comprehensive system of frontier violence in the West Bank (see Feldman 2015). Israel’s current use of administrative detention in the Occupied West Bank is described in the following way by Addameer – a Palestinian Prisoner Support and Human Rights Association:

a procedure under which detainees are held without charge or trial. No charges are filed, and there is no intention of bringing the detainee to trial. In accordance with the detention order, a detainee is given a specific term of detention. On or before the expiry of the term, the detention order is frequently renewed. This process can be continued indefinitely (Addameer, Prisoner’s Support and Human Rights Association 2017).

As Tamar Pelleg-Sryck has noted, administrative detention ‘is a flexible and convenient tool’, which ‘is conducted under a veil of utter secrecy and in violation of the

rights of the detainee to defense’ (Pelleg-Sryck 2011, 123–124). Since 1967, the number of Palestinian political prisoners detained under the administrative detention regime has waxed and waned, depending on the circumstances on the ground in the Occupied Palestinian Territories. At the height of the second Intifada – between March and October 2002—15,000 Palestinians aged between 14 and 45 were rounded up by Israel’s Occupation forces, with over 1050 held under administrative detention (Addameer, Prisoner’s Support and Human Rights Association 2016, 10). Today, the Israeli state continues to deploy administrative detention ‘extensively and routinely and has used it to hold thousands of Palestinians for lengthy periods of time’ (B’Tselem 2023).

Using data from the Israeli Prison Service, the Israeli human rights organisation B’Tselem notes that as of June 2023, there were 1117 Palestinian being held under administrative detention. This is a three-fold increase on figures previously reported in May 2020 (B’Tselem 2023). According to the Palestinian prisoner support group Addameer, Prisoner’s Support and Human Rights Association (2023), there are approximately 5100 Palestinian political prisoners in Israeli jails, including 33 women and 165 children. Of those prisoners, approximately 1200 are administrative detainees (Addameer, Prisoner’s Support and Human Rights Association 2023). While Palestinian political prisoners typically have been held for periods ranging from six months to six years, the longest serving administrative detainee in 2016 had been detained without charge or trial for 12 years cumulatively (Addameer, Prisoner’s Support and Human Rights Association 2017, 9).

An examination of the use of incarceration and other collective punishment and imprisonment throughout history and in the present demonstrates significant convergences between Australia and Palestine. Administrative detention, in particular is crucial, as it marks a determination to establish separate regimes for different populations residing in the same jurisdiction. These convergences highlight a commonality of oppression. Indigenous populations and their ability to express a politics of resistance are under attack in both countries. In the face of various manifestations of the settler colonial logic of Indigenous elimination, of which incarceration is a clear expression, developing specific forms of Indigenous internationalism and solidarity is imperative for Aboriginal Australians, for Palestinians, and for their allies.

‘Indigeneity’ in Palestine

There is a long history of Aboriginal solidarity with Palestine, beginning in the 1970s (see Bullimore 2022). It has focused strategically on the shared anticolonial experience and politics of two oppressed Indigenous populations, linking both the commonality of oppression and the shared experience of indigeneity. More recently, in 2019, the Black Solidarity Conference at the University of Melbourne sought to develop this solidarity further, focusing on building transnational Indigenous solidarity and sovereignty (Foley and Henty 2020). Aboriginal artists, writers and creatives were at the forefront of solidarity efforts with Palestine in late 2021–early 2022, withdrawing from the annual Sydney Festival after it had accepted \$20,000 in a sponsorship deal with the Israeli Embassy (Bullimore 2022). The sponsorship deal had been made in May

2021, when Israel had launched, as the artists noted, an 11-day military offensive in Gaza, which had resulted in the deaths of 261 Palestinians, including 67 children and 41 women (Naser 2022). Among the First Nations artists showing solidarity with Palestine were Amy McGuire, a Darumbal & South Sea writer and activist; Malyangapa—Barkindji rapper Barkaa, Wiradjuri; visual artist Karla Dickson and the Marrugeku Indigenous Dance Troupe. Speaking on the popular night-time talk show *The Project*, as to why she and other Indigenous artists had joined the solidarity campaign, McGuire explained that it was because of ‘the connections we see as fellow Indigenous populations living in a settler colonial society’ (McGuire cited in Bullimore 2022).

This transnational Indigenous solidarity is important. However, as settler colonial regimes attempt to ‘indigenise’ and respond to arguments about settler colonialism as a specific mode of domination, claims about settler ‘indigeneity’ always have been important in settler discourse too. Settler Australia and Zionist Palestine always have been sites of alleged settler indigenisation (on settler ‘autochthony’ in Australia, see for example, Garbutt 2006; on recent Zionist claims to indigeneity, see, for example, Brager 2021, and Levin 2021). However, there is a crucial divergence separating settler discourse in Australia and Palestine. In Australia, the settler state aims to incorporate indigeneity, in Israel the settler proclaims its unmediated nativeness.

Indigeneity itself is being imprisoned in Palestine. This can be seen in the public diplomacy efforts of the Israeli government, which have been directed toward reiterating Israeli claims to ‘autochthonous’ status in the land, and toward cultivating relations with targeted Indigenous spokespersons, especially in the USA, Canada, and Australia, including paid invitations for guided visits to Israel (or Zionist attempts to cultivate a special relation with Australian Aboriginal movements, see Sahhar 2022a). We could call this activity ‘Indigenous-washing’, even if in the US and Canada it is referred to as ‘Red washing’ (see Estes 2019a and Alqaisiya 2023). This activism replicates the Israeli ‘anticolonial’ stances of the 1950s and 1960s, when Israel promoted relations with postcolonial nations during the age of decolonisation, especially in Africa. These efforts were unconvincing then and remain unconvincing now (see Waziyatawin 2012).

Nevertheless, claims to Indigeneity remain crucial to Zionist public diplomacy. If ‘indigeneity’ is a prize for settler colonialists, then transnational *Indigenous* solidarity is doubly significant because it fundamentally challenges it. In other words, transnational Indigenous solidarity is, in the particular context of the Palestinian struggle, especially significant because, as well as offering a rebuttal of a form of conceptual containment that parallels the forms of physical containment referred in this article’s first section, it also undermines ongoing settler Zionist attempts to claim indigeneity for themselves (or at least to claim a special relationship with Indigenous collectives worldwide). Likewise, Indigenous struggles—note the plural—united against settler domination and forms of Indigenous solidarity across settler colonial national contexts target settler colonialism as a *global* mode of domination. The struggles of distinct Indigenous collectives are connected. Indigenous support for Palestine tells the whole world what the conflict is ultimately about beyond pacifying platitudes about symmetrical and opposed nationalisms or religions equally targeting the same land.

There is no symmetry between settler and Indigenous collectives, no opposed equal nationalism; Palestinian indigeneity counters Zionist settler colonialism because it reveals what it ultimately is despite protestations to the contrary.

Therefore, Zionist claims to Indigeneity should be countered systematically, as they work to obscure the colonial nature of the conflict. These claims routinely are uttered (for recent examples, see Feldman and McGonigle 2023). *New York Times* opinionist Thomas Friedman recently rehearsed this theme, using the expression ‘two indigenous peoples’ twice in a November 2023 piece calling for a renewed attempt to craft a US-led initiative leading to a two-state solution (Friedman 2023a). This was followed later by another reference to this trope: ‘two indigenous people—Jews and Palestinians—over the same land’, he repeated (Friedman 2023b). If Zionists are ‘Indigenous’, even only also Indigenous, then there is no settler colonialism, or settler colonialism is somewhat legitimate (see, for example, Roberts 2023). Others have foreshadowed processes leading to the hypothetical supersession of the settler-native dichotomy, or examples whereby some natives have been historically turned into settlers (see Mamdani 1998, Zreik 2016, and Evri and Kotef 2022). However, there is consensus: ‘settler’ and ‘native’ are relational categories and there is no supersession without dissolving a relationship of domination. Zionist propagandists have attempted to claim indigeneity in three ways: (1) claim autochthonous status, that Jews are ‘returning’ and that they were once ‘Indigenous’; (2) claim that the settlers have now become ‘natives’ – that it has been a long time since their arrival, and that surely at one point the settler must become native (this is unconvincing, as being Indigenous is about being of the land *and* about being subjected: the settler never turns into someone else unless they lose power because they are constituted as settler by domination); and (3) cultivate special relationships with Indigenous peoples elsewhere and emphasise a special affinity.

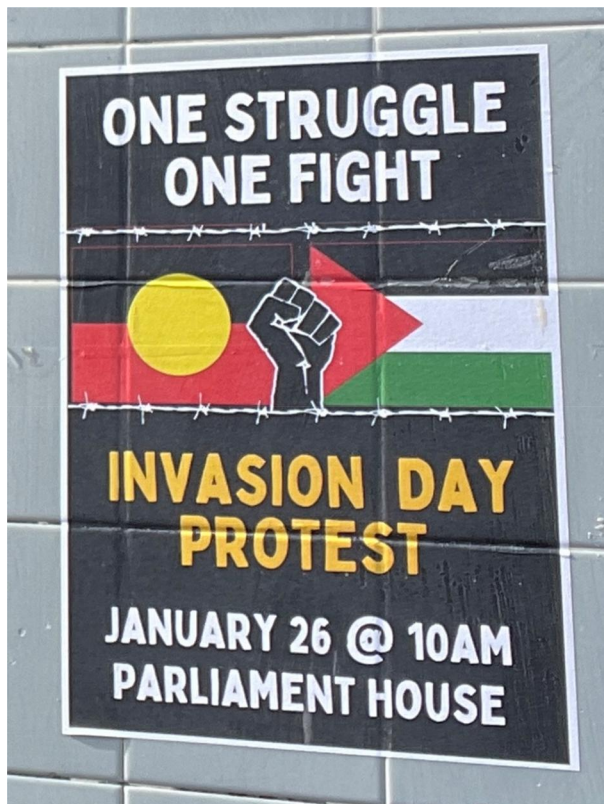
Option 3, which is being pursued systematically is the one most likely to reward propaganda efforts. This strategy, claiming Indigeneity through association, while rejected by some, had gone fairly unchallenged in the twentieth century. However, in the twenty first century, with the rise of the Palestinian BDS movement, the Black Lives Matter movement, and the Indigenous Resurgence movements in Canada and the US, these claims are being challenged more forcefully. In addition, there has been a more systemic effort to build Palestinian-Indigenous solidarity, and to claim it theoretically (for an argument that focuses on Indigenous *international* relations, see for example, Betasamosake Simpson 2017). In relation to the recent emergence of Palestinian-Indigenous solidarity globally, Zionist spokespersons have sought to push back (on these contestations in an Australian context, see, for example, Douglas 2021).

Indigenous internationalism offers convincing rebuttals against Zionist exceptionalism and associated claims about ‘indigeneity’ in Palestine. While Zionists may seek to mobilise claims to indigeneity to bolster their claim to territory, Palestinians are Indigenous to Palestine because they have an ontological connection to the land, not an historical one, and because they are subjected to the rule of settlers (see, for example, Tatour 2019). The main aim for those who support the Palestinian struggle is to build transnational solidarity, including transnational *Indigenous* solidarity and

co-resistance. What is needed in building such transnational solidarity is a coherent analysis, a targeted response against networks of settler transnational support, and the ability to compare converging modalities of oppression across different countries. And what is needed, of course, is also support for and solidarity with Indigenous resurgence. The latter is the crucial prerequisite for all forms of Indigenous international solidarity.

Conclusion: Transnational Indigenous Solidarity

We began this article with an expression of settler colonial transnational solidarity involving Israel and Australia. We would like to conclude with a corresponding episode of Indigenous transnational solidarity: the Invasion Day marches protesting 'Australia Day' 2024 (while 26 January is commemorated by the Australian state as 'Australia Day', marking the arrival of British settlers in 1788, Aboriginal and Torres Strait Islander communities mark the day as 'Invasion Day' or 'Survival Day' – a day of mourning, remembrance and ongoing struggle). This year in a show of Indigenous Internationalism, Invasion Day rallies across the country stood in solidarity with Gaza and the Palestinian people:



Collingwood, Melbourne, 23/01/24; photo by authors

Melbourne's *The Age* reporters Rachel Dexter and Ashleigh McMillan reported that during 'a day of anti-Australia Day protest peppered with references to the war in Gaza, the relatives of Indigenous Australians who have died in custody stood alongside leaders of the pro-Palestinian movement at this year's "Invasion Day" rally. Police say 35,000 people attended, bringing parts of the city to a standstill' (Dexter and McMillan 2024; see also *Al Jazeera* 2024). Speaking at the Melbourne rally, veteran Gumbaynggirr activist and Aboriginal Historian Gary Foley told the gathered thousands that it was a 'historic gathering', as 'we have invited our Palestinian brothers and sisters to be here today as an act of solidarity.' In Sydney, rally organisers similarly expressed solidarity calling for an end to 'occupation everywhere' and for the Australian state to cut ties with Israel (Cassidy, Belotm and Messenger 2024). The events occurring in Gaza since October 2023 (and the failed Australian referendum on Indigenous recognition, also in October 2023) made expressing this solidarity especially urgent.

There is global unity within diversity (for a view from Turtle Island see ISP 2023). Distinct Indigenous resistances at times speak entirely different languages. Facing settler colonialism as a distinct mode of oppression, Indigenous peoples denied recognition, for example, would demand it. Facing settler colonialism as a distinct mode of oppression, Indigenous peoples resisting settler state-imposed neoliberal recognition may choose to refuse (see Simpson 2017). An effective politics of solidarity requires translation across distinct contexts. If Zionism can be summarised as transfer, and if all settler colonialism is a type of transfer, transnational Indigenous solidarity, in its ability to translate, that is, in its etymological sense, to 'carry across', can be conceived as a counter-transfer (see Masalha 1992, Veracini 2010). In theoretical terms, Indigenous solidarity and co-resistance across different settler national contexts effectively counteracts settler colonialism's foundational *modus operandi*.

What characterized both Australian and Israeli settler colonialisms in the twenty-first century, in contradistinction with other settler colonial settings, is a determination not to recognize Indigenous sovereignties, not even to recognize them for the purpose of subsumption, as the recent failure of the Indigenous 'voice' referendum in Australia demonstrates. Transnational Indigenous solidarity linking Aboriginal and Torres Strait Islander peoples with Palestine is a type of solidarity that is as significant as the international solidarity between equally occupied even if not equally Indigenous collectives (see, for examples, Black for Palestine 2015, and Erakat and Lamont Hill 2019). The solidarity that a few years ago linked Gaza and Ferguson, Missouri was an instance of transnational solidarity and co-resistance linking communities facing militarised repression, a moment of international solidarity based on a commonality of oppression (see Davis 2015; more generally, on 'Palestine as a referent of the Black Radical Tradition', see Baig 2019).

Moreover, Indigenous international solidarity counteracts settler colonialism especially because Indigenous internationalism that is expressed across settler national contexts—or as Steven Salaita has argued convincingly, 'interNationalism'—strategically contradicts settler colonialism's fundamental claim that Indigenous peoples are 'domestic dependent' nations (Salaita 2016; see also De Costa 2006, Sahhar 2022b, and in particular Estes 2019b, 201–246). They are thus *not* nations but are

defined by a defective form of sovereignty, a sovereignty that is contained within the settler colonial one. The notion of domestic dependent nations was part of US Supreme Court Chief Judge John Marshall's 1823 decision articulating the 'doctrine of discovery'—a legal construct supporting the notion that Europeans could claim ultimate sovereignty over the countries they visited while traveling if they expressed an interest in doing so and were prepared to defend their claims against other Europeans (see Banner 2005). It was a 'landmark decision', which became a foundational referent point in all settler-colonial jurisdictions. It marked the lands of Indigenous peoples for settler appropriation.

Indigenous international solidarity is needed especially because transnational settler collaboration is ongoing, and Israel and Australia share a very long history of solidarity that predates Israeli statehood (see, for example, the remarks we cited at the very beginning). Take the Surafend massacre of 1918, when Australian and New Zealand soldiers stationed in Palestine forcibly removed all women and children from a village located near where they were camped and then killed between 40 and 120 unarmed villagers (see Daley 2009; this atrocity was not technically a 'war crime' because the war was already over, and this is how it was justified). These were settler-colonial soldiers hailing from somewhere else, like the soldiers who would ethnically cleanse parts of Palestine in 1948. The Balfour Declaration was issued on behalf of 'Greater Britain'—a collection of the settler colonial polities of the British Empire—as much as on behalf of the imperial metropole (see Freeman-Maloy 2018, which reconstructs the specifically settler-colonial origins of this document and emphasizes its Canadian and South African 'origins'). Settler international solidarity is a thing –and Indigenous international co-resistance and solidarity counters it.

Exceeding the ambit of settler national contexts, and their claimed monopoly of international relations, Indigenous internationalism is thus a powerful claim about unsundered and insurgent sovereignty. The settler nationalist claims to *exclusive* sovereignty can be seen as a form of administrative containment that denies Indigenous sovereignties by constraining them within bounds that the settlers determine and patrol. An analysis that foregrounds administrative detention and other incarcerations, a commonality of oppression, and Indigenous internationalism contributes to thinking the liberation of Indigenous sovereignties. The settler house, the settler *domus*, and the settler as *dominus* (lord) are undone by Indigenous internationalism ('domestic', 'domain' and 'dominion' all come from *domus*, house in Latin). If settler colonialism is a 'structure' and not an event, and if it is primarily about building a collective 'home' and indeed settler houses, we ought to consider that the metaphorical settler house is a structure too (see Wolfe 1999, and Kotef 2020). At times it crumbles.

Decolonisation in Israel and Australia, the decolonisation of settler colonialism as a mode of domination, and the consolidation of substantive forms of Indigenous sovereignty demand that the Indigenous nations successfully contend against two mutually reinforcing and subordinating adjectives and their implicit mobilisation in discussions about Indigenous sovereignties: 'dependent' and 'domestic'. This requires substantive sovereignty and internationalist action. The Indigenous polities of the settler world could not reorganise their relations with the settler states during the

international decolonisation processes of the 1950s and 1960s. In international terms, they remained dependent and domestic nations. But it is not over, and decolonisation remains on the horizon. Indigenous internationalism and international solidarity as engaged praxis break the settler hold. No longer able to imprison the insurgent indigenous sovereignties within the structures of the settler nation and its monopoly over external relation, the settler edifice crumbles from inside and from outside.

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