

BOOK REVIEW

NEITHER SETTLER NOR NATIVE: THE MAKING AND UNMAKING OF PERMANENT MINORITIES BY MAHMOOD MAMDANI (HARVARD UNIVERSITY PRESS 2020) 416 PAGES. PRICE \$29.95. ISBN 9780674987326

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Neither Settler nor Native: The Making and Unmaking of Permanent Minorities ('*Neither Settler nor Native*') is Mahmood Mamdani's recently authored genealogy of political modernity over the nation-state and the colonial state, and how these have fed upon each other for their co-creation at the expense of underclass native minorities around the globe.¹ The book questions the classic literature on citizenship, led by T H Marshall,² on civic, political and social rights.³ According to the author, this book shifts the question from which rights to whose rights and then links this to the literature on violence.⁴

Professor Mamdani, an imposing figure of African scholarship,⁵ is no stranger to confrontation with violence. He was imprisoned for taking an active part in civil rights struggles in the United States of America ('US') (1963),⁶ he was expelled by the political regime from his native Republic of Uganda (1972)⁷ and had his citizenship revoked which rendered him stateless (1984).⁸ Building on his own experiences with the state as a system of power and control organised on an ethnic or religious basis, the book is about extreme violence as a consequence of modern nation-state building, post-colonial modernity and racial domination.⁹

In *Neither Settler nor Native*, the history of the nation-state opens with turning majority and minority into permanent political identities. The author argues that the original sin, so to speak (the original sin being that of racism in civil society, with civic rights reserved for the natives), was committed by liberal political theory when the notion of a sovereign majority alongside non-sovereign minorities

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1 Mahmood Mamdani, *Neither Settler nor Native: The Making and Unmaking of Permanent Minorities* (Harvard University Press 2020) ('*Neither Settler nor Native*').

2 See, eg, T H Marshall, *Citizenship and Social Class* (Cambridge University Press 1950).

3 Mamdani, *Neither Settler nor Native* (n 1) 35.

4 *ibid* 14–8, 35.

5 See, eg, Symposium, 'Review Symposium: Mahmood Mamdani and the Analysis of African Society' (1997) 1(2) *African Sociological Review* 96; Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (Princeton University Press 1996) ('*Citizen and Subject*').

6 Manjula Sen, 'She Interviewed Me, We Fell in Love Almost Instantly', *The Telegraph* (online, 25 January 2009) <<https://www.telegraphindia.com/7-days/she-interviewed-me-we-fell-in-love-almost-instantly/cid/505679>>, archived at <perma.cc/8GEK-WHGR>.

7 Mahmood Mamdani, 'The Asian Question' (2022) 44(19) *London Review of Books* <<https://www.lrb.co.uk/the-paper/v44/n19/mahmood-mamdani/the-asian-question>>, archived at <perma.cc/Q7TN-RASK>.

8 Sen (n 6).

9 Mamdani, *Neither Settler nor Native* (n 1) 17–8.

was created.¹⁰ Only the majority had sovereignty while the minority could not participate in it. The book discusses the key tenets of the liberal theory of the nation-state — sovereignty of the majority, the nation and the tolerance of minorities who would enjoy rights but not participate in its sovereignty. The book asserts that this template — based on the notion of a hierarchy of first, second and third kinds of citizens who may be sovereign and non-sovereign — was exported round the globe.

The text explores archetypes of sites where core institutions of modern colonialism were forged, namely the US, South Africa, Germany, Sudan and Israel. These sites provided the physical and ideological spaces in which new immigrant identities crystallised as a settler nation while a permanent native underclass was concurrently created. The author explores the nation-state epistemologically as a project that grounded the political, epistemic and legal distinctions between sovereign and non-sovereign subjects and extends this approach to the project of the nation-state to a civilisational and racial construction.

A significant consideration for the author is how to answer two main questions: 1) how do we distinguish colonialism from racial domination; and 2) what is the difference between an immigrant and a settler as a consequence of modern nation-state building in post-colonial states? To provide an answer to these questions, the book contrasts models of extreme violence, eg, Nazism in Germany and Apartheid in South Africa, Sudan and Israel/Palestine. Mamdani begins by showing that these models can be traced back to the genealogy of the two-state solution that emerged in North America,¹¹ where genocide proved doable and thinkable, and created both a permanent native underclass and, as a consequence, a new immigrant settler nation.¹² US citizenship laws made it possible to legislate a hierarchy of citizens; some first class, others second class and yet others third-class. This two-state political project was transmuted to other parts of the globe. It inspired and propelled Nazism/post-Nazism in Germany,¹³ the conflict between the main ethnic groups in South Sudan¹⁴ and the warfare in Palestine/Israel.¹⁵ In the context of Sudan, the author argues that the language of race began to be used within the context of colonialism, when national self-determination movements embraced the language of the nation.¹⁶ The South African Apartheid tried but failed to bring home the two-state solution. Instead, a one-state solution provided the framework for the development of the struggle in post-Apartheid transition.

The book examines colonial rule as a two-state solution and prompts those interested in an alternative to the modern nation-state to reflect on the anti-Apartheid struggle in South Africa,¹⁷ notwithstanding its several shortcomings. The author considers the post-Apartheid transition in South Africa a relative success, as in his view it depoliticised race and historicised majority and minority identities. Mamdani's ideas rethink the state as the preserve of the nation. The

¹⁰ *ibid* 2–7.

¹¹ *ibid* ch 1.

¹² *ibid* 24.

¹³ *ibid* ch 2.

¹⁴ *ibid* ch 4.

¹⁵ *ibid* ch 5.

¹⁶ *ibid* 206–7.

¹⁷ *ibid* 179–80.

book concludes by asking what can be learned from the South African political experience to address the intractable political problem about Palestine and Israel.¹⁸

Mamdani assesses the political project behind these sterile state templates and the violence of the nation-state itself. His main thesis is that state political violence demands political solutions. He makes an important argument that a political project of violence is a project that not only implicates perpetrators but the entire political community; perpetrators, bystanders and beneficiaries alike. Beneficiaries are not tried for the intentionality of the crimes committed by perpetrators; instead Mamdani writes that such beneficiaries should be tried on the benefits they derived from the crimes committed.¹⁹ According to the author, the point is to try and shift the attention from a 'whodunnit' to the issues that drive the violence.²⁰ This is an excellent line of enquiry as part of a study of race, colonisation and nationalism. An enquiry posed in this way can be conducive to approaching a tentative solution to de-racialisation and decolonisation today. It puts us in a position to forge a struggle by forging alliances with other groups, so that we will not have to think in fragmented minorities forever. In doing so, Mamdani's struggle for social justice against violence points towards rethinking the political community for all survivors based on a commitment for a new kind of political consciousness which builds on common residence without the permanent political identities of settler and native. In other words, a state without a nation. His theorising draws upon insights of anti-Apartheid activists, left intellectuals, post-colonial theorists and philosophers, including his own past writings on the subject. Mamdani's early work was underpinned by the assumption that nationalism (viewed as 'good') and colonialism (viewed as 'bad') were the two sides of the political developments that unfolded within and outside Europe respectively (2004).²¹ *Neither Settler nor Native* is weaved to precisely question this assumption, following the recognition that nationalism and colonialism were actually born together, and reproduces the bifurcated mode of thinking that marked colonialism.

Mamdani convincingly assures the reader that this is a structural characteristic of the global system of the nation-state. Yet, there is another structural characteristic of the global system of the nation-state, equally defining as an overused feature of nation-state processes, but not represented in his argument. The extreme violence in which the nation-state is engaged includes the intensification of anti-immigrant politics everywhere. International migration and its governance are defining problems of our time, and central to these problems is the prevailing doctrine of nation-state sovereignty which marked colonialism. Nationalist modes of identification borne of colonialism are revamped to fit new national contexts as well as the new post-colonial international order as a whole. The conditions of post-colonial nation-state violence entail the anti-immigration politics of the nation-state and as such, mirror each other's political strategies of championing the extreme violence of racial exclusion.

In a time in which we are experiencing a resurgence in manifestations structured by racial dominance, the nation-state doctrine to exclude non-nationals and migrants is missing from the book's 'state beyond the nation' mantra. The

¹⁸ *ibid* 349–55.

¹⁹ *ibid* 346–48.

²⁰ *ibid* 17.

²¹ Mamdani, *Citizen and Subject* (n 8); Mahmood Mamdani, *Good Muslim, Bad Muslim* (Pantheon Books 2004).

formulation of state sovereignty, which justifies the assertion of a largely unfettered right to exclude non-nationals and migrants on an international scale, has not been fundamentally challenged. In this sense, *Neither Settler nor Native* does not confront one important and particularly defining aspect of the maintenance of the nation-state which articulates par excellence ideas of race and the nation; that is, its contentious relation to immigration.

Indeed, sociologists and legal theorists demonstrate the multifaceted role of nation-state discourse in the international arena. On the one hand, global nation-state morale speaks the *lingua franca* of human rights, while on the other hand it uses exclusion and violence as tools for enhancing domination.²² This is far from a decolonised space. These sociologists and legal theorists argue, rightfully, for a different theory of sovereignty that challenges the existing hardening of nationalisms, which in turn justifies racism and exclusion.²³ They say that such post-colonial politics of national sovereignty contains decolonisation.²⁴ They call instead for the dissolution of the ruling categories of Native and Migrant.

Neither Settler nor Native is a book that advances an original, complex and controversial argument about the social and political production of binary oppositions between natives and migrants. The book is replete with important insights about colonialism and the distinction between settler and native, which is then recognised as the relation between majority and minority. However, the important contemporary connection between immigration and the nation-state's international doctrine and power is not fully addressed, nor are the important implications of this for the reliance between nationalism and racism in nation-states as much as in the international order. As immigration controls have intensified and practices of exploitation, exclusion and racism have expanded, decolonisation requires a society that puts an end to the state-legislated discrimination against people classified as immigrants.

Most of today's deadly conflicts involving the nation-state are not only between majorities and minorities within the state. In some cases, conflicts are driven by states mobilising to eliminate minorities within them, but in other cases deadly conflicts arise against would-be national sovereigns, in other words, migrants or citizens to be. Mamdani does not examine the political work done in the form of nationalist projects against immigration to politicise identities in defining and maintaining the nation-state in the era of post-colonialism. Often violence against immigration in the international arena serves to reproduce the global hegemony of the nation-state system and its globally operative reach, and this can be clearly witnessed in the immigration regimes of nation-states.²⁵

²² See, eg, Nicola Perugini and Neve Gordon, *The Human Right to Dominate* (Oxford University Press 2015).

²³ See, eg, E Tendayi Achiume, 'Migration as Decolonisation' (2019) 71(6) *Stanford Law Review* 1509; Nandita Sharma, *Home Rule: National Sovereignty and the Separation of Natives and Migrants* (Duke University Press 2020).

²⁴ Sharma (n 23) ch 5.

²⁵ Contrary to what is commonly thought, sovereignty and citizenship, as two generic principles of the modern nation-state, are not challenged by immigration. Instead, an important point against such a belief relates to the racist and colonial dimensions of forms of 'inclusive exclusion' in the nation-state and of the 'state of exception' as a mode of governance. The notions of the 'state of exception' and 'inclusive exclusion' remain useful in reflecting on the mechanisms of power that frame the relation between the nation and immigration: see Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, tr Daniel Heller-Roazen (Stanford University Press 1995) 18–21.

The lines of division are not only national but also international. The hegemony of the nation-state is established both inwards and outwards. When Mamdani is calling for a decolonisation of the political, this requires an analogous project of decolonisation of the international order. No matter how international human rights law imposes restrictions on states' exclusionary practices, the international dominance of state sovereignty has not been fundamentally challenged. Nevertheless, one of the book's assets is that it raises more questions than it provides answers. It deals with such a range of topics that it prompts the reader to ask questions and push beyond the boundaries of the ideas that are being analysed. This is necessary to rejuvenate our commitment in the pursuit of an anti-racist political practice. This is an important first step towards a novel and more ethical way of approaching the contextual understandings of the problems we define as colonisation, nationalisms, minorities and majorities, and citizenship.