

The Good Samaritan has arrived: an inquiry into the Standard of Civilization, James Cook, Jon Allen Chau and others

O Bom Samaritano chegou: uma Investigação sobre o Padrão de Civilização, James Cook, Jon Allen Chau e outros

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Abstract: The purpose of this article is to investigate the ongoing attempts by the West to colonize the Non-Western cultures by the means of religion. To this end, the missionary was and is without doubt the frontrunner for the standard of civilization, providing the pretext and fertile ground for the subsequent infiltration of the colonialist who was eager to carve an empire in the 'discovered' world - with the goal to exploit African resources for his own good. The exploitation of the resources in the colonized world was accompanied by the early religious Missionaries who set up secular missionaries. Their travels to other countries was not the bible but other documents of conquest such as dubious treaties, guns and trinkets to attract the unsuspecting colonized to be lured to them. Missionaries often aligned themselves with the powerful in order to achieve their prime objective of "saving souls" more rapidly. Colonization, civilisation and religion are means to the creation of imperialism. This article, to this end, will inquire the role of the non-Western world to resist attempts of there West to engage in practices of repeated colonization under the pretext of religion.

Keywords: Standard of Civilization. Colonialism. Imperialism. Religion.

Resumo: O objetivo deste artigo é investigar as contínuas tentativas do Ocidente de colonizar as culturas não ocidentais por meio da religião. Para esse fim, o missionário foi e é sem dúvida o pioneiro do padrão da civilização, fornecendo o pretexto e o terreno fértil para a subsequente infiltração do colonialista que estava ansioso por esculpir um império no mundo "descoberto" - com o objetivo de explorar os recursos africanos para o seu próprio bem. A exploração dos recursos no mundo colonizado foi acompanhada pelos primeiros missionários religiosos que estabeleceram missionários seculares. Suas viagens a outros países não eram a Bíblia, mas outros documentos de conquista, como tratados duvidosos, armas e bugigangas para atrair os inocentes colonizados a serem atraídos para eles. Os missionários muitas vezes se alinhavam com os poderosos para alcançar seu objetivo principal de "salvar almas" mais rapidamente. Colonização, civilização e religião são meios para a criação do imperialismo. Este artigo, para esse fim, investigará o papel do mundo não ocidental de resistir às tentativas do Ocidente de se envolver em práticas de colonização repetida sob o pretexto de religião.

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Palavras-chave: Padrão de Civilização. Colonialismo. Imperialismo. Religião.

1. Introduction

“[L]ord, is this island Satan’s last stronghold where none have heard or even had the chance to hear your name?” recorded John Allen Chau in a diary of his last days. Allen Chau was an US American missionary, who was on civilizing mission to one of the world’s last uncontacted tribes -the Sentinelese, who live on the highly restricted North Sentinel island in the eastern Indian Ocean. These human beings resist external contact, while being known to express their will with arrows. On the 17th of November 2018, they killed Chau, as he approached them with a Bible to “declare Jesus” (SAINI, 2018).

Jomo Kenyatta, anti-colonial activist and former prime minister of Kenya, once famously enunciated: “when the missionaries arrived, the Africans had the land and the missionaries had the Bible. They taught us how to pray with our eyes closed. When we opened them, they had the land and we had the Bible” (WALKER, 2004, p. 144). To this end, this paper wishes to investigate following questions: What is civilization? What is the standard of civilization under international law? What is primitive? Is there a right not to be civilized? Is there a right to defend your status under international law against a civilizing mission?

Sigmund Freud’s arguments about the “primitive” drives at the heart of modern civilization, being anathema to colonial racists, as his thought was rooted in universal psychic structures. Practicing analysts in colonial settings were often highly critical of colonialism, such as Fanon. Powerful theory of affect and the embodiment of social structures, psychoanalysis is well suited for understanding the unconscious sources of the hyperbolic racism, sadism, and even “fascist temptation” associated with colonizers’ activity.

Steinmetz deploys Lacanian concepts to argue that colonizers formed imaginary identifications across the colonizer-colonized boundary and that these identifications sometimes shaped violent policy-making. The violence committed against "uncivilized" peoples in the name of "civilizing missions" in the past five hundred-plus years is evidence enough of this danger. As a key tool in the pursuit of this enterprise, the principle of a standard of civilization is implicated in the universalizing project, and as a critical concept in international law it is neither neutral nor abstract; rather, it is, as Anghie stipulates "[i]n this history of subordinating and extinguishing alien cultures."

To this end, this paper will elucidate the struggles of the non-Western world against the background of the continuing attempts of the Western world to forcefully adopt the standard of civilization upon the non-Western world, while using the religious pretext for the Western hegemony.

2. The Sentinelese – an indigenous population under international law

The World Health Organization defines indigenous populations as

[...] communities that live within, or are attached to, geographically distinct traditional habitats or ancestral territories, and who identify themselves as being part of a distinct cultural group, descended from groups present in the area before modern states were created and current borders defined. They generally maintain cultural and social identities, and social, economic, cultural and political institutions, separate from the mainstream or dominant society or culture (WHO, w/d).

It is believed that the North Sentinelese had left Africa for Asia 40,000 years ago. Historically, they are considered to be 'pygmies', while tracing their genetic isolation back to pre-Neolithic ancestors (THE JOURNAL, 2018). Thorough investigation indicates an evolutionary history is unlikely to happen soon. No one has yet been able to fully decipher their

language and customs and any attempt at communication with the islanders is fraught with danger (THE JOURNAL, 2018).

Centuries ago, the Andaman archipelago was a magnet for Burmese slave traders who seized members of its four hunter-gatherer tribes and sold them into slavery in south-east Asia. From 1857, the islands became a permanent British colony, a prison for those who had taken part in that year's Indian Rebellion, the largest armed uprising against colonial rule on the subcontinent. The British, meanwhile, embarked upon a policy of assimilation, containment and annihilation (SAFI, 2018).

The United Nations Working Group on Indigenous Populations (WGIP) accepted as a preliminary definition a formulation by the Special Rapporteur on Discrimination against Indigenous Populations namely that:

[I]ndigenous communities, peoples, and nations are those that, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop, and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems (UNITED NATIONS, 1981, p. 10, para. 25).

The definition has its limitations, as it excludes isolated and/or marginal societies. The untouched tribe in the Indian Ocean, however, is such an isolated tribe. To this end, the draft guidelines speak of

[P]eoples in isolation are indigenous peoples or subgroups thereof that do not maintain regular contact with the majority population and tend to shun any type of contact with outsiders. Most isolated peoples live in tropical forests and/or in remote, untraveled areas, which in many cases are rich in natural resources. For these peoples, isolation is not a voluntary choice but a survival strategy. While there is no consensus on what term should be used to denote these peoples, the concept most frequently used in the international sphere is "peoples in isolation". In some countries they are known as free, uncontacted, hidden or invisible peoples, peoples in voluntary isolation, etc. The formulations used may vary, but all of them refer to the same concept (UNITED NATIONS, 2009, fn. 7-8).

In this vein, South America, and in particular the vast Amazon region, are home to some of the world's last remaining "uncontacted" tribes. These are indigenous communities managed to evade contact from outside and technology (THAROOR, 2015). Experts fear a a range of risks that may follow should these tribes come into full contact with the outside world, from exploitation by rapacious mining and logging companies to the devastating transfer of pathogens to which they have no immunity.

In recent decades, some governments have taken a protective stance, working to shield these communities from outside contact mostly because of the health risks involved. It is suggested that contact with outside diseases killed up to 100 million indigenous people following the European arrival in the Americas (THAROOR, 2015; NEWSON, 1993).

3. The standard of civilization, the ideology of Christianity and the New World

Modern international law reproduces itself as the genesis of Christianity. However, the resistance to the dominant narrative of Christianity and international law being of crucial support to the subsistence of the global Western hegemony is finding its vehicle in different bodies, such as the International Labour Organization, with Convention no. 169 concerning Indigenous and Tribal Peoples in Independent Countries, adopted in 1989 and ratified by the seven States of the Amazon region and El Chaco, and also in the United Nations Declaration on the Rights of Indigenous Peoples (ILO, 1989).

Governments need to pay special attention to peoples in isolation and in initial contact because such peoples are extremely vulnerable; in some cases they are even on the verge of extinction. This situation requires that Governments take concrete action to strengthen mechanisms for the protection of their human rights. In many cases these peoples are at high

risk of becoming victims of large-scale aggression that ultimately amounts to genocide.

[T]his brief review of the globalizing process in international law suggests three observations: first, since the beginning of the Renaissance, and particularly after the Peace of Westphalia in 1648, only European civilization has succeeded in producing a set of norms and creating various institutions and organizations with a global/universal scope and dimension. None of the old civilizations, be they Chinese, Islamic, Indian and so on, made any successful attempts at elaborating an alternative 'international law' (MOZAFFARI, 2001, p. 257).

Linklater explains that:

[T]he 'standard of civilisation' was an intriguing example of particular global interconnections and specific power balances in which the established groups asserted the right to control non-European societies, to condemn their 'barbarism' or lack of 'advancement', to reform their governing structures, and to shape their future course of development. Some of its features and effects were evident not only in official justifications of imperial governing structures but in countless, routine diplomatic encounters (LINKLATER, 2016).

4. Christian messianism, civilization and the empire of violence

Messianism in the new Age is not a strange concept to the Global South. When Pope John Paul II visited India in 1999, he defended the right to messianism and the enunciated in a service that "to you [...] we entrust the clergy [...] and the laity of the church in Asia; renew and sustain them in a spirit of zeal and in their commitment to the great task of evangelisation and service" (ORR, 1999). Far too often the Christian belief is intertwined with the standard of civilization.

As BS Chimni (2007 p. 3) explains that

[T]he alienation of international law from the peoples of the third world was epitomised in the civilisation/barbarian divide that made them and their territory into objects of international law. If third world peoples ever metamorphosed into subjects of international law, it was only ever to surrender sovereignty to colonial masters. The moment of empowerment was the moment of complete subjection. It was a time of absolute alienation of third world peoples from international law. Death, destruction, pillage, plunder and humiliation are the key words that best capture the

relationship between third world peoples and international law in this period. The relationship between colonialism and nature was no different in essence. Imperialism subjugated both peoples and nature in equal measure.

Western triumphism has redefined the term of "standard of civilization" for the 21st century. As Mehdi Mozaffari notes, the "role of formulating" and setting the principles that constitute the standard of civilization "is incumbent upon the predominant civilization." Thus, in the present era the "global standard of civilization is therefore defined - primarily - by the dominant Western civilization, which happens to be democratic," liberal, and economically globalization (BOWDEN, 2004, p. 54).

Anghie (2004) argues that international law is infused by the civilizing mission, an integral part in the imperial agenda that, as depicting itself, to improve the lives of the conquered people. In fact, he encapsulates the affirmative vision of the civilizer as follows:

[P]resented simply, the civilizing mission asserts that we are the civilized, enlightend, universal, peaceful; they are the barbaric, violent, backward, and must be therefore pacified, developed, liberated, enlightened, transformed. The barbarians usually occupy value territory, but any act of resistance on the part of the barbarians to the encroachments of the imperial powers further affirmation of the fact that they are barbaric, incapable of understanding their own interests or developing their own resources (ANGHIE, 2004, p. 3).

5. The Savages-Victims-and-Saviors-Complex

In a groundbreaking piece, Makau Mutua explains that the savages-victims-savior metaphor (SVS) is both politically and culturally present and that human rights movements should not be based on these metaphors but, rather, should focus on processes that do not create an "other." One way that Mutua suggests creating this more complete model is to ensure that human rights movements are grounded in the cultures of all the people involved.

The metaphor of the savior is constituted with the two intertwining characteristics, Eurocentric universalism and the Christian missionary

ideology (MUTUA, 2002, p. 31). The metaphor of the savior springs from “[E]nlightenment’s and universalist pretensions, which constructed Europe as superior and as center of universe” (MUTUA, 2002, p. 31).

From the feminist approaches to international law,

[B]oundaries feature prominently in the international legal imagery of colonial conquest. Exploration and discovery of ‘virgin’ territory were prerequisites of legal acquisition of territory through occupation. Penetration of dark, unbounded territory (*terra nullius*) justified its ownership. Colonialism was represented in an erotic way, with the male colonizer taming, through intercourse, an unbounded, uncontrollable female people. Colonised territories were presented as uncivilized, unable to protect their territory or to resist the well-organised incursions of a superior culture (CHARLESWORTH; CHINKIN, 2000, p. 130).

Makau Mutua highlights that Europeans and North Americans have certain philosophical and legal ancestry, and “[s]o they can create a common political and cultural template to govern their societies. But they should not be allowed to insist that their particular vision of society is the only permissible civilization which must now be imposed on societies of the whole world” (RAMINA, 2018, p. 271). To this end, the historiography of civilization of human rights and its missionary work is of colonial heritage with neocolonial repercussions.

As Fidler (2003, p. 56) observes:

[T]he flip side of the collapse of the pluralization strategies of the Third World is the attempted harmonization of Westphalian civilization by Western states. Events since the end of the Cold War have seen Western and Westernized states pushing hard to homogenize Westphalian civilization on their political, economic, and cultural terms. Globalization and its many processes are leading Westphalian civilization into a third stage of harmonization. The first stage occurred after the Peace of Westphalia when European states agreed on a framework for inter-state order and stability. The second stage transpired in the “age of Empire” when Westphalian civilization universalized its structure and some of its domestic substance. The third stage is the era of globalization in which the internationalized, pluralistic Westphalian civilization of the Cold War period is transforming into a globalized, liberal civilization. This on-going transformation of international relations worries scholars concerned about the Third World because this third stage of the harmonization of Westphalian civilization bears disturbing resemblances to the second stage and its standard of civilization, capitulations, and

imperialism. Anghie argued, for example, that "the essential structure of the civilizing mission may be reconstructed in the contemporary vocabulary of human rights, governance, and economic liberalization.

Interestingly, Foucault defines a number of significant elements of this technology of power, which vary according to the lectures. However, the recurring themes are those of obedience/submission, confession/knowledge/truth and individualisation, which together comprise a uniquely Christian mode of subjectification. It is an extension of Foucault's previous work on confession and examination, but brings in 'an increased emphasis on the subjection (to the authority of the confessor) that accompanies such techniques'. Foucault identified this pastorate as 'the apparatus from which emerged the arts of government characteristic of modernity'. The mutation and dispersion of pastoral power into modern government was a result of several counter-conducts, which reached an apex in the Reformation (PETTERSON, 2012, p. 92).

6. Conclusion

The Sentinelese have a right not to be contacted, not to be civilized, but rather to express and enjoy their right to self-determination, while governments are their guarantors of the human rights to individual and collective rights. States share a moral duty to extend their protection to the untouched civilizations, while this effectuates the right to self-determination. Evangelical movements are a threat to the cultural dignity and the right to self-determination, as they wish to reproduce the old patterns of colonialism and the modern view of post-colonial power diffusion. The constant attack by missionary method of civilization feeds towards the goal of Christian supremacy.

The right to autonomy that isolated peoples have shown that they wish to celebrate their own existence, rather than accepting the Trojan

Horse of cultural imperialism. It is the responsibility of states to protect isolated peoples from missionaries as well as from extractive industry and overzealous scientists. Moreover, a right to territory is crucial, as indigenous peoples in isolation are in symbiosis with their environment, enabling them to sustain their lives and cultures through the profound knowledge they have of the uses, applications and care of their surroundings.

This means that it is impossible to respect their decision to remain in isolation without guaranteeing and respecting the exercise of their territorial rights, as any attack on their environment would amount to an attack on their culture and would jeopardize the maintenance of their isolation. In relation to the right to culture, the exercise of their cultural rights requires first of all that their cultures' survival be guaranteed. These are very vulnerable peoples whose cultures are at permanent risk of disappearing. The last form of fight for these uncontacted tribes will be the crucial battle for the remodeling of international law as the law of the underprivileged, the subjugated and the degraded ones.

Thus, the most important aspect of protecting culture is protecting the preservation of these cultures, thereby protecting the existence of indigenous peoples in isolation and in initial contact – the affirmation of their lives, the acceptance of their will to isolation is the negation of modern imperialism in the form imperial missionism.

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