

**POLS 4902/5902: Law and Colonialism (#9307/9316)  
Fall 2019**

<b>Professor: Dr. Fredette</b>		<b>Meeting times: T/Th 3:05-4:25pm</b>
Office: 225 Bentley Annex		<b>Course Location: Bentley Hall 205</b>
Office Hours: T/Th 12:30-1:30pm		Dedicated appointments: T 8-9am*

\*must book in advance at <https://fredette.youcanbook.me>

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**Course Description**

This course focuses on how law was a central instrument of European and American colonial projects during the 19th and 20th centuries. Students explore how the imposition of colonial law affected colonized societies and their preexisting legal systems; they also examine how western fears and apprehensions vis-à-vis “native” societies affected western law and society in turn. Academic texts as well as a sampling of novels, poetry, plays, and movies provide students points of entry for tracing how law helped establish and manage colonial projects and ideology.

**Learning Objectives**

Students who successfully complete the course should be able to:

1. Describe examples of European and American colonization of the 19th and 20th centuries;
2. Discuss how law provided justifications for colonialism and institutions to help perpetuate it;
3. Analyze the role of race, class, and gender in colonial discourses;
4. Identify enduring political legacies of colonialism in Europe, America, and former colonies;
5. Locate primary sources and contextualize them within their contemporary political context.

**Additional Departmental Learning Objectives**

6. Demonstrate an awareness of audience in political science writing and be able to adopt effective strategies for communicating in diverse rhetorical situations.
7. Design, plan, and deliver a written project that is organized coherently and logically, and that employs relevant evidence and examples.
8. Orally deliver a written project that is organized coherently and logically, and that employs relevant evidence and examples from the world of politics and government.

**Materials**

There are two books and a series of readings posted on Blackboard. All readings should be brought to the session for which they are assigned; hard copy or digital format both acceptable. The books can be purchased online or at Follet's. They are:

- Rhys, J. (2001). *Wide Sargasso Sea*. Norton. Any edition works.
- Hailu, Gebreyesus. *The Conscript: A Novel of Libya's Anticolonial War*. Ohio University Press, 2012. ISBN 0821420232

### Coursework and Assessment\*

The **readings** for this course combine social science and fiction. All are theoretically dense and will require deep thinking about the authors' assumptions, the implications of the authors' main arguments, and the themes and questions the readings present individually and collectively. You are expected to come to class prepared to demonstrate, through discussion participation, a thorough engagement with the reading(s) assigned for that day. Beyond the readings, there is a series of graded assignments. Full assignment instructions are on Blackboard and due dates are specified in the syllabus calendar; students are responsible for knowing both. Assignments include:

1. **Research Paper.** Students will submit via Blackboard an 8- to 10-page research paper that describes a primary source document and discusses its relation to themes from the course. This paper is called a "Biography of an Archival Document."
2. **Library Sessions.** Archival research is a process. To teach students to identify, locate, and interpret primary sources (and give them credit for this process), this course includes five Library Sessions. These will occur in Alden 251. Consult the syllabus calendar for the dates.
3. **Research Journal Entries.** To give credit for the iterative process that is archival research, students journal about their progress. Each entry should be ~500 words and formally written. Submit entries via Blackboard by 8:00am of the date indicated in the syllabus calendar.
4. **Seminar Discussion Participation.** This course is taught as a seminar, a format that prioritizes learning through discussion. Occasionally the professor will lecture; more typically, she will guide student discussion or even sometimes remain silent to observe how students are drawing meaning from the material through their discussion. To succeed in a seminar, students must actively collaborate to dissect the assigned materials and generate knowledge about them together. Students must also be supportive and constructive conversation partners. Participation is assessed near week 7 (10 points) and 15 (15 points).
5. **Leading Discussion.** In pairs, students are required to lead the first 30 minutes of class on a reading of their choice. Unless she needs to clarify something or to reassert the scholarly course of discussion, the professor will remain silent. By Monday at 8:00am of the week a student pair presents, they will submit via Blackboard a co-written, 1-page, single-spaced discussion plan. Student pairs are assessed based on their mastery of the reading, the quality of their discussion questions, and their efforts to inspire and encourage student participation.

Assignment	Points
Research Paper	30
Library Sessions	10
Research Journal Entries	20
Discussion Participation	25
Leading Discussion	15
<i>total</i>	100

A=93-100; A-=90-92; B+=87-89; B=83-86; B-=80-82; C+=77-79; C=73-76; C-=70-72; D+=67-69; D=63-66; D-=60-62; F≤59

*\*Graduate Student Coursework and Assessment: Please consult the end of the film list.*

### Student Responsibilities

- **Late work:** No late work will be accepted for this course. Plan accordingly.<sup>1</sup>
- **Attendance:** Missing sessions interferes with a student's ability to participate in discussion. Following an absence, students are encouraged to get class notes from peers; the professor does not take notes for students.
- **Grades:** Grades will be posted on Blackboard. To dispute a grade, request a copy of the course re-grading policy and follow its instructions. The grade may stay as it is, go up, or go down. Grade disputes will not be accepted two weeks after the assignment's due date.
- **Email:** Visits to office hours/phone calls are preferred. The professor strives to respond to email in 3-5 working days. No assignments accepted over email; grades not discussed over email. Questions that are answered by the syllabus/assignments will not receive a reply.
- **Amendments/pop quizzes:** Depending on class progress, the professor may amend this syllabus. If it appears readings are not being completed, she may give unannounced quizzes.
- **Respect and the spirit of inquiry:** We cover contentious issues in this class. Everyone—students and the professor—is expected to use a respectful tone and to avoid *ad hominum* attacks (directed at a person instead of his or her position). We learn best together.
- **Letters of rec:** Dr. F will only consider writing letters of rec for those who have 1) already earned an A- or above in at least one 4000-level course with her and 2) have distinguished themselves in class discussion with frequent comments that demonstrate mastery of course material. If Dr. Fredette is has insufficient data to write a strong letter, she will say so.
- **Observe boundaries:** I care deeply about your intellectual growth as a student in my class and in Political Science more broadly; I work hard to design and lead my courses accordingly. Your grades, however, are your responsibility.

### Student Accessibility Services

Students who believe they may need an accommodation based on the impact of a disability should contact me privately to discuss their specific needs and to provide written documentation from the Office of Student Accessibility Services. SAS can be reached by phone at (740) 593-2620, by email at [disabilities@ohio.edu](mailto:disabilities@ohio.edu), or in person at 348 Baker University Center.

### Duty to Report Sexual Misconduct

All Ohio faculty and staff share in the responsibility to create a safe learning and working environment. Any faculty and staff person (other than designated confidential resources) who receives a report of sexual misconduct or observes or learns of conduct that is reasonably believed to be sexual misconduct is required to report the conduct to University Equity & Civil Rights Compliance (ECRC). If I learn of any instances of sexual misconduct, relationship violence, stalking, or other forms of prohibited sexual misconduct, I am required to report them. If you wish to share such information in confidence, please use one of the confidential resources at <https://www.ohio.edu/equity-civil-rights/Resources.cfm>.

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<sup>1</sup> Extensions (equal to the number of days missed) will only be given if the tardiness conforms with the University's excused absences policy as outlined in the Undergraduate Catalogue: "These include illness, death in the immediate family, religious observance, jury duty, and involvement in University-sponsored activities" (the latter of which includes any authorized departmental trip, music or debate activity, ROTC function, or athletic competition), as well as service or training for military reserves (including reasonable travel time to the training location).

### **Academic Honesty**

Academic honesty is an important component of this class as well as your education at Ohio University. Any incident of academic misconduct is a violation of this principle. Academic misconduct is defined by Ohio University as “Dishonesty or deception in fulfilling academic requirements. It includes, but is not limited to: cheating, plagiarism, un-permitted collaboration, forged attendance (when attendance is required), fabrication (e.g., use of invented information or falsification of research or other findings), using advantages not approved by the instructor (e.g., unauthorized review of a copy of an exam ahead of time), knowingly permitting another student to plagiarize or cheat from one's work, or submitting the same assignment in different courses without consent of the instructor.” Plagiarism includes representing someone else's words, ideas, or other expressions as one's own. This means that failing to use appropriate citations and references for directly quoted or paraphrased material or failing to include quotation marks for verbatim material are serious violations of academic honesty and could result in a student failing the course as well as being expelled from the University.

See <http://www.ohio.edu/communitystandards/academic/students.cfm> for examples of academic dishonesty. If you have any questions or concerns about the principle or practice of academic honesty, please talk with me as soon as possible. Violations of academic honesty are A1 violations of the Ohio University Code of Student Conduct (see <http://www.ohio.edu/communitystandards/code/codeA.cfm> for the code and related policies) and are subject to the maximum penalty of suspension or expulsion from the university. Students are responsible for informing themselves about the code before performing any academic work. Students whose academic work violates the Code of Student Conduct will receive an F for the course and/or be reported to University Judiciaries for disciplinary action. Students may appeal academic sanctions through the grade appeal process, see the Code of Student Conduct for more information. University Judiciaries may impose additional sanctions.

## Assigned Readings, Annotated

### Section 1: Colonialism as historical events, as ideology, as discourse

“Colonialism.” Stanford Encyclopedia of Philosophy.

What is colonialism? If countries no longer hold colonies, then why do we continue to discuss it?

Kipling, R. (1899). “White man’s burden.”

Kipling was a strong supporter of imperialism. His poem will help us to understand the colonial mindset.

Saïd, E. (1979). *Orientalism*. New York: Vintage Books. p. 1-15, 31-41, 108, 314 316.

Saïd’s landmark text asks, what is colonialism as discourse?

### Section 2: The law and colonialism nexus

Comaroff, John L. (2001). “Colonialism, culture and the law: An introduction.” *Law and Social Inquiry* 26 p. 305-313.

This reading helps us begin to understand the relationship between law and colonialism. Note that it is an introduction to a set of articles, of which we only read one in a later session (Shamir and Hacker).

Shamir, Ronen and Hacker, Daphna. (2001). “Colonialism’s civilizing mission: The case of the Indian hemp drug commission.” *Law and Social Inquiry* 26 p. 435-461.

Shamir and Hacker recount how a marijuana-like substance was made illegal in India, and how colonial thinking shaped this decision. Pay attention to social class and internal disagreement among Indians about the drug; also note the connection between law, colonialism, and commerce.

Merry, Sally Engle. (1999). *Colonizing Hawai’i: The cultural power of law*. Princeton University Press. **NOTE: WE READ IN TWO PARTS.** [Part 1] p. 1-9, 11-28, 35-62. [Part 2] p. 207-257.

Merry shows how the imposition of colonial law affected the people and culture of Hawai’i. As law was used to identify, prohibit, and punish “bad” behavior, it upended the precolonial social order. Note the relationship between colonialism and commerce: courts punish tardy workers; legal punishments for prohibited behaviors that had previously been common sometimes include forced labor. The role of Christian missionaries in colonialism is explored in this text as well.

### Section 3: Colonialism and its effects on colonized and colonizer

Childers, Kristen Stromberg. 2016. *Seeking Imperialism’s Embrace: National Identity, Decolonization, and Assimilation in the French Caribbean*. Oxford University Press. P. 12-45.

During World War II, Guadeloupe and Martinique were administered by Vichy France. This chapter examines how Antilleans fought against Vichy, only to be ignored later when France honored its Resistance fighters. This period informs the post-war debate over whether to seek independence or, as ultimately happened, “departmentalization” (what we in the US would call “statehood”).

Césaire, Aimée. (2000). *Discourse on Colonialism*. New York: Monthly Review Press. p. 31-46.

Césaire, a Martinican poet and politician who was Fanon’s teacher in Fort-de-France, wrote this text after the island’s departmentalization. Historian Robin D. G. Kelley writes: “The lesson” of this text “is that colonial domination required a whole way of thinking, a discourse in which everything that is advanced, good, and civilized is defined and measured in European terms. Discourse...calls for the overthrow of a master class’s ideology of progress, one built on violence, destruction, genocide” (In Césaire 2000, p. 27).

Fanon, Frantz. (2004). *The wretched of the earth*. Grove Press. p. 29-35, 203-226, 238-251.

Fanon, a Martinican who trained as a psychiatrist, provides a stark account of the psychological impacts of colonization on the colonized, as well as on the colonizer.

### Section 4: (Re)Telling Colonialism: point of view, narrative voice

Hailu, Gebreyesus. (2012). *The Conscript: A Novel of Libya’s Anticolonial War*. Athens, OH: Ohio University Press.

The novel follows Tuquabo, a young man living in colonial Eritrea, who joins the Italian army and is sent with other Eritreans to suppress anti-colonial forces in Libya. The story explores the irony of Tuquabo’s position, being simultaneously a colonized person and an instrument of the Italian colonial army. The novel, written in Tigrinya, was translated into English by Ohio University’s Dr. Ghirmai Negash.

Césaire, Aimé. (2000). "A tempest: Based on Shakespeare's The Tempest: Adaptation for a black theatre." London: Oberon Books.

Césaire re-wrote Shakespeare's The Tempest to examine themes of colonialism, power, and identity. Consider not just the text, but the act of Césaire rewriting such a text.

Mohanty, C. T. (1991). "Under western eyes." In Mohanty, C. T., A. Russo, et al., *Third World Women and the Politics of Feminism*. Bloomington, Indiana University Press. p. 51-80.

Mohanty argues that being a woman is not enough to be an advocate for women's equality; in fact, some feminists have perpetuated colonial patterns by silencing certain women. What is the significance of "speaking for," and why is it so problematic?

Locher-Scholten, Elsbeth. (1998). "So close and yet so far: The ambivalence of Dutch colonial rhetoric on Javanese servants in Indonesia, 1900-1942." In Clancy-Smith, Julia and Frances Gouda (eds.), *Domesticating the empire: Race, gender, and family life in French and Dutch colonialism*. Charlottesville: University Press of Virginia. p. 131-153.

This chapter explores the complicated intimacy found in colonial families that employed colonized women as the caretakers of their children. Observe the nested layers of the policing of women.

Rhys, J. (2001). *Wide Sargasso Sea*. Norton. **NOTE: LONG BOOK, SO EXTRA READING DAY.**

This prequel novel to *Jane Eyre*, penned around 150 years later, tells the tale of the character known as Bertha in Brontë's novel. Through changes in narrative and point of view, Rhys dramatically alters *Jane Eyre*. What does it mean to tell one's own story, versus to have it told in one's stead? How does relocating voice in this retelling reveal different aspects of the original Brontë novel—and why might those aspects not have been available to the reader previously?

#### Section 5: Why the history of colonialism still matters today

Maathai, Wangari. (2010). "Don't get mad; Get elected." From Browdy de Hernandez, Jennifer et al. (eds), *African Women Writing Resistance*. University of Wisconsin Press.

Kenyan feminist and environmental activist Wangari Maathai started the "Green Belt Movement" in Kenya. This brief interview gives a snapshot of her political engagement.

Grosfoguel, Ramón. "The structure of knowledge in westernized universities: Epistemic racism/sexism and the four genocides/epistemicides of the Long 16th Century." (2013). *Human Architecture: Journal of the Sociology of Self-Knowledge* 11 (1), pp. 73-90.

How do we know what we know? What do we consider to be "knowledge?" How can knowledge be related to social hierarchy and even domination? This article explores how the development of what was long regarded as the "Western canon" in universities was, in part, a political process that involved the silencing of others, often through violence.

Weiner, Melissa F. "(E)racing slavery: Racial neoliberalism, social forgetting, and scientific colonialism in Dutch primary school history textbooks."

How do we teach colonialism? How might education on colonialism in schools perpetrate old colonial narratives and ways of thinking? This article explores how school textbooks in The Netherlands reflect (or do not) on the nation's role in colonialism and the slave trade.

Eichstaedt, Peter. (2011). *Consuming the Congo: War and Conflict Minerals in the World's Deadliest Place*. Pp. 1-5, 97-122, 140-143, 165-177.

Eichstaedt explores how international businesses, particularly from the West, are plundering natural resources from the Democratic Republic of Congo and destabilizing the country in the process. He discusses how these contemporary conflicts are related to the history of Belgian colonialism.

## Assigned Films [In-Class Viewing]

### Section 1: Colonialism as historical events, as ideology, as discourse

Shaw, Alexander. (1938). *Five Faces of Malaya*. Strand Films.

Commissioned by the government of British Malaya, this documentary illustrates how European powers viewed their colonial subjects, as well as the connection between colonialism and industry.

Shaheen, J. G. (2001). *Reel bad Arabs: how Hollywood vilifies a people*. New York, Olive Branch.

The documentary illustrates Hollywood's use of the orientalist discourse identified and discussed by Saïd.

### Section 2: The law and colonialism nexus

Atuahene, B. (2011). *Sifuna Okwethu (We Want What's Ours)*. Chicago, Documentaries to Inspire Social Change, NFP.

This documentary demonstrates the role of law in exerting and upholding colonial authority. It does so by tracing the land policy problems that South Africans have inherited from the legacy of colonialism and apartheid.

Ducat, Vivian. (1997). *Hawaii's Last Queen*. Produced by Ducat Segal Productions for the American Experience. Boston, WGHB-Boston.

The documentary examines the influence of American colonial authority on the islands of Hawaii, particularly the turning-point when Hawaii officially became an American territory and its previous leadership (Queen Lili'uokalani) was deposed.

### Section 3: Colonialism and its effects on colonized and colonizer

Deslauriers, Guy. (2009). *Aliker*. Kreol Productions.

This film tells the true story of André Aliker, a Black communist activist on French colonial Martinique in the 1930s. Aliker takes over and operates a party-run newspaper called La Justice. He uses investigative journalism to expose powerful but corrupt individuals, including a white factory owner referred to as "The Dragon." It is dangerous work that exposes the tensions between the egalitarian values of France and colonial racism, not to mention a labor system that is still influenced by plantation economics.

Pontecorvo, Gillo. (1966). *The battle of Algiers*. Rialto Pictures.

This documentary recreates a particular battle of the 1954-1962 war in which Algerians fought for independence from French colonial control.

### Section 4: (Re)Telling Colonialism: point of view, narrative voice

Sokolov, Stanislav. (1992). *Shakespeare: The Animated tales. The Tempest*. BBC2.

Some of you may not have read Shakespeare's *The Tempest* yet, and it's imperative you be familiar with it to making sense of Césaire's retelling. If you haven't read it yet, this film should bring you up to speed.

White, Susanna. (2006). *Jane Eyre*. BBC. [select scenes]

We will watch portions of this movie to make sure everyone is up to speed on the plot of *Jane Eyre*.

### Section 5: Why the history of colonialism still matters today

Merton, Lisa and Alan Dater. (2008). *Taking Root: The Vision of Wangari Maathai*. Marlboro, VT: Marlboro Productions.

This documentary about Maathai's work vividly demonstrates the connections between environmental degradation, gender inequality, and economic exploitation in a globalized, "post"-colonial world.

Von Einsiedel, Orlando. (2014). *Virunga*. Netflix.

Around the globe, we find patterns of extraction that mirror the economics of former colonial relationships. This documentary explores this topic while examining how the scramble to profit from "conflict minerals" fuels and exacerbates violence and political instability in the DR Congo.

## **Graduate Coursework and Assessment**

Graduate students complete the same work as the undergraduates with the following exceptions:

Graduate students in this course will be held to a higher, MA-appropriate standard for discussion participation (in terms of the scholarly quality of comments, not merely the quantity) and leading discussion.

Graduate students are encouraged to read the entire works for which undergraduates are reading excerpts. The professor recognizes this may not always be possible and will not be examining graduate students to see if they are maintaining this practice.

Most significantly, graduate student research papers will be 15-20 pages. They will follow the same structure as that of the undergraduate paper but engage in a more prolonged analysis and include discussion of two to three primary source texts, rather than just one.