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THONY MEZA-WILSON
SARAH MURRAY
MICHAEL NARDON
ERONAK GHORBANI NEJADE
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JOSEPH F. TURCOTTE
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STERNATHANIEL WEINER
FAQ

GILLIAN PHILIPUPILLAI

'A Right Way and a Wrong Way to Protest': Diasporic Tamil Resistance on Occupied Turtle Island

The Tamil occupation of the Gardiner Expressway in May 2009 will be used to examine racialized boundaries of dissent and the implications of resistance through occupation on indigenous land. By racializing Tamil protesters as an intrusive mob of illegal occupiers, the Canadian state normalized and further justified mass Tamil civilian deaths and casualties on their homelands in the state of Sri Lanka. A group of unwanted, marked, targeted and racialized bodies asserting sovereignty on colonized land is then a powerful act of resistance. But what are the implications of Tamils petitioning the Canadian state to intervene against genocide and war crimes by the government of Sri Lanka while genocide and colonial occupation is ongoing in Canada against indigenous peoples and nations? Where do diasporic subjects locate themselves in relation to indigenous sovereignty and solidarity when occupying already occupied land or making political demands as citizens or potential citizens of a white settler state?

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On the evening of May 10th 2009 a group of thousands of Tamil protesters breached police barricades and occupied the Gardiner Expressway for several hours. The protesters demanded an audience with Prime Minister Stephen Harper, as well as Canadian and international action and intervention in the conflict between the government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE), following ongoing reports of mass Tamil civilian deaths (CityNews.ca, 2009). Protesters left the Gardiner having received assurances from a representative of Liberal Leader

Michael Ignatieff that the party would raise their concerns in Parliament (Ctvtoronto.ca, 2009).

In Sri Lanka, the GOSL publicly maintained a 'zero-civilian casualty' policy while it was undeniably apparent that Tamils caught in the war-zone were being shelled by the GOSL as they sought refuge in hospitals, and the shifting no-fire zones, sites that are protected under the Geneva Convention and international humanitarian law (Weiss, 2011). Tamil civilians were however not understood as being civilians by the GOSL, but as terrorists or terrorist supporters for remaining in LTTE-held territory. Like the Canadian state's treatment of Tamil protesters and asylum seekers, the GOSL has sought to frame and position Tamil civilians as always, and already, terrorists. Violence visited upon the bodies of civilians is repeatedly classified as part of an anti-terror effort. To this day, three years after the official end of the decades long conflict between the GOSL and the LTTE, Tamil civilians remain in government camps in Sri Lanka, banned from returning to their land and homes, and detained and monitored in their homelands (Maniram, 2011). An estimated 200,000 people remain internally displaced (Perera, 2011). Ancestral lands subject to Tamil separatist claims are currently being appropriated by the GOSL through militarization and settlement by the Sri Lankan Army (SLA). On the Jaffna peninsula, the military-civilian ratio is currently 1:11, or between 40 and 50,000 SLA soldiers for a civilian population of only 600,000 (Perera, 2011).

On the evening of May 10th and in the days following, the state effectively managed the protest on the Gardiner Expressway so as to justify, and further entrench the transnational norm of a state of exception around genocide against Tamils on their homelands. The space of the Gardiner Expressway was crucial to the unfolding of these

events. As Mbembe writes, space is “the raw material of sovereignty and the violence it [carries] with it” (Mbembe, 2003, p. 26). Mbembe draws upon Carl Schmitt’s definition of sovereignty as “the power to decide on the state of exception” (Mbembe, 2003, p. 23). The state of exception can be understood as a material, and discursive space wherein the law consents to its own absence. The Canadian state responded to the presence of a large group of racialized peoples on the Gardiner Expressway that night by employing the tactics and discourses of a state of exception.

Named after Frederick G. Gardiner, a Toronto city councilor, the Gardiner Expressway was built between 1955 and 1966 at a cost of \$103 million (Waterfront Toronto, Unknown Date). The construction of the Gardiner Expressway was controversial and contentious; it “required the taking of substantial amounts of park land,” the “destruction of the Jameson Avenue portion of Parkdale...[and] the elimination of many local access routes to the waterfront from upland areas” (Waterfront Toronto, Unknown Date). Lefebvre approaches space as a social product that is implicated and used not only materially, but symbolically as well (Lefebvre, 1991). Lefebvrian theories of space can be used to understand the material and symbolic significance of spatial resistance on colonized land, because he argues that the naturalization of space is only evident when space is disrupted (Lefebvre, 1991). Similarly Eugene McCann uses the term abstract space to describe “Space represented by elite social groups as homogenous, instrumental and ahistorical in order to facilitate the exercise of state power and the free flow of capital” (McCann, 1999, p. 164). Social space is then both a means of control and domination, and critical to the exercise of power and resistance (Lefebvre, 1991).

This helps us challenge the notion that a highway is merely a neutral and natural piece of public infrastructure. In fact, a highway is regulated and planned. It is structured such that bodies can only move through it in particular ways, and bodies are constituted by such interactions, forming white settler capitalist subjects traveling from one site of private property to another. Highways exist to bypass the messy and racialized inner city, they exist explicitly for the purpose of efficiency. What a highway is and isn't, what can be done on it, what cannot be done on it, and how it is thought of and represented are all performed and produced conditions that need to be maintained, constantly re-enacted and re-inscribed.

As a white settler moves between private and public space, he knows himself primarily through his legitimacy to travel and be mobile on this land, which is actually understood as property. Space is produced and reproduced through reference to race and the perceived influx of Tamils taking over the space of the Gardiner Expressway violated the white settler colonial understanding of what a highway is, what its purpose is, who should use it, how it came to be, and what it represents.

As events unfolded on the Gardiner Expressway the deaths of Tamil civilians, the result of genocide, war crimes and crimes against humanity, and the motivation behind the protests, were made invisible. Yet the bodies of Tamil protesters as a 'mob' of racialized people in downtown Toronto became hyper-visible as invasive, racialized occupiers impeding white mobility.

I examine the state's response to the protest on the Gardiner through statements given by four public figures that were widely reported by mainstream media. The statements indicate how the state of exception around the genocide of Tamils was

justified and further legitimized in the face of Tamil resistance against it. The four individuals are Dalton McGuinty, the Premier of Ontario; David Miller, then Mayor of Toronto; Bill Blair, the Toronto Police Chief; and Rob Ford, then city councilor, and currently the Mayor of Toronto. The title of this paper comes from a statement Dalton McGuinty gave that was quoted by the CBC saying, “I understand the passions which are here. But having said that, there is a right way and a wrong way to protest” (CBCNews, 2009). Mayor Miller told CityNews, “Endangering public safety by occupying the Gardiner or other public highways is not the right way to make that statement” (CityNews.ca, 2009). Police Chief Bill Blair spoke to CityNews stating, “I’m very concerned about the safety of children. I think it’s an extremely dangerous situation to put children on the front line of a protest in that way, I think it puts them at tremendous risk” (CityNews.ca, 2009). Finally, Councilor Rob Ford, was most virulent and direct in his criticism as he told the Toronto Sun, if he was mayor “they would have been immediately removed from the Gardiner... We can’t have this bleeding heart approach anymore because people’s and kid’s lives are in danger” (Weese and Artuso, 2009). He continued “I know if I brought my kid on the Gardiner, I’d be arrested and Children’s Aid would take my kid... If you want to protest, fine... Get a permit like everyone else does... We are not going to tolerate any more of this hoodlumism, as I call it” (Weese and Artuso, 2009).

Both McGuinty and Miller’s statements appeal to implicit and explicit norms of settler colonial logic. Namely that the landscape and infrastructure of settler colonialism are legitimate because they are inherently capitalistic and exist for the purpose of facilitating white mobility and settler domination. Miller, Blair and Ford directly employ

the discourse of safety, which is ironic because the only probable and apparent threat to the protesters' safety was from the armed police forces on the Gardiner, threatening to disperse tear gas (Ctvtoronto.ca, 2009). Finally Ford bluntly engages with several themes in his statements, relying upon the criminalization of dissent, the notion that racialized peoples are unfit parents and endanger their children, and that Tamils do not qualify for subjecthood and citizenship because of their inherent "hoodlumism" (Weese and Artuso, 2009). It is also ironic that Ford appeals to the fact that "people's and kid's lives are in danger," because this is the exact rationale that motivated the protests to begin with, and the reason why I identify the Gardiner Expressway on the night of May 10th as a space of exception (Weese and Artuso, 2009). Whose bodies matter? And where do those bodies have to be for their lives to matter, as subjects?

The space of the Tamil body was also critical to establishing a state of exception. The notion that Tamils are 'hoodlums,' 'terrorists' or 'criminals' speaks to the white settler subject's discomfort with a group of Tamil bodies acting and speaking out of turn in downtown Toronto. By positioning women and children on the frontlines of the occupation of the Gardiner, the protesters significantly violated the norm of the white male as the dissenting subject. While the claims and motivations of the protesters were clearly articulated, their race and tactics marked them as an agitated, dangerous, and irrational mob of racialized bodies. The protesters were criticized and further marked for being unabashedly emotional; it was not only that their bodies were out of place, but also that their minds were out of place. Their performance of a protest did not satisfy the conditions of behaviour in public space that are accepted by Euro-Canadian white settler society. Waving the flags of the Tamil separatist movement, protesters resisted what is

generally thought of as the rational supremacy of the nation-state. Unlike the Cartesian subject who celebrates the dominance of mind over body, is in control of his body, is always self-regulating, thinking, stable, autonomous, vigilant, and unified, Tamil protesters resisted the idea that emotion or affect is irrational and out of place in citizenship and civic action. For this reason both their actions, and their cause were relegated to a state of exception.

The structure of the Gardiner Expressway has occupied the shared meeting place of indigenous peoples, particularly the Mississaugas of the New Credit First Nation for decades. It was built and funded by a municipality and state that exist because of ongoing and violent processes of white settler colonialism, and that have been stealing, appropriating, misusing, polluting, deforesting, mining, and colonizing both land and indigenous communities on Turtle Island for centuries. Yet as news broke on the night of May 10th it was, in accordance with the logics of white settler colonialism, the Tamil protesters who were framed as illegitimate and illegal occupiers, not the white settler colonial Canadian state itself.

Yet the connection between white settler colonialism and occupation by the Canadian state and the Tamil struggle for freedom and liberation was not a connection overtly expressed by the Tamil community during the protests. I argue that as diasporic subjects within a white settler state this connection must form the basis of our academic and activist engagements. On the Gardiner that night, and throughout the protests in downtown Toronto in the winter and spring of 2009, flags of the Canadian state flew alongside flags of the Tamil separatist movement. While claiming diasporic allegiance and status, Tamil protesters also made their demands through an understanding of

themselves as citizens of Canada, strategically petitioning the genocidal state of Canada to intervene in genocide in the state of Sri Lanka. In the face of criminalization, demonization, being labelled as ‘illegal,’ as ‘Tamil Tigers,’ and as ‘terrorists,’ protesters publicly defended their right to occupy the Gardiner as a right of their Canadian-ness, a right of Canadian citizenship. Thus the community’s engagement with settler colonialism on Turtle Island is complex and requires further exposition.

In ‘The Melancholia of Race,’ Anne Anlin Cheng begins by asking, “How does an individual go from being a subject of grief to being a subject of grievance? What political and psychical gains or losses transpire in the process?” (Cheng, 3). To follow along Cheng’s line of inquiry I also argue that we have to separate political grievance from resistance, and ask how might a subject or a community of subjects go from being subjects of grief, being subjects of grievance, to being subjects of *resistance* (Cheng, 3)? This is not to suggest that there is a linear progression but to mark as separate expressions grief, grievance and resistance. For the white settler state is open to the expression of grievance, regardless of what it does with that grievance, it needs the grievance. In fact the white settler state dictates and anticipates grievance. It is in managing the grievance of racialized, marginalized, and targeted subjects that the white settler state entrenches its ‘raceless’ political community, and its doctrines and institutions of liberal multiculturalism. If we begin to demarcate grievance from resistance, we might also ask what are the possibilities for resistance for targeted racialized bodies and communities within the white settler state?

In ‘Indigeneity, Settler Colonialism, and White Supremacy’ Andrea Smith outlines a context that assists us in pulling apart various discourses within the politics of

grievance of a white settler state. Smith delineates a framework of three pillars of white supremacy, “The three primary logics of white supremacy in the US context include: (1) slaveability/anti-black racism, which anchors capitalism; (2) genocide, which anchors colonialism; and (3) orientalism, which anchors war” (Smith, 1). Within the logic of slaveability, “anti-blackness enables people who are not black to accept their lot in life because they can feel that at least they are not at the very bottom of the racial hierarchy—at least they are not property, at least they are not slaveable” (Smith, 2). Within the logic of genocide, “indigenous peoples must disappear. In fact, they must *always* be disappearing, in order to enable non-indigenous peoples’ rightful claim to land” (Smith, 2). While slaveability serves as the anchor of capitalism, allowing non-Black people to feel as though they have “the opportunity to escape the commodification of capitalism,” genocide is the anchor of colonialism, allowing “non-Native peoples to feel that they can rightfully own indigenous people’s land” (Smith, 2). Smith argues the third pillar, Orientalism, entrenches the permanent need for war, “The logic of orientalism marks certain peoples or nations as inferior and deems them to be a constant threat to the wellbeing of empire. These peoples are still seen as ‘civilisations’—they are not property or the ‘disappeared.’ However, they are imagined as permanent foreign threats to empire” (Smith, 2). My focus within Andrea Smith’s framework, is her claim that:

we see that we are not only victims of white supremacy, but complicit in it as well. Our survival strategies and resistance to white supremacy are set by the system of white supremacy itself. What keeps us trapped within our particular pillars of white supremacy is that we are seduced by the prospect of being able to participate in other pillars (Smith, 2-3).

Decades earlier, speaking in reference to the Vietnam War, the Black Power activist Kwame Ture, also known as Stokely Carmichael, summarized Smith's delineation of complicity within white supremacy when he noted, "Black folks are fighting a war against yellow folks so that white folks can keep a land they stole from red folks" (Wallace, 2000).

How might this notion of complicities then help us better understand expressions of grief, grievance, and resistance? In the context of the Vietnam War, Muhammad Ali famously resisted his conscription within the US military and refused to even fight exhibitions for the troops, noting that "no Viet Cong ever called him the n-word" thereby paving the way for civil rights leaders like Martin Luther King Jr. to express their dissent against the war, going up against the Johnson administration which had been supportive of the civil rights agenda (Wallace, 2000). At the heart of such resistance is an anti-colonial engagement with what Gayatri Spivak terms 'strategic essentialism' or "constructing for purposes of collective political action or analytical expediency an essentialized oppositional identity" (Beier, 86).

Here I seek to delineate a difference between grievance and resistance, while identifying the occupation of the Gardiner Expressway as displaying elements of grief, grievance, and resistance. Grievance is what is set by the terms of white supremacy; the politics of grievance is what white supremacy seduces people of colour into. However resistance stakes a claim against all the pillars of white supremacy and represents a commitment to transgress the terms of complicity dictated by white supremacy. As Smith writes:

organising by people of colour must be premised on making strategic alliances with one another, based on where we are situated within the larger political economy. Coalition work is based on organising not just around oppression, but also around complicity in the oppression of other peoples as well as our own (Smith, 3).

While I have been careful to grant that the discourses of citizenship and political grievance articulated and drawn upon by Tamil community generally in relation to genocide in the state of Sri Lanka are *strategic*, considering the frameworks Smith outlines for complicity within white supremacy, it must be said that such citizenship-based discourses represent a ‘strategic essentialism,’ with the *white settler state*. They are not founded upon a ‘strategic essentialism’ with other racialized, colonized and indigenous peoples against the occupation of the indigenous territories and lands of Turtle Island by the white settler state. The politics of grievance may then be identified as a strategy of the white settler state towards re-positioning ‘strategic essentialism,’ from a solidarity amongst colonized peoples, towards an engagement with the ‘raceless’ political community of the white settler state. The politics of grievance are then merely a seduction and invitation into participating in the pillars of white supremacy that we are not directly, or are less targeted by. Crucially this is also what separates grievance from resistance, for resistance is directed towards the entirety of the white supremacist project. Resistance allows us to imagine transcending the ideologies, dictates, and structures of the white settler state through anti-colonial and decolonizing strategies. Political grievance will never offer the decolonizing potential or anti-colonial position that political

resistance offers. As Taiaiake Alfred articulates in Wasase, “The challenge is to reframe revolt” (Alfred, 26).

For the racialized Tamil subject to become a subject of grievance within the white settler state is to propel the discourse of citizenship, thereby affirming the hegemony of Western state sovereignty, and its denial of indigenous land title and sovereignty. For citizenship is also a construct of coloniality, and the grounds upon which white supremacy entrenches its dominance, and the white settler state legitimizes its notions of political community.

For Tamils we resist by acknowledging complicity in white supremacy. By acknowledging that of course it is possible, and more importantly, it is particularly necessary, for Tamils to be complicit within capitalist hierarchies of domination and slaveability. We resist within white supremacy, by examining how as Tamils, even when fleeing and resisting genocide in the state of Sri Lanka, we are complicit within colonialism and genocide against indigenous peoples, communities, nations and ways of being on Turtle Island.

The symbols of society such as the police force, bugle calls in the barracks, military parades, and the flag flying aloft, serve not only as inhibitors but also stimulants. They do not signify: “Stay where you are.” But rather “Get ready to do the right thing”
--Frantz Fanon, *The Wretched of the Earth* (16)