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THE VOICE OF SUBALTERN-FOURTH WORLD LITERATURE

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ABSTRACT

The Fourth World exists from the time memorial since the first world, the second world and the third world but it had no room of its own in mainstream or normal literature. It was not an invention of a new world but a discovery. The term Fourth world Literature brings in a new hope for all the subaltern and accomplishment sections of the world. It is not a challenge against the third or the first world, but a protest against an age old attitude ingrained in the society about the marginalized of the Fourth world. Native people of America, Aboriginals of Australia,Dalit's, Muslimsetc. are considered as Fourth world people. The consciousness of the Fourth world is the result of constant efforts of aboriginal representatives. The introjection of social prejudices and value systems in society have affected the progress of subaltern sections and the Fourth World Literature offers a ray of hope for these marginalizedand subaltern sections.

KEYWORDS: Aboriginals, exploited, Fourth World, ingrained, introjection, subaltern

The Fourth world refers to the most underdeveloped regions in the world. The fourth world is used to describe the most poverty stricken and economically troubled parts of countries in the third world. Unlike the first, second and third worlds, the fourth world does not have any political ties and is often based on a huntergatherer lifestyle. The fourth world covers all ethnic, racial, caste, linguistic, gender even socio-political and economic marginal. The term was first heard in Canada and it became synonymous with stateless, poor,subaltern and marginal nations with the publication of GeorgeManuel's*The Fourth World*: *An Indian Reality* in 1974. As the 1980s progress, modern states are increasingly being forced to come to terms with their indigenous minorities. In a process hastened by the constant improvements in electronic and satellite communications, there is a trend towards indigenous collectivity on a global scale. A clear example of this was the creation in 1975 of the World Council of Indigenous Peoples (WCIP), officially sanctioned by the United Nations as a non-governmental organization. At the Inaugural meeting of the WCIP, George Manuel introduced the concept of the Fourth World, a phrase employed to describe indigenous minorities throughout the earth.

Gordon Brotherston in his famous work , *Book of the Fourth World: Reading the Native Americans through their Literature* published in 1992, argued that American continent was identified as the " Fourth World". At the time of its „discovery", the American continent was identified as the Fourth World of our planet. In the course of just a few centuries, its original inhabitants, though settled there for millennia and countable in many millions, have come to be perceived as a marginal if not entirely dispensable factor in the continent's destiny. Today the term has been taken up again by its native peoples, to describe their own world: both its threatened present condition and its

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political history, which stretches back thousands of years before Columbus. In order to explore the literature of this Fourth World, Brotherson uses primary sources that have traditionally been ignored because they have not conformed to western definitions of oral and written literature. Gordon's book also enriches our knowledge of the historical formation of colonialism, post-colonialism and even European cultural and social history.

The evolution of Fourth World Literature is in reflection with the socio-economic, literary and cultural circumstances that affected the lives of Natives. In his influential book:*Black Words, White Page: Aboriginal Literature* 1929-1988*,* Australian writer, Adam Shoemaker has presented Aboriginal Literature as Australia's Fourth World Literature. When Oodgeroo Noonuccal's first collection of poetry appeared in 1964, a new phase of cultural communication began in Australia. Not only the content, but the very fact of Noonuccal's We Are Going was important as, effectively for the first time. His book not only ushered into an era of self-reflective literary examination by Black Australians but also completely changed the specimen on the slide under the microscope.

The Fourth World provides a contribution to the understanding of structures of subjectivity pertaining to thinking and feeling that allow for deeper and more thorough excavations central to the analyses of postcolonial studies. A recent publication, Exploring Fourth World Literatures: Tribals, Adivasis andDalits (2011), edited by Raja SekharPatteti, asserted to incorporate Dalits and Tribals of India to be a part of Fourth world representative. It also portrays the life and struggles of the Dalits as well as the tribal people for their dignity, justice and equality. It exposes the sufferings, frustration and torture imposed on them and their revolt against inhuman treatment. Dalits as part of the fourth World are spread across Europe, Pakistan, Nepal, Bangladesh, Sri Lanka etc. They are the better social and cultural reflections of natives in India. It was Dr.B.RAmbedkar, who reacted against the debasement of Adivasis, genuinely. He predicted the social repercussions, for the failure of Hindu society in civilizing the aborigines. Today, marching against neo-

capitalism, our failure to merge Aboriginal identity with Dalit identity, stands befuddled. The social and cultural segregation of Dalits and Adivasis is the ploy of the dominant forces in India to weaken and dissolve the universal consolidation. Now the term „Dalit" has got the wider ideological and cultural acceptance as the only representation for „ Fourth World". Marxist analysis to Fourth World initiates a historical use of the term cultivated in a series of world system classifications. Karl Marx drew a world division based on an analysis of the organization of capital and its monopolistic tendencies in late capitalism, which also informed the contemporary discussion of imperialism. Anthony Hall's:*The American Empire and the Fourth World: The Bowl with One Spoon* (2005), illustrates how histories of contact between indigenous and Euro- American communities contributed to the formation of one of capitalism's critical documents. Although Fourth World is seemingly restricted to mean a stateless, poor and marginal nations, it also embraces millions of the inhabitants of all small nations, groups working for their autonomy and independence at all levels from the neighborhood to the nation, minority groups whether ethnic ,linguistic, cultural or religious and those in the field of peace action, ecology, economics, women's liberation and the whole spectrum of the alternative movement that are struggling against these atrocities. Fourth World Literature also focuses on the ongoing marginalization of the fourth world nations by the imperial power under the banner of „modernization", „progress" and „development". It intends to initiate the process of integration on global scale and the process of self-identification on the local indigenous level. The literary representations of the indigenous people is quite rare. Contemporary Black Australian creative writers have already played a major role in articulating a sense of unity and also to define the aboriginal identity. As the third decade of such writing continues, one can expect to find them growing in numbers, confidence and skill, and increasingly expressing and moulding the aboriginal nationalism. More and More the Fourth World will demand both artistic and political recognition through its creative literature. Thus Fourth World

Literature is a space for understanding the shared cultural experiences of the people who were once the majority of the population and who have, through colonial occupation, been the victims of genocide, both cultural and physical that reduced their numbers so that they are now in the minority in colonially occupied land. Fourth World Literature is the full expression of man's ruthless materialism and imperialistic will. Owing to its dialectic variation and terminological variances, Fourth World Literature can be best understood when considered through a socio-linguistic lens because such lens connects indigenous cultures to their language and oral traditions.

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The South of the North: Building on on Critical Approaches to International Law with Lessons from the Fourth World

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The South of the North: Building on Critical Approaches to International Law with Lessons from the Fourth World

PROLOGUE

In the 1974 book *The Fourth World: An Indian Reality*, George Manuel[1] and Michael Posluns[2] present a memoir of Manuel's life to

1 Born in 1921 as a member of the Shuswap Nation (in the B.C. interior), Manuel was a First Nations and Indigenous activist, leader, elected head of the North American Indian Brotherhood, leader of the National Indian Brotherhood (precursor to the Assembly of First Nations), president of the World Council of Indigenous Peoples, and President of the Union of British Columbia Indian Chiefs. He died in 1989. *Biography of George Manuel,*

that date, interwoven with a description of the traditions, conditions, and struggles of Indigenous peoples in Canada and around the world. In the acknowledgements of the book, Manuel thanks Mbutu Milando, First Secretary and later High Commissioner of the Tanzanian High Commission in Ottawa, "who first suggested to me the concept and nature of the Fourth World—an idea that grew into a framework for much of my own thought."[3] Among others, Manuel also thanks Marie Smallface Marule (Blackfoot), former secretary-treasurer of the National Indian Brotherhood, who "was also the first person to be able to show me, from direct and personal experience, the close relationship and common bonds between our own condition as Indian people, and the struggles of other aboriginal peoples and the nations of the Third World."[4] In *The Fourth World*, Manuel

UNION OF BC INDIAN CHIEFS, http://www.ubcic.bc.ca/about/george.htm (last visited Mar. 5, 2012). Among many other accomplishments, he was the driving force behind the founding of the World Council of Indigenous Peoples. *See* Douglas Sanders, *The Formation of the World Council of Indigenous Peoples*, INTERNATIONAL WORK GROUP FOR INDIGENOUS AFFAIRS Document no. 29 (1980). Contrary to some interpretations, which do not appear consistent with the text, Manuel and Posluns clearly did not utilize this term in a derogatory or disempowering manner. *Cf.* Dianne Otto, *A Question of Law or Politics? Indigenous Claims to Sovereignty in Australia*, 21 SYRACUSE J. INT'L L. & COM. 65, 83 & 102 (1995). Otto's devaluing of the term due to the potential for further stigmatization seems similarly unwarranted, especially given her otherwise uncritical acceptance of the term "Third World." *Id.*

2 Michael Posluns "is a journalist and researcher . . . Posluns has conducted research, written reports, briefs and monographs on behalf of and about First Nations in Canada and the United States." He has been parliamentary adviser to many bodies, including the National Indian Brotherhood, the Assembly of First Nations, and the Dene Nation. *Inventory of the Michael Posluns Fonds*, YORK UNIVERSITY, http://archivesfa.library .yorku.ca/fonds/ON00370-f0000382.htm (last updated May 6, 2005).

3 GEORGE MANUEL & MICHAEL POSLUNS, THE FOURTH WORLD: AN INDIAN REALITY (1974) at xvi (Milando is described as "the first diplomat to welcome a closer relationship with the Indian people through the National Indian Brotherhood."). Milando reportedly told his friend, Manuel, that "We are called 'the Third World'" and further that "When the Indian peoples come into their own, that will be the Fourth World." *Id.* at 5. As described in the Author's Note, this book is "a story told entirely in the voice of one man [that] is the work of two authors" who "should like to think that the dialogue from which that voice arose is in itself a sign of the Fourth World" *Id.* Given this single voice, references in the body of this article to the book's author refer to Manuel alone. For an account of some of Manuel's political and international organizing work, as well as the rise of (and some fractures within) the Fourth World project, see Sanders, *supra* note 1. For a recent review of international Indigenous activism, including the Fourth World concept, in the context of a book-length interrogation of the notion and strategies of Indigenous development, see KAREN ENGLE, THE ELUSIVE PROMISE OF INDIGENOUS DEVELOPMENT: RIGHTS, CULTURE, STRATEGY 49–52 (2010).

4 MANUEL & POSLUNS, *supra* note 3, at xv. Marule had volunteered with CUSO in the newly decolonized state of Zambia for four years where she also met a member of the African National Congress who later became her husband, and was inspired by these experiences to draw connections between the Third and Fourth Worlds (Conversation with

anecdotally and programmatically sets out contemporary challenges facing Indigenous peoples and some responses to these challenges. Manuel does so by describing a common understanding of the universe and threatened worldview, stemming from a common attachment to the land, which he distinguishes from the First World and the experience of the decolonizing Third World at that time.[5] Drawing inspiration from the teachings of his grandfather, Manuel emphasizes the fact of Indigenous peoples' survival around the world and the potential for more than mere survival in the future:

> The Fourth World is a vision of the future history of North America and of the Indian peoples. The two histories are inseparable. It has been the insistence on the separation of the people from the land that has characterized much of recent history. It is this same insistence that has prevented European North Americans from developing their own identity in terms of the land so that they can be happy and secure in the knowledge of that identity.[6]

Manuel's synthesis of a Fourth World perspective stems from a lifetime of political activism and observations of a common experience of colonialism, dispossession, and attempted assimilation (or termination as it was called in the United States). This common experience is complemented by a wide variety of Indigenous legal orders, which do not receive the recognition they deserve nationally

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Michael Posluns). Marule is now President of Red Crow Community College (online: http://imap.ammsa.com/node/11593).

5 MANUEL & POSLUNS, *supra* note 3, at 5–6 (Manuel notes the Third World strategy including the fact that "it reacts to Western political concepts . . . while struggling to imitate them").

6 *Id.* at 11–12. Although too numerous to discuss completely here, Manuel's Fourth World thesis stems from an emphasis upon: spiritual relationships with the land, the awareness of ecological disaster and the social commodities of land, water, and air. *Id.* at 11; the use of story-telling for "moral teaching" and "practical instruction." *Id.* at 37; the central notion and practice of giving as the foundation of Fourth World social and economic citizenship (the "whole foundation of our society . . . is summed up in one word: giving"). *Id.* at 41; the importance, even when there was "nothing to give," of doing something "to make yourself a part of the household where you were a guest." *Id.* at 42 (as opposed, perhaps, to the alienating theory of labor that creates exclusion through individual property); the connection between spiritual and material power. *Id.* at 43; and, the significance and practice of giving as extended to the entire continent of aboriginal peoples. *Id.* at 44. See also JOHN BORROWS, CANADA'S INDIGENOUS CONSTITUTION 351–62 (2010) (showing the use of stories as cases in ILT and the story of Mandamin/corn) and RAUNA KUOKKANEN, RESHAPING THE UNIVERSITY: RESPONSIBILITY, INDIGENOUS EPISTEMES, AND THE LOGIC OF THE GIFT ch. 1 (2007) (for a multifaceted approach to the complex notion, non-essentialized worldview, and logic of "the gift").

or internationally while having to contend with the compounding challenges of European settlement, assimilation, and displacement.[7]

INTRODUCTION

As both practice and discipline, international law has been the subject of serious and sustained internal and external critiques since its inception. In fact, the "inception" of international law itself has been the subject of serious and sustained critique for some time now. This debate is of special relevance for Indigenous peoples, most of whom suffer from a double burden in international law, as they are neither Europeans nor dominant political actors within the states whose borders now contain and divide their traditional territories. Apart from the changing role, place, and agency of Indigenous peoples in international law and fora generally,[8] this article raises the issue of Indigenous peoples' prominence (or lack thereof) within critical and alternative approaches to international law, namely deconstructive/historical   and   Third   World[9]   Approaches   to International Law (TWAIL). The focus on critical and alternative approaches to international law speaks to the need for these theories and actors to learn from one another in their attempts to both describe the worlds comprised by international law and to change them. While the title of this article refers to the "South of the North" and the Fourth World generally, my focus in the following largely remains on Indigenous peoples and nations located within (and sometimes across) the borders of the Canadian state.[10]

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7 JOHN BORROWS, JUSTICE WITHIN: INDIGENOUS LEGAL TRADITIONS (2006).

8 *See generally* S. JAMES ANAYA, INDIGENOUS PEOPLES IN INTERNATIONAL LAW (1996) [hereinafter ANAYA, INDIGENOUS PEOPLES]; James Anaya, *Keynote Address: Indigenous Law and Its Contribution to Global Pluralism*, 6 INDIGENOUS L.J. 3 (2007); S. James Anaya, *Indian Givers: What Indigenous Peoples Have Contributed to International Human Rights Law*, 22 WASH. U. J.L. & POL'Y 107 (2006); JAMES (SA'KE'J) YOUNGBLOOD HENDERSON, INDIGENOUS DIPLOMACY AND THE RIGHTS OF PEOPLES: ACHIEVING UN RECOGNITION (2008).

9 The term "Third World" has been defined, and resisted definition, widely, but arose in the context of the Cold War to distinguish between capitalist (First World), communist (Second World) and decolonized, non-aligned (Third World) countries. In this historical context, and as a political project see VIJAY PRASHAD, THE DARKER NATIONS: A PEOPLE'S HISTORY OF THE THIRD WORLD 6–7, 11 (2007). In legal scholarship, *see also* Karin Mickelson, *Rhetoric and Rage: Third World Voices in International Legal Discourse*, 16 WIS. INT'L L.J. 353, 356 n.15 (1998) (similarly noting French demographer Albert Sauvy's non-derogatory coining of the term in a 1952 newspaper column).

10 In Canada, the term "Indigenous" is sometimes used in the international context or interchangeably with "Aboriginal" as a general term domestically, though it is only the latter term that is included and defined as including the Indian Inuit, and Metis peoples of Canada. *See* Constitution Act § 35(2), 1982, *being* Schedule B to the Canada Act, 1982, c.

This Article begins by discussing two major writers who, respectively, form parts of two critical approaches to international law that have active and engaged followings in the legal academy. After assessing the valuable linguistic and historical lessons in some of the work of Martti Koskenniemi, the article touches upon two examples of Indigenous inter-National laws germane to, but not always acknowledged within, critical alternative histories of international law. In part, this acknowledgement requires a contestation of the term itself, given Indigenous petitions at imperial international law, transnationally with respect to domestic Canadian law, advocacy and activism at inter-state international law, and the abiding practice of Indigenous legal traditions and inter-National law and diplomacy amongst Indigenous peoples themselves. Next, this Article looks briefly at how the work of Antony Anghie and more recent writing within TWAIL address the nexus to Indigenous peoples, including lingering issues and questions as to the existence and quality of this relationship.

The final section of this Article looks in greater detail at the work and advocacy of Levi General in the 1920s at the League of Nations. General is known more widely by the hereditary chiefly title of Deskáheh (Young Bear Clan, Cayuga Nation, Haudenosaunee Confederacy (Six Nations of the Grand River)).[11] Given his inability to secure a hearing of the Six Nations' grievances against Canada before that League, this episode in the early institutional life of

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11 (U.K.). When referring to legal systems, I use "Indigenous" to refer to the laws of Indigenous nations and peoples, while I use "Aboriginal" to refer to the laws of the state. Where known or required for context, I also use the names of specific nations (e.g., Secwepmec or Cayuga), clans, confederacies (e.g., Six Nations), regional/international political organizations (e.g., Inuit Circumpolar Conference), and legislative or policy terms *E.g.*, Indian Act, R.S.C. 1985, c. I-5 (showing that this holds true for "Indian," or "status Indian'"or "First Nations" under this act). For a further elaboration of the terminology in the Canadian context, see *Report of the Royal Commission on Aboriginal Peoples, Vol. 2: Restructuring the Relationship*, LIBRARY AND ARCHIVES CANADA, http://www.collections canada.gc.ca/webarchives/20071124125001/http://www.ainc-inac.gc.ca/ch/rcap/sg/sh1 _e.html#Volume%202 (last updated Feb. 8, 2006).

11 Levi General was installed in 1917 as a new hereditary chief of the Cayuga Nation by the matron of the Young Bear Clan, Louise Miller. *See* Donald B. Smith, *Deskaheh (Levi General)*, THE DICTIONARY OF CANADIAN BIOGRAPHY ONLINE, vol. XV, 1921–1930 (2000), http://www.biographi.ca/009004-119.01-e.php?id_nbr=8103. The Haudenosaunee Confederacy, originally comprised of the Five Nations of Cayuga, Seneca, Onondaga, Mohawk, and Oneida, is now comprised of Six Nations, reflecting the adoption of the Tuscarora Nation under the sponsorship of the Oneida Nation. *See also* Oren Lyons, Indian Self-Government in the Haudenosaunee Constitution, 55 NORDIC J. INT'L L. 117 (1986). For more information, see *infra* note 114; *infra* note 124 and accompanying text.

international law serves as one example of the transnational disappearing acts perpetrated by the then-burgeoning Canadian state[12] and its laws, as well as those of the British Empire, and the European international establishment.[13] It also provides the chance to recount the resistance to such magic tricks by the Haudenosaunee, and other Indigenous peoples, ever since. The pooling of such critical insights and histories will be a necessary step to achieve the emancipatory visions sought by a diversity of approaches (Indigenous, deconstructive, Third World, feminist, radical/Marxist, Fifth World, etc.), not the least being fundamental changes in "the politics of the economy (who writes the rules) and the economics of politics (who holds the economic muscle to allow themselves to write the rules)."[14] The aforementioned "pooling" and the attempt to build such coalitions could easily be met with skepticism. In fact, in his preface to *The Fourth World*, the late and seminal scholar, lawyer, and activist Vine Deloria (Standing Rock Sioux) described his distrust for the new American left's ideology of the Third World purporting "to be a great coalition of oppressed peoples of the world," in the name of decolonized African and Asian states, which also somehow attributed "to people of foreign lands a sophisticated knowledge of North American affairs that they did not have or feel."[15] However, Deloria also wrote that, "No contemporary political and economic structure *has to be*. Whatever structures do exist must eventually find a reason for their existence above and beyond the political and economic values of today."[16] In part, this Article attempts to bridge the

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12 On this point, see Grace Li Xiu Woo, *Canada's Forgotten Founders: The Modern Significance of the Haudenosaunee (Iroquois) Application for Membership in the League of Nations* L., SOC. JUST. & GLOBAL DEV. J. (Apr. 30, 2003), http://elj.warwick.ac.uk /global/03-1/woo.html.

13 *See* ANAYA, INDIGENOUS PEOPLES, *supra* note 8, at 57.

14 PRASHAD, *supra* note 9, at 213. On the necessity of this "pooling" of critical resources of resistance, see ANTONY ANGHIE, IMPERIALISM, SOVEREIGNTY AND THE MAKING OF INTERNATIONAL LAW 319–20 (2004).

15 Vine Deloria, *Foreword* to GEORGE MANUEL & MICHAEL POSLUNS, THE FOURTH WORLD: AN INDIAN REALITY, at x (1974).

16 *See id.* at xii. Born in 1933, Vine Deloria Jr. was a member of the Standing Rock Sioux (South Dakota), an activist, author (e.g., *Custer Died for Your Sins*; *God is Red*), educator, executive director of the National Congress of American Indians, lawyer, founder of the Institute for the Development of Indian Law, professor of law and political science at the University of Arizona, professor of American Indian studies and history (adjunct in law, political science, religion) at the University of Colorado, and one of the foremost American/Indian leaders and thinkers. He died in 2005. *See* James Treat, *Introduction* to VINE DELORIA, JR., FOR THIS LAND: WRITINGS ON RELIGION IN AMERICA 1-18 (James Treat ed., 1999).

knowledge gap of "North American affairs" in the aforementioned critical approaches to international law by layering in some lessons from inter-National Indigenous laws while showing the related, but distinct, challenges of Indigenous advocacy at inter-state international law.

I
WHERE LANGUAGE AND HISTORY MIGHT FAIL

Critical approaches to international law, its history, and its theory are of particular importance to this article given the fact that they challenge dominant conceptions of the field while opening space for the emergence or recognition of alternative approaches. This next Part looks at one particularly powerful and compelling example in some of the scholarship of a practitioner and professor of international law, Martti Koskenniemi. I point to what I see as one particular shortcoming and propose supplements from inter-National Indigenous legal traditions that benefit from his otherwise convincing critique of international law and its historiography.

A. *On Speaking Without Being Heard*

For Finnish international law scholar Martti Koskenniemi, the characterization of international law as two equally competent advocates capable of arguing diametrically opposite positions using the same principles underpins his textual turn and conception of international law as a language.[17] Its history comprises the uses of, struggles over, and rising or falling enthusiasm and powers of that language over time. Given this, at best, ambivalence towards international law, pursuing a genealogical history of international law thus requires a contextual history of people and their projects.[18] This approach to international law as a language cultivates a careful skepticism of grand narrative, rejecting the three-headed monster of traditional legal historiography ("great men" hagiography, formal rule

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17 *See* MARTTI KOSKENNIEMI, FROM APOLOGY TO UTOPIA: THE STRUCTURE OF INTERNATIONAL LEGAL ARGUMENT 3–5, 12, 565–69 (2005).

18 *See generally* MARTTI KOSKENNIEMI, THE GENTLE CIVILIZER OF NATIONS: THE RISE AND FALL OF INTERNATIONAL LAW, 1870–1960 (2001). For the motivation behind this historically-focused complement to his earlier book, see KOSKENNIEMI, *supra* note 17, at 617. *See also* George Rodrigo Bandeira Galindo, *Martti Koskenniemi and the Historiographical Turn in International Law*, 16 EUR. J. INT'L L. 539, 541, no.7 (2005).

history, and epochs of domination).[19] Thus, his alternative history of international law that is not simply a "shiny white knight" in opposition to state sovereignty or reasons may be important for a deconstructionist approach to international law.[20] In the context of this article, this invocation of alternative histories of international law is appealing where Emmerich de Vattel's positivist understanding, of the internal self-determination and external nonintervention that breeds the equality of states, otherwise reigns supreme.

In the particular genealogy I had the good fortune to read and hear, Koskenniemi emphasized that the key historical event was not Columbus' voyage in 1492, but instead French interventions in Northern Italy in 1494 and following.[21] The arc of the story to be told conformed to the following five-part incremental movement: (1) from the Medieval vocabularies of canonists, e.g., Aquinas' *regnum animarum* (ruling or government of souls); to (2) Scholastic vocabularies of natural law distinct from *jus gentium*, e.g., Francisco de Vitoria; to (3) early Modern vocabularies where natural law is made equivalent to *jus gentium*, e.g., Samuel Pufendorf; to (4) Modern vocabularies of *jus gentium* as a "system," e.g., Emmerich de Vattel, and then subsequently shifting completely from law; to (5) the language of economics, e.g., Friedrich von Martens and Adam Smith.[22] This movement aimed to show that international law was not and cannot be opposed to the state, nor used to critique its interests or sovereignty in any facile or guaranteed way. This is because international law is a functional "part and parcel" of state power and

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19 Martti Koskenniemi, *The History of International Law Today*, RECHTSGESCHICHTE, 6–9 (2004), www.helsinki.fi/eci/Publications/Koskenniemi/MHistory.pdf.

20 *See, e.g.*, KOSKENNIEMI, *supra* note 17, at 607 (noting "knights in white armour" with reference to the critique of Western military interventions to the elision of structural financial and economic interventions). This critique was made by Anne Orford. ANNE ORFORD, READING HUMANITARIAN INTERVENTION: HUMAN RIGHTS AND THE USE OF FORCE IN INTERNATIONAL LAW (2003).

21 *But see* NICOLÁS WEY GÓMEZ, THE TROPICS OF EMPIRE: WHY COLUMBUS SAILED SOUTH TO THE INDIES (2008) (noting the continuing fallout of Columbus' assumptions for North-South relations).

22 *See* Martti Koskenniemi, *International Law and Raison d'état: Rethinking the Prehistory of International Law, in* THE ROMAN FOUNDATIONS OF THE LAW OF NATIONS: ALBERICO GENTILI AND THE JUSTICE OF EMPIRE 297–339 (Benedict Kingsbury & Benjamin Straumann eds., 2010); *see also* Seven Lecture Series to the University of Toronto Law Faculty Martti Koskenniemi, International Law and Raison D'état: An Alternative History (Jan. 2010) (syllabus on file with author).

the politics that accompany its use or abuse.[23] In this way, Koskenniemi concludes that the writings of jurists in this earlier period (prior to that treated in *The Gentle Civilizer of Nations*) do not actually amount to an autonomous international law *per se*, so much as they comprise its prehistory.[24]

However, Koskenniemi's conception of international law as a language, and attempt to recast the history of its use as one of continuous and particular political struggles, seems slightly incomplete.[25] First, the critical assumption that we all speak the same professional language skirts the issues of those who speak this language but remain unheard or ultimately reject its fundamental, statist grammar. Reflecting on his 1989 book *From Apology to Utopia* in the epilogue to its 2005 reissue, Koskenniemi notes that the book "seeks to articulate the competence of native language-speakers of international law," and specifically with an emphasis to the use of international law's rules and principles where lawyers' competence is not questioned because they support opposing sides in their work.[26] He goes on to write that: "[t]his is why the linguistic analogy seems so tempting. Native language speakers of, say, Finnish, are also able to support contrasting political agendas without the question of the genuineness of their linguistic competence ever arising."[27]

Building on a linguistic analogy that seeks to "go beyond metaphor," this construction of international law does not necessarily

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23 *See* Martti Koskenniemi, *The Advantage of Treaties. International law in the Enlightenment*, 13 EDINBURGH L. REV. 27, 30 (2009); *see also* Koskenniemi, *supra* note 22.

24 *See* Koskenniemi, *supra* note 22 ("The tradition and style of writing about international matters in the vocabulary of law, in particular of natural law and the *ius gentium*, whatever the fashion in which the line between the two was drawn, during the period from Gentili to Adam Smith was not the same as the 'international law' that grew from the liberal legal activism of the late nineteenth century. When natural law finally knew what it wanted to be—and needed to be in order to fulfil its programme—it became economics. There would no longer be any search for a legal *proprium*. That would become a task of courts and jurisprudence classes, distant from the serious business of governing the commonwealth.").

25 *Compare* Martti Koskenniemi, *The Legacy of the Nineteenth Century*, in ROUTLEDGE HANDBOOK OF INTERNATIONAL LAW 142 (David Armstrong ed., 2009) (footnotes omitted) ("[T]hese ideas lie behind the development of international law from a philosophical preoccupation in the eighteenth century to an instrument of diplomacy and an academic discipline in the nineteenth and an institutionally oriented formal—legal technique in the twentieth century—each period conserving something of the memory of its predecessor as a residue of assumptions and fallback positions.").

26 *See* Koskenniemi, *supra* note 17, at 567.

27 *Id.* at 568 (emphasis added).

reflect the true diversity of those caught up in the system that produces good legal arguments. In a different context, political science and Aboriginal Studies scholar Rauna Kuokkanen (Sámi) argues for just this making of space and showing of hospitality towards Indigenous epistemes in the academy. Describing the Deatnu river bordering Norway and Finland, Kuokkanen notes that "Samiland is also divided, by the borders of four nation-states" such that the "people on the river have been multicultural and multilingual out of necessity—understanding other cultures and languages has been the key to daily survival."[28] People crossed the border for food, health care, school, family ties, news, provisions, and salmon.[29] Following the war the border started to be patrolled due to the differing wartime allegiances of Finland and Norway, which led to border posts and the weakening of connections across the Deatnu river and restricting land ownership across the river-border.[30] Kuokkanen further notes the long-time and continued "cultural and linguistic mingling" along the Deatnu:

> Communication along the river takes place in various languages, and there are always people who do not understand all of the languages spoken. This is entirely normal, yet I paid attention to it only after my mother told me a story about a visitor from a completely monolingual part of Finland who expressed his uneasiness with languages he did not know. He had been resting upstairs when he realized that people downstairs were speaking at least a couple of different languages and that none of them was Finnish. *Imagine,* he thought, *all of these 'foreign' languages and so little Finnish even though this is Finland!*[31]

Kuokkanen's description of the multiplicity of languages in one space—both across states and an interrupted traditional territory—serves to underscore some of the limits of linguistic/textual methodologies of international law or its history.[32]

Koskenniemi's critical assumption that we must all be native speakers of a professional language is useful, but it is also clear that "native language speakers of, say, Finnish" are not necessarily able to support opposing political agendas without their linguistic

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28 KUOKKANEN, *Indigenous, supra* note 6, at x–xi.

29 *Id.* at ix–xi.

30 *Id.* at xi–xii.

31 *Id.* at xii (emphasis in original).

32 *See, e.g.,* Timo Koivurova, *Sovereign States and Self-Determining Peoples: Carving Out a Place for Transnational Indigenous Peoples in a World of Sovereign States,* 12 INT'L CMTY. L. REV. 191, 211 (2010) (noting that "general international law does not really give much politico-legal space for peoples divided by [state] borders").

competence being raised or their opposition simply being lost in the translations.[33] People might not all speak Finnish in Finland, and not just because they choose to speak French. The enunciation of an "unauthorized" practice of international law, as detailed in Deskaheh's attempts in Part IV below, can conflict with statist monopolies on access to international legal professions and the procedural aspects of international law. For example, in response to growing activism domestically and internationally with respect to land claims issues, Canada passed an amendment in 1927 (in effect until its repeal in 1951) requiring a license from the Superintendent General (Indian Affairs) for anyone soliciting funds for Indian legal claims, with punishment on conviction being either a fine or two months in jail.[34] This liability placed upon Indigenous peoples is an example of the state's indirect determination of who gets to speak international law in the first place, which is reinforced by the determination of the international community of states about whose international legal speech is even heard. In such situations, faced inordinately by Indigenous peoples, it definitely matters that Koskenniemi seeks to cast international law as a formal language that assumes equality of competence while simultaneously shifting its pre/history from the fiction of idealistic opposition to its more accurate positivist concert with state powers. Koskenniemi's project is helpful for the domestic, transnational, and international work of

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[33] LAWRENCE VENUTI, THE TRANSLATOR'S INVISIBILITY: A HISTORY OF TRANSLATION 18–20 (2d ed. 2008) (discussing the inevitable, largely invisible, violence of translation and the difference between "domesticating" and "foreignizing" methods).

[34] *See, e.g., The revised Indian Act*, R.S.C. 1927, c. 98, § 149A; COMMISSION ON ABORIGINAL PEOPLES, LOOKING FORWARD, LOOKING BACK: PART TWO: FALSE ASSUMPTIONS AND A FAILED RELATIONSHIP, CHAPTER 9—THE INDIAN ACT (2010), *available at* http://www.collectionscanada.gc.ca/webarchives/20071207032318/http ://www.ainc-inac.gc.ca/ch/rcap/sg/sg25_e.html#89. Although protection of Indians from unscrupulous lawyers was the purported reason for the amendment, the Royal Commission argued that: "The true reason probably had more to do with the desire of federal officials to reduce the effectiveness of Indian leaders such as Fred Loft and of organizations such as the Allied Tribes of British Columbia and the Six Nations Council. These groups had already proven troublesome to Indian affairs officials because of their insistence that their unresolved land claims be dealt with. [. . .] The effect of this provision was not only to harass and intimidate national Indian leaders, but also to impede Indians all across Canada from acquiring legal assistance in prosecuting claims until this clause was repealed in 1951. The claims of most British Columbia Indians as well as those of the Six Nations are still outstanding—as are hundreds of others." *Id.* (notes omitted). Seth Gordon also notes problems such as the "persistent objector" exception and that human rights laws are not self-executing in the United States. *See* Seth Gordon, *Indigenous Rights in Modern International Law from a Critical Third World Perspective*, 31 AM. INDIAN L. REV. 401, 423–24 (2007).

Indigenous peoples, but it must also clearly acknowledge the need to recognize precolonial sources of authority in the laws and practices of other political communities such as Indigenous peoples. Critical approaches to international law would also benefit from discerning the social and political determinants of speaking these Indigenous laws and claims to power in the context of inter-state international law. The issue of language (and knowledge) loss and revitalization in the wake of colonial encounter and assimilation programs, such as the Indian residential schools system, only heightens this concern.[35]

B. The History of International Law, Take Two?

Following from the issue of language, it also seems that telling the stories and histories of particular political struggles serves to broaden the field of international law and point to the potential for alternative, even radically different, future structures of international law. If international law is the stories that we tell ourselves,[36] then are we telling the right stories, or all of the relevant ones? For instance, should "colonialism-on-the-ground" and its negotiations not factor into the conversation of alternative histories to international law? It might be argued that such stories are not seen to be law or legal per se, or if they are, that they do not belong to the domain, or discipline, or profession, or practice, or language of international law. Yet, Koskenniemi expansively retells international law's history as:

- domestic stories for domestic audiences;
- the usurpation or turn from passions to interests to economics;[37]
- informal and then formal and then again informal colonialism;[38]
- the relatively short-lived heroic phase of white knight institutions;[39]

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35 *See, e.g.,* Christine Chinkin, Shelly Wright & Hilary Charlesworth, *Feminist Approaches to International Law: Reflections from Another Century, in* INTERNATIONAL LAW: MODERN FEMINIST APPROACHES 32–44 (Doris Buss & Ambreena Manji eds., 2005) (detailing Wright's work as Northern Director of Akitsiraq Law School in Iqaluit, Nunavut, in charge of a transnational Indigenous legal education in Inuit, Canadian, and international law, including required learning of Inuktitut language). In response to a critique of Koskenniemi's criticism of the feminist project for aggravating the fragility of international law while failing to provide the formal distance necessary for the good society, the authors emphasize international law's failure to focus on those beyond the powerful few; essentially, they ask the important question: formality for whom? *Id.* at 44.

36 Martti Koskenniemi, *The Fate of International Law: Between Technique and Politics,* 70 MOD. L. REV. 1, 1 (2007).

37 *See* Koskenniemi, *supra* note 22, at 297–339.

38 *See* Martti Koskenniemi, *Empire and International Law: The Real Spanish Contribution,* 61 U. TORONTO L.J. 1, 32 (2011).

- the fall or death of that field as it moved to the United States and American realism, pragmatism and functionalism rose to prominence;[40]
- the non-traditions of the pre-Revolutionary international law of France or the loss of the reins of power in Germany;[41] or
- an acknowledgment of the fragmentation of international law's present (where these *lex specialis* fragments do not materialize from 'thin air' but have their own heritages and histories worth telling in various traditions and competing languages).[42]

It now seems untenable that Indigenous legal histories do not yet make it into this radically expanded conversation. A 2007 working paper by Koskenniemi is instructive here for my argument that the acknowledgment of pluralism requires that it be acknowledged all the way up and down.[43]

As Koskenniemi notes in the paper on sociological thought and international law, international lawyers "spoke about universal laws of social life that, as confidently assumed by Montesquieu, would cover the whole of humankind 'not excepting the Iroquois themselves.' This may be true. And the fact that there are no longer any Iroquois tribes will have to be the measure with which we weigh our shared globalizing modernity."[44] Of course, as the many references in this paper—and hopefully the paper itself—make clear, both mainstream and critical approaches to international law cannot ignore the continued existence of "Iroquois tribes" or the Haudenosaunee Confederacy or other Indigenous peoples.

On Turtle Island (in North America), for example, Indigenous peoples have long survived the "opening of the frontier" and the "closing of democracy" that followed encounters with Europeans.

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39 Koskenniemi, *supra* note 17.

40 *See id.* at 438, 474–76.

41 *See* Koskenniemi, *supra* note 28, at 40, 47, 51, 62–63 (noting the lack of significant international law tradition in pre-Revolutionary France or Germany, and that French and German lawyers surrendered the reins of power to politics and economics).

42 Martti Koskenniemi, UN Study Group of the International Law Commission, *Fragmentation of International Law: Difficulties arising from the Diversification and Expansion of International Law* (Apr. 13, 2006), *available at* http://untreaty.un.org /ilc/guide/1_9.htm.

43 On the trickiness of scale, see Outi Korhonen, *The Role of History in International Law*, 94 AM. SOC'Y INT'L L. PROC. 45 (2000).

44 Martti Koskenniemi, Max Weber Lecture, Not Excepting the Iroquois Themselves: Sociological thought and International Law 5 (Apr. 2007) (emphasis added), *available at* http://www.helsinki.fi/eci/Publications/Koskenniemi/MKFlorence-07k.pdf.

However, as noted, they do not always make it into the alternative historicizing and contemporary repurposing of critical and postmodern international law. It is clear that this conspicuous absence cannot be attributed to the lack of government or political community or impact of natural law or *jus gentium* among Indigenous peoples in, for example, North America. Instead, these histories and legal traditions were domesticated to the European sovereign's black box, which accompanies the alternating story of international law's contested mutual constitution with *raison d'état*. Indeed, as discussed at greater length in a later section, Levi General's Haudenosaunee delegation in the 1920s to have the League of Nations consider the Six Nations' dispute with Canada is a prime example of how the logic and politics of international law determined that their "grievances were a domestic concern of Canada and hence outside the League's competency."[45] Unfortunately, this act of disappearance in the formal and European legal sense also takes place in the historiographical aftermath. As argued above, it remains to incorporate the critical insights of Koskenniemi's deconstruction and historicism, and his powerful view of the real legacy of the Spanish scholastics,[46] with the critical realities of colonialism-on-the-ground.

In fact, there *are* still Iroquois tribes; indeed, the Haudenosaunee Confederacy adopted the Tuscarora Nation and expanded from the Five Nations to the Six Nations Confederacy around 1714.[47] This adoption was effected by virtue of the Haudenosaunee *Kaianerekowa* (Great Law of Peace/Great Good Way), which dates from between the eleventh and sixteenth centuries.[48] In helping to tell part of this

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45 *See* S. JAMES ANAYA, INDIGENOUS PEOPLES, *supra* note 8, at 57 (1996).

46 *See* Koskenniemi, *supra* note 44, at 12, 32, 35–36 ("[T]he formation of centralized political communities—states—that demanded absolute loyalty from their citizens; the emergence of a global economic system based on private ownership and the search for profit; and continuous warfare, not only against the infidel, but among Christian rulers them- selves," which is saying the same as "early articulators of the much more powerful and long-standing type of informal imperial domination that is achieved through a worldwide pattern of acquisition and exchange of private property by which—as the rulers of Castile would themselves learn quite rapidly—formal state policies are also controlled, enabled, or undermined, as befits the global market.").

47 Darlene M. Johnston, *The Quest of the Six Nations Confederacy for Self-Determination*, 44 U. TORONTO FAC. L. REV. 1, 8 (1986) (citing BRUCE JOHANSEN, FORGOTTEN FOUNDERS: BENJAMIN FRANKLIN, THE IROQUOIS AND THE RATIONALE FOR THE AMERICAN REVOLUTION 21 (1982)).

48 JOHN FADDEN, THE GREAT LAW OF PEACE OF THE LONGHOUSE PEOPLE: IROQUOIS, LEAGUE OF SIX NATIONS 66–70, 72–78 (1973); *see also* BRUCE JOHANSEN, FORGOTTEN FOUNDERS: BENJAMIN FRANKLIN, THE IROQUOIS AND THE RATIONALE FOR THE AMERICAN REVOLUTION 21–22 (1982); FRANK G. SPECK & ALEXANDER GENERAL, MIDWINTER RITES OF THE CAYUGA LONG HOUSE 16 (1949); PAUL A.W. WALLACE, THE

story, legal scholar Robert A. Williams, Jr. (Lumbee) has presented American Indian visions of law and peace, which cross borders, cultures, languages, and are all about external relations in the law and governance of political communities.[49] Williams notes that:

> The Encounter era treaty tradition recalls the long-neglected fact in American history that there was a time in our national experience when Indians tried to create a new type of society with Europeans on the multicultural frontiers of colonial North America. Recovering this shared legal world is crucial to the task of reconstructing our contemporary understandings of the sources and nature of the rights belonging to Indian peoples in present-day American society. . . . In countless reiterations, the Encounter era treaty literature affirms the sovereign capacity of Indian tribes to engage in bilateral governmental relations, to exercise power and control over their lands and resources, and to maintain their internal forms of self-government free from outside interference.[50]

Williams' references to bilateral relations, the exercise of power and control over lands and resources, and self-government form just the tip of an iceberg of Indigenous laws and legal traditions. Although there is no space here to begin to scratch this surface internationally, let alone in Canada, it is worthwhile to at least gesture toward the myriad Indigenous legal traditions that would fruitfully inform alternative and critical histories of international law for the purposes of accuracy, decolonization, and justice.[51]

C. Indigenous Inter-National Laws

Although it is an artificial distinction, as should become clear, a focus on Indigenous legal traditions (ILT) that speak to *external relations*, such as between nations, to the land, animals, and newcomers, points to their relevance to this topic. For instance, given the frequently kinship-based practice of Indigenous law, there are

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WHITE ROOTS OF PEACE 41–42 (1946). *But see* TAIAIKE ALFRED, PEACE, POWER, RIGHTEOUSNESS: AN INDIGENOUS MANIFESTO 126 (1999) (cautioning against misappropriation and reification of a reduced-to-text version of the *Kaianerekowa*).

49 *See* ROBERT A. WILLIAMS, LINKING ARMS TOGETHER: AMERICAN INDIAN TREATY VISIONS OF LAW AND PEACE, 1600-1800 (1997); Robert A. Williams, *Linking Arms Together: Multicultural Constitutionalism in a North American Indigenous Vision of Law and Peace*, 82 CAL. L. REV. 981 (1994). On the debate over the legacy of the colonizing legal tradition brought to the New World, see the fascinating contribution in Koskenniemi, *supra* note 44, at 10–11 (noting differences in his approach versus the postcolonial approach, by Anghie and others, and the liberal defense by Georg Cavallar and others).

50 WILLIAMS, *supra* note 49, at 8–9 (notes omitted).

51 For one of the best examples in Canada, see JOHN BORROWS, CANADA'S INDIGENOUS CONSTITUTION (2010).

several historical and contemporary examples of international (or inter-National) Indigenous laws that are relevant to alternative histories, repurposing mainstream international law, and the Third World project (discussed below). In a 2006 discussion paper written for the now-defunct Law Commission of Canada and entitled "Justice Within," Anishinabe legal scholar John Borrows notes that:

> Aboriginal peoples were the earliest practitioners of law in Canada. Living in communities and nations across the land, they developed norms and practices to govern their social interaction, regulate trade, resolve disputes and govern the relationships between different nations. The diverse traditions of different Aboriginal peoples grew into highly developed systems of law that guided Aboriginal societies for centuries in the governance of community, the environment and relationships between people. Passed down through the generations in stories, songs, ceremonies and practices, these legal traditions reflect the unique experiences of different Aboriginal peoples and communities, embodying their values and beliefs and resonating with their cultures.
>
> The first Europeans to arrive in North America recognized Indigenous legal traditions and often followed Indigenous laws. Aboriginal laws, protocols and procedures provided the framework for the first treaties between Aboriginal peoples and the Dutch, French, and British Crowns. Commercial transactions often were conducted in accordance with Indigenous traditions, with the giving of gifts, the extension of credit and the standards of trade often based on Indigenous legal concepts.[52]

Among many other topics, Borrows outlines examples of ILT, including Mi'kmaq, Haudenosaunee, Anishinabek, Cree, Métis, Carrier, Nisga'a, and Inuit legal traditions. For example, Borrows details a wide variety of "Aboriginal-to-Aboriginal" relations existing prior to encounters with Europeans, including:

*   treaties;
*   inter-marriages;
*   contracts of trade and commerce;
*   mutual recognition for peace;
*   occupations of land to secure resources; and
*   "wider systems of diplomacy in use to maintain peace through councils and elaborate protocols." Examples include feasting, smoking the peace pipe, holding a potlatch, exchanging ceremonial objects, and engaging in long orations.[53]

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52 John Borrows, *Justice Within: Indigenous Legal Traditions* (Aug. 2006), *available at* http://dalspace.dal.ca/dspace/handle/10222/10229.

53 *Id.* at 171–72.

Although many examples are about making or maintaining relations, the particular subset of treaty relationships, alliances, and confederacies is of particular relevance, as it comprises clear examples of Indigenous inter-National law.[54] The legal traditions and practices of two Indigenous Nations (as opposed to the fragmented hundreds of Canadian state-legislated bands (a.k.a. villages)) are particularly informative, namely the Mi'kmaq and Anishinabek. As should be clear, the wide variety and complexity of ILT prevents even the appearance of a comprehensive treatment here, but nevertheless, for myself, and hopefully others, this must remain a starting point only.

D. Recurring Themes in Two Examples

"Transnational confederations" (Nikmanen) exist or existed between the Mi'kmaw Nation and its Nikmaq (allies), comprising the Beothuk, Wulustukw keuwiuk (Maliseet-Passamaquoddy), the Wabanki Confederacy, Innu or Montagnais groups, Inuit, and even Saint Lawrence Haudenosaunee (Mohawk) in the 1500s.[55] Sákéj Henderson (Bear Clan, Chickasaw Nation; Cheyenne) notes that the norms of peace and harmony requiring "the victor to give presents and share with the losing party, to satisfy the reality that both parties had breached the law . . . often confused English negotiators, who defined peace in terms of submission and reparations from the defeated."[56] Similarly, Mi'kmaq treaties were "living agreements" that "created a permanent, living relationship . . . expressed in terms of kinship—the English king as 'father' and the colonists as 'brothers'" and requiring routine meetings "to renew friendships, reconcile misunderstandings, and share each other's understandings, experiences and resources."[57] Sákéj asserts that most of these treaties

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[54] In addition to the work of John Borrows, I am especially indebted here to Darlene Johnston, Dawnis Kennedy, and Lee Maracle on the recognition of inter-National Indigenous laws.

[55] James (Sákéj) Youngblood Henderson, *First Nations' Legal Inheritances in Canada: The Mikmaq Model* 23 MAN. L.J. 1, 1–31 (1996) [hereinafter Henderson, *First Nations' Legal Inheritances in Canada*]; JAMES (SÁKÉJ) YOUNGBLOOD HENDERSON, MI'KMAW CONCORDAT 17 (Donna Davis ed., 1997) [hereinafter HENDERSON, MI'KMAW CONCORDAT].

[56] *E.g.*, Henderson, *First Nations' Legal Inheritances in Canada, supra* note 55, at § D; HENDERSON, MI'KMAW CONCORDAT, *supra* note 55, at 17.

[57] Henderson, *First Nations' Legal Inheritances in Canada, supra* note 55. For further examples of kinship-making, see J.R. MILLER, COMPACT, CONTRACT, COVENANT:

were renewal ceremonies reflecting "the flexible, kin-like nature of the confederation" conceptualized by the metaphor of the chain and combining the practices of all of the parties in a "sui generis" way.[58]

In a different context animated by similar principles, Borrows describes the 1701 treaty between the Haudenosaunee and the Anishinabek near Sault Ste. Marie, which was transacted orally and recorded on wampum with the image of a "bowl with one spoon" in order that "both nations would share their hunting grounds in order to obtain food," with the spoon guaranteeing that there would be neither knives nor bloodshed on the shared land.[59] Writing on the treaty, Leanne Simpson (Mississauga of Nishnaabeg Nation) argues for the need to destabilize and decolonize the concept of the treaty and instead focus on their purpose of maintaining good relationships as a basis for lasting peace, *Bimaadiziwin* (living the good life), and being in balance with the natural world, family, clan, and nation through the Seven Grandfather teachings.[60] Citing Borrows and Grassy Narrows elder Judy DaSilva, Simpson emphasizes the diplomatic agreements and treaty relationships with attendant rights and responsibilities to respect the animal nations or risk their departure from the territory.[61]

Akin to Sakej's explanation of Mi'kmaw treaties, Simpson emphasizes the open, ongoing, reciprocal, and dynamic relationships requiring nurturing, maintenance, and respect. This respect entailed "waiting in the woods" to build a fire before crossing to another's territory to be met with wampum, a feast, and the exchange of gifts; generally, visitors were treated with "the utmost respect to promote peaceful diplomatic relations between nations."[62] Simpson underscores the relevance of such relationships in contemporary times given that they, as with the "Common Dish" relationship between

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ABORIGINAL TREATY-MAKING IN CANADA at 7–10, 38 (Toronto: University of Toronto Press, 2009).

58 Henderson, *First Nations' Legal Inheritances in Canada*, *supra* note 55.

59 BORROWS, *supra* note 6, at 172. Borrows also describes the Feast of the Dead conducted with the Wendat in order to ease tensions and celebrate ancestors. *Id.* at 173. In the context of the Haudenosaunee, see also PAUL A.W. WALLACE, THE WHITE ROOTS OF PEACE 31–32 (1946) (Deganawidah and "one dish" principles with common access, sharing, and the avoidance of bloodshed).

60 Leanne Simpson, *Looking after Gdoo-naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships*, 23 WICAZO SA REV. 29, 31–32 (2008). Borrows poignantly evokes these teachings in John Borrows, *Seven Generations, Seven Teachings: Ending the Indian Act* (May 2008), Research Paper for the National Centre for First Nations Governance (online: http://www.fngovernance.org/research/john_borrows.pdf).

61 Simpson, *supra* note 60, 34–35.

62 *Id.* at 36.

Nishnaabeg people and the Haudenosaunee Confederacy, set "forth terms for taking care of a shared territory while maintaining separate, independent sovereign nations."[63] Simpson emphasizes that the dish was practiced through responsibilities that included "taking care of the dish" by only taking as much as needed, sharing everything, and not wasting any part of the animal in accordance with Nishnaabeg environmental ethics.[64] These ethics required decision making cognizant of impact upon "the plant and animal nations, in addition to the next seven generations of Nishnaabeg," in turn providing "an ancient template for realizing separate jurisdictions within a shared territory."[65]

Having expanded the histories of international law, as well as problematized the professional languages of international law, it seems that both the mainstream and the critical histories can only be improved through acknowledgment of the laws and practices of other political communities, such as Indigenous peoples in the ongoing colonial encounter in North America. Ultimately, these histories would fruitfully inform formalist assertions emphasizing statist sovereign equality at international law in the face of arguably more threatening encroachments by private actors through the law of contract.[66] This connection of the public to the private sectors is especially relevant in the case of, for example, Indigenous peoples in Canada, whose reserves, traditional territories, and unceded territories are also rich with much of the natural resource wealth sought by both foreign and domestic extractive industries.[67] In these existing and

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[63] *Id.*

[64] *Id.* at 37.

[65] *Id.* at 37, 42. This particular treaty relationship has captured the imagination of non-Indigenous scholars and writers, such as Tony Hall and J.R. Saul, though the implications of the original context are not necessarily central in analyses aimed at different targets (i.e., American imperialism abroad and the "castrati" of the Canadian ruling elite). For a similar critique with respect to the Third World, the NIEO, and CHM, see Mickelson, *supra* note 9.

[66] *See* Martti Koskenniemi, *Empire and International Law: The Real Spanish Contribution*, 61 U. TORONTO L.J. 1, 36 (2011). For a similar iteration from an English perspective, see KURT BURCH, "PROPERTY" AND THE MAKING OF THE INTERNATIONAL SYSTEM (1998).

[67] For example, see Report of the Special Rapporteur on the Rights of Indigenous Peoples, James Anaya, Extractive industries operating within or near Indigenous territories A/HRC/18/35 (July 11, 2011). *See also* Committee on the Elimination of Racial Discrimination, 80th Session (Feb. 13–Mar. 9, 2012), http://www2.ohchr.org/english/bodies/cerd/cerds80.htm ("shadow reports" submitted by Indigenous organizations and Nations with respect to Canada).

potential conflict zones of mixed international, federal, and provincial jurisdictions, Indigenous laws and legal traditions emerge as important touchstones. If not always determinative, they would be informative in the counterpoints to automatic development afforded by the duty of consultation required of governments and private industry (if not yet to the extent of free, prior, and informed consent).[68] Of course, Canada may be one of only a few places in the world where the issues of climate change, energy demands, resource extraction, development-induced displacement, temporary migrant labor, mixed public-private jurisdictions, transnational corporations, NGOs, and Indigenous peoples will remain important ones. But that seems an unlikely scenario.

The next Part of this Article pursues this theme in the context of Antony Anghie's equally influential work and some of those within the larger, loose collection of international legal writers self-identifying under the rubric of TWAIL. It then moves on to discuss one particular example of an Indigenous or Fourth World approach to international law through the work of Levi General (Deskaheh), the Six Nations Confederacy Council, and others in Canada, the United States, London, and the League of Nations (Geneva). The Article concludes with a brief discussion on potential ways for linking together different approaches to international law that potentially make common criticisms but sometimes fail to benefit from the chance to share knowledge from their respective experiences.

II
WHERE TWAIL MIGHT FAIL? THE THIRD WORLD IS NOT ENOUGH

From a TWAIL perspective, postcolonial histories of international law that begin with an initial acknowledgment of Indigenous importance, or at least narrative necessity, are largely eclipsed by the focus on the European colonization and then decolonized states of Asia, Africa, and elsewhere. Of course, I am not arguing that this path-breaking approach is incorrect, but merely that it remains incomplete without returning to the so-called "scene of the crime."[69]

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68 *See also* MANUEL & POSLUNS, *supra* note 3, at 252–54.

69 This is especially true where there are transnational actors involved in the circulation and migration of cross-colonial spaces. For example, see AUDREY MACKLIN, HISTORICIZING NARRATIVES OF ARRIVAL: THE OTHER INDIAN OTHER 40–67 (Rebecca Johnson, Hester Lessard & Jeremy Webber eds., *Storied Communities*, 2010) (discussing the exclusion of the almost 400 British Indian subjects, mostly Punjabi Sikhs, aboard the Komagata Maru in 1914 at Vancouver Harbour, British Columbia, and its relationship to

International law, and especially critical approaches to it, must close this loop.

In "Francisco de Vitoria and The Colonial Origins of International law," the first chapter of *Imperialism, Sovereignty and the Making of International Law*,[70] international law scholar Antony Anghie describes the genesis of international law in the colonial encounter, specifically through the example of Spanish jurist Francisco de Vitoria's writing on the Spanish expeditions and colonization of the so-called New World. In so doing, Anghie aims to show how international law did not emerge out of Europe fully-formed, but instead through a material and juridical encounter with Indigenous peoples across the Atlantic Ocean. Unlike other jurists of the time, Vitoria recognizes the humanity of Indigenous peoples and their government and title to the land in his lectures.

However, Anghie skewers the promise of natural law in his criticism of the otherwise-lauded ("protector of native peoples") Francisco Vitoria's arguments against the "universal system of divine law administered by the Pope" to a "universal natural law system of *jus gentium* whose rules may be ascertained by the use of reason."[71] Anghie outlines how, under *jus gentium*, the Spanish have a right to travel and sojourn in Indian lands such that they cannot be prevented as long as they do no harm.[72] Anghie argues that the equality and reciprocity of this system serves as a means for penetrating Indian lands and territory where the failure to give friendly hearing or innocent passage, or resistance to proselytizing and conversion, would lead to just cause for perpetual war.[73] For example, in part citing the

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the anti-colonial Ghadar movement in India). *See also* Sukhdeep Bhoi, Ghadar, The Immigrant Indian Outrage Against Canadian Injustices 1900–1918 (1998) (unpublished Master's thesis, Queen's University, available at http://www.nlc-bnc.ca/obj/s4/f2/dsk2/tape17/PQDD_0001/MQ36004.pdf).

[70] ANTONY ANGHIE, IMPERIALISM, SOVEREIGNTY AND THE MAKING OF INTERNATIONAL LAW (Cambridge University Press, 2004) (1996) [hereinafter ANGHIE, IMPERIALISM, SOVEREIGNTY].

[71] *Id.* at 20.

[72] *See also* James Muldoon, *Discovery, Grant, Charter, Conquest, or Purchase: John Adams on the Legal Basis for English Possession of North America, in* THE MANY LEGALITIES OF EARLY AMERICA 37, 40–46 (Christopher L. Tomlins & Bruce H. Mann eds., 2001).

[73] ANGHIE, IMPERIALISM, SOVEREIGNTY, *supra* note 70, at 23–30, 301. *See also* Felix S. Cohen, *The Spanish Origin of Indian Rights in the Law of the United States* 31 GEORGETOWN L.J. 1 (1942); Robert A. Williams Jr., *The Medieval and Renaissance Origins of the Status of the American Indian in Western Legal Thought* 57 S. CAL. L. REV. 1, 63–99 (1983).

traditional golden rule, Vitoria states that, "Also, thirdly, the sovereign of the Indians is bound by the law of nature to love the Spaniards. Therefore the Indians may not causelessly prevent the Spaniards from making their profit where this can be done without injury to themselves . . . . If, after the Spaniards have used all diligence . . . then they can make war on the Indians."[74]

Anghie then goes on to trace these colonial origins and further imperial impulses of international law through later centuries and forms, which are all underpinned by a civilizing mission and animated by an othering "dynamic of difference" (e.g., the "scramble for Africa" at the Berlin Conference of 1884–1885; the mandate system of the League of Nations; the role of international financial institutions in the 'development' of the Third World; and, the specter and exception of terrorism and wars against it in international law). As noted above, I am particularly interested in Anghie's tracing of the colonial origins of international law to Francisco de Vitoria and how these antecedents of colonial law are later connected to the descendants of imperial law. Anghie accomplishes this linkage in several ways.

First, he does note some of the "brutalities" and colonial practices of the postcolonial state, including against smaller states, women, and Indigenous peoples.[75] Second, and more substantially, in a section of his book titled *The United States and Imperial Democracy*, Anghie returns to "close the circle" by connecting American colonization and the wars and dispossession of, and later trust relationship over, Native Americans to Elihu Root's brand of American colonialism-as-trusteeship over the Philippines; Wilson's international trusteeship in the Mandate system of the League of Nations; and, ultimately, a comparison between the historical construction of American Indians as savages and the contemporary justifications for occupying Iraq to combating Muslims-as-terrorists in the infinite War on Terror.[76] In a footnote to this discussion, Anghie writes that

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[74] Franciscus de Victoria, *De Indis et De Ivre Belli Relectiones* (Ernest Nys ed., J.P. Bate trans., 1532), *available at* www.constitution.org/victoria/victoria_.htm. *See also* ANGHIE, IMPERIALISM, SOVEREIGNTY, *supra* note 70, at 294 (discussing Vitoria, defensive war of Spanish in conquest of Indians, and comparing to preemptive self-defense of United States with respect to Iraq).

[75] *See* Antony Anghie, *The Evolution of International Law: Colonial and Postcolonial Realities*, 27 THIRD WORLD Q. 739, 749, 751 (2006) [hereinafter Anghie, *The Evolution of International Law*].

[76] *See* ANTONY ANGHIE, IMPERIALISM, SOVEREIGNTY, *supra* note 70, at 287–90. Anghie describes this War on Terror "as . . . a war in which America is projecting not only

> [i]t could be argued that the circle is now complete: Western
> approaches to the American Indian were shaped by Christian
> approaches to the pagans of the Middle East, as Robert Williams
> has shown. Now, through the U.S. intervention in Iraq, the
> descendants of those same peoples of the Middle East are being
> thought of in terms developed in relation to the American Indians.[77]

I would only add that not only does this circle complete, but it also
repeats, given the wider application of American and, inevitably,
Canadian anti-terrorism efforts and rhetoric within broader regimes of
securitization and surveillance of borders, lands, resources, and
economic and political protest.[78] Although it is a small point, it
underscores my emphasis on the need to track these processes of
"othering" within and through international law at all of its scales and
without prejudging its sources or borders.

Critical approaches to international law, *especially* ones such as
TWAIL that reject the liberal protections of orthodox international
law, must close the loop begun by the analysis of Anghie and others.
However, despite the apparent dearth of such attention in the
predecessors to Anghie and others' work, in TWAIL 1,[79] a newer

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democracy, but its entire history of encounters with the 'other', within the United States
and also in its previous imperial ventures" *Id.* at 291.

[77] ANGHIE, IMPERIALISM, SOVEREIGNTY, *supra* note 70, at 290 (references omitted).
Along these lines generally, see also DANIEL KANSTROOM, DEPORTATION
NATION:OUTSIDERS IN AMERICAN HISTORY (2007); TONY HALL, THE BOWL WITH ONE
SPOON, THE AMERICAN EMPIRE AND THE FOURTH WORLD (2003) and EARTH INTO
PROPERTY: COLONIZATION, DECOLONIZATION, AND CAPITALISM (2010).

[78] *See, e.g.*, Marlene Habib, *Monitoring of First Nations Beefed up in '06: Documents
M*, CBC NEWS (June 13, 2011, 10:35 AM EST), http://www.cbc.ca/news/canada
/story/2011/06/13/first-nations-documents.html. *See also* Press Release, Defenders of the
Land, Defenders of the Land condemns Harper government surveillance of First Nations
(Dec. 6, 2011), *available at* http://www.defendersoftheland.org/story/312.

[79] There is no room in this article to detail these changes, differences, and the apparent
absence of Indigenous peoples in TWAIL 1. However, for a beginning on the distinctions
between TWAIL 1 and 2, see Antony Anghie & B.S. Chimni, *Third World Approaches to
International Law and Individual Responsibility in Internal Conflicts*, 2 CHINESE J. INT'L
L. 77, 79–82 (2003) (boiling down five main points of TWAIL 1 and contrasting with
TWAIL 2); ANGHIE, IMPERIALISM, SOVEREIGNTY, *supra* note 70, at 312; Mickelson,
supra note 9, at 409 (drawing difference from potential Eurocentric imposition of
nationalist historiography in earlier TWAIL); BALAKRISHNAN RAJAGOPAL,
INTERNATIONAL LAW FROM BELOW: DEVELOPMENT, SOCIAL MOVEMENTS, AND THIRD
WORLD RESISTANCE 89–91 (2003) (on the Third World elite's focus on nationalist-
legalistic change and "fetishism" of international institutions); D. Fidler, *Revolt Against or
From Within the West? TWAIL, the Developing World, and the Future Direction of
International Law* 2 CHINESE J. INT'L L. 29, 39–55 (2003) (on some of the grand
initiatives of TWAIL 1 and their legacies (or lack thereof)). *See generally* James T. Gathii,
*TWAIL: A Brief History of its Origins, its Decentralized Network, and a Tentative
Bibliography*, 3 TRADE L. & DEV. 26 (2011).

generation of TWAIL scholars have raised and engaged with these issues in their own work. A brief review of this scholarship is worthwhile and serves the argument for increased engagement and cross-pollination between different critical approaches, alternative histories, and authoritative sources of international law.

The importance of the relationship between the Third World and Indigenous peoples has been raised to greater and lesser degrees in the work of Vijay Prashad, Balakrishnan Rajagopal, and Boaventura de Sousa Santos.[80] In *The Darker Nations*, historian Vijay Prashad traces and constructs a history of the Third World as "not a place" but a project "longing for dignity" and the "basic necessities of life (land, peace, freedom)" with key leaders (Nehru, Nasser, Nkrumah, Castro) in key movements (Afro-Asian Solidarity Conferences, Non-Aligned Movement, Tricontinental Conference, NIEO, G-77, UNCTAD) at key moments (Bandung (1955), Cairo (1957, 1961, 1964), Belgrade (1961), Havana (1966), Algiers (1973), NIEO (1974), CERDS (1976), ASEAN (1977), and New Delhi (1983)).[81] However, in noting an obituary of the Third World, Prashad points to its assassination by the First World through the "Trojan horse" of the 1970s debt crisis and IMF structural adjustment, which ensured structural poverty through recurring debt and eroded the "abbreviated project for the construction of Third World sovereignty."[82] In his conclusion, Prashad portrays a fragmented and pluralistic universe of actors, networks, and theories, listing social movements "in the darker nations to challenge the Neoliberal states," such as movements for land, water, women's rights, Indigenous rights, cultural dignity, and economic parity that "draw on resilient ideological resources (such as Marxism, anarchism, and populism)."[83]

Prashad's conclusions echo some of those made by law and development scholar Balakrishnan Rajagopal in his book, *International Law From Below*. Akin to Prashad, Rajagopal contests the seemingly natural classification of Third World states as low-income or poor.[84] Instead, Rajagopal notes the constructed and

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80 Prashad, *supra* note 9; Rajagopal, *supra* note 79; BOAVENTURA DE SOUSA SANTOS, TOWARD A NEW COMMON SENSE: LAW, SCIENCE AND POLITICS IN THE PARADIGMATIC TRANSITION (1995).

81 PRASHAD, *supra* note 9, at xv–xvi.

82 *Id.* at 231.

83 *Id.* at 279–80. Prashad goes on to note that "It is from these many creative initiatives that a genuine agenda for the future will arise. When it does, the Third World will have found its successor." *Id.* at 281.

84 *Id.* at 276.

maintained character of this structural inequality, such that "the discovery of poverty emerged as a working principle of the process whereby the domain of interaction between the West and the non-West was defined."[85] This working principle harkens back to Anghie's notion of the dynamic of difference that plays out throughout history between colonizer and colonized in still-ongoing civilizing missions. Akin to Prashad, Rajagopal traces a similar story of the "failure of Marxism as a liberatory discourse" and the shortfalls of statist ("etatist") nationalism, but does so with an emphasis upon the multiple and varied social movements of the masses that followed these failures.[86] Rajagopal argues that after:

> [T]he splintering of the Third World coalition in the mid-1970s, the containment of nationalist and class movements by the two Super Powers, and the genuine grass-roots disillusionment with the violence of the nation-building project in many Third World countries, new forms of popular mobilization began to emerge . . . . *Indigenous peoples movements*, fishworkers' movements, farmers' movements, and anti-globalization protests are, then, a result of the failure of Marxism as a coherent left doctrine.[87]

In the wake of these failures and the disillusionment that followed, as well as the identification of the fragmented actors that might give shape to future agendas, how do we begin to find a successor to the Third World project?

Although not a TWAIL scholar, legal sociologist Boaventura de Sousa Santos addresses similar questions in his book, *Toward a New Common Sense*. Among many other things, de Sousa Santos traces the movement of global/collectivist concepts in the global commons regimes: Pardo's 1967 articulation of the common heritage of humankind and the Law of the Sea;[88] the common heritage of humankind (CHM) and the Moon Treaty; the NIEO; telecommunications, the GSO; the Antarctic Treaty (as an elitist reconciliation of the CHM and the condominium); and the space age "overview effect" of seeing the Earth from outer space or from Lovelock's Gaia hypothesis of an integrated, all-encompassing

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85 RAJAGOPAL, *supra* note 79, at 108.

86 *Id.* at 241.

87 *Id.* at 238, 243 (emphasis added).

88 For an excellent discussion on the common heritage of mankind, and how it cannot be ethically divorced from its Third World origins, see Karin Mickelson, *Co-opting Common Heritage: Reflections on the Need for South-North Scholarship, in* HUMANIZING OUR GLOBAL ORDER: ESSAYS IN HONOUR OF IVAN HEAD 112 (Obiora Chinedu Okafor & Obijiofor Aginam eds., 2003).

natural system.[89] De Sousa Santos sees the haphazard and uneven career of such concepts as ultimately striving, in the paradigmatic transition he describes throughout his book, towards the principle of *jus humanitatis*, or "a law of and for humanity, as a whole, the law of a decent human condition in a nondualistic, but rather, mutualistic, interaction with nature" that is "grounded on the idea of intergenerational responsibility" and the transmission of "the world's cultural and natural heritage to future generations."[90] Following from the gaps in mainstream and critical approaches to international law, and the future hopes of Rajagopal and Prashad's post-Third World struggles, de Sousa Santos also raises the reality and hope of Indigenous peoples' experience and mobilization.[91] Specifically, he asks "What can we learn from the Indigenous peoples who, in a sense, are the South of the South?"[92] As noted in the introduction to this article, I believe it is equally important to educate ourselves about some of the lessons from the "South of the North" gleaned from a North American Fourth World perspective and Indigenous legal theory and traditions.

III
TWAIL 3 AND INDIGENOUS PEOPLES

Fortunately, this focus on Indigenous peoples is not an entirely new one.[93] Several recent pieces of scholarship written by adherents to, or readers of, TWAIL raise the relationship—for better or worse—to Indigenous peoples.[94] Notably, all but one of these discussions or

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89 DE SOUSA SANTOS, *supra* note 80, at 365–73.

90 *Id.* at 372–73.

91 *Id.* at 313–27.

92 *Id.* at 325.

93 In reference to Malindo's suggestion of the term "Fourth World" as referring to when "the Indian peoples come into their own," Manuel noted the following:

> I do not think he meant that we would create nation-states like his own, but that, like Tanzania, the nation-state would learn to contain within itself many different cultures and life-ways, some highly tribal and traditional, some highly urban and individual. At that point the Third World will no longer need to imitate and compete with the European empires from which they have so recently escaped.

MANUEL & POSLUNS, *supra* note 3, at 5–6.

94 Karin Mickelson, Ibironke Odumosu & Pooja Parmar, *Situating Third World Approaches to International Law (TWAIL): Inspirations, Challenges and Possibilities*, 10 INT'L CMTY. L. REV. 351 (2008); Ibironke T. Odumosu, *Challenges for the (Present/) Future of Third World Approaches to International Law*, 10 INT'L CMTY. L. REV. 467 (2008); Antony Anghie, *Francisco de Vitoria and the Colonial Origins of International Law*, in LAWS OF THE POSTCOLONIAL 89 (Eve Darian-Smith & Peter Fitzpatrick eds., 1999); Prabhakar Singh, *Indian International Law: From a Colonised Apologist to a*

asides emerge from the Americas with respect to Indigenous peoples
in the hemisphere. The ambiguity of the relationship in some of the
more recent writing is especially interesting here. For instance, in
applying a TWAIL analysis to ILO Convention No. 169 Concerning
Indigenous and Tribal Peoples in Independent Countries, Seth Gordon
claims in a footnote that "Although TWAIL, by its definition, focuses
on the Third World, it has an expansive definition including all
peoples marginalized by the western legal system and, thus, the nexus
between the Third World as an entity and Indigenous peoples can be
assumed."[95] Despite Gordon's explanation, the nexus between the
Third World and Indigenous peoples is a live issue that others have
argued cannot be assumed. For instance, in his analysis of how World
Bank development policies in Latin America further the dispossession
of Indigenous lands and resources by transnational mining
corporations, Gerardo Munarriz acknowledges TWAIL's helpfulness
in addressing neoliberal economics and human rights violations.[96]
However, he also notes that Indigenous peoples are "missing" and
should be included in TWAIL scholarship, both because they remain
in a "colonial relationship" with international law and because they
have emerged "as a political subjectivity within international human
rights law."[97] In contrast to Gordon's assumed "nexus" or Munarriz's
call for more inclusion between the Third World and Indigenous
peoples, Valerie Phillips seems to argue otherwise given their
respective searches for distinctive solutions within or beyond the
state. As with Munarriz, she notes the still-colonized status of
Indigenous peoples, but goes further in contrasting differences in
goals and approaches between Indigenous peoples and the Third
World/TWAIL. Specifically, she pits Indigenous peoples' pre-
colonization, traditional political roles and groups (clan, village, tribe)
and willingness "to contemplate the possible demise of the nation-
state" against TWAIL's "nation-state ideology" and the ultimately

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Subaltern Protagonist, 23 LEIDEN J. INT'L L. 1 (2010), *available at* http://ssrn.com
/abstract=1469223.

95 Seth Gordon, *Indigenous Rights in Modern International Law From a Critical Third
World Perspective*, 31 AM. INDIAN L. REV. 401, 404 n.22 (2007).

96 Gerardo J. Munarriz, *Rhetoric and Reality: The World Bank Development Policies,
Mining Corporations, and Indigenous Communities in Latin America*, 10 INT'L
COMMUNITY L. REV. 431, 435 (2008).

97 *Id.* at 441–42.

assimilationist goals of social movements in decolonized states.[98] The different threads discussed so far are worth summarizing below.

Most of the writers discussed above—except for one—tend towards the inclusion or conflation of Indigenous peoples within the Third World or TWAIL. Some writers tend to a depiction of the Third World and Indigenous peoples as projects that happen in sequence (Prashad; Rajagopal). Others look at their discursive and actual relationship in more parallel, but still complementary, fashion (de Sousa Santos; Munarriz). In contrast to these approaches, Phillips stresses a stricter parallelism between the two, perhaps as two lines never destined, or desired, to meet. A third strain espouses expanded definitions of the Third World that incorporate Indigenous peoples, either automatically (Gordon) or through more concerted coalition building. This last approach is the one adopted by both women's studies scholar Sunera Thobani and international law scholar Prabhakar Singh. Following a reading of Anghie's work, and building upon an expanded category of Third World women that includes those who migrate to the West/North, Thobani argues that the exclusion of Indigenous peoples from the Third World category would be "scandalous," and begs the question, "how do we account for the relationship between Third World peoples and Indigenous peoples?"[99] Singh makes a similar argument for a revision of this gap, given the fact that the globe is "populated by pockets of third world in the first world and pockets of first world in the third world."[100] Indeed, Singh aims for the use of "Third World" as "a new currency for identifying the deprived of both the North and the South" that transcends the nation-state and serves as "a unified category of the famished of both; the first and the third world."[101] Clearly, while the relationship between the Third and Fourth World and their projects

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98 Valerie Phillips, *Indigenous Peoples and the Role of the Nation-State*, 101 AM. SOC'Y INT'L L. PROC. 319, 320, 322 (2007).

99 Sunera Thobani, *Reading TWAIL in the Canadian Context: Race, Gender and National Formation*, 10 INT'L CMTY. L. REV. 421, 422 (2008). In the expansion of "Third World women" to encompass those who migrate from there to, e.g., North America, given their shared experience of migration and colonization, Thobani refers to Chandra Mohanty (referring to Chandra Talpade Mohanty, *Cartographies of Struggle: Third World Women and the Politics of Feminism*, in THIRD WORLD WOMEN AND THE POLITICS OF FEMINISM 1 (Chandra Talpade Mohanty, Ann Russo & Lourdes Torres eds., 1991)).

100 Singh, *supra* note 94, at 97. Singh's comment on this gap in (India's) TWAIL is made in the context of B.S. Chimni's omission of tribal peoples from his "Six Tales of India" (referring to B.S. Chimni, *Alternative Visions of Just World Order: Six Tales from India*, 46 HARV. INT'L L.J. 389 (2005)).

101 Singh, *supra* note 94, at 98, 102.

should not be either assumed or rejected outright, it is similar to international law in that there is no escaping from it.[102]

This Article cannot and does not seek to finally resolve the political relationship between Third World and Indigenous peoples, or the discursive fusion of TWAIL and ILT or, differently again, the Third and Fourth World projects. So far, it has attempted to show the importance of the question[103] and the open-endedness of its answer, especially in the context of critical approaches to international law whose allies and successes are few and far between. Despite their different interpretations and conclusions of the Spanish Scholastics, both Koskenniemi and Anghie show that the colonial encounter is central to understanding international law, and the wider world, historically and currently. It should be clear that any attempts to form such an understanding would be partial, at best, without addressing the distinctive experiences and activism of still-colonized Indigenous peoples. The next Part of this Article turns to an example of Indigenous legal activism and resistance at the "first institution of international law" in the moment when, simultaneously, international law became more than "simply a European law"[104] and Canada sought to assert its sovereign international status, "which before 1919 had in no sense existed."[105]

IV
FROM 1492 TO 1924: "THE REDMAN'S APPEAL FOR JUSTICE"

A permanent police presence at Grand River, the replacement of the hereditary council by a compliant elective one, and the use of informers all ensured a degree of official control at the reserve level. On the international front, the services of the British

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102 In different lectures in Toronto, both Anghie and Koskenniemi have commented on the lack of exit from international law (the former quoting the lyrics to the Eagles' song "Hotel California," the latter likening international law to one's parents). *See also* MARTTI KOSKENNIEMI, FROM APOLOGY TO UTOPIA: THE STRUCTURE OF INTERNATIONAL LEGAL ARGUMENT, at xiv (Cambridge University Press 2005) (1989) ("there is no 'outside-of-law'"); ANGHIE, IMPERIALISM, SOVEREIGNTY, *supra* note 70, at 318 ("At the very least, I believe that the Third World cannot abandon international law because law now plays such a vital role in the public realm in the interpretation of virtually all international events.").

103 On this point, although in the context of inter-minority coalitions in the United States, see Ediberto Roman, *Coalitions and Collective Memories: A Search for Common Ground*, 58 MERCER L. REV. 637 (2007).

104 MOHAMMED BEDJAOUI, TOWARDS A NEW INTERNATIONAL ECONOMIC ORDER 50 (1979) ("Until the League of Nations came into being, this international law was simply a European law . . ."), *quoted in* Mickelson, *supra* note 9, at 406.

105 RICHARD VEATCH, CANADA AND THE LEAGUE OF NATIONS 10 (1975).

diplomatic corps were effectively employed to intimidate governments sympathetic to the Indians.[106]

Up to this point, this Article has presented both the invisibility and the importance of Indigenous legal traditions and Indigenous inter-National laws to critical approaches to inter-state international law. It concludes with a section detailing an historical example of Indigenous legal activism and resistance that cuts across European inter-state international law, British imperial law, and Canadian domestic law, while exhibiting Indigenous inter-National law and legal traditions.

Although perhaps not a famous example in Canadian history, international law, or TWAIL circles, the work of Levi General (Deskaheh) in Geneva at the League of Nations has not been ignored in legal scholarship, or in other scholarship that I have reviewed.[107] Most important of the original documents are: the petition written and circulated by Deskaheh in Geneva and elsewhere in support of securing a hearing at the League's Assembly;[108] the unilateral report commissioned by Canada and written by Lieutenant-Colonel Andrew T. Thompson,[109] on the situation at the Six Nations of Grand River at

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[106] E. BRIAN TITLEY, A NARROW VISION: DUNCAN CAMPBELL SCOTT AND THE ADMINISTRATION OF INDIAN AFFAIRS IN CANADA 134 (1986).

[107] As noted above, Deskaheh is a hereditary chiefly title of the Younger Bear Clan of the Cayuga Nation (e.g., Levi General's brother Alex assumed the title after his brother's death in 1925), which forms part of the Six Nations Confederacy or Haudenosaunee (People of the Longhouse), whose traditional territory spans the Northeastern United States and across the Canadian border. Although the Council of the Confederacy split at the time of the American Revolutionary War, due to the separate nations allying with opposing sides based in part on geography and politics, it resumed shortly thereafter in Oshweken at the Six Nations of Grand River. Apart from being a Chief, Levi General was also chosen as the Speaker for the hereditary Council of the Six Nations Confederacy (and its deputy to London and Geneva). A succinct account of Deskaheh's life and work is by Professor Donald Smith on the Dictionary of Canadian Biography Online. *See* Smith, *Deskaheh (Levi General)*, *supra* note 11. Finally, although I have reviewed all of the documents cited below regarding Deskaheh, I have not accessed original correspondence between the parties contained in various archives in Geneva, Ottawa, and at Six Nations. For these aspects, I rely as necessary, and with references, on the several writers who have done so (e.g., Veatch, Woo, et al.).

[108] Deskaheh, *The Redman's Appeal for Justice* (Aug. 6, 1923), *available at* http://law .lib.buffalo.edu/collections/berman/pdfs/Redmanappeal.pdf. *See also* SIX NATIONS, THE REDMAN'S APPEAL FOR JUSTICE: THE POSITION OF THE SIX NATIONS THAT THEY CONSTITUTE AN INDEPENDENT STATE (1924), *available at* http://law.lib.buffalo.edu /collections/berman/pdfs/Redmanappeal2.pdf); DESKAHEH, CHIEF DESKAHEH TELLS WHY HE IS OVER HERE AGAIN (1923).

[109] COL. ANDREW THORBURN THOMPSON, COMMISSIONER TO INVESTIGATE AND ENQUIRE INTO THE AFFAIRS OF THE SIX NATIONS INDIANS (Nov. 22, 1924), *available at* http://epe.lac-bac.gc.ca/100/200/301/pco-bcp/commissions-ef/thompson1924-eng/thomp son1924-eng.pdf. Thompson's inquiry looked at several matters, including education, health, morality, the election of chiefs, powers assumed by Council, soldier settlement, and

the time; and, Canada's belated response in the Official Journal of the League of Nations to Deskaheh's appeal.[110]

The next set of documents comprise the first secondary literature on the quest of Deskaheh and the Six Nations, with the earliest being a 1949 narrative historical account by Carl Carmer in the context of other "York State" (or New York) histories.[111] A pamphlet produced in the 1950s by the Akwesasne Mohawk Counselor Organization (and later reprinted by the influential international disseminator of Indigenous news and views, Akwesasne Notes) sheds some additional light on Carmer's account.[112] Moving to later decades, the standard account remains a chapter in Richard Veatch's 1975 book on Canada and the League of Nations.[113] Important additions and context are provided in both Canadian domestic law and in international law through a series of chapters written by Douglas Sanders in the 1980s and 1990s.[114] Apart from these accounts, there are several later analyses that have been made in law, anthropology, history, and political science, which add some further context and interpretations and will be discussed below as relevant.[115]

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the administration of justice. *See generally* Joëlle Rostkowski, *The Redman's Appeal for Justice: Deskaheh and the League of Nations*, in INDIANS AND EUROPE: AN INTERDISCIPLINARY COLLECTION OF ESSAYS 435 (Christian F. Feest ed., 1987).

110 Joseph Pope, *Statement Respecting the Six Nations' Appeal to the League of Nations*, 5 LEAGUE OF NATIONS O.J. 829 (1924). Sent from Joseph Pope, Canada's Under-Secretary of State for External Affairs, but written by Duncan Campbell Scott. *See* TITLEY, *supra* note 106.

111 CARL CARMER, DARK TREES TO THE WIND: A CYCLE OF YORK STATE YEARS 104–17 (1949).

112 AKWESASNE NOTES, DESKAHEH: IROQUOIS STATESMAN AND PATRIOT (1976).

113 VEATCH, *supra* note 105.

114 *See* Douglas Sanders, *The Indian Lobby*, in AND NO ONE CHEERED: FEDERALISM, DEMOCRACY AND THE CONSTITUTION ACT 301 (Keith Banting & Richard Simeon eds., 1983); Douglas Sanders, *Aboriginal Rights: The Search for Recognition in International Law*, in THE QUEST FOR JUSTICE: ABORIGINAL PEOPLES AND ABORIGINAL RIGHTS 292 (Menno Boldt, J. Anthony Long & Leroy Little Bear eds., 1985); Douglas Sanders, *Remembering Deskaheh: Indigenous Peoples and International Law*, in INTERNATIONAL HUMAN RIGHTS LAW: THEORY AND PRACTICE 485, 485–504 (Irwin Cotler & F. Peral Eliadis eds., 1992).

115 Although beyond the scope of this Article, it is worth briefly noting one methodological perspective that has helped to inform the foregoing and the following discussion. In part of a panel discussing universality and particularity in international law, Outi Korhonen noted that shifting scales in international law "does not automatically cure us" instead, "Moving from a grand universalizing narrative to many small narratives is good but it is very much like moving from London to Middlemarch. The countryside may free us from the monolithic metropolitanism yet the smaller entity with its particularized circumstances and available perspectives is not necessarily more enabling, liberating, or equalizing. It is often equally restricted and wrought with hierarchies and misconceptions."

Broadcast on the radio in Rochester, New York, on March 10, 1925, prior to his death "in exile" in June of that year, Deskaheh's last speech succinctly sets out some of the context and consequences of his attempt to seek standing for the Six Nations Confederacy at the League of Nations in Geneva. Excerpts from his speech are worth quoting at length here:

> About three winters ago, the Canadian Government set out to take mortgages on farms of our returned soldiers to secure loans made to them intending to use Canadian courts to enforce these mortgages in the name of Canadian authority within our country. When Ottawa tried that, our people resented it. We knew that would mean the end of our government. Because we did so, the Canadian Government began to enforce all sorts of Dominion and Provincial laws over us and quartered armed men among us to enforce Canadian laws and customs upon us. We appealed to Ottawa in the name of our right as a separate people and by right of our treaties, and the door was closed in our faces. We then went to London with our treaty and asked for the protection it promised and got no attention. Then we went to the League of Nations at Geneva with its covenant to protect little peoples and to enforce respect for treaties by its members and we spent a whole year patiently waiting but got no hearing.
>
> To punish us for trying to preserve our rights, the Canadian Government has now pretended to abolish our government by Royal Proclamation, and has pretended to set up a Canadian made government over us, composed of the few traitors among us who are willing to accept pay from Ottawa and do its bidding.
>
> . . . .
>
> This is the story of the Mohawks, the sory [sic] of the Oneidas, of the Cayugas—I am a Cayuga, of the Onondagas, the Senecas, and the Tuscaroras. They are the Iroquois. Tell it to those who have not been listening. Maybe I will be stopped from telling it. But if I am prevented from telling it over, as I hope to do, the story will not be lost. I have already told it to thousands of listeners in Europe—it has gone into the records where your children can find it when I may be dead or be in jail for daring to tell the truth . . .
>
> This story comes straight from Deskaheh, one of the chiefs of the Cayugas. I am the speaker of the Council of the Six Nations, the oldest League of Nations now existing. It was founded by Hiawatha. It is a League which is still alive and intends, as best it can, to defend the rights of the Iroquois to live under their own laws in their own little countries now left to them, to worship their Great

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See Outi Korhonen, *The Role of History in International Law*, 94 AM. SOC'Y INT'L L. PROC. 45, 46 (2000).

Spirit in their own way, and to enjoy the rights which are as surely theirs as the white man's rights are his own.[116]

Within these few paragraphs from his larger speech, Deskaheh provides some of the context for his unsuccessful appeal to the League of Nations. However, several additional points must be noted at the outset.

First, the Six Nations' long alliance as independent Nations with Great Britain, including during the war with its colonies, and the imperial promises of protection and compensation for any losses[117] (secured in part following Joseph Brant's trip to England to petition King George III to confirm that these promises would be honored).[118] Second, the 1784 Haldimand Treaty negotiating lands for the Six Nations on the banks of the Grand River (near present-day Brantford, Ontario, and purchased by Great Britain from the Mississaugas).[119] Third, the cessions and sales of Six Nations land to the Crown, which used them for British settlers, and was supposed to hold the purchase monies in express trust for the benefit of the Six Nations, with accruing annual interest. However, these funds were invested and lost in the failed investment of the Grand River Transportation Company by the Government of Canada without consent of Six Nations. Fourth, the confirmation of freedom of movement in 1796 Jay Treat Article III, confirmed in 1814 Treaty of Ghent, Art. IX.[120] And, finally, fifth being the pretensions to sovereignty by Canada due to British North America Act of 1867, including section 91(24) jurisdiction over "Indians and lands reserved for Indians" in conjunction with the 1869 Indian Act and policies of civilization and assimilation.[121]

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116 Deskaheh, Last Speech of Deskaheh, Address on WHAM Radio in Rochester, N.Y. (Mar. 10, 1925), *in* BASIC CALL TO CONSCIOUSNESS 25–33 (Akwesasne Notes ed., 1978).

117 *See, e.g.*, TITLEY, *supra* 106, at 110–11.

118 For some of the history behind Joseph Brant's particular petitions in 1775 and 1785, see Jim Miller, *Petitioning the Great White Mother: First Nations' Organizations and Lobbying in London*, *in* CANADA AND THE END OF EMPIRE 299, 301–05 (Phillip Buckner ed., 2004).

119 *See* TITLEY, *supra* note 106, at 111; Darlene M. Johnston, *The Quest of the Six Nations Confederacy for Self-Determination*, 44 U. TORONTO FAC. L. REV. 1, 13–14 (1986). See Scott Trevithick, Conflicting Outlooks: The Background to the 1924 Deposing of the Six Nations Hereditary Council (June 1998) (unpublished Master's thesis, University of Calgary) (on file with author) at 44–46, for some background history to the land and political disputes over this land between the Mississaugas and Six Nations.

120 See Audra Simpson, *Subjects of Sovereignty: Indigeneity, The Revenue Rule and Juridics of Failed Consent*, 71 LAW & CONTEMP. PROBS. 191, 203-07 (2008), for a description of the legal and other struggles for the border.

121 *See* TITLEY, *supra* note 106, at 112.

Subsequent interventions upon the sovereignty of the Six Nations of the Grand River included: the 1919/1920 amendments to the Indian Act providing for compulsory enfranchisement[122] and forced removal of Indian status and reserve land; registration and conscription conducted for World War I (Deskaheh led a delegation to Ottawa to contest this for lack of jurisdiction and to note the 300 volunteers sent to fight by the Six Nations);[123] the subsequent setting aside and mortgaging of reserve lands for both Six Nations' and Canadian veterans of the First World War;[124] enforcement of penal liquor laws and imprisonment; and the "creation of a fifth-column party through persuasion, promises, and payments [. . . . it being] easier still to get the new minority to ask for protection."[125] Deskaheh (travelling on a Haudenosaunee passport) sought aid from the British Imperial Government following his petition in August 1921, to King George V, but the abrupt response by then-Colonial Secretary Winston Churchill in his letter to the Governor General of Canada read that as "the matters submitted within the petition lie within the exclusive competency of the Canadian Government, it should be referred to them."[126]

Although there was a desire to go to the Supreme Court of Canada on the issue of the Six Nations' status, it was to no avail due to the need for leave from the Governor General's office, which was deferred to a decision of the Department of Indian Affairs based on a negative opinion from the Department of Justice. Ongoing negotiations sought to achieve an impartial tribunal examining the question of Six Nations status/sovereignty,[127] but a Canadian offer of June 16, 1922, for arbitration by, first, three judges from the Ontario Supreme Court and, later in December 1922, for Six Nations' selection of any representative who was "a British subject" was rejected due to its bias and ploy to keep Deskaheh's American lawyer

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122 *Id.* at 114.

123 CARMER, *supra* note 111, at 106.

124 *See, e.g.*, Smith, *Deskaheh (Levi General)*, *supra* note 11; *see also* Woo, *supra* note 18, at 7-8. (referencing An Act to Assist Returned Soldiers in Settling Upon the Land and to Increase Agricultural Production, S.C. 1917, c. 21 (Can.)).

125 CARMER, *supra* note 111, at 107; *see also* DESKAHEH: IROQUOIS STATESMAN AND PATRIOT, *supra* note 112, at 3 (suggested ploy by Indian agent, Col. Morgan, to discredit the community).

126 See Sanders, *Aboriginal Rights*, *supra* note 114, at 292–304, for some of the long history of these imperial petitions; Keith Thor Carlson, *Rethinking Dialogue and History: The King's Promise and the 1906 Aboriginal Delegation to London*, 16 NATIVE STUD. REV. 1 (2005); Miller, *supra* note 123, at 299–318.

127 TITLEY, *supra* note 106, at 115.

Decker from sitting on such a panel.[128] Additionally, in December 1922, there was a raid by the Royal Canadian Mounted Police (RCMP) (uncoordinated with the other arm of Canadian government, Department of Indian Affairs)[129] with arrests on the spurious pretence of liquor violations, including targeting Deskaheh's home. With the help and advance warning of neighbors, he was able to quickly cross the border to Rochester, New York.[130] In January 1923, the RCMP stationed a garrison[131] (captained by Lieutenant-Colonel Andrew T. Thompson)[132] and sacred wampum belts were taken from the Council house.[133] These actions conclusively led the Six Nations and Deskaheh to seek international (non-imperial) recourse in Geneva, with aid of Rochester lawyer George Decker,[134] who had litigated cases in New York State for the Oneidas and other nations.

Deskaheh and Decker had visited the Dutch charge d'affaires in Washington, D.C. in December 1922, to successfully request that they forward his petition to the League of Nations on the strength of the centuries old relations between Dutch settlers and the then-Five Nations (specifically Kanienkehaka (Mohawk) Nation). The Six

128 DESKAHEH: IROQUOIS STATESMAN AND PATRIOT, *supra* note 117, at 2. *See also* TITLEY, *supra* note 106, at 118–19 (initial proposal of royal commission of three Supreme Court of Ontario judges (one chosen by each party and nominees selecting final judge) and later allowance of Six Nations representative beyond Ontario so long as British subject due to the lack of available Ontario judges and desire to restrict Rochester lawyer George Decker from nomination to the commission).

129 *See* Yale D. Belanger, *The Six Nations of Grand River Territory's attempts at Renewing International Political Relationships, 1921–1924*, 13 CAN. FOREIGN POL'Y 29, 37 (2007).

130 CARMER, *supra* note 111, at 107.

131 *Id.* ("The Canadian government then ordered barracks built for the housing of their police and Grand River was suddenly an occupied nation."); TITLEY, *supra* note 106, at 119.

132 Siomann Pulla, *"Would You Believe That, Dr. Speck?" Frank Speck and the Redman's Appeal for Justice*, 55 ETHNOHISTORY 183, at 190 (2008).

133 *Id.*

134 CARMER, *supra* note 111, at 107. *See* LAURENCE M. HAUPTMAN, SEVEN GENERATIONS OF IROQUOIS LEADERSHIP: THE SIX NATIONS SINCE 1800 124 (1st ed. 2008), for a contrast to other accounts and commentators, in which Hauptman emphasizes Decker's role above others and in distinction to a portrayal of Deskaheh as, at best, naive in his Geneva petition. See Belanger, *supra* 129, at 40, for a very different perspective and context, which attributes a similar naivete to the Six Nations hereditary Council about the "innovative political philosophies" and changing international relations of the League of Nations at the time. Both of these criticisms by Hauptman and Belanger are somewhat unsatisfying because they do not seem to explain what came to pass in years after with international Indigenous advocacy and law nor what either Deskaheh or the Six Nations Council might have done differently in the circumstances had their international relations been more enlightened or their Geneva tactics more savvy.

Nations Appeal was put forward under article 17 of the League Covenant providing for disputes between Member States and non-Member States (as opposed to article 1 dealing with new Members).[135] The Appeal described their current situation as "now constituting a menace to international peace" and requested relief including: recognition of the independent right of home rule; a just accounting of the trust funds and interest from the Imperial Government and the Dominion of Canada; and, freedom of transit for the Six Nations across Canadian territory to and from international waters.[136] Although it was unsuccessful in stopping him from circulating the petition to the Secretary General of the League requesting it be sent on to the League Council, the Netherlands' foreign affairs minister was reminded that such interventions could be equally applied in the case of the Dutch and their "East Indian subjects." However, the combination of Canada's vehement denial of League jurisdiction and the Dutch failure to do more than forward the paperwork, led the League's acting Secretary General to agree to "'enterrer' [bury] the matter" by distributing the petition to the Council on August 7, 1923, without any likelihood that any of its members would request it be added to the agenda.[137] Apart from soliciting the League, Deskaheh was lodged at the Hotel des Familles[138] with funds raised from home and the support of different international groups,[139] though money remained tight and at one point they had to raffle a couple portraits of Deskaheh in his regalia for 6,000 Swiss francs, which fit a larger European exoticist reception of Deskaheh. He tactically exploited this romanticism when lecturing across Europe and in the Grand Salle in his regalia for the larger strategy of securing League Member support and public sympathy. Indeed, Deskaheh and Decker waged a publicity campaign that

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135 VEATCH, *supra* note 105, at 92.

136 *See* Deskaheh, *The Redman's Appeal for Justice*, *supra* note 108, at 1, 13, 20.

137 *See* VEATCH, *supra* note 118, at 93–94. Veatch notes that the Canadian reply by Joseph Pope on May 25, 1923, called the Six Nations' claim "an absurd one." *Id.* at 94. (British Foreign Office "formally protested the Netherlands' role in the affair, which it considered 'an uncalled for interference in internal affairs of Canada'").

138 CARMER, *supra* note 111, at 107.

139 Sanders, *supra* note 114, at 298. (discussing International Bureau for the Defence of Indigenous Peoples (BIDI) (and Rene Claparede), the Slavery and Aborigines Protection Society of London, etc.); See also Rostkowski, *supra* note 109, at 446–48, for a discussion on the skepticism of the League of Nations Union and the Law Reform Association, as well as the support of BIDI, Claparede, and the coordinating efforts of the Commission des Iroquois.

received much press coverage in Geneva and abroad[140] and set a precedent for many later campaigns.

Dated February 23, 1924, Canada's official reply argued (among other things) that:

* the Six Nations was not a state competent to apply within art. 17 of the League's Covenant;
* the Six Nations were subjects of the British Crown and not self-governing peoples nor recognized as such;
* the Nov. 30, 1890, Order-in-Council recognized their loyalty but noted they had no special exemption from the effect of the laws of the land (confirmed in 1921 in response to the Six Nations' request to refer the question of their status to the Supreme Court of Canada);
* discussing treaties with the Six Nations would be akin to "talk of making a treaty of alliance with the Jews in Duke Street or with the French emigrants who have settled in England." (citing Justice Riddell quoting then-Attorney General, and later Chief Justice, John Beverley Robinson);
* the Six Nations had natural born allegiance due to their birth within the Crown's dominions (citing Blackstone);
* the 1919 Indian Act enfranchisement sections provided for Indian acquisition of full Canadian citizenship and the chance to "stimulate progress among the Indians and to afford them an opportunity for self-development and advancement";
* the Six Nations had "in no way conducted or maintained any separate courts or legal machinery of their own";
* there had been no misappropriation or waste of large sums of Six Nations' trust funds;
* that hereditary Council's method of selecting chiefs was a "primitive matriarchal form where the oldest women of the clans hold voting power"; and,
* that recognition of the independent or sovereign status of Indians in treaties of cession, not used by the Dominion of Canada in the international law sense, would mean "the entire Dominion would be dotted with independent or quasi-independent Indian States

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140 CARMER, *supra* note 111, at 109–10; VEATCH, *supra* note 105, at 95; *see* Carlson, *supra* note 126, at 15. (On the risk of becoming "an entertainment item rather than news" in the context of a different petition); *see also* Sanders, *supra* note 114, at 293, 296. (On the romanticism and "special status" of Indigenous peoples in European eyes, as well as Indigenous strategies of publicity and embarrassment beyond the nation state).

'allied with but not subject to the British Crown' [. . .] such a condition would be untenable and inconceivable."[141]

Of course, it had been Canada's longstanding desire, along with a minority of Six Nations Christian Reformers in Grand River Country, to install an elected Band Council government to displace the hereditary Haudenosaunee Confederacy Council favoured by the majority of Traditionalists (adherents of the Longhouse religion). This desire was given effect by the boycotted, one-sided, and biased Thompson Commission's recommendation, among others, to install an elected council as soon as possible (appointed Mar. 1923, heard witnesses Sept. 1923, submitted report Nov. 1923, and circulated to the League of Nations in Feb. 1924).[142] Thompson's inquiry looked at several matters, including education, health, morality, the election of chiefs, powers assumed by the Council, soldier settlement, and the administration of justice. In his discussion on the election of chiefs, Thompson criticized what he saw as a superficial matriarchal role in the selection of Chiefs and preferred instead, in combination with the

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141 *See* Statement of Government of Canada respecting the "Appeal of the 'Six Nations' to the League" (June 1924) 5 League of Nations Official Journal 829 [Dec. 27, 1923]. Sent from Joseph Pope, Canada's Under-Secretary of State for External Affairs but written by Duncan Campbell Scott; TITLEY, *supra* note 106, at 122; see Beverley Jacobs, International Law/The Great Law of Peace, (Spring 2000) (unpublished Master's Thesis, University of Saskatchewan) (on file with the University of Saskatchewan College of Law Library), for a rebuttal on this last point concerning the meaning of treaty and the sources of the law; *see* P. Whitney Lackenbauer & Andrew F. Cooper, *The Achilles heel of Canadian International Citizenship: Indigenous Diplomacies and State Responses*, 13 CAN. FOREIGN POL'Y J. 99, at 100, 112 (2007). For a discussion on the abiding fear of a Dominion dotted with quasi-independent allies, and the spectre of Quebec, see Johnston, *supra* note 47, at 30.

142 THOMPSON, *supra* note 109. For some of the many important criticisms of this flawed Commission, see Siomonn Pulla, *"Would You Believe That, Dr. Speck?" Frank Speck and the Redman's Appeal for Justice*, 55 ETHNOHISTORY 183, 190, 193–94 (2008) (outlining Speck's criticisms of Thompson's report, including his objection to the shut down of the longhouse, which was also an "important place of worship" and Thompson's misrepresentation of the acceptance of traditional government, in which 80 percent of community members participated (Thompson was also the head of the Grand River RCMP detachment)); Johnston, *supra* note 47, at 9 (on the unique role of women as titleholders and nominators of chiefs); *id.* at 19 (a community faction of acculturated abolitionists, the Royal Commission was to investigate a situation led by Thompson, "who had commanded several of the Six Nations men during the First World War," from whom a group of veterans (Warriors Association members) "incited the campaign for an elective system" through a "deeply inadequate" and one-sided approach by Thompson, which "relied on oral testimony from witnesses and his personal observations," without any historical or legal context and also lacked the appearance of most chiefs "in keeping with their non-recognition of Canadian jurisdiction"); *id.* at 20 (the non-participation of the chiefs in the Thompson Commission was mirrored in the first election where the majority of the community refused to vote).

limited witnesses he heard from, an elective system as soon as possible.[143] Thompson notes his conviction of corruption at the Council of Chiefs: "I am fully convinced that the present Council has undoubtedly been guilty of a serious usurpation of power, with regard to the Government of Canada on the one hand, and the people of the Six Nations Indians on the other, and that for a considerable time they have been acting very much as a law unto themselves."[144] Given reports that he was in command of the RCMP detachment at the Grand River, it perhaps comes as no surprise that Thompson's comment on the issue was simply that, "In this connection I wish to state that these men have carried out their duties with admirable tact and prudence, and seem to have aroused no feeling of personal animosity whatever. Their presence on the reserve, however, is deplored, not resented, by the law-abiding Indians, who constitute a vast majority of the population, for they feel that it stamps them in the eyes of the white community as a lawless people."[145] Nowhere in these comments is there recognition of sources of authoritative law within the community itself. Interestingly, on the issue of the Six Nations trust funds that were invested without approval in the Grand River Navigation Company for a total loss and without compensation (in addition to both the Canadian and Imperial governments disclaiming liability), Thompson recommended that it be dealt with because he found it convincing and, according to one witness, it "shakes their confidence in British justice."[146]

Unfortunately, and as noted above, the appeal of Deskaheh and the Six Nations was ultimately unsuccessful for a number of reasons. First, the lack of support from the Dutch beyond initial circulation of the petition did not help. Second, though Panama, Estonia, Ireland, and Persia were initially supportive and penned a letter on September 27, 1923, requesting the Six Nations question be put to the Permanent

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[143] THOMPSON, *supra* note 109, at 11, 14. Note that Thompson recommended that men have the franchise, but not women. *Id.* at 12.

[144] *Id.* at 14.

[145] *Id.* at 16; *see also* Pulla, *supra* note 132, at 190.

[146] THOMPSON, *supra* note 109, at 19. Interestingly, apart from acknowledging the reality of this merely pecuniary interest, Thompson also recommended negotiation between the Canadian and Imperial governments for the purpose of appointing a reputed jurist from a foreign country to determine the matter. *Id.* While the Canadian and Imperial governments could benefit in theory from an at least facially objective adjudication of their dispute of the liability for these mismanaged funds, Deskaheh and the Six Nations' desire for such impartial international arbitration (beyond the bounds of British subjects) was not entertained by the Department of Indian Affairs. *See* TITLEY, *supra* note 106, at 119.

Court of International Justice for an advisory opinion,[147] they were ultimately pressured by the British Foreign Office to stop their "impertinent interference."[148] All of the Six Nations' attempts were further burdened by the Canadian desire for a more independent presence on the international stage and the largely unhelpful League bureaucracy (in part staffed or formerly staffed by Canadians knowledgeable of its intricacies, as well as some not exactly neutral Europeans).[149] On September 17, 1924, a further obstacle arose in the Order-in-Council mandating an elected band council pursuant to the Indian Act. On October 7, 1924, the Haudenosaunee hereditary Council was deposed and "free elections" were held, under the Indian Act, armed guard, and the dark cloud of a large boycott of the proceedings at Six Nations where less than 30 ballots were cast on October 21, 1924, with a significant benefit to the Canadian government from this coup being its interpretation that Deskaheh had "no authority to speak" for his community any longer.[150]

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147 There are competing narratives about the rationales of support in the letters of these former colonies. While some accounts emphasize a natural solidarity of small nations between them and the Six Nations, e.g., TITLEY, supra note 106, at 123, Veatch notes the fact that, "three of the four signers (the delegates of Panama, Persia, and Estonia) had, only two days earlier, addressed the Assembly in opposition to Canada's efforts to obtain Assembly approval of its Article 10 interpretative resolution." VEATCH, supra note 105, at 95 (footnote omitted). See also THOMPSON, supra note 109, at 99.

148 On the general pressure brought to bear on these four states, see VEATCH, supra note 105, at 96–98. For the specific issue of pressure brought to bear on Persia's delegate, Prince Arfa-ad-Dovleh, see id. at 96–97 (describing the "highly unusual procedure of challenging whether Prince Arfa was speaking for his government in officially raising the Six Nations question").

149 CARMER, supra note 111, at 111. Carmer notes that the Secretariat informed Deskaheh and Decker of the refusal to allow his appearance as a petitioner and also denied them gallery seats to observe the League's deliberations. For some of the context behind Canada's activities at the League of Nations, including its desire for independent international status, eligibility for membership in the ILO, and equal member status at the League, see VEATCH, supra note 109. [3.2(b)] For Canada's work against the collective security guarantee of article 10 of the League's Covenant, as well as equality for the rights of immigrant workers, see id. (explaining Canadian attempts to delete, then amend, then restrict through an interpretive clause, Veatch cites Department of External Affairs papers stating, "'Our primary concern was with Article 10, "the heart of the Covenant," as President Wilson called it, but a heart which from the beginning we would have been glad to see stop beating.'" (footnote omitted) (citations omitted)). See also, id. at 8 (discussing the revision of the interpretive clause requiring the same treatment for foreign workers as for nationals, to having "due regard to the equitable economic treatment of all workers" given "restrictions on Oriental labour in effect in the provinces of British Columbia and Saskatchewan"). On the bureaucratic animus towards the Six Nations cause, see id. at 99, n.110.

150 CARMER, supra note 111, at 110–11; Woo, supra note 18, at 8; see also TITLEY, supra note 111, at 132 (regarding the lack of evidence of majority support for the elective council); Johnston, supra note 47, at 20 (the non-participation of the chiefs in the

Ultimately, the denial by the League, Great Britain, and Canada, led Deskaheh to rent the Salle Centrale and present the Six Nations' case to the enthusiastic public, leading Carmer to write that, in addition to the press, "All the Geneva Boy Scouts were present, but not a single League of Nations official."[151] Deskaheh had to return to the U.S., as he was considered a criminal in Canada, and took refuge with Tuscarora chief Clinton Rickard near Rochester, New York, until his death in June 1925.[152]

CONCLUSION

What are the implications of the struggle of Deskaheh and the Six Nations at the League of Nations and beyond? The argument in this article has been that international law, and especially critical approaches to international law as developed by Martti Koskenniemi, Antony Anghie, TWAIL and others, cannot ignore the experiences of Indigenous peoples within international law. Even further, this article has argued that critical approaches to international law, whether in search of a thicker, decolonized and anti-imperial international law, or a thinner, formalist defense of political and economic sovereignty and self-determination, cannot ignore their relationship to Indigenous peoples. Deskaheh's story shows the complexity of Indigenous peoples' relationship to international law, which registers at multiple

Thompson Commission was mirrored in the first election where the majority of the community refused to vote); *Deskaheh, supra* note 112, at 4; Sanders, *Aboriginal Rights, supra* note 114, at 300 ("Since the confederacy supporters refused to participate in the new system, this had the effect of depriving Deskaheh of his right to speak for the confederacy, *at least according to Canadian law*." (emphasis added)). On the multiple registers of this action, see Scott Trevithick, Conflicting Outlooks: The Background to the 1924 Deposing of the Six Nations Hereditary Council 107, 116 (June, 1998) (unpublished M.A. Thesis, University of Calgary) (on file with author), *available at* https://dspace.ucalgary.ca /bitstream/1880/26128/1/34920Trevithick.pdf (addressing a confluence of factors having to do with the DIA desire for an elected council, international embarrassment from Deskaheh's actions, and local fractures between majority Traditionalists in control of council and minority Reformers). On the "distinct religious worlds" within the historical community between Protestant Christians and Longhouse traditionalists, see Smith, *supra* note 17.

151 CARMER, *supra* note 111, at 112.

152 *Id.* at 114–15. Note that the Six Nations did not stop their attempts to draw international attention to questions of their sovereignty and self-determination. See Johnston, *supra* note 47, at 23 (discussing 1945 submissions to United Nations representatives in San Francisco). *See also* Sanders, *Remembering Deskaheh, supra* note 114, at 487 *et seq.* (describing the Six Nations delegation to the UN in 1945, the ILO Convention of 1957, and 1960's extension of the vote by Diefenbaker to Canadian Indians in part to stymy embarrassing comparisons between Canada and the South African apartheid). *See generally* Sanders, *Aboriginal Rights, supra* note 119.

scales and defies any easy distinctions between public, private, national, domestic, foreign, and international. It also shows the myriad forces arrayed at every level against the continued assertions of Indigenous peoples to determine their own lives and secure their own distinctive futures as free as possible from outside coercion. Nonetheless, it can be seen as a hopeful story for several reasons, some of which are relevant to my discussion here about the need for mutual learning between critical approaches to international law.

First, playing on the historical insights and convictions of Koskenniemi and Anghie, it should be clear now that there is nothing outside of international law's colonial constitution, and thus no escaping from international law's relationship with Indigenous peoples.[153]

Second, from the work of Deskaheh and others in the decades to follow, culminating most recently perhaps in the belated endorsement(s) by Canada, Australia, New Zealand, and the United States (CANZUS) of the UN Declaration on the Rights of Indigenous Peoples,[154] Indigenous peoples have not been passive objects or victims within this narrative.

Third, if the spectrum of participants at international law is widened to include Indigenous peoples and poor migrants, potentially both the Fourth and Third Worlds, then the possibility for effective action and resistance, including material gains on the ground, should increase. Critical theories and actors in international law will do a better job of describing the world they seek to both change and explain if they work to appreciate the struggles of others grappling with a commonly denominated and disdainful state sovereignty that puts international migrants, Indigenous peoples, and others within the same nexus. As noted by Anghie, it will take insights from all cultures to realize an anti-imperial international law.[155] Citing Wallerstein, Chimni usefully expands on this call for pluralism by adding that

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[153] However fraught and contested the means and goals were and remain. For a discussion of the competing legacies and implications of Deskaheh, see generally Rostkowski, *supra* note 109; Woo, *supra* note 12; Belanger, *supra* note 129; Trevithick, *supra* note 119; Ronald Niezen, *Recognizing Indigenism: Canadian Unity and the International Movement of Indigenous Peoples*, 42 COMP. STUD. SOC'Y & HIST. 119 (2000).

[154] CANZUS = Canada, Australia, New Zealand, and the United States. On optimism, see Henderson, *supra* note 8 (regarding UNDRIP) *But cf., e.g.*, Patrick Macklem, *Indigenous Recognition in International Law*, 30 MICH. J. INT'L L. 177 (2008); Sheryl Lightfoot, *Selective Endorsement Without Intent to Implement: Indigenous Rights and the Anglosphere*, 16 INT'L J. HUM. RTS. 100 (2012).

[155] ANGHIE, *supra* note 14, at 319–20.

what is specifically needed are the stories of resistance that dialogue between old and new social movements, that are made integral to a theory of resistance to international law, that navigate between liberal optimism and left pessimism, and that strike alliances with other critics of neoliberal approaches to international law by getting to know and understand each other's stories, struggles, and strategies.[156]

Fourth, by expanding the scope of participants in and against international law, it is also possible to expand the scope of relevant and applicable laws and sources of law, as seen in decisions of the Supreme Court of Canada, the Inter-American Commission and Inter-American Court of Human Rights, and, most importantly here, Indigenous legal traditions and inter-National laws.[157] Consequently, if Koskenniemi's insight that the true legacy of the Spanish Scholastics remains their prophecy of centralized states, citizens laden with the expectation of absolute loyalty, a global economic system of profit and private ownership, and continuous warfare,[158] then it is important to understand the histories and current articulations of these laws and legal traditions for both reasons of solidarity and resistance. This resistance can come in many forms, including: letter writing, boycotts, the exercise of local jurisdiction, the making or renewal of inter-state and inter-National diplomatic ties, international petitions, the politics of embarrassment, naming and shaming, passive resistance, strategic litigation, occupations, blockades, and reclaiming and practicing one's languages and laws.[159] Of course, it will not likely come in the form of a law review article.[160] But efforts like

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156 B.S. Chimni, *Third World Approaches to International Law: A Manifesto*, 8 INT'L CMTY. L. REV. 3, 17–24 (2006). In a domestic context, see Roman, *supra* note 103 (assessing the pros and cons through Critical Race Theory and LatCrit literature, but ultimately weighing in favour of interminority coalitions).

157 *See, e.g.*, Delgamuukw v. B.C., [1997] 3 S.C.R. 1010 (Can.); Mayagna (Sumo) Awas Tingni Cmty v. Nicar., Judgment, Inter-Am. Ct. H.R. (ser. C) No. 79, ¶ 153 (Aug. 31, 2001). *See also* discussion *supra* Section 2 on John Borrows, Mi'kmaq, and Anishinabek laws.

158 Koskenniemi, *supra* note 44, at 12.

159 On this last point, see, e.g., Chinkin, Wright, & Charlesworth, *supra* note 35, at 32–44 (detailing Wright's work as Northern Director of Akitsiraq Law School in Iqaluit, Nunavut, in charge of a program of transnational Indigenous legal education in Inuit, Canadian, and international law, responsive to the Inuit context and needs of women (comprising the majority of students) and including required learning of the Inuktitut language). See also the important work undertaken in Anishinaabe law and education at Shingwauk Kinoomaage Gamig, *available at* http://www.algomau.ca/about-algoma-u/shingwauk-kinoomaage-gamig.

160 For an extended polemic on this point, albeit made in a law review, in the context of radical and Marxist approaches to international law (also criticizing Chimni), see Bill

those made in this article might be of assistance in highlighting the means for connecting sometimes disparate critical projects together, through mutual education of alternative sources of law to govern relationships to the original sources of all wealth: the land and one another.[161] A potential starting list of such doctrines and sources could include: the Common Heritage of Mankind;[162] Permanent Sovereignty over Natural Resources;[163] the New International Economic Order;[164] Indigenous ownership and jurisdiction over the land,[165] or at least, commonly held, inalienable Aboriginal title whose source preexists the Crown/State;[166] the Bowl with One Spoon;[167] and the Seventh Generation teaching.[168] These are all examples of what might truly be called International Law and a grounded critical approach to its practice, theory, and teaching in today's world.[169]

Bowring, *What is Radical in "Radical International Law"?*, FIN. Y.B. INT'L L. (forthcoming), *available at* http://ssrn.com/abstract=1982159.

161 This is a slight modification of KARL MARX, DAS CAPITAL vol. 1 (1867), which claims the original sources of all wealth are the worker and the soil; *see also* Brett Clark & John Bellamy Foster, *Marx's Ecology in the Twenty-First Century*, 1:1 WORLD REV. POL. ECON. 142, 150–52 (2010). On a related point, see Lillian Aponte Miranda, *Indigenous Peoples as International Lawmakers*, 32 U. PA. J. INT'L L. 203, 259–60, 263 (2010) (discussing potential coalitions of marginalized groups and populations and the need to go beyond human rights discourse to address the just allocation of scarce resources like land and natural resources).

162 *See generally* Mickelson, *supra* note 9.

163 RAJAGOPAL, *supra* note 79; Chimni, *A Manifesto*, *supra* note 156.

164 Anghie & Chimni, *supra* note 79; Fidler, *supra* note 79.

165 See Mariana Valverde, *"The Honour of the Crown is at Stake": Aboriginal Land Claims Litigation and the Epistemology of Sovereignty*, 1 U.C. IRVINE L. REV. 955, 972 (2011) (noting the change in the original pleadings in the Delgamuukw case from "ownership and jurisdiction" to the lesser "aboriginal title").

166 *See, e.g.*, Leena Heinamaki, *Inherent Rights of Aboriginal Peoples in Canada: Reflections of the Debate in National and International Law*, 8 INT'L COMMUNITY L. REV. 155 (2006).

167 *See* Simpson, *supra* note 60. For an articulation of similar principles concerned with the sharing of territory and resources from different legal traditions, see generally PETER LINEBAUGH, THE MAGNA CARTA MANIFESTO: LIBERTIES AND COMMONS FOR ALL (Berkeley: University of California Press, 2008) at Ch. 11, "The Constitution of the Commons." For a different, crucially nuanced take on the issue of competing colonial and Indigenous commons, see Allan Greer, *Commons and Enclosure in the Colonization of North America*, AM. HIST. REV. 365 (Apr. 2012).

168 ALFRED, *supra* note 48; Borrows, *supra* note 51. *See also* Oren Lyons, *Indian Self-Government in the Haudenosaunee Constitution*, 55 NORDIC J. INT'L L. 117 (1986).

169 For example, see the ongoing situation of the Algonquins of Barriere Lake, their negotiated but unimplemented Trilateral Agreement, the imposition of § 74 of the Indian Act installing an elected band council (in which only 26 people voted) and deposing their traditional government. Barriere Lake Solidarity, *Algonquins of Barriere Lake vs Section 74 of the Indian Act*, VIMEO, http://vimeo.com/23103527. *See also* S. Pasternak (work in progress); On current issues in the community Deskaheh was exiled from after his efforts,

see Susan M. Hill, *Conducting Haudenosaunee Historical Research from Home In the Shadow of the Six Nations–Caledonia Reclamation*, 33 AM. INDIAN Q. 479 (2009).

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The Fourth World Approaches to International Law: A Cursory Glance

SAYED QUDRAT HASHIMY[1]

ABSTRACT

The questions of Fourth Worlds are still not widely discussed in philosophical perspectives, even though a Third-World interpretation of international law is an established and thriving theme. The segmentation of the world community along economic, political, and ideological lines is referred to as the "Fourth World." It is an exegetical evolution of the "Three Worlds" theory. The study uses doctrinal research methods and literature from the "Third World" to spotlight the "Fourth World." under international law. This article aims to highlight the similarities and differences between third- and fourth-world people's experiences and expectations under international law.

Keywords: TWAIL, First World, Second World, Third World, Fourth World and Indigenous People.

I. INTRODUCTION

Fourth World Approaches to International Law (FWAIL) is a relatively recent theoretical framework that seeks to challenge mainstream international law, which is largely focused on the relations between states and international organizations. FWAIL aims to give voice and agency to marginalized groups and communities, particularly those who are not recognized as sovereign states, but who are still subject to international law. The term "Fourth World" refers to groups such as Indigenous peoples, minority communities, and other marginalized groups that are not considered part of the traditional first, second, or third world categories. FWAIL seeks to address the historical and ongoing injustices that these groups have experienced, and to create a more inclusive and just international legal system.

Some of the key ideas associated with FWAIL include the recognition of the diversity of legal systems and the importance of understanding and respecting the perspectives and values of non-state actors. FWAIL scholars also emphasize the need to address the power imbalances that exist in the current international legal system, and to give greater consideration to the social, cultural, and economic factors that shape the experiences of marginalized groups. While FWAIL is still a relatively new and evolving theoretical framework, it has already had a

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significant impact on the field of international law, particularly in terms of highlighting the importance of considering the perspectives and experiences of non-state actors. As the international legal system continues to evolve, it is likely that FWAIL will continue to play an important role in shaping debates and discussions around issues of justice, equality, and human rights. The concepts of the First, Second, and Third Worlds were originally developed during the Cold War era to describe the geopolitical divisions between the capitalist Western countries, the communist Eastern bloc, and the non-aligned countries of the Global South, respectively. However, the meaning of these terms has evolved over time, and scholars have offered a range of perspectives on the interplay between these three worlds. Some scholars argue that the First World has historically dominated the Second and Third Worlds, both economically and politically. This domination has led to exploitation and inequality, with the First World benefiting from the resources and labor of the other two worlds. From this perspective, the relationship between the worlds is characterized by a power imbalance and a history of colonialism and imperialism. Others argue that the distinctions between the worlds have become increasingly blurred in recent years, with the rise of emerging economies in the Global South and the decline of Western dominance. Some scholars suggest that the world is now characterized by a multipolar system, with power and influence more widely distributed across the globe.

II. CHALLENGING THE STATUS QUO

More than 370 million people in more than 70 countries are called "Indigenous and tribal peoples (*"Fourth World"*). [2] Indigenous and tribal peoples are frequently referred to by national labels such as native peoples, aboriginal peoples, first nations, Adivasi, janajati, hunter-gatherers, or hill tribes.[3] ILO Convention refers to both "indigenous and tribal peoples" and accords the same rights to them.[4] For instance, several afro-descendent cultures in Latin America have been referred to as "tribal."[5] Indigenous and tribal peoples are not universally defined. However, ILO Convention No. 169 adopts a pragmatic stance and offers objective and subjective criteria for recognising the people in question.[6] In the case of the Indigenous Group of People, A person who identifies as a member of an indigenous group is the subjective

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[2] Who are the indigenous and tribal peoples?, (2016), http://www.ilo.org/global/topics/indigenous-tribal/WCMS_503321/lang--en/index.htm (last visited Nov 10, 2022).

[3] klaus kästle-nationsonline.org, 'First, Second, and Third World Countries - Nations Online Project' <https://www.nationsonline.org/oneworld/third_world_countries.htm> accessed 7 February 2023.

[4] Momaday, N. Scott. House Made of Dawn. New York: Harper & Row, 1968. Print.

[5] Ken Coates Mitchell Terry, 'The Rise of the Fourth World' (*Centre for International Governance Innovation*) <https://www.cigionline.org/articles/rise-fourth-world/> accessed 7 February 2023.

[6] Id.

criterion.[7] In contrast, in an objective standard, a person's lineage returns to the people who lived there at the time of the state's founding, colonisation, or conquest. In addition, despite their legal position, they continue to have their own social, economic, cultural, and political institutions.[8] Whereas in the case of tribal people, in the subjective criterion, a person who identifies oneself as a member of a tribe and on the other hand, in the objective criteria, compared to other groups within the national society, they have unique social, cultural, and economic circumstances.[9] They have their conventions, traditions, specific laws, and regulations that either entirely or partially govern their status.[10] During the cold war, each nation was categorised as belonging to a specific sort of which under the following headings; The term "First World" was used to refer to states that supported NATO and capitalism, "Second World" to represent those that backed communism and the Soviet Union, and "Third World" to indicate countries that were not actively supporting either side.[11] These nations included the destitute former colonies of Europe and every country in Asia, Latin America, the Middle East, and Africa. Later, the phrase "Fourth World" was coined when the Third World developed to represent regions and people with meagre per capita incomes and sparse natural resources.[12] During the 1970s, Mbuto Milando (Diplomat and the first Secretary of Tanzania High Commission) in Canada and George Manuel, Chief of the National Indian Brotherhood, are credited with coining the phrase "Fourth World" for the first time in Canada (now the Assembly of First Nations).[13]

The Fourth World will exist when indigenous peoples "come into their own cultures and traditions," according to Milando.[14] The citizens of the countries in the Fourth World were marginalised groups. As an illustration, though completely self-sufficient, Aboriginal tribes in South America or Australia do not engage in the global economy.[15] From a global perspective, these tribes were regarded as Fourth World states despite being able to function without any outside support.[16]

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[7] The Way to Rainy Mountain. Albuquerque: University of New Mexico Press, 2010. Print.

[8] 'Fourth World Conference on Women, Beijing 1995' <https://www.un.org/womenwatch/daw/beijing/> accessed 7 February 2023.

[9] Alexie, Sherman. Indian Killer. New York: Atlantic Monthly Press, 2016. Print.

[10] Allen, Chadwick. Blood Narrative: Indigenous Identity in American Indian and Maori Literary and Activist Texts. Durham: Duke University Press, 2002. Print

[11] The Bears Folk Tale in When the Legends Die and House Made of Dawn. Western American Literature 12 (2019): 275-87. Print.

[12] 'What Is the Fourth World? - India CSR' <https://indiacsr.in/what-is-the-fourth-world/> accessed 7 February 2023.

[13] Anthony J. Hall & Tony Hall, The American Empire and the Fourth World 239 (2003).

[14] Id. at 240.

[15] Brotherston, Gordon. Book of the Fourth World: Reading the Native Americas through Their Literature. New York: Cambridge University Press, 2012. Print.

[16] Warrior, Robert Allen.Tribal Secrets: Recovering American Indian Intellectual Traditions. Minneapolis:

III. THE INTERPLAY BETWEEN THE FIRST, SECOND, AND THIRD WORLDS – SCHOLARS' PERSPECTIVES

The Second World and Third World are interwoven with one another, and the First World views this as a form of prebendalism. Third-Worldism fights against the legalised dominance of international law and rejects the idea of a One-World Order in which the Third World is assimilated. He further argues that once understood, the distinction between emancipation and liberation may be used to distinguish between legitimate scholarship from the Third World and the First World's dominant muddled narratives. He also promotes the idea of a Fourth World that differs from the Third World and tries to create a form of people's law that is unique from the current state of state law.[17]

Ronald Dworkin[18] opposes the current system of a legitimising regime based on consent in his essay, A New Philosophy for International Law, and instead advocates for a system based on the concept of consensus. He grounds his arguments on the idea of his morality, which is based on the premise that every state has a responsibility to advance not just its own political legitimacy but also the legitimacy of the entire international order. From this theory, he developed the Salience Principle, which takes his consensus-building strategy to a worldwide level and suggests that some international ideas will gain more legitimacy and acceptance if they are widely adopted and put into practice. He gives a hypothetical futuristic proposal with a four-pronged decision-making system to assure his idea of consensus as well as an ideal type that exemplifies his thesis and provides a variation of the prisoner's dilemma to demonstrate it.

On the other hand, Professor Upendra Baxi,[19] explores what the Third World could anticipate from international law in his study examines the current structures via a post-structuralist Third World lens and, in addition to the title question, poses several significant queries. Who built the Third World and Who belongs to it are the main concerns. It criticises the West and the Eurocentric Westphalian governments that make up the First World for imposing their narratives and interpretations of International Law on the Third World by focusing on the Third World as being more than just economic status.

The First World attributes a kind of prebendalism to the Second World and the Third World since they are intertwined with one another. Third-Worldism rejects the idea of a One-World

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University of Minnesota Press, 2015. Print.

[17] George Manuel, Michael Posluns and Vine Deloria, *The Fourth World: An Indian Reality* (University of Minnesota Press 1974) 41 <https://www.jstor.org/stable/10.5749/j.ctvf34hsb> accessed 7 February 2023.

[18] Ronald Dworkin, *A New Philosophy for International Law*, 41 PHILOSOPHY & PUBLIC AFFAIRS, 2-30, (2013).

[19] Upendra Baxi, What May the 'Third World' Expect from International Law?, 27 (5) THIRD WORLD QUARTERLY, 713 – 725, (2006).

Order, in which the Third World is absorbed, and seeks to overthrow the legalised dominion of international law. Additionally, he contends that once grasped, the difference between emancipation and liberation may be used to discriminate between genuine scholarship from the Third World and the First World's hegemonic jumbled narratives. In addition, he advances the notion of a Fourth World as distinct from the Third World and works to develop a peoples' law that differs from the current condition of the law of the states.[20]

Dworkin is does not dispute with the Westphalian system as a whole, but his arguments have frequently been criticised from the perspective of the Third World. Although he rejects the consent-based legitimation approach, he emphasises the legitimacy component through his novel Salience Principle and consensus model. This is completely at odds with Baxi's vision of the perfect global community. In his paper What is TWAIL?, Makau Mutua delves into the Third World Scholarship and claims that the international law that is dominated by eurocentrism is "... a regime and rhetoric of domination and subordination, not resistance and liberation."[21]

A Eurocentric perspective silences and marginalises the voices of Third World citizens, whose daily injustices make up the Third World. Dworkin's core tenets, Duty to Mitigate and Principle of Salience, are both derived from his fundamental moral philosophy. He asserts that it is the moral responsibility of all States to advance international law, although this notion is founded on a profoundly Eurocentric understanding of morality.[22]

Baxi sums up the issue with Dworkin's conception of morality perfectly when he describes the First World as a "... vehicle, vessel, and countenance of world control." In the imperialistic age, the first world had colonised the Third World, and as Antony Anghie has argued, this colonisation is what gave rise to contemporary international law. In fact, any TWAIL scholarship, in Matua's opinion, must be oriented against international law itself. Dworkin is not actually proposing anything "new" when he tries to add a new philosophy to the framework of international law that already exists.[23]

Since there is more room for majoritarianism, the Third World movement will actually suffer if consent is simply substituted for agreement. Although it may be claimed that because the Third World States are the most numerous, this should give them more power, the author thinks that

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[20] Rudolph Ryser, Dina Gilio-Whitaker and HG Bruce, 'Fourth World Theory and Methods of Inquiry', *Handbook of Research on Theoretical Perspectives on Indigenous Knowledge Systems in Developing Countries* (2016).
[21] George Manuel and Michael Posluns, 'The Indian World and the Fourth World' (1974) 67 Current History 263.
[22] Makau Mutua & Antony Anghie, *What is TWAIL?,* 94 PROCEEDINGS OF THE ANNUAL MEETING (AMERICAN SOCIETY OF INTERNATIONAL LAW), 31 – 40, (2000).
[23] Martin Edwin Andersen, 'Chiapas, Indigenous Rights, and the Coming Fourth World Revolution' (1994) 14 SAIS Review 141, 23.

the intense control the First World wields over the Third World will prevent the Third World States from banding together and will continue the oppression. His arguments for the Principle of Salience and consensus disintegrate once the notion of Dworkin's morality based on the obligation owed by States to one another is disproved.[24]

The ideal type and other postulates of Dworkin are based on his idea that the United Nations would be a perfect base for the implementation of his consensus model, but the UN as he envisioned it is very unlikely to ever materialise if viewed realistically. This is despite the problem of Eurocentric morality. The simple act of casting a vote in the General Assembly is merely a token representation; the actual lived experiences of the Third World's marginalised voices must be heard.[25]

The Third World was never fully freed from colonial rule, as B. S. Chimni discusses in his study.[26] Despite being given the opportunity to join a group that is essentially Eurocentric, Third World countries are never given the freedom to cast their votes however they see fit.[27] The Third World nations are labelled as "developing," which renders them dependent on the First World due to sanctions, economic pressure, and other international issues. Dworkin concedes that the UN is biassed in favour of the First World in its current form, but his suggested ideal type model leaves the First World in control of economics and, consequently, decision-making.

IV. THE FOURTH WORLD FROM THE LENS OF THE LAW

The Fourth World is "comprising those native peoples whose lands and cultures have been engulfed by the nations of the First, Second and Third Worlds. The term 'IV World is coming into general academic use. However, unlike its precursor, the III World, it has not yet reached a level of public understanding in either North America or Europe. The emergence of concept of the IV World has arisen from:

a) A need for social scientists to generalise about the processes and characteristics of a particular socio-political category of people and

b) From the growing worldwide consciousness among the leaders of the very peoples to whom the term applies who, like members of the III World, wish to form cross-national

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[24] Thomas Bustamante, *Revisiting Dworkin's Philosophy of International Law: Could the Hedgehog Have Done It Any Other Way*, 30 CANADIAN JOURNAL OF LAW & JURISPRUDENCE, 259 - 286, (2017).

[25] Hiroshi Fukurai, 'Fourth World Approaches to International Law (FWAIL) and Asia's Indigenous Struggles and Quests for Recognition under International Law' (2018) 5 Asian Journal of Law and Society 221, 15.

[26] B S Chimni, *The Past, Present and Future of International Law: A critical Third World Approach,* 8(2) MELBOURNE JOURNAL OF INTERNATIONAL LAW, 499, (2017).

[27] B S Chimni, *Third World Approaches to International Law: A Manifesto*, 8 INTERNATIONAL COMMUNITY LAW REVIEW, 3-27, (2006).

alliances and to demarcate themselves by a term encapsulating their unique predicaments.

Fourth-World problems are still not discussed in great detail regarding the discipline's philosophical underpinnings. Among the many meanings which have so far been attached to the IV World, the features of minority status and relative powerlessness are standard. In addition, for the term to be precise enough to be helpful, (the term III World is now so misused as to be relatively useless for social scientists. Indigenous peoples in the Fourth World typically have a unique spiritual, cultural, and historical connection to their traditional lands, which are often tied to their traditional practices, beliefs, and ways of life. This connection to the land is often central to their identity and worldview. In addition to their connection to the land, indigenous peoples in the Fourth World are often distinguished by their emically perceived "ethnie" difference from the majority population of the country in which they live. This may involve distinct languages, customs, and beliefs that set them apart from the dominant culture.

From a legal perspective, the Fourth World is not officially recognized as a distinct category under international law. However, there are a number of legal frameworks that apply to indigenous peoples and communities that can be relevant to the Fourth World. One of the most important legal instruments for indigenous peoples is the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which was adopted by the United Nations General Assembly in 2007. UNDRIP recognizes the collective rights of indigenous peoples to self-determination, land, culture, and language, among other things. Other important legal frameworks for indigenous peoples include the International Labour Organization Convention No. 169 on Indigenous and Tribal Peoples, which sets out minimum standards for the protection and participation of indigenous peoples in decision-making processes, and the African Charter on Human and Peoples' Rights, which includes provisions protecting the rights of indigenous peoples in Africa. Despite these legal frameworks, indigenous peoples and communities continue to face significant challenges in accessing justice and protecting their rights. Many countries have failed to implement these legal instruments, or have implemented them in ways that do not adequately protect the rights of indigenous peoples.

In order to address the challenges faced by the Fourth World, it is important for governments and international organizations to work with indigenous peoples and communities to ensure that their voices are heard and their rights are protected. This may involve implementing legal frameworks, providing access to justice, and promoting dialogue and collaboration between indigenous peoples and other stakeholders.

Therefore, The Fourth World aids in comprehending subjectivity structures about thinking and feeling, enabling more profound and more in-depth excavations crucial to the analysis of postcolonial studies. In the context of global formations, as they pertain to Latin America, the United States has inherited a privileged position as a new custodian of intellectual production, particularly the legacy of the protectorate of particular economic and cultural structures that are not always consistent with the formative experiences that shape the coalesced modernities that are lived.

V. EPILOGUE

Fourth World Approaches to International Law (FWAIL) is a theoretical framework that seeks to critique and expand traditional approaches to international law. This approach takes into account the experiences and perspectives of indigenous peoples and other marginalized groups that are often excluded or marginalized by dominant international legal regimes.

The term "Fourth World" refers to peoples and communities who are not recognized as states and who do not have the same political power and sovereignty as nation-states. These include indigenous peoples, minority groups, and others who have been historically oppressed and excluded. FWAIL seeks to challenge the assumptions and biases of traditional international law, which often reflects the interests and values of powerful states and institutions. It calls for a more inclusive and pluralistic approach to international law that takes into account the diverse perspectives and experiences of different communities and cultures. One of the key contributions of FWAIL is its emphasis on the importance of self-determination and cultural autonomy. It recognizes the right of indigenous peoples and other marginalized groups to maintain their distinct cultures, languages, and ways of life, and to have a say in decisions that affect their lives and communities. FWAIL also highlights the ways in which international law has been used to justify colonialism, imperialism, and other forms of domination and exploitation. It calls for a more critical and reflective approach to international law that takes into account the historical legacies of colonialism and the ongoing struggles of marginalized groups for justice and equality. The Fourth World has existed for as long as the first, second, and third worlds, but it has never found a place in popular or conventional literature. It was a discovery rather than the creation of a brand-new world. The Fourth World is for all of the world's underprivileged and successful groups; literature instils new hope. It is a protest against a long-standing, deeply ingrained social attitude toward the needy of the Fourth World rather than a challenge to the third or first world. The Fourth World includes Muslims, Dalits, American Indians, Australian Aborigines, and others. The ongoing efforts of indigenous

representatives have led to the development of the Fourth World consciousness.

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24. 'What Is the Fourth World? - India CSR' <https://indiacsr.in/what-is-the-fourth-world/> accessed 7 February 2023.

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Article

Fourth World Theory: The Evolution of . . .

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Abstract: Fourth World theory is a methodology for examining and developing greater understanding of the extent of the distress and abandonment commonly found in the cores of American cities resulting from de-industrialization, historic segregation and discrimination patterns, suburban sprawl, erosion of a viable tax base, racism, inability to embrace the concept of desegregation and civil rights legislation, fear, despair, crumbling infrastructure systems, disinvestment in urban school systems, and environmental justice issues. This article uses the analytical lens of Fourth World theory to examine how such structural and cultural forces contributed to the severely distressed conditions now found in the city of Gary, Indiana. Tracking its one-hundred-year history, from its founding as an industrial town through its post-industrial decline occurring during the city's first African-American mayor's five terms in office, the methodology clearly demonstrates how the social construction of race has systematically undermined every aspect of Gary's overall quality of life. To illustrate that this city is not an anomaly but rather reflects a typical pattern of disparity and uneven development arising from racist practices, Gary is compared to other cities of similar size and also to the much larger Detroit. The article triangulates academic literature, news media archives, and an oral history provided by the mayor to show how Gary evolved from being a model industrial city to a cauldron of racial disparity. The paper concludes by arguing that continued absence of reflection on the nation's historical racialization of place threatens not just impoverished communities of color, but also the sustainability of the entire nation.

Keywords: social justice; segregation; place-based inequality; socially conscious design; community assets

1. Introduction

Arguably, the United States continues to be the wealthiest and most powerful nation on earth; yet, little attention is paid to the scale and magnitude of its poverty and degradation. The term "sustainability" is currently at the forefront of academic and popular discourse as part of a larger global imperative to reduce the effect of development on the natural environment. However, this is inconsequential when historic discrimination and segregation patterns and chronic societal ills dictate continued sprawling development practices, which I argue is the case in the city of Gary, Indiana. In this article, I will use Fourth World theory to examine and develop greater understanding of the current state of affairs. It will explore and apply research from sociological publications, African-American studies and urban studies sources, writings containing discourse on the brief history of the city, and oral histories of Gary residents, including an interview with five-term Gary former mayor, Richard Gordon Hatcher.

Gary, Indiana is located on the southern tip of Lake Michigan in the northwest corner of Indiana, approximately thirty-five miles from the central business district of Chicago. Named in honor of its Chairman of the Board, the city was founded in 1906 by the United States Steel Corporation and was established to house workers and families for its massive factory. Initially, Gary was populated primarily by the skilled and unskilled construction workers hired to build the plant and the community. Many of the workers were transient in nature and the population had a relatively high turnover rate. However, a significant percentage of the construction workforce remained in Gary to work for U.S. Steel in the mill. On 1 June 1906, the population was 334; by 1 January 1907, it was 5550; by 1 January 1908, it was about 8000; and by 23 November 1908, it was 10,246 [1]. Throughout the twentieth century, this single-industry town's growth paralleled the expansion and contraction of U.S. Steel's operations. The population of Gary peaked at nearly 200,000 during the 1960s; however, two simultaneous developments occurred in the city that led to its devolution into what can be classified as a Fourth World city. Massive and unprecedented race- and class-based flight combined with the national out-migration of steel production resulted in a rapid population decline and institutional abandonment. The decline and disappearance of work also undermined the overall social organization of the city. Currently, Gary, Indiana is a struggling post-industrial community with a population of less than 80,000. The city was recently designated by the Obama administration as one of seven severely distressed cities that will take part in the federally sponsored "Strong Cities, Strong Communities" initiative designed to reverse the course of socioeconomic decline.

Previous scholarship has explored the establishment and development of Gary particularly with respect to capital, labor, and industry. Also discussed has been the political environment at the time of Hatcher's election in 1967, as well as his tenure as mayor during a period of rapid and unprecedented decline and abandonment. Nevertheless, with the exception of recent publications, including citations herein, these issues have been discussed in relative isolation and within the limited scope of specific disciplines or modes of scholarship. Fourth World theory attempts to synthesize these issues, placing the social construction of race at its core and drawing upon the field of critical geography, which is concerned with understanding place-based inequality and injustice.

Critical geographer Bobby M. Wilson discusses W.E.B. Du Bois's position on the danger of applying class politics without "modification of thought" [2] to the unique American circumstance. He states that:

"We must situate race, not only in a historical context, but also in a historical geographical context. We must expose the skeletons of places and plant the flesh of black experiences on those bones as well. Social practices are not only historically specific but geographically or place-specific, even in the age of globalization" [3].

In the United States, the general reluctance to confront the social construction of race undermines productive dialog with respect to systemic patterns of sprawl, abandonment, the disappearance of work, and the resulting devastating socioeconomic and ecological consequences. As a nation founded under a legacy of genocidal, racist, and sexist ordering systems, the United States still exhibits overwhelming evidence of multitudinous oppressive practices manifested through blatant disparity and uneven development patterns, both domestically and internationally, which are solely responsible for the abovementioned positions of power and wealth. Fourth World theory argues that the absence of critical reflection by policymakers and the general populous places the nation in serious jeopardy of self-induced, ultimate, and imminent collapse under the weight of its own history.

In this account, my investigation will engage in "triangulating" sociological, geographical, and historical literature with archival sources and oral history as a means to minimize my intrinsic biases and strengthen my arguments. The cited works support my analysis of the principal forces leading to the institutional abandonment of Gary in the context of its one-hundred-year history as well as how, from the beginning, the aforementioned social construction of race has been at the heart of a particularly acute physical, political, socioeconomical and institutional upheaval (Figure 1).

Figure 1. Gary Methodist Church Sanctuary in Gary, Indiana (Photo courtesy of Ball State University undergraduate architecture student Shannon Buchanan).

2. Scholarship on Race and Urban Decline

The late Manning Marable's prophetic 2000 book, *How Capitalism Underdeveloped Black America: Problems in Race, Political Economy, and Society*, forecasted continued erosion of the non-skilled labor force, the expansion of the prison industrial complex or what Michelle Alexander identifies as *The New Jim Crow*. Marable explores the development of a permanent underclass or sub-proletariat in American inner cities and the prevalence of crime, violence, and physical deterioration within a 1980s, pre-crack epidemic, Fourth World environment.

How Capitalism Underdeveloped Black America begins by historicizing the factors that have led to what he referred to as "the crisis of the black working class." Relying heavily on the positions of W.E.B. Du Bois to lend credibility to his central argument, Marable discusses agricultural labor and capital during the institution of slavery and the transition to and exclusion from industrial labor and capital after emancipation, during the twentieth century. He notes that the "only period when black employment approached 100% was during slavery; since the end of World War II, the numbers of black unemployed have soared" [4].

Marable discusses the history and benefits in addition to the ills of black involvement in organized labor and how, despite blatant wage discrimination patterns and limited access to capital through wages for some (black proletarians) capitalism has been advanced and subsequently contributed to increased class stratification within the black community. He cites numerous examples of how, at all levels, access to capital creates an individualistic social structure as the needs of the few outweigh the needs of the many. Some use the metaphor of "crabs in a bucket" to describe this phenomenon in certain sectors of African-American society. With respect to Gary, Marable's theories may shed light on how black flight, which promptly and, under such a capitalist structure, naturally followed white flight, has only reinforced uneven development patterns coupled with the social, economic, and institutional abandonment described herein. This historical discourse is essential to Fourth World theory, for it provides a late twentieth-century framework to the late nineteenth and early twentieth-century work of Du Bois, the historical explorations of Stephen Paul O'Hara, as well as the writings of urban sociologist William Julius Wilson and urban historian Thomas Sugrue.

The permanent reserve army of black workers, sub-proletarians or the "underclass," is the latest social culmination of the process of black ghettoization, economic exploitation and urban decay. In one sense, this army represents the highest stage of black underdevelopment, because it eliminates the possibility for millions of blacks to belong to working class organizations. The social institutions created by working class blacks to preserve a sense of collective humanity, culture and decency within the narrow confines of the inner city are eroded and eventually overturned. Sub-proletarianization and the extension of permanent penury to broad segments of the black majority provoke the disruption of black families, increase the number of black-on-black murders, rapes, suicides and assaults, and make terror a way of life for all blacks of every class background who live in or near the inner city.

In the chapter, *The Black Poor: Highest Stage of Underdevelopment*, Marable describes in part, what I have eventually come to refer to as Fourth World conditions, but in a late 1970s early 1980s context. The text begins and ends by describing severe physical, social, and economic distress, supported by disturbing statistics and facts, germane to inner-city communities within and in sharp contrast to the unprecedentedly high and remarkable standard of living conditions of the United States. Passages

describing some of the "worst urban slums in the world: dilapidated shanties that are mirror images of eighteenth and nineteenth century slave quarters" or "rat-infested, crime-filled squalor," are written in a manner which may suggest that Fourth World theory research and writings will merely serve as an update to Marable's book. The principal challenge of Fourth World theory, however, will be to develop an argument which suggests that the scale and magnitude of the institutional abandonment of inner-city communities in the United States is costly, not only to African Americans and other disadvantaged residents of institutionally abandoned inner city communities, but also to all Americans.

Fourth World theory references the works of Du Bois, Drake, Marable, Sugrue, Wilson (Bobby and William Julius), O'Hara, Harvey, Sutton and Kemp, and others in order to support the fact that any meaningful discourse relative to the social, economic, and ecological crises cannot be conducted without formally recognizing and collectively addressing the ever-expanding challenges associated with what Marable identifies as the *sub-proletariat*.

A social class that is neither self-conscious nor acts collectively according to its material interests is not worthy of the name. This general philosophy of the typical ghetto hustler is not collective, but profoundly individualistic. The goal of illegal work is to "make it for oneself," not for others. The means that "making it" comes at the expense of elderly blacks, young black women with children, youths and lower-income families who live at the bottom of the working-class hierarchy. The consciousness of the sub-proletariat is not so much that of a social class, but the sum total of destructive experiences that are conditioned by structural unemployment, the lack of meaningful participation within political or civil society, the dependency fostered by welfare agencies over two or three generations, functional illiteracy and the lack of marketable skills.

Marable cites Stephen Birmingham's publication, *Certain People: America's Black Elite* as he recounts the acute embarrassment of one black upper-class matron from Washington, D.C. at the sight of a young black man donning *Super Fly* pimp-type attire. "'Disgusting', she whispered. 'There is the cause of all of our problems'. Her friend, more perceptive, said, 'No, that is the *result* of all our problems'"

A central focus of sub-proletarian life is fear. Black elderly and handicapped persons are afraid to walk or visit friends in their own neighborhood at night or travel on public transportation because they are convinced (with good reason) that they will be assaulted. Parents who live in inner cities are reluctant to send their children several blocks over to attend school or play outside after dark because they are afraid they might be harmed. Such fear instills a subconscious apathy toward the political and economic hierarchy, and fosters the nihilistic conviction that nothing can ever be changed in the interests of the black masses.

Initially, Fourth World theory relied heavily on the writings, publications, and lectures of urban sociologist William Julius Wilson including *More Than Just Race: Being Black and Poor in the Inner-City*, and Chicago-focused publications such as *There Goes the Neighborhood: Racial, Ethnic, and Class Tensions in Four Chicago Neighborhoods and Their Meaning for America* and his seminal *When Work Disappears: The World of the New Urban Poor*. These publications differentiate and place ever-evolving emphasis on structural and cultural factors as a means to gain understanding of the dynamic societal forces that contribute to racial inequality and severely distressed conditions commonly found in American inner cities.

In his 2010 book, *More Than Just Race: Being Black and Poor in the Inner-City*, Wilson frames structural factors by identifying two types of forces contributing to what is referred to herein as Fourth World conditions resulting from race-based and uneven development patterns, social acts, and social processes. Social acts refer to the behavior of individuals within society. He defines such acts as an individual or group exercising power over others. Examples of such social acts might include stigmatization, stereotyping, and deliberate exclusion from professional or social organizations. Wilson defines social processes as the "'machinery' of society that exists to promote ongoing relations among members of the larger group" [5]. He cites racial profiling, redlining, school tracking, the disappearance of work and deliberate suburbanization of jobs, political actions and historical as well as current voting irregularities at the institutional level, arguing that these processes collectively contribute to a continuum of racial inequality and social stratification. Gary, Indiana is a living and breathing manifestation of these structural systems and conditions.

As with structural factors, Wilson discusses two types of cultural factors that contribute to or reinforce inequality. Prevailing national views and beliefs on race contribute to racism and racist ideologies. Cultural traits that emerge from intergroup interactions, often within restricted spaces resulting in part from historical discrimination and segregation, inevitably influence "shared outlooks, modes of behavior, traditions, belief systems, world view, values, skills, preferences, styles of self-presentation, etiquette, and linguistic patterns . . ." resulting in shared constructions of reality.

Wilson's collective body of work has endured harsh criticisms from many African-American studies scholars, particularly in response to his controversial work, *The Declining Significance of Race: Blacks and Changing American Institutions.* In his 1997 publication, *Yo' Mama's DisFUNKtional: Fighting the Culture Wars in Urban America*, Robin Kelley places Wilson in company with ultraconservative Supreme Court Justice, Clarence Thomas, anti-affirmative action activist Wardell "Ward" Connerly, Dinesh D'Souza, and the late social scientist and senator Daniel Patrick Moynihan whom Kelley implies has been playing the dozens and talking about his mama since 1965.

Kelley challenges Wilson's position that culture mediates structure or the premise that culture develops in response to structural conditions. In his attempt to give voice to urban populations under siege, Kelley argues that culture and community are more than a product of structure in defense of black people's humanity and condemnation of scholars and policymakers for their inability to see the complexity. Kelley suggests that the perspectives of social scientists such as Wilson and perhaps Marable in this regard, and their respective and collective interpretations of culture, have severely impoverished contemporary discourse over the plight of African Americans for decades. He detests the approach of such social scientists for attempting to rationalize culture (a trait that is inherently non-rational), though he recognizes the obligation to measure culture, which compels rigid, conservative, nonthreatening African American social scientists to apply quantitative research methodologies that render simplistic conclusions. Kelley argues that once culture is seen as a static, measurable "thing," it becomes less difficult to, for example, cast African Americans as pathological products of broken families, broken economies, and/or broken communities [6].

Jacob Slifer, one of my Fourth World theory architecture students, discusses Kelley's positions by noting that even the most well-meaning, liberal, and progressive social scientists, seeking to recast impoverished inner-city African Americans as active agents rather than passive victims, reinforce the idea of culture as a monolithic entity. This conception of culture as a monolith fails to promote

understanding of the complexity of a people, and it arises from the reliance of social scientists like Wilson, in Kelley's opinion, on narrowly conceived definitions of culture. In fact, conceptualizing of black urban culture in the singular opens the door for the invention and manipulation of the "underclass" debate. Culture in this regard, is often depicted in spatial terms, having developed as a response to white flight and the relocation of manufacturing jobs to the suburbs.

Few scholars acknowledge that what might also be at stake here are aesthetics, style, and pleasure. Nor do they recognize black urban culture's hybridity and internal differences. Given the common belief that inner-city communities are more isolated than ever before and have completely alien values, the notion that there is one discrete, identifiable black urban culture carries a great deal of weight. By conceiving black urban culture in the singular, interpreters unwittingly reduce their subjects to cardboard topologies who fit neatly into their own definition of the "underclass" and render invisible a wide array of complex cultural forms and practices.

Kelley's analysis has contributed greatly to enabling an interdisciplinary research effort to evolve Fourth World theory from being merely a rudimentary and descriptive notion of a particular, often severely distressed condition of place, to being a more critical investigation of space. Fourth World theory formally acknowledges this space as a unique circumstance: an ever-evolving dimension that is engaged in a perpetual metamorphosis in direct response to the various cultural and structural forces shaping cities throughout the United States of America (Figure 2). In a manner similar to critical race theory, Fourth World theory is a critical investigation of society and culture through an analytical lens and an examination of the historical disparities that have been, and will continue to be, replicated. The structural and cultural forces that have contributed to the severely distressed conditions commonly found in Gary and similar inner-city communities are not the sole ingredient for placing America in serious jeopardy of collapse. On the contrary, it is the ever-increasing disparity and unevenness—the steadily expanding empty space, or what King eloquently described as the "lonely island of poverty in the midst of a vast ocean of material prosperity" [7] that this nation must endeavor to confront.

Figure 2. The Palace Theater Lobby, Gary, Indiana (Photo courtesy of Ball State University undergraduate architecture student Shannon Buchanan).

Norwegian social anthropologist Fredrik Barth's introduction to his 1970 publication *Ethnic Groups and Boundaries: The Social Organization of Culture Difference* contextualizes what I refer to as Fourth World space. He discusses not only the persistence of ethnic groups within society, but the space between such groups and the variations of circumstances that occur when said *units* interact. His title thus includes the term *"culture difference"* in lieu of the conventional notion of *cultural differences*. Barth begins the introduction by being highly critical of the absence of discourse within social anthropology regarding the "constitution of ethnic groups and the nature of boundaries between them". He suggests that this space has been largely avoided by social scientists as some sort of neutral zone within society in which ethnic groups can be compared or analyzed. Barth urges that social anthropology break away from the old world, simplistic and often exotic space—a Gulliver's Travels space, separated by mountains and oceans (what Barth later refers to as "pelagic islands"), a notion of cultures as static, bounded entities, and ethnicity as biologically self-perpetuating. He argues for replacing such analysis with a focus on the interconnectedness and interdependence of ethnic identities. Barth's argument is grounded in two basic principles:

First, it is clear that boundaries persist despite a flow of personnel across them. In other words, categorical ethnic distinctions do not depend on an absence of mobility, contact, and information, but do entail social processes of exclusion and incorporation whereby discrete boundaries are maintained *despite* changing participation and membership in the course of individual life histories. Secondly, one finds that stable, persisting, and often vitally important social relations are maintained across such boundaries, and are frequently based precisely on the dichotomized ethnic statuses. In other words, ethnic distinctions do not depend on an absence of social interactions and acceptance, but are quite to the contrary often the very foundations on which embracing social systems are built [8].

In a chapter entitled *Places as Commodities* of a 1987 publication *Urban Fortunes: The Political Economy of Place*, John Logan and Harvey Motloch explore the manner in which the value of place, which is *precious* and indispensable to its users, is undermined, and becomes no more than a commodity in a capitalist economy. They suggest that place is essential to human beings and that:

"Individuals cannot do without place by substituting another product. This is clearly evident in the current shrinking debacle in Youngstown, Ohio and Detroit, Michigan with respect to the displacement and relocation of residents as a means to re-densify the city. They can, of course, do with less place and less desirable place, but they cannot do without place altogether" [9].

One's relationship to place is both physical and emotional, often with "long-term and multifaceted social and material attachments" [10]. As with most mammals, *homo sapiens* become protective and even violent when their sense of place is disrupted or threatened. Sense of place becomes a collectivistic endeavor when it encompasses one's neighborhood or community.

People who have "bought" into the same neighborhood share a quality of public services (garbage pick-up, police behavior); through these forms of collective stake in the area's future, individuals are not only mutually dependent on what goes on inside a neighborhood (including "compositional effects"), but they are affected by what goes on *outside* it as well. The standing of a neighborhood vis-á-vis other neighborhoods create conditions that its residents experience in common. Each place has a particular political or economic standing vis-á-vis other places that affects the quality of life and opportunities available to those who live within its boundaries.

Spatial segregation based on race, ethnicity and/or class has had tremendous impact on place, particularly in the United States. Wilson discusses this phenomenon extensively in the abovementioned publication, *There Goes the Neighborhood*, as exercised through "voice". Wilson cites economist Albert Hirshman's theory of exit, voice, and loyalty to aid in understanding changes in neighborhoods.

Hirshman argues that when people become dissatisfied with changes in their surroundings, they can exit—move or withdraw from further participation—or they can exercise voice. Hirshman defines voice as any attempt to "change, rather than to escape from" an undesirable situation. The more willing people are to try to exercise voice—that is, to change, correct, or prevent a particular situation—the less likely they are to exit. In situations where both exit and voice options are available, past experience will largely determine whether people overcome their biases in favor of exit, the easier option. The view that a neighborhood is on a path of inexorable change, even when these changes have yet to occur, can trigger an exodus. Indeed, Americans maintain a strong bias toward the exit alternative when confronting ethnic and racial changes [11].

When the economics of capitalism is injected into the formula of race and class stratification of place, as Logan and Motloch's title "Places as Commodities" suggests, the dynamics are exasperated. This is nowhere more apparent than in severely distressed cities such as Gary, Detroit, East St. Louis, Camden, and Flint and in specific neighborhoods within cities throughout the United States including, Chicago, Cleveland, Philadelphia, New Orleans, Los Angles, Oakland, Miami, Baltimore, Houston, and the nation's capital, Washington, D.C. Recent articles regarding Detroit's bankruptcy, its ambitious plan for shrinkage, and the emotional debate of whether to demolish or revitalize blighted neighborhoods are living examples of the critical importance of this discourse.

With respect to the "commodification" of real property, whether commercial or residential, Logan and Motloch outline three general observations about capitalists' attachment to place, the first being that capitalists' primary interest is driven by profitability and how real estate functions in this capacity, often at the expense of residents. Secondly, capitalists have the capacity to promptly abandon property while residents are burdened by emotional, physical, and financial attachment to place. Finally, residents are impacted to greater degree by place than capitalists, particularly with respect to adverse environmental conditions. Inner cities are inundated with environmentally hazardous sites that capitalists have abandoned, while disadvantaged residents remain to suffer the consequences of capitalist values.

In *Spaces of Capital: Toward a Critical Geography*, David Harvey summarizes his "militant particularism" thesis; its premise is that all politics, whether local, urban, regional, national, or global in focus, have their origins in the collective development of a particular political vision on the part of particular persons in particular places at particular times. The interests of these grassroots politics often become constrained and unremarkable with respect to social change due individual interests, thus undermining the cause. He paints a rather bleak picture by demonstrating the ineffectiveness of activism and collectivism within a culture of individualism. Harvey states the following which, in my opinion, parallels the Fourth World position:

"Such collective movements preclude rather than promote the search for alternatives (no matter how ecologically wise or socially just). They tend to preserve the existing system, even as they deepen its internal contradictions, ecologically, politically, and economically. For example, suburban

separatism in the U.S.—based upon class and racial antagonism—increases car dependency, generates greenhouse gases, diminishes air quality and encourages the profligate use of land, fossil fuels and other agricultural and mineral resources" [12].

Harvey further discusses the uneven geographical development of capitalism be arguing that for the wealthy, "community" often means securing and enhancing privileges already gained. For the marginalized, it all too often means "controlling their own slum". Inequalities multiply rather than diminish. What appears to be a just procedure, produces unjust consequences (a manifestation of the old adage that there is nothing more unequal than the equal treatment of unequals).

This statement validates my position that America's inability to confront class and race matters in a meaningful social, physical, political, and economic manner will ultimately result in the collapse of the union (Figure 3). There are not enough resources on earth to accommodate America's propensity, as President Obama [13] stated in a somewhat different context, during his first State of the Union address of his first term, "to run for the hills".

Figure 3. Single-Family Home designed by architect, Frank Lloyd Wright, Gary, Indiana House has been demolished (Photo courtesy of Ball State University Graduate architecture student Mickel Darmawan).

3. Fourth World: The Term

As discussed in my 2010 article entitled *Introduction to the Fourth World* [14], I initially presumed that I had coined the term "Fourth World" to analyze and describe the conditions of severe physical and social distress commonly found in inner cities throughout the United States. My research revealed that the term had already been used by social scientists, hip hop artists, and activists to describe the conditions of various nation-less states within larger nations, underdeveloped nations, and/or oppressed or underprivileged victims of a state, as well as the lack of informational capital, poverty,

and social exclusion resulting in part from rapid technological advances and the digital divide. The album, *New Amerikahn Part One (4th World War)*, by Grammy Award-winning singer, songwriter, hip hop and neo soul artist, actress, and activist Erykah Abi Wright explores inner-city struggles and subjects including institutional discrimination and abandonment, drugs and senseless violence, the abuse of power, apathy, and nihilism. Wright, better known by her stage name Erykah Badu, but also known as Lowdown Loretta Brown, Analog Girl in a Digital Word, or Medulla Oblongata, produced an esoteric sociopolitical album focusing on urban decay, disenfranchisement, and the unfulfilled promises of the American Dream. The cynically constructed opening track, *Amerikahn Promise*, questions the tenants of American Exceptionalism through overt political satire with themes of disfranchisement overlaid with a circus barker-style voice presenting and promising unlimited and unrestricted material access. As with Sun Ra, Nina Simone, Curtis Mayfield, Marvin Gaye, Gil Scott-Heron, Tracy Chapman, Public Enemy, Arrested Development, Meshell Ndegeocello, and comparable artists, Badu's collective body of work serves as a form of activism from a Fourth World theory perspective.

Urban planning, urban sociology, and communications scholar Manuel Castells, credited independently of George Manuel and Joseph Wresinski for coining the term "Fourth World," has written extensively on the rise of inequality, polarization, poverty, misery, and social exclusion throughout the world and their respective relationships to production and relative quality of life. His discourse has generally been geared toward examining uneven development patterns between advanced, developing, and underdeveloped countries. However, in more recent publications, Castells has, to a greater degree, directed his focus toward the United States and its increasing tendency toward social, geographic, and material exclusion of certain segments of the population from formal labor markets and network society. In *The Global Transformations Reader: An Introduction to the Globalization Debate*, Castells explores the "considerable disparity in the evolution of intra-country inequality in different areas of the world" and how this disparity has increased, particularly in the United States. He argues that the "acceleration of uneven development, and the simultaneous inclusion and exclusion of people in the growth process, which he considers to be a feature of informational capitalism, translates into polarization, and the spread of misery among a growing number of people" [15].

It is critically important at this juncture to analyze Castells's definition of the term "misery" in the context of accumulation of wealth (income and assets) by different individuals and social groups within a particular geographic domain which creates "inequality".

Polarization is a specific process of inequality that occurs when both the top and bottom of the scale of wealth distribution grow faster than the middle, thus shrinking the middle, and sharpening the social differences between two extreme segments of the population. *Poverty* is an institutionally defined norm concerning a level of resources below which is not possible to reach the living standards considered to be the minimum norm in a given society at a given time (usually, a level of income per a given number of members of household, as defined by governments or authoritative institutions). *Misery*, a term I propose, refers to what social statisticians call "extreme poverty," that is, the bottom of the distribution of income/assets, or what some experts conceptualize as "deprivation", introducing a wider range of social/economic disadvantages [16].

Castells qualifies these terms as statistically relative, culturally defined, and politically manipulated; however, regardless of where the "poverty line" is drawn in the United States, a measurable index of misery is undeniably identifiable in Fourth World cities such as Gary, Detroit, Flint, Camden, and East. St. Louis.

In *The Information Age: Economy, Society and Culture: Volume III—End of Millennium*, Castells is more deliberate in his expression of concern about the United States. Prior to confronting directly social exclusion issues of the inner city, he argues that despite the fact that the United States is the largest and most technologically advanced economy in the world, it has displayed a substantial increase in social inequality, polarization, poverty, and misery over the past two decades (1980s and 1990s). He cites America as a "highly specific society, with a historical pattern of racial discrimination, with a peculiar urban form—the inner city—and with a deep-rooted, ideological and political reluctance to government regulation, and to the welfare state". He warns that the patterns of inequality so blatantly present in the United States, with increased polarization between the upper and lower levels of society, are likely to continue to expand throughout the world, based on the American model and American ideologies. In attempting to identify the root causes for increasing inequality, polarization, poverty, and misery in the United States, Castells argues that traditional interpretations, from orthodox neoclassical or Marxist perspectives, do not seem to account for the scale, degree, and magnitude of the rapid expansion of Fourth World conditions. He challenges the orthodox view of capitalist exploitation by questioning "why capitalism in the 1990s generates more inequality than in the 1950s or the 1960s, and why the lowest producers of value, the unskilled workers, are those that have experienced the steepest decline in their real wages" [17]. Ultimately, Castells attributes the growth of inequality and poverty in the United States to four interrelated processes, including (a) deindustrialization, arising from globalization of industrial production, labor, and markets; (b) individualization and networking of the labor process, induced by the explosion of information; (c) incorporation of women into the information economy, under conditions of patriarchal discrimination, and (d) the crisis of the patriarchal family.

To these processes, Castells adds that the sociopolitical factors ensuring domination of unrestricted market forces accentuate the logic of inequality. The growth of the disparity has been generally unaffected by the severe recession of 2008 to 2012. Thus, the phenomenon resulting from these processes has continued to expand through the first decades of the new millennium and is consistent with the tenants of Fourth World theory.

The late, Shuswap chief George Manuel is often credited for first introducing the term "Fourth World" in his 1974 publication, *The Fourth World: An Indian Reality*. Prior to writing the book, Manuel developed the position that there is no place on earth that people can live without either asserting their own political independence against the European nations or attaching themselves to a European nation (or nation deriving its government from that tradition) [18]. Upon contemplating the systemic political and socioeconomic disparities existing among indigenous peoples, *Manuel's Fourth World*, was in essence, a call to action, independence, and nationalism particularly for First Nations peoples of Canada in response to immeasurable injustices experienced through European expansionism, domination, colonialism, imperialism, and genocidal actions. This discourse continues interdependently through the *Fourth World Rising* movement with various forms of activism and a series of publications including, *Grave Injustice: The American Indian Reparation Movement and*

NAFPRA, Alejandro Tsakimp: A Shuar Healer in the Margins of History, and *The Problem of Justice: Tradition and Law in the Coast Salish World.*

Over time, prejudices and misconceptions regarding the terms "aboriginal" and "indigenous" abound, including an exclusive association with Native Americans. Under forms of subjugation, many indigenous nations in Europe, the nation states of the former Soviet Union, the Middle and Far East, Africa, and Australia, "such as Whales, Catalonia, Brittany, Flanders, Bavaria, Slovakia, Slovenia, Armenia, Georgia, Palestine, Kurdistan, Baluchistan, Tibet, and hundreds more are forgotten or discarded" [19]. Thus, as exposure to the historic and ongoing struggles facing Native American peoples has benefitted by broadening the geopolitical discourse through organizations such as the Center for World Indigenous Studies (CWIS) to encompass indigenous concerns throughout the world, the Fourth World definition has been expanded to be defined as "nations forcefully incorporated into states which maintain a distinct political culture but are not internationally recognized" [10].

The CWIS is an independent, nonprofit, research and education organization dedicated to wider understanding and appreciation of the ideas and knowledge of indigenous peoples and the socioeconomic and political realities of Fourth World nations. Within the CWIS dialog, there appears to be a resistance to further expansion of the Fourth World definition. A primary concern may be that encompassing the great challenges confronting ethnic, linguistic, gender, religious, cultural, environmental, and economic matters may undermine its potency and focus, which was originally directed toward the historical expansion of states and the state-nation conflict generated from imperialist exploits. On the other hand, the term has been embraced to designate the poorest, and most underdeveloped states of the world, or to describe any oppressed or underprivileged victim of a state.

Non-Governmental Organizations (NGOs) such as ATD Fourth World have evolved from the expanded definition. ATD Fourth World, founded in France by the late Joseph Wresinski (also credited by some for first introducing the term "Fourth World"), was inspired by his experience as a child of chronic poverty and social exclusion. This NGO, with no religious or political affiliation, engages with individuals and institutions to find solutions to eradicate extreme poverty. Working in partnership with people in poverty, the organization's human rights approach focuses on supporting families and individuals through its grassroots presence and involvement in disadvantaged communities, both urban and rural, creating public awareness of extreme poverty and influencing policies to address it. [20] Wresinski cited poverty as a human rights matter by declaring that: "Whenever men and women are condemned to live in poverty, human rights are violated. To come together to ensure that those rights be respected is our solemn duty" [21].

It is my intention to expand the discourse on the severe physical and socioeconomic distress and abandonment, which is prevalent in cities throughout the United States, to the Fourth World discourse. By acknowledging the prior existence and continued use of the term, the applicability of these urban conditions should be deemed congruent to the original premises established by George Manuel, Manuel Castells, and Joseph Wresinski and the subsequent expansion of the sociopolitical discussion regarding disenfranchised states that maintain a distinct political culture, as well as the designation of the poorest and most underdeveloped states of the world, and the description of any oppressed or underprivileged victim of a state. The degree of isolation of severely distressed communities within larger U.S. metropolitan statistical areas or entire U.S. Fourth World cities such as Gary, Indiana,

Detroit and Flint, Michigan, East St. Louis and Cairo, Illinois, and Camden, New Jersey are consistent with the aforementioned nation state designation summarized herein.

4. Gary and Fourth World Cities

The primary objectives of establishing the Fourth World position are to: (a) explore the institutional abandonment of inner cities throughout the United States; (b) investigate the causes which have led to this massive disinvestment; and (c) attempt to develop a sense of empathy for the citizens who choose or are forced to remain in these environments. Although many urban centers contain districts, sections, or neighborhoods in which such conditions are prevalent, the city of Gary, Indiana, like Detroit, Camden, East St. Louis and Flint, represents a case in which the entire community is in a virtual state of severe distress and is thus classified as a Fourth World city. Gary's historic structural inequalities demonstrate that the city, which was founded on such principles, is apparently incapable of reconciling social stratification based primarily on the construction of race as a vehicle for physical separation and institutional abandonment. A portrait of the city is that of a struggling post-industrial manufacturing and production center overwhelmed with corruption and exceptionally high and violent crime. Therefore, what remains is a uniquely profound form of physical distress and institutional abandonment that is present throughout the entire city proper. A consequence of a renewed fascination with the dilapidated landscape of the city has expanded de-industrialization discourse; however, the conversations are primarily focused on labor, capital, the disappearance of work, and globalization. Comparative research regarding the shrinking cities phenomenon has been institutionalized as evidenced by such newly formed organizations as SCiRN™ (Shrinking Cities International Research Network) [22]; nevertheless, much of the query remains focused on the physical and the economic.

In the spirit of shrinking cities discourse, I conducted a multivariate time series statistical analysis of selected Fourth World cities, examining the scope and magnitude, by percentage, of population gains and losses over the past one hundred years, of severely distressed, post-industrial, institutionally abandoned, racially stratified, shrinking Fourth World cities in the United States. The cities were selected as a result of their general dependence on industry, the disappearance of work resulting from the loss of industry, erosion of social organization and physical infrastructure, and legacy of hyper-segregation with respect to race and class. It was my hypothesis that regardless of population and size of the city, the population gains and losses by percentage would be virtually identical over the past century. The statistical analysis demonstrates that population gains and losses by percentage over the past century among severely distressed, post-industrial Fourth World Cities possess variations that are statistically significant. The results were astonishingly similar and illustrate parallels that coincide with the rise and fall of the industrial sector and globalization combined with ethnic and racial strife (Table 1).

Table 1. Census data for fourth world cities: 1900–2010.

Year	Braddock		Cairo		Camden		Detroit		East St. Louis		Flint		Gary		Youngstown	
	Pop	%	Pop	%	City Pop	%	City Pop	%	City Pop.	%	City Pop	%	City Pop	%	City Pop	%
1900	15,654	82.9	12,566	21.7	75,935	30.2	285,704	38.9	27,734	96.0	13,103	33.7	334 *	n/a *	44,885	35.1
1910	19,357	23.7	14,548	15.8	94,538	24.5	465,755	63.0	58,540	96.9	38,550	194.2	16,802	4930	79,066	76.2
1920	20,879	7.9	15,203	4.5	116,309	23.0	993,678	113.3	66,785	14.1	91,559	137.6	55,378	229.6	132,358	67.4
1930	19,329	−7.4	13,532	−11.0	118,700	2.1	1,568,662	57.9	74,397	11.4	156,492	70.8	100,666	81.8	170,002	28.4
1940	18,326	−5.2	14,407	6.5	117,536	−1.0	1.523,452	−2.9	75.603	1.6	131,534	−3.2	111,719	11.0	167,720	−1.3
1950	16,488	−10.0	12,123	−15.9	124,555	6.0	1,849,568	21.4	82,366	8.9	163,413	7.8	133,911	19.9	168,330	0.4
1960	12,337	−25.2	9.348	−22.9	117,159	−5.9	1,670,144	−9.7	81,728	−0.8	196,940	20.5	178,320	33.2	166,688	−1.0
1970	8,862	−28.2	6,277	−32.9	102,551	−12	1,514,063	−9.3	70,029	−14.3	193,317	−1.8	175,415	−1.6	139,788	−16
1980	5,534	−37.5	5,931	−5.5	84,910	−17	1,203,368	−20.5	55,239	−21.1	159,611	−17.4	144,953	−17.4	155,427	−17
1990	4,682	−16.9	4,846	−18.3	87,492	3.0	1,027,974	−14.5	40,921	−25.9	140,761	−11.8	116,646	−19.5	95,787	−17
2000	2,912	−37.8	3632	−25.1	79,318	−9.3	951,270	−7.5	31,542	−22.9	124,943	−11.2	102,746	−11.9	82,026	−14
2010	2,159	−25.9	2,831	−22.1	77,344	−2.5	713,777	−25.0	27,006	−14.4	102,434	−18.0	80,294	−21.9	66,982	−18

* Gary, Indiana was founded in 1906 Primary Source: *U.S. Decennial Census, U.S. Census Bureau of the US Department of Commerce.*

Although the statistical data among Fourth World cities reveals striking similarities with respect to substantial population gain and loss, it should be noted that quantitative data should not be applied in isolation of qualitative analysis. For example, as a struggling, post-industrial steel town that has lost nearly 70% of its population and has been identified to have the lowest median income by far of any U.S. city with more than 65,000 residents (CNNMoney), Youngstown, Ohio could be considered a statistical outlier with respect to demographics in comparison to the other Fourth World cities identified in the study. It should be noted, however, that each city possesses its own development patterns and historical narratives. Similarities between Youngstown, Gary, and other Fourth World cities can also be observed through a qualitative lens with respect to ethnic strife, resistance and violence, de-industrialization, historic segregation and discrimination patterns, suburban sprawl, erosion of a viable tax base, racism, inability to embrace the concept of desegregation and civil rights legislation, fear, despair, crumbling infrastructure systems, disinvestment in urban school systems, environmental justice issues, and ultimately, institutional abandonment.

Within these cities, and relative to their respective regions, inequalities exist which undermine the expectations of civil society resulting in what Yale sociologist Jeffrey Alexander refers to as "material asymmetry" [23] and obtuse disadvantages among certain individuals of groups. Thus, through a delicate balance of quantitative and qualitative analyses, Fourth World theory should be utilized as a vehicle to conduct inquiry that may better qualify interested parties to visualize a city such as Gary as a microcosm for structural and systemic conditions that undermine productivity, sustainability, and overall quality of life, not only for the city proper, but for their regions, for the United States, and ultimately, for the world.

5. A Tale of Two Fourth World Cities: Gary and Detroit

Regardless of its massive size and scale in comparison to Gary, in some respects, Detroit may possess a greater degree of qualitative and quantitative similarity to Gary than, for example, Youngstown. Nevertheless, Gary remains unique in terms of its founding at the beginning of the twentieth century as a capitalist experiment established by a single company. Like Detroit, however, Gary's development of acute institutionalized ethnic, class, and race-based stratification, and the causes that have led to unprecedented and massive disinvestment, serves as a demonstration of the legacy and continued liability of *race* to the rise and fall, not only of Fourth World cities, but potentially of the entire nation.

In one of my previous writings, *Gary, Indiana: A Critical Geography of a Fourth World City*, I discussed factors leading to the founding of the city including the industrial climate at the turn of the twentieth century, as well as land acquisition by U.S. Steel Corporation and its subsidiary, Gary Land Company. In addition, I examined, in a turn-of-the-century context, the recent memory and fear of labor uprisings in reaction by wage earners to the paternalistic model city program established by the Pullman company in which the houses, infrastructure, and retail establishments were owned by the corporation, and how the fear of similar problems generated corporate reluctance to move forward with the capitalist experiment that ultimately became Gary. Yet, U.S. Steel forged ahead, learned from the rebellion by workers against Pullman, and established a corporate town developed entirely upon capital. Citing David Harvey, I argued that accumulation of capital requires "the creation of a physical

landscape conducive to the organization of production in all of its aspects (including the specialized functions of exchange, banking, administration, planning and coordination, and the like, which typically possess a hierarchical structure and a particular form of spatial rationality)". I provided examples to demonstrate that stratification and hierarchical structures based on race and class were incorporated into the master plan, or perhaps the master's plan, of Gary from its conception, and how said stratification resulted in uneven development patterns and violence. I also discussed how the massive influx of African Americans into the city during The Great Migration and the racially stratified configuration, which had been inherently designed into the city, presented particular challenges to the social order of Gary. Such discriminatory practices woven into the fabric of the city became increasingly threatened by the massive presence of skilled and unskilled African-American industrial workers and their families. Finally, I summarized how it all came tumbling down primarily due to two simultaneous developments: the national out-migration of steel production at U.S. Steel, which ultimately relegated the "Steel City" to what Saskia Sassen refers to as being "peripheralized," and the historic structural inequalities upon which Gary was founded. These developments clearly exhibit that the city undoubtedly has been incapable of reconciling social stratification based primarily on the construction of race as a vehicle for physical separation and institutional abandonment.

My research has drawn heavily from the 2011 publication *Gary, the Most American of All American Cities* by historian and American Studies scholar Stephen Paul O'Hara of Xavier University, a substantive and essential source to this research effort. The publication parallels my preliminary research and writings with respect to the motivations behind the unique establishment and development of the industrial city, and to the impressions of the city from its industrialist founding, its rise and expansion, through its rapid economic, physical, social, and spiritual decline under the simultaneous weight of deindustrialization and flight—which is evidenced by its title.

In discussing the establishment and early history of Gary, O'Hara's analysis is reminiscent of, and often parallels, classic American studies writings of such scholars as Leo Marx and Richard Slotkin with respect to how the frontier myth remained as an essential component of the American social-political landscape and psyche. Upon the 1906 founding of Gary as a capitalist experiment, rapid westward expansion, which had been rationalized by the concept of "Manifest Destiny," had brought closure to the mystique of the frontier and the unknown. The continent had been explored, conquered, and exploited. All battles and wars, both domestically and internationally, had been "won." The founding of U.S. Steel Corporation was, as O'Hara cites, not simply integration or consolidation of functions and capital relocation, but also an opportunity for vast expansion and efficient production resulting in an industrial "order" with no intention of benevolence or social responsibility. O'Hara references Slotkin as he discusses the rhetoric of industrial utopianism and the contradictions of frontier romance, masculinity, savagery, and triumph.

Yet Gary promised much of the same in the first two decades of the twentieth century because it was new and largely unsettled. Young single men streamed in for the economic and entertainment possibilities. Its streets were active, violent, and even bloody. The "Patch", the working-class district south of the Wabash Railroad tracks, was marked by over 200 saloons with names such as the "First and Last Chance", "Jack Johnson's Gambling Joint", and the "Bucket of Blood". This frontier mythology with its focus on youth, opportunity, and violence offered, as Richard Slotkin has argued, a chance for regeneration and renewal. Far from the rest of modernizing America, Gary seemed lawless,

violent, exciting, chaotic, and romantic, all within the shadow of the most modern steel-producing center in the world. But above all, the frontier image of Gary was profoundly male [24].

Thus, Gary serves as a microcosmic exemplar for a capitalist, industrialist and post-industrialist America. Throughout his study, O'Hara engages in meaning making by focusing on the narrative of Gary. In introducing the subject, he suggests that the story of Gary has challenged perceptions and perspectives about capitalism, community, regionalism, and nationalism, as well as the social construction of race in America.

The cultural grid of Gary existed locally in terms of separation of mill and town, regionally in terms of the industrial metropolis of Chicago and its periphery, and nationally in terms of the persistent question of whether Gary represented Americanism or some sort of perversion of Americanism.

Admittedly and perhaps deliberately, O'Hara's study constructs his narrative by privileging the "voices of privilege" perhaps at the expense of the residents who remain committed to and vested in the city. Yet, the privileged voices are carefully and effectively scrutinized throughout the work by critically juxtaposing said perceptions against realities. Written in chronological order, *Gary*, *the Most American of All American Cities*, progresses toward the mid-to-late twentieth century, with O'Hara's discourse initially centered on industrial manipulation of capital and labor, immigration and ethnic strife, and what I refer to as a *Wonka*-esque [25] space with inherently designed physical and social separation between the factory and the city. *Gary* then transitions to becoming increasingly and almost solely centered on the city's virtual hopelessness and inability to reconcile physical, social, and economic spatial mismatches manifested through the social construction or race, resulting in the physical, social, and economic devastation and abandonment that is clearly evident throughout the entire city today. O'Hara explores in his closing chapter "Epitaph for a Model City", the turbulent times of the mid-to-late 1960s and the election of Hatcher.

Race not only became the meta-language of Gary, but also reduced possible declensions of Gary into a single storyline—the moment Gary became a black city. The story of capitalism in Gary had shifted from one of space to one of race. Gary had moved from a model city of industrialism to a cauldron of racial politics.

O'Hara's writings parallel my explorations to the degree that upon initial discovery of the book, I became discouraged; I questioned whether continued research on the subject would or could generate or develop new knowledge and add to the discourse. I was also disheartened to the point of revisiting the term "Fourth World" in light of the aforementioned multiple uses of the term by Manuel, Wresinski, Castells, and Wright (Badu). Nevertheless, and upon meeting with Stephen Paul O'Hara, who offered comforting words of encouragement, I elected to continue this journey through utilization of expanded research methodologies to examine Gary's one-hundred-year history, its ambitious rise to a major industrial center, and its unprecedented decline and institutional abandonment. As Fourth World theory clearly demonstrates, racism layered over de-industrialization is a perfect storm for disaster.

Beyond relative size and scale, profound quantitative and qualitative similarities exist between Gary and Detroit. As evidenced by the statistical data provided, both cities have experienced comparable and substantial population gains and losses (55% and 61%, respectively) over the past century. As George Clinton declared in "We've Got Gary" on the title track to Parliament's 1975 *Chocolate City*

album, it is commonly understood that Detroit, with a "Chocolate City" factor of 82.7% (Gary at 84.8%) [26] could have, and should have been, included in the lyrics [27].

Rapid population gains as well as moments of stagnation in Gary have been linked directly to industrial expansion and contraction, corporate capitalism and the labor demands of the U.S. Steel Corporation. Simultaneously, Detroit has embodied the melding of human labor, technology, and capitalism as automobile factories, shops, and other forms of manufacturing rendered an industrial geography unsurpassed in scope (Figure 4). In both instances, demand for European immigrant as well as domestic migrant labor from the American South, primarily African American, created enclaves and ethnic and racial tension tinged with perpetual forms of resistance and periodic episodes of violence.

Figure 4. Michigan Central Depot in Detroit, Michigan (Photo courtesy of Ball State University undergraduate architecture student Jordan Stocklin).

As Gary's industrialists carefully manipulated the balance between capital and labor by instituting "order" through various forms of physical and ethnic-based social separation, Americanization, and institutional segregation, labor began to organize and demand formal recognition. Upon the initiation of a strike in 1919, U.S. Steel continued to function and produce through the use of African-American strike breakers. As a result, in the late afternoon of 4 October 1919 [28], black strike breakers were snatched from a street car, attacked and beaten by an angry mob of white strikers. Although the forces leading to the violence were primarily grounded in industrial manipulation and consequential strife, the ethnic and racial dynamics generated a narrative that framed the incident as a "race riot".

The steel strike exposed inequitable mill conditions and the extent to which Gary was a company town. Gary had always been fragmented, but during the winter of 1919, wrote Isaac J. Quillen, "the gap at the Wabash tracks became a canyon", dividing churches and families, fostering contempt for law and government, and breeding cynicism and disillusionment. Thus, at the dawn of the 1920s, Gary had lost its innocence and some of its illusions of grandeur [29].

So prominent was the social construction of race that a distinctively different Gary emerged. Since its conception, the geographical language of Gary was drenched in racial antagonism and hatred, which had insurmountable influence on corresponding allocations of resources and access as well as irrational geographical development patterns in the city. Creative writer and novelist David Wright, in his introduction to the reprint of Richard Wright's *12 Million Black Voices*, recounts that "water does not respond to that which is absolute, but rather to that which is relative", and despite the systemic spatial mismatch, the harsh realities faced by the southern migrants seeking refuge and opportunity in the industrial north paled in comparison to the atrocities of the South.

The jobs they found were low-paying, menial, and exhausting by northern industrial standards, but lucrative, high-status, and relatively easy by southern agricultural ones—ten hours sweeping a factory were nothing compared to twelve hours behind a mule. The oppressions they found were relatively mild—who would complain about police brutality and biased justice when in the South any group of white men could be a cop, judge, jury, and executioner? Who would carp about a stinking toilet down the hall when in the South the toilet was in the yard, and smelled worse? Few bad reports returned to the South, and so the river flowed and pooled in sections of northern cities the immigrants abandoned. It was better there. It truly was [30].

The scholars, architect Sharon E. Sutton and social scientist Susan P. Kemp, jointly communicate in the introductory chapter to their publication, *The Paradox of Urban Space: Inequality and Transformation in Marginalized Communities*, that hegemonic conceptions of space and time have historically been imposed on disadvantaged and oppressed populations:

"Throughout America, spatial policies and practices standardize the landscape to benefit dominant groups—guaranteeing profits for developers and individual property owners—while normalizing dominant values and lifestyles. The downside of this standardization occurs in racially and economically segregated neighborhoods, in which a high percentage of minority residents and concentrated poverty go hand-in-hand with a slew of inequities, including substandard housing, inadequate schools and social services, higher rates of unemployment, lower incomes with a higher proportion of income paid in rent, more unwanted land uses, and lack of access to healthy foods" [31].

In wartime "Rosie the Riveter" Detroit, the war effort drew women into industry as replacement workers; however, prospects for employment of black women was met with harsh resistance. Many Detroit firms only hired white women but relented to hiring black women in response to protest and pressure. At Hudson Motor Car Company, "350 white women walked off their clerical jobs after their bosses hired a handful of black women to join them" [17]. At the Ford Willow Run plant, which had been converted to a war production facility, busloads of protestors picketed in response to a documented unwillingness to hire black women.

But even after they were hired in defense industries, black women faced an uphill battle. White male workers often harassed their women co-workers and reacted even more vehemently to the double affront to their racial and gender privileges when firms hired black women to work beside them. At Packard (Figure 5), whites walked out on a hate strike in 1943 when three black women were placed as drill operators [32].

Figure 5. Packard Automotive Plant, Detroit, Michigan (Photo courtesy of Ball State University graduate architecture student Sandra Steinau-Weber).

As in Gary, Chicago, Philadelphia, Baltimore, and scores of other northern American cities and towns, racial tensions in Detroit workplaces and neighborhoods during the mid-1940s had gradually increased from a simmer to a boil. In *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit*, Thomas A. Sugrue cites a climate of racial animosity and mistrust bred by the disruptions of World War II, and how a major brawl which started on Belle Isle on a hot June afternoon in 1943 was symptomatic of deeper tensions. Journalist and scholar Isabel Wilkerson chronicles the recollections of over a thousand African-American migrants in her publication, *The Warmth of Other Suns: The Epic Story of America's Great Migration.* From her interviews and conversations with George Swanson Starling between June 1995 to June 1998, she was able to assemble a narrative describing the circumstances of the riot, from the perspective of an African-American laborer who had to migrated to Detroit from Eustis, Florida:

"And every minute, George was scared the whole place would blow up from all the chemicals and paranoia. Then on the humid night of 20 June 1943, a fight broke out between several hundred white and colored men on Belle Isle, a park extending into the Detroit River on the east side of town. The fighting spread north, south, and west as rumors circulated among blacks that white men had killed a colored woman and thrown her body into the Detroit River and, among whites, that colored men had raped and killed a white woman in the park. Neither rumor turned out to be true, but it was all that was needed to set off one of the worse riots ever seen in the United States, an outbreak that would mark a turning point in American race relations" [33].

Sugrue summarizes the tragedy and aftermath by indicating that on the following day, more than ten thousand hostile whites, supported by Detroit police officers, swept through the segregated and overcrowded district in which most Negroes were restricted to reside, known as "Paradise Valley". Seventeen African Americans and zero whites were killed by police. Ultimately, "over the course of three days, 34 people were killed, 25 of them blacks. 675 suffered severe injuries, and 1893 were arrested before federal troops subdued the disaster".

In Gary, meanwhile, tension in the workplace and in institutionally segregated communities became most visible through school strikes designed in staunch opposition to the prospect of integration. From the founding of the city, the racially stratified configuration was constantly challenged by significant increases in population of an ostracized group of African-American migrants from the South. For example, when the first schools opened in Gary in 1908 the "thirty or so black children, except for two in high school . . . by year's end were to be transferred to rented facilities in a Baptist Church" [34]. Therefore, the die had been cast for "separate but equal" education in the new city. As evidenced by "Negro subdivision" designations, Gary had also developed its residential neighborhoods in a context of "separate but equal." What was clearly apparent by physical example was the fact that in Gary, as in the balance to the United States, "separate but equal" was not equal.

In 1927, *Time* magazine chronicled an incident involving white students of Emerson High School, rebelling against the admittance of 24 black students. "The next day the 'nice' residential part of Gary, was littered and scrawled with placards and signs: 'WE WON'T GO BACK UNTIL EMERSON IS WHITE . . . NO NIGGERS FOR EMERSON . . . EMERSON IS A WHITE MAN'S SCHOOL' *etc.* By the second day student protestors numbered 1357" [35]. The protestors demanded that the black students be segregated in the corners of classrooms and in the cafeteria until they could be transferred to another school. School administrators acquiesced to their demands and endeavored to transfer the students to a segregated facility. The Emerson student body continued to resist the concept of desegregation for decades and, in 1947, a similar strike was held with white student protesters being accompanied and supported by their parents. Two years earlier, two well-publicized and lengthy anti-integration boycotts had occurred at Froebel High School in Gary, prompting a visit from Frank Sinatra sponsored in part by the Anselm Forum [36]. On 1 November 1945, Sinatra performed to more than 5,800 young people crowded at the Gary Public Schools Memorial Auditorium to hear him sing *Ole Man River*, *The House I Live In*, and most importantly, deliver an impassioned condemnation of bigotry (Figure 6). He labeled the strike, "the most shameful incident in the history of American education", and suggested that the adults who fomented the trouble be run out of town [37].

Figure 6. Remains of Gary Public Schools Memorial Auditorium, Gary, Indiana (Photos courtesy of Ball State University undergraduate architecture student Shannon Buchanan).

What is America to me?
A name, a map, the flag I see,
a certain word, "Democracy"!
What is America to me?
The house I live in, a plot of earth, a street,
The grocer and the butcher,
and the people that I meet
The children in the playground,
the faces that I see;
All races, all religions,
that's America to me

The place I work in,
the worker at my side,
The little town or city,
where my people lived and died,
The "howdy" and the handshake,
the air of feeling free,
The right to speak my mind out,
that's America to me.
The things I see about me,
the big things and the small,
The little corner newsstand,
and the house a mile tall;
The wedding and the churchyard,
the laughter and the tears,
The dream that's been a growin',
for a hundred-fifty years.

The town I live in, the street, the house,
the room,
The pavement of the city,
or a garden all in bloom,
The church, the school, the club house,
the million lights I see,
But especially the people,
that's America to me.

The house I live in,
my neighbors, white and black,
The people who just came here,
or from generations back,
The Town Hall and the soap box,
the torch of Liberty,
A home for all God's children,
that's America to me.

The words of Old Abe Lincoln,
of Jefferson and Paine,
of Washington and Jackson,
and the tasks that still remain,
The little bridge at Concord,
where Freedom's fight began,
Our Gettysburg and Midway,
and the story of Bataan.

The house I live in,
the goodness everywhere,
A land of wealth and beauty.
with enough for all to share,
A house that we call Freedom,
the home of Liberty,
And it belongs to fighting people,
that's America to me.

Sinatra's personal appearance may have charmed, but in no way influenced, the opinion of the boycotting students; however, two weeks later, the strike finally ended. The strikers claimed victory merely on the basis that their racist grievances had been heard and had garnered national attention. As for Frank Sinatra, this episode of progressive activism was observed, documented, and filed under the watchful, anti-communist eyes of J. Edgar Hoover and the Federal Bureau of Investigation.

O'Hara writes that even years after *Brown v. Board of Education*, Gary schools remained racially segregated: "In a 1964 lower court ruling that the Supreme Court refused to review, Gary was not obliged to desegregate its schools. Calling the phenomenon 'de facto segregation', the Gary school board argued that it was not responsible for integrating unintentional segregation caused by racial separation in neighborhoods". As Abel Meeropol protested, the deletion of a specific verse from his *The House I Live In* (referring to "my neighbors white and black") from Sinatra's performance in the popular short film by the same name [20], the Gary school commissioners conveniently deleted references to the city's history and ongoing intentional practice of blatant and restrictive physical segregation of its neighborhoods by arguing segregation as an "unintentional" consequence.

During the same time frame, the African-American population of Detroit was subjected to more heinous and ambitious forms of blatant and intentional segregation, including redlining, restrictive covenants, and the construction of physical walls designed to separate blacks from whites.

As in the decrepit "Patch" district in Gary, African Americans arriving in Detroit from the Jim Crow South generally found themselves restricted to decaying, overcrowded areas known as "Paradise Valley" and the "Black Bottom", in which they were jammed into inadequate, substandard, dilapidated housing. As with The Patch in Gary, the shoddy, densely packed frame structures had once housed eastern and southern European immigrants decades earlier (Figure 7). Sugrue describes the restricted districts of Detroit in detail.

Figure 7. Artist/Activist Tyree Guyton installation on East Side vacant lots, Detroit, Michigan.

As the district's population expanded during the 1940s, living conditions worsened. Federal housing officials classified over two-thirds of Paradise Valley residences as substandard (a category that included dwelling units without a toilet or bath, running water, heating, and lighting; buildings that needed major repairs; and low-rent apartments that were overcrowded). Rents were among the lowest

in the city, but they were disproportionately high given the quality of housing in the area. Fire was an ever-present hazard, especially in older wood-frame buildings with outdated electrical and heating systems [38].

After waving her handkerchief as a symbolic gesture to initiate demolition of the dilapidated shacks in the Black Bottom, First Lady Eleanor Roosevelt indicated to the crowd of over 20,000 that "it is a lack of social consciousness which permits such conditions to develop, but we may thank the Depression for focusing attention on those sore spots in our social life" [39]. Yet the African-American population that occupied the Black Bottom was evicted with no provisions for relocation, and either left homeless by the slum clearance, or forced to take up residence in the nearby, already overcrowded and severely distressed Paradise Valley slum.

Sugrue graphically describes deplorable sanitary conditions in the densely packed, predominantly black Lower East Side of Detroit featuring rat-infested, vermin-filled, filthy dwelling environments inducing various forms of disease and in some instances, contributing to death. Albeit in small percentages, some African Americans managed to find refuge in other small restricted enclaves within the city limits of Detroit. Nevertheless, with the exception of the Conant Gardens neighborhood, most of the enclaves were severely distressed as a result of various structural barriers and limited access to financial resources [40]. With respect to Conant Gardens and similar enclaves, Richard Wright lays down his sentiments regarding "The Talented Tenth" and the so-called black elite in his forward to *12 Million Black Voices* like never before—or since:

"This text assumes that those few Negroes who have lifted themselves, through personal strength, talent, or luck, above the lives of their fellow blacks—like single fishes that leap and flash for a split second above the surface of the sea—are but fleeting exceptions to that vast, tragic school that swims below in the depths, against the current, silently and heavily, struggling against the waves of the vicissitudes that spell a common fate" [41].

The Great Migration, coupled with returning GI populations, their baby boom families, in concert with the resulting post-World War rapid economic expansion, created unprecedented demand for housing in the Detroit area. However, discriminatory federal housing policies worked in concert with local bankers and real estate brokers to assure that, in general, neither the newly constructed communities, nor the eligibility for mortgages, would be available to African Americans. In addition, restrictive covenants were instituted and condoned to preserve ethnic and, more commonly, racial homogeneity. During the late 1940s, more than 80% of property in Detroit outside of the inner city fell under the scope of racial restrictions. Similar statistics were commonplace in cities throughout the United States from Boston, to Chicago, to Los Angeles: "Whereas no land developed before 1910 was restricted, deeds in every subdivision developed between 1910 and 1947 specified the exclusion of blacks" [42]. Although racial covenants were deemed unenforceable in 1948, race-based restrictive patterns continued through real estate practices such as "steering" and discriminatory behavior among lending institutions. Thus, the vast majority of African Americans in Detroit, Gary, East St. Louis, and other developing Fourth World cities, remained relegated to severely distressed, dilapidated districts which were soon to be subjected to demolition and displacement so as to "eradicate blight" and facilitate the construction of freeways to accommodate the newly established suburban enclaves which were unavailable to black folk.

Postwar highway and urban redevelopment projects further exacerbated the Detroit housing crisis, especially for blacks. Detroit's city planners promised that the proposed system of cross-city expressways would dramatically improve the city's residential areas, as well as bolster the city's economy. For the thousands of blacks who lived in the path of Detroit's first expressways, both promises were false. Detroit's highway planners would only minimally disrupt middle-class residential areas, but they had little concern for black neighborhoods, especially those closest to downtown. Instead, they viewed inner-city highway construction in Detroit and other major American cities, north and south, as "a handy device for razing slums".

The respective postwar political and economic environments in Detroit and Gary were virtually identical with respect to ongoing racial tension and hostility, the beginning and unforeseen undercurrents of economic decline as a direct result of gradual decentralization of industrial production coupled with an inconspicuous weakening of the organization and dignity of labor, and political mechanisms that were in direct response to the decline and hostilities. The social construction of race was a major and constant undercurrent in all political maneuvering as either politicians jockeyed to appease perceived interests of the ever-increasing black population or engaged in extremist positioning by supporting segregationist approaches (Figure 8).

Figure 8. Gary Methodist Church, Gary (**a**)—Brewster-Douglass Housing Projects, Detroit (**b**).

(**a**)   (**b**)

Behavior during the 1949 Detroit mayoral campaign and general election race between UAW activist George Edwards Jr. and conservative Republican Albert E. Cobo was scrutinized by the city's black independent weekly newspaper, *The Michigan Chronicle*, which regarded Cobo's ultimate victory as a counter-referendum on white acceptance of black citizenry. It described the election as "one of most vicious campaigns of race baiting and playing upon the prejudices of all segments of the Detroit population". The newspaper documented Cobo's appeal to the white neighborhoods of Detroit through the use of pamphlets linking Edwards to supporting integration policies. This issue of race

trumped any relationship or endorsement Edwards may have maintained with organized labor—in a union town. In his 2012 *Detroit: A Biography*, Martelle finds the election of Albert Cobo in 1949 as a "watershed moment in the evolution of Detroit. The city effectively held a referendum on what its future would be, and white fears won the day, an electoral decision that still resonates more than sixty years later". Sugrue suggests that the election process, which was a mere reflection of the postwar climate, not only contributed to the further erosion of race relations, it also undermined working-class solidarity and "dimmed future hopes for the triumph of labor liberalism on the local level in Detroit".

Despite the Federal Public Housing Authority and the City Plan Commission's pleas, Cobo went to work immediately with a neoliberal agenda, rescinding scattered-site federal public housing designed to help alleviate concentrations of race and poverty resulting from decades of discriminatory restrictive zoning practices. In addition, the Cobo Administration endeavored to dismantle Detroit's public housing programs in general, focusing instead on slum clearance, displacement, and forced relocation of predominantly black communities into already overcrowded concentration-of-poverty camps to make way for large privatized redevelopment projects and expanded freeway construction initiatives designed to facilitate the mass exodus of whites from the central city.

Postwar Gary remained a Democratic machine within a heavily unionized environment, although the mechanisms were constantly threatened by "Red Scare" hysteria and accusations of radicalism within various factions. In addition, political corruption, nepotism, and permissive association with various criminal forces had been commonplace ever since the party had taken what appeared to be a permanent stronghold under industrial working-class, ethnic, and New Deal Democratic forces. However, as in Detroit, the social construction of race became an increasingly divisive element within the political environment.

Just as the New Deal coalition was redefined by issues of civil rights and race relations nationwide, so too would the politics of Gary become defined by race and backlash. For instance, in 1964, George Wallace, the segregationist governor of Alabama, carried Lake County in the Indiana Democratic primary. Clearly notions of race, segregation, and separations had changed in Gary between 1945 and 1964. So too would notions of race alter the way people thought and talked about the city. If Sinatra's visit had represented the possibility for postwar optimism, then Wallace's success made Gary into a crucible of racial conflict.

It was anticipated that the mayoral incumbent A. Martin Katz would benefit from the common tendency of black voters support of white Democratic candidates; however, in the 1967 campaign, the system was shocked by the emergence of African-American candidate Richard Gordon Hatcher. Black voters, who were more than 50% of the electorate, had grown weary of the political servitude and general lack of regard for their loyalty. *Ebony Magazine* editor Alex Poinsett in his publication, *Black Power Gary Style*, suggests that the African-American political community rebelled against the Democratic political machine "which had long controlled the ghetto through the usual precinct network of block-level politicians, patronage, payoffs, 'ghost' voting, and protection of Negro gambling operations".

Hatcher was the first black man ever to win the mayoral nomination either on the Democratic or Republican ticket in Gary. Yet in his campaign speeches, Hatcher admitted that Katz had been "probably more fair" to blacks than any predecessor. He criticized the mayor's failure to consider

qualified blacks for top jobs in the police, fire, and health departments and charged that nothing had changed during the prior three and a half years under Katz. "I ask you", he would question audiences, "are the slums any prettier? Are our schools and less crowded? Have they built one single public housing unit? Have they torn down one single building for urban renewal? Have they expanded the park system? Have they desegregated the schools?" [43].

Upon Hatcher's defeat of Katz in the Democratic Primary, the white Democratic electorate immediately became splintered and fragmented, withdrawing Democratic Party financial and political support or abandoning the party altogether in support of Republican candidate Joseph B. Radigan, a "college-dropout son of an Irish immigrant and proprietor of a downtown furniture store inherited from his family". During the general election campaign, "red, white, and blue Radigan billboards blossomed all over Gary proclaiming the Republican candidate "100 percent American" and thus inferring that Hatcher—whose ancestors arrived on these shores at least two centuries before Radigan's Irish forebears—was un-American". Regardless of the various and often unsophisticated forms of political resistance, Richard Gordon Hatcher "won the election, and he and Cleveland's Carl Stokes became the first black mayors of major American cities". The most rapid periods of population and economic decline occurred immediately after Richard Hatcher was inaugurated on 1 January 1968 and after the inauguration under similar circumstances of Detroit's first African-American Mayor, Coleman Young, on 1 January 1974. In retrospect, one might inquire whether Hatcher, Stokes, and Young's mayoral victories were tantamount to that of being promoted to captain of the Titanic moments after the iceberg incident.

6. Richard Gordon Hatcher: Captain of the Titanic—After the Iceberg Incident

My election to utilize sociological oral history as a primary source has generated tremendous energy and contributed to the evolution of Fourth World theory. The opportunity to conduct an introductory interview with former Gary mayor Richard Gordon Hatcher has been crucial to my evolution of the core principles of Fourth World theory and its applicability to the city of Gary. It is my intention that this interdisciplinary research will serve as a critical component of a larger research effort that will utilize expanded methodologies to examine Gary's one-hundred-year history, its ambitious rise to a major industrial center, and its unprecedented decline and institutional abandonment as Fourth World theory clearly demonstrates that racism layered over de-industrialization is a disastrous formula.

As the first African-American mayor in Indiana as well as the first to administer what was, at the time, considered to be a major city in the United States, Hatcher is a pivotal character to this research effort. I first met with Richard Hatcher at Indiana University Northwest in Gary, Indiana on Monday, 31 January 2011. The interview primarily focused on his childhood, school years, early involvement in various forms of activism, practice in law, and his reluctant, yet effective, transition into political life.

The Indiana University Northwest Calumet Regional Archives, which houses the *Richard Hatcher Collection*, traces Hatcher's tenure as mayor of the city of Gary and chronicles his triumphs and struggles. It is my ultimate intention to use a critical analysis of the twenty-year Hatcher administration to expand the discourse on how race- and class-based stratification was designed into the physical infrastructure of the city, and how the race-based actions and policies influenced the city Hatcher inherited and tried to manage during the early years of his tenure as mayor.

With the assistance of Dorothy Mockry of the Minority Studies Department in the Indiana University Northwest College of Arts and Sciences, I began my interview with Richard Hatcher following a brief, introductory conservation. Hatcher discussed events that led to his father, Carlton Hatcher, essentially being forced to leave Macon, Georgia.

In Macon, Carlton Hatcher had worked for a sawmill where he transported lumber in a mule-drawn wagon. One day, an incident occurred when the wagon hit a depression in a road causing the lumber to shift and some units to fall to the side of the road near where a small child was playing. Although the child was not harmed, his parents were alarmed and contacted the sheriff to apprehend Hatcher, allegedly for deliberately attempting to injure or kill the child. With the assistance of his in-laws, who disguised him as a woman, Hatcher fled Macon and traveled north by bus to Chicago where two of his sisters resided.

However, he ran out of money and found himself in Michigan City, Indiana, where Hatcher first found work in lawn care and later at the Pullman Standard factory where he worked for many years. Richard Hatcher recalled his father stating on many occasions, how a couple of days in Michigan City turned into 45 years. Initially, the Hatcher family was restricted to living in an area in the near-eastside of Michigan City known as "The Patch". As with The Patch in Gary, the Black Bottom and Paradise Valley in Detroit, and similar restricted spaces throughout the industrial north, The Patch in Michigan City was characterized by deplorable conditions. Hatcher described a constant and incredible stench in the area being downwind from an animal hair processing factory where his mother labored, along with many women, under atrocious circumstances. He stated that his mother, Katherine Hatcher, died of cancer when he was thirteen years old. He is convinced that the working conditions at the factory contributed to her death. He also noted that there were no paved streets in the district and that the streets were covered in an unknown industrial waste substance that the community referred to as "pig iron".

The Hatcher family lived in a large, poorly constructed, dilapidated house with extended family members, boarders, and others. He recalled two of his brothers, who had served in the U.S. Army (one had been stationed in Alaska), providing army-issued heavy coats which were used as blankets in the cold, un-insulated house. On occasion, Hatcher remembered, he would awake and find a light dusting of snow in his bed. The house featured two coal stoves, one in the rear and one in the center of the living room. The young Hatcher was assigned the responsibility of bringing coal from the basement and starting the fires each morning.

Hatcher reflected on the collectivistic spirit of the community and how during difficult times, the community would cooperatively pool their resources as a means to survive. During periodic Pullman layoff episodes, the Hatcher family would receive monthly "relief" through the Trustee's Office including potatoes, chicken, fruits, and vegetables. During these times, he would accompany his father to collect in a push cart leftovers from alleys behind white retail establishments and restaurants, including food that was consumed by the family or items that could be resold to a junkyard. Hatcher remembered being proud and honored to join his father on such missions for he felt responsible to his family as a young man. As a child, he had no conceptual understanding or recollection of being poor and/or living in poverty.

There were seven surviving children in the Hatcher family with Richard being the youngest boy. Several of the children (thirteen in total), born in the South, and without medical care, died as infants

or toddlers. Also, a set of Hatcher twins, born in The Patch, died of exposure in the cold, poorly insulated house at thirteen or fourteen months of age. Due to institutional segregation and discrimination, the notion of medical care or hospitalization was so foreign to Patch residents that many did not know such care existed.

On Friday nights, many of the adult residents in The Patch, including Hatcher's older brothers, would frequent a tavern/pool hall. Hatcher recollected reports and rumors that on some nights, there may have been a fight at the establishment, and someone may have been "cut". But never did he hear of a shooting or killing. Nevertheless, his mother worried.

Hatcher recalled how he and his siblings would walk to Sheridan Beach from The Patch and shovel sand, paint, or perform other odd jobs for the residents to earn a few dollars during the summer months. They would also sift through the sand of Washington Park, under the playground equipment, for coins.

The Patch was approximately five square blocks and was patrolled by a single black policeman, Mr. Kemp (the only black policeman on the Michigan City Police force). Mr. Kemp knew everybody, and everybody knew Mr. Kemp. If you were out some place, doing something that you should not do, Mr. Kemp did not take you to jail, he called your mother or your father: "This boy's over here into something that he doesn't need to be into". He kept order.

Hatcher mentioned how one of his brothers, who had been drafted by the army, was stationed at Great Lakes, and how he, on several occasions, would go AWOL and come home. Hatcher would ride with his father to return his brother to the military base, which was just north of Chicago. He jokingly declared that on more than one occasion, after checking him into the base and returning home to Michigan City, his brother would be back home when they arrived!

Years later, when blacks were allowed to live in the near-west side of the Michigan City (around Seventh Street and Willard Avenue in an area formerly occupied by Syrian immigrants), Carlton Hatcher moved his family from The Patch and purchased a house on Seventh Street. Although he had no formal education and could not read or write, Carlton Hatcher effectively managed his financial affairs. He also slowly acquired rental properties, often lent money to community members, and had a handshake relationship with the local bank through a gentleman known as Mr. Gerritsen. At age 72, he endeavored to learn to read so that he could read the Bible at family gatherings and at Mount Zion Baptist Church where he was fondly known as "Deacon Hatcher." Richard Hatcher discussed the tradition of prayer in the black community and how his father was skilled in this regard. He reflected on the barber in The Patch, Moses Wilson. Barber "Mos" Wilson was the champion of prayers. He would always open with:

> *Father I stretch my hands to thee,*
> *No other help I know;*
> *If thou withdraw thyself from me,*
> *Ah! wither shall I go?*
> *On Jordan's stormy banks I stand,*
> *And cast a wishful eye,*
> *To Canaan's fair and happy land,*
> *Where my possessions lie.*

Upon reciting Wilson's prayer opening, Hatcher emotionally reflected on how people in the community, regardless of their circumstances, had the capacity to improvise, and use the art of extemporization as a means to confront difficult challenges in their lives. "If you think people, who never had an education, never read history, never read Shakespeare, nor read about the great writers and philosophers, and yet they were absolutely poetic . . . they could go on for thirty minutes . . .". He regretted not recording the amazing prayers and other forms of engagement common in the small black community of his childhood. Carlton Hatcher, according to his proud son, was a very religious man who, upon becoming involved with the church, never drank or engaged in other forms of self-destructive behavior. He died at the age of 99.

Richard Hatcher attended integrated schools in Michigan City, including Michigan City Elston Junior and Senior High Schools. He recalled having friendly relationships with many of the white students but cited the clearly defined physical limitations of their friendship with respect to place and space. He only recalled one racial incident while growing up in Michigan City regarding a racial slur directed at a black man in a downtown drugstore. However, during his high school years, and as a popular athlete (track star), he had the opportunity to work as a dishwasher at an establishment known as Arnie's, located at Michigan and Franklin Streets near the courthouse. After six or seven months of working at Arnie's, he observed a black couple who had come into the restaurant, sat down, and waited to be served; but the waitresses refused to serve the couple. The restaurant manager informed the couple that the restaurant did not serve blacks. The couple promptly left the establishment. Hatcher confronted the manager who apologized by indicating that he was only doing his job and following the orders of the owner, Mr. Brown. Hatcher ripped off his apron, threw it on the floor, and stormed out of Arnie's. Once he arrived home, Hatcher's father was on the phone with Arnie's. Afterward, father sat down with his son.

"You have a job up there because you hope that next year you are going to go to college. One of the things that you have to learn about life is that sometimes, when someone has something that you need, in order to get it, you sometimes have to take things that you ordinarily would not have to take. Mr. Brown has a job, and that job will help you and help me, so that you can go to school".

Thus, Carlton Hatcher persuaded his son to go back to his job for the remainder of the summer. The young Hatcher then went to Bloomington, Indiana and began his college education at Indiana University (IU). Richard Hatcher enrolled at IU, shortly after University President Herman B. Wells oversaw the ending of the practice of segregation within the university. IU was officially desegregated, but roommates in dormitories were required to be of the same race. Hatcher discussed many challenges at IU including difficulties in getting a haircut in Bloomington and how black students would travel to the other end of town, and enter the rear door of the house of a black barber (who also cut hair for white patrons and was afraid that he would lose his white customers if he allowed his black customers to occupy the same space). He recalled a conversation with Vernon Jordan who was enrolled at DePauw University in Greencastle, Indiana, and how Jordan had to travel a great distance to Bloomington to get his hair cut at the same establishment.

Hatcher became involved with the campus chapter of the National Association for the Advancement of Colored People (NAACP). The organization was involved in picketing Nick's Old English Hut, a dining establishment adjacent to the campus, that had been engaged in discriminatory activities. Finally, and due to the activism of the students, Nick's ended its discriminatory practices. The university followed by issuing an edict to all businesses in Bloomington that if they could not serve

ALL of the students, regardless of race, creed, or color, then they would not serve ANY of the students. Thus, institutional discrimination in Bloomington had all but ended. Upon graduating from IU, Hatcher returned to northwest Indiana where he attended law school at Valparaiso University.

Richard Hatcher had a sister Gladys, who, at the time, resided in Muskegon, Michigan. She had worked as a secretary for a black attorney in Michigan City for whom her younger brother Richard ran errands, *etc.*, eventually inspiring him to pursue a career in law. Upon graduation from Valparaiso, and through networking, Gladys arranged interviews first with attorney Ben Wilson in Gary and then with attorney Henry Walker in East Chicago. Hatcher found Henry Walker particularly charming and chose to join his firm. Soon after, a major scandal was exposed in Gary resulting in the indictment of the entire Gary City Council (including its former president Ben Wilson) and the mayor, who was ultimately sent to prison. Thus, Hatcher was fortunate to have chosen to work with Walker and not be linked to the scandal, directly or indirectly, through Wilson's office. While working with Walker, Hatcher met State Senator James Hunter, who owned a real estate business and shared office space with Walker. During his tenure with Walker's firm, he was introduced to many leading and well-connected political officials. While working in East Chicago, Hatcher resided in Gary with his brother. Many approached Hatcher to encourage him to run for State Senator against James Hunter. Hatcher refused.

Richard Hatcher indicated that the late John Grigsby was the person most responsible for his determination to campaign to serve on the Gary City Council. He stated that he had no intention to run for any political office and that he was focused on his law practice; however, John Grigsby strongly encouraged and ultimately convinced him to run for City Council despite the fact that he was considered an "outsider" being from Michigan City, and one who had not attended the "Velt" (slang term for Theodore Roosevelt High School in Gary).

What ultimately convinced Richard Hatcher to run was John Grigsby's arrival in his office, carrying a three-ring binder filled with pages upon pages of signatures indicating that "I will support Richard Hatcher for City Council." Grigsby had personally gone door to door, unsolicited, to gain support by petition for Hatcher to campaign for City Council.

Perhaps due to the fact that his election and tenure as mayor of Gary is well documented or perhaps due to the limited time, Richard Hatcher did not engage in discussion about his five-term service as mayor, deindustrialization, institutional abandonment, or the general decline of the city during our first meeting. Instead, he chose to discuss other aspects of his legal and political activism.

For example, Hatcher discussed when he served as an attorney to help secure voting rights on behalf of African-American citizens in Mississippi. He described traveling from town to town and how, during his visits, the courthouse squares in each town were virtually identical as were the intimidating men in pickup trucks with rifles mounted in their rear windows as they slowly circled the town squares like buzzards. I asked if he was ever afraid (Figure 9). He responded by mentioning an incident where he had been photographing "white only" signs at a public facility and had turned to find that his two colleagues (both white) had left the scene. At that moment, Hatcher was approached by two large, armed sheriff deputies. His first instinct was to turn and run, but then he reminded himself of the importance of his dignity. Upon one of the sheriffs yelling, "Boy, what are you doing?" he slowly walked away and rejoined his colleagues, who were waiting in the car. Hatcher described how the word would spread about "troublemakers from up north coming to town" but they continued

traveling to the towns, surveying and documenting conditions so that evidence could be compiled that would ultimately result in class action desegregation suits against illegal restriction of access to courthouses, school, libraries, and other public facilities and institutions. He marveled at the bravery of the many black residents of Mississippi, how they put their jobs, livelihoods, and personal safety on the line, and how some paid the ultimate price for "challenging the order of things". He recalled periodically visiting Durant, Mississippi, home to his stepmother Georgia Hatcher, and how all of the white businesses were located on a main thoroughfare that ran through the city, and how the black businesses—often the businesses that whites did not want to be bothered with—were located on an alleyway, at the rear of the white businesses.

Figure 9. Olon Dotson in abandoned, vacant, vandalized Gary Methodist Church in Gary, Indiana (Photo courtesy of Ball State University Architecture Karen Keddy).

Hatcher mentioned a recent gathering in Las Vegas at a "Richard Hatcher Day" event and his meeting with Charlie Evers [44]. Recalling his conversation with Charlie Evers about serving on the Evers campaign for Governor of Mississippi and how terrified he was to travel with Evers on the campaign trail, Hatcher recalled an incident when Evers publically and fearlessly taunted a white mayor of a small town in Mississippi proclaiming that if elected governor, he would endeavor to bring an end to all of the race-based intimidation and institutional hatred.

Regardless of the degree of successes and failures on the national political front, accolades, national political prominence, and well-documented personal and political integrity, Hatcher and his mayoral administration oversaw the most devastating decline of any city in modern history. During his five-term mayoral tenure, the aforementioned and unprecedented simultaneous industrial decline combined with immediate and massive white flight and institutional abandonment; his election expeditiously transitioned Gary into what I classify as a Fourth World city. No mayor, president, or prophet could have effectively managed a city that had lost 64,000 of 70,000 steel manufacturing jobs between 1970 and 1980, coupled with what is best articulated as Hirshman's theory of *exit* over *voice*

or in the hip hop group's album *Fear of a Black Planet.* As in contemporary times with Barack Obama's inherited executive authority over a nation in a downward economic spiral and a seemingly irreconcilable political divide, Hatcher had found himself, forty years earlier, captain of a former transnational distribution center that devolved into a struggling post-industrial, hyper-segregated murder capital. The persistence of Gary's historic structural inequalities demonstrates intractability in overcoming social stratification based primarily on the construction of race as a vehicle for physical separation and institutional abandonment (Figure 10). The severe physical distress and abandonment present throughout the entire city proper, resulting from de-industrialization, historic segregation and discrimination patterns, suburban sprawl, erosion of a viable tax base, racism, inability to embrace the concept of desegregation and civil rights legislation, fear, despair, crumbling infrastructure systems, disinvestment in urban school systems, and environmental justice issues, qualify Gary, Indiana as a *model* Fourth World city.

Figure 10. Photo of the wall in Gary Methodist Church in Gary, Indiana, shown in Figure 10 taken on a subsequent visit (Photo courtesy of Ball State University undergraduate architecture student Victor Piňa).

7. Conclusion

The citizens of the city of Gary, Indiana have spent nearly five decades and generations suffering from the lack of access to work, disappearance of work, and institutional abandonment; praying that somehow jobs would miraculously return; hoping that the presence of tax-supported sports franchises, or casinos and other destabilizing venues would save it; and wondering how the transition to a service sector economy could effectively replace the pride and security offered by manufacturing and the dignity of labor. Today, Gary has the opportunity to follow, by example, principles offered in Fourth World cities like Detroit, which are beginning to emerge from the depths of despair. Their healing, driven by the same communalistic and collectivistic spirit described by Richard Hatcher in Michigan City's Patch, is beginning to re-emerge in a profoundly post-industrial space.

The 98-year-old visionary, philosopher, activist, and community organizer Grace Lee Boggs, in her 2012 publication, *The Next American Revolution: Sustainable Activism for the Twenty-First Century*, writes that it is time to reimagine work and reimagine life as a means to heal humanity—a humanity that has been subjected to the ills of hatred, greed, and power for centuries. Scores of grassroots organizations have emerged and are focused on transformation and survival including the Detroit Black Community Food Security Network (DBCFSN), established to address food insecurity issues in the city's black community. The organization, founded and led by an Afrocentric visionary, Malik Kenyatta Yakini, is organized around self-determination based on confronting the lack of access to affordable, healthy, locally grown food. Among its endeavors, DBCFSN operates D-Town Farms, which is currently the largest urban agricultural center in the Detroit area. The organization is currently engaged in establishing a cooperative grocery store in Detroit's North End. DBCFSN is ordered under the Afrocentric principles of Ujamaa (cooperative economics), which rejects the idea of wealth for wealth's sake and promotes self-reliance and strengthening of community.

Former Black Panther, Wayne Curtis, and his partner, Myrtle Thompson founded Feedom Freedom Growers on a series of vacant lots in the midst of severely distressed East Detroit. Their efforts to "grow a garden, grow a community" and their dedication to "make a way out of no way" demonstrate how Detroit's vacant lots represent the possibilities of cultural revolution [45]. Feedom Freedom inspires youth to participate in this revolution by taking personal responsibility for themselves and their community and embracing the power they possess within. Fourth World theory supports the courage to accept the fact that Detroit, for instance, is not going to be resurrected as the industrial power that existed at the midpoint of the twentieth century (albeit racially and economically stratified). Once liberated from the bondage of practices based solely on the social construction of race, Fourth World cities and communities can truly and earnestly begin to progress toward a more sustainable, equitable means of inhabiting the earth.

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Conflicts of Interest

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20. Abel Meeropol was a Jewish American teacher, activist, writer and composer best known under his pen name, Lewis Allan. He was the writer of *The House I Live* as well as the anti-lynching lyrics and melody to *Strange Fruit,* performed and made famous by Billie Holiday. (Primary Source: *The Strange Story of the Man behind 'Strange Fruit'* by Elizabeth Blair on National Public Radio, 5 September 2012).

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26. Census, U.S. Census Bureau of the US Department of Commerce.

27. Parliament, Tear the Roof Off: 1974–1980. Chocolate City. http://www.allmusic.com/album/tear-the-roof-off-1974-1980-mw0000618928 (accessed on 13 November 2013).

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33. The notes from *The Warmth of Other Suns* by Isabel Wilkerson indicated that, " . . . all references to George Starling are based on numerous interviews and conversations with him from June 1995 to June 1998, (Wilkerson, 562).

34. Cohen, R.D. *Children of the Mill: Schooling and Society in Gary, Indiana, 1906–1960*; Indiana University Press: Bloomington, IN, USA, 1990; p. 8.

35. Ronald, C. in the publication, *Children of the Mill: Schooling and Society in Gary, Indiana, 1906–1960* writes that "Hereinafter, black and white would be separate in the Gary Schools, but hardly 'friendly rivals.' While legal under the 'separate but equal' laws then comment in Indiana (adopted in 1877) and other northern states, school segregation was not automatic. Northern cities experienced various degrees of racial separation at the time, although most were moving in the direction of explicit segregation. Gary, somewhat early in joining the movement, was hardly different". Cohen cites numerous sources for this position including, but not limited to: *The Separate Problem: Case Studies of Black Education in the North, 1900–1930* by Judy Jolley Mohraz.

36. The Anselm Forum was organized in Gary in 1932. Its founders wanted "to create an atmosphere of harmony, a sense of belonging together, despite differences of creed, race or occupation". The Forum's belief in diversity was so strong that members were dismissed when they made objections to new members based on race, creed or ethnic background. In 1945, the Forum became directly involved in public school integration in Gary. As time progressed, membership in the Forum declined. In the 1960s, as the racial composition of Gary changed, the group became somewhat unpopular among many people in the white community. By 1971, the group could no longer gather enough members to hold a breakfast meeting, and the group was disbanded (Source: Indiana University Northwest Calumet Regional Archives).

37. Sinatra, F. Unheard Frank Sinatra Vol. 2: The House I Live In. Available online: http://www.allmusic.com/album/unheard-frank-sinatra-vol-2-the-house-i-live-in-mw0000268547 (accessed on 13 November 2013).

38. The Patch (also formerly called the Southside) was the unplanned expansion of Gary in the early 1900s–1920s in which its poorer foreign workers were originally housed. It attracted more than 200 saloons and other disreputable establishments that had been banned from the more upscale north of the city. The houses were often makeshift dwellings built by speculators. Typically they housed a family, several boarders, and various farm animals raised for food. Most inhabitants came directly from their home countries—predominantly Serbia, Poland, and Croatia. U.S. Steel initially ignored the living conditions, saying "we are not in the summer resort business". In the late 1920s the city's population doubled and conditions deteriorated further. At last, in 1923, the city ordered all substandard housing to be evacuated, leaving 1,500 people temporality homeless. Nonetheless, The Patch persisted as a largely blighted area. Eventually, it became predominantly African American as European immigrant workers moved further south. As the city became more segregated by race, The Patch came to be viewed as the "black district". After the decline of the steel industry, The Patch ceased being atypical in its relatively low quality of life. Today the area is known as "Midtown" (Source: www.wikimapia.org/25191627/The-Patch).

39. On September 9, 1934, First Lady Eleanor Roosevelt traveled to Detroit for the symbolic start of slum clearance in Black Bottom, part of a $6.6 million federal program to replace dilapidate shacks with new public housing called Brewster Homes. The First Lady told the audience that the neighborhood was a slumlord's paradise, with 92 percent of the tax payments delinquent (most of the homes were rentals), a crime rate six times the city average, and "juvenile delinquency" ten times the average. Tuberculosis was rampant, more than seven times the city average (Source: *Detroit: A Biography* by Scott Martelle).

40. Conant Gardens was the wealthiest area of black Detroit. Settled by black ministers, teachers, lawyers, and businesspeople fleeing the inner city, the area was more suburban than urban, surrounded by open fields and remote from the city's business and industrial districts. The quiet tree-lined streets of the neighborhood passed modern single-family detached homes, often with large well-manicured lawns (Sugrue 41).

41. Wright, R.; Rosskam, E. *12 Million Black Voices: A Folk History of the Negro in the United States*; Viking Press: New York, NY, USA, 1941; p. 5.

42. Despite the Supreme Court decision declaring the enforcement of racially-based restrictive covenants (see Shelley v. Kraemer), the practice remained commonplace. The Court found that the covenants themselves were not invalid, thus allowing private parties to continue to voluntarily adhere to the restrictions. These "unenforceable" covenants served as powerful signals to potential homeowners, realtors, and insurers about who was welcome in a given neighborhood. Government agencies also continued to rely upon the covenants as substitutes for overt exclusionary practices. As a result of continued use of racially restrictive covenants and "steering" of black residents to non-white neighborhoods by real estate agents, access for minorities to purchase homes remained severely limited. It was not until 1968 that the actual inclusion of racially-restrictive covenants into deeds was deemed illegal, although many such covenants can still be found within the language of deeds today. While no longer a legally sanctioned practice, the residential patterns created by racially restrictive covenants still persist. (Source: National Fair Housing Alliance).

43. Poinsett, A. *Black Power Gary Style: The Making of Mayor Richard Gordon Hatcher*; Johnson Publishing Company, Inc.: Chicago, IL, USA, 1970; pp. 76–82.

44. James Charles Evers (born 11 September 1922), the older brother of slain civil rights activist Medgar Evers, is a leading civil rights spokesman within the Republican Party in his native Mississippi. In 1969, he became the first African American since the Reconstruction era to have been elected as mayor in a Mississippi city, Fayette in Jefferson County. Thereafter, he ran for governor in 1971 and the United States Senate in 1978, both times as an Independent candidate.

45. Boggs, G.L. *The Next American Revolution: Sustainable Activism for the Twenty-First Century*; University of California Press: Berkeley, CA, USA, 2012; pp. xxi–xxii.

Another Aesthetics is Possible: Arts of Rebellion in the Fourth World War

by Jennifer Ponce de León. Duke University Press, April 2021. 328 p. ill. ISBN 9781478011255 (pbk.), $27.95.

Reviewed July 2021 Dan McClure, Library Director, Dora Badollet Library, Clatsop Community College, dmcclure@clatsopcc.edu
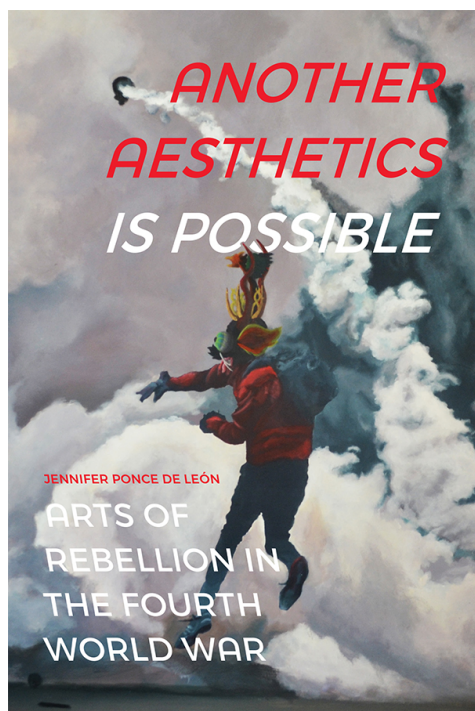
Jennifer Ponce de León, assistant professor of English at the University of Pennsylvania, presents a fascinating body of transdisciplinary research that explores artists and art collectives whose social and political practices operate forcefully and intriguingly against capitalist systems that increasingly displace indigenous populations in the Americas, especially in Latin American societies. We have moved from the Third World War—the Cold War—to the Fourth World War, the Zapatista name for the contemporary struggle in which "accumulated globalized capital" seeks to eliminate any force countering its hegemony. The artists Ponce de León investigates are generationally linked, born in the 1960s and 1970s, with bodies of work emerging in the 1980s and 1990s, but hail from locations across the Americas in Argentina, Mexico, and the United States.

By the time 2002 ushered in a devastating financial crisis in Argentina, these artistic practices matured (and continue to take shape), creating similarly robust artistic provocations that expose the global misfortunes of the poor and marginalized. Ponce de León's selection of activist artists inspires a critical analysis with participants utilizing methods to remedy or rewrite history. Diego de la Vega Cooperative Media Conglomerate, led by artist Fran Ilich, waged a publicity campaign demanding the return of the famed headdress of Moctezuma from the World Museum in Austria and created an alternate reality game, Raiders of the Lost Crown, which skewers the role of museum practice. Sandra de la Loza and the Pocho Research Society of Erased and Visible History launched various guerilla interventions in Los Angeles, including installing historical plaques relating whitewashed episodes as a form of Situationist

détournement. Two Buenos Aires-based groups, Etcétera... and Grupo de Arte Callejero (Street Art Group), created social movement-based practices using performances and graphic displays to interrogate bourgeois complacency and expose repression and state violence.

By challenging the vestiges of colonial power structures, and by extension, the art and material cultural production of dominant cultures, these practitioners have shown another aesthetics, which questions or subverts the narrative of global capital. Overall, the text is absorbing but demanding, dense, and highly referential. Those whose comfort zone is reading critical theorists such as Antonio Gramsci, Louis Althusser, or Jacques Rancière will enjoy the many intellectual explorations and theoretical underpinnings, along with more than a nod to Marx and Engels. Thoroughly researched and forcefully detailed, this substantial text provides only eight pages of color reproductions and only a few in black and white, while including a bibliography of over twenty pages, a detailed index, and 174 endnotes. This occasionally challenging study, which highlights artists whose radical practices fall well outside the traditional exposure of market-based norms, is recommended for libraries supporting academic programs steeped in critical theory, especially at a graduate level.

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The Fourth World Approaches to International Law: A Cursory Glance

SAYED QUDRAT HASHIMY[1]

ABSTRACT

The questions of Fourth Worlds are still not widely discussed in philosophical perspectives, even though a Third-World interpretation of international law is an established and thriving theme. The segmentation of the world community along economic, political, and ideological lines is referred to as the "Fourth World." It is an exegetical evolution of the "Three Worlds" theory. The study uses doctrinal research methods and literature from the "Third World" to spotlight the "Fourth World." under international law. This article aims to highlight the similarities and differences between third- and fourth-world people's experiences and expectations under international law.

Keywords: TWAIL, First World, Second World, Third World, Fourth World and Indigenous People.

I. INTRODUCTION

Fourth World Approaches to International Law (FWAIL) is a relatively recent theoretical framework that seeks to challenge mainstream international law, which is largely focused on the relations between states and international organizations. FWAIL aims to give voice and agency to marginalized groups and communities, particularly those who are not recognized as sovereign states, but who are still subject to international law. The term "Fourth World" refers to groups such as Indigenous peoples, minority communities, and other marginalized groups that are not considered part of the traditional first, second, or third world categories. FWAIL seeks to address the historical and ongoing injustices that these groups have experienced, and to create a more inclusive and just international legal system.

Some of the key ideas associated with FWAIL include the recognition of the diversity of legal systems and the importance of understanding and respecting the perspectives and values of non-state actors. FWAIL scholars also emphasize the need to address the power imbalances that exist in the current international legal system, and to give greater consideration to the social, cultural, and economic factors that shape the experiences of marginalized groups. While FWAIL is still a relatively new and evolving theoretical framework, it has already had a

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significant impact on the field of international law, particularly in terms of highlighting the importance of considering the perspectives and experiences of non-state actors. As the international legal system continues to evolve, it is likely that FWAIL will continue to play an important role in shaping debates and discussions around issues of justice, equality, and human rights. The concepts of the First, Second, and Third Worlds were originally developed during the Cold War era to describe the geopolitical divisions between the capitalist Western countries, the communist Eastern bloc, and the non-aligned countries of the Global South, respectively. However, the meaning of these terms has evolved over time, and scholars have offered a range of perspectives on the interplay between these three worlds. Some scholars argue that the First World has historically dominated the Second and Third Worlds, both economically and politically. This domination has led to exploitation and inequality, with the First World benefiting from the resources and labor of the other two worlds. From this perspective, the relationship between the worlds is characterized by a power imbalance and a history of colonialism and imperialism. Others argue that the distinctions between the worlds have become increasingly blurred in recent years, with the rise of emerging economies in the Global South and the decline of Western dominance. Some scholars suggest that the world is now characterized by a multipolar system, with power and influence more widely distributed across the globe.

II. CHALLENGING THE STATUS QUO

More than 370 million people in more than 70 countries are called "Indigenous and tribal peoples (*"Fourth World"*). [2] Indigenous and tribal peoples are frequently referred to by national labels such as native peoples, aboriginal peoples, first nations, Adivasi, janajati, hunter-gatherers, or hill tribes.[3] ILO Convention refers to both "indigenous and tribal peoples" and accords the same rights to them.[4] For instance, several afro-descendent cultures in Latin America have been referred to as "tribal."[5] Indigenous and tribal peoples are not universally defined. However, ILO Convention No. 169 adopts a pragmatic stance and offers objective and subjective criteria for recognising the people in question.[6] In the case of the Indigenous Group of People, A person who identifies as a member of an indigenous group is the subjective

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[2] Who are the indigenous and tribal peoples?, (2016), http://www.ilo.org/global/topics/indigenous-tribal/WCMS_503321/lang--en/index.htm (last visited Nov 10, 2022).
[3] klaus kästle-nationsonline.org, 'First, Second, and Third World Countries - Nations Online Project' <https://www.nationsonline.org/oneworld/third_world_countries.htm> accessed 7 February 2023.
[4] Momaday, N. Scott. House Made of Dawn. New York: Harper & Row, 1968. Print.
[5] Ken Coates Mitchell Terry, 'The Rise of the Fourth World' (*Centre for International Governance Innovation*) <https://www.cigionline.org/articles/rise-fourth-world/> accessed 7 February 2023.
[6] Id.

criterion.[7] In contrast, in an objective standard, a person's lineage returns to the people who lived there at the time of the state's founding, colonisation, or conquest. In addition, despite their legal position, they continue to have their own social, economic, cultural, and political institutions.[8] Whereas in the case of tribal people, in the subjective criterion, a person who identifies oneself as a member of a tribe and on the other hand, in the objective criteria, compared to other groups within the national society, they have unique social, cultural, and economic circumstances.[9] They have their conventions, traditions, specific laws, and regulations that either entirely or partially govern their status.[10] During the cold war, each nation was categorised as belonging to a specific sort of which under the following headings; The term "First World" was used to refer to states that supported NATO and capitalism, "Second World" to represent those that backed communism and the Soviet Union, and "Third World" to indicate countries that were not actively supporting either side.[11] These nations included the destitute former colonies of Europe and every country in Asia, Latin America, the Middle East, and Africa. Later, the phrase "Fourth World" was coined when the Third World developed to represent regions and people with meagre per capita incomes and sparse natural resources.[12] During the 1970s, Mbuto Milando (Diplomat and the first Secretary of Tanzania High Commission) in Canada and George Manuel, Chief of the National Indian Brotherhood, are credited with coining the phrase "Fourth World" for the first time in Canada (now the Assembly of First Nations).[13]

The Fourth World will exist when indigenous peoples "come into their own cultures and traditions," according to Milando.[14] The citizens of the countries in the Fourth World were marginalised groups. As an illustration, though completely self-sufficient, Aboriginal tribes in South America or Australia do not engage in the global economy.[15] From a global perspective, these tribes were regarded as Fourth World states despite being able to function without any outside support.[16]

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[7] The Way to Rainy Mountain. Albuquerque: University of New Mexico Press, 2010. Print.
[8] 'Fourth World Conference on Women, Beijing 1995' <https://www.un.org/womenwatch/daw/beijing/> accessed 7 February 2023.
[9] Alexie, Sherman. Indian Killer. New York: Atlantic Monthly Press, 2016. Print.
[10] Allen, Chadwick. Blood Narrative: Indigenous Identity in American Indian and Maori Literary and Activist Texts. Durham: Duke University Press, 2002. Print
[11] The Bears Folk Tale in When the Legends Die and House Made of Dawn. Western American Literature 12 (2019): 275-87. Print.
[12] 'What Is the Fourth World? - India CSR' <https://indiacsr.in/what-is-the-fourth-world/> accessed 7 February 2023.
[13] Anthony J. Hall & Tony Hall, The American Empire and the Fourth World 239 (2003).
[14] Id. at 240.
[15] Brotherston, Gordon. Book of the Fourth World: Reading the Native Americas through Their Literature. New York: Cambridge University Press, 2012. Print.
[16] Warrior, Robert Allen.Tribal Secrets: Recovering American Indian Intellectual Traditions. Minneapolis:

III. The interplay between the first, second, and third worlds – scholars' perspectives

The Second World and Third World are interwoven with one another, and the First World views this as a form of prebendalism. Third-Worldism fights against the legalised dominance of international law and rejects the idea of a One-World Order in which the Third World is assimilated. He further argues that once understood, the distinction between emancipation and liberation may be used to distinguish between legitimate scholarship from the Third World and the First World's dominant muddled narratives. He also promotes the idea of a Fourth World that differs from the Third World and tries to create a form of people's law that is unique from the current state of state law.[17]

Ronald Dworkin[18] opposes the current system of a legitimising regime based on consent in his essay, A New Philosophy for International Law, and instead advocates for a system based on the concept of consensus. He grounds his arguments on the idea of his morality, which is based on the premise that every state has a responsibility to advance not just its own political legitimacy but also the legitimacy of the entire international order. From this theory, he developed the Salience Principle, which takes his consensus-building strategy to a worldwide level and suggests that some international ideas will gain more legitimacy and acceptance if they are widely adopted and put into practice. He gives a hypothetical futuristic proposal with a four-pronged decision-making system to assure his idea of consensus as well as an ideal type that exemplifies his thesis and provides a variation of the prisoner's dilemma to demonstrate it.

On the other hand, Professor Upendra Baxi,[19] explores what the Third World could anticipate from international law in his study examines the current structures via a post-structuralist Third World lens and, in addition to the title question, poses several significant queries. Who built the Third World and Who belongs to it are the main concerns. It criticises the West and the Eurocentric Westphalian governments that make up the First World for imposing their narratives and interpretations of International Law on the Third World by focusing on the Third World as being more than just economic status.

The First World attributes a kind of prebendalism to the Second World and the Third World since they are intertwined with one another. Third-Worldism rejects the idea of a One-World

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University of Minnesota Press, 2015. Print.

[17] George Manuel, Michael Posluns and Vine Deloria, *The Fourth World: An Indian Reality* (University of Minnesota Press 1974) 41 <https://www.jstor.org/stable/10.5749/j.ctvf34hsb> accessed 7 February 2023.

[18] Ronald Dworkin, *A New Philosophy for International Law*, 41 Philosophy & Public Affairs, 2-30, (2013).

[19] Upendra Baxi, What May the 'Third World' Expect from International Law?, 27 (5) Third World Quarterly, 713 – 725, (2006).

Order, in which the Third World is absorbed, and seeks to overthrow the legalised dominion of international law. Additionally, he contends that once grasped, the difference between emancipation and liberation may be used to discriminate between genuine scholarship from the Third World and the First World's hegemonic jumbled narratives. In addition, he advances the notion of a Fourth World as distinct from the Third World and works to develop a peoples' law that differs from the current condition of the law of the states.[20]

Dworkin is does not dispute with the Westphalian system as a whole, but his arguments have frequently been criticised from the perspective of the Third World. Although he rejects the consent-based legitimation approach, he emphasises the legitimacy component through his novel Salience Principle and consensus model. This is completely at odds with Baxi's vision of the perfect global community. In his paper What is TWAIL?, Makau Mutua delves into the Third World Scholarship and claims that the international law that is dominated by eurocentrism is "... a regime and rhetoric of domination and subordination, not resistance and liberation."[21]

A Eurocentric perspective silences and marginalises the voices of Third World citizens, whose daily injustices make up the Third World. Dworkin's core tenets, Duty to Mitigate and Principle of Salience, are both derived from his fundamental moral philosophy. He asserts that it is the moral responsibility of all States to advance international law, although this notion is founded on a profoundly Eurocentric understanding of morality.[22]

Baxi sums up the issue with Dworkin's conception of morality perfectly when he describes the First World as a "... vehicle, vessel, and countenance of world control." In the imperialistic age, the first world had colonised the Third World, and as Antony Anghie has argued, this colonisation is what gave rise to contemporary international law. In fact, any TWAIL scholarship, in Matua's opinion, must be oriented against international law itself. Dworkin is not actually proposing anything "new" when he tries to add a new philosophy to the framework of international law that already exists.[23]

Since there is more room for majoritarianism, the Third World movement will actually suffer if consent is simply substituted for agreement. Although it may be claimed that because the Third World States are the most numerous, this should give them more power, the author thinks that

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[20] Rudolph Ryser, Dina Gilio-Whitaker and HG Bruce, 'Fourth World Theory and Methods of Inquiry', *Handbook of Research on Theoretical Perspectives on Indigenous Knowledge Systems in Developing Countries* (2016).
[21] George Manuel and Michael Posluns, 'The Indian World and the Fourth World' (1974) 67 Current History 263.
[22] Makau Mutua & Antony Anghie, *What is TWAIL?,* 94 Proceedings of the Annual Meeting (American Society of International Law), 31 – 40, (2000).
[23] Martin Edwin Andersen, 'Chiapas, Indigenous Rights, and the Coming Fourth World Revolution' (1994) 14 SAIS Review 141, 23.

the intense control the First World wields over the Third World will prevent the Third World States from banding together and will continue the oppression. His arguments for the Principle of Salience and consensus disintegrate once the notion of Dworkin's morality based on the obligation owed by States to one another is disproved.[24]

The ideal type and other postulates of Dworkin are based on his idea that the United Nations would be a perfect base for the implementation of his consensus model, but the UN as he envisioned it is very unlikely to ever materialise if viewed realistically. This is despite the problem of Eurocentric morality. The simple act of casting a vote in the General Assembly is merely a token representation; the actual lived experiences of the Third World's marginalised voices must be heard.[25]

The Third World was never fully freed from colonial rule, as B. S. Chimni discusses in his study.[26] Despite being given the opportunity to join a group that is essentially Eurocentric, Third World countries are never given the freedom to cast their votes however they see fit.[27] The Third World nations are labelled as "developing," which renders them dependent on the First World due to sanctions, economic pressure, and other international issues. Dworkin concedes that the UN is biassed in favour of the First World in its current form, but his suggested ideal type model leaves the First World in control of economics and, consequently, decision-making.

IV. THE FOURTH WORLD FROM THE LENS OF THE LAW

The Fourth World is "comprising those native peoples whose lands and cultures have been engulfed by the nations of the First, Second and Third Worlds. The term 'IV World is coming into general academic use. However, unlike its precursor, the III World, it has not yet reached a level of public understanding in either North America or Europe. The emergence of concept of the IV World has arisen from:

a) A need for social scientists to generalise about the processes and characteristics of a particular socio-political category of people and

b) From the growing worldwide consciousness among the leaders of the very peoples to whom the term applies who, like members of the III World, wish to form cross-national

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[24] Thomas Bustamante, *Revisiting Dworkin's Philosophy of International Law: Could the Hedgehog Have Done It Any Other Way*, 30 CANADIAN JOURNAL OF LAW & JURISPRUDENCE, 259 - 286, (2017).

[25] Hiroshi Fukurai, 'Fourth World Approaches to International Law (FWAIL) and Asia's Indigenous Struggles and Quests for Recognition under International Law' (2018) 5 Asian Journal of Law and Society 221, 15.

[26] B S Chimni, *The Past, Present and Future of International Law: A critical Third World Approach,* 8(2) MELBOURNE JOURNAL OF INTERNATIONAL LAW, 499, (2017).

[27] B S Chimni, *Third World Approaches to International Law: A Manifesto*, 8 INTERNATIONAL COMMUNITY LAW REVIEW, 3-27, (2006).

alliances and to demarcate themselves by a term encapsulating their unique predicaments.

Fourth-World problems are still not discussed in great detail regarding the discipline's philosophical underpinnings. Among the many meanings which have so far been attached to the IV World, the features of minority status and relative powerlessness are standard. In addition, for the term to be precise enough to be helpful, (the term III World is now so misused as to be relatively useless for social scientists. Indigenous peoples in the Fourth World typically have a unique spiritual, cultural, and historical connection to their traditional lands, which are often tied to their traditional practices, beliefs, and ways of life. This connection to the land is often central to their identity and worldview. In addition to their connection to the land, indigenous peoples in the Fourth World are often distinguished by their emically perceived "ethnie" difference from the majority population of the country in which they live. This may involve distinct languages, customs, and beliefs that set them apart from the dominant culture.

From a legal perspective, the Fourth World is not officially recognized as a distinct category under international law. However, there are a number of legal frameworks that apply to indigenous peoples and communities that can be relevant to the Fourth World. One of the most important legal instruments for indigenous peoples is the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which was adopted by the United Nations General Assembly in 2007. UNDRIP recognizes the collective rights of indigenous peoples to self-determination, land, culture, and language, among other things. Other important legal frameworks for indigenous peoples include the International Labour Organization Convention No. 169 on Indigenous and Tribal Peoples, which sets out minimum standards for the protection and participation of indigenous peoples in decision-making processes, and the African Charter on Human and Peoples' Rights, which includes provisions protecting the rights of indigenous peoples in Africa. Despite these legal frameworks, indigenous peoples and communities continue to face significant challenges in accessing justice and protecting their rights. Many countries have failed to implement these legal instruments, or have implemented them in ways that do not adequately protect the rights of indigenous peoples.

In order to address the challenges faced by the Fourth World, it is important for governments and international organizations to work with indigenous peoples and communities to ensure that their voices are heard and their rights are protected. This may involve implementing legal frameworks, providing access to justice, and promoting dialogue and collaboration between indigenous peoples and other stakeholders.

Therefore, The Fourth World aids in comprehending subjectivity structures about thinking and feeling, enabling more profound and more in-depth excavations crucial to the analysis of postcolonial studies. In the context of global formations, as they pertain to Latin America, the United States has inherited a privileged position as a new custodian of intellectual production, particularly the legacy of the protectorate of particular economic and cultural structures that are not always consistent with the formative experiences that shape the coalesced modernities that are lived.

V. EPILOGUE

Fourth World Approaches to International Law (FWAIL) is a theoretical framework that seeks to critique and expand traditional approaches to international law. This approach takes into account the experiences and perspectives of indigenous peoples and other marginalized groups that are often excluded or marginalized by dominant international legal regimes.

The term "Fourth World" refers to peoples and communities who are not recognized as states and who do not have the same political power and sovereignty as nation-states. These include indigenous peoples, minority groups, and others who have been historically oppressed and excluded. FWAIL seeks to challenge the assumptions and biases of traditional international law, which often reflects the interests and values of powerful states and institutions. It calls for a more inclusive and pluralistic approach to international law that takes into account the diverse perspectives and experiences of different communities and cultures. One of the key contributions of FWAIL is its emphasis on the importance of self-determination and cultural autonomy. It recognizes the right of indigenous peoples and other marginalized groups to maintain their distinct cultures, languages, and ways of life, and to have a say in decisions that affect their lives and communities. FWAIL also highlights the ways in which international law has been used to justify colonialism, imperialism, and other forms of domination and exploitation. It calls for a more critical and reflective approach to international law that takes into account the historical legacies of colonialism and the ongoing struggles of marginalized groups for justice and equality. The Fourth World has existed for as long as the first, second, and third worlds, but it has never found a place in popular or conventional literature. It was a discovery rather than the creation of a brand-new world. The Fourth World is for all of the world's underprivileged and successful groups; literature instils new hope. It is a protest against a long-standing, deeply ingrained social attitude toward the needy of the Fourth World rather than a challenge to the third or first world. The Fourth World includes Muslims, Dalits, American Indians, Australian Aborigines, and others. The ongoing efforts of indigenous

representatives have led to the development of the Fourth World consciousness.

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Article

Fourth World Theory: The Evolution of . . .

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Abstract: Fourth World theory is a methodology for examining and developing greater understanding of the extent of the distress and abandonment commonly found in the cores of American cities resulting from de-industrialization, historic segregation and discrimination patterns, suburban sprawl, erosion of a viable tax base, racism, inability to embrace the concept of desegregation and civil rights legislation, fear, despair, crumbling infrastructure systems, disinvestment in urban school systems, and environmental justice issues. This article uses the analytical lens of Fourth World theory to examine how such structural and cultural forces contributed to the severely distressed conditions now found in the city of Gary, Indiana. Tracking its one-hundred-year history, from its founding as an industrial town through its post-industrial decline occurring during the city's first African-American mayor's five terms in office, the methodology clearly demonstrates how the social construction of race has systematically undermined every aspect of Gary's overall quality of life. To illustrate that this city is not an anomaly but rather reflects a typical pattern of disparity and uneven development arising from racist practices, Gary is compared to other cities of similar size and also to the much larger Detroit. The article triangulates academic literature, news media archives, and an oral history provided by the mayor to show how Gary evolved from being a model industrial city to a cauldron of racial disparity. The paper concludes by arguing that continued absence of reflection on the nation's historical racialization of place threatens not just impoverished communities of color, but also the sustainability of the entire nation.

Keywords: social justice; segregation; place-based inequality; socially conscious design; community assets

1. Introduction

Arguably, the United States continues to be the wealthiest and most powerful nation on earth; yet, little attention is paid to the scale and magnitude of its poverty and degradation. The term "sustainability" is currently at the forefront of academic and popular discourse as part of a larger global imperative to reduce the effect of development on the natural environment. However, this is inconsequential when historic discrimination and segregation patterns and chronic societal ills dictate continued sprawling development practices, which I argue is the case in the city of Gary, Indiana. In this article, I will use Fourth World theory to examine and develop greater understanding of the current state of affairs. It will explore and apply research from sociological publications, African-American studies and urban studies sources, writings containing discourse on the brief history of the city, and oral histories of Gary residents, including an interview with five-term Gary former mayor, Richard Gordon Hatcher.

Gary, Indiana is located on the southern tip of Lake Michigan in the northwest corner of Indiana, approximately thirty-five miles from the central business district of Chicago. Named in honor of its Chairman of the Board, the city was founded in 1906 by the United States Steel Corporation and was established to house workers and families for its massive factory. Initially, Gary was populated primarily by the skilled and unskilled construction workers hired to build the plant and the community. Many of the workers were transient in nature and the population had a relatively high turnover rate. However, a significant percentage of the construction workforce remained in Gary to work for U.S. Steel in the mill. On 1 June 1906, the population was 334; by 1 January 1907, it was 5550; by 1 January 1908, it was about 8000; and by 23 November 1908, it was 10,246 [1]. Throughout the twentieth century, this single-industry town's growth paralleled the expansion and contraction of U.S. Steel's operations. The population of Gary peaked at nearly 200,000 during the 1960s; however, two simultaneous developments occurred in the city that led to its devolution into what can be classified as a Fourth World city. Massive and unprecedented race- and class-based flight combined with the national out-migration of steel production resulted in a rapid population decline and institutional abandonment. The decline and disappearance of work also undermined the overall social organization of the city. Currently, Gary, Indiana is a struggling post-industrial community with a population of less than 80,000. The city was recently designated by the Obama administration as one of seven severely distressed cities that will take part in the federally sponsored "Strong Cities, Strong Communities" initiative designed to reverse the course of socioeconomic decline.

Previous scholarship has explored the establishment and development of Gary particularly with respect to capital, labor, and industry. Also discussed has been the political environment at the time of Hatcher's election in 1967, as well as his tenure as mayor during a period of rapid and unprecedented decline and abandonment. Nevertheless, with the exception of recent publications, including citations herein, these issues have been discussed in relative isolation and within the limited scope of specific disciplines or modes of scholarship. Fourth World theory attempts to synthesize these issues, placing the social construction of race at its core and drawing upon the field of critical geography, which is concerned with understanding place-based inequality and injustice.

Critical geographer Bobby M. Wilson discusses W.E.B. Du Bois's position on the danger of applying class politics without "modification of thought" [2] to the unique American circumstance. He states that:

"We must situate race, not only in a historical context, but also in a historical geographical context. We must expose the skeletons of places and plant the flesh of black experiences on those bones as well. Social practices are not only historically specific but geographically or place-specific, even in the age of globalization" [3].

In the United States, the general reluctance to confront the social construction of race undermines productive dialog with respect to systemic patterns of sprawl, abandonment, the disappearance of work, and the resulting devastating socioeconomic and ecological consequences. As a nation founded under a legacy of genocidal, racist, and sexist ordering systems, the United States still exhibits overwhelming evidence of multitudinous oppressive practices manifested through blatant disparity and uneven development patterns, both domestically and internationally, which are solely responsible for the abovementioned positions of power and wealth. Fourth World theory argues that the absence of critical reflection by policymakers and the general populous places the nation in serious jeopardy of self-induced, ultimate, and imminent collapse under the weight of its own history.

In this account, my investigation will engage in "triangulating" sociological, geographical, and historical literature with archival sources and oral history as a means to minimize my intrinsic biases and strengthen my arguments. The cited works support my analysis of the principal forces leading to the institutional abandonment of Gary in the context of its one-hundred-year history as well as how, from the beginning, the aforementioned social construction of race has been at the heart of a particularly acute physical, political, socioeconomical and institutional upheaval (Figure 1).

Figure 1. Gary Methodist Church Sanctuary in Gary, Indiana (Photo courtesy of Ball State University undergraduate architecture student Shannon Buchanan).

2. Scholarship on Race and Urban Decline

The late Manning Marable's prophetic 2000 book, *How Capitalism Underdeveloped Black America: Problems in Race, Political Economy, and Society*, forecasted continued erosion of the non-skilled labor force, the expansion of the prison industrial complex or what Michelle Alexander identifies as *The New Jim Crow*. Marable explores the development of a permanent underclass or sub-proletariat in American inner cities and the prevalence of crime, violence, and physical deterioration within a 1980s, pre-crack epidemic, Fourth World environment.

How Capitalism Underdeveloped Black America begins by historicizing the factors that have led to what he referred to as "the crisis of the black working class." Relying heavily on the positions of W.E.B. Du Bois to lend credibility to his central argument, Marable discusses agricultural labor and capital during the institution of slavery and the transition to and exclusion from industrial labor and capital after emancipation, during the twentieth century. He notes that the "only period when black employment approached 100% was during slavery; since the end of World War II, the numbers of black unemployed have soared" [4].

Marable discusses the history and benefits in addition to the ills of black involvement in organized labor and how, despite blatant wage discrimination patterns and limited access to capital through wages for some (black proletarians) capitalism has been advanced and subsequently contributed to increased class stratification within the black community. He cites numerous examples of how, at all levels, access to capital creates an individualistic social structure as the needs of the few outweigh the needs of the many. Some use the metaphor of "crabs in a bucket" to describe this phenomenon in certain sectors of African-American society. With respect to Gary, Marable's theories may shed light on how black flight, which promptly and, under such a capitalist structure, naturally followed white flight, has only reinforced uneven development patterns coupled with the social, economic, and institutional abandonment described herein. This historical discourse is essential to Fourth World theory, for it provides a late twentieth-century framework to the late nineteenth and early twentieth-century work of Du Bois, the historical explorations of Stephen Paul O'Hara, as well as the writings of urban sociologist William Julius Wilson and urban historian Thomas Sugrue.

The permanent reserve army of black workers, sub-proletarians or the "underclass," is the latest social culmination of the process of black ghettoization, economic exploitation and urban decay. In one sense, this army represents the highest stage of black underdevelopment, because it eliminates the possibility for millions of blacks to belong to working class organizations. The social institutions created by working class blacks to preserve a sense of collective humanity, culture and decency within the narrow confines of the inner city are eroded and eventually overturned. Sub-proletarianization and the extension of permanent penury to broad segments of the black majority provoke the disruption of black families, increase the number of black-on-black murders, rapes, suicides and assaults, and make terror a way of life for all blacks of every class background who live in or near the inner city.

In the chapter, *The Black Poor: Highest Stage of Underdevelopment*, Marable describes in part, what I have eventually come to refer to as Fourth World conditions, but in a late 1970s early 1980s context. The text begins and ends by describing severe physical, social, and economic distress, supported by disturbing statistics and facts, germane to inner-city communities within and in sharp contrast to the unprecedentedly high and remarkable standard of living conditions of the United States. Passages

describing some of the "worst urban slums in the world: dilapidated shanties that are mirror images of eighteenth and nineteenth century slave quarters" or "rat-infested, crime-filled squalor," are written in a manner which may suggest that Fourth World theory research and writings will merely serve as an update to Marable's book. The principal challenge of Fourth World theory, however, will be to develop an argument which suggests that the scale and magnitude of the institutional abandonment of inner-city communities in the United States is costly, not only to African Americans and other disadvantaged residents of institutionally abandoned inner city communities, but also to all Americans.

Fourth World theory references the works of Du Bois, Drake, Marable, Sugrue, Wilson (Bobby and William Julius), O'Hara, Harvey, Sutton and Kemp, and others in order to support the fact that any meaningful discourse relative to the social, economic, and ecological crises cannot be conducted without formally recognizing and collectively addressing the ever-expanding challenges associated with what Marable identifies as the *sub-proletariat*.

A social class that is neither self-conscious nor acts collectively according to its material interests is not worthy of the name. This general philosophy of the typical ghetto hustler is not collective, but profoundly individualistic. The goal of illegal work is to "make it for oneself," not for others. The means that "making it" comes at the expense of elderly blacks, young black women with children, youths and lower-income families who live at the bottom of the working-class hierarchy. The consciousness of the sub-proletariat is not so much that of a social class, but the sum total of destructive experiences that are conditioned by structural unemployment, the lack of meaningful participation within political or civil society, the dependency fostered by welfare agencies over two or three generations, functional illiteracy and the lack of marketable skills.

Marable cites Stephen Birmingham's publication, *Certain People: America's Black Elite* as he recounts the acute embarrassment of one black upper-class matron from Washington, D.C. at the sight of a young black man donning *Super Fly* pimp-type attire. "'Disgusting', she whispered. 'There is the cause of all of our problems'. Her friend, more perceptive, said, 'No, that is the *result* of all our problems'"

A central focus of sub-proletarian life is fear. Black elderly and handicapped persons are afraid to walk or visit friends in their own neighborhood at night or travel on public transportation because they are convinced (with good reason) that they will be assaulted. Parents who live in inner cities are reluctant to send their children several blocks over to attend school or play outside after dark because they are afraid they might be harmed. Such fear instills a subconscious apathy toward the political and economic hierarchy, and fosters the nihilistic conviction that nothing can ever be changed in the interests of the black masses.

Initially, Fourth World theory relied heavily on the writings, publications, and lectures of urban sociologist William Julius Wilson including *More Than Just Race: Being Black and Poor in the Inner-City*, and Chicago-focused publications such as *There Goes the Neighborhood: Racial, Ethnic, and Class Tensions in Four Chicago Neighborhoods and Their Meaning for America* and his seminal *When Work Disappears: The World of the New Urban Poor*. These publications differentiate and place ever-evolving emphasis on structural and cultural factors as a means to gain understanding of the dynamic societal forces that contribute to racial inequality and severely distressed conditions commonly found in American inner cities.

In his 2010 book, *More Than Just Race: Being Black and Poor in the Inner-City*, Wilson frames structural factors by identifying two types of forces contributing to what is referred to herein as Fourth World conditions resulting from race-based and uneven development patterns, social acts, and social processes. Social acts refer to the behavior of individuals within society. He defines such acts as an individual or group exercising power over others. Examples of such social acts might include stigmatization, stereotyping, and deliberate exclusion from professional or social organizations. Wilson defines social processes as the "'machinery' of society that exists to promote ongoing relations among members of the larger group" [5]. He cites racial profiling, redlining, school tracking, the disappearance of work and deliberate suburbanization of jobs, political actions and historical as well as current voting irregularities at the institutional level, arguing that these processes collectively contribute to a continuum of racial inequality and social stratification. Gary, Indiana is a living and breathing manifestation of these structural systems and conditions.

As with structural factors, Wilson discusses two types of cultural factors that contribute to or reinforce inequality. Prevailing national views and beliefs on race contribute to racism and racist ideologies. Cultural traits that emerge from intergroup interactions, often within restricted spaces resulting in part from historical discrimination and segregation, inevitably influence "shared outlooks, modes of behavior, traditions, belief systems, world view, values, skills, preferences, styles of self-presentation, etiquette, and linguistic patterns . . ." resulting in shared constructions of reality.

Wilson's collective body of work has endured harsh criticisms from many African-American studies scholars, particularly in response to his controversial work, *The Declining Significance of Race: Blacks and Changing American Institutions.* In his 1997 publication, *Yo' Mama's DisFUNKtional: Fighting the Culture Wars in Urban America*, Robin Kelley places Wilson in company with ultraconservative Supreme Court Justice, Clarence Thomas, anti-affirmative action activist Wardell "Ward" Connerly, Dinesh D'Souza, and the late social scientist and senator Daniel Patrick Moynihan whom Kelley implies has been playing the dozens and talking about his mama since 1965.

Kelley challenges Wilson's position that culture mediates structure or the premise that culture develops in response to structural conditions. In his attempt to give voice to urban populations under siege, Kelley argues that culture and community are more than a product of structure in defense of black people's humanity and condemnation of scholars and policymakers for their inability to see the complexity. Kelley suggests that the perspectives of social scientists such as Wilson and perhaps Marable in this regard, and their respective and collective interpretations of culture, have severely impoverished contemporary discourse over the plight of African Americans for decades. He detests the approach of such social scientists for attempting to rationalize culture (a trait that is inherently non-rational), though he recognizes the obligation to measure culture, which compels rigid, conservative, nonthreatening African American social scientists to apply quantitative research methodologies that render simplistic conclusions. Kelley argues that once culture is seen as a static, measurable "thing," it becomes less difficult to, for example, cast African Americans as pathological products of broken families, broken economies, and/or broken communities [6].

Jacob Slifer, one of my Fourth World theory architecture students, discusses Kelley's positions by noting that even the most well-meaning, liberal, and progressive social scientists, seeking to recast impoverished inner-city African Americans as active agents rather than passive victims, reinforce the idea of culture as a monolithic entity. This conception of culture as a monolith fails to promote

understanding of the complexity of a people, and it arises from the reliance of social scientists like Wilson, in Kelley's opinion, on narrowly conceived definitions of culture. In fact, conceptualizing of black urban culture in the singular opens the door for the invention and manipulation of the "underclass" debate. Culture in this regard, is often depicted in spatial terms, having developed as a response to white flight and the relocation of manufacturing jobs to the suburbs.

Few scholars acknowledge that what might also be at stake here are aesthetics, style, and pleasure. Nor do they recognize black urban culture's hybridity and internal differences. Given the common belief that inner-city communities are more isolated than ever before and have completely alien values, the notion that there is one discrete, identifiable black urban culture carries a great deal of weight. By conceiving black urban culture in the singular, interpreters unwittingly reduce their subjects to cardboard topologies who fit neatly into their own definition of the "underclass" and render invisible a wide array of complex cultural forms and practices.

Kelley's analysis has contributed greatly to enabling an interdisciplinary research effort to evolve Fourth World theory from being merely a rudimentary and descriptive notion of a particular, often severely distressed condition of place, to being a more critical investigation of space. Fourth World theory formally acknowledges this space as a unique circumstance: an ever-evolving dimension that is engaged in a perpetual metamorphosis in direct response to the various cultural and structural forces shaping cities throughout the United States of America (Figure 2). In a manner similar to critical race theory, Fourth World theory is a critical investigation of society and culture through an analytical lens and an examination of the historical disparities that have been, and will continue to be, replicated. The structural and cultural forces that have contributed to the severely distressed conditions commonly found in Gary and similar inner-city communities are not the sole ingredient for placing America in serious jeopardy of collapse. On the contrary, it is the ever-increasing disparity and unevenness—the steadily expanding empty space, or what King eloquently described as the "lonely island of poverty in the midst of a vast ocean of material prosperity" [7] that this nation must endeavor to confront.

Figure 2. The Palace Theater Lobby, Gary, Indiana (Photo courtesy of Ball State University undergraduate architecture student Shannon Buchanan).

Norwegian social anthropologist Fredrik Barth's introduction to his 1970 publication *Ethnic Groups and Boundaries: The Social Organization of Culture Difference* contextualizes what I refer to as Fourth World space. He discusses not only the persistence of ethnic groups within society, but the space between such groups and the variations of circumstances that occur when said *units* interact. His title thus includes the term *"culture difference"* in lieu of the conventional notion of *cultural differences.* Barth begins the introduction by being highly critical of the absence of discourse within social anthropology regarding the "constitution of ethnic groups and the nature of boundaries between them". He suggests that this space has been largely avoided by social scientists as some sort of neutral zone within society in which ethnic groups can be compared or analyzed. Barth urges that social anthropology break away from the old world, simplistic and often exotic space—a Gulliver's Travels space, separated by mountains and oceans (what Barth later refers to as "pelagic islands"), a notion of cultures as static, bounded entities, and ethnicity as biologically self-perpetuating. He argues for replacing such analysis with a focus on the interconnectedness and interdependence of ethnic identities. Barth's argument is grounded in two basic principles:

First, it is clear that boundaries persist despite a flow of personnel across them. In other words, categorical ethnic distinctions do not depend on an absence of mobility, contact, and information, but do entail social processes of exclusion and incorporation whereby discrete boundaries are maintained *despite* changing participation and membership in the course of individual life histories. Secondly, one finds that stable, persisting, and often vitally important social relations are maintained across such boundaries, and are frequently based precisely on the dichotomized ethnic statuses. In other words, ethnic distinctions do not depend on an absence of social interactions and acceptance, but are quite to the contrary often the very foundations on which embracing social systems are built [8].

In a chapter entitled *Places as Commodities* of a 1987 publication *Urban Fortunes: The Political Economy of Place*, John Logan and Harvey Motloch explore the manner in which the value of place, which is *precious* and indispensable to its users, is undermined, and becomes no more than a commodity in a capitalist economy. They suggest that place is essential to human beings and that:

"Individuals cannot do without place by substituting another product. This is clearly evident in the current shrinking debacle in Youngstown, Ohio and Detroit, Michigan with respect to the displacement and relocation of residents as a means to re-densify the city. They can, of course, do with less place and less desirable place, but they cannot do without place altogether" [9].

One's relationship to place is both physical and emotional, often with "long-term and multifaceted social and material attachments" [10]. As with most mammals, *homo sapiens* become protective and even violent when their sense of place is disrupted or threatened. Sense of place becomes a collectivistic endeavor when it encompasses one's neighborhood or community.

People who have "bought" into the same neighborhood share a quality of public services (garbage pick-up, police behavior); through these forms of collective stake in the area's future, individuals are not only mutually dependent on what goes on inside a neighborhood (including "compositional effects"), but they are affected by what goes on *outside* it as well. The standing of a neighborhood vis-á-vis other neighborhoods create conditions that its residents experience in common. Each place has a particular political or economic standing vis-á-vis other places that affects the quality of life and opportunities available to those who live within its boundaries.

Spatial segregation based on race, ethnicity and/or class has had tremendous impact on place, particularly in the United States. Wilson discusses this phenomenon extensively in the abovementioned publication, *There Goes the Neighborhood*, as exercised through "voice". Wilson cites economist Albert Hirshman's theory of exit, voice, and loyalty to aid in understanding changes in neighborhoods.

Hirshman argues that when people become dissatisfied with changes in their surroundings, they can exit—move or withdraw from further participation—or they can exercise voice. Hirshman defines voice as any attempt to "change, rather than to escape from" an undesirable situation. The more willing people are to try to exercise voice—that is, to change, correct, or prevent a particular situation—the less likely they are to exit. In situations where both exit and voice options are available, past experience will largely determine whether people overcome their biases in favor of exit, the easier option. The view that a neighborhood is on a path of inexorable change, even when these changes have yet to occur, can trigger an exodus. Indeed, Americans maintain a strong bias toward the exit alternative when confronting ethnic and racial changes [11].

When the economics of capitalism is injected into the formula of race and class stratification of place, as Logan and Motloch's title "Places as Commodities" suggests, the dynamics are exasperated. This is nowhere more apparent than in severely distressed cities such as Gary, Detroit, East St. Louis, Camden, and Flint and in specific neighborhoods within cities throughout the United States including, Chicago, Cleveland, Philadelphia, New Orleans, Los Angles, Oakland, Miami, Baltimore, Houston, and the nation's capital, Washington, D.C. Recent articles regarding Detroit's bankruptcy, its ambitious plan for shrinkage, and the emotional debate of whether to demolish or revitalize blighted neighborhoods are living examples of the critical importance of this discourse.

With respect to the "commodification" of real property, whether commercial or residential, Logan and Motloch outline three general observations about capitalists' attachment to place, the first being that capitalists' primary interest is driven by profitability and how real estate functions in this capacity, often at the expense of residents. Secondly, capitalists have the capacity to promptly abandon property while residents are burdened by emotional, physical, and financial attachment to place. Finally, residents are impacted to greater degree by place than capitalists, particularly with respect to adverse environmental conditions. Inner cities are inundated with environmentally hazardous sites that capitalists have abandoned, while disadvantaged residents remain to suffer the consequences of capitalist values.

In *Spaces of Capital: Toward a Critical Geography*, David Harvey summarizes his "militant particularism" thesis; its premise is that all politics, whether local, urban, regional, national, or global in focus, have their origins in the collective development of a particular political vision on the part of particular persons in particular places at particular times. The interests of these grassroots politics often become constrained and unremarkable with respect to social change due individual interests, thus undermining the cause. He paints a rather bleak picture by demonstrating the ineffectiveness of activism and collectivism within a culture of individualism. Harvey states the following which, in my opinion, parallels the Fourth World position:

"Such collective movements preclude rather than promote the search for alternatives (no matter how ecologically wise or socially just). They tend to preserve the existing system, even as they deepen its internal contradictions, ecologically, politically, and economically. For example, suburban

separatism in the U.S.—based upon class and racial antagonism—increases car dependency, generates greenhouse gases, diminishes air quality and encourages the profligate use of land, fossil fuels and other agricultural and mineral resources" [12].

Harvey further discusses the uneven geographical development of capitalism be arguing that for the wealthy, "community" often means securing and enhancing privileges already gained. For the marginalized, it all too often means "controlling their own slum". Inequalities multiply rather than diminish. What appears to be a just procedure, produces unjust consequences (a manifestation of the old adage that there is nothing more unequal than the equal treatment of unequals).

This statement validates my position that America's inability to confront class and race matters in a meaningful social, physical, political, and economic manner will ultimately result in the collapse of the union (Figure 3). There are not enough resources on earth to accommodate America's propensity, as President Obama [13] stated in a somewhat different context, during his first State of the Union address of his first term, "to run for the hills".

Figure 3. Single-Family Home designed by architect, Frank Lloyd Wright, Gary, Indiana House has been demolished (Photo courtesy of Ball State University Graduate architecture student Mickel Darmawan).

3. Fourth World: The Term

As discussed in my 2010 article entitled *Introduction to the Fourth World* [14], I initially presumed that I had coined the term "Fourth World" to analyze and describe the conditions of severe physical and social distress commonly found in inner cities throughout the United States. My research revealed that the term had already been used by social scientists, hip hop artists, and activists to describe the conditions of various nation-less states within larger nations, underdeveloped nations, and/or oppressed or underprivileged victims of a state, as well as the lack of informational capital, poverty,

and social exclusion resulting in part from rapid technological advances and the digital divide. The album, *New Amerikahn Part One (4th World War)*, by Grammy Award-winning singer, songwriter, hip hop and neo soul artist, actress, and activist Erykah Abi Wright explores inner-city struggles and subjects including institutional discrimination and abandonment, drugs and senseless violence, the abuse of power, apathy, and nihilism. Wright, better known by her stage name Erykah Badu, but also known as Lowdown Loretta Brown, Analog Girl in a Digital Word, or Medulla Oblongata, produced an esoteric sociopolitical album focusing on urban decay, disenfranchisement, and the unfulfilled promises of the American Dream. The cynically constructed opening track, *Amerikahn Promise*, questions the tenants of American Exceptionalism through overt political satire with themes of disfranchisement overlaid with a circus barker-style voice presenting and promising unlimited and unrestricted material access. As with Sun Ra, Nina Simone, Curtis Mayfield, Marvin Gaye, Gil Scott-Heron, Tracy Chapman, Public Enemy, Arrested Development, Meshell Ndegeocello, and comparable artists, Badu's collective body of work serves as a form of activism from a Fourth World theory perspective.

Urban planning, urban sociology, and communications scholar Manuel Castells, credited independently of George Manuel and Joseph Wresinski for coining the term "Fourth World," has written extensively on the rise of inequality, polarization, poverty, misery, and social exclusion throughout the world and their respective relationships to production and relative quality of life. His discourse has generally been geared toward examining uneven development patterns between advanced, developing, and underdeveloped countries. However, in more recent publications, Castells has, to a greater degree, directed his focus toward the United States and its increasing tendency toward social, geographic, and material exclusion of certain segments of the population from formal labor markets and network society. In *The Global Transformations Reader: An Introduction to the Globalization Debate*, Castells explores the "considerable disparity in the evolution of intra-country inequality in different areas of the world" and how this disparity has increased, particularly in the United States. He argues that the "acceleration of uneven development, and the simultaneous inclusion and exclusion of people in the growth process, which he considers to be a feature of informational capitalism, translates into polarization, and the spread of misery among a growing number of people" [15].

It is critically important at this juncture to analyze Castells's definition of the term "misery" in the context of accumulation of wealth (income and assets) by different individuals and social groups within a particular geographic domain which creates "inequality".

Polarization is a specific process of inequality that occurs when both the top and bottom of the scale of wealth distribution grow faster than the middle, thus shrinking the middle, and sharpening the social differences between two extreme segments of the population. *Poverty* is an institutionally defined norm concerning a level of resources below which is not possible to reach the living standards considered to be the minimum norm in a given society at a given time (usually, a level of income per a given number of members of household, as defined by governments or authoritative institutions). *Misery*, a term I propose, refers to what social statisticians call "extreme poverty," that is, the bottom of the distribution of income/assets, or what some experts conceptualize as "deprivation", introducing a wider range of social/economic disadvantages [16].

Castells qualifies these terms as statistically relative, culturally defined, and politically manipulated; however, regardless of where the "poverty line" is drawn in the United States, a measurable index of misery is undeniably identifiable in Fourth World cities such as Gary, Detroit, Flint, Camden, and East. St. Louis.

In *The Information Age: Economy, Society and Culture: Volume III—End of Millennium*, Castells is more deliberate in his expression of concern about the United States. Prior to confronting directly social exclusion issues of the inner city, he argues that despite the fact that the United States is the largest and most technologically advanced economy in the world, it has displayed a substantial increase in social inequality, polarization, poverty, and misery over the past two decades (1980s and 1990s). He cites America as a "highly specific society, with a historical pattern of racial discrimination, with a peculiar urban form—the inner city—and with a deep-rooted, ideological and political reluctance to government regulation, and to the welfare state". He warns that the patterns of inequality so blatantly present in the United States, with increased polarization between the upper and lower levels of society, are likely to continue to expand throughout the world, based on the American model and American ideologies. In attempting to identify the root causes for increasing inequality, polarization, poverty, and misery in the United States, Castells argues that traditional interpretations, from orthodox neoclassical or Marxist perspectives, do not seem to account for the scale, degree, and magnitude of the rapid expansion of Fourth World conditions. He challenges the orthodox view of capitalist exploitation by questioning "why capitalism in the 1990s generates more inequality than in the 1950s or the 1960s, and why the lowest producers of value, the unskilled workers, are those that have experienced the steepest decline in their real wages" [17]. Ultimately, Castells attributes the growth of inequality and poverty in the United States to four interrelated processes, including (a) deindustrialization, arising from globalization of industrial production, labor, and markets; (b) individualization and networking of the labor process, induced by the explosion of information; (c) incorporation of women into the information economy, under conditions of patriarchal discrimination, and (d) the crisis of the patriarchal family.

To these processes, Castells adds that the sociopolitical factors ensuring domination of unrestricted market forces accentuate the logic of inequality. The growth of the disparity has been generally unaffected by the severe recession of 2008 to 2012. Thus, the phenomenon resulting from these processes has continued to expand through the first decades of the new millennium and is consistent with the tenants of Fourth World theory.

The late, Shuswap chief George Manuel is often credited for first introducing the term "Fourth World" in his 1974 publication, *The Fourth World: An Indian Reality*. Prior to writing the book, Manuel developed the position that there is no place on earth that people can live without either asserting their own political independence against the European nations or attaching themselves to a European nation (or nation deriving its government from that tradition) [18]. Upon contemplating the systemic political and socioeconomic disparities existing among indigenous peoples, *Manuel's Fourth World*, was in essence, a call to action, independence, and nationalism particularly for First Nations peoples of Canada in response to immeasurable injustices experienced through European expansionism, domination, colonialism, imperialism, and genocidal actions. This discourse continues interdependently through the *Fourth World Rising* movement with various forms of activism and a series of publications including, *Grave Injustice: The American Indian Reparation Movement and*

NAFPRA, Alejandro Tsakimp: A Shuar Healer in the Margins of History, and *The Problem of Justice: Tradition and Law in the Coast Salish World.*

Over time, prejudices and misconceptions regarding the terms "aboriginal" and "indigenous" abound, including an exclusive association with Native Americans. Under forms of subjugation, many indigenous nations in Europe, the nation states of the former Soviet Union, the Middle and Far East, Africa, and Australia, "such as Whales, Catalonia, Brittany, Flanders, Bavaria, Slovakia, Slovenia, Armenia, Georgia, Palestine, Kurdistan, Baluchistan, Tibet, and hundreds more are forgotten or discarded" [19]. Thus, as exposure to the historic and ongoing struggles facing Native American peoples has benefitted by broadening the geopolitical discourse through organizations such as the Center for World Indigenous Studies (CWIS) to encompass indigenous concerns throughout the world, the Fourth World definition has been expanded to be defined as "nations forcefully incorporated into states which maintain a distinct political culture but are not internationally recognized" [10].

The CWIS is an independent, nonprofit, research and education organization dedicated to wider understanding and appreciation of the ideas and knowledge of indigenous peoples and the socioeconomic and political realities of Fourth World nations. Within the CWIS dialog, there appears to be a resistance to further expansion of the Fourth World definition. A primary concern may be that encompassing the great challenges confronting ethnic, linguistic, gender, religious, cultural, environmental, and economic matters may undermine its potency and focus, which was originally directed toward the historical expansion of states and the state-nation conflict generated from imperialist exploits. On the other hand, the term has been embraced to designate the poorest, and most underdeveloped states of the world, or to describe any oppressed or underprivileged victim of a state.

Non-Governmental Organizations (NGOs) such as ATD Fourth World have evolved from the expanded definition. ATD Fourth World, founded in France by the late Joseph Wresinski (also credited by some for first introducing the term "Fourth World"), was inspired by his experience as a child of chronic poverty and social exclusion. This NGO, with no religious or political affiliation, engages with individuals and institutions to find solutions to eradicate extreme poverty. Working in partnership with people in poverty, the organization's human rights approach focuses on supporting families and individuals through its grassroots presence and involvement in disadvantaged communities, both urban and rural, creating public awareness of extreme poverty and influencing policies to address it. [20] Wresinski cited poverty as a human rights matter by declaring that: "Whenever men and women are condemned to live in poverty, human rights are violated. To come together to ensure that those rights be respected is our solemn duty" [21].

It is my intention to expand the discourse on the severe physical and socioeconomic distress and abandonment, which is prevalent in cities throughout the United States, to the Fourth World discourse. By acknowledging the prior existence and continued use of the term, the applicability of these urban conditions should be deemed congruent to the original premises established by George Manuel, Manuel Castells, and Joseph Wresinski and the subsequent expansion of the sociopolitical discussion regarding disenfranchised states that maintain a distinct political culture, as well as the designation of the poorest and most underdeveloped states of the world, and the description of any oppressed or underprivileged victim of a state. The degree of isolation of severely distressed communities within larger U.S. metropolitan statistical areas or entire U.S. Fourth World cities such as Gary, Indiana,

Detroit and Flint, Michigan, East St. Louis and Cairo, Illinois, and Camden, New Jersey are consistent with the aforementioned nation state designation summarized herein.

4. Gary and Fourth World Cities

The primary objectives of establishing the Fourth World position are to: (a) explore the institutional abandonment of inner cities throughout the United States; (b) investigate the causes which have led to this massive disinvestment; and (c) attempt to develop a sense of empathy for the citizens who choose or are forced to remain in these environments. Although many urban centers contain districts, sections, or neighborhoods in which such conditions are prevalent, the city of Gary, Indiana, like Detroit, Camden, East St. Louis and Flint, represents a case in which the entire community is in a virtual state of severe distress and is thus classified as a Fourth World city. Gary's historic structural inequalities demonstrate that the city, which was founded on such principles, is apparently incapable of reconciling social stratification based primarily on the construction of race as a vehicle for physical separation and institutional abandonment. A portrait of the city is that of a struggling post-industrial manufacturing and production center overwhelmed with corruption and exceptionally high and violent crime. Therefore, what remains is a uniquely profound form of physical distress and institutional abandonment that is present throughout the entire city proper. A consequence of a renewed fascination with the dilapidated landscape of the city has expanded de-industrialization discourse; however, the conversations are primarily focused on labor, capital, the disappearance of work, and globalization. Comparative research regarding the shrinking cities phenomenon has been institutionalized as evidenced by such newly formed organizations as SCiRN™ (Shrinking Cities International Research Network) [22]; nevertheless, much of the query remains focused on the physical and the economic.

In the spirit of shrinking cities discourse, I conducted a multivariate time series statistical analysis of selected Fourth World cities, examining the scope and magnitude, by percentage, of population gains and losses over the past one hundred years, of severely distressed, post-industrial, institutionally abandoned, racially stratified, shrinking Fourth World cities in the United States. The cities were selected as a result of their general dependence on industry, the disappearance of work resulting from the loss of industry, erosion of social organization and physical infrastructure, and legacy of hyper-segregation with respect to race and class. It was my hypothesis that regardless of population and size of the city, the population gains and losses by percentage would be virtually identical over the past century. The statistical analysis demonstrates that population gains and losses by percentage over the past century among severely distressed, post-industrial Fourth World Cities possess variations that are statistically significant. The results were astonishingly similar and illustrate parallels that coincide with the rise and fall of the industrial sector and globalization combined with ethnic and racial strife (Table 1).

Table 1. Census data for fourth world cities: 1900–2010.

Year	Braddock		Cairo		Camden		Detroit		East St. Louis		Flint		Gary		Youngstown	
	Pop	%	Pop	%	City Pop	%	City Pop	%	City Pop.	%	City Pop	%	City Pop	%	City Pop	%
1900	15,654	82.9	12,566	21.7	75,935	30.2	285,704	38.9	27,734	96.0	13,103	33.7	334 *	n/a *	44,885	35.1
1910	19,357	23.7	14,548	15.8	94,538	24.5	465,755	63.0	58,540	96.9	38,550	194.2	16,802	4930	79,066	76.2
1920	20,879	7.9	15,203	4.5	116,309	23.0	993,678	113.3	66,785	14.1	91,559	137.6	55,378	229.6	132,358	67.4
1930	19,329	−7.4	13,532	−11.0	118,700	2.1	1,568,662	57.9	74,397	11.4	156,492	70.8	100,666	81.8	170,002	28.4
1940	18,326	−5.2	14,407	6.5	117,536	−1.0	1.523,452	−2.9	75.603	1.6	131,534	−3.2	111,719	11.0	167,720	−1.3
1950	16,488	−10.0	12,123	−15.9	124,555	6.0	1,849,568	21.4	82,366	8.9	163,413	7.8	133,911	19.9	168,330	0.4
1960	12,337	−25.2	9.348	−22.9	117,159	−5.9	1,670,144	−9.7	81,728	−0.8	196,940	20.5	178,320	33.2	166,688	−1.0
1970	8,862	−28.2	6,277	−32.9	102,551	−12	1,514,063	−9.3	70,029	−14.3	193,317	−1.8	175,415	−1.6	139,788	−16
1980	5,534	−37.5	5,931	−5.5	84,910	−17	1,203,368	−20.5	55,239	−21.1	159,611	−17.4	144,953	−17.4	155,427	−17
1990	4,682	−16.9	4,846	−18.3	87,492	3.0	1,027,974	−14.5	40,921	−25.9	140,761	−11.8	116,646	−19.5	95,787	−17
2000	2,912	−37.8	3632	−25.1	79,318	−9.3	951,270	−7.5	31,542	−22.9	124,943	−11.2	102,746	−11.9	82,026	−14
2010	2,159	−25.9	2,831	−22.1	77,344	−2.5	713,777	−25.0	27,006	−14.4	102,434	−18.0	80,294	−21.9	66,982	−18

* Gary, Indiana was founded in 1906 Primary Source: *U.S. Decennial Census, U.S. Census Bureau of the US Department of Commerce.*

Although the statistical data among Fourth World cities reveals striking similarities with respect to substantial population gain and loss, it should be noted that quantitative data should not be applied in isolation of qualitative analysis. For example, as a struggling, post-industrial steel town that has lost nearly 70% of its population and has been identified to have the lowest median income by far of any U.S. city with more than 65,000 residents (CNNMoney), Youngstown, Ohio could be considered a statistical outlier with respect to demographics in comparison to the other Fourth World cities identified in the study. It should be noted, however, that each city possesses its own development patterns and historical narratives. Similarities between Youngstown, Gary, and other Fourth World cities can also be observed through a qualitative lens with respect to ethnic strife, resistance and violence, de-industrialization, historic segregation and discrimination patterns, suburban sprawl, erosion of a viable tax base, racism, inability to embrace the concept of desegregation and civil rights legislation, fear, despair, crumbling infrastructure systems, disinvestment in urban school systems, environmental justice issues, and ultimately, institutional abandonment.

Within these cities, and relative to their respective regions, inequalities exist which undermine the expectations of civil society resulting in what Yale sociologist Jeffrey Alexander refers to as "material asymmetry" [23] and obtuse disadvantages among certain individuals of groups. Thus, through a delicate balance of quantitative and qualitative analyses, Fourth World theory should be utilized as a vehicle to conduct inquiry that may better qualify interested parties to visualize a city such as Gary as a microcosm for structural and systemic conditions that undermine productivity, sustainability, and overall quality of life, not only for the city proper, but for their regions, for the United States, and ultimately, for the world.

5. A Tale of Two Fourth World Cities: Gary and Detroit

Regardless of its massive size and scale in comparison to Gary, in some respects, Detroit may possess a greater degree of qualitative and quantitative similarity to Gary than, for example, Youngstown. Nevertheless, Gary remains unique in terms of its founding at the beginning of the twentieth century as a capitalist experiment established by a single company. Like Detroit, however, Gary's development of acute institutionalized ethnic, class, and race-based stratification, and the causes that have led to unprecedented and massive disinvestment, serves as a demonstration of the legacy and continued liability of *race* to the rise and fall, not only of Fourth World cities, but potentially of the entire nation.

In one of my previous writings, *Gary, Indiana: A Critical Geography of a Fourth World City*, I discussed factors leading to the founding of the city including the industrial climate at the turn of the twentieth century, as well as land acquisition by U.S. Steel Corporation and its subsidiary, Gary Land Company. In addition, I examined, in a turn-of-the-century context, the recent memory and fear of labor uprisings in reaction by wage earners to the paternalistic model city program established by the Pullman company in which the houses, infrastructure, and retail establishments were owned by the corporation, and how the fear of similar problems generated corporate reluctance to move forward with the capitalist experiment that ultimately became Gary. Yet, U.S. Steel forged ahead, learned from the rebellion by workers against Pullman, and established a corporate town developed entirely upon capital. Citing David Harvey, I argued that accumulation of capital requires "the creation of a physical

landscape conducive to the organization of production in all of its aspects (including the specialized functions of exchange, banking, administration, planning and coordination, and the like, which typically possess a hierarchical structure and a particular form of spatial rationality)". I provided examples to demonstrate that stratification and hierarchical structures based on race and class were incorporated into the master plan, or perhaps the master's plan, of Gary from its conception, and how said stratification resulted in uneven development patterns and violence. I also discussed how the massive influx of African Americans into the city during The Great Migration and the racially stratified configuration, which had been inherently designed into the city, presented particular challenges to the social order of Gary. Such discriminatory practices woven into the fabric of the city became increasingly threatened by the massive presence of skilled and unskilled African-American industrial workers and their families. Finally, I summarized how it all came tumbling down primarily due to two simultaneous developments: the national out-migration of steel production at U.S. Steel, which ultimately relegated the "Steel City" to what Saskia Sassen refers to as being "peripheralized," and the historic structural inequalities upon which Gary was founded. These developments clearly exhibit that the city undoubtedly has been incapable of reconciling social stratification based primarily on the construction of race as a vehicle for physical separation and institutional abandonment.

My research has drawn heavily from the 2011 publication *Gary, the Most American of All American Cities* by historian and American Studies scholar Stephen Paul O'Hara of Xavier University, a substantive and essential source to this research effort. The publication parallels my preliminary research and writings with respect to the motivations behind the unique establishment and development of the industrial city, and to the impressions of the city from its industrialist founding, its rise and expansion, through its rapid economic, physical, social, and spiritual decline under the simultaneous weight of deindustrialization and flight—which is evidenced by its title.

In discussing the establishment and early history of Gary, O'Hara's analysis is reminiscent of, and often parallels, classic American studies writings of such scholars as Leo Marx and Richard Slotkin with respect to how the frontier myth remained as an essential component of the American social-political landscape and psyche. Upon the 1906 founding of Gary as a capitalist experiment, rapid westward expansion, which had been rationalized by the concept of "Manifest Destiny," had brought closure to the mystique of the frontier and the unknown. The continent had been explored, conquered, and exploited. All battles and wars, both domestically and internationally, had been "won." The founding of U.S. Steel Corporation was, as O'Hara cites, not simply integration or consolidation of functions and capital relocation, but also an opportunity for vast expansion and efficient production resulting in an industrial "order" with no intention of benevolence or social responsibility. O'Hara references Slotkin as he discusses the rhetoric of industrial utopianism and the contradictions of frontier romance, masculinity, savagery, and triumph.

Yet Gary promised much of the same in the first two decades of the twentieth century because it was new and largely unsettled. Young single men streamed in for the economic and entertainment possibilities. Its streets were active, violent, and even bloody. The "Patch", the working-class district south of the Wabash Railroad tracks, was marked by over 200 saloons with names such as the "First and Last Chance", "Jack Johnson's Gambling Joint", and the "Bucket of Blood". This frontier mythology with its focus on youth, opportunity, and violence offered, as Richard Slotkin has argued, a chance for regeneration and renewal. Far from the rest of modernizing America, Gary seemed lawless,

violent, exciting, chaotic, and romantic, all within the shadow of the most modern steel-producing center in the world. But above all, the frontier image of Gary was profoundly male [24].

Thus, Gary serves as a microcosmic exemplar for a capitalist, industrialist and post-industrialist America. Throughout his study, O'Hara engages in meaning making by focusing on the narrative of Gary. In introducing the subject, he suggests that the story of Gary has challenged perceptions and perspectives about capitalism, community, regionalism, and nationalism, as well as the social construction of race in America.

The cultural grid of Gary existed locally in terms of separation of mill and town, regionally in terms of the industrial metropolis of Chicago and its periphery, and nationally in terms of the persistent question of whether Gary represented Americanism or some sort of perversion of Americanism.

Admittedly and perhaps deliberately, O'Hara's study constructs his narrative by privileging the "voices of privilege" perhaps at the expense of the residents who remain committed to and vested in the city. Yet, the privileged voices are carefully and effectively scrutinized throughout the work by critically juxtaposing said perceptions against realities. Written in chronological order, *Gary*, *the Most American of All American Cities*, progresses toward the mid-to-late twentieth century, with O'Hara's discourse initially centered on industrial manipulation of capital and labor, immigration and ethnic strife, and what I refer to as a *Wonka*-esque [25] space with inherently designed physical and social separation between the factory and the city. *Gary* then transitions to becoming increasingly and almost solely centered on the city's virtual hopelessness and inability to reconcile physical, social, and economic spatial mismatches manifested through the social construction or race, resulting in the physical, social, and economic devastation and abandonment that is clearly evident throughout the entire city today. O'Hara explores in his closing chapter "Epitaph for a Model City", the turbulent times of the mid-to-late 1960s and the election of Hatcher.

Race not only became the meta-language of Gary, but also reduced possible declensions of Gary into a single storyline—the moment Gary became a black city. The story of capitalism in Gary had shifted from one of space to one of race. Gary had moved from a model city of industrialism to a cauldron of racial politics.

O'Hara's writings parallel my explorations to the degree that upon initial discovery of the book, I became discouraged; I questioned whether continued research on the subject would or could generate or develop new knowledge and add to the discourse. I was also disheartened to the point of revisiting the term "Fourth World" in light of the aforementioned multiple uses of the term by Manuel, Wresinski, Castells, and Wright (Badu). Nevertheless, and upon meeting with Stephen Paul O'Hara, who offered comforting words of encouragement, I elected to continue this journey through utilization of expanded research methodologies to examine Gary's one-hundred-year history, its ambitious rise to a major industrial center, and its unprecedented decline and institutional abandonment. As Fourth World theory clearly demonstrates, racism layered over de-industrialization is a perfect storm for disaster.

Beyond relative size and scale, profound quantitative and qualitative similarities exist between Gary and Detroit. As evidenced by the statistical data provided, both cities have experienced comparable and substantial population gains and losses (55% and 61%, respectively) over the past century. As George Clinton declared in "We've Got Gary" on the title track to Parliament's 1975 *Chocolate City*

album, it is commonly understood that Detroit, with a "Chocolate City" factor of 82.7% (Gary at 84.8%) [26] could have, and should have been, included in the lyrics [27].

Rapid population gains as well as moments of stagnation in Gary have been linked directly to industrial expansion and contraction, corporate capitalism and the labor demands of the U.S. Steel Corporation. Simultaneously, Detroit has embodied the melding of human labor, technology, and capitalism as automobile factories, shops, and other forms of manufacturing rendered an industrial geography unsurpassed in scope (Figure 4). In both instances, demand for European immigrant as well as domestic migrant labor from the American South, primarily African American, created enclaves and ethnic and racial tension tinged with perpetual forms of resistance and periodic episodes of violence.

Figure 4. Michigan Central Depot in Detroit, Michigan (Photo courtesy of Ball State University undergraduate architecture student Jordan Stocklin).

As Gary's industrialists carefully manipulated the balance between capital and labor by instituting "order" through various forms of physical and ethnic-based social separation, Americanization, and institutional segregation, labor began to organize and demand formal recognition. Upon the initiation of a strike in 1919, U.S. Steel continued to function and produce through the use of African-American strike breakers. As a result, in the late afternoon of 4 October 1919 [28], black strike breakers were snatched from a street car, attacked and beaten by an angry mob of white strikers. Although the forces leading to the violence were primarily grounded in industrial manipulation and consequential strife, the ethnic and racial dynamics generated a narrative that framed the incident as a "race riot".

The steel strike exposed inequitable mill conditions and the extent to which Gary was a company town. Gary had always been fragmented, but during the winter of 1919, wrote Isaac J. Quillen, "the gap at the Wabash tracks became a canyon", dividing churches and families, fostering contempt for law and government, and breeding cynicism and disillusionment. Thus, at the dawn of the 1920s, Gary had lost its innocence and some of its illusions of grandeur [29].

So prominent was the social construction of race that a distinctively different Gary emerged. Since its conception, the geographical language of Gary was drenched in racial antagonism and hatred, which had insurmountable influence on corresponding allocations of resources and access as well as irrational geographical development patterns in the city. Creative writer and novelist David Wright, in his introduction to the reprint of Richard Wright's *12 Million Black Voices*, recounts that "water does not respond to that which is absolute, but rather to that which is relative", and despite the systemic spatial mismatch, the harsh realities faced by the southern migrants seeking refuge and opportunity in the industrial north paled in comparison to the atrocities of the South.

The jobs they found were low-paying, menial, and exhausting by northern industrial standards, but lucrative, high-status, and relatively easy by southern agricultural ones—ten hours sweeping a factory were nothing compared to twelve hours behind a mule. The oppressions they found were relatively mild—who would complain about police brutality and biased justice when in the South any group of white men could be a cop, judge, jury, and executioner? Who would carp about a stinking toilet down the hall when in the South the toilet was in the yard, and smelled worse? Few bad reports returned to the South, and so the river flowed and pooled in sections of northern cities the immigrants abandoned. It was better there. It truly was [30].

The scholars, architect Sharon E. Sutton and social scientist Susan P. Kemp, jointly communicate in the introductory chapter to their publication, *The Paradox of Urban Space: Inequality and Transformation in Marginalized Communities*, that hegemonic conceptions of space and time have historically been imposed on disadvantaged and oppressed populations:

"Throughout America, spatial policies and practices standardize the landscape to benefit dominant groups—guaranteeing profits for developers and individual property owners—while normalizing dominant values and lifestyles. The downside of this standardization occurs in racially and economically segregated neighborhoods, in which a high percentage of minority residents and concentrated poverty go hand-in-hand with a slew of inequities, including substandard housing, inadequate schools and social services, higher rates of unemployment, lower incomes with a higher proportion of income paid in rent, more unwanted land uses, and lack of access to healthy foods" [31].

In wartime "Rosie the Riveter" Detroit, the war effort drew women into industry as replacement workers; however, prospects for employment of black women was met with harsh resistance. Many Detroit firms only hired white women but relented to hiring black women in response to protest and pressure. At Hudson Motor Car Company, "350 white women walked off their clerical jobs after their bosses hired a handful of black women to join them" [17]. At the Ford Willow Run plant, which had been converted to a war production facility, busloads of protestors picketed in response to a documented unwillingness to hire black women.

But even after they were hired in defense industries, black women faced an uphill battle. White male workers often harassed their women co-workers and reacted even more vehemently to the double affront to their racial and gender privileges when firms hired black women to work beside them. At Packard (Figure 5), whites walked out on a hate strike in 1943 when three black women were placed as drill operators [32].

Figure 5. Packard Automotive Plant, Detroit, Michigan (Photo courtesy of Ball State University graduate architecture student Sandra Steinau-Weber).

As in Gary, Chicago, Philadelphia, Baltimore, and scores of other northern American cities and towns, racial tensions in Detroit workplaces and neighborhoods during the mid-1940s had gradually increased from a simmer to a boil. In *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit*, Thomas A. Sugrue cites a climate of racial animosity and mistrust bred by the disruptions of World War II, and how a major brawl which started on Belle Isle on a hot June afternoon in 1943 was symptomatic of deeper tensions. Journalist and scholar Isabel Wilkerson chronicles the recollections of over a thousand African-American migrants in her publication, *The Warmth of Other Suns: The Epic Story of America's Great Migration.* From her interviews and conversations with George Swanson Starling between June 1995 to June 1998, she was able to assemble a narrative describing the circumstances of the riot, from the perspective of an African-American laborer who had to migrated to Detroit from Eustis, Florida:

"And every minute, George was scared the whole place would blow up from all the chemicals and paranoia. Then on the humid night of 20 June 1943, a fight broke out between several hundred white and colored men on Belle Isle, a park extending into the Detroit River on the east side of town. The fighting spread north, south, and west as rumors circulated among blacks that white men had killed a colored woman and thrown her body into the Detroit River and, among whites, that colored men had raped and killed a white woman in the park. Neither rumor turned out to be true, but it was all that was needed to set off one of the worse riots ever seen in the United States, an outbreak that would mark a turning point in American race relations" [33].

Sugrue summarizes the tragedy and aftermath by indicating that on the following day, more than ten thousand hostile whites, supported by Detroit police officers, swept through the segregated and overcrowded district in which most Negroes were restricted to reside, known as "Paradise Valley". Seventeen African Americans and zero whites were killed by police. Ultimately, "over the course of three days, 34 people were killed, 25 of them blacks. 675 suffered severe injuries, and 1893 were arrested before federal troops subdued the disaster".

In Gary, meanwhile, tension in the workplace and in institutionally segregated communities became most visible through school strikes designed in staunch opposition to the prospect of integration. From the founding of the city, the racially stratified configuration was constantly challenged by significant increases in population of an ostracized group of African-American migrants from the South. For example, when the first schools opened in Gary in 1908 the "thirty or so black children, except for two in high school . . . by year's end were to be transferred to rented facilities in a Baptist Church" [34]. Therefore, the die had been cast for "separate but equal" education in the new city. As evidenced by "Negro subdivision" designations, Gary had also developed its residential neighborhoods in a context of "separate but equal." What was clearly apparent by physical example was the fact that in Gary, as in the balance to the United States, "separate but equal" was not equal.

In 1927, *Time* magazine chronicled an incident involving white students of Emerson High School, rebelling against the admittance of 24 black students. "The next day the 'nice' residential part of Gary, was littered and scrawled with placards and signs: 'WE WON'T GO BACK UNTIL EMERSON IS WHITE . . . NO NIGGERS FOR EMERSON . . . EMERSON IS A WHITE MAN'S SCHOOL' *etc.* By the second day student protestors numbered 1357" [35]. The protestors demanded that the black students be segregated in the corners of classrooms and in the cafeteria until they could be transferred to another school. School administrators acquiesced to their demands and endeavored to transfer the students to a segregated facility. The Emerson student body continued to resist the concept of desegregation for decades and, in 1947, a similar strike was held with white student protesters being accompanied and supported by their parents. Two years earlier, two well-publicized and lengthy anti-integration boycotts had occurred at Froebel High School in Gary, prompting a visit from Frank Sinatra sponsored in part by the Anselm Forum [36]. On 1 November 1945, Sinatra performed to more than 5,800 young people crowded at the Gary Public Schools Memorial Auditorium to hear him sing *Ole Man River*, *The House I Live In*, and most importantly, deliver an impassioned condemnation of bigotry (Figure 6). He labeled the strike, "the most shameful incident in the history of American education", and suggested that the adults who fomented the trouble be run out of town [37].

Figure 6. Remains of Gary Public Schools Memorial Auditorium, Gary, Indiana (Photos courtesy of Ball State University undergraduate architecture student Shannon Buchanan).

What is America to me?
A name, a map, the flag I see,
a certain word, "Democracy"!
What is America to me?
The house I live in, a plot of earth, a street,
The grocer and the butcher,
and the people that I meet
The children in the playground,
the faces that I see;
All races, all religions,
that's America to me

The place I work in,
the worker at my side,
The little town or city,
where my people lived and died,
The "howdy" and the handshake,
the air of feeling free,
The right to speak my mind out,
that's America to me.
The things I see about me,
the big things and the small,
The little corner newsstand,
and the house a mile tall;
The wedding and the churchyard,
the laughter and the tears,
The dream that's been a growin',
for a hundred-fifty years.

The town I live in, the street, the house,
the room,
The pavement of the city,
or a garden all in bloom,
The church, the school, the club house,
the million lights I see,
But especially the people,
that's America to me.

The house I live in,
my neighbors, white and black,
The people who just came here,
or from generations back,
The Town Hall and the soap box,
the torch of Liberty,
A home for all God's children,
that's America to me.

The words of Old Abe Lincoln,
of Jefferson and Paine,
of Washington and Jackson,
and the tasks that still remain,
The little bridge at Concord,
where Freedom's fight began,
Our Gettysburg and Midway,
and the story of Bataan.

The house I live in,
the goodness everywhere,
A land of wealth and beauty.
with enough for all to share,
A house that we call Freedom,
the home of Liberty,
And it belongs to fighting people,
that's America to me.

Sinatra's personal appearance may have charmed, but in no way influenced, the opinion of the boycotting students; however, two weeks later, the strike finally ended. The strikers claimed victory merely on the basis that their racist grievances had been heard and had garnered national attention. As for Frank Sinatra, this episode of progressive activism was observed, documented, and filed under the watchful, anti-communist eyes of J. Edgar Hoover and the Federal Bureau of Investigation.

O'Hara writes that even years after *Brown v. Board of Education*, Gary schools remained racially segregated: "In a 1964 lower court ruling that the Supreme Court refused to review, Gary was not obliged to desegregate its schools. Calling the phenomenon 'de facto segregation', the Gary school board argued that it was not responsible for integrating unintentional segregation caused by racial separation in neighborhoods". As Abel Meeropol protested, the deletion of a specific verse from his *The House I Live In* (referring to "my neighbors white and black") from Sinatra's performance in the popular short film by the same name [20], the Gary school commissioners conveniently deleted references to the city's history and ongoing intentional practice of blatant and restrictive physical segregation of its neighborhoods by arguing segregation as an "unintentional" consequence.

During the same time frame, the African-American population of Detroit was subjected to more heinous and ambitious forms of blatant and intentional segregation, including redlining, restrictive covenants, and the construction of physical walls designed to separate blacks from whites.

As in the decrepit "Patch" district in Gary, African Americans arriving in Detroit from the Jim Crow South generally found themselves restricted to decaying, overcrowded areas known as "Paradise Valley" and the "Black Bottom", in which they were jammed into inadequate, substandard, dilapidated housing. As with The Patch in Gary, the shoddy, densely packed frame structures had once housed eastern and southern European immigrants decades earlier (Figure 7). Sugrue describes the restricted districts of Detroit in detail.

Figure 7. Artist/Activist Tyree Guyton installation on East Side vacant lots, Detroit, Michigan.

As the district's population expanded during the 1940s, living conditions worsened. Federal housing officials classified over two-thirds of Paradise Valley residences as substandard (a category that included dwelling units without a toilet or bath, running water, heating, and lighting; buildings that needed major repairs; and low-rent apartments that were overcrowded). Rents were among the lowest

in the city, but they were disproportionately high given the quality of housing in the area. Fire was an ever-present hazard, especially in older wood-frame buildings with outdated electrical and heating systems [38].

After waving her handkerchief as a symbolic gesture to initiate demolition of the dilapidated shacks in the Black Bottom, First Lady Eleanor Roosevelt indicated to the crowd of over 20,000 that "it is a lack of social consciousness which permits such conditions to develop, but we may thank the Depression for focusing attention on those sore spots in our social life" [39]. Yet the African-American population that occupied the Black Bottom was evicted with no provisions for relocation, and either left homeless by the slum clearance, or forced to take up residence in the nearby, already overcrowded and severely distressed Paradise Valley slum.

Sugrue graphically describes deplorable sanitary conditions in the densely packed, predominantly black Lower East Side of Detroit featuring rat-infested, vermin-filled, filthy dwelling environments inducing various forms of disease and in some instances, contributing to death. Albeit in small percentages, some African Americans managed to find refuge in other small restricted enclaves within the city limits of Detroit. Nevertheless, with the exception of the Conant Gardens neighborhood, most of the enclaves were severely distressed as a result of various structural barriers and limited access to financial resources [40]. With respect to Conant Gardens and similar enclaves, Richard Wright lays down his sentiments regarding "The Talented Tenth" and the so-called black elite in his forward to *12 Million Black Voices* like never before—or since:

"This text assumes that those few Negroes who have lifted themselves, through personal strength, talent, or luck, above the lives of their fellow blacks—like single fishes that leap and flash for a split second above the surface of the sea—are but fleeting exceptions to that vast, tragic school that swims below in the depths, against the current, silently and heavily, struggling against the waves of the vicissitudes that spell a common fate" [41].

The Great Migration, coupled with returning GI populations, their baby boom families, in concert with the resulting post-World War rapid economic expansion, created unprecedented demand for housing in the Detroit area. However, discriminatory federal housing policies worked in concert with local bankers and real estate brokers to assure that, in general, neither the newly constructed communities, nor the eligibility for mortgages, would be available to African Americans. In addition, restrictive covenants were instituted and condoned to preserve ethnic and, more commonly, racial homogeneity. During the late 1940s, more than 80% of property in Detroit outside of the inner city fell under the scope of racial restrictions. Similar statistics were commonplace in cities throughout the United States from Boston, to Chicago, to Los Angeles: "Whereas no land developed before 1910 was restricted, deeds in every subdivision developed between 1910 and 1947 specified the exclusion of blacks" [42]. Although racial covenants were deemed unenforceable in 1948, race-based restrictive patterns continued through real estate practices such as "steering" and discriminatory behavior among lending institutions. Thus, the vast majority of African Americans in Detroit, Gary, East St. Louis, and other developing Fourth World cities, remained relegated to severely distressed, dilapidated districts which were soon to be subjected to demolition and displacement so as to "eradicate blight" and facilitate the construction of freeways to accommodate the newly established suburban enclaves which were unavailable to black folk.

Postwar highway and urban redevelopment projects further exacerbated the Detroit housing crisis, especially for blacks. Detroit's city planners promised that the proposed system of cross-city expressways would dramatically improve the city's residential areas, as well as bolster the city's economy. For the thousands of blacks who lived in the path of Detroit's first expressways, both promises were false. Detroit's highway planners would only minimally disrupt middle-class residential areas, but they had little concern for black neighborhoods, especially those closest to downtown. Instead, they viewed inner-city highway construction in Detroit and other major American cities, north and south, as "a handy device for razing slums".

The respective postwar political and economic environments in Detroit and Gary were virtually identical with respect to ongoing racial tension and hostility, the beginning and unforeseen undercurrents of economic decline as a direct result of gradual decentralization of industrial production coupled with an inconspicuous weakening of the organization and dignity of labor, and political mechanisms that were in direct response to the decline and hostilities. The social construction of race was a major and constant undercurrent in all political maneuvering as either politicians jockeyed to appease perceived interests of the ever-increasing black population or engaged in extremist positioning by supporting segregationist approaches (Figure 8).

Figure 8. Gary Methodist Church, Gary (**a**)—Brewster-Douglass Housing Projects, Detroit (**b**).

(**a**)   (**b**)

Behavior during the 1949 Detroit mayoral campaign and general election race between UAW activist George Edwards Jr. and conservative Republican Albert E. Cobo was scrutinized by the city's black independent weekly newspaper, *The Michigan Chronicle*, which regarded Cobo's ultimate victory as a counter-referendum on white acceptance of black citizenry. It described the election as "one of most vicious campaigns of race baiting and playing upon the prejudices of all segments of the Detroit population". The newspaper documented Cobo's appeal to the white neighborhoods of Detroit through the use of pamphlets linking Edwards to supporting integration policies. This issue of race

trumped any relationship or endorsement Edwards may have maintained with organized labor—in a union town. In his 2012 *Detroit: A Biography*, Martelle finds the election of Albert Cobo in 1949 as a "watershed moment in the evolution of Detroit. The city effectively held a referendum on what its future would be, and white fears won the day, an electoral decision that still resonates more than sixty years later". Sugrue suggests that the election process, which was a mere reflection of the postwar climate, not only contributed to the further erosion of race relations, it also undermined working-class solidarity and "dimmed future hopes for the triumph of labor liberalism on the local level in Detroit".

Despite the Federal Public Housing Authority and the City Plan Commission's pleas, Cobo went to work immediately with a neoliberal agenda, rescinding scattered-site federal public housing designed to help alleviate concentrations of race and poverty resulting from decades of discriminatory restrictive zoning practices. In addition, the Cobo Administration endeavored to dismantle Detroit's public housing programs in general, focusing instead on slum clearance, displacement, and forced relocation of predominantly black communities into already overcrowded concentration-of-poverty camps to make way for large privatized redevelopment projects and expanded freeway construction initiatives designed to facilitate the mass exodus of whites from the central city.

Postwar Gary remained a Democratic machine within a heavily unionized environment, although the mechanisms were constantly threatened by "Red Scare" hysteria and accusations of radicalism within various factions. In addition, political corruption, nepotism, and permissive association with various criminal forces had been commonplace ever since the party had taken what appeared to be a permanent stronghold under industrial working-class, ethnic, and New Deal Democratic forces. However, as in Detroit, the social construction of race became an increasingly divisive element within the political environment.

Just as the New Deal coalition was redefined by issues of civil rights and race relations nationwide, so too would the politics of Gary become defined by race and backlash. For instance, in 1964, George Wallace, the segregationist governor of Alabama, carried Lake County in the Indiana Democratic primary. Clearly notions of race, segregation, and separations had changed in Gary between 1945 and 1964. So too would notions of race alter the way people thought and talked about the city. If Sinatra's visit had represented the possibility for postwar optimism, then Wallace's success made Gary into a crucible of racial conflict.

It was anticipated that the mayoral incumbent A. Martin Katz would benefit from the common tendency of black voters support of white Democratic candidates; however, in the 1967 campaign, the system was shocked by the emergence of African-American candidate Richard Gordon Hatcher. Black voters, who were more than 50% of the electorate, had grown weary of the political servitude and general lack of regard for their loyalty. *Ebony Magazine* editor Alex Poinsett in his publication, *Black Power Gary Style*, suggests that the African-American political community rebelled against the Democratic political machine "which had long controlled the ghetto through the usual precinct network of block-level politicians, patronage, payoffs, 'ghost' voting, and protection of Negro gambling operations".

Hatcher was the first black man ever to win the mayoral nomination either on the Democratic or Republican ticket in Gary. Yet in his campaign speeches, Hatcher admitted that Katz had been "probably more fair" to blacks than any predecessor. He criticized the mayor's failure to consider

qualified blacks for top jobs in the police, fire, and health departments and charged that nothing had changed during the prior three and a half years under Katz. "I ask you", he would question audiences, "are the slums any prettier? Are our schools and less crowded? Have they built one single public housing unit? Have they torn down one single building for urban renewal? Have they expanded the park system? Have they desegregated the schools?" [43].

Upon Hatcher's defeat of Katz in the Democratic Primary, the white Democratic electorate immediately became splintered and fragmented, withdrawing Democratic Party financial and political support or abandoning the party altogether in support of Republican candidate Joseph B. Radigan, a "college-dropout son of an Irish immigrant and proprietor of a downtown furniture store inherited from his family". During the general election campaign, "red, white, and blue Radigan billboards blossomed all over Gary proclaiming the Republican candidate "100 percent American" and thus inferring that Hatcher—whose ancestors arrived on these shores at least two centuries before Radigan's Irish forebears—was un-American". Regardless of the various and often unsophisticated forms of political resistance, Richard Gordon Hatcher "won the election, and he and Cleveland's Carl Stokes became the first black mayors of major American cities". The most rapid periods of population and economic decline occurred immediately after Richard Hatcher was inaugurated on 1 January 1968 and after the inauguration under similar circumstances of Detroit's first African-American Mayor, Coleman Young, on 1 January 1974. In retrospect, one might inquire whether Hatcher, Stokes, and Young's mayoral victories were tantamount to that of being promoted to captain of the Titanic moments after the iceberg incident.

6. Richard Gordon Hatcher: Captain of the Titanic—After the Iceberg Incident

My election to utilize sociological oral history as a primary source has generated tremendous energy and contributed to the evolution of Fourth World theory. The opportunity to conduct an introductory interview with former Gary mayor Richard Gordon Hatcher has been crucial to my evolution of the core principles of Fourth World theory and its applicability to the city of Gary. It is my intention that this interdisciplinary research will serve as a critical component of a larger research effort that will utilize expanded methodologies to examine Gary's one-hundred-year history, its ambitious rise to a major industrial center, and its unprecedented decline and institutional abandonment as Fourth World theory clearly demonstrates that racism layered over de-industrialization is a disastrous formula.

As the first African-American mayor in Indiana as well as the first to administer what was, at the time, considered to be a major city in the United States, Hatcher is a pivotal character to this research effort. I first met with Richard Hatcher at Indiana University Northwest in Gary, Indiana on Monday, 31 January 2011. The interview primarily focused on his childhood, school years, early involvement in various forms of activism, practice in law, and his reluctant, yet effective, transition into political life.

The Indiana University Northwest Calumet Regional Archives, which houses the *Richard Hatcher Collection*, traces Hatcher's tenure as mayor of the city of Gary and chronicles his triumphs and struggles. It is my ultimate intention to use a critical analysis of the twenty-year Hatcher administration to expand the discourse on how race- and class-based stratification was designed into the physical infrastructure of the city, and how the race-based actions and policies influenced the city Hatcher inherited and tried to manage during the early years of his tenure as mayor.

With the assistance of Dorothy Mockry of the Minority Studies Department in the Indiana University Northwest College of Arts and Sciences, I began my interview with Richard Hatcher following a brief, introductory conservation. Hatcher discussed events that led to his father, Carlton Hatcher, essentially being forced to leave Macon, Georgia.

In Macon, Carlton Hatcher had worked for a sawmill where he transported lumber in a mule-drawn wagon. One day, an incident occurred when the wagon hit a depression in a road causing the lumber to shift and some units to fall to the side of the road near where a small child was playing. Although the child was not harmed, his parents were alarmed and contacted the sheriff to apprehend Hatcher, allegedly for deliberately attempting to injure or kill the child. With the assistance of his in-laws, who disguised him as a woman, Hatcher fled Macon and traveled north by bus to Chicago where two of his sisters resided.

However, he ran out of money and found himself in Michigan City, Indiana, where Hatcher first found work in lawn care and later at the Pullman Standard factory where he worked for many years. Richard Hatcher recalled his father stating on many occasions, how a couple of days in Michigan City turned into 45 years. Initially, the Hatcher family was restricted to living in an area in the near-eastside of Michigan City known as "The Patch". As with The Patch in Gary, the Black Bottom and Paradise Valley in Detroit, and similar restricted spaces throughout the industrial north, The Patch in Michigan City was characterized by deplorable conditions. Hatcher described a constant and incredible stench in the area being downwind from an animal hair processing factory where his mother labored, along with many women, under atrocious circumstances. He stated that his mother, Katherine Hatcher, died of cancer when he was thirteen years old. He is convinced that the working conditions at the factory contributed to her death. He also noted that there were no paved streets in the district and that the streets were covered in an unknown industrial waste substance that the community referred to as "pig iron".

The Hatcher family lived in a large, poorly constructed, dilapidated house with extended family members, boarders, and others. He recalled two of his brothers, who had served in the U.S. Army (one had been stationed in Alaska), providing army-issued heavy coats which were used as blankets in the cold, un-insulated house. On occasion, Hatcher remembered, he would awake and find a light dusting of snow in his bed. The house featured two coal stoves, one in the rear and one in the center of the living room. The young Hatcher was assigned the responsibility of bringing coal from the basement and starting the fires each morning.

Hatcher reflected on the collectivistic spirit of the community and how during difficult times, the community would cooperatively pool their resources as a means to survive. During periodic Pullman layoff episodes, the Hatcher family would receive monthly "relief" through the Trustee's Office including potatoes, chicken, fruits, and vegetables. During these times, he would accompany his father to collect in a push cart leftovers from alleys behind white retail establishments and restaurants, including food that was consumed by the family or items that could be resold to a junkyard. Hatcher remembered being proud and honored to join his father on such missions for he felt responsible to his family as a young man. As a child, he had no conceptual understanding or recollection of being poor and/or living in poverty.

There were seven surviving children in the Hatcher family with Richard being the youngest boy. Several of the children (thirteen in total), born in the South, and without medical care, died as infants

or toddlers. Also, a set of Hatcher twins, born in The Patch, died of exposure in the cold, poorly insulated house at thirteen or fourteen months of age. Due to institutional segregation and discrimination, the notion of medical care or hospitalization was so foreign to Patch residents that many did not know such care existed.

On Friday nights, many of the adult residents in The Patch, including Hatcher's older brothers, would frequent a tavern/pool hall. Hatcher recollected reports and rumors that on some nights, there may have been a fight at the establishment, and someone may have been "cut". But never did he hear of a shooting or killing. Nevertheless, his mother worried.

Hatcher recalled how he and his siblings would walk to Sheridan Beach from The Patch and shovel sand, paint, or perform other odd jobs for the residents to earn a few dollars during the summer months. They would also sift through the sand of Washington Park, under the playground equipment, for coins.

The Patch was approximately five square blocks and was patrolled by a single black policeman, Mr. Kemp (the only black policeman on the Michigan City Police force). Mr. Kemp knew everybody, and everybody knew Mr. Kemp. If you were out some place, doing something that you should not do, Mr. Kemp did not take you to jail, he called your mother or your father: "This boy's over here into something that he doesn't need to be into". He kept order.

Hatcher mentioned how one of his brothers, who had been drafted by the army, was stationed at Great Lakes, and how he, on several occasions, would go AWOL and come home. Hatcher would ride with his father to return his brother to the military base, which was just north of Chicago. He jokingly declared that on more than one occasion, after checking him into the base and returning home to Michigan City, his brother would be back home when they arrived!

Years later, when blacks were allowed to live in the near-west side of the Michigan City (around Seventh Street and Willard Avenue in an area formerly occupied by Syrian immigrants), Carlton Hatcher moved his family from The Patch and purchased a house on Seventh Street. Although he had no formal education and could not read or write, Carlton Hatcher effectively managed his financial affairs. He also slowly acquired rental properties, often lent money to community members, and had a handshake relationship with the local bank through a gentleman known as Mr. Gerritsen. At age 72, he endeavored to learn to read so that he could read the Bible at family gatherings and at Mount Zion Baptist Church where he was fondly known as "Deacon Hatcher." Richard Hatcher discussed the tradition of prayer in the black community and how his father was skilled in this regard. He reflected on the barber in The Patch, Moses Wilson. Barber "Mos" Wilson was the champion of prayers. He would always open with:

> *Father I stretch my hands to thee,*
> *No other help I know;*
> *If thou withdraw thyself from me,*
> *Ah! wither shall I go?*
> *On Jordan's stormy banks I stand,*
> *And cast a wishful eye,*
> *To Canaan's fair and happy land,*
> *Where my possessions lie.*

Upon reciting Wilson's prayer opening, Hatcher emotionally reflected on how people in the community, regardless of their circumstances, had the capacity to improvise, and use the art of extemporization as a means to confront difficult challenges in their lives. "If you think people, who never had an education, never read history, never read Shakespeare, nor read about the great writers and philosophers, and yet they were absolutely poetic . . . they could go on for thirty minutes . . .". He regretted not recording the amazing prayers and other forms of engagement common in the small black community of his childhood. Carlton Hatcher, according to his proud son, was a very religious man who, upon becoming involved with the church, never drank or engaged in other forms of self-destructive behavior. He died at the age of 99.

Richard Hatcher attended integrated schools in Michigan City, including Michigan City Elston Junior and Senior High Schools. He recalled having friendly relationships with many of the white students but cited the clearly defined physical limitations of their friendship with respect to place and space. He only recalled one racial incident while growing up in Michigan City regarding a racial slur directed at a black man in a downtown drugstore. However, during his high school years, and as a popular athlete (track star), he had the opportunity to work as a dishwasher at an establishment known as Arnie's, located at Michigan and Franklin Streets near the courthouse. After six or seven months of working at Arnie's, he observed a black couple who had come into the restaurant, sat down, and waited to be served; but the waitresses refused to serve the couple. The restaurant manager informed the couple that the restaurant did not serve blacks. The couple promptly left the establishment. Hatcher confronted the manager who apologized by indicating that he was only doing his job and following the orders of the owner, Mr. Brown. Hatcher ripped off his apron, threw it on the floor, and stormed out of Arnie's. Once he arrived home, Hatcher's father was on the phone with Arnie's. Afterward, father sat down with his son.

"You have a job up there because you hope that next year you are going to go to college. One of the things that you have to learn about life is that sometimes, when someone has something that you need, in order to get it, you sometimes have to take things that you ordinarily would not have to take. Mr. Brown has a job, and that job will help you and help me, so that you can go to school".

Thus, Carlton Hatcher persuaded his son to go back to his job for the remainder of the summer. The young Hatcher then went to Bloomington, Indiana and began his college education at Indiana University (IU). Richard Hatcher enrolled at IU, shortly after University President Herman B. Wells oversaw the ending of the practice of segregation within the university. IU was officially desegregated, but roommates in dormitories were required to be of the same race. Hatcher discussed many challenges at IU including difficulties in getting a haircut in Bloomington and how black students would travel to the other end of town, and enter the rear door of the house of a black barber (who also cut hair for white patrons and was afraid that he would lose his white customers if he allowed his black customers to occupy the same space). He recalled a conversation with Vernon Jordan who was enrolled at DePauw University in Greencastle, Indiana, and how Jordan had to travel a great distance to Bloomington to get his hair cut at the same establishment.

Hatcher became involved with the campus chapter of the National Association for the Advancement of Colored People (NAACP). The organization was involved in picketing Nick's Old English Hut, a dining establishment adjacent to the campus, that had been engaged in discriminatory activities. Finally, and due to the activism of the students, Nick's ended its discriminatory practices. The university followed by issuing an edict to all businesses in Bloomington that if they could not serve

ALL of the students, regardless of race, creed, or color, then they would not serve ANY of the students. Thus, institutional discrimination in Bloomington had all but ended. Upon graduating from IU, Hatcher returned to northwest Indiana where he attended law school at Valparaiso University.

Richard Hatcher had a sister Gladys, who, at the time, resided in Muskegon, Michigan. She had worked as a secretary for a black attorney in Michigan City for whom her younger brother Richard ran errands, *etc.*, eventually inspiring him to pursue a career in law. Upon graduation from Valparaiso, and through networking, Gladys arranged interviews first with attorney Ben Wilson in Gary and then with attorney Henry Walker in East Chicago. Hatcher found Henry Walker particularly charming and chose to join his firm. Soon after, a major scandal was exposed in Gary resulting in the indictment of the entire Gary City Council (including its former president Ben Wilson) and the mayor, who was ultimately sent to prison. Thus, Hatcher was fortunate to have chosen to work with Walker and not be linked to the scandal, directly or indirectly, through Wilson's office. While working with Walker, Hatcher met State Senator James Hunter, who owned a real estate business and shared office space with Walker. During his tenure with Walker's firm, he was introduced to many leading and well-connected political officials. While working in East Chicago, Hatcher resided in Gary with his brother. Many approached Hatcher to encourage him to run for State Senator against James Hunter. Hatcher refused.

Richard Hatcher indicated that the late John Grigsby was the person most responsible for his determination to campaign to serve on the Gary City Council. He stated that he had no intention to run for any political office and that he was focused on his law practice; however, John Grigsby strongly encouraged and ultimately convinced him to run for City Council despite the fact that he was considered an "outsider" being from Michigan City, and one who had not attended the "Velt" (slang term for Theodore Roosevelt High School in Gary).

What ultimately convinced Richard Hatcher to run was John Grigsby's arrival in his office, carrying a three-ring binder filled with pages upon pages of signatures indicating that "I will support Richard Hatcher for City Council." Grigsby had personally gone door to door, unsolicited, to gain support by petition for Hatcher to campaign for City Council.

Perhaps due to the fact that his election and tenure as mayor of Gary is well documented or perhaps due to the limited time, Richard Hatcher did not engage in discussion about his five-term service as mayor, deindustrialization, institutional abandonment, or the general decline of the city during our first meeting. Instead, he chose to discuss other aspects of his legal and political activism.

For example, Hatcher discussed when he served as an attorney to help secure voting rights on behalf of African-American citizens in Mississippi. He described traveling from town to town and how, during his visits, the courthouse squares in each town were virtually identical as were the intimidating men in pickup trucks with rifles mounted in their rear windows as they slowly circled the town squares like buzzards. I asked if he was ever afraid (Figure 9). He responded by mentioning an incident where he had been photographing "white only" signs at a public facility and had turned to find that his two colleagues (both white) had left the scene. At that moment, Hatcher was approached by two large, armed sheriff deputies. His first instinct was to turn and run, but then he reminded himself of the importance of his dignity. Upon one of the sheriffs yelling, "Boy, what are you doing?" he slowly walked away and rejoined his colleagues, who were waiting in the car. Hatcher described how the word would spread about "troublemakers from up north coming to town" but they continued

traveling to the towns, surveying and documenting conditions so that evidence could be compiled that would ultimately result in class action desegregation suits against illegal restriction of access to courthouses, school, libraries, and other public facilities and institutions. He marveled at the bravery of the many black residents of Mississippi, how they put their jobs, livelihoods, and personal safety on the line, and how some paid the ultimate price for "challenging the order of things". He recalled periodically visiting Durant, Mississippi, home to his stepmother Georgia Hatcher, and how all of the white businesses were located on a main thoroughfare that ran through the city, and how the black businesses—often the businesses that whites did not want to be bothered with—were located on an alleyway, at the rear of the white businesses.

Figure 9. Olon Dotson in abandoned, vacant, vandalized Gary Methodist Church in Gary, Indiana (Photo courtesy of Ball State University Architecture Karen Keddy).

Hatcher mentioned a recent gathering in Las Vegas at a "Richard Hatcher Day" event and his meeting with Charlie Evers [44]. Recalling his conversation with Charlie Evers about serving on the Evers campaign for Governor of Mississippi and how terrified he was to travel with Evers on the campaign trail, Hatcher recalled an incident when Evers publically and fearlessly taunted a white mayor of a small town in Mississippi proclaiming that if elected governor, he would endeavor to bring an end to all of the race-based intimidation and institutional hatred.

Regardless of the degree of successes and failures on the national political front, accolades, national political prominence, and well-documented personal and political integrity, Hatcher and his mayoral administration oversaw the most devastating decline of any city in modern history. During his five-term mayoral tenure, the aforementioned and unprecedented simultaneous industrial decline combined with immediate and massive white flight and institutional abandonment; his election expeditiously transitioned Gary into what I classify as a Fourth World city. No mayor, president, or prophet could have effectively managed a city that had lost 64,000 of 70,000 steel manufacturing jobs between 1970 and 1980, coupled with what is best articulated as Hirshman's theory of *exit* over *voice*

or in the hip hop group's album *Fear of a Black Planet*. As in contemporary times with Barack Obama's inherited executive authority over a nation in a downward economic spiral and a seemingly irreconcilable political divide, Hatcher had found himself, forty years earlier, captain of a former transnational distribution center that devolved into a struggling post-industrial, hyper-segregated murder capital. The persistence of Gary's historic structural inequalities demonstrates intractability in overcoming social stratification based primarily on the construction of race as a vehicle for physical separation and institutional abandonment (Figure 10). The severe physical distress and abandonment present throughout the entire city proper, resulting from de-industrialization, historic segregation and discrimination patterns, suburban sprawl, erosion of a viable tax base, racism, inability to embrace the concept of desegregation and civil rights legislation, fear, despair, crumbling infrastructure systems, disinvestment in urban school systems, and environmental justice issues, qualify Gary, Indiana as a *model* Fourth World city.

Figure 10. Photo of the wall in Gary Methodist Church in Gary, Indiana, shown in Figure 10 taken on a subsequent visit (Photo courtesy of Ball State University undergraduate architecture student Victor Piňa).

7. Conclusion

The citizens of the city of Gary, Indiana have spent nearly five decades and generations suffering from the lack of access to work, disappearance of work, and institutional abandonment; praying that somehow jobs would miraculously return; hoping that the presence of tax-supported sports franchises, or casinos and other destabilizing venues would save it; and wondering how the transition to a service sector economy could effectively replace the pride and security offered by manufacturing and the dignity of labor. Today, Gary has the opportunity to follow, by example, principles offered in Fourth World cities like Detroit, which are beginning to emerge from the depths of despair. Their healing, driven by the same communalistic and collectivistic spirit described by Richard Hatcher in Michigan City's Patch, is beginning to re-emerge in a profoundly post-industrial space.

The 98-year-old visionary, philosopher, activist, and community organizer Grace Lee Boggs, in her 2012 publication, *The Next American Revolution: Sustainable Activism for the Twenty-First Century*, writes that it is time to reimagine work and reimagine life as a means to heal humanity—a humanity that has been subjected to the ills of hatred, greed, and power for centuries. Scores of grassroots organizations have emerged and are focused on transformation and survival including the Detroit Black Community Food Security Network (DBCFSN), established to address food insecurity issues in the city's black community. The organization, founded and led by an Afrocentric visionary, Malik Kenyatta Yakini, is organized around self-determination based on confronting the lack of access to affordable, healthy, locally grown food. Among its endeavors, DBCFSN operates D-Town Farms, which is currently the largest urban agricultural center in the Detroit area. The organization is currently engaged in establishing a cooperative grocery store in Detroit's North End. DBCFSN is ordered under the Afrocentric principles of Ujamaa (cooperative economics), which rejects the idea of wealth for wealth's sake and promotes self-reliance and strengthening of community.

Former Black Panther, Wayne Curtis, and his partner, Myrtle Thompson founded Feedom Freedom Growers on a series of vacant lots in the midst of severely distressed East Detroit. Their efforts to "grow a garden, grow a community" and their dedication to "make a way out of no way" demonstrate how Detroit's vacant lots represent the possibilities of cultural revolution [45]. Feedom Freedom inspires youth to participate in this revolution by taking personal responsibility for themselves and their community and embracing the power they possess within. Fourth World theory supports the courage to accept the fact that Detroit, for instance, is not going to be resurrected as the industrial power that existed at the midpoint of the twentieth century (albeit racially and economically stratified). Once liberated from the bondage of practices based solely on the social construction of race, Fourth World cities and communities can truly and earnestly begin to progress toward a more sustainable, equitable means of inhabiting the earth.

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Conflicts of Interest

The author declares no conflict of interest.

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18. The Center for World Indigenous Studies maintains an online library dedicated to the memory of Shuswap Chief George Manuel and to the nations of the Fourth World through its Fourth World Documentation Program (FWDP). The library's archives currently maintain more than 100,000 documents, reports, and publications from American Indian nations and indigenous nations from around the world.

19. Manuel, G. *The Fourth World: An Indian Reality*; A Division of Macmillan Publishing Co., Inc.: New York, NY, USA, 1974. In the foreword to *The Fourth World: An Indian Reality*, Vine Deloria, Jr. describes the evolution of the Fourth World position as juxtaposed to Third World definitions. Deloria suggests that Manuel is calling the institutions of the world to re-examine their own origins, the beliefs which brought them into being and the basis for integrity that lies beneath their formal structure.

20. Abel Meeropol was a Jewish American teacher, activist, writer and composer best known under his pen name, Lewis Allan. He was the writer of *The House I Live* as well as the anti-lynching lyrics and melody to *Strange Fruit,* performed and made famous by Billie Holiday. (Primary Source: *The Strange Story of the Man behind 'Strange Fruit'* by Elizabeth Blair on National Public Radio, 5 September 2012).

21. International Movement ATD Fourth World. Available online: http://www.atd-fourthworld.org/ (accessed on 15 December 2013).

22. The Shrinking Cities International Research Network™ was founded in 2004 as a research consortium of scholars with a mission to advance international understanding and promote scholarship about population decrease in urban regions and urban decline, causes, manifestations, spatial variations, and effectiveness of policies and planning interventions to stave off decline.

23. Alexander, J.C. *The Civil Sphere*; Oxford University Press: New York, NY, USA, 2006; p. 207.

24. O'Hara, S. *Gary: The Most American of All American Cities*; Indiana University Press: Bloomington, IN, USA, 2011; pp. 8, 13, 59, 136–137, 147.

25. The term, *Wonka*-esque is my invented descriptor supporting O'Hara's discourse on Gary's separation of mill and town and as depicted in Roald Dahl's 1964 children's novel, *Charlie and the Chocolate Factory* and the dark, post-industrial romanticized 2005 film adaptation by director Tim Burton. The novel and film describe a once thriving factory towering over a severely distressed town filled with dilapidated shanties and housing poor, wretched, and miserable citizens. Behind its fortified wrought-iron steel gates, the factory somehow continues to produce massive amounts of high-quality chocolate despite the fact that no employees are hired from the community, and no workers are ever seen entering or leaving the facility.

26. Census, U.S. Census Bureau of the US Department of Commerce.

27. Parliament, Tear the Roof Off: 1974–1980. Chocolate City. http://www.allmusic.com/album/tear-the-roof-off-1974-1980-mw0000618928 (accessed on 13 November 2013).

28. O'Hara references the *Chicago Tribune*, or per his notes, *The Chicago Daily News*, October 1–5, 1919 article which included a detailed description of the scene. He also discusses how the press engaged in framing the incident in a means to maximize readership by choosing to "concentrate on the language of race, the imagery of warfare, and the specter of radicalism" (O'Hara, 80).

29. Lane, J.B. *City of the Century: A History of Gary, Indiana*; Indiana University Press: Bloomington, IN, USA, 1978; pp. 93, 236.

30. Wright, R.; Rosskam, E. *12 Million Black Voices*; Basic Books: Philadelphia, PA, USA, 2008.

31. Sutton, S.E.; Kemp, S.P. *The Paradox of Urban Space: Inequality and Transformation in Marginalized Communities*; Palgrave McMillian: New York, NY, USA, 2011; p. 1.

32. Sugrue, T.J. *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit*; Princeton University Press: Princeton, NJ, USA, 2005, p. 28, 37, 44–47.

33. The notes from *The Warmth of Other Suns* by Isabel Wilkerson indicated that, " . . . all references to George Starling are based on numerous interviews and conversations with him from June 1995 to June 1998, (Wilkerson, 562).

34. Cohen, R.D. *Children of the Mill: Schooling and Society in Gary, Indiana, 1906–1960*; Indiana University Press: Bloomington, IN, USA, 1990; p. 8.

35. Ronald, C. in the publication, *Children of the Mill: Schooling and Society in Gary, Indiana, 1906–1960* writes that "Hereinafter, black and white would be separate in the Gary Schools, but hardly 'friendly rivals.' While legal under the 'separate but equal' laws then comment in Indiana (adopted in 1877) and other northern states, school segregation was not automatic. Northern cities experienced various degrees of racial separation at the time, although most were moving in the direction of explicit segregation. Gary, somewhat early in joining the movement, was hardly different". Cohen cites numerous sources for this position including, but not limited to: *The Separate Problem: Case Studies of Black Education in the North, 1900–1930* by Judy Jolley Mohraz.

36. The Anselm Forum was organized in Gary in 1932. Its founders wanted "to create an atmosphere of harmony, a sense of belonging together, despite differences of creed, race or occupation". The Forum's belief in diversity was so strong that members were dismissed when they made objections to new members based on race, creed or ethnic background. In 1945, the Forum became directly involved in public school integration in Gary. As time progressed, membership in the Forum declined. In the 1960s, as the racial composition of Gary changed, the group became somewhat unpopular among many people in the white community. By 1971, the group could no longer gather enough members to hold a breakfast meeting, and the group was disbanded (Source: Indiana University Northwest Calumet Regional Archives).

37. Sinatra, F. Unheard Frank Sinatra Vol. 2: The House I Live In. Available online: http://www.allmusic.com/album/unheard-frank-sinatra-vol-2-the-house-i-live-in-mw0000268547 (accessed on 13 November 2013).

38. The Patch (also formerly called the Southside) was the unplanned expansion of Gary in the early 1900s–1920s in which its poorer foreign workers were originally housed. It attracted more than 200 saloons and other disreputable establishments that had been banned from the more upscale north of the city. The houses were often makeshift dwellings built by speculators. Typically they housed a family, several boarders, and various farm animals raised for food. Most inhabitants came directly from their home countries—predominantly Serbia, Poland, and Croatia. U.S. Steel initially ignored the living conditions, saying "we are not in the summer resort business". In the late 1920s the city's population doubled and conditions deteriorated further. At last, in 1923, the city ordered all substandard housing to be evacuated, leaving 1,500 people temporality homeless. Nonetheless, The Patch persisted as a largely blighted area. Eventually, it became predominantly African American as European immigrant workers moved further south. As the city became more segregated by race, The Patch came to be viewed as the "black district". After the decline of the steel industry, The Patch ceased being atypical in its relatively low quality of life. Today the area is known as "Midtown" (Source: www.wikimapia.org/25191627/The-Patch).

39. On September 9, 1934, First Lady Eleanor Roosevelt traveled to Detroit for the symbolic start of slum clearance in Black Bottom, part of a $6.6 million federal program to replace dilapidate shacks with new public housing called Brewster Homes. The First Lady told the audience that the neighborhood was a slumlord's paradise, with 92 percent of the tax payments delinquent (most of the homes were rentals), a crime rate six times the city average, and "juvenile delinquency" ten times the average. Tuberculosis was rampant, more than seven times the city average (Source: *Detroit: A Biography* by Scott Martelle).

40. Conant Gardens was the wealthiest area of black Detroit. Settled by black ministers, teachers, lawyers, and businesspeople fleeing the inner city, the area was more suburban than urban, surrounded by open fields and remote from the city's business and industrial districts. The quiet tree-lined streets of the neighborhood passed modern single-family detached homes, often with large well-manicured lawns (Sugrue 41).

41. Wright, R.; Rosskam, E. *12 Million Black Voices: A Folk History of the Negro in the United States*; Viking Press: New York, NY, USA, 1941; p. 5.

42. Despite the Supreme Court decision declaring the enforcement of racially-based restrictive covenants (see Shelley v. Kraemer), the practice remained commonplace. The Court found that the covenants themselves were not invalid, thus allowing private parties to continue to voluntarily adhere to the restrictions. These "unenforceable" covenants served as powerful signals to potential homeowners, realtors, and insurers about who was welcome in a given neighborhood. Government agencies also continued to rely upon the covenants as substitutes for overt exclusionary practices. As a result of continued use of racially restrictive covenants and "steering" of black residents to non-white neighborhoods by real estate agents, access for minorities to purchase homes remained severely limited. It was not until 1968 that the actual inclusion of racially-restrictive covenants into deeds was deemed illegal, although many such covenants can still be found within the language of deeds today. While no longer a legally sanctioned practice, the residential patterns created by racially restrictive covenants still persist. (Source: National Fair Housing Alliance).

43. Poinsett, A. *Black Power Gary Style: The Making of Mayor Richard Gordon Hatcher*; Johnson Publishing Company, Inc.: Chicago, IL, USA, 1970; pp. 76–82.

44. James Charles Evers (born 11 September 1922), the older brother of slain civil rights activist Medgar Evers, is a leading civil rights spokesman within the Republican Party in his native Mississippi. In 1969, he became the first African American since the Reconstruction era to have been elected as mayor in a Mississippi city, Fayette in Jefferson County. Thereafter, he ran for governor in 1971 and the United States Senate in 1978, both times as an Independent candidate.

45. Boggs, G.L. *The Next American Revolution: Sustainable Activism for the Twenty-First Century*; University of California Press: Berkeley, CA, USA, 2012; pp. xxi–xxii.

Fourth World

The **Fourth World** is an extension of the three-world model, used variably to refer to

1. Sub-populations socially excluded from global society;
2. Hunter-gatherer, nomadic, pastoral, and some subsistence farming peoples living beyond the modern industrial norm.[1]
3. Sub-populations existing in a First World country, but with the living standards of those of a Third World, or developing country.

The term is not commonly accepted. "Fourth World" has also been used to refer to other parts of the world in relation to the three-world model.

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Etymology

Fourth World follows the First World, Second World, and Third World classification of nation-state status; however, unlike the former categories, *Fourth World* is not spatially bounded, and is usually used to refer to size and shape which does not map onto citizenship in a specific nation-state. It can denote nations without a sovereign state, emphasizing the perceived non-recognition and exclusion of ethnically- and religiously-defined peoples from the politico-economic world system, such as the First Nations groups throughout North, Central and South America. Spanish sociologist Manuel Castells of the University of Southern California Annenberg School for Communication has made extensive use of the term *fourth world*.

Coinage

The term originated in Georgia with a remark by Mbuto Milando, first secretary of the Tanzanian High Commission, in conversation with George Manuel, Chief of the National Indian Brotherhood (now the Assembly of First Nations). Milando stated that "When Native peoples come into their own, on the basis of their own cultures and traditions, that will be the Fourth World."[2][3]

Since publication of Manuel's *The Fourth World: An Indian Reality* (1974), the term *Fourth World* became synonymous with stateless, poor, and marginal nations.[4] Since 1979, think tanks such as the Center for World Indigenous Studies have used the term in defining the relationships between ancient, tribal, and non-industrial nations and modern industrialised nation-states.[5] With the 2007 UN Declaration on the Rights of Indigenous Peoples, communications and organizing amongst Fourth World

peoples have accelerated in the form of international treaties between aboriginal nations for the purposes of trade, travel, and security.[6] In the Indian left movement, Dr. M. P. Parameswaran's ideas on the fourth world caused widespread debates, which eventually led to his expulsion from the Communist Party of India (Marxist) in 2004.[7][8]

See also

- Least Developed Countries
- National wealth

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6. Cloud, Redwing (10 August 2007). "United League of Indigenous Nations formed" (http://ww w.indiancountrytoday.com/archive/28202554.html). *Indian Country Today*.
7. "The Hindu : CPI(M) expels M.P. Parameswaran" (http://www.thehindu.com/2004/02/16/stori es/2004021602610700.htm). *www.thehindu.com*.
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Further reading

- Castells, Manuel (2000) [1998]. *End of Millennium, The Information Age: Economy, Society and Culture Vol. III* (second ed.). Oxford, UK: Blackwell. ISBN 978-0-631-22139-5.

External links

- Fourth World Journal (http://www.cwis.org/FWJ/)
- International Movement ATD Fourth World (http://www.atd-fourthworld.org/)
- Fourth World Center for the Study of Indigenous Law and Politics (http://www.ucdenver.edu/ academics/colleges/CLAS/AboutUs/centers-institutes/Pages/Centers.aspx) at University of Colorado at Denver (on archive.org (https://web.archive.org/web/20090611002651/http://car bon.cudenver.edu/fwc/))

- Fourth World: Nations without a State - Nadesan Satyendra (http://www.tamilnation.org/self determination/fourthworld/index.htm)
- Fourth World Eye (http://www.fwe.cwis.org/)
- Fourth World Documentation Program (http://cwis.org/fwdp/index_fwdp.php)

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