

HUMAN SAFARIS: A FOUCAULDIAN ALTERNATIVE TO THE LAW'S TREATMENT OF THE INDIGENOUS ANDAMAN JARAWA

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I Introduction

In early 2012 international news media released a series of videos showing 'human safaris' in India's Andaman Islands in which tourists and tourism operators enticed members of the Indigenous Jarawa people to dance in exchange for food.¹ The videos incited international furore over what appeared to be an act of exploitation that treated the Jarawa as exhibits for tourist amusement and led to allegations that the 'human safaris' constituted violations of international human rights law as well as India's own laws regarding the treatment of Indigenous peoples.² The resulting outcry resulted in calls for the Indian state to take action to rectify the plight of the Jarawa in 'human safaris.' Such calls, however, require determination of antecedent questions regarding: 1) what aspects of the tourists' relations with the Jarawa are problematic; and 2) what state actions are preferable in addressing such problems. These questions are of a normative nature in that they involve issues about what constitutes 'appropriate' interactions between tourists and the Jarawa that direct what the government's policies and laws should be seeking in its treatment of India's Indigenous peoples. This suggests that the Indian state can find guidance in formulating a response to the issue of 'human safaris' by a consideration of the normative aspects of the issues involving tourist relations with the Jarawa.

This paper is a response to such a call, and seeks to formulate ethical guidelines to help direct responses tied to the normative issues raised by the 'human safari' videos. This paper draws upon the theories of social theorist Michel Foucault to construct a normative approach to identify why the events in the video could be found problematic, and from such descriptive insight generates prescriptive suggestions as to what types of tourist-Jarawa interactions offer more

appropriate alternatives. This paper begins with a summary of the challenges posed by the various strategies proposed by the public outcry against 'human safaris.' The analysis then proceeds to determine why the events shown in the 'human safari' videos are cause for concern by placing the 'human safaris' in the context of tourist-Indigenous encounters so as to identify the underlying issues that make the tourist-Jarawa encounters in the videos problematic. The paper continues by framing the tourist-Jarawa encounter within Foucault's theories. From there, the study uses Foucault to generate a descriptive analysis that defines what factors define 'appropriate' interactions with the Jarawa, after which the discussion presents how such understanding can provide guidelines with prescriptive value in identifying the kinds of tourist-Indigenous encounters that would be 'appropriate' or 'inappropriate.'

For purposes of discussion, the term 'human safari' is a label employed by journalists in association with the 2012 videos involving tourist expeditions that treat human beings in destination sites – such as the Indigenous Jarawa – as exhibitions for tourist consumption³ and whose normative status in the case of the Jarawa is the subject of this paper. The terms 'Indigenous people' or 'peoples' apply the United Nations definition of 'Indigenous' as those populations 'that, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them'⁴ and who hold the 'right to determine their own identity or membership.'⁵ The term 'Indigenous group' references a set of Indigenous people collectively identifying themselves as having a shared unique identity distinct from non-Indigenous or other Indigenous people. With respect to tourism, the terms 'tour guides' and 'tour operators' are seen as synonymous

in referring to actors who lead tourists to interact with locals such as the Jarawa, and so include the private sector entities as well as the public sector police officers and Andaman government administrators in the 2012 videos who brought the tourists into contact with the Jarawa. 'Tourists' are also labelled as 'tourist visitors' and identify individuals who travel to destinations different from their homes. In the case of the Jarawa, tourists traveled from homes located outside of the Andaman Islands to visit the islands and interact with Andaman locals, including the Indigenous Jarawa.

II Issues in India's Responses Toward the Tourist-Jarawa Encounter

The public outcry over the videos⁶ raised several different strategies for responses by the Indian government against further 'human safaris' in the Andaman Islands, with activists calling upon the Indian government for laws to isolate the Jarawa from the world;⁷ Indian government legislators proposing legislation that would forcibly assimilate the Jarawa into modern life;⁸ and the Indian Supreme Court issuing a judgment to ban tourist activities within a five kilometre buffer zone around the Jarawa's land.⁹ While perhaps made with varying degrees of good intentions towards the Jarawa, these actions share a common characteristic of having non-Jarawa actors seeking laws directly affecting the lives of the Jarawa. This raises issues about the nature of the relationship between non-Jarawa interests and the Jarawa people. Specifically, it exudes a patronising tone wherein non-Indigenous voices assume themselves to represent the best interests of an Indigenous group and exercise power on their behalf. This is problematic, since it risks the imposition of non-Indigenous preferences upon Indigenous peoples without the latter's awareness or consent, such that it denies the Jarawa the power of agency and results in the subordination of the Jarawa to non-Jarawa interests. Such issues echo an historical context for Indigenous peoples of a colonial past wherein non-Indigenous entities imposed decisions upon Indigenous peoples, with state administration exercising imperial power to systematically dominate Indigenous peoples in ways that: 1) referenced a primitivist discourse which lauded Indigenous culture as spiritual and pure, while at the same time denigrated it as inferior and less civilized;¹⁰ and 2) exploited Indigenous culture as part of larger efforts to craft nationalist narratives legitimising state authority.¹¹ As a result, regardless of their place on a spectrum between isolation or assimilation, calls by non-Jarawa for actions towards the Jarawa effectively

serve to continue an imperialist legacy of asymmetric power relations that subordinate Indigenous peoples to non-Indigenous interests.¹²

It is tempting to respond to the above issues by postulating that it is possible to avoid the implications of colonialism by 'asking' the Jarawa for their preferences¹³ and base non-Jarawa actions accordingly. This would seem to offer advantages in terms of preserving Jarawa agency and averting the dangers of Indigenous peoples suffering the imposition of non-Indigenous decisions. Such an action, however, poses its own problems, as it presumes a unitary Jarawa viewpoint that essentialises individual Jarawa into a monolithic entity. This is a questionable assumption since it ignores the possibility that different Jarawa may hold different interests as a function of being individual human beings. Even if it is possible, it leads to subsequent questions of whether some individuals among the Jarawa hold more control relative to others in deciding collective Jarawa interests and how those in control treat those who are not. These types of questions raise a human rights issue about whether it is acceptable to pursue discovery of group preferences if it entails a potential suppression of individual rights of expression.¹⁴

The complexities posed by the Jarawa 'human safaris' point to the need for an alternative approach capable of avoiding complications surrounding issues of imperialism and human rights. Specifically, they call for a way of identifying appropriate ways of interaction with the Jarawa more cognisant of their existence as agents with interests distinct from non-Jarawa actors. Determination of what is 'appropriate' interaction would make it possible to form guidelines regarding Jarawa-tourist encounters that could direct the conduct of the Indian state – as well as all parties involved in such 'human safaris.' In so doing, it would also facilitate the creation of guidelines applicable not just to the case of the Jarawa but also relevant to other situations involving non-Indigenous interactions with Indigenous peoples.

III The Core Problem of the Tourist-Jarawa Encounter

The underlying basis for the controversy over the Jarawa incident is better understood within the context of the larger debates over tourism and Indigenous peoples. The incident involving the Jarawa is an example of a category of tourism called by a variety of names such as 'Indigenous cultural

tourism', 'Aboriginal cultural tourism', 'anthropological tourism', 'First Nations tourism', 'ethnic tourism', 'Indian tourism', 'Indigenous tourism', 'heritage tourism', 'native tourism', or 'tribal tourism'.¹⁵ To streamline discussion, this paper uses the term 'Indigenous cultural tourism'. This category of tourism involves 'encounters' characterised by the goal of fostering knowledge about Indigenous people and culture.¹⁶ These encounters involve tourist visitors who travel to destinations to interact with Indigenous locals out of a desire to see an exotic 'other' or 'primitive'.¹⁷ The encounters are constructed via inter-subjective and expressive negotiations between visitors and hosts, with tourist visitors, their tour guides, and Indigenous locals being 'parties,' 'actors,' or 'participants' in an encounter centred around Indigenous culture critical to Indigenous identity.¹⁸

Indigenous cultural tourism appears in different manifestations subject to different critiques, such as perspectives that see it as performances that allow a 'complicated, nuanced, and creative participation' of Indigenous voices,¹⁹ productions that present culture in a fluid post-modern pastiche of symbols,²⁰ 'second-wave' tourism that emphasises personal encounters of cultural integrity in contrast to the corrosive forces of 'first-wave' tourism based on mass commodification,²¹ immersive experiences placing tourists with Indigenous families,²² showcases that claim to support the 'preservation' of heritage,²³ presentations labelled as 'contrived events'²⁴ with 'staged authenticity'²⁵ meant to represent 'pure unaltered native culture',²⁶ or – in the case of the Jarawa – 'human safaris' accused of coercing Indigenous people to display themselves for visitors as if they were specimens in a 'human zoo'.²⁷

The range in forms and views of Indigenous cultural tourism suggest that it is not the occurrence of a particular tourist-Indigenous encounter *per se* that is a problem, but rather the nature of the interactions within the encounter which is the cause for concern. In short, it is possible for some types of tourist-Indigenous interactions to be less problematic than others. For example, Alexis Bunten, in her study of Native Alaskan and Maori tourism enterprises, finds that tourism can be beneficial for Indigenous peoples not just in terms of enabling economic development but also perpetuating culture, so long as the tourism enterprises avoid Western business models that commodify Indigenous culture for sale as 'the Other' and instead follow models that empower Indigenous standards of cultural representation and economic values.²⁸ Doreen Martinez, in her own study of

Native American and Maori cultural tourism, indicates that the distinction between commodified Western business models and Indigenous cultural ones is not the primary determinative factor of whether an encounter is imperialist, and that instead the central issue is whether there is an Indigenous 'intelligence of participation' reflecting Indigenous agency to work the complexities of identity and negotiate their meanings within tourist encounters in ways that confront the imperialism and primitivism frequently imposed by cultural tourism.²⁹ For Martinez, the issue is not whether Indigenous culture is commodified for tourists, but whether there is Indigenous agency to negotiate such commodification. Edward Bruner finds in his study of the Maasai that even within one Indigenous group there are different tourist experiences that range from performances within colonialist settings to cultural presentations with shared management and profit-sharing.³⁰

As a result, the question at the center of the Jarawa incident is not whether there was a performance or whether there was a performance in exchange for food or money, since Indigenous peoples frequently provide performances for non-Indigenous tourist audiences in ways that scholars have found to be both problematic and beneficial.³¹ Rather, the question is whether there was an opportunity for Jarawa to exercise agency over the treatment of their culture despite the potential imperialist or primitivist pressures of their encounter with tourists. On this issue, the incident exhibits a dubious nature: critics argued that while the video showed an exchange of food from tourists and tour guides in return for a performance by the Jarawa, the video also showed an encounter involving tourists and tour guides from backgrounds of greater material wealth and health relative to their Jarawa counterparts and thus reflected a disparity in security wherein non-Indigenous visitors were interacting with Indigenous locals living in comparatively greater states of duress.³² As a result, in offering food in exchange for performance under such conditions the tourists and their guides were essentially exploiting the Jarawa's state of vulnerability to coerce a commodification of Jarawa culture. Such a relationship reflects an unequal power dynamic in which the tourists and tour guides held a dominant position that allowed them to impose their preferences upon the Jarawa and echoes a neo-colonial history of non-Indigenous actors subordinating Indigenous peoples and subjugating Indigenous culture. Deutschlander & Miller find that Indigenous peoples can use performances to 'destabilise hegemonic understandings' based in colonial

history, but they argue that for this to happen the meaning of such performances must be negotiated between hosts and visitor.³³ In the case of the tourist-Jarawa encounter, there was a negotiation of a performance for food between non-Indigenous and Indigenous participants but there was little or no negotiation over meaning, with the exchange of performance for food occurring within a coercive encounter between privileged visitor and hungry Indigenous local under power inequalities that subordinated the choices of the latter to the preferences of the former for a display of Indigenous dance.

IV Placing the Tourist-Indigenous Encounter Under Foucault

The colonial undercurrents of Indigenous cultural tourism appear to make cases like the Jarawa relevant for study using post-colonial theories, particularly with respect to the question of power inequalities. Post-colonial scholars like Stephen Legg, Jasmin Mahadevan, Robert Nichols, Edward Said, Ann Laura Stoler, and Robert Young trace the threads of post-colonial concerns over power inequalities back to the work of Michel Foucault, whose conceptions about power as a discourse provided a general framework through which post-colonial studies could describe issues of imperialist domination and subordination.³⁴ This paper follows the guidance of such scholars in taking Foucault as a starting point to address the case of the Jarawa, with the hope that initiating a discourse from such a fundamental component of post-colonial studies can enrich conceptualisations of post-colonial perspectives about the Jarawa in particular and Indigenous cultural tourism in general.

The inequalities in the interactions exhibited within the videos display elements that can be described by Foucault's conceptions of discourse and power. Specifically, the question of negotiation – or lack thereof – between tourists, tourist operators, and the Jarawa over the meaning of Indigenous performance and the attendant implication of cultural subjugation before a neo-colonialist presence raises issues of power within subordinating relationships, something which concerned Foucault, who examined the power relations between and among individuals and groups. Foucault identified these as the 'micro-politics' of social networks,³⁵ wherein power was distributed in capillary-like networks between actors whose interactions constituted a discourse that shaped their epistemes, or perspectives of reality involving the meanings of identity

and action.³⁶ Similarly, the question of Indigenous agency to negotiate meanings and confront intellectual imperialism or intellectual primitivism – to use Doreen Martinez's term: an Indigenous 'intelligence of participation' – raises issues of resistance by the subordinate against the dominant, something which also concerned Foucault, who saw individuals in networks as not being passive but instead as holding the potential to become 'points of resistance' against power in the discourse over meanings of identity and action.³⁷ As a result, the case of Jarawa tourism can be seen in Foucauldian terms as a situation comprised of social networks between tourists, tourist operators, and the Jarawa engaged in a discourse over the meaning of Jarawa identity and performance, with individual Jarawa constituting points of resistance in the micro-politics of power versus tourists and tourist operators.

The notion of power relations within a subordinating relationship may also suggest the relevancy of a Marxist theoretical framework. Foucault, however, criticized Marxist approaches for being reductionist in their concern for economic bases of power and dichotomous class-based conceptions of struggle, and advocated instead for a more pluralist outlook on power relations that focused on the micro-politics between individuals and groups within networks of social interaction.³⁸ This analysis of the Jarawa eschews a pure focus on economics and seeks to go beyond a simple dichotomy of tourists and tourist operators versus the Jarawa, preferring instead a conception of norms regarding behaviour and a search for guidelines regarding the personal behaviour of individuals within the network of tourists, tourist operators, and the Jarawa. As a result, this discussion finds a Foucauldian theoretical framework more relevant than Marxist class-based economic theory.

In addition, a desire to find guidance for laws and policies regarding tourism affecting the Jarawa may appear to be a call for a juridical analysis. Foucault, however, criticised juridical modes of study as being focused on simplistic readings of power as a function of law, rights, and a political sovereign. He saw this as susceptible to the same critiques he levelled against Marxism, in that he saw both as being essentialising in promoting structuralist accounts of power wielded by large-scale social forces.³⁹ The concern of this paper is not to analyse the structure of relations between the state and state law, particularly India's state and India's laws, with the Jarawa. Rather, its concern is to study the nature of agency within the structure in terms of the relations that

occur between tourists, tourist operators, and the Jarawa. While the purpose of this paper is to assist the state and state law in dealing with the issues of 'human safaris,' this paper does so by focusing on the generation of guidelines about 'appropriate' tourist-Jarawa interactions, with the idea that a normative understanding of what constitutes 'appropriate' tourist-Jarawa interactions can guide state and state law responses to the problems of 'human safaris.' In essence, this paper is less about the state and the Jarawa and instead more about the state's response regarding relations between individual tourists, tourist operators, and the Jarawa. Thus, this paper sees Foucault's concern for the pluralist discourses conducted via interactions between individual actors within social networks outside the state as more useful than state-centric juridical approaches.

V A Foucauldian Description of the Tourist-Jarawa Encounter

A Foucauldian analysis commences with a recognition of the tourist-Jarawa encounter as a 'discourse.' Foucault conceptualised 'discourse' as '...practices that systematically form the objects of which they speak.'⁴⁰ Discourse can be speech, writing, acts, or symbols that generate frameworks within which people interact.⁴¹ Within a discourse Foucault sees 'discursive formations' composed of the stable elements at the center of discourse⁴² that reflect an 'episteme' comprised of a worldview containing postulates and modes of reason.⁴³ Through these components, a discourse forms a structure controlling the flow of information and meanings between people.⁴⁴

From this perspective, the tourist-Jarawa encounter can be seen as a Foucauldian discourse in that it created a situation wherein participants practiced verbal, written, physical, and symbolic actions in a framework of interactions. It provided discursive formations, since it asserted a collection of stable elements in the form of non-Indigenous tourists and tour guides interacting with the Jarawa in the singular pursuit of Jarawa performances for tourist consumption. These elements reflected an episteme, in that they implied worldviews held by the tourists and tourist guides of the Jarawa as worthy attractions in a tourist exhibition. As a result, the tourist-Jarawa encounter structured a way of engagement, with the nature of information and meanings about the Jarawa being directed through the thoughts and actions of the tourists, tour guides, and Jarawa who participated in the encounter.

For Foucault, delineation of a discourse is important because its structure is a mechanism of inclusion and exclusion towards actors and ideas and thereby is determinative in the distribution of power.⁴⁵ In addition, by controlling who and what is involved in the communication of information and meaning, a discourse circumscribes the potential outcomes it may take. In this way, 'power and knowledge directly imply one another,'⁴⁶ with both constituting and being constituted by the social networks hosting the interactions of discourse. This means that for Foucault, power is not something held by individuals, but rather is something situated in the relations between individuals and capable of moving fluidly among them.⁴⁷ Such a notion of power is useful in addressing the tourist-Jarawa encounter, since it clarifies the incident as a function of the structure of a discourse that fostered asymmetric power relations favouring the tourists and tour guides over the Jarawa. This suggests that a Foucauldian analysis focused on those power relations provides value in terms of descriptive understanding of why the discourse between tourists, tour guides, and the Jarawa was problematic and prescriptive insight as to how similar incidents in the future can be avoided or mitigated.

This study analyses the discourse in the tourist-Jarawa encounter by applying Foucault's concepts of archaeology, genealogy, technologies of domination, technologies of the self, and micro-politics of discourse in power relations. Foucault's perception of power is that it is constituted by the interactions between actors embedded in networks of relationships. Within these relationships Foucault describes power in terms of 'technologies of power' and 'technologies of the self.' 'Technologies of power' make individuals subject to power via processes of measurement and categorisation that objectify them in ways that define their identities.⁴⁸ 'Technologies of the self' allow individuals to influence the discourse over their own identities and so empower them to counter technologies of power and become less subject to power.⁴⁹ The interplay between the technologies of power and the technologies of the self constitutes the micro-politics of discourse in power relations and can be described using what Foucault calls 'archaeology' and 'genealogy'. 'Archaeology' reveals how the structure and rules of discourse form knowledge in terms of '...how the prohibitions, exclusion, limitations, values, freedoms, and transgressions ... all its manifestations, verbal or otherwise, are linked to a particular discursive practice.'⁵⁰ 'Archaeology' commences with identification of the objects that are the

sources of a discourse and proceeds with a revelation of the enunciations of concepts and theories within the discourse, which Foucault sees as being prescribed by practices of exclusion and limitation that control the production of concepts and theories constituting knowledge.⁵¹ 'Genealogy', in contrast, examines how knowledge turns into power by describing the micro-politics in terms of 'discourse politics' that define norms, and 'bio-politics' that control a subject's body.⁵²

Under these concepts, the discourse in the tourist-Jarawa encounter was constituted by interactions within a network formed between the non-Indigenous tourists and tourist guides and the Indigenous Jarawa, with the interactions centred around the non-Indigenous visitors seeking a performance from the Jarawa. In this encounter, the tourists and their guides held technologies of power in that they exercised: 1) processes of measurement through assessment of the performance presented to them from the Jarawa; 2) processes of categorisation via identification of the performance as falling within what Florence Babb describes as '...the imagination of tourists seeking to discover exotic "others"',⁵³ and 3) mechanisms of coercion in the form of food that was offered on the condition of performance by hungry Jarawa. In contrast, the Jarawa held technologies of the self in terms of being the creators and performers of their own culture – including manifestations of such culture via performance of a dance.

The micro-politics between these technologies of power and technologies of the self were structured by the context of the tourist-Jarawa discourse. The archaeology of discourse encompasses objects in the form of the performances and the ideas and meanings about the performances held by non-Indigenous visitors and the Indigenous Jarawa. The relative status, however, of the non-Indigenous visitors and Indigenous Jarawa were unequal, since the tourists and tour guides held levels of security in material wealth and personal health that shielded them from the threats of illness and hunger that faced the Jarawa. Such a disparity in vulnerability created a disparity in power, with the tourists and guides able to treat the encounter as a discretionary pursuit of personal whims, while for the Jarawa there was the pervasive pressure of survival pushing them to concede to such whims. Edward Bruner described these conditions as cases where 'the tourist self is modified very little ... while the consequences of tourism for the native self are profound'.⁵⁴

Such conditions resulted in a genealogy of discourse wherein the tourists and tour guides held a hegemonic status in a discourse politics that made normative determinations about what manifestations of Jarawa culture were acceptable for tourist consumption and which ones were not. Because the tourists and tour guides were able to exploit the vulnerability of the Jarawa to dictate the terms of Jarawa behavior, the encounter became less about exchange and more about domination by the former over the latter. The encounter became what Dean MacCannell terms as the type of situation where 'repression and exploitation are perpetuated beneath the surface'⁵⁵ to force Indigenous locals to conform to tourist expectations.⁵⁶

For Foucault, it is useful to understand the archaeology and genealogy of power, since they reveal how power, knowledge, and reality are connected. Foucault sees such synergies as being a function of history rather than an inevitable condition and thus 'can be unmade, as long as we know how it is they were made.'⁵⁷ In addition, Foucault believes that while a discourse may be produced by power it is not entirely subject to it, such that a discourse can provide a 'point of resistance and a starting point for an opposing strategy.'⁵⁸ This means that discourses can be susceptible to counter-discourses against hegemony from those at the margins of power, and hence can serve to mitigate the issues of inequality, domination, and subordination posed by cultural tourism upon Indigenous people. Foucault sees this as being facilitated by technologies of self because they empower the marginalised 'to effect by their own means, or with the help of others, a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being, so as to transform themselves.'⁵⁹ For Foucault, it is through technologies of the self that those excluded or limited from power can influence and transform their own identities, and thereby work against the technologies of domination that allow those in power to control those identities. To the extent that identity is tied to culture incorporating 'bodies and souls, thoughts, conduct, and way of being', this means that technologies of the self serve to empower Indigenous control over their own culture.

This, however, creates a predicate requirement for the existence of technologies of the self, particularly technologies of the self sufficient to counter technologies of domination. In the case of Indigenous peoples and tourism, this means that there needs to be mechanisms that enable them to influence the discourse with non-Indigenous visitors. To

a degree, the Jarawa possessed a modicum of technologies of the self in that as the creators and bearers of their own culture they practiced the 'operations on their own bodies and souls, thoughts, conduct, and way of being'⁶⁰ that Foucault defined as constituting technologies of the self. In their encounter with tourists and tour guides, the Jarawa thus had a means of influencing the discourse by simply controlling the manner and extent of their performance.

The point here, however, is that the issue is not about whether there are technologies of the self, but rather about whether there are: 1) technologies of the self that are *effective* in terms of being *sufficient* to counter technologies of power; and 2) technologies of the self that counter technologies of power with respect to both *creation* and *use* of Indigenous culture. In other words: the issue is not that there are options that provide those at the margins token presence in discourse, but rather that there are options that enable those at the margins with agency in terms of helping them to control the presentation of their own culture against contrary interests in a discourse. The former is a superficial promise of power while the latter is a substantive form of empowerment; token participation is an illusory form of agency since it can disguise continuing patterns of neo-colonial subordination to non-Indigenous interests, while control over creation and use constitutes actual agency since it provides Indigenous peoples choices regarding subordination to, equality with, or domination over non-Indigenous entities. This suggests that for Foucault, a tourist-Indigenous encounter can be described as 'appropriate' if the discourse of encounter provides technologies of the self to marginalised Indigenous voices that empower them with control over their performance despite opposing technologies of power exerted by non-Indigenous visitors.

Under this standard, the 'human safaris' involving the Jarawa fell short of being 'appropriate' and were instead 'inappropriate' because while the Jarawa may have held a modicum of 'technologies of the self', such technologies did not empower them to challenge the power inequalities of their encounter with tourists and tour guides. Rather, they constituted scenarios wherein tourism was what Tom Hinch and Richard Butler termed 'Indigenous-themed' rather than 'Indigenous-controlled.'⁶¹ The disparities in security between non-Indigenous visitors and Indigenous locals created a relationship wherein tourists and tour guides were interacting with Jarawa living in relatively greater states of duress. This constituted a power relationship

with tourists and tour guides holding dominant positions over their Jarawa counterparts that allowed the former to exploit the latter's relatively greater state of duress. While the Jarawa, as bearers and creators of their own culture, held a technology of the self in terms of deciding whether or not to perform for their visitors, their status of poverty and hunger relative to the tourists weakened their ability to negotiate their exchange of performance for food. This is a problem corroborated by scholars like Edward Bruner, who finds troubling those cases where the Indigenous locals live in such states of vulnerability that they are dependent on tourism for survival. In such cases, Indigenous management is under pressure to meet tourist demand and so holds little substantive power in making decisions.⁶² A Foucauldian framework finds these types of cases problematic because while they provide Indigenous people technologies of the self in terms of being the bearers and creators of their own culture, they place those technologies of the self in power relations where they are dominated by tourist demands and so are insufficient to empower Indigenous peoples in the discourse of tourist-Indigenous encounters. Thus, from a Foucauldian perspective the defining issue is not whether there is commodification of Indigenous culture in a tourist-Indigenous encounter; the issue is whether there is Indigenous self-determination in such an encounter on decisions about commodification, particularly effective self-determination in terms of Indigenous choices not being dominated by tourist interests.

This, in essence, describes a Foucauldian normative framework regarding tourist-Indigenous encounters, since it identifies a standard that encounters should aspire to reach and hence provides a norm that can be used to evaluate interactions between tourists, tour guides, and Indigenous people. In the case of the Jarawa, it describes the tourist-Jarawa encounter as being 'inappropriate,' since the Jarawa had little power to control the terms of their performance for tourists. Even though the Jarawa held a technology of the self as the creators and bearers of their own culture, the disparities in vulnerability between the Jarawa and the tourists and tour guides created an asymmetric power structure that rendered the Jarawa's technologies of the self ineffective in terms of being insufficient to overcome the demands of the tourists and tour guides. As a result, in the encounter the Jarawa may have had power over the creation of their performance but they did not have power over that performance's status as a tourist exhibit.

VI A Foucauldian Prescription for Tourist-Jarawa Interactions

In addition to the preceding descriptive understanding of the tourist-Jarawa encounter, Foucault's theories also provide prescriptive value for future encounters. In particular, a Foucauldian description of a normative standard to evaluate tourist-Jarawa encounters prescribes the exercise of actions that allow such encounters to be 'appropriate.' This means that under Foucault the law, to the extent that it seeks to encourage outcomes that are normative in terms of fulfilling aspirations to be 'appropriate,' should endeavour to follow strategies that facilitate technologies of the self which provide Indigenous peoples with enough power to resist and counter the technologies of power exercised by tourists and tour guides.

There are, however, several cautionary comments that should be issued with respect to the types of strategies that can be used to advance such norms. First, legal solutions that adopt models of intervention with the intent of 'shielding' the Jarawa from the depredations of non-Indigenous visitors pose issues in terms of fostering a patronising relationship between the state and Indigenous peoples. This replicates colonial-era imperialist practices wherein state administration subordinated Indigenous voices and claimed to exercise power on behalf of Indigenous interests, effectively depriving Indigenous peoples of agency in a process of marginalisation - an outcome contrary to Foucauldian concerns regarding power inequalities and subordination. This means that the goal of the law should not be to direct state actions to protect the Jarawa against tourists and tour guides, but instead to find ways that allow the Jarawa to protect themselves in tourist-Jarawa encounters. Under these guidelines, efforts to seek legal remedies such as the isolation of the Jarawa⁶³ or banning of tourist activities within the lands surrounding the Jarawa⁶⁴ are problematic, since they involve attempts to seek state intervention to 'shield' the Jarawa and hence reflect patronising attitudes that echo colonial practices which subordinated Indigenous interests to non-Indigenous authority.

Second, caution should be taken in terms of pursuing strategies that 'grant' agency to Indigenous peoples. The idea of 'granting' or giving agency is also a patronising one since it follows a neo-colonial framing of power and subordination that Foucauldian ethics seek to address. Moreover, it is incorrect, since Indigenous participants in Indigenous-

local encounters possess their own agency independent of non-Indigenous actors, meaning that agency is not given but something already held. As a result the question is not about 'giving' agency but more about accommodating it. Hence, the goal of the law should not be to 'grant' agency to Indigenous locals but rather instead to empower agency by seeking to enable technologies of the self that make it easier for Indigenous peoples to assert their interests upon the non-Indigenous world. This means that efforts to pursue legal remedies such as the forced assimilation of the Jarawa into modern life⁶⁵ are problematic, since by trying to 'grant' the Jarawa the means to cope with the modern world they effectively enact a patronising strategy wherein non-Indigenous authority imposes its own preferences regarding agency upon Indigenous peoples without their consent.

Third, caution should be exercised to avoid oversimplification of tourist-Indigenous encounters. A Foucauldian approach, in addressing the asymmetric power relations in tourist-Indigenous encounters, also points to another component in an ethics for the non-Indigenous and Indigenous people involved in them: the need to see an encounter as more than a simple binary relation between opposing monolithic entities.⁶⁶ Such a conception of a tourist-Indigenous binary is reductionist in that tourist-Indigenous encounters are more complex situations, with tour guides,⁶⁷ tourists,⁶⁸ and Indigenous locals⁶⁹ all comprised of individuals having personal subjectivities and personal interests. Foucault's concerns delved into questions about the nature of power among individuals,⁷⁰ and so calls for attention to the nature of power distributed in the relations between the various individuals involved in an encounter. Hence, a Foucauldian perspective would see a tourist-Indigenous encounter as more than a situation with two different sides with two respective sets of preferences, but rather as a 'micro-politics' of discourse occurring within a network that is pluralist in terms of hosting myriad individuals with each one possessing unique personal interests. By extension, to the extent that an encounter involves people who could be identified as non-Indigenous or Indigenous, a Foucauldian framework would still see each side as comprised of respective networks of individuals engaged in their unique 'micro-politics' of discourse. A Foucauldian approach would find the objects of discourse comprising an archaeology in the practices, ideas, and meanings associated with the presentation of Indigenous culture and identity. It would also see a resulting genealogy with some fraction of participants in

the discourse holding 'technologies of power' that allowed them to maintain a position of dominance over others on either side of the encounter.

In which case, concern should not be limited to just enabling technologies of the self for the Jarawa as a collective but also as individuals, and similarly such concern should not just be perceived as proposed for non-Indigenous visitors as a collective but also as individuals. Both the non-Indigenous and Indigenous sides in a tourist-Indigenous encounter are not homogenous entities with unitary bodies of common characteristics and interests but are rather assemblies of disparate, unique individuals capable of exhibiting unique characteristics and personal interests. In other words: while the context of a specific tourist-Indigenous encounter may involve non-Indigenous visitors and Indigenous locals as two disparate groups, within such a context non-Indigenous visitors and Indigenous locals exist as individuals. In addition, the individuals on each side of the encounter are situated within a social network of their peers, and so their characteristics and interests reflect the interplay between their individual agency and the social structure of their respective sides. This means that any interactions that occur between a non-Indigenous visitor and a Jarawa local are intrinsically tied to the relationships within their respective social networks and thus from a Foucauldian perspective are inherently affected by the power relations in the discourse formed by those networks. Moreover, it means that a tourist-Jarawa encounter is not a collective negotiation between two sides, but is a series of individual negotiations, with each one occurring between a specific non-Indigenous visitor and a specific Jarawa person.

Under these guidelines, preferable strategies are those that encourage models of 'appropriate' tourist-Jarawa encounters which meet the criteria of: 1) enabling effective technologies of the self for the Jarawa sufficient to counter technologies of power exercised by tourists and tour guides; 2) avoiding patronising patterns of state action to 'shield' the Jarawa or 'grant' them agency by allowing the Jarawa to protect themselves free of non-Indigenous management and independent of state-imposed technologies of the self; and 3) seeking the empowerment of the Jarawa not just as a collective but also as individuals, where each Jarawa involved in a tourist-Jarawa encounter is able to exercise technologies of the self to express a personal perspective regarding Jarawa culture in the discourse of encounter with each individual tourist, tour guide, and other Jarawa.

Models of tourist-Indigenous encounters which conform to these requirements include those described by Alexis Bunten as involving 'face-to-face interactions' wherein Indigenous locals 'are not expected to accommodate the tourist gaze, to meet tourist desires for the exotic' but instead 'can and will control their representation on their own terms.'⁷¹ Labeled by Bunten as 'second-wave' Indigenous cultural tourism, these encounters involve Indigenous locals who are not compelled by their states of vulnerability to satisfy the demands of tourists and tour guides in order to survive, but instead live in conditions of personal health and security that allow them to have autonomous choices about how they negotiate their personal sensibilities of culture and identity with each non-Indigenous visitor.⁷² Alternatively, other encounters meeting Foucauldian concerns for individual Indigenous locals would be those studied by Michael Steinberg, in which tourists were placed to live with host families in Belize and asked to help their hosts with everyday chores and family activities.⁷³ Such encounters immersed visitors in the context of Indigenous life, and so not only put a visitor in personal contact with individual Indigenous locals but did so in a way that the Indigenous hosts were able to choose what, if any, aspects of their lives were shared. In the cases presented by both Bunten and Steinberg, Indigenous locals were able to exercise individual technologies of the self in terms of choosing how they interacted with non-Indigenous visitors, and so were able to act with individual agency even though the nature of their encounter was in the context of their group's culture. Moreover, in both cases, tourists were put in situations wherein they were directed to treat their encounter as a face-to-face interaction, making their exposure to Indigenous culture one negotiated between individuals free of non-Indigenous management or state-imposed technologies of the self. Furthermore, in the context of these types of encounters, Indigenous locals interacted with tourists in a structure of discourse that made both equal participants in the negotiation of cultural performance, and hence made the status of the Indigenous local as an individual practitioner of Indigenous culture an effective technology of the self that was sufficient to counter the individual tourist's expectations of such culture.

It should be noted that this implication of Foucauldian theory does not deny the distinction between Indigenous versus non-Indigenous sides involved in a tourist-Indigenous encounter. Rather it is to add to it by highlighting the need to be cognisant that each of the sides is comprised of individuals participating in the discourse of encounter and

that each of the participants in an encounter – whether they be Indigenous local or non-Indigenous visitor – act with individual manifestations of agency. This is not to ignore the impact of group identity nor ignore the structure imposed by a tourist encounter; rather it is to note the additional presence of agency by each person to act autonomously within a group identity and within the structure of an encounter.

VII Conclusion

In summary, this paper sought to provide ethical guidance in the controversy over 'human safaris' by generating normative guidelines about what constitutes 'appropriate' interactions between non-Indigenous tourists and tourist operators with Indigenous people. The paper accomplished this objective by noting the problems associated with the various strategies for action raised by the public outcry against 'human safaris,' identifying the issues that make tourist-Jarawa encounters problematic, and then applying a Foucauldian framework to construct a normative analysis of tourist interactions with the Jarawa. This paper used Foucault to generate a descriptive analysis that defines what factors define 'appropriate' interactions between tourists and the Jarawa, and then drew upon the analysis to generate prescriptive value in the form of guidelines identifying the kinds of tourist-Indigenous encounters that are 'appropriate' or 'inappropriate.'

Foucault's theories, in addressing the issues of power inequalities between subordinate and dominant actors, lend themselves to studies of the Indigenous peoples in general and the Jarawa in particular, with Foucault's notion of discourse, technologies of power, and technologies of the self identifying the nature of the interactions within 'human safaris' between tourists and the Jarawa. Foucault's theories conform to the findings of Indigenous tourist literature that it is not the occurrence of tourist-Indigenous encounters themselves that are problematic, but rather the nature of the tourist-Indigenous relations within the encounters that pose issues, with the central question being whether there are power inequalities within the encounter that subordinate Indigenous peoples to tourist domination, such that they are denied agency in making choices about their involvement in the encounter. Foucault's theories suggest that for the Jarawa to change tourist-Jarawa encounters away from the 'human safaris' to something less controversial, the Jarawa must have access to technologies of the self that are sufficient to assert their interests against the technologies of power held by tourists and tourist operators. This paper

found that under Foucault the various options proposed and considered by the Indian government in response to the controversy over 'human safaris' fall short of constituting technologies of the self that empower the Jarawa and instead reflect colonial patterns of patronising relations between the state and Indigenous people. Following Foucault, this paper found that a solution more likely to enable technologies of the self would be the kinds of tourist-Indigenous encounters that allow the Indigenous people more control over their interactions with tourists via face-to-face or immersive encounters. In addition, this paper followed Foucault and noted that the issue of power relations is not just about the Jarawa as a group but instead as individuals, and hence that the adoption of technologies of the self should be exercised by the Jarawa not just as a collective but also as individuals asserting their interests in encounters with tourists.

Looking forward, the implication from this paper is that governments, including the Indian government, can utilise a Foucauldian framework to guide policy decisions that avoid the neo-colonial and human rights issues associated with Indigenous cultural tourism. The work in this analysis demonstrates the utility of looking to Foucault's theories to generate laws and policies that address cases like the Jarawa, and suggests that there is value for subsequent efforts to work through a Foucauldian ethics that can guide a country like India in its larger perceptions and treatment of Indigenous peoples.

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