

Biopolitics meets Terrapolitics: Political Ontologies and Governance in Settler-Colonial Australia

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Abstract

Crises persist in Australian Indigenous affairs because current policy approaches do not address the intersection of Indigenous and European political worlds. This paper responds to this challenge by providing a heuristic device for delineating Settler and Indigenous Australian political ontologies and considering their interaction. It first evokes Settler and Aboriginal ontologies as respectively biopolitical (focused through life) and terrapolitical (focused through land). These ideal types help to identify important differences that inform current governance challenges. The paper discusses the entwinement of these traditions as a story of biopolitical dominance wherein Aboriginal people are governed as an “included-exclusion” within the Australian political community. Despite the overall pattern of dominance, this same entwinement offers possibilities for exchange between biopolitics and terrapolitics, and hence for breaking the recurrent crises of Indigenous affairs.

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Introduction

Australian Indigenous affairs is characterised by a pattern of recurrent crises. Summits are called and ministers make bold pronouncements: a “new approach” is required and duly devised. Efforts to address “Aboriginal disadvantage” and “Third World conditions” are revised and redoubled. But in continuation of an overall pattern, the renewed efforts are likely to be subject to future revision. It seems that, as Jeremy Beckett (1988, 14) noted in the year of the Australian bicentenary, colonisation and its outcomes ‘have produced a level of poverty and deprivation that is beyond the capacity of the market or the welfare apparatus to remedy’. The accompanying debates within Aboriginal affairs may sometimes be fierce, but they tend to be limited to discussion about the application or mix of *market* and/or *welfare* remedies. They rely upon traditional policy areas which mirror departmental responsibilities: health, education, employment, economic development, justice, and housing. The reinventions plough old ground. Debate and discussion, framed through dominant Western liberalism, rarely addresses the intersection of Settler and Indigenous political worlds and the differences and conflicts where policy plays out. Policy and debate in this form is unlikely, then, to break the pattern of recurrent crises.

Intervening in this cycle requires considering the intersection of European and Aboriginal political worlds alongside other fundamental issues stemming from colonization and Settler-Indigenous interaction. This is not a straightforward task. Settler and Indigenous lives and political struggles, including those for Aboriginal rights, have now been entwined for more than two centuries. Over this time Aboriginal people have shown great flexibility in adapting to the conditions of Settler-Colonialism (see Swain 1993; Austin-Broos 1996; 2001). White Australian identity, both individual and national, owes more than it admits to Indigenous forces, motifs and symbolism (see McLean 1998; Thomas 1999).¹ Yet strong differences remain. Settler Australians are often distant from Indigenous Australia, and significant numbers of Indigenous people maintain values, behaviours and practices that are removed from Settler society regardless of how skilfully they adapt to its demands. Aboriginal values and ontologies cannot be easily eliminated through colonialism (Beckett 1988, 14), despite the often-held expectations of Settlers. Different cultural

¹ Nicholas Thomas (1999, 15) notes that ‘contemporary indigenous culture is fractured and strained by its grounds in tradition and/or modernity’ and ‘settler culture is destabilized by the “and/or” of native and/or national reference’.

values and political ontologies are at play. Understanding these differences between Aboriginal and Settler political worlds is necessary, but must attend to the entwinement of these two traditions in the Settler-Colonial situation.

To respond to this challenge this paper delineates Settler and Indigenous Australian political ontologies through two ideal types. This heuristic device is then used to provide an innovative perspective on Settler-Colonial governance. The first part of the paper argues that each tradition can be evoked by emphasising the role of magical operations for forming political community: Western traditions emphasise speech and the written word to establish a politics focused through life; Australian Aboriginal traditions emphasise land and ancestors to establish a politics organised through Country. I use the terms *biopolitical* and *terrapolitical* to articulate these ideal types. Formulating differences between Settler and Indigenous Australian traditions in this way suggests that we should think beyond Western liberalism and recognise Australian Aboriginal political ontology.

The second part of the paper describes Settler-Indigenous interaction – the context for contemporary governance in Indigenous affairs – through the lens of biopolitical and terrapolitical ideal types. This is a story of biopolitical dominance in which Aboriginal people are designated and governed as an *excluded-inclusion* in the Australian political community. I argue that moves toward increased inclusion of Aboriginal people in recent decades continue this pattern. Despite biopolitical dominance, Aboriginal political values survive as Settler and Indigenous lives are entwined through the constitution of selves in processes of biopolitical governance. This dynamic, which is a focus of further research, offers possibilities for exchange between biopolitics and terrapolitics, and hence for breaking recurrent crises in Indigenous affairs.

Settler and Indigenous Australian Political Ontologies

The Australian Settler-Colonial context is suffused with entwined and crosscutting interactions that complicate discussion of Settler and Indigenous political ontology. Historian Bain Attwood (1997, 116) notes that Aboriginal and Settler Australians ‘have been constituted in different, but also similar, ways through processes that are mutual rather than separate and separating’. Anthropologist John Morton (1996, 48) states that in his experience Aboriginal people ‘can be simultaneously different from

and the same as myself'. Darlene Johnson (1993) confirms Morton's observation when she outlines the 'playing and passing' of her Aboriginality in the context of colonial administration of Indigenous lives.² Neatly dichotomous formulations of Settler and Indigenous political traditions and selves are, therefore, untenable.

But this does not imply the absence of important differences, or that delineation is impossible. Nicholas Thomas (1999, 10) captures the Settler-Colonial mix of entwinement and differentiation through his idea of 'antagonistic intimacy'. Both Settler and Aboriginal Australians claim strong attachments to land, for instance, but 'in terms that are all but incommensurable' (1999, 14). This difference in approaches to land resonates in wider cosmological, ontological and cultural differences. So while Settler and Indigenous selves and ways of being-together are bound, important and significant differences prevail that must be considered if we are to address unresolved conflict and ongoing governance challenges. To understand these differences it is useful to describe Settler and Indigenous Australian political traditions as two ideal types. The interaction of the worlds evoked by these types is a major factor in producing the situation with which we currently grapple in Indigenous affairs. To be clear, this delineation is heuristic: it is a way of thinking about differences in these two political ontologies rather than making definitive claims about them. This means that my use of particular characteristics to evoke one tradition should not be taken to imply that these characteristics are not present in the other tradition, or that either Settler or Indigenous Australian political ontology is fixed or unchanging. The terms I use to identify the ideal types are biopolitics and terrapolitics.

Speech and Biopolitics: Settler Political Ontology

In a famous passage in Book I of *The Politics* (1984, 37) Aristotle made a distinction between voice and speech to articulate the foundation of the Western form of political

² Johnson shows that playing the codes of exemption (from colonial acts that regulated Aboriginal people in earlier periods and continue to reverberate in Aboriginal lives) strategically allows the possibility of 'different moments of identity' and 'the possibility of multiple identities co-existing' (1993, 21). Passing as "white" in particular times and contexts involves refusing 'either a hybrid identity or a strict dichotomy between a white identity or an Aboriginal one' (1993, 21). It does not involve 'denying your Ab/originality or abandoning a part of yourself, but rather, ... protecting it. Passing refuses any idea of a sovereign master and the idea of self-renunciation' (1993, 22).

organisation (the city or *polis*) and man's³ unique standing as a political being. He asserts that it is 'clear' and existing 'by nature' that man is 'more a political animal than any kind of bee or any herd animal' (1984, 37). Aristotle reached this conclusion about the status of man and his fitness for the political life because 'nature does nothing in vain; and man alone among the animals has speech' (1984, 37, emphasis provided). Aristotle's reference to speech, or *logos*, emerges against voice. Although the voice indicates 'a perception of the painful and the pleasant' which is present in other species, 'speech serves to reveal the advantageous and the harmful'. As Jacques Rancière (1999, 2) notes, speech *expresses* whereas voice only *indicates*. Speech is significant beyond voice because partnership through language about 'the good and bad and just and unjust' and so on 'is what makes a household and a city' (Aristotle 1984, 37).

This distinction between voice and speech, and the prioritisation of the latter over the former, ramifies throughout Western – including Settler-Australian – political life and organisation. Particularly significant is the reification of speech in written language (the word) and the accompanying distinction between orality and literacy (see Ong 1982).⁴ It is not coincidental that Charles Taylor (1992) elucidates the formation of Western selfhood through the notion of "webs of interlocution". Taylor's (and others') evocation of the self as forming through language resonates with Westerners because language is the original register through which existence becomes meaningful for Western culture. In the Judeo-Christian tradition, nothing exists before the word of God which brings the entire world into being; language announces the creation of the world (Brody 2001, 71-72). The word, as the famous line of the gospels tells us, is synonymous with the Beginning and with God (2001, 73). These metaphysical precepts ramify throughout political relations: speech and the word enjoy status as key vehicles for exploring and organising political community, elaborating the rule of law, and for associated operation of relations of policy and governance.

³ My use of gendered language is not intended to speak for all. I maintain consistency with the original text to convey the gendering of many understandings of political community rather than to present "man" as a generic term.

⁴ Here I prefer Walter Ong's (1982) distinction between orality and literacy over Jacques Derrida's (1976) between speech and writing. The former is more useful for my purposes because it engages a broader set of historical issues and a wider gamut of cultural difference (see Ong 1982, 75, 77, 166-170).

In addition to specifying human life as unique, this distinction between voice and speech is useful for understanding *how* life becomes part of political community. Giorgio Agamben (1998, 8, 182) shows that the distinction between voice and speech – an operation whereby the ‘living being has *logos* by taking away and conserving its own voice in it’ – not only ‘constitutes man as a thinking animal’ but also has ‘its exact counterpart in what constitutes him as a political animal’. Agamben (1998) approaches the constitution of political man by extending Michel Foucault’s reworking of the Aristotelian formulation of man as a living being with the additional capacity for a political existence. Foucault argues that in the modern era ‘biological existence ... [is] reflected in political existence’ in operations of “biopower” which aim to increase the welfare, peace and productivity of populations (1981, 142, 139). This leads him to advance the notion of “biopolitics” and the importance of efforts to optimise and develop life within operations of modern Western governance against the traditional right of sovereign power to take the life of subjects (1981, 136). This theme has been extensively taken up in governmentality analyses.

However, the point of intersection between biopower and sovereign power has remained obscured and unresolved in Foucault’s work and much governmentality scholarship. Agamben (1998) shows that biopolitics is more central to Western political relations, including to the operation of sovereignty, than Foucault allows. By returning to Roman law and the absolute power of life and death that the father holds over his sons, Agamben (1998, 87-89) shows that the originary political element is ‘[n]ot simple natural life [as in Aristotle], but life exposed to death’ (1998, 88, emphasis removed). Life is marked apart but included – an excluded-inclusion – in the same way that speech is marked apart from voice. Where Foucault’s (1981, 136) position appears to be that sovereign power to take life or let live is mitigated (and perhaps displaced) by the rise of modern forms of power, Agamben (1998) argues that the threat of death, or biopolitical exposure, is not only at the heart of sovereign power but that it also permeates Western political relations more widely.

Biopolitical exposure finds its paradigmatic expression in “camps”, sometimes manifesting in striking catastrophe for life. The camps of Nazi Germany are perhaps foremost in the Western political imagination, but holding “enemy non-combatants” at “camp X-ray”, Guantánamo Bay, or the detention of refugees in Australian camps serve as relevant contemporary instances. The sovereign’s actions constitute the camp by suspending the subject’s political status as a citizen receiving the protection of law.

This renders the subject an excluded-inclusion: abandoned and exposed without the protection of law while simultaneously dwelling within the political order. For Agamben, the subject's abandonment to biopolitical exposure has become the hidden paradigm of Western political relations as the excluded and included come into a 'zone of irreducible indistinction' (1998, 9, also 115 ff.). Liberalism does not, then, secure existence for Westerners. Rather the *insecurity* of existence plays out through the liminality of bare life.

Liberal subjects are acted upon and act upon themselves in operations of power and governance that are suffused with decisions relating to exclusion and inclusion. Individuals face informal or formal governance as their lives are measured against a range of liberal Western norms. Subjects undertake (self-) regulation that corresponds to norms, or face forceful and coercive relegation as abnormal. These options correspond to the freedom or 'unfreedom' of liberalism (Hindess 2001). As liberal subjects we negotiate our political existence and the political order in which we dwell through exposure to the possibility of exclusion. We fashion our selves in a paradoxical exercise of freedom which, recognising hierarchy, authority and law, culminates in the figure of the sovereign who can decide if and when the law is to be suspended.

This precarious political existence is bound with speech and *logos* in figurative and concrete ways. From Aristotle onward, Westerners have made a magical investment in the human animal by excising speech from the voice and sustaining this as central to being and the formation of political community. *Logos* is the supposed rationale for the particular and distinct standing of humans as (political) subjects, and this standing sees them incorporated within a biopolitical order through the same operation of exclusion-inclusion which sees speech arise in the human being. Speech consolidated through alphabetical codification in governmental reason, legislation, and policy-making is the medium for managing and sustaining the biopolitical order which liberal subjects negotiate. Such investment in *logos* and the word is remarkable among the world's cultures. While speech may play a role in forming political community for other peoples, the extensive codification of speech through the written word and its use to act upon human lives is particularly emphasised in the West. Speech and biopolitics, then, provide a way of referencing and thinking about Western political ontology.

To prepare to articulate a way of thinking about Australian Aboriginal political ontology, it is important to note that reification and proliferation of *logos* and the word in the West has facilitated a typically hierarchical relationship with other cultures. The designation of Indigenous traditions as “oral”, “non-literate” and “non-alphabetical” (Fischer 1995) has facilitated both ethnocentrism and epistemological violence. Australian Aboriginal societies have been mistakenly understood by many as incapable of governance partly because commonly used sign-systems – hand signals, body painting, and oral reciting – in ceremonies and wider Aboriginal political life are not recognised as “writing”. Because these means of communication are used predominantly in “passing” performances and ceremonies, they tend not to be considered as part of the affairs of governance. To elaborate an ideal type for thinking about Australian Aboriginal political ontology it is necessary, then, to think beyond speech, the word and familiar Western political institutions.

Land and Terrapolitics: Aboriginal Political Ontology

Anthropologists Ronald and Catherine Berndt (1989, 6) explain that, for Aboriginal people, the ‘whole land is full of signs ... as clearly as if it were bristling with notice-boards’. The striking imagery of this textual analogy is a useful starting point, but it requires elaboration and qualification. While it is the case that Aboriginal people “read” the landscape, people do not sit apart from land. Land *participates* (1989, 5) or is alive and “active” in ways that texts typically are not. It is perhaps more accurate to say that the landscape exists in reciprocal relation with humans: land supports both people and the signs which people read in order to undertake ritual and ceremony to sustain the landscape which will in turn sustain people. This generates Dreaming,⁵ Law and political order in Aboriginal traditions.⁶

⁵ For a sense of the contestation and debates surrounding around the Dreaming or Dreamtime, see Howard Morphy (1997).

⁶ There is now a considerable body of work dealing directly or indirectly with Aboriginal political life. The ideal type I construct here is drawn from experiences and conversations with Aboriginal people, and from sources including Diane Bell (2002), Mary Graham (1990; 1999), Les Hiatt (1965; 1986), Fred Myers (1991), W. E. H. Stanner (1979), Deborah Bird Rose (1997; 2000; with others 2000, 157), Gerald Wheeler (1910) and Nancy Williams (1987).

Writing of Aboriginal political ontology in a condensed and general way generates inevitable problems. The following discussion is unable to deal with significant variation among Aboriginal people across the continent, or with the complexities of temporal change which include massive loss (in many areas) of ritual knowledge in early decades of colonialism, displacement or movement away from traditional lands, and a renaissance of Aboriginal culture in recent decades. Readers interested in a more detailed understanding should consult anthropological and other sources. Some monographs

The term “Country” both refers to particular tracts of land and invokes the “Dreaming”. Dreaming brings human beings into existence and serves as a type of poetic ordering principle, or “Law”, for guiding both relations among people and the ceremonies and rituals used to sustain Country (see Stanner 1979, 23-30; Swain 1993, 25; Arthur 1996, 119-120; Graham 1999). Both Dreaming and Law are articulated and affirmed in everyday social and political affairs and in story, song and ritual, the mechanisms for passing Law onto younger generations. At the centre of the Dreaming is the activity of spirit or totem ancestors who came out of the earth, moved across it, and re-entered (Munn 1970; Swain 1993, 32). These ancestor beings, often capable of multiple metamorphoses, play an ongoing role in affairs of land and people; they are originating and continually present as the Law is articulated by senior men and women.

Law calls individuals into being and to order through totemic responsibilities that guide Aboriginal political life. This Law is not so much a code/s to be followed as a complex totality of fluid philosophical, social, and political ways of being and interacting that are individually interpreted to provide guidance in political dealings and everyday life. Law refers existence back to landscape for people recognise themselves in landscape through story and ritual. This fusion of being and political existence in Country through Dreaming and Law provides a reference point for thinking about Aboriginal political ontology.

The magical operations I have emphasised in these ideal types – with regard to speech and the word by Westerners and to land and ancestors by Aboriginal people – can be associated with very different ontological effects. Perhaps the most conspicuous difference is reliance upon dispersion and embeddedness, rather than aggregation and abstraction, for formation of ontological reference points.⁷ As sites in the Australian landscape and the world-formative events associated with them are many, and because these sites are set in dynamic relation with human inhabitants, the ‘ontological status of the Aboriginal world is always pluralistic’ (Swain 1993, 25). This is so in a radical sense such that we should not conceive of a singular, originary or overarching Aboriginal Law or Dreaming in the way that Westerners conceive of

and edited collections which speak to questions of change and variation include: Daine Bell (2002), Ronald Berndt (1962; 1977), Ronald and Catherine Berndt and Berndt (1980), Gillian Cowlishaw (1999), Ruby Langford (1988) and Francesca Merlan (1998).

⁷ Deleuze and Guattari’s (1987) distinction between rhizomatic and arborescent systems – between multiplicitous networks and tree-like hierarchical systems – evokes ontological differences similar to those I discuss here. For one use of this heuristic see Alan Rumsey (2001).

sovereignty, *the* rule of law, or *the* nation. Interestingly, the impossibility of such a singular Law circumscribes, but does not put limits upon the scale of Aboriginal political organisation. Law manifests differently in different places but the Dreaming Tracks of ancestors typically move across the lands of several Aboriginal groups. Shared or similar stories or Dreamings serve as a common source of Law and different manifestations of law are negotiated among groups in a networked manner.

The “nature” of human being, and the types of political relationships that develop around it, also differ with these ideal types. Within Aboriginal traditions, being is traditionally connected with place through the movement of ancestor beings across particular tracts of country. The traditional identification with particular estates is linked to responsibilities to maintain or “hold” that country as a key endeavour (Swain 1993, 50). However, the reciprocal nature of “holding” country which is deemed necessary to ensure provision of human needs contrasts with the ‘self-sufficiency of being’ (1993, 52) which is frequently assumed in the West. One result is that people are not provided with any exclusive or unqualified relationship with a particular estate. Individuals do not have ‘exclusive social, political and economic rights to the site and its surrounding areas. Certainly, ontology does inform human life patterns, but with a compound design rather than a bland reflection of axiomatic elements’ (Swain 1993, 51).

At the centre of this compound design, and of Aboriginal political relations, is relationship and relatedness (see Stanner 1979, 34).⁸ If people do not have exclusive rights to country, they are necessarily involved with others. Kinship, traditionally an important sub-field in anthropology, is crucial for structuring this involvement with others in complex and interdependent networks of relationships. But relatedness also extends beyond human relationships. The question of what is “human life” in Aboriginal traditions is not as central as it is in the West and receives different treatment. Where Westerners partly answer their archetypal question “What is Man?” by distinguishing humans as strongly different from other animals, Aboriginal people see that humans are different – on the basis, for instance, of shape (Rose 2000, 45) – but people are also part of a broader “aliveness” which takes in other species and land. In other words, the answer to what is “alive” or sentient in Aboriginal ontology has an

⁸ In this paragraph I explicate relatedness in relation to Country. However, it is important to note that a similar form of relatedness is a key feature of Aboriginal social and political life for those people who are not living on Country or are otherwise distant from it.

expansive answer which ramifies through a multiplicity of relationships in which humans are interdependent with other life (see Stanner 1979, 34; Rose 2000, 45-46).

At this point we can advance a schematic and heuristic distinction between two ideal types for thinking about Settler and Indigenous Australian political ontologies. The emphasis upon speech in the West – and its separation from voice to give people special standing – centres humans as autonomous beings distinct from other animals and the world. This relation has its counterpart in the political standing of the subject as one whose life is brought into focus as s/he is included in the *polis* under the threat of exclusion by the sovereign. The implications include intense ontological and political activity at the site of “life”. This extends to the hypostatisation of life evinced in notions such as the “right to life”. Following Foucault’s (1981) and Agamben’s (1998) analyses of the way the West puts life itself in question, this tradition can be termed *biopolitical*.

Where the Western tradition emphasises a magical investment that excises the *logos* from the voice in the human, Australian Aboriginal traditions emphasise magical investments which locate ancestors in land. This generates Country and brings people into existence in a sentient landscape which is the medium for transmitting political and social order. Land thereby fuses being and political relations. Existence is profoundly relational: “life” is embedded in other people, entities, and the landscape rather than concentrated in individual figures like the self and the sovereign. To construe this distinction, Aboriginal political ontology can be termed *terrapolitical* in contrast with the Western and biopolitical.

These ideal types lend themselves to rather striking distinctions between Indigenous and Settler-Australian ontology. Stephen Muecke (1997, 70) stages an illustrative interaction which is hard to resist:

The stranger says to the Indigenous person, “I come from a place where the word is sovereign”. ... The Indigenous person might now respond: “That is not a place, it is a story, stories without places will pass, like your time passes. Stop asking me things. Stop insisting that I move. My place is sovereign”.

Muecke is not suggesting incommensurability, but it is also necessary to use the foregoing ideal types carefully. Delineating these two traditions too strongly risks inappropriately reinstating antagonisms of dominant Western philosophy (see Povinelli 1995, 143). Word and place are not mutually exclusive agents in the

formation of political ontology. Moreover, land and speech play important roles in both traditions. Land and place play strong – albeit different – roles in the Western tradition (see, for instance, Schama 1995), and speech is important in Aboriginal social and political life. The ideal types articulated here highlight particular emphases and ways in which speech and land are mobilised. They provide reference points for thinking about different traditions and their interaction, but should not lead us to overlook similarities or possibilities for exchange across traditions in the Settler-Colonial context, and the extent to which, despite significant difference, this began with European arrival⁹ and continues in sporadic, uneven, and subterranean ways. There is a need, then, to remain attuned to both difference and complex entanglement when considering the interaction of Australian Aboriginal and Settler political ontologies in Settler-Colonial governance.

Settler-Colonial Governance: the intersection of biopolitics and terrapolitics

The encounter between Settler and Indigenous political traditions in the Australian situation is characterised by a pattern of Settler domination and Aboriginal resistance. But this overall story does not mean that the details are simple. Domination can be ‘permeated with ambiguity, uncertainty, and peculiar mixes of fantasy and reality’ and ‘resistance can occur simultaneously with collusion’ (Sider 1987, 3). Here I do not want to rehearse the story of Settler domination, and nor can I pretend to unravel its complexity. Instead, I want to provide a perspective on both the overall pattern of domination and the complex details of encounter by framing Settler-Indigenous relations as an interaction between European biopolitical and Aboriginal terrapolitical political traditions. This provides an innovative way of conceptualising current Settler-Indigenous political relations and the context for contemporary Australian Settler-Colonial governance in Indigenous affairs. I begin by considering notions of authority in each tradition before turning to the establishment of biopolitical authority and its ongoing dominance through the designation of Aboriginal people as an included-exclusion within the Australian political community.

Authority in Two Traditions

⁹ For an interesting and subtle treatment of dialogue in the early colonial setting see Paul Carter (1996).

In Australian Aboriginal traditions people negotiate Law in everyday interactions as they carry out responsibilities for each other and for Country. Here the magic of terrapolitics – the maintenance of ancestors and land forms as the source of being and political ontology – is directly connected with interpersonal and relationship dynamics among people. The result is relatively dispersed and fluid negotiation of political authority among human agents which brings about authoritative Law. People have differential access to this Law with men and women frequently operating in separate spheres and senior people, often senior men, exercising most authority. However, this authority is contingent upon both continued demonstration of skills and capacities (oratory, settling disputes, knowledge of Law, dealing with other groups, arranging ceremonies) and the consent and respect of others. In principle, Law is accessible to everyone over the course of their lifetime depending, once again, on the acquisition and demonstration of skills and capacities. This opportunity for participation and knowledge provides the mechanism for judging the success or otherwise of those who claim authority through Law, and hence for giving or withdrawing one's consent. So authority can be enacted by particular individuals, but this is contingent upon the consent of others, including their perception of the success or otherwise of those who articulate Law and thereby claim authority. The result is that political authority plays out in contextually and relationally dependent ways.¹⁰

The contingent nature of Aboriginal political authority can lead to complex and lengthy negotiation processes (see Rose 2000, 171-174), but this does not mean that authority is infinitely malleable or without force or violence. Decisive and “harsh” penalties can accompany the transgression of Law. The accompanying tension between the force of authority and the need for relationship is negotiated through Law itself. Senior people are able to exercise authority (to direct the actions of others) on the basis that their behaviour is lawful. This requires that the exercise of authority pays attention to the needs of others. The playing out of authority therefore usually proceeds through relationship, often through what Fred Myers (1991) terms “looking after” others (compare Hiatt 1986, especially p. 12). The extent of an individual's or group's authority is contingent, then, upon capacity to extend relatedness. As Deborah Bird Rose (1999, 181) notes, politicking involves ‘locating

¹⁰ This rendering of authority is drawn from the sources used in my earlier discussion of Aboriginal Law (see note 6) and the work of W. H. Edwards (1987) and Les Hiatt (1986) on Aboriginal political authority.

one's self in as many contexts as possible, rather than accumulating contexts and collapsing them into a singularity'. Political authority exists, and people have greater opportunity to develop this authority as they age, but authority does not emerge through the "rule of the elders" based upon the simple criterion of age (Stanner 1979, 39).

Political authority operates in very different ways in the Western biopolitical tradition. Where people negotiate Law through Country and relationship in Aboriginal politics, a variety of interconnected institutions, procedures, and governmental apparatuses relate individuals with sovereignty in a political hierarchy in Western politics. Individual selves are acted upon and act upon themselves to achieve personal welfare that aligns with the state's biopolitical goals for a peaceful, healthy, and productive population. Much of this is achieved through informal governance and self-regulation. As Barbara Cruikshank (1996, 235) states, 'we have wildly underestimated the extent to which we are already self-governing. Democratic government, even self-government, depends upon the ability of citizens to act upon their own subjectivity, to be governors of their selves'. Informal self-regulation in the name of freedom connects individual subjects with the formal regulation of rule of law and sovereignty. The machinery of this formal governance – police, courts, elections, parliaments, and so on – establishes an overall pyramidal structure for regulating relations among people with authority vested in the sovereign.

This pyramidal organisation of authority gives the sovereign the capacity to decide specific instances wherein the promotion of life does not apply, or when life receives no or limited protection by law. The rise of the modern state has, as Foucault (1981, 136) shows, involved a shift away from the monarch's power to take life or let live through the biopolitical fostering of the welfare of individuals and populations. But in this shift the sovereign retains the power to decide when this does not apply (Elden 2002, 145) – to decide when subjects do not enjoy the support or protection of the state. The ultimate application of authority in the biopolitical tradition involves, then, the power to *make live* or *let die* (2002, 145).

The different operation of authority in Indigenous and Settler Australian traditions is important to Settler dominance in two key ways. First, the operation of authority in the Western biopolitical tradition is more hierarchical and ossified than that which plays out in Indigenous Australian political relations. Authority is more contingent in the latter case since it arises through the networked negotiation of Law

among individuals. Second, the investment of life and its enhancement in the West means that the defence of society, of the social body as a whole, emerges as crucial in the development of the modern state (see Foucault 1997). Collective welfare is pursued through a hierarchical system inflected through sovereignty rather than, as in Australian Aboriginal traditions, the embedding of life and its welfare in landscape. Moreover, this defence of the social body proceeds through an internal struggle or war which proceeds through the casting out and abandonment of those marked as abnormal or other (Foucault 1997; Elden 2002).¹¹ This internal biopolitical struggle – a struggle to defend the life of the social body against a biologically perilous “other” marked by race (Elden 2002) – is particularly significant for Settler-Indigenous relations.

Constituting and Sustaining Biopolitical Dominance

Aboriginal people are routinely cast as “other” in early Australian Settler-Indigenous relations.¹² This disavowal helps establish the Settler biopolitical order. Andrew Lattas (1987, 47) quotes a letter to the *Sydney Gazette*, 9 September 1824, that evinces these relations by clearly linking dissociation, hierarchical political authority, and violence. The contributor writes that Aboriginal people ‘are a body of people in no wise connected with us – are subject to no legislative power of their own, or others – nor is there amongst them any *superior society* from whom they may expect detection or punishment’ (Gazette Letter in 1987, 47, emphasis provided in 1987). Here civilisation forms through hierarchy, internal societal struggle, and exposure to violence. All of these, according to the contributor, are absent among Aboriginal people: ‘they migrate through the woods and forests without any dread of each other; every tribe they fall in with adds to the general multitude, and becomes equally involved in guilt’ (1987, 47).¹³ The constitution of the Settler order requires repealing this situation and so leads to a requirement for violence toward Aboriginal people by whites. But this order is also naturalised in a striking way: violence should be expected *by Aboriginal people themselves*. Because ‘[n]o class exists to suppress the

¹¹ This is a significant point. The model of war which constitutes the modern state is not, as in Hobbes (1960[1651]) conception, the war of all against all. Rather, it is one which divides the social body (Foucault 1997, 61; Elden 2002, 131-132).

¹² A consideration of racism would help elaborate this process, but is beyond the scope of this paper.

¹³ See also W. H. Edwards (1987, especially 163).

atrocities of the remainder ... *they have only to expect due punishment from us...*' (1987, 47, emphasis provided in 1987).

Aboriginal people are constituted vis-à-vis the state and its law, and are simultaneously exposed to violence. Their exclusion is also an inclusion; an excision or excluded-inclusion of the type diagnosed by Agamben (1998). Through the nineteenth and into the twentieth century, Aboriginal people are subject to massacres and violence through the suspension of the rule of law. In the West Australian situation, for instance, Julie Evans (2004, 77-81) discusses the approval of special summary procedures against the Aboriginal population in place of and without recourse to a court of law. This treatment of Aboriginal people, and their standing as an excluded-inclusion within the biopolitical order, contributes to the establishment of European governmental order. As Evans shows, 'what might otherwise be viewed as an aberration, or quite simply as unlawful or unjust, was actually constitutive of the rule of law itself' (2004, 78).

The enfolding of Aboriginal people into European frameworks as an excluded-inclusion, and particularly their specification as exceptional, other, or abnormal, ramifies through efforts to establish a European Settler order. The 'symbolic otherness of Aborigines was continuously used by the dominant class as a terrifying spectacle through which to confront the White lower orders with the sad psychological truth about themselves' (Lattas 1987, 40). This provided bases upon which to compare, contrast, and induce subjects – particularly convicts and lower classes – to act upon and reconfigure themselves in relation to the appropriate norms of Western civilisation. 'Racism provided the bourgeois upper classes with a technique of symbolic distancing' (1987, 41) which also established boundaries of normality and abnormality against which colonial subjects would regulate their behaviour. Aboriginal people emerge as a negative referent in the development of the Australian order for biopolitical communities are established against the perils of an "other" race which is constituted despite the fears of the dominant society (Foucault in Elden 2002, 131).¹⁴ It is for this reason that the 'historical career of ethnic people can ... be understood in the context of forces that both give a people birth and simultaneously seek to take their lives' (Sider 1987, 3).

¹⁴ This quote is from Stuart Elden's translation of *Il faut défendre la société*.

Reassuring narratives about humanisation or improvement of relations between Aboriginal and Euro-Australians (through, for instance, the 1967 referendum and the granting of citizenship rights) belie the continuing exclusion-inclusion of Aboriginal people within the biopolitical order. Inclusion has been increasingly emphasised in recent decades, but the state continues to face ‘the existence of a small Indigenous group, which it has constituted as a minority in the course of colonisation, but is unable to dissolve simply by declaring the members citizens’ (Beckett 1988, 14). This “Aboriginal difference” – the identification of Aboriginal people outside yet within the political community on account of “Third World conditions” and the like – marks the need for government programs and processes which strive to include Aboriginal people and produce them, according to Western political ontology and values, as good Australian citizens. Recent government emphasis upon self-reliance, employment, and economic responsibility alongside the encouragement of private land ownership among Aboriginal people continue, and in some cases extend, these long-standing patterns.

Changes in the governance of Australian Indigenous affairs do occur, but within a continuing pattern of exclusion-inclusion. The result is that governance manifests differently while retaining a similar impulse and overall effects. A particularly notable illustration of this pattern is decline in the use of race as an ontological marker for justifying interventions vis-à-vis Aboriginal individuals and communities. Race has been progressively eroded as its inconsistency with liberal principles has been increasingly revealed. But this move to include rather than exclude simply shifts the justification for exceptional governance of Aboriginal people rather than eliminating or fundamentally renegotiating its effects upon them. In recent public discourse Aboriginal communities have come to be less marked by race and more as “zones of crisis”, a designation facilitated by commentary by some prominent Aboriginal people.¹⁵ This identification of exceptional spaces – spaces that are exceptional yet included in the Australian political community – justifies policies toward Aboriginal people that would be unlikely to be accepted by white Australians. It is the basis for subjecting Indigenous people, through current policy initiatives such as Shared Responsibility Agreements, to different and more coercive governance

¹⁵ See, for instance, Sue Gordon (2006).

practices than those applied to the rest of the Australian community (MacDonald and Muldoon 2006, 219-220).

The shift away from explicitly racial reference partially reconfigures governance in Australian Aboriginal affairs, but it does so by reasserting biopolitical dominance. Aboriginal exceptionality remains the premise for interventions that affect the lives of Aboriginal people. However, this exceptionality does not extend to recognising that Aboriginal people often operate with different cultural values and political ontology. Rather, exceptionality is paired with inclusion within the biopolitical order. The result is that Aboriginal people who do not conduct themselves in ways that are sufficiently aligned with Settler values and political ontology stand as an excluded-exclusion in relation to the Australian political community. In this way liberal Settler governance continues a longstanding twin strategy of disavowing and assimilating Aboriginal people.

Conclusion: Prospects for Biopolitical-Terrapolitical Exchange?

The foregoing account of biopolitical dominance is the main story of Settler-Indigenous political relations and Australian Settler-Colonial governance, but it is also accompanied by a story of Aboriginal survival, including survival of Aboriginal political ontology. Aboriginal cultural values persist despite massive change. Skilful adaptation to Settler circumstances can be, as Johnson (1993, 22) explains, a way of protecting rather than denying or abandoning Aboriginality. The result, though, is that biopolitical and terrapolitical tendencies coexist in an unequal and antagonistic relationship characterised by domination rather than positive or productive exchange. This continued biopolitical dominance cannot address underlying Settler-Indigenous conflict. Nor can biopolitical dominance promise to break the cycle of crisis and reinvention in Indigenous affairs and governance because it refers only to itself rather than to the ontology which continues to guide many Aboriginal lives. To address conflict and break the cycle requires conversation and exchange between Settler and Indigenous political ontologies and their accompanying political and administrative rationalities. It requires, in short, dialogue and recognition between European and Aboriginal political ontologies, values and systems.

Prospects for engagement between Indigenous and Settler-Australian political ontologies appear relatively slim in the context of biopolitical dominance. Yet there

are also significant possibilities for exchange precisely because Settler and Indigenous selves and political relations are closely entwined in the Settler-Colonial context. Our very selves are constituted, as Attwood (1997, 116) notes, in processes of governance which are often mutual rather than separate. Aboriginal exceptionalism is currently used to identify individuals and communities as targets for programs of liberal governance, and these programs regulate Aboriginal subjects on the terms of Settler biopolitical ontology by encouraging behaviours directed toward self-reliance, employment, and economic responsibility. But if we look to Settlers rather than Aboriginal people, Aboriginal exceptionalism might be a force for mitigating the dominant trajectory of power relations. Settlers may choose, within the liberal biopolitical order and following longstanding Aboriginal invitation, to engage and regulate their selves in relation to Aboriginal political ontology. This manner of asserting other ways of being resists dominant biopolitics and recognises Aboriginal political ontology and values. It also promises a wider exchange between Settler and Indigenous political ontologies and rationalities.¹⁶ Such an exchange promises to begin to address biopolitical dominance and break the pattern of recurrent crises in Indigenous affairs.

¹⁶ I am exploring this possibility in ongoing research.

References

- Agamben, G. 1998. *Homo sacer: sovereign power and bare life*. Stanford, Calif.: Stanford University Press.
- Aristotle and C. Lord 1984. *The politics*. Chicago; London: University of Chicago Press.
- Arthur, J. M. 1996. *Aboriginal English: a cultural study*. Melbourne: Oxford University Press.
- Attwood, B. 1997. 'Making History, Imagining Aborigines and Australia.' In *Prehistory to politics: John Mulvaney, the humanities and the public intellectual*, eds T. Bonyhady and T. Griffiths Carlton, Vic.: Melbourne University Press.
- Austin-Broos, D. 1996. "'Two Laws", Ontologies, Histories: Ways of being Aranda today.' *The Australian Journal of Anthropology* 7(1): 1-20.
- _____. 2001. 'Whose Ethics? Which Cultural Contract? Imagining Arrente Traditions Today.' *Oceania* 17(3): 189-200.
- Beckett, J. 1988. 'Aboriginality, Citizenship & Nation State.' *Social Analysis* 24(December): 3-18.
- Bell, D. 2002. *Daughters of the dreaming*. North Melbourne: Spinifex Press.
- Berndt, R. M. 1962. *An adjustment movement in Arnhem Land, Northern Territory of Australia*. Paris: Mouton.
- _____, Ed 1977. *Aborigines and change: Australia in the 70's*. Social anthropology series, no. 11. Canberra, Australian Institute of Aboriginal Studies; New Jersey: Humanities Press.
- Berndt, R. M. and C. H. Berndt, Eds 1980. *Aborigines of the west: their past and their present*. Perth: University of Western Australia.
- _____. 1989. *The speaking land: myth and story in Aboriginal Australia*. Ringwood, Vic.: Penguin Books.
- Brody, H. 2001. *The other side of Eden: hunter-gatherers, farmers and the shaping of the world*. London: Faber and Faber.
- Carter, P. 1996. *The calling to come*. Sydney: Historic Houses Trust of New South Wales.
- Cowlishaw, G. 1999. *Rednecks, eggheads and blackfellas: a study of racial power and intimacy in Australia*. St Leonards, N.S.W.: Allen & Unwin.

- Cruikshank, B. 1996. 'Revolutions Within: Self-government and self-esteem.' In *Foucault and Political Reason: Liberalism, neo-liberalism and rationalities of government*, eds A. Barry, T. Osborne and N. Rose Chicago: University of Chicago Press.
- Deleuze, G. and F. Guattari 1987. *A Thousand Plateaus: Capitalism and Schizophrenia*. Minneapolis: University of Minnesota.
- Derrida, J. 1976. *Of grammatology*. Baltimore: Johns Hopkins University Press.
- Edwards, W. H. 1987. 'Leadership in Aboriginal Society.' In *Traditional Aboriginal society: a reader*, ed. W. H. Edwards South Melbourne: Macmillan.
- Elden, S. 2002. 'The War of Races and the Constitution of the State: Foucault's «Il faut défendre la société» and the Politics of Calculation.' *boundary 2* 29(1): 125-151.
- Evans, J. 2004. 'The Formulation of Privilege and Exclusion in Settler States: Land, Law, Political Rights and Indigenous Peoples in nineteenth-century Western Australia and Natal.' In *Honour among nations: treaties and agreements with indigenous people*, eds M. Langton, M. Tehan, L. Palmer and K. Shain Carlton, Vic.: Melbourne University Press.
- Fischer, R. A. 1995. Protohistoric roots of the network self: on Wired Aborigines and the emancipation from alphabetic imperialism. URL: <<http://www.t0.or.at/bfischer/protonet.htm>>. Consulted 17 October 2001.
- Foucault, M. 1981. *The History of Sexuality: An introduction*. London: Penguin.
- _____ 1997. 'Society Must Be Defended.' In *Michel Foucault: Ethics, the essential works I*, ed. P. Rabinow London: Penguin.
- Gordon, S. 2006. Home away from home; Aboriginal people must start accepting personal responsibility for their actions. *The Australian*: April 24.
- Graham, M. 1990. On Correct Behaviour. Brisbane, Unpublished paper (copy held by the current author).
- _____ 1999. 'Some thoughts about the philosophical Underpinnings of Aboriginal Worldviews,' *Worldviews: Environment, Culture, Religion* 3(2): 105-118.
- Hiatt, L. R. 1965. *Kinship and conflict: a study of an aboriginal community in Northern Arnhem Land*. Canberra: Australian National University.
- _____ 1986. *Aboriginal political life*. Canberra: Australian Institute of Aboriginal Studies.

- Hindess, B. 2001. 'The Liberal Government of Unfreedom.' *Alternatives: Global, Local, Political* 26: 93-111.
- Hobbes, T. 1960[1651]. *Leviathan, or the matter, forme and power of a Commonwealth, ecclesiasticall and civil*. Oxford: Basil Blackwell.
- Johnson, D. 1993. 'Ab/originality: Playing and Passing Versus Assimilation.' *The Olive Pink Society Bulletin* 5(2): 19-23.
- Langford, R. 1988. *Don't Take Your Love to Town*. Ringwood, Vic: Penguin.
- Lattas, A. 1987. 'Savagery and Civilisation: Towards a Genealogy of Racism.' *Social Analysis* 21(August): 39-58.
- MacDonald, L. T. A. O. T. and P. Muldoon 2006. 'Globalisation, Neo-liberalism and the Struggle for Indigenous Citizenship.' *Australian Journal of Political Science* 41(2): 209-223.
- McLean, I. 1998. *White Aborigines: identity politics in Australian art*. New York: Cambridge University Press.
- Merlan, F. 1998. *Caging the rainbow: places, politics, and aborigines in a North Australian town*. Honolulu: University of Hawaii Press.
- Morphy, H. 1997. 'Empiricism to Metaphysics: In Defence of the Concept of the Dreamtime.' In *Prehistory to politics: John Mulvaney, the humanities and the public intellectual*, eds T. Bonyhady and T. Griffiths Carlton, Vic.: Melbourne University Press.
- Morton, J. 1996. 'A Place for Strangers and a Stranger Out of Place: Towards a History of Tony Swain's Aboriginal Being.' *Social Analysis* 40(September): 43-50.
- Muecke, S. 1997. *No road (bitumen all the way)*. South Fremantle, W.A.: Fremantle Arts Centre Press.
- Munn, N. 1970. 'The Transformation of Subjects into Objects in Walbiri and Pitjantjatjara Myth.' In *Australian Aboriginal anthropology: modern studies in the social anthropology of the Australian Aborigines*, ed R. M. Berndt Nedlands: Published for the Australian Institute of Aboriginal Studies by the University of Western Australia Press.
- Myers, F. R. 1986. 'Reflections on a Meeting: Structure, language, and the polity in a small-scale society.' *American Ethnologist* 13(3): 430-447.
- _____ 1991. *Pintupi country, pintupi self: sentiment, place, and politics among Western Desert Aborigines*. Berkeley, Calif.: University of California Press.

- Ong, W. J. 1982. *Orality and literacy: the technologizing of the word*. London; New York: Methuen.
- Povinelli, E. 1995. 'Cultural encounters and emergent cultures in Australia.' *American Anthropologist* 97(1): 141-144.
- Rancière, J. 1999. *Disagreement: politics and philosophy*. Minneapolis: University of Minnesota Press.
- Rose, D. B. 1997. 'Rupture and the Ethics of Care in Colonized Space.' In *Prehistory to politics: John Mulvaney, the humanities and the public intellectual*, eds T. Bonyhady and T. Griffiths Carlton, Vic.: Melbourne University Press.
- _____ 1999. 'Indigenous ecologies and an ethic of connection.' In *Global Ethics and Environment*, ed. N. Low London; New York: Routledge.
- _____ 2000. *Dingo makes us human: Life and land in an Aboriginal Australian culture*. Cambridge, England; Melbourne, Vic.: Cambridge University Press.
- Rose, D. B., S. D'Amico, et al. 2000. *Country of the Heart: An Indigenous Australian Homeland*. Canberra: Aboriginal Studies Press.
- Rumsey, A. 2001. 'Tracks, Traces, and Links to Land in Aboriginal Australia, New Guinea, and Beyond.' In *Emplaced myth: space, narrative, and knowledge in Aboriginal Australia and Papua New Guinea*, eds A. Rumsey and J. F. Weiner Honolulu: University of Hawaii Press.
- Schama, S. 1995. *Landscape and memory*. New York: Alfred A. Knopf.
- Sider, G. 1987. 'When Parrots Learn to Talk, and Why They Can't: Domination, Deception, and Self-Deception in Indian-White Relations.' *Comparative Studies in Society and History* 29(1): 3-23.
- Stanner, W. E. H. 1979. *White man got no dreaming: essays, 1938-1973*. Canberra: Australian National University Press.
- Swain, T. 1993. *A place for strangers: towards a history of Australian Aboriginal being*. Oakleigh, Vic.: Cambridge University Press.
- Taylor, C. 1992. *Sources of the Self: The making of modern identity*. Cambridge, UK: Cambridge University Press.
- Thomas, N. 1999. *Possessions: Indigenous Art/Colonial Culture*. London: Thames and Hudson.
- Wheeler, G. C. 1910. *The tribe, and intertribal relations in Australia*. London: J. Murray Johnson Reprint.

Williams, N. 1987. *Two laws: managing disputes in a contemporary Aboriginal community*. Canberra: Australian Institute of Aboriginal Studies.