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## Session: Countering Modernity - Communal and Cooperative Models from Indigenous Peoples

## Panel white paper

## Neoliberalism’s backlash to Indigenous demands in Australia

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It is customary in Australia to give an Acknowledgement of Country when speaking at an event. The price paid to build the beautiful City of Sydney where I am located was the death of its previous landowners, men, women and children. Acknowledging Indigenous land owners, and ‘their elders past and present’, seems hypocritical. Those who died as their country was colonised are neither named nor honoured. Flagpoles here and there fly the Aboriginal flag. Ironically, this flag is copyright, and Aboriginal people and others can only use it with permission and on payment. The ways in which Aboriginal peoples are being honoured in Australia only makes sense from a romanticised and essentialising *non-Indigenous* perspective. Acknowledgements of Country are, by and large, farcical platitudes designed to make non-Aboriginal people feel anti-racist.

This goes to the heart of the points I wish to share. Aboriginal people in Australia are caught in ‘the cunning of recognition’ that is evident in neoliberal politics across the world. What is being ‘recognised’, what practices, and how they are honoured and protected, has become a set of clever but ultimately destructive strategies. Three fine-looking Trojan horses are radically reshaping the Australian Indigenous world. They look good to those outside Australia, and to most whitefellas in Australia, but to Aboriginal people at the grassroots they are promoting what Aboriginal legal scholar, Irene Watson, calls ‘the death of the native’. But first, some background.

## The new way in this settler-nation world: modernising deficit

The position of Aboriginal peoples in Australia was not good at the time neoliberal policy and ideology started to permeate national thinking. They had been able to access the full rights of citizenship only a decade before and were economically dependent and politically-managed. Perceptions of and attitudes towards them were, and continue to be, tightly managed. But through the 1970s and 1980s it did seem as if life would get better. Aspirations were shattered when, from the 1990s, neoliberalism’s effects started to impact. Their rights, and the material and social conditions of their lives, have progressively worsened across the continent.

This is not an impression that the visitor to Australia might gain, nor even many Australians. So much is ‘being done for Aboriginal people’, so much money spent, Aboriginal motifs are everywhere. They appear to be achieving so much, and there are many famous names. The reality of inequity is well-concealed, behind government support for the colourful, commodifiable and controllable ‘Aboriginality’ that is on view. A public profile that *appears* to value difference works to camouflage Australia’s continued suppression of the right to difference. When the discourses and practices of domestic Indigenous policy are viewed within the international context of neo-liberalism, the immense burden that Australia’s continued rejection of difference has placed on its Indigenous peoples becomes more apparent. Below the veneer are people living with increasing rates of marginalisation and poverty, substance abuse and intra-personal violence, all fuelled by a lack of leadership and absence of strategies to enhance social and moral cohesion.

The liberation movements of the mid-twentieth century are facing an intense backlash through the politics of neoliberalism, evident in affluent modernist white nations such as Australia. But this is played out cleverly. I describe some of the characteristics of this backlash.

Aboriginal people were first drawn into neoliberalism through the policy of self-management. Then, and since, policy has been marked by a paternalism that is far more intrusive than in the past. Access to resources requires accepting surveillance and management of daily life and intra-community relationships. This has increased social and psychic stress as persons of one cultural world try to negotiate the incommensurable moral expectations of another. What the Federal Government seeks is the ‘production of a newly oriented ‘normalised’ Aboriginal population, one whose concerns with custom, kin and land will give way to the individualistic aspirations of private home ownership, career and self-improvement’. Torn from their own ways of being, people lash out at each other, unable to analyse or understand introduced tensions, but aware that kin are not sharing as they should, are not meeting relational obligations and expectations.

By the end of the 2000s, Austin-Broos could identify the ‘shift in discourse from *difference to pathology*’ that worked to conceal not only historical and cultural factors but ‘wide-spread social suffering [and] marginalism’.[[1]](#footnote-1) The grounds for racialising shifted in a peculiarly Australian way, from *deficient human* to the deficit of *incompetence.* The effect of this on both individuals and whole communities, as inappropriate policy renders them dysfunctional, reinforces the hegemony of an ongoing racialised hierarchy.

Paternalism created new styles of pathologising. The neoliberal era has moved Aboriginal peoples from legitimate to illegitimate dependence. Neoliberal welfare reforms distinguish between the deserving – those who have cognitive competence and are exercising their potential for private property ownership, and the undeserving - those who have neither and who cease to be ‘subjects of right’ and therefore have no entitlement. But it is not only policy and welfare services that have been redefined, it is also ‘Aboriginality’. The breadth and penetration of the aim to reconstitute Aboriginal *persons*, always a goal of a colonial settler nation, has intensified.

Two pathologising strategies stand out: criminalisation and medicalisation.

Indigenous Australians have the highest imprisonments rate in the world.[[2]](#footnote-2) Yet, while the imprisonment rate rises, there is little attention to the effect of this on individuals, families and community.[[3]](#footnote-3) As Watson explains:

The ‘law and order’ slogan sweeps the nation not to enunciate justice but to implant self-righteousness, to sanction an unabated heritage of violence toward undesirable minorities and incompatible ideas. A people constantly in search of awesome solutions to achieve their objectives stand condemned and, therefore, must seek ideological justification for their otherwise indefensible deeds.[[4]](#footnote-4)

Statistics of abuse and incarceration were broadcast so often that, by the mid-2000s, the right-wing Government successfully argued that Aboriginal ‘rights’ must be taken off the agenda, at least until ‘needs’ had been met. Many well-meaning Australians came to believe that Aboriginal people, after all, really were unable to ‘help themselves’. Cunneen argues that ‘detention and imprisonment, terror, torture and ill-treatment’ are more than processes of criminalising: they stem from a long-standing, naturalised relationship between the state and Indigenous peoples.[[5]](#footnote-5) Defining Aboriginal difference, resistance, even rebellion as illicit – when there can be no equitable outcomes – wrongs Aboriginal people. Criminality becomes the ‘natural defect’ of being Aboriginal.

A second pathologising strategy has been to frame social and economic inequities faced by Aboriginal people as a health crisis, and thus also of their own making.[[6]](#footnote-6) Medicalisation might appear to be a more benign process of pathologising but it also deflects appreciation of the structural and cultural violence to which Aboriginal people are subjected. Medicalising an ‘individual’ absolves the state, justifying paternalism and discipline, and fuelling the stereotypes of deficit. Individualising the sick body, and the sense of moral failure communicated by the medical discourse, both suggest a lack of discipline exercised by ‘failed’ or ‘deviant’ bodies, creating a sense of *moral* breakdown.[[7]](#footnote-7) Understanding the complex sources of disarray that produce psychological and social stress is not regarded as important in treating the patient’s body or their mind. We should be concerned to observe that Indigenous mental health is a growing industry, connected to the pressures on *individuals* to conform to neoliberal subjectivities as well as national reluctance to deal with the costs of ameliorating the long-term social disadvantages of dispossession and racialising.

Burgess and colleagues define Aboriginal health and well-being as ‘achieved qualities, developed through relationships of mutual care of kin, non-human affiliations and observance of ethical conduct described by the law or dreaming that is encoded within the landscape’.[[8]](#footnote-8) Measurement along such lines would be embarrassing for the Federal Government. Statistic of health rely on distorting medical models.

## Neoliberalism’s Trojan horses

### NGOs

Other means by which Aboriginal claims are being dissolved come in the guise of three Trojan horses,[[9]](#footnote-9) each involved in the enterprise of forcibly reshaping Aboriginal selves. Each appears socially and economically attractive; they look like celebratory recognition. The first is the rise in non-government organisations (NGOs). The second is the emergence of a nationally-recognised Aboriginal elite. The third, is the right of any Australian with purported Aboriginal ancestry to now self-identify as Aboriginal.

As a part of global neoliberal restructuring, the 1990s was a golden age for NGOs as governments began contracting out services. Operating in the interstices between government and citizens as a means of promoting good governance, charities, philanthropists and market-based actors took on an increasing number of servicing and advocacy roles. The current world is barely conceivable without this proliferation. Governments are now ‘labyrinths of interconnected state and private structures’, blurring the traditional boundaries of state and private, and of accountability.

But NGOs are not the independent third sector they are made out to be. Ostensibly non-government, they remain allies and collaborators with government. They do not necessarily challenge structural causes of inequity and can actually endorse processes which deepen these. There are thousands of NGOs servicing and advocating for Australian Indigenous peoples. The ambiguous space they occupy enables them to bypass the constraints of bureaucracy on the one hand, and Aboriginal political and cultural constraints on the other. They range from arts cooperatives to small businesses, to educational, health and legal agencies. Many of these are part or even completely funded by government, even when run by Indigenous people. Few people can operate outside this ‘Indigenous sector’. In 2014, neoliberal influence was firmly entrenched in the Indigenous Advancement Strategy which put a significant number of previously Aboriginal-managed government-funded services, cultural and business supports up for tender, after which only 50% remained under Indigenous control.

‘Empowerment’ is an NGO buzzword. In reality, Aboriginal people are being significantly disempowered. These organisations appear to be similar to those of earlier years but are not. They are fashioned as *enterprises* rather than *institutions*, designed to shape an Aboriginal subject acceptable to the state. Involvement is designed to normalise behaviour, such that the ‘Indigenous’ will disappear except in symbolic terms.

This involves a fashioning that erode character and stability, especially the quality of binding people to each other, the furnishing of each other with a sense of a sustainable self. It breaks links with long-standing shared values, meanings, and a shared moral order, as well as other reference points, including kinship. The new enterprise-style organisation is *designed to break* these institutional ties. They are *intentionally* destructive of long-standing ways of being, of persons constituted in relationship with each other, of ancestors and place.

### The ‘elite’

Alongside the NGO movement is the cultivation of an elite, groomed, by politicians, universities and sporting bodies in particular, to become role models and useful spokespersons when an ‘Aboriginal opinion’ is required. Their success is juxtaposed to grassroots social malaise. They have ‘made it’, and are referred to as ‘leaders’ or ‘key individuals’ – with the implication that they should be involved in decision making, not those at the grassroots.

Many are well-known to Aboriginal and non-Aboriginal people, nationally or regionally. Some maintain connection with their own kin and country, for which they are respected. However, the process of becoming leaders means they often become dislocated once on the national stage. Supported, fostered and fast-tracked into prominent positions (not necessarily with the skills and experience that are conventional prerequisites), they gain status. They are represented as public intellectuals (a small number warrant this appellation), but many are simply pundits, popular with media outlets wanting an ‘Aboriginal’ comment, opinion or perspective. Some, especially sporting stars, are placed in symbolic positions where not much is expected beyond the use of their image and an occasional sound-bite.

This elite – a more appropriate word than leader – has gained considerable influence in shaping policy and attitudes. They replace morally-accountable and respect-based leadership with an illegitimate, undemocratic, unaccountable form, far removed from Aboriginal understandings of who can or can’t speak for local communities and country. They are both a new kind of political person, and a new kind of Aboriginal person. They represent themselves as working in ‘the interests of my people’ but their constituency is imagined. *Moral* accountability requires relationship. In Aboriginal terms, this means in a community of origin and legitimacy. This is sidestepped in the public valorising of Aboriginal celebrities.

The non-Aboriginal world is often blind to the moral standing of these men and women within the Aboriginal world. Authority in Aboriginal terms would require them to have the respect of their own mob, gained after years of looking after their own. Separated from the expectations of self-making, which implies ongoing accountability to known others, they may have a hard time attracting respect at the local level. Some have moved away from their ‘home’ community deliberately because they did ‘the wrong thing’. Some men have reputations for womanising, domestic violence or rape[[10]](#footnote-10) but such histories may not be known beyond their community of origin. In a new context, in which it is only Aboriginality that matters to employers or promoters, they can flout *Aboriginal* conventions.

The non-Aboriginal public, assuming this elite has legitimacy, expresses dismay when these stellar figures are criticised by Aboriginal people. The dissenters are represented as ‘the problem’, they are the reason why these (white-appointed) ‘leaders’ cannot achieve what the nation wants of them. There is no mandate required from the grassroots, nor avenues through which grassroots voices can be heard, nor can this elite be called to account, even through a ballot box.

### Box-tickers

In what is arguably an even more insidious process, the NGO and celebrity Trojan horses are pulling along a third horse, filled with white people who have chosen to self-indigenise. They are race-shifters or pretenders. In Australia they are now commonly referred to as ‘box-tickers’ because they tick the box on Census and other forms that allow them to self-identify. Many have found distant[[11]](#footnote-11) ancestry but are not known within communities. This phenomenon has enabled privileged whitefellas (privileged by definition) to take over Aboriginal spaces and identities. By the 2000s, ostensibly white people were identifying as Aboriginal, claiming University scholarships, putting in native title claims, and applying for Indigenous-identified jobs.

Their claims are seen by Aboriginal people as fraudulent, but not by governments or the courts. The difficulty facing Aboriginal communities and nations is that whether or not a person is deemed ‘Aboriginal’ is a prerogative that is claimed by the Australian state.

This rebadging has introduced an unanticipated form of bio-politics into the Aboriginal world, and especially in south eastern Australia. The Aboriginal statistical population started to look healthier, more owned their own homes, more married non-Aboriginal people – or so it seemed. Box tickers are often advantaged (education, cultural competence in a white world) in applying for Indigenous-defined jobs, including powerful positions representing local, regional and national ‘Aboriginal people’. They claim insider knowledge they do not possess. Neither they, nor their parents or grandparents lived an Aboriginal cultural life. They subscribe to an imagined Aboriginality and spirituality which allows them to *perform* identity.[[12]](#footnote-12) Extrapolation from 2016 Census figures suggests that well over 3% of the national Australian Aboriginal and Torres Strait Islander population are actually box-ticking white people who reside in NSW.

There is resentment on the part of Aboriginal people who are increasingly obliged to deal with box-tickers to access services. Some have given up – they feel they are losing their voice and their struggles. They have to live with ‘a mask of compliance and deference’,[[13]](#footnote-13) unable to resolve this problematic reshaping of what it means to relate to an apparently-Aboriginal person who has shifted the rules of engagement. It is easier to deal with whitefellas.

More importantly, it is about who has the right to decide who is and isn’t *Aboriginal* or *Wiradjuri*. It should be the right of Wiradjuri people to recognise whether a person is or is not Wiradjuri, whether they are kin, whether they belong. This is about the status of Wiradjuri law, as I explore later. Rather than the right to identify, which is what box-tickers claim, the issue needs to be reframed. It is about the right to *recognise*. Which opens up the question, why is this right of Wiradjuri people (or other Aboriginal peoples) to determine who is or is not ‘one of them’ not recognised in Australia? What is the right to identify? When is self-identification legitimate and when is it not? Who are the arbitrators? Why does there reluctance to address such questions?

Non-Aboriginal NGOs – Universities in particular – are recognising claims to Indigenous identities, and labelling people as leaders. Authority based on respect has been replaced with illegitimate, undemocratic, unaccountable forms, far removed from grassroots political values. A person can fraudulently identify over sufficient years until their status goes unquestioned. Many people who were not Aboriginal when I met them 20 or 30 years ago have been re-identifying a sufficient number of years that no one questions them.

Indigenous is a category of citizen in a settler-nation, a nation that has not been decolonised. Australian Governments, State and Federal, and including their legal systems, reserve the right to decide who is or is not ‘Indigenous’. This has always been the case. It is not a right accorded to Aboriginal or Torres Strait Islanders peoples, and attempts by communities or nations to contest the right of outsiders to self-identify are invariably overturned in Australian law courts. The legitimation of self-identification is contrary to principles of recognition in international law, in Australian law, and in Aboriginal law.

Authority to decide who is and is not a member of a sovereign Aboriginal people must be given to those people, to their own polity. This is becoming increasingly difficult as those polities are being destroyed. Why is this authority is not recognised in Australia? By asking the question, whose interests are served by not recognising it, we can see that the right to self-indigenise highlights the loss of autonomy that has followed intrusive, paternalistic policies such as self-management and shared responsibility. In the denial of Aboriginal law, box tickers become the ultimate colonisers.

To return to the theme of this session, the ways in which Australian Aboriginal communal lifeways can be practiced, honoured and protected, such that their relational priorities remain strong, I can only feel despondent. In the maelstrom of modernity, there has, historically, been some room for difference but that is not the case in the current neoliberal era. The creative resistance which has marked Aboriginal responses since the imposition of modernity two centuries ago is under a much greater threat than at any other time in their colonial history.

It is our collective responses – Indigenous and non-Indigenous – to the destructive force of neoliberalism and its control of subjectivities that we need to be analysing, being careful not to romanticise over whether Indigenous peoples can achieve a counter to it. Anthropology needs to play a part in finding out who can do so, and what the costs are for those who try.

1. Austin-Broos 2009:242,246 (emphasis added) [↑](#footnote-ref-1)
2. On 2016 figures, Indigenous Australians are 3% of the population and 28% of the prison population, a rate of 2,346 per 100,000. By comparison, African Americans in the United States are about 12.5% of the population and 35% of the prison population, a rate of 666 per 100,000 residents. Statistics Portal 2017, ABS 2016. [↑](#footnote-ref-2)
3. McCallum 2015:45 [↑](#footnote-ref-3)
4. Watson 2015 [↑](#footnote-ref-4)
5. Cunneen 1996:14 [↑](#footnote-ref-5)
6. Britton 2016:34 [↑](#footnote-ref-6)
7. Britton 2016:33-4 [↑](#footnote-ref-7)
8. Burgess *et al* 2005 [↑](#footnote-ref-8)
9. Watson and Turner (2007) have seen policy as a Trojan horse. [↑](#footnote-ref-9)
10. Macdonald and Ingram 2020. [↑](#footnote-ref-10)
11. ‘Distant’ here refers to ancestors of three or more degrees: great grandparents or prior. [↑](#footnote-ref-11)
12. Grieves (2009) explains that ‘Aboriginal spirituality’ should be understood differently from the other-worldly experience the term is often associated with. Rather, it captures the knowledges, philosophies and practices that are part of the everyday of Aboriginal experience, that maintain social and emotional well-being. In the context of health, she explains, ‘Spirituality is the philosophical basis of a culturally derived and wholistic concept of personhood, what it means to be a person, the nature of relationships to others and to the natural and material world, and thus represents strengths and difficulties facing those who seek to assist Aboriginal Australians to *become well*’. [↑](#footnote-ref-12)
13. Scott 1990:91. Scott begins this book with an apt Ethiopian proverb: ‘When the great lord passes the wise peasant bows deeply and silently farts’. [↑](#footnote-ref-13)