# Neoliberal Indigenous Policy

Elizabeth Strakosch

Settler Colonialism and the 'Post-Welfare' State

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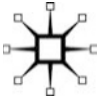This page intentionally left blank

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## Settler Colonialism and the 'Post-Welfare' State

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# Contents

# Acknowledgements

# List of Abbreviations

ANAO    Australian National Audit Office
APS    Australian Public Service
APSC    Australian Public Service Commission
ATSIC    Aboriginal and Torres Strait Islander Commission
ATSIS    Aboriginal and Torres Strait Islander Services
CAEPR    Centre for Aboriginal Economic Policy Research
CAR    Council for Aboriginal Reconciliation
CIC    Communities in Crisis
COAG    Council of Australian Governments
DPMC    Department of Prime Minister and Cabinet (Australian Government)
FaCSIA    Families, Community Services and Indigenous Affairs (former Australian Government Department)
ICC    Indigenous Coordination Centre
ILUAs    Indigenous Land Use Agreements
NIC    National Indigenous Council
NTER    Northern Territory Emergency Response
OIPC    Office of Indigenous Policy Coordination (former agency within the Australian Government)
RPAs    Regional Partnership Agreements
SRAs    Shared Responsibility Agreements

# 1
# Introduction

Indigenous social policy in English-speaking settler states is changing. For the past 40 years, there was broad government consensus around a self-determination approach that aimed to secure Indigenous rights and entitlements, support self-governance and facilitate social reconciliation. But over the last 15 years, this consensus has slowly eroded (Lea et al. 2006; Te Atu O Tu MacDonald and Muldoon 2006; Bargh 2007). Emerging policies are less concerned with rights and relationships, and focus on reforming Indigenous behaviour, intervening in community 'dysfunction' and driving economic integration through mainstream employment (Preston 2013; Bargh 2007; I. Watson 2005; MacDonald 2011; Humpage 2005, 2008; Walter 2007; Altman 2007, 2010; Macoun 2011).

In Australia this policy shift is particularly marked. Governments have abolished Indigenous representative institutions and reformulated Indigenous welfare provision in line with the 'responsibility' and 'post-welfare' agendas. But there are smaller corresponding changes in Canada, New Zealand and the US. Increasingly, political leaders and state agencies directly question Indigenous rights institutions (see, for example, the 2008 National Party commitment to abolish Maori seats in the New Zealand parliament; Tahana 2008) and focus policy attention on Indigenous 'welfare dependency' and community behaviour (see discussions of the Indigenous impacts of Canadian and US welfare reform, the latter through the *Personal Opportunity and Work Opportunity Reconciliation Act of 1996*; also federal government moves to takeover designated Indian communities for child safety reasons; Brown et al. 2001; Pulkington et al. 2010; Childress 2012). There are new policies emphasising mainstream economic participation and a discursive move from collective rights to individual equality of opportunity

(see, for example, the 2012 US *HEARTH Act of 2012* ['Helping Expedite and Advance Responsible Tribal Home Ownership'] and Obama on Native American opportunity 2014).

How can we make sense of this shift? In Australia it has been going on for some time, and there are multiple interpretations. Domestic political conditions play an important role, given the impact of a long period of conservative government (Sanders 2006). Some interpret the decline of the self-determination paradigm in terms of that paradigm's internal contradictions and limitations. For example, they suggest that it was driven by misguided non-Indigenous investment in a particular kind of Indigenous cultural stasis. This meant that it failed to take account of the increasingly porous and transgressed boundaries of the Indigenous and non-Indigenous worlds, and the diverse aspirations of Indigenous people (Lea et al. 2006; Sullivan 2011; Rowse 2012; Austin-Broos 2011). Finally, there is academic focus on changing public ideas, and the impact of prominent Indigenous and non-Indigenous critiques of the existing order. Such critiques came from all political directions – some challenged self-determination's carefully circumscribed remedialism and others its corrosive welfare economies (see Bradfield 2006; Kowal 2008; Pearson 2000; Sutton 2009; Johns 2010).

This book seeks to add another dimension to our understanding, by locating the Indigenous policy transition in the context of broader domestic social policy changes. Of particular significance is the shift from social to neoliberal framings of citizen–state relations. Indigenous self-determination policy was conditioned by post-war social liberalism, and its vision of a benign, multicultural, enfolding state that recognised and secured citizen entitlements. The decline of the self-determination paradigm in Anglophone settler states can be partly understood in terms of the neoliberal critique and reconceptualisation of this social liberal welfare state. From this perspective, the Indigenous policy transformation is not just a move away from a particular approach, but a move to a new liberal paradigm that has been dominant in other social policy fields for 30 years. The four Anglophone settler states are wealthy liberal democracies that each embraced the neoliberalisation agenda, and this goes some way to accounting for the transnational character of the Indigenous policy shift.

But while Indigenous policy is part of the domestic social policy world, it overflows it. In the settler colonial context, domestic Indigenous policy is a crucial site of political encounter. I suggest that neoliberal Indigenous policy constitutes a contemporary example of the longer historical imbrication of liberalism and colonialism. Both of these

political forces are changing in the contemporary world, and neoliberal domestic policy in settler states forms an important but under-examined site of intersection. I use the case study of Australian policy to reconstruct the interaction between the intellectual projects of neoliberalism and settler colonialism, and argue that ongoing settler colonial hierarchies have been rearticulated through, rather than revived or transcended by, neoliberal frameworks.

Importantly, this book does not aim to give a comprehensive account of how particular policies with neoliberal dimensions operate, or to examine the problems and opportunities for Indigenous people enmeshed with such policies (see Altamirano-Jiminez 2013; Te Atu O Tu MacDonald and Muldoon 2006). Both of these are important projects, and do not allow easy moral and political judgements. In their day-to-day operation, policy programs cannot be pre-emptively condemned or celebrated, but must be considered in terms of their concrete inter-actions with the diverse life projects of individuals and communities. Instead, I build on critical Indigenous theory, social policy scholarship and settler colonial studies to explore the ways in which changing policy logics in Indigenous affairs reflect and drive broader changes in dominant understandings of political relationships in liberal and settler colonial contexts (for others engaged with these themes in Australian scholarship see Howard-Wagner 2010, 2012; Stringer 2007; Lovell 2011; Morris and Lattas 2010; and Moreton-Robinson 2009). Ultimately, I seek to offer a set of analytical tools that might facilitate more detailed empirical articulations, and more open debate, of neoliberal Indigenous policy in its diverse manifestations.

## Case study

The Australian situation is characterised by its long tradition of framing domestic welfare policy as the 'solution' to settler colonial conflicts. In this context, neoliberalism has had swift and comprehensive effects. Australia's tentative social liberal movements towards sovereign nego-tiation were delegitimised and dismantled in a matter of a few years (Walter 2007). New marketised policy approaches took their place, and when these faced problems, the Australian government moved to unilat-eral intensive intervention in Indigenous 'dysfunction'.

This book offers an empirical and analytical account of Australian federal Indigenous policy making between 2000 and 2007. At the beginning of this period, the formal structures of self-determination and reconcilia-tion policy were still in place, including the elected Aboriginal and Torres

Strait Islander Commission (ATSIC). At the end, the conservative Howard federal government had just initiated the dramatic and coercive Northern Territory Emergency Response (NTER). Major policy changes occurred in the intervening time which conditioned the NTER, and fundamentally reformed the way Indigenous policy problems were understood and approached. This period of policy adjustment is often referred to as the 'New Arrangements'. It involved the mainstreaming of Indigenous policy into existing social policy departments, the attempt to coordinate these departments through a centralised 'whole-of-government' approach, the rise of the rhetoric of Indigenous–government 'mutual obligation' for redressing disadvantage, and the use of quasi-contractual partnership mechanisms (Walter 2007; Humpage 2005, 2008; Hunt 2008; Arabena 2005; Sullivan 2010). The government termed these mechanisms 'Shared Responsibility Agreements' (SRAs), and sought to link them with broader Regional Partnership Agreements (RPAs) that would establish 'organic' representative institutions.

Australian neoliberal Indigenous policies have intensified since 2007, with the continuation of paternalistic intervention in the Northern Territory, the extension of welfare 'quarantining' linked to particular Indigenous behaviours such as school attendance, and the constant reformulation of whole-of-government service delivery projects (most recently via the relocation of Indigenous-focused bureaucrats to the Department of Prime Minister and Cabinet, where they oversee a streamlined 'Indigenous Advancement Strategy'; DPMC 2015). Policy remains framed around Indigenous socio-economic 'needs' rather than broader political recognition, and has become more explicitly normalising with the remedial 'Closing the Gap' agenda (Kowal 2015). However, the early transitional policy phase remains an important case study. Such periods involve encounters, and hence expose the differences, between social and neoliberal policy paradigms. Governments experiment with multiple tools before institutionalising processes, and actors articulate and contest neoliberal ideas with particular clarity.

This case study suggests that neoliberal settler colonialism is more rather than less likely to take place in the depoliticised policy register, and through decentralised economic and social processes. In its distrust of state juridical procedures, in its suspicion of rights claims, in its deconstruction of the collective into atomistic individuals, in its valorisation of 'organic' market processes, in its focus on the 'defective' subjectivities of the disadvantaged, neoliberalism pushes Indigenous–settler relations out of the visible spaces of sovereign encounter. However, by locating this phase of political relationship in the context of the broader

entwinement of liberalism and settler colonialism, this book traces the ongoing sovereign dimensions of neoliberal Indigenous policy.

## Argument

Historically, the rise of colonialism coincides with the rise of liberalism in many of the key colonising states (Ivison et al. 2000: 2; Ivison 2002; Duffield and Hewitt 2013). The relationship between these two forces therefore bears close examination. At the same time as European societies were developing notions of individual rights, democracy and the illegitimacy of absolute authority, they were initiating some of the most hierarchical and destructive political encounters ever seen. This apparent contradiction was at first managed by excluding Indigenous peoples from the category of capable individuals, and hence from citizenship and its associated rights (Hindess 2001). The classical liberal claim to provide equal rights to all *capable* individuals could therefore be sustained, despite the routine exclusion of women, non-white people, Indigenous people and workers.

During the twentieth century, excluded groups demanded recognition of their capacity, and such categorical exclusions became less acceptable. In the social liberal era,[1] citizenship was extended to Indigenous people, and their inclusion in the liberal order is often viewed as the end of colonialism. It is true that, in circumstances where Indigenous people constituted majority populations, liberal enfranchisement led to the overthrow or transformation of colonial regimes. If we only consider these cases, it might seem that the full enactment of liberalism dissolves colonial relationships.

Yet the settler colonies of Australia, New Zealand, Canada and the US undermine this widely accepted story. Here, Indigenous peoples constitute minorities. In the social liberal era, they too were granted recognition as capable citizens, but this inclusion has not led to formal decolonisation or even to substantial institutional reform. As I argue in the following chapter, distributions of land, jurisdiction and political authority remain largely the same. In fact, because these states tend to see the extension of liberal citizenship as ending colonialism and foreclosing further Indigenous claims, such inclusion entrenches rather than dismantles existing settler authority. Indigenous demands for decolonisation beyond inclusion in the settler order continue, but appear anachronistic to the settler majority. In such circumstances there is a more complex and facilitative relationship between liberalism and colonialism.

Existing Indigenous and anti-colonial critiques of social liberal inclusionary regimes are persuasive. They challenge the postcolonial self-image of settler states in profound and productive ways. However, such critiques remain focused on the 'rights-bestowing' social liberal order, and have yet to take account of the decline of these regimes. The progressive multicultural state that recognises and dispenses entitlements to morally authoritative claimants already seems like a figure of nostalgia.

Over many decades, neoliberal logics have undermined this construction of the enfolding state that can extend its benefits in potentially infinite directions. Neoliberalism relies on a language of economic insecurity as justification for comprehensive reforms to increase competitiveness, efficiency and responsibility, and to delegitimise claims on the state. It celebrates the self-reliant, capable individual and denounces state regulation of such individuals as unproductive. However, it simultaneously allows increased coercion by the state where individuals or groups are deemed to lack appropriate capacity.

Along with most domestic social policy, Indigenous programs in the Anglophone settler colonies of Australia, Canada, New Zealand and the US are increasingly less concerned with ensuring entitlements or extending Indigenous rights. Instead, they focus on individual economic participation, and operate through networks, markets, contracts and disciplinary 'workfare' regimes. In some cases, such as in the 2007 Australian Northern Territory Emergency Response, the state actually suspends certain Indigenous citizen entitlements, and unilaterally compels Indigenous people to act in particular ways.

This book traces the shift between social liberal and neoliberal political regimes in these settler colonies. How is the relationship between Indigenous peoples and settlers changing in this new liberal configuration? What does settler colonialism look like as the social democratic, inclusive state transforms?

It is tempting to see the shift to a neoliberal settler colonial order as a return to Indigenous exclusion. Certain pathologising, paternalistic and racially based neoliberal practices are all too familiar; analysts diagnose a regression to early liberal policy regimes such as protectionism and assimilation. Progressive responses, therefore, tend to focus on defending Indigenous social liberal entitlements against the neoliberal encroachment, and rescuing a progressive liberal teleology from the neoliberal 'wrong turn'. Yet this response elides the fact that neoliberal practices of exclusion are often temporary and take place on the terrain of formal Indigenous citizenship – they constitute *de facto* exclusion despite *de jure*

inclusion. An unreflective defence of social liberalism also forgets that inclusion itself is a powerful and subtle colonising practice.

Rather than equating neoliberalism with exclusion, I draw on the work of governmentality scholars such as Barry Hindess to argue that neoliberalism brings a newly flexible relationship between inclusion and exclusion. In the neoliberal era, citizenship detaches from secure, categorical inclusion and permanent recognition of capacity. Where previously citizenship largely coincided with capacity, neoliberalism introduces the figure of the incapable citizen. This ambiguous position allows a subject to be formally included as a citizen, and simultaneously excluded from regimes of freedom for being temporarily 'undeserving' of this existing citizenship.

Like other neoliberal social policies, neoliberal Indigenous policy operates between the two poles of autonomy and control, and its power lies in this liminality. Indigenous selves are asked to perform their capacity in real time, and are governed through freedom or coercion accordingly. Reallocation is constant and rapid; being assessed and governed differently becomes a threat or a promise, and hence a lever. Neoliberal Indigenous policy intensifies the ambivalent position of Aboriginal people as simultaneously inside and outside the settler order, while always continuing to frame them as legitimate subjects of state policy authority.

Therefore, while neoliberalism reframes the political relationship between Indigenous and settler people in important ways, it continues to facilitate settler colonialism. Like social liberalism, it formally includes Indigenous people as citizens and therefore claims to have resolved colonialism, but like classic liberalism, it allows the selective coercion, racial pathologisation and exclusion of Indigenous subjects in order to maintain settler privileges. It does this while emphasising economic necessity and individual welfare, and erasing the political dimensions of its actions. Neoliberalism, therefore, depoliticises and technicalises colonial hierarchies, framing them as the result of natural economic processes and individual capacity failures (Altamirano-Jiminez 2013: 4; Bargh 2002). Recuperating the political dimensions of Indigenous policy becomes especially important in these circumstances.

## Colonialism and public policy

This book explores the relationship between neoliberalism and settler colonialism in the often-neglected realm of public policy. Against a general scholarly tendency to locate sovereign encounters in juridical

spaces, I argue that domestic policy is a crucial site where collective polit-
ical identities are contested and formed. This dynamic is particularly
pronounced in settler colonial environments. The aggressive domestica-
tion of the 'Aboriginal problem', and its (attempted) confinement to
a social policy issue, is itself a profoundly political act with sovereign
implications (Wolfe 2015: 31). As others have noted, colonisation is
a practical process (Borrows 2004: 1) and bureaucrats are on the front
line. It is not only in some imagined agoric centre that the struggle for
control of Indigenous bodies, lives and politics takes place, but in day-
to-day confrontations over welfare, administration and order.

Despite the common distinction between internal and external spaces
of settler colonial states, in reality, lines of sovereign conflict run like
roadmaps throughout the apparently domesticated spaces of such states.
We tend to only see these lines of conflict along state borders, or in
central juridical institutions that sit 'above' everyday life. However, we
can challenge the state's own performance of the ontological distinction
between inside and outside, which advances its colonial authority and
positions everyday Indigenous resistance as politically inconsequential.
Instead, sovereignty can be framed as a *practice* of domestication, rather
than as a quality automatically inhering in a state-object. This in turn
breaks down the distinctions that many settler scholars draw between
juridical action 'against the structure of domination as a whole in the
name of the freedom of self-determination' and the everyday arts of
'compliance and internal contestation of the strategies and techniques
in the name of the freedom of insubordination and dissent' that do not
challenge the fundamental colonial relationship (Tully 2000: 42).

This approach undermines the distinction between policy and politics,
in which the former is seen as a technical exercise of the authority that
is established through the latter. It is the persistence of such a distinc-
tion which leads us to imagine that the Anglophone settler colonies are
incomparably different from one another. It is true that there are signifi-
cant differences in the balance of juridical versus policy-based practices
of settler sovereignty. However, when we reframe these practices as
different strategies that nonetheless both work to perform and consoli-
date the settler state, comparison becomes meaningful. This book fore-
grounds the policy side of the equation – arguing that domestic policies
are among the most successful performances of routine, everyday settler
authority over Indigenous lands and lives.

Australia is a critically important case study in this context. Of the four
Anglophone settler colonies, Australia has been least reliant on juridical
strategies of colonisation such as treaties and constitutional provisions.

The colonial relationship unfolds largely in the space of social policy – every new policy 'revolution' is saturated with political meaning and resistance. It is only in such an environment, for example, that the principle of self-determination can be substantively recoded as a question of localised service delivery and delegated managerial authority within the state structure (and that this delegated authority can subsequently be unilaterally and comprehensively resumed). That the jurisdiction of the state bureaucracy over Indigenous lives is rarely questioned by non-Indigenous Australians is in itself a significant naturalisation of colonial authority, and is built on a claim about the political incorporation of Aboriginal and Torres Strait Islander peoples.

## Approach

This book does not try to place itself outside the settler–Indigenous relationships it describes. Rather than seeking to neutralise my position as white settler by asserting an objective scholarly perspective, I consider how non-Indigenous academic narratives form part of the colonial relationship and can be made to do different political work. This book is an analysis of settler governmental logics, and needs to be read alongside Indigenous accounts of their own political struggles through and beyond these logics. However, I do not assume that Indigenous and non-Indigenous people must inhabit separate intellectual worlds and that Indigenous scholars only offer insights on Indigenous experience – this book explicitly builds upon their expertise not only of their own experiences of colonisation, but of settler ways of operating. It is particularly indebted to the work of critical Indigenous theorists Taiaiake Alfred, Lyndon Murphy and Aileen Moreton-Robinson. I also acknowledge the diversity of Indigenous scholarship, but seek to engage with those Indigenous responses that are more, rather than less, disruptive to white settler authority. I want to explore the conflicts and possibilities of such disruptions.

   This consciously located and political approach will not immediately resonate with some readers. Therefore, I discuss its value and particular justifications in relation to the material under examination at various points throughout the book. Chapter 2 considers it in relation to common settler debates around neoliberal Indigenous policy. These debates often take our own political categories to exhaust the field of possibilities, and so remain trapped in the long-running dispute between 'progressive' (social liberal) and 'conservative' (classic and neoliberal) forms of policy. However, the solution to the deficiencies of settler regimes need

not necessarily arise from within these same regimes. It is valuable to move beyond internal liberal arguments to consider the fundamental colonial relationship that provides the 'literal and metaphorical terrain' for such debates to occur (Byrd 2011). This in turn creates the space to respond to Indigenous political ideas on their own terms, and opens up possibilities for collaborative political organisation beyond the binaries of liberal logic.

Chapter 3 further develops this located approach in relation to the seductions of totalising categories such as settler colonialism and neoliberalism. Here I acknowledge the need to remain attentive to the complicated and often inconvenient realities of social, political and policy worlds. What, after all, is the point of studying these worlds if we already know what they are and what drives them? However, no academic narrative can avoid creating a story that organises this complexity. Settler scholars from Anglophone countries should understand our academic work as constituting specifically located and politically laden narratives (in the same way that we regularly understand Indigenous scholarship; Morrissey 2007; Moreton-Robinson 2004). Finally, it is worth noting that this book draws upon multiple literatures in a strategic rather than exhaustive way, in order to provide a language and open a space to interrogate current processes. Ultimately, it seeks to push critical discussion of colonial authority beyond its fixation with either the 'rights-bestowing' social liberal state or exclusionary sovereign exceptionalism. It outlines the problem space of neoliberal settler colonialism – bringing together settler colonial, critical Indigenous, post-Foucauldian, critical whiteness and social policy scholarship with my own analysis of contemporary Australian policy – and aims to add another dimension to the emerging discussion of this complex intersection between powerful contemporary forces.

## A note on neoliberalism and colonialism in Indigenous policy

Neoliberalism and settler colonialism have many different dimensions. One way to analyse their intersection in Indigenous policy is to consider them as they come together in economic development discourses. Here, neoliberalism, as an ideology that demands more intensive exploitation of resources in the name of national competitiveness in a global economy, encounters remote Indigenous communities with collective land tenure who resist or seek to mediate resource development on their land. This gives rise to state policies aimed at individualising Indigenous tenure and pushing Indigenous people towards integration with the 'real

economy' (Altman 2007, 2010; Altimirano-Jiminez 2013). These policy drives align with settler colonial desires to control Indigenous land once considered economically marginal but which, in the neoliberal era, is framed as essential to national productivity (see, for example, critical work on the Northern Territory Emergency Response as a 'land grab' and in its developmental framing of 'primitive' Indigenous culture; Stringer 2007; Altman and Hinkson 2007; Macoun 2011; Hindess 2014).

The literature on neoliberal development and neo-colonialism in the international development context is vast, and is being used in interesting ways to analyse and challenge remote Indigenous policy in Australia, Canada and elsewhere (Blaser et al. 2004; Moran and Corpus 2014; see discussion in Strakosch 2014b). Remote Indigenous policy is increasingly seen through the lens of development, and the critique of neoliberal developmental models is critically important in this context. However, this book covers different aspects of the encounter between neoliberalism and settler colonialism in contemporary Indigenous policy.

It considers neoliberalism as a social policy framework that intricately reworks the 'appropriate' relationships between citizen, state and society in a liberal state. Neoliberalism as social policy discourse is clearly linked to neoliberalism as developmental discourse: both rely on a fundamental narrative of global economic competition that threatens state security and requires greater productivity. However, in the social policy sphere neoliberalism operates on the existing terrain of the social liberal welfare state. It seeks to divest responsibilities for social security, or to reconfigure them in ways that reform 'unproductive' subjectivities. In doing this, neoliberal social policy reconfigures the central liberal political concepts of responsibility, capacity and rights – the conceptual terrain upon which liberal settler colonialism has unfolded.

Because of its focus on these underlying discourses that shape the settler–Indigenous encounter, this book is more directly concerned with the political than the economic aspects of neoliberalism. It considers the broader relationships between Indigenous peoples and Anglophone settler states, rather than focusing specifically on remote and often more acutely materially disadvantaged Indigenous communities, which come to be framed as subjects of development and regularly find themselves at the centre of natural resource disputes.

## Outline

The remainder of the book is in two parts. The first deals with the theoretical dimensions of neoliberal Indigenous policy, and the second with

particular Australian policy practices. In Part I, Chapters 2, 3 and 4 establish the theoretical terrain of the enquiry, considering broader debates around liberalism, neoliberalism, settler colonialism, policy, sovereignty and epistemology.

Chapter 2, Neoliberal Colonialism, develops the argument sketched above in more depth. It aims to show why it is productive to understand neoliberal Indigenous policy as one contemporary manifestation of the longer historical imbrication of liberalism and colonialism. While it suggests that settler colonial relationships continue in the neoliberal world, it also considers some of the unexplored possibilities of this new paradigm. Importantly, neoliberalism delegitimises the state's claim to secure authority, and therefore legitimises political thinking and organising beyond the state. This chapter frames the remainder of the book, which draws upon more detailed theoretical and empirical analysis to show how settler colonialism has been rearticulated through neoliberal frameworks.

Chapter 3, Analysing Neoliberalism and Settler Colonialism, looks in more depth at the two major theoretical concepts used in this book. It analyses the diverse and often highly politicised literature on neoliberalism and considers the growing scholarship on settler colonialism as a specific political and historical phenomenon. It offers working definitions of the concepts and outlines emerging debates around their use. This chapter considers the insights of critical Indigenous scholarship, and discusses how colonialism and race intersect in important but often complex and diverse ways. Finally, it considers the risks of using the two structural 'mega-concepts' of neoliberalism and settler colonialism, and offers an epistemological justification for their use.

In Chapter 4, Policy: Assuming Sovereignty, I take up the recently fashionable but critically important issue of sovereignty. This chapter offers a more detailed discussion of the role of policy, and why policy analysis needs to be integrated with analyses of sovereignty and settler–Indigenous politics more generally. I discuss in more detail conceptions of settler sovereignty and the role of domestic social policy in liberal Anglophone settler colonisation. This chapter presents the notion of settler 'sovereignty as practice', which allows us to see policy in terms of political encounter as well as Indigenous social welfare.

In Part II, Chapters 5–8 analyse the transition from social liberal to neoliberal forms of Indigenous policy via a case study of Australian Indigenous policy between 2000 and 2007. This part argues that neoliberalism involves a circular and conditional recognition of capacity in subjects – whereby they can be formally included as capable citizens but

simultaneously required to perform this capacity or risk suspension of day-to-day freedoms. This brings a newly flexible relationship between inclusion in and exclusion from liberal regimes of freedom, and, in turn, facilitates the extension of settler colonial authority into Indigenous lives.

Chapter 5, Australian Indigenous Policy 2000–2007, gives an empirical account of federal policy as it shifted from a social to a neoliberal model. It examines the complex and uneven development of Indigenous policy and political rhetoric during this key transitional period, and discusses important policy tools, including Shared Responsibility Agreements (SRAs) and the Communities in Crisis (CIC) policy. This chapter identifies and contextualises the three key policy moments examined in Chapters 6–8.

Chapter 6, Redefining the 'Aboriginal Problem', focuses on how the paradigmatic settler colonial framing of 'the Aboriginal/Indian/Maori' problem is articulated differently in social and neoliberal logics. I examine Australian media and policy debates over reconciliation and self-determination to trace this shift, and to show how these framings move away from issues of political relationship to foreground Indigenous social and economic 'deficiencies'. This leads to an increasing policy preoccupation with Indigenous subjectivities (for example as 'welfare-dependent') and a renewed focus on the economic development of Indigenous resources. More broadly, this new policy language reframes dominant understandings of the nature of colonialism and the possible pathways towards political change. It leads to a more intense focus on Indigenous life, behaviour and sociality than on the space of relationship with settlers, and so to a rearticulation of ongoing state 'remedialism' towards Indigenous lives (Kowal 2015). This sets the scene for the preoccupation with Indigenous capacity that characterises post-social liberal policy making.

Chapter 7, Building Capacity, focuses on the partnership-based neoliberal policy practices that come to the fore after the decline of social liberal policy framings. Here the figure of the 'capable' Indigenous citizen/community comes clearly into view. Marketised and contractual policy approaches rely on partnerships with Indigenous communities and organisations, and hence involve recognition of already existing capacity. However, in line with the ambivalence of neoliberalism, this recognition is provisionally extended in order to lever intensive (re)construction of this capacity. This can involve significant changes to Indigenous ways of life and patterns of community organisation. In many cases, capacity-building programs also seek to reformulate

political relationships, as Indigenous political consent becomes framed as a form of liberal capacity. In this way, neoliberal policy regimes can work to divest responsibility for settler colonial conflict onto Indigenous communities[2] and to incrementalise the state's ongoing attempt to establish legitimate political authority.

Chapter 8 moves on to Authoritarian Paternalism. Here I argue that there is a logical and often rapid movement between post-social liberal policy collaboration and top-down paternalism. On the surface, partnership approaches and authoritarian paternalism represent radically different policy strategies. Coercive policies such as the Australian Northern Territory Emergency Response (commonly known as the NT 'intervention') mobilise deeply moralising discourses of Indigenous dysfunction and project an authoritative settler state that acts to racially define and exclude Indigenous subjects. However, the different approaches are closely linked through their common focus on Indigenous capacity, discussed in the previous chapter. While marketisation assumes Indigenous capacity (though simultaneously framing it as partial and in need of development), paternalism declares Indigenous capacity to be temporarily non-existent. Neoliberal policy makers can easily move Indigenous groups through these different categories, given the unilateral nature of such capacity assessments. Importantly, if previous unsuccessful policies have emphasised the existence of Indigenous capacity, their problems can then be attributed to a failure of that Indigenous capacity.

From this case study of multiple phases of Australian Indigenous policy, I reflect on how these new liberal framings reconfigure the relationships between Indigenous groups and the settler state in ways that erase the importance of that relationship. Neoliberal policy focuses political attention on Indigenous people themselves and their projected deficiencies, and this can serve to activate the long-standing colonial discourse of remedial action. This discourse can serve as a justification for extending settler control over and reformulating Aboriginal lives in the name of material wellbeing rather than political redress. As a consequence of this focus on material disadvantage, the political struggle between settler sovereignty and Indigenous life increasingly disrupts the 'private' rather than the 'political' world. In this way, neoliberal policy does insulate the settler state and work to extend its authority over Indigenous life, in line with the long-term dynamics of settler colonialism.