Chapter 10

Separatism as a mode of relations: Practicing Indigenous resurgence and nationhood in the 21st century

Sarah Maddison

Introduction

The British invasion of the territories now known as Australia forced several hundred First Nations into an unwelcome relationship with settlers. The terms of this relationship have been an ongoing source of conflict, which has played out through violent confrontation, coercive ‘consent’, physical removal and confinement, and assimilation, all deployed as means of neutralising Indigenous sovereignty over their lands and advancing the ‘logic of elimination’ that is constitutive of settler colonial societies (Wolfe, 2016, pp. 35–6). Even apparently more benign approaches to the fundamental conflict in Indigenous-settler relations, such as reconciliation, have focused on the *inclusion* of Indigenous peoples within the settler state (another form of elimination) rather than on advancing Indigenous demands for greater autonomy, self-determination and self-government. Indeed, while Indigenous policy from colonisation to the present is usually framed as a positive progression from exclusion to inclusion, in reality these are ‘twin strategies of settler colonialism’ that effectively trap Indigenous resistance in the continual oscillation between the two (Macoun &

Strakosch, 2013, p. 429).

In the face of this ongoing conflict, Indigenous peoples have consistently resisted and contested colonial domination. At times this resistance has been focused on securing rights, recognition, and programmatic support from the settler state, through struggles for civil rights, improved policy, constitutional reform and recognition, and for greater representation in settler parliaments. In other words, Indigenous political action has at times also focused on inclusion in the settler order. But this has not been the primary driver for Indigenous resistance. Across the decades and all over the continent, achieving independence from settler authority and control has been a ‘defining characteristic’ of Indigenous resistance (Burgmann, 2003, p. 60). In New South Wales during the 1920s, the Australian Aboriginal Progressive Association formed under the leadership of Fred Maynard, demanded land for every Indigenous family in the state and pioneered the call for Indigenous control of Indigenous affairs (Maynard, 1997). In Victoria through the 1930s William Cooper and the Australian Aborigines League rejected settler control of Indigenous lives, and articulated the demand that Indigenous peoples should govern themselves as central to their campaigns (Attwood & Markus, 2004, p. 15). When the Australian Black Power movement emerged in the late 1960s it embraced Cooper’s emphasis on the need for ‘thinking black’ and explicitly rejected settler control and assimilation. In the years that followed the 1967 referendum, struggles for recognition began to focus more explicitly on Indigenous claims as ‘a colonised people demanding liberation’ rather than as an excluded minority seeking civil

inclusion (McGregor, 2011, p. 164). The tension between inclusion and independence became explicit, as claims for *equality within* the Australian state were increasingly rejected in favour of claims for recognition as a *separate entity* that called into question the legality of Australian institutions to rule over Indigenous lives (Behrendt, 2003, p. 14). From the late 1970s onwards, across the Australian continent, Indigenous groups and organisations demanded the recognition of rights that stemmed from their prior occupation of the territories colonised by the British.

Today, listening to Indigenous voices from across the country it is evident that calls for radical change in the relationship between Indigenous peoples and the Australian settler state continue. While in non-Indigenous circles the call for decolonisation is usually regarded as a fringe position, in Indigenous circles it is far from marginal. Drawing on, or at least echoing, critical Indigenous theories of refusal and resurgence (see for example Simpson, 2014; Alfred & Corntassel, 2005), Indigenous peoples are asserting their abiding sovereignties and nation- or clan-based identities to articulate a turn away from the state towards a more separatist mode of politics. While for much of the period from the 1960s to the turn of the twenty-first century, a great deal of Indigenous effort and energy was directed at national politics, and particularly towards changing the policies of the federal government, more recently there has been a profound shift in emphasis. In response to the seeming imperviousness of settler structures and institutions, there has been a growing call for Indigenous people to turn away from these hostile political environments in favour of

decolonising programs focused on local, place-based politics and cultural rejuvenation (Elliott, 2016, p. 413). This turn, also evident in other settler colonial societies, is significant for its renewed emphasis on Indigenous autonomy and nationhood, and the foregrounding of surviving Indigenous languages, cultural practices, geographies, and modes of political organising. Whereas the ‘Indigenising’ agenda once focused on inclusion and equality within settler institutions, today ‘Indigenising’ work has become more overtly decolonial in intent, seeking to transform institutions to put Indigenous peoples in control. This trend is neither complete nor exclusive, but it is seeing ‘growing numbers of Indigenous nations pursuing their own political goals and engaging in innovative political action and institution building’ (Cornell, 2015, p. 6).

Separatism generally refers to a political agenda or movement seeking more separate or autonomous political arrangements, driven by a sense of political alienation from the state (Abedin, 1989). In Australia (as in other settler colonial societies), separatism has long been fueled by Indigenous peoples’ knowledge of themselves as holding a distinct politic status *as sovereign Indigenous peoples*, with a unique claim to their territories. Indigenous peoples have sought institutional arrangements that might reflect their distinct status, ranging from calls for a separate Indigenous state (see Mansell, 2016) to relatively autonomous governance arrangements such as regional councils and authorities. As Stuart Bradfield (2006, p. 81) has pointed out, between ‘assimilation and secession lies a multitude of possibilities for realising aspirations to both retain rights as citizens and a

unique status as Indigenous peoples recognised by the state.’ This chapter examines some of what is happening in contemporary Indigenous separatist moves in Australia—moves that will inevitably reshape Indigenous-settler relations in profound ways.

Indigenous disillusionment and settler colonial shape-shifting

Settler colonialism has proved profoundly harmful for Indigenous peoples. In his foundational writings on settler colonialism as a distinct mode of political organisation, non-Indigenous historian Patrick Wolfe famously argued that invasion is ‘a structure not an event’ (1999, p. 2). Founded on violence, the settler state invests in sustaining the colonial order, structuring institutions and practices that maintain inequalities and injustice ‘for the purpose of sustaining the life and continuity of the state’ (Watson, 2009, p. 45). In Australia, as Waanyi author Alexis Wright has suggested, it is evident that settler governance is ‘the wrong system of governance for people who have been working to their own governing system for thousands of years’ (Wright, 2016, p. 1). Despite ongoing Indigenous efforts at both resistance and reform, the structures of settler colonialism have proven stubborn and robust.

Contributing to the maintenance of settler colonialism is the fact that underlying and supporting its structure is a set of processes that, as Michi Saagiig Nishnaabeg scholar Leanne Betasamosake Simpson (2017, p. 45) has argued, create a ‘scaffolding’ for the relationship between Indigenous peoples and the settler state. These

processes exist for the sole purpose of dispossessing Indigenous peoples. Simpson (2017, pp. 45–6) describes ‘a series of complex and overlapping processes’, evident in state practices of ‘consultations, negotiations, high-level meetings, inquiries, royal commissions, policy, and law’, which can be experienced by Indigenous peoples as slight, temporary, microscale shifts that ‘can appear to present an opportunity to do things differently, to change our relationship to the state.’ Simpson cautions Indigenous people against the seductive nature of this shape-shifting ‘structure made up of processes’, pointing out that, despite appearances to the contrary, the state always uses its power to ensure that it ‘controls the processes as a mechanism for managing Indigenous sorrow, anger, and resistance, and this ensures the outcome remains consistent with its goal of maintaining dispossession.’ Simpson contends that: ‘Colonialism as a structure is not changing. It is shifting to further consolidate its power, to neutralize our resistance, to ultimately fuel extractivism.’

What a critical Indigenous analysis such as this suggests is that while colonial structures may one day be dismantled, the shape-shifting nature of their underlying processes make them virtually impossible to be reformed. By operating through the familiarity of state bureaucracy, colonial authority over Indigenous lives has been naturalised, and the assumption that Indigenous peoples have already been incorporated within the settler regime remains unquestioned by the majority of settlers (Strakosch, 2015, pp. 9 & 51). While the structures of settler colonialism may appear fluid and permeable, Indigenous efforts at reform have inevitably led to disappointment and

disillusionment. Hope that Indigenising settler systems (in the inclusionary sense) will reduce the harms experienced by Indigenous people affected by those systems is lost hope. Apparently transformative moments are swallowed by the shifting processes that underpin settler colonial structure. For this most part, this has meant that focusing on the state as a locus of change has produced little if any benefit for Indigenous people. Indeed, the state and its agents (government departments and services) are never neutral or benign, and cannot be the ‘heroic protagonists’ they are imagined to be (Macoun, 2016, p. 93). The settler state is profoundly harmful to Indigenous peoples. Despite its shape-shifting, the possible openings suggested by the complex structures and processes of settler colonialism work primarily to advance the dispossession, domination, and elimination of Indigenous peoples.

It is in light of this grim reality that Indigenous peoples are instead seeking to live their sovereignty through more separatist modes of relations with the settler order. Chief Executive of the National Aboriginal Community Controlled Health Organisation (NACCHO), Arrernte woman Pat Turner, contends that,

...what our people and our communities have to do is just take total control of their own affairs. Don’t wait for government, don’t wait for them to provide the solutions. Work it out ourselves and just move on (quoted in Pearson 2017).

Assertions of Indigenous sovereignty, which have always been core to Indigenous politics, are embodying a politics of resurgent nationhood that seeks not to Indigenise settler colonial processes but instead to ‘dismantle the structure of colonialism in all forms’

(Simpson, 2017, p. 47). Pursuing what non-Indigenous philosopher Simone Bignall (2014, p. 341) describes as ‘excolonialism’, contemporary Indigenous politics seeks modes of ‘decolonised sociability’ through separatist institutional forms that allow both the ‘exit’ from settler structures and processes while enabling new modes of interface in the unavoidable coexistence of Indigenous and non-Indigenous peoples on this continent.

Sovereignty, refusal, resurgence, nation building: Turning away from the settler state

From at least the late 1960s, Indigenous political struggles increasingly focused on calls for recognition of an abiding sovereignty over unceded territories. Eualeyai/Kamillaroï legal scholar Larissa Behrendt articulates these aspirations when she writes:

In the heart of many Aboriginal people is the belief that we are a sovereign people. We believe that we never surrendered to the British. We never signed a treaty giving up our sovereignty or giving up our land ... It always was Aboriginal land. It will always be Aboriginal land (Behrendt, 1995, pp. 97–98).

As a concept within the lexicon of Indigenous struggles, sovereignty has been (re)articulated to mean different things by different people at different times. Linked to concepts of self-determination and self-government, sovereignty ‘insists on the recognition of inherent rights’, foregrounds primary political affiliations that are historical and located in place and territory, and prioritises cultural identities that ‘find meaning in those histories and relations’ (Barker, 2005, p. 26). As a broad and flexible term, characterising Indigenous

experiences and expressions of peoplehood as sovereignty demands an ongoing and dynamic relationship between peoples and the structures and processes of settler governance, without necessarily defining the specific nature of that relationship (Rifkin, 2017, p. 184).

Increasingly, however, the apparent durability of settler colonial structures (as outlined above) is driving renewed assertions of sovereignty that are marked by a politics of refusal and resurgence rather than negotiation with the settler order. By refusing to ‘consent to the apparatuses of the state’, Indigenous peoples in settler colonial societies are resisting settler domination and articulating political projects that draw from pre-colonial political traditions (Simpson, 2016, p. 328). In practicing refusal, Indigenous people turn away from the settler state and offers of ‘recognition’ that fail to disrupt the structural arrangements of settler colonialism. The refusal of state recognition instead holds open possibilities for ‘political maneuvering’ that distances Indigenous political action from government policy and decentres the need for Indigenous political life ‘to become intelligible to the settler state as a structure of governance’ (Rifkin, 2017 182). Where participation in settler politics and institutions remains necessary—and at times even beneficial—a politics of refusal encourages an ongoing, watchful, and critical mode of conduct (Elliott 2016: 415). Munnahli and South Sea Islander academic Chelsea Bond (2016, p. 4) suggests that when Indigenous people ‘refuse to accept the “gifts” of the state... refuse to comply, perform or play on their terms’ it is because they recognise that:

...there is something deeply wrong with the systems and structures that seek to demean and diminish us as Indigenous peoples. In denouncing these we are asserting both who we are as Indigenous people, but also rejecting the authority of these [settler] systems and structures.

Audra Simpson's articulation of refusal (2016, pp. 327–8) draws on the practices she has observed in her own Kahnawà:ke Mohawk polities, describing 'the very deliberate, wilful, intentional actions that people were making in the face of the expectation that they consent to their own elimination as a people.' Simpson describes 'refusal', as:

...a political and ethnic stance that stands in stark contrast to the desire to have one's distinctiveness as a culture, as a people, recognised. Refusal comes with the requirement of having one's *political* sovereignty acknowledged and upheld, and raises the question of legitimacy for those who are usually in the position of recognizing: What is their authority to do so? Where does it come from? Who are they to do so? (Simpson, 2014, p. 11).

And while there may be limits to refusal as a political strategy when, as non-Indigenous philosopher Mark Rifkin suggests, the repudiation of state recognition may produce conditions in which Indigenous peoples 'play no substantive role in the ways they are narrated within settler institutions' (Rifkin, 2017, p. 183), in fact the ethics of refusal suggests a fundamental disregard for how such narrative might be deployed.

Accompanying refusal on this revitalised journey towards political autonomy and separatism, resurgence also signals a turn away from settler institutions, values, and ethics towards Indigenous institutions, values and ethics 'in order to re-center and reinvigorate Indigenous nationhood' (Snelgrove et al., 2014, p. 18). Indigenous resurgence focuses on the active restoration and regeneration of Indigenous nationhood as a transformative alternative to settler

colonial dispossession (Corntassel, 2012; Snelgrove et al., 2014, p. 2). Mohawk scholar Taiaiake Alfred and Cherokee scholar Jeff Corntassel (2005, p. 612) argue that resurgence—what they describe as ‘Indigenous pathways of authentic action and freedom struggle’—begins with ‘people transcending colonialism on an individual basis’, with ripple effects ‘from the self to family, clan, community and into all of the broader relationships that form an Indigenous existence.’ Alfred and Corntassel (2005, pp. 611-12) argue that:

Current approaches to confronting the problem of contemporary colonialism ... are, in a basic way, building not on a spiritual and cultural foundation provided to us as the heritage of our nations, but on the weakened and severely damaged cultural and spiritual and social results of colonialism. Purported decolonization and watered-down cultural restoration processes that accept the premises and realities of our colonised existences as their starting point are inherently flawed and doomed to fail.

Central to these transformative practices is a regeneration of pre-colonial place and nation-based Indigenous identities that are expressed and governed through culturally appropriate political formations (Battell, Lowman & Barker 2015, p. 120). These practices do not rely on the settler state for validation or the provision of funding, but instead are evident in efforts towards the recuperation of Indigenous languages, philosophy, and laws to shape practices of jurisdiction and governance (Alfred & Corntassel, 2005, p. 614). As governance, Indigenous resurgence involves Indigenous people developing arrangements for self-government that are consistent with their own values, norms, and decision-making processes. Thus, resurgence should not be understood only as practices of cultural revival, although such practices are certainly important. What Michi Saagiig

Nishnaabeg scholar Leanne Betasamosake Simpson (2017, pp. 48-9) has described as ‘radical resurgence’ is deeply political, predicated on ‘an extensive, rigorous, and profound reorganisation of things.’ Simpson contends that ‘cultural resurgence’ can be dangerously compatible with settler colonialism because it does not contend with dispossession. While Simpson also acknowledges that, in Indigenous thought, culture and politics are inseparable, and that community-based language revival projects (as an example) are ‘inherently political and cultural’, she also observes that adding the modifier of ‘cultural’ depoliticises resurgence in ways that enable it to be co-opted by the modes of recognition offered by the settler state (Simpson, 2017, p. 50). ‘Political resurgence’, by contrast, ‘is seen as a direct threat to settler sovereignty.’

Radical resurgence also has specific, separatist political goals concerned with the decolonisation of political relationships between Indigenous peoples and settler states through the revival of Indigenous self-government. Indigenous peoples the world over seek recognition as distinct political entities with control over their lands, governance of their internal affairs, and the ability to define and pursue their own interests, even as Indigenous nations continue to exist within encompassing settler states. Resurgent self-government means Indigenous nations are increasingly turning away from a focus on changing settler government policy and towards Indigenous agendas and action, ‘giving political force to Indigenous nationhood’ through the intentional processes of ‘identifying as a nation, organising as a nation, and acting as a nation’ (Cornell, 2015, p. 3-6).

In practice, the political focus of refusal and resurgence might be understood as taking place under the banner of nationhood and nation building. Leanne Simpson (2017, p. 47) suggests that there is work to be done to connect these concepts more effectively, noting that few critical Indigenous scholars ‘have taken up what resurgence looks like within nation-based thought systems’ and, while others have ‘talked about nationhood, nation building, and a recentering of Indigenous political thought’, they have done so ‘without mentioning resurgence to any degree.’ Tanganekald, Meintangk-Bunganditj scholar Irene Watson (2002), highlights the different pathway that resurgent nation building makes possible:

We must reclaim our being as independent nations, in control of our territories where we live under our laws of respect for all things with our relationship to the natural world. If we were to have all of that returned to us what would be left to agree to? Peaceful coexistence perhaps.

In Australia, New Zealand, Canada, and the United States, Indigenous peoples are working to reclaim *self-government* as an Indigenous right, and as resurgence in practice. Non-Indigenous scholar Stephen Cornell describes this as the latest phase in the self-determination movement, as Indigenous nations have shifted their focus from a demand for Indigenous recognition and rights from the settler state and towards the actual exercise of those rights, whether recognised or not. The movement for self-government is ‘less likely to be national than local: It is about distinct groups, communities, tribes, or nations engaging the practical tasks of governing. It pays less attention to overall patterns of Indigenous rights than to localized assertions of Indigenous decision-making power.’ Still, despite this localism, there is a

common theme:

The assertion of genuine decision-making authority over lands and other natural resources held to be an Indigenous patrimony, over the internal affairs of Indigenous communities, over the nature and processes of economic development on their lands, over cultural properties and the management of cultural heritage, over the organization of self-government, and over other matters that directly affect Indigenous welfare (Cornell, 2015, p. 1-2).

Where self-determination is an aspiration, Cornell contends, self-government is 'doing it.' Drawing on decades of research on the resurgence and success of Native Nations, Cornell (2004, p. 12) argues that three important things happen when Indigenous peoples take power over their own affairs:

First, bureaucratic priorities are replaced by Indigenous priorities, thereby gaining Indigenous support for initiatives and programs. Second, decisions begin to reflect local knowledge and concerns. One of the great fantasies of colonialism, still alive in the Indigenous affairs bureaucracies of the world, is the idea that 'we know what's best for you.' But we don't.... And the third thing that happens is that decisions get linked to consequences...when Indigenous peoples themselves are in charge, they pay the price for bad decisions and reap the rewards of good ones.... Jurisdiction, in other words, creates accountability.

Separatism, it seems, is not just an aspiration, it is a contemporary political practice. What this means for the future of Indigenous-settler relations remains uncertain.

Towards separatist relations

Between assimilation and secession there are an infinite number of possible configurations to the relationships between Indigenous peoples and the settler state (Bradfield, 2006, p. 81). There is a risk that highlighting the structural nature of settler colonialism will cast it as

unchangeable (Strakosch & Macoun, 2017, p. 36). This is far from the case. As the non-Indigenous theorist of settler colonialism Lorenzo Veracini (2015, p. 102) has argued, ‘structures can be torn down; hegemonies can be superseded.’ What seems increasingly clear, however, is that settler structures and processes cannot easily be reformed. Powerful settler logics constantly act to delimit ostensibly progressive reform processes and set them in service to the colonial agenda. Instead they must be dismantled in a profound reorganisation of Indigenous-settler relations. As the Unangax critical race scholar Eve Tuck, and non-Indigenous cultural theorist Wayne Yang (2012, p. 36) argue in their precisely titled essay ‘Decolonisation is not a metaphor’, decolonisation requires ‘a different perspective to human and civil rights based approaches to justice’, an approach that necessitates ‘relinquishing settler futurity, abandoning the hope that settlers may one day be commensurable to Native peoples.’

To advance a resurgent, more separatist mode of Indigenous-settler relations a different kind of analysis is needed. Non-Indigenous social movement scholar Verity Burgmann (2003, p. 49) has suggested that the Indigenous movement in Australia has been ‘the most beleaguered’ of any of the social movements she has researched, both because of its ‘extremely limited’ support base, and because decades of government policy have contributed to the fragmentation of Indigenous communities, which has, in turn, ‘rendered political mobilisation difficult.’ As a tiny percentage of the overall population, Burgmann (2003, p. 50) considers the movement ‘powerless within the parliamentary political system’. In the context of Indigenous

resurgence, however, a different analysis is possible. The ‘fragmentation’ of Indigenous communities may be reimagined as the resurgence of Indigenous clan- and nationhood. The parliamentary political system becomes less relevant when Indigenous peoples are turning away from that system and towards their own institutions, values, and ethics. A decolonising approach to Indigenous politics, and specifically to the relationship between Indigenous peoples and the Australian settler state requires the reorganisation of the institutional structures of settler domination and a rejection of the assumptions and certainties that underpin settler political analyses (Elliott, 2016, p. 423).

The language of sovereignty articulates Indigenous peoples’ pursuit of self-determination in terms that are intelligible to the state while simultaneously marking the limits of settler-state authority (Rifkin, 2017, p. 180). If state recognition of Indigenous sovereignty is the goal (and refusal suggests it may not be) it must be acknowledged that such recognition may also constrict and misinterpret this recognition. For Mark Rifkin this risk raises a number of questions:

If asserting sovereignty acts as a bulwark against depoliticizing attributions of cultural difference, how is the sovereignty acknowledged by the state distinct from the sovereignty regulated by the state (as a condition of recognition)? If sovereignty is the means of asserting and signifying an Indigenous people’s existence as a self-determining polity to non-natives *and* is the means by which the settler state defines and regulates the terms of Indigenous political authority, how can the forms of the one be distinguished from the impositions of the other? To what degrees can Indigenous political understandings that are not consonant with settler frames be realized as sovereignty within such institutions when Native nations remain “in the teeth of Empire?” (Rifkin, 2017, p. 182)

There are no easy answers to any of these questions. What is clear is that the ability to live genuinely self-determining lives will

depend on a careful disentangling of Indigenous and settler modes of governance, and extensive work to reconstitute Indigenous jurisdiction in places where colonialism has damaged systems of authority and decision-making in communities. This work is not unthinkable or undoable, but it will need resourcing and support. As Plangermair-reenner man Jim Pura-lia Meenamatla Everett has argued (quoted in McConchie, 2003, p. 60), Indigenous people need ‘to be given back the resources to live a cultural life in a modern world without being told by government how to do it.’ How these lives look and are experienced must be determined by Indigenous peoples themselves, community by community, clan by clan, nation by nation. Any new political arrangements need not, indeed cannot, originate from the settler state but may instead exist peacefully alongside it (Strakosch, 2015, p. 186). Decisions by Indigenous people to pursue a separatist path must be met with respect. These decisions are not trivial, but emerge from experiences of deep political failure that have shattered any confidence in the possibility of more just relations that remain tangled with the settler state (Hendrix, 2010, p. 51).

How a more radical, structural transformation of the relationship between Indigenous peoples and the Australian settler state might occur is uncertain, and yet in some important ways this work is already underway. Writing of North America, the non-Indigenous political theorist Burke Hendrix (2010, p. 51) contends that creating pockets of ‘full American Indian sovereignty’ should not frighten settlers or the settler state; it will not be ‘the dawn of a new age of political chaos or anything similarly threatening’ but rather ‘a measured,

if belated, attempt to finally end colonialism on this continent.’ For non-Indigenous Australians, the challenge is to practise an ‘alternative relation’, one that is ‘informed by a decolonising attitude’ and ways of working that will support the creation of an ‘excolonial society’ (Bignall, 2014, p. 353). As treaty processes emerge around the continent, these alternative relations are beginning to take on more solid form. As Veracini (2015, p. 106) has argued ‘Contrary to what the settler common sense may assert, settler colonial ways of belonging are not inevitable or natural; they are merely one possibility among many.’ Multiple polities already reside on this territory, and the peoples that make up many of those polities are already engaged in practices of refusal, resurgence, and nation building. A decolonised politics that supports Indigenous autonomy and separatism is not beyond imagining.

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Maddison, S

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