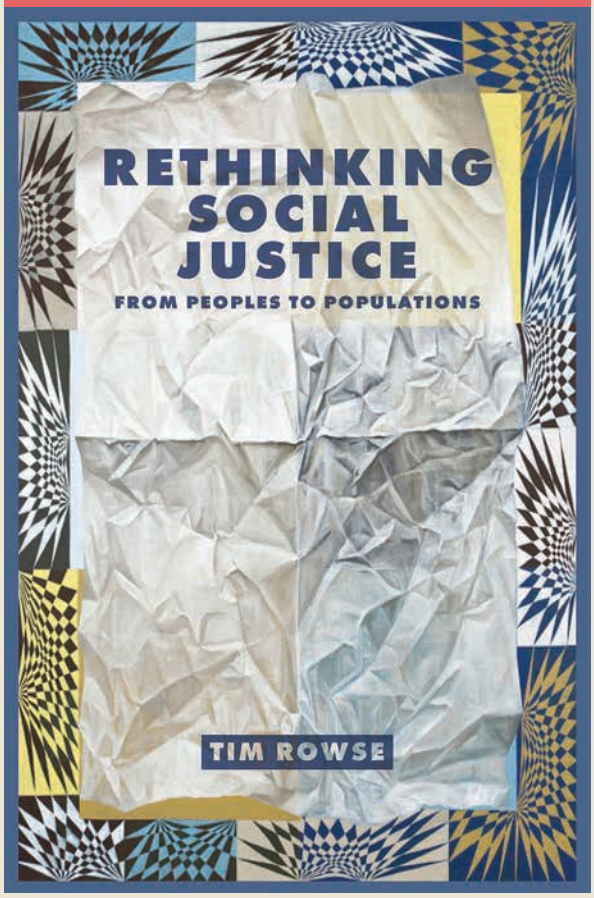
BOOK REVIEW



Aboriginal Studies Press, 2012 ($39.95)
Review by Dylan Lino

Since the 1960s, Australian governments and policy intellectuals have tended to conceive of Aboriginal and Torres Strait Islander people in two different ways. One is as a 'population', an aggregation of Indigenous individuals and households forming a subset of, and comparator to, the wider Australian citizenry. The other is as 'peoples', collective agents capable of bearing rights, discharging duties and exercising powers of self-government. Significantly, however, how we conceptualise Aboriginal and Torres Strait Islander people—as a population or as peoples—is not simply a technical matter, for embedded within both the 'population' and 'peoples' understandings are distinctive notions of social justice. That is, our very ways of thinking about who Aboriginal and Torres Strait Islander people are necessarily already contain particular normative commitments. Social justice for the Indigenous *population* entails eliminating the socioeconomic differences revealed between it and the general Australian population. Social justice for Indigenous *peoples* entails resolving the political differences between them and the Australian state. While both of these alternative visions of social justice are necessary in settler-colonial states, each harbours its own problems and limitations, and one will often be in tension with the other. These are the central claims of Tim Rowse's insightful, rewarding and occasionally provocative new collection of 11 essays, *Rethinking Social Justice: From 'Peoples' to 'Populations'*.

For around three decades now, Rowse has been writing thoughtfully—and often challengingly—about the relationship between Indigenous and non-Indigenous Australia. Though his work is mainly of a historical bent, it has ranged across many disciplinary fields: anthropology, biography, sociology, public administration, political theory. True to such ecumenical leanings, *Rethinking Social Justice* assembles a diverse corpus of Rowse's recent (and mostly unpublished) work that covers many topics, from the South Australian land rights legislation, to the Stolen Generations, to Indigenous corporations and associations, to the Australian Reconciliation Barometer. Perhaps more than anything, Rowse's book undertakes a critical engagement with numerous (mainly non-Indigenous) Australian intellectuals who have been influential in Indigenous affairs over the past half-century. Among Rowse's interlocutors are Paul Hasluck, AP Elkin, HC Coombs (of whom Rowse is the biographer), Noel Pearson, Peter Sutton and Helen Hughes.

In what ways is this book about rethinking social justice, as the title proclaims? In one sense, the book investigates an activity: it charts the shifting manner in which governments and key public figures have, over the past half-decade or so, thought (and rethought) about what is owed to Aboriginal and Torres Strait Islander people—as a population or as peoples—in the name of justice. As Rowse shows, the story of this public activity of 'rethinking' has not been unidirectional. The rise of the 'peoplehood' paradigm in the policy transition from 'assimilation' to 'self-determination' has to a significant degree been displaced in more recent times by an emphasis on the 'population' paradigm. This is perhaps most evident in the current policy priority of 'Closing the Gap', which seeks to reduce socioeconomic disparities between Indigenous and non-Indigenous Australians.[1] The Northern Territory Intervention is another controversial example.[2]

It is also within each social justice paradigm itself that Rowse shows this rethinking to have taken place. Especially significant in this regard, according to Rowse, have been the different ways in which Indigenous peoplehood has been conceived. These have ranged from the conceptualisation of Indigenous Australians as a people wronged by both colonisation and its aftermath (as under the original South Australian land rights legislation and

in discourses about the Stolen Generations),[3] to peoples defined by traditional culture and custom (as under native title law and in the 'Indigenous sector'),[4] to a people defined in terms of their engagement with a 'real economy' (as posited by Noel Pearson).[5]

The political activity of rethinking social justice, with its concomitant oscillation within and between population and peoplehood discourses, emerges in Rowse's telling as an unending practice within settler-colonial societies like Australia. This is because Indigenous affairs policy, and indeed all social policy, is experimental: '[e]very project of government … enacts hypotheses about Aboriginal becoming'.[6] Whether such projects are undertaken to improve the life chances of the Indigenous population or to address the political differences between Indigenous peoples and the Australian state, we cannot know the outcomes in advance. Adopting, as Rowse advocates, 'a thoughtful, open-minded approach to the intended and unintended consequences of these interventions' will necessarily lead us back to the activity of rethinking Indigenous social justice—of reassessing our assumptions about who Aboriginal and Torres Strait Islander people are, who they should be and what they are entitled to.[7]

There is another sense in which Rowse's book is about rethinking social justice: for the book not only documents the activity of rethinking in Australian policy and discourse but inevitably engages in such rethinking itself. Each chapter makes distinct and enlightening contributions in this regard, and I cannot list them all here. Overall, however, Rowse sees his essays as making two correctives.

One corrective is against the 'population' paradigm, which is in Rowse's estimation 'too much in the ascendancy'.[8] It is not that the 'population' mode of social justice should be abandoned, but that its limitations need to be acknowledged and rebalanced with a greater appreciation for the 'peoples' dimension. Along these lines, Rowse closes Chapter 10 with a powerful critique of the 'Closing the Gap' policy. In its determined pursuit of statistical sameness between Indigenous and non-Indigenous populations, claims Rowse, 'Closing the Gap' fails to take Indigenous agency seriously. It thereby neglects the notion of 'social justice as the right of minority peoples to choose the ways in which they engage with majorities—even if those choices include continuing material deprivation'.[9] Accordingly, 'Closing the Gap', concludes Rowse, can be seen as 'a benign Cyclops—a one-eyed giant, an experimental juggernaut of goodwill, possessing only a partial capacity to reflect on the results of its experiments'.[10]

The other corrective Rowse offers is against conceptualisations of Indigenous peoplehood that are overly reliant upon standard assumptions about what constitutes Indigenous 'culture', for these run the risk of creating a 'traditionalist straitjacket'.[11] As numerous others have observed before Rowse, 'culture' is often construed by the state in a narrow or distorting manner and, more fundamentally, becomes unduly subject to state control.[12]

But equally important for Rowse is that such a 'traditionalist straitjacket' can preclude beneficial forms of Indigenous cultural change solicited (though presumably not coercively imposed) by the state. In particular, the reliance on 'traditional culture' can prevent Indigenous peoples from 'learning new political technologies' from the state that they may find useful in exercising their capacities for collective action.[13] If I read him correctly, Rowse appears to suggest that two areas in which such new political technologies may help is in countering the community dysfunction found in many remote settlements and in mobilising native title representative bodies to be more effective vehicles of Indigenous self-determination.[14]

This is a confronting argument, and Chapter 6 brings the point home in an extended reflection on the thousands of publicly funded Indigenous councils and corporations that comprise what Rowse has termed the 'Indigenous sector'.[15] Discharging its functions of representing, holding title for and delivering services to Aboriginal and Torres Strait Islander people, the Indigenous sector is subject to norms of good governance under Australian law. Drawing on anthropological literature, Rowse suggests that these governance norms, rather than necessarily threatening Indigenous culture and custom, can potentially enhance Indigenous peoples' capacities for self-determination and peoplehood. Instead of 'displac[ing] something authentic with something alien', Australian corporate governance norms can supplement Indigenous peoples' 'repertoire of political subjectivities'.[16] Rowse's arguments represent a challenge to anyone (and I count myself among them) who has blindly called for more 'cultural appropriateness' in the design of Australian institutions.

If I have a criticism, it is that the book's core arguments and themes could have been woven more strongly throughout the individual essays and drawn together in a concluding chapter. As it stands, much of the task of reconstructing these concerns is left to the reader. Then again, that the book demands this deeper engagement of its audience is not necessarily a bad thing; it stimulates the reader to reflect critically on the significance of what they are reading. And at any rate, each essay can be read

as a stand-alone piece: they are all works of scholarship in their own right.

Like all of Rowse's work, *Rethinking Social Justice* is not a book for those seeking straightforward confirmation of their pre-existing ideological commitments. As an account of the main currents in the practice and thought behind recent Australian Indigenous policy, Rowse's book offers revealing interpretations and critiques. As 'a thoughtful, open-minded approach to the intended and unintended consequences of these interventions', Rowse's work is exemplary.

Dylan Lino is a Centre Associate of the Indigenous Law Centre and a PhD student at the Melbourne Law School.

1 Tim Rowse, *Rethinking Social Justice: From 'Peoples' to 'Populations'* (Aboriginal Studies Press, 2012) 196–8.
2 Ibid xx.
3 Ibid ch 4, ch 5.
4 Ibid 19–24, ch 6.
5 Ibid ch 8.
6 Ibid 196.
7 Ibid.
8 Ibid xx.
9 Ibid 197.
10 Ibid 198.
11 Ibid xx.
12 Ibid 18–21.
13 Ibid 27.
14 Ibid 23–4.
15 Rowse first developed his account of the Indigenous sector in *Indigenous Futures: Choice and Development for Aboriginal and Islander Australia* (UNSW Press, 2002).
16 Rowse, above n 1, 110.

Kathy Maringka