

**Dominic O’Sullivan**, *Indigeneity: A Politics of Potential—Australia, Fiji, and New Zealand*, Bristol: Policy Press, 2017. ISBN: 9781447339427 (cloth); ISBN: 9781447339441 (ebook)

Dominic O’Sullivan’s book, *Indigeneity: A Politics of Potential—Australia, Fiji, and New Zealand*, is a discourse of intersectionality between Indigenous notions of non-colonial statehood, citizenship, and independent political authority. O’Sullivan gives power to the politics of Indigeneity as a practice and transformer beyond post-colonial understandings, which cuts thorough class and gender preoccupation. His discourse is scaffolded comparatively through a cross-jurisdictional exploration of Indigeneity between Australasian nations and Fiji. Ultimately, O’Sullivan asserts the claim that permanent rights are central to Indigenous political aspirations regardless of the status of post-colonial populations as distinct to migrant minority groups.

The book is structured into eight chapters covering broad themes of reconciliation, the politics of Indigeneity, liberal democracy, inclusion, and globalisation, underpinned by three comparative chapters concerning economic development and differentiated citizenship in Australia, New Zealand, and Fiji. At the outset, O’Sullivan argues a strong case for the powerful role of reconciliation in exercising sovereignty and Indigeneity. He states that although reconciliation retains its historical religious connections with ethnic politics, it has transcended beyond religious metaphors into legal and political arguments. O’Sullivan reports that in each jurisdiction, reconciliation is established as an important secular political discourse by which the transgressions of colonialism can be acknowledged. Reconciliation is characterised as the equalising force between state and Indigenous peoples toward the creation of a just political order. When reconciliation is juxtaposed with the politics of Indigeneity, the absolute sovereignty of the state is challenged.

O’Sullivan supports the fluid nature of sovereignty, preferring a reconfiguration of sovereignty whereby Indigenous people exercise their authority of self-determination beyond the state. Here Indigenous institutions and independent economic development provide security for new possibilities of Indigenous sovereignty. Indigeneity is characterised as a movement of resistance that yields transformative and pragmatic opportunities for self-determination via differentiated authority and citizenship. O’Sullivan challenges the

presumptions of citizenship, highlighting the potential of liberal democracy to “privilege *either* an emancipatory *or* an exclusive account of Indigenous belonging” (p.13).

The text brings together both an emancipatory and exclusive account of Indigenous belonging though articulating the paradox between liberal democracy and Indigeneity. The tension between personal and collective freedom is described as “belonging together differently” (p. 68), whereby differentiated citizenship accounts for the power and authority of both individuals and groups. By this, emancipatory actions of the Indigenous individual within the group give rise to an exclusive, or separate, political model that accounts for Indigeneity. O’Sullivan highlights the opportunities afforded by globalisation and its political power for delivering greater Indigenous self-determination. Here contemporary globalisation is seen as enabler of new economic opportunities and intellectual space for worldwide Indigenous cooperation.

Attention is turned to the cross-comparative case studies of Australia, New Zealand, and Fiji focusing on differentiated citizenship. In the Australian context, O’Sullivan highlights that “culture counts” in economic development whereby approaches are aligned to favourable outcomes for cultural development, social stability, employment, health, and education. In contrast, in New Zealand, Māori citizenship is a determinant of economic opportunities allowing for use of natural resources through recognising culture in policy and people’s participation in markets according to their cultural purpose. Finally, in Fiji the absence of differentiated citizenship due to military sovereignty creates a public sovereignty void and structural barrier to Indigenous people’s claim to economic and other aspirations.

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*Indigeneity: A Politics of Potential* is a timely reminder that arguments on sovereignty are collapsing globally and its political power is being contested by Indigenous peoples. The book is an investigation of the politics of Indigeneity as a “discourse of both resistance and transformation” (p.35). Culture, specifically connections to land, language, and resources, is central to O’Sullivan’s idea of Indigeneity and the pivot upon which self-determination is decided. Thus Indigeneity advances the conception of citizenship as admitting “differentiated

modes of belonging to both national and indigenous political communities” (p.57) to mainstream indigeneity for the purpose of participating in political governance.

O’Sullivan’s scholarship is an easily digestible read and entry point into understanding the issues of Indigenous sovereignty, citizenship, and political spaces. The book’s structure assists the reader to grasp key concepts in what could otherwise be difficult intellectual terrain to navigate as it deals with multiple layers and notions of the intersectionality of Indigeneity. O’Sullivan brings in the voices of other scholars to cast light and shade to his discourse with a complementary cadence. The book’s themes are divided into three broad parts—the introduction of concepts, theoretical underpinnings, and economic review. These themes are explored further in depth through the case studies of the three countries. The case studies then draw out the typologies of differentiated citizenship and their pragmatic presence or absence in economic and cultural development. The “transgenerational well-being” discourse of economic development in Australia is contrasted to the Māori who enjoy greater economic agency due to the powers of the Treaty of Waitangi. The case of Indigenous Fijians and their relative lack of economic self-determination provides a stark disparity to the Australian and New Zealand cases. The case studies are informative, up-to-date, and provide rich material for O’Sullivan to pitch his discourse.

The central premise is that liberalism offers the pathway to recognise difference within a political system, whereas egalitarianism obscures root causes of injustice. Liberalism can offer a differentiated citizenship: O’Sullivan uses Roger Maaka and Augie Fleras’ (2005: 43) term “belonging together differently” to describe how citizenship can be differentiated upon the basis of Indigeneity. Differentiated citizenship allows plural modes of sovereignty to co-exist, thus ensuring Indigenous self-determination.

Indigenous self-determination is premised upon a claim of prior occupancy as fundamental to achieving a co-located sovereignty. However, O’Sullivan suggests it is not the moral claim of being “first” that has primacy; rather, it is the means by which the claim is utilised that rewards citizenship. By this, an inclusive citizenship is required to enhance the cultural capital of a sovereign nation. Indigeneity then becomes a complimentary political framework to achieve a reconciliation of past injustice. Moreover, it is within liberalism that

individual rights can still be held under group collectivities, such as Indigenous governance and cultural structures that look to the group as the primary social glue.

While O’Sullivan is clear that Indigeneity can adopt the directionality of a political discourse, noting how Indigenous economic development under liberalism can help achieve a measure of self-determination, the understanding of, and relation to, sovereignty is a little opaque. Sovereignty, according to O’Sullivan, “transcends national constitutional and political arrangements because it is continually re-shaped by international political and economic factors that, at the very least, privilege the idea that the state is merely the agent of the people’s sovereignty, rather than sovereign itself” (p.56, 93). Well, yes and no.

When the 16<sup>th</sup> century French legal scholar Jean Bodin first theorised sovereignty, it was viewed as a thing of perpetuity and a “supreme power over citizens and subjects, unrestrained by law” (Dunning 1896: 92). In this manner (and of the time), the monarch was the supreme power—the maker and commander of laws, where even forms of private property were compelled to serve, and not restrict, a sovereign’s actions (Casey 2017). Sovereignty, in this light, is of both the state and the sovereign and cannot be separated. It is this form of sovereignty—a monarchical and monolithic right—that the nation states of Australia, New Zealand and Fiji were conceived upon.

Intervening international economic and political factors do continue to shape the perception of sovereignty, such as the liberalism that allows differentiated citizenship; however, the state is the sovereign body that allows for globalisation and international agreement-making. Loïc Wacquant might suggest that O’Sullivan’s liberalism and globalisation is of the sovereign state, where the “*articulation of state, market and citizenship... harnesses the first to impose the stamp of the second onto the third*” (2012:66). The state regulates the shape of the market impacts on citizenship and O’Sullivan does recognise this when he suggests that “it is not globalisation *per se* that affronts the rights of Indigenous peoples, but its regulation by prejudice, historical legacy, and state claims to overriding sovereignty” (p.91).

Therefore, we suggest that the state *can* act as sovereign in itself, as opposed to the will of the people, particularly Indigenous peoples. For those colonised countries where the hangover of monarchical supreme power has generated new nation states, such as Australia,

Fiji and New Zealand, the right to make economic and political agreements continues to reproduce a neo-colonial sovereignty and alienate Indigenous populations. Perhaps it is a nuance that is missing from O'Sullivan's argument, especially for the case studies of Australia and New Zealand. By this, liberalism and economic globalisation can aid in creating conditions of self-determination, such as land and sea management and cultural economies, but it sits within a small-"s" sovereignty. Neil Walker (2006, 2008) views sovereignty as two-tiered: a capital-"S" sovereignty that is of the nation state and both material and symbolic, and a small-"s" sovereignty that is pragmatic, useful and localised in general and everyday concerns.

A small-"s" sovereignty is suggested by us as the lived experience of Indigenous sovereignty irrespective of the nation state and where the positive outcomes and applications of Indigeneity may be recognised. However, there is a chasm between the understanding of a statutory sovereignty of international law that denies an Indigenous prior occupancy and the daily experience of a lived self-determination based upon cultural precepts of land, language, and resources (after Behrendt 2001). A differentiated citizenship of "belonging together differently", as posited by O'Sullivan, can occur under liberalism and is demonstrated by cultural economies in his case studies of Australia and New Zealand, with outcomes denoted by a small-"s" sovereignty. Yet it is overshadowed by the capital-"S" sovereignty of supreme power channelled through international law. Although we suspect that O'Sullivan would disagree with us and argue that the extent of sovereignty is less important than the function of Indigeneity as a political instrument for change.

However, we posit that it is the capital-"S" sovereignty that presents the tensions and challenges of true recognition of differentiated citizenship upon prior occupancy rights. O'Sullivan claims that Indigeneity, as a political spectrum of citizenship equality, is "limited if it is ill-equipped to admit the relationship between all groups' economic and political engagement with one another and any one group's capacity for self-determination" (p.103). We suggest that the reverse is also true: that Indigeneity cannot achieve its full potential as a positive, reconciled, political force in determining relationships between Indigenous and non-Indigenous groups without a nation state recognition of pre-existing Indigenous sovereignty. In support of this, O'Sullivan makes the point that liberal democracy "only safeguards the

right to make these claims: it does not guarantee a political order that will ensure Indigenous perceptions of equality or liberty” (p.72). Therefore, capital-“S” sovereignty secures the right to squeeze and constrain Indigeneity even upon liberal grounds and contrary to economic development gains made under small-“s” sovereignty.

O’Sullivan has not made entirely clear these distinctions over the expression of sovereignty as predominantly a nation state condition and secondarily as an operating framework for differentiated citizenship based upon Indigeneity. It is in the interrogation of the Australian court case, known as *Mabo*, that the nuance is lost and may be a cause for concern in how sovereignty is understood and compelled. In 1992, the High Court of Australia made a ruling in regards to Indigenous rights—property held under the Crown was entitled to belong to Indigenous Australians under radical native title.

The common belief is that *Mabo* swept aside the colonising presumptions that Australia was a land belonging to no-one or *terra nullius*. O’Sullivan states that *Mabo* “contributed to an evolving public narrative of reconciliation by dismissing the legal validity of *terra nullius* as the basis on which the government could proceed” (p.18). However, this gives the impression that the totality of Australia’s sovereign right was bound up in declaring a *terra nullius*. This is not correct.

Indeed, both parties to *Mabo* (Indigenous claimants and the Australian Government) conceded and accepted that the “Crown had acquired sovereignty of Australia by occupancy under international law” (Secher 2004: 708). While O’Sullivan does write that *Mabo* “relied very heavily on international law” (p.97) to establish precedence to create a native title, he does not intuit that international law made possible the retention of Australia’s sovereign right *in toto*. *Mabo*, in effect, could allow the Australian Government to justifiably strike down an Indigenous sovereignty claim based upon prior occupancy.

The claim of prior occupancy, then, as the underpinning logic of self-determination, or where the “ancestral occupant” is the ground for collective rights under liberal democracy (p.33), is weakened by the sovereign right of the nation state to simultaneously dismiss it. In this manner, while *Mabo* was able to demonstrate a small-“s” sovereignty through application of native title, the capital-“S” sovereignty rights of a nation state’s materialism and symbolism were shown to be somewhat immutable. However, O’Sullivan does argue that

plural rights to co-exist are more important for a self-determining framework, rather than an absolute sovereign right, when he states that “plural societies might aspire to common acceptance of the *range* of possibilities not a *particular* possibility for the exercise of citizenship” (p.57).

Under plural conditions that respect and respond to differentiated citizenship, O’Sullivan looks thoughtfully to reconciliation concepts that aim to ameliorate colonising injustices and provide Indigenous peoples the “political capacity to work out for themselves what constitutes justice in the relationships and aspirations that they wish to define and pursue” (p.4). We agree that Indigenous peoples and other groups within Australia, New Zealand and Fiji should find the collegial means in “belonging together differently”. For example, the concept of sovereignty as it applies to Indigenous populations in the USA would probably not be suitable in Australia and New Zealand due to the understanding of sovereignty and common law under the constitutional framework.

The system of law as applied to Indigenous peoples in the USA is not altogether advantageous or desirable. Where Indigenous sovereignty is recognised, such as to make and implement distinct laws on Indigenous territories, it is as “domestic dependent nations” and not as of “states or foreign powers” (Riley 2017: 180). Thus there is a tension in the body of law between “formal equality and respect for difference” (Riley 2017: 175) that leaves Indigenous groups as “extra-constitutional” and outside of the system. By this, Indigenous peoples are not subject to a Bill of Rights as a cornerstone to US constitutionalism, but subject to the entreaties and vagaries of federal law that governs the framework of sovereign nations, such as policy oversight by the Department of the Interior (Riley 2017). This leaves Indigenous peoples as differentiated citizens and without recourse to the statutory remedies that aid other forms of, for example, economic development for self-determining benefit.

Both the Australian and US examples of rights contrast markedly to those of New Zealand and, to a lesser extent, Fiji. While both New Zealand and Fiji have their sovereign nation status located within colonial structures, they have moved beyond to adopt the determinants of differentiated citizenship. In New Zealand, the Māori are not subjects of the Crown, due to Treaty terms and settlement, but equal participants in political relationships (p.25). Thus, for Māori, their citizenship is located as sovereigns in their own right and

allows them to confer allegiance to the nation state as a matter of co-existence (p.25).

O’Sullivan rightly assesses New Zealand as a case where cultural claims enhance the capital of a sovereign nation and see Māori as captains of their own social justice frameworks to derive citizenship benefit for themselves.

For Fiji, differentiated citizenship is the mark of an independent Indigenous nation, one of the few global examples where Indigeneity forms the majority of a population base and nation state, yet Fiji struggles with isolationist politics which “denies the interdependence from which groups draw the ability to function to the fullness of human potential” (p.83). Fiji is still mired and riven with ethnic minority discrimination that has simultaneously seen the recovery and rise of Indigenous governance structures, such as Elders as policy decision-makers, while limiting the rights of others to participate in liberal democratic ideals. O’Sullivan (p.85) astutely sees the lack of a free press, independent judiciary and human rights as cause for concern and unfinished business in creating just terms of political association for all groups, not just a primacy of Indigeneity.

Yet of these two countries, Fiji and New Zealand, a differentiated citizenship has given rise to Indigeneity as a politics of potential and a “determinant of Indigenous economic opportunities” (p.131). If sovereignty is thought of as a personal freedom to act with benefit, rather than a legalistic framework of international laws and colonial power, then Indigeneity can be causal to self-determination. However, the condition-setting, particularly in the case of Australia, requires investment in the social environments of acceptance, reconciliation, plural views and belonging that is currently not evident.

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O’Sullivan’s timely book brings fresh insights to the theoretical constructs and politics of Indigeneity. It is eloquent in giving voice and power to culturally framed political individual rights of prior occupancy. This book provides an innovative discourse of the intersectionality of independent Indigenous political authority, citizenship and statehood. O’Sullivan creates space for new meanings of Indigeneity which challenge post-colonial politics, liberalism and democracy. His cross-comparative assessment of Indigenous political aspirations concludes



that a wide view of Indigeneity gives recognition to the diversity and complexity of Indigenous people's sense and meaning of Indigeneity, and modes by which Indigenous rights are claimed.

This book gives a practical framework for comprehending Indigenous and political theories and their relevance to individual and group self-determination. It offers a theoretical perspective of Indigeneity as being distinct to ethnic minorities by highlighting the political vulnerability and power of Indigeneity itself, via the politics of post-colonialism and its potential to transcend neo-colonial victimhood. O'Sullivan expands Indigenous knowledges by asserting reconciliation, sovereignty and differentiated liberal citizenship as mechanisms for new Indigenous political structures. This book will have broad appeal to those interested in the theory of Indigenous politics and its transformational power and role in influencing policy and scholarly debate.

## References

- Behrendt L (2001) Genocide: The distance between law and life. *Aboriginal History* 25:132-147
- Casey G (2017) *Freedom's Progress? A History of Political Thought*. Exeter: Imprint Academic
- Dunning W A (1896) Jean Bodin on sovereignty. *Political Science Quarterly* 11(1):82-104
- Maaka R and Fleras A (2005) *The Politics of Indigeneity: Challenging the State in Canada and Aotearoa New Zealand*. Dunedin: University of Otago Press
- Riley A R (2017) Native Nations and the constitution: An inquiry into "extra-constitutionality". *Harvard Law Review* 130(6):173-199
- Secher U (2004) The reception of land law into the Australian colonies post-*Mabo*: The continuity and recognition doctrines revisited and the emergence of the doctrine of *continuity pro-tempore*. *University of New South Wales Law Journal* 27(3):703-735
- Wacquant L (2012) Three steps to a historical anthropology of actually existing neoliberalism. *Social Anthropology/Anthropologie Sociale* 20(1):66-79
- Walker N (2006) Big "C" or small "c"? *European Law Journal* 12(1):12-14

Walker N (2008) “The Rule of Law and the EU: Necessity’s Mixed Virtue.” Europa Institute  
Mitchell Working Paper Series, No.4  
[http://www.europa.ed.ac.uk/\\_\\_data/assets/pdf\\_file/0008/206990/Mitchell-Paper-2008-4.pdf](http://www.europa.ed.ac.uk/__data/assets/pdf_file/0008/206990/Mitchell-Paper-2008-4.pdf) (last accessed 29 March 2018)

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Indigeneity book. Read reviews from world's largest community for readers. This is the first comprehensive integration of political theory to explain ind... Goodreads helps you keep track of books you want to read. Start by marking *Indigeneity: a politics of potential: Australia, Fiji and New Zealand* as Want to Read: Want to Read saving... Want to Read. Dominic's fifth book *Indigenous health: power, politics and citizenship* was published by Australian Scholarly Publishing in 2015. The book examines contemporary Indigenous Australian health policy as a site of contest over the nature of Indigenous citizenship and 'belonging' to the modern state. In 2017 Policy Press published Dominic's sixth authored book *Indigeneity: a politics of potential - Australia, Fiji and New Zealand*. The book assesses the ways in which indigenous and liberal political theories interact to consider the practical policy implications of the indigenous right to self-determination. Experience. 2008–present. This book has an unusually clear statement of purpose: *Indigeneity is a politics of potential that transcends neocolonial victimhood. The book's principal purpose is to explain how and why* (1), and proceeds by considering comparatively the cases of Australia, Fiji, and New Zealand. Thinking about indigeneity must precede thinking about political authority, the author notes, and indigeneity broadens the lens of political claim such that sameness need not be presumed. Dominic O'Sullivan, an associate professor of political science and member of two tribes of New Zealand, then argues that discourses of reconciliation, self-determination, and sovereignty allow people to assert their rights of prior occupancy. These are realized through belonging together differently. Dominic O'Sullivan (born 1970) is a New Zealand-Australian political scientist. He is Māori, of Te Rarawa, Ngāti Kahu descent. As of 2020, he works at Charles Sturt University. After a PhD titled *Faith, politics and reconciliation : the Roman Catholic Church, New Zealand Maori and indigenous Australians* at the University of Waikato, O'Sullivan moved to the Charles Sturt University. O'Sullivan's primary area of interest is the politics relating to indigenous peoples.