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RESEARCH ARTICLE**

Agency and Structural Constraints: Indigenous Peoples and the Australian Settler-State

in North Queensland

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Autobiographical Note

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Abstract

In Australia, Aboriginal and Torres Strait Islander peoples have long been subjected to attempts at extermination, exclusion, and assimilation but continually resist these efforts. This history is woven through the social fabric of Australia. This paper is a single case study which looks at contemporary race relations in Townsville, Queensland, and describes current settler colonial settings in terms of structure and agency. We focus primarily on agency as a strengths-based approach but recognise the structural constraints Indigenous people face. Based on in-depth interviews and extensive fieldwork, we explore Indigenous perceptions of agency and constraints. Indigenous people have many ways to exercise agency, and our focus is on those who identify as activists and advocates. Participants expressed their capacity to undertake social action as high and varied in method, articulating agency as activism or advocacy. These agents view the state as both an enabler and a constraint, largely exclusionary of Indigeneity. The Settler-State only increases the capability for social action when it chooses to do so and has been and continues to be largely exclusionary of Aboriginal and Torres Strait Islander peoples. Significant to agents is the local context of Townsville as a racist city distant from political decision-making. Participants describe experiences of continuing covert or implicit racism and 'active apathy' held by the wider non-Indigenous community of Townsville. Despite these constraints, Indigenous agents creatively adapt such structures in order to exercise their agency.

Keywords: Settler-State; Structure; Agency; Activism; Social Change; Exclusion.

Introduction

Since colonisation, Aboriginal and Torres Strait Islander peoples have experienced dominance and coercion over their lives in ways not experienced by the non-Indigenous population. The early practices and policies affecting Indigenous peoples depended on location, terrain, and time of colonisation. In North Queensland the frontier was brutal: from the mid-19th century Aboriginal groups were subject to violence and exploitation as pastoralism, mining, and townships advanced.[1] From the 1870s, Indigenous people were allowed minor participation in social and economic life, although colonial governments had firmly built a 'superior white caste and an inferior black caste'.[2] The violence mainly ceased by the 20th century, followed by segregation onto reserves and missions. This was for the supposed 'protection' of Indigenous peoples but resulted in breakdown of traditions, poverty, ill-health, and other negative outcomes for the population.[3]

Though the violence of the frontier has ended, and the exclusionary policies of segregation and then assimilation have finished, Aboriginal and Torres Strait Islander peoples continue to experience stark inequalities and disadvantage. Despite adversity, Indigenous people in Townsville continue to exist as strong political agents who claim greater political autonomy, social justice, and 'better Indigenous-Settler futures'.[4] This research asks how Aboriginal and Torres Strait Islander people in Townsville perceived their own agency and the power of the state. We draw on Anthony Giddens' structuration approach which allows for the continuous analysis of interplay between agency and structure, rather than focusing on solely on either.[5] Drawing on qualitative research, we explore the relationship from the perspective of Indigenous people who can be considered 'empowered' within state structures – that is, they are educated, employed, professionals who often work *with* the state. Our analysis does not include Aboriginal and Torres Strait Islander people who regularly come up against state structures in a negative context, for example being moved on by the police. Their perceptions of agency and constraints will likely be very different to (and outside the scope of) our discussion in this paper, which takes a strengths-based approach. Focusing on individuals who feel like they can exercise their agency despite constraints is important to further our understandings of agency, structure, and race relations in Australia today.

Race Relations in Townsville

The history of North Queensland laid a harsh foundation of violence and exploitation, but official policies of segregation and assimilation have ended. Aboriginal communities in Queensland were given control of former reserves in the 1980s, which now operate as Aboriginal Shire Councils, under the same legislation as other local governments. However, we continue to see racism in Townsville and across Australia.[6]

A protest-turned-riot, which occurred on Palm Island in 2004 following an Aboriginal death in custody, illustrates the modern relationship between Indigenous people and the Settler-State in the region.[7] The death was deemed 'accidental' despite comparable injuries to high-speed motorbike accidents. Many community members perceived this decision as evidence that the Australian state was attempting to cover up or ignore the role of the police in this death.[8] Outraged community members reacted to the announcement by burning down the island's police station and barracks, and the courthouse. The Queensland Government responded in turn by imposing a State of Emergency and calling in the Special Emergency Response Team, a unit trained in counter terrorism strategies, to shut down the protests.[9] Police continued to raid homes and terrorise residents for over a month after the riot had finished.[10] Chris Graham, then editor of the *National Indigenous Times*, deemed the action of the protestors a 'sensible, necessary response' to the racist practices of the Queensland Government and Police Service.[11] This event confirmed for many that the social exclusion and racism of the region's history remained very much alive, and that settler colonialism continues to unfold in the present day.[12]

The Duality of Agency and Structure

In this paper, we draw on Giddens' theory of structuration because of its focus on both structure and agency.[13] This is especially important in Indigenous research, which often focuses on deficits and dysfunction.[14] Agency is the capability of individual or collective actors to do something in the social realm,[15] contributing to a process of 'making and remaking...larger social and cultural formations'.[16] Agents reflexively perceive their own capability of undertaking social action with

an understanding of how power operates.[17] Agents can undertake action through the very structures which constrain them, reproducing or changing those structures in creative ways if they have the resources.[18] Power is the capability to make action occur.[19] An individual highlights the connection between their own agency and power in their capability of acting or transforming various social phenomena.[20] All people have the capacity to exercise agency, and we must begin to think about even 'repugnant practices' like violence as one way that agency is expressed.[21]

On the other hand, structures both empower and disempower inequitably.[22] Sociology has tended to focus on the influence of structures on individuals, but structures are themselves human creations which are constantly maintained by agents. Resources are the medium by which structures can be transformed by agents and can be either human, such as 'physical strength, dexterity, knowledge' or non-human, as objects that can be utilised in the effort of gaining further power.[23] Individuals and communities exercise their agency through these resources in two different, yet overlapping, ways: as project, or as resistance.[24] When individuals seek to enact culturally understood social change through organisational means, for example, they express agency as project.[25] Agency, however, is also synonymous with notions of resistance, as even the dominated continue to have the capacity to undertake social action and to exercise some influence.[26] The Palm Island riot we discuss above is one example of agency as resistance to domination by a state which is perceived as racist.

The Australian Settler-State

The structure we are most interested in this paper is the Australian Settler-State, as the principle structure with which Aboriginal and Torres Strait Islander activists and advocates interact. The state is a human construction of individuals, institutions, practices, actions, and reactions which control the 'legitimate use of physical force within a given territory' to maintain hegemony over its citizenry.[27] The state is more than simply a collection of individuals, though; it has a momentum of its own which is much larger than any particular person or group of people. The state's legitimacy is established and maintained through its exclusive right to use violence and coercion within its territory.[28] When individuals work within a

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structure, such as the state, they can perhaps make minor changes to it, but dramatic change happens slowly and only with great social force and resources.

The creation of the state and its identity are not a given – histories are constructed, and we see the foundations of race relations in the construction of states. The relationship between nationalism and racism is symbiotic: by aiming to achieve what is in the national interest, the state decides who is a part of such a nation, and therefore who is to be excluded.[29] The presence of an Other is established to differentiate this 'fictive ethnicity'.[30] The process of racialisation by the state – the construction of Other based on biological features of human beings able to be categorised – creates the possibility of racism within its own borders, in both an institutional and a sociological, or day-to-day, fashion.[31]

The racialisation process is a key component in the construction of Australian nationalism. The state is the result of colonisation of land occupied originally by Aboriginal people, and is built on their exclusion. Structural exclusion is still woven through Australia's social fabric, through which all social activity is mediated.[32] This style of governance, where Indigenous people have been 'outnumbered and removed by colonial policies and practices'[33] has been conceptualised as the Settler-State.[34] Even today the Australian Settler-State assumes Indigenous peoples are 'not yet ready for self-government', and require coercive assimilation to survive in the modern world.[35] We see this played out today in the form of punitive measures to enforce school attendance, employment, and home ownership.[36]

Structuration theory bridges the divide between theories focusing on social structures and those which highlight agency.[37] Agents with the ability to undertake social action in the world, and the overarching structures of society, are banded together in 'the duality of structure'.[38] Individual and collective agents can influence, resist, and accept the state, and the state can accept, dominate, or respond to this social action. Researching agency must therefore include an analysis of the structural elements which reproduce patterns of human interaction, and of how structures influence agents when making decisions and taking action.[39] The discussion which follows is the result of such research undertaken in Townsville, North Queensland.

Researching Aboriginal Agency from a Position of Whiteness

Though both researchers are white, the research methodology adopted for this analysis seeks to privilege the voices of Indigenous participants. In-depth interviews with open-ended questions and long-term field work allow for participants to control the conversations to some extent.[40] Of course, as the researchers and authors, we do maintain the primary position of power despite our attempts to model non-dominant relationships as we carried out our research.[41] We recognise that we are not invisible within the data, which we have constructed from our powerful position as white researchers.[42] [Author2] has worked as a participant observer with Aboriginal activists in Townsville since 2007. [Author1] conducted qualitative interviews with nine Aboriginal and Torres Strait Islander people in Townsville who self-identify as having some ability to exercise agency in their day-to-day and professional lives. Data from both researchers show the continuity of our findings across at least 8 years. Participants' own references to the past indicate that similar conclusions may be drawn over an even longer period. We have both focused on Aboriginal and Torres Strait Islander people who work, often on behalf of their community, with the Australian state to improve outcomes for Indigenous people. We do so in order to focus on a strengths-based approach, looking at what is working in Aboriginal and Torres Strait Islander communities, rather than the deficits. .

The Indigenous population of Townsville has a long history of resisting a range of government measures intended to ignore or exclude their community from participating in civil life. This community has been successful in constructing and maintaining local organisations with and without government, and in developing economic, social, and cultural initiatives, programs and businesses which seek to empower and enhance well-being. Increasingly, Aboriginal and Torres Strait Islander people are becoming professionalised, the greatest number of whom live in urban settings, including Townsville.[43] Interview participants represent this professional class of Aboriginal and Torres Strait Islander people, and include a union representative, a community engagement officer, a university lecturer, university Indigenous student support officers, registered nurses, and an arts and cultural worker. Most were over the age of 50, and the majority were female).

Participants understand themselves as mediators, balancing the expectations and demands of the Settler-State on the one hand, and community needs and moral claims on the other. Much in the way that Durkheim discusses occupational groups,[44] agents within these organisations are actively positioned between state and individual or community, in order to assert community claims and help resist and negotiate power exercised upon their members and their interests. The following sections discuss participants' perceptions and understandings of this mediator role in detail.

Agency, Activism, and Capability

Indigenous people living in Townsville who seek positive social change are well aware of the contexts in which they work. As reflexive agents, they know that the state structure and its resultant social climate constrain their actions. Aboriginal and Torres Strait Islander people identify themselves largely as either activists or advocates. These categories mirror Ortner's distinction between agency as project and agency as resistance[45]. Like Ortner's two sides of agency, advocacy and activism are difficult to fully disentangle; many agents do both at different times depending on the situation.

Activism as Resistance

Interview participants see activism as the way agency *should* be expressed. Several explicitly describe activism using the metaphor of confrontation; activism is 'fighting for the rights…of [their] people' (Gail). Andrea describes activism in the traditional sense as 'civil and political participation…civil disobedience… [and as] overt displays of political statement[s]'. It isn't all a violent struggle, though. The necessity to 'educate, engage, and empower [the] community' (Mary Lu) is highlighted by several participants. As Spoona says, activists 'focus on things that are happening, which the average person on the street doesn't know about'. The role of an activist, then, is to feed knowledge back into the community to ultimately provide greater 'independence [and] autonomy' (Gauwada).

The definition of activism is something that not everyone agrees on, though. Andrea defines an activist as 'anybody that really contributes to social change, in any way'. Using this definition, she suggests that even those who are not

in the streets, or who do not themselves identify as activists, are in fact doing activism. She acknowledged that some people would be 'horrified' with this label. During fieldwork, one woman explained that 'If you're born black in this country, you're born an activist. Otherwise you just lay down and die.' She continued on to say that surviving, and especially thriving, in a state which has for so long tried to eradicate you, is a deeply political act. Other research participants identify activists as those who are conspicuous, loud, and in the public eye.

Participants suggest that the way of doing activism has changed dramatically, particularly since the civil rights movement of the 1960s. Yvette argues activism has become 'watered down', citing the employment of Indigenous people by government as the major cause of the change, noting that many activists now cannot 'burn the hand that feeds them'. Even some who self-identify as activists are careful to delineate between the 'marching in the streets type of activist' and other, more subtle forms of activism. Francine regards herself as more of an organiser, considering her strengths to be the 'pro-active' and 'groundwork stuff'. Although her preferred method is 'gentle', she is willing to use different tactics when necessary: 'I like to sort of sit down and talk to people, but then I guess if that doesn't happen then we do the protesting, that's the next step'. Likewise, Andrea identifies as an activist but considers her activism as 'wanting to change people's minds through argument and reasoning'. She is not disrespectful of those who participate in more overt forms of activism; rather, she sees the need for both, and particularly feels that 'marching down the street' was vital in the contexts of past decades. She explains that, for the most part, things have changed since then:

> But I think things have moved now that we do really need to be more politically savvy and use the media and influence thinking on a wider scale, really appealing to what I call the 'Current Affair type audience'. [...] So really, the face of activism has changed.

She later clarifies her opinion on the two types of activism:

> I wouldn't say I value one over the other, because there is absolutely a need sometimes to march down the street. You know… it's often a very effective way of showing broad support, you know, numbers support, and

> highlighting an issue and using the media to say 'oh this many people support it', you know that kind of thing. I think you have to do both.

Despite Sutton's suggestion that the 1990s saw a shift in Indigenous politics, and that the new 'Indigenous intelligentsia' had little time for the tactics of the 'old guard', our findings suggest a much more ambiguous situation.[46] Many still identify with these 'old guard' tactics, or adopt them when necessary, and most participants appreciate the 'marching down the streets' activism.

This shift away from 'traditional activism' is because it is linked to 'many connotations of aggression or negativity' (Bruce). Louise was committed to the Stolen Wages campaign, but she died unexpectedly mid-campaign. During her eulogy, her sons mentioned that she never wanted to be remembered as an activist, because she was not the type of person to be 'out in the streets, yelling and angry'. Rather, she considered herself a 'campaigner for justice' who used gentler, persuasive tactics. Overt defiance is mostly considered ineffective. Andrea thinks this discrepancy may be because 'the activist label... it's kind of like the hippy label, it conjures up a particular idea of how you're supposed to be and act'. Several participants concur that resistance to overt racism or prejudice, in the form of physical violence or anger, will not create positive change. The activism that these participants describe can be understood as agency as resistance; marching down the streets, yelling and angry, is a way for one group of people to send a message that they are opposed to power and domination.

Advocacy as Project

Several participants chose to describe their efforts as advocacy rather than activism. Bungaru, for example, describes his understanding of advocacy as playing an insider role within institutions of power. Whereas the activism described above is an expression of agency as resistance, advocacy is seeking change through negotiation with structures: 'I consider myself more of an advocate as opposed to an activist... because with more than one organisation I'm already inside, so it's sort of like from the inside out' (Bungaru). This expression of agency is more subtle and covert and seems to be the favoured expression of agency in Townsville. Quietly pushing for change through strategies 'such as those closed

door discussions with a small group of people' can 'have a much more of a powerful, yet subversive, way of making change happen' (Bruce).

Our participants recognise their ability to exercise agency. They note how their capability to create 'positive change… to help [their] people' (Gauwada) is, however, dependent upon resources, positioning, and ultimately power. By working inside government institutions, whether through party politics or bureaucracy, participants can access more power and resources. Francine and Andrea both discuss the development of their skills as activists and advocates through their work with state institutions. For Francine, it was a cadetship with the ABC, Australia's national broadcaster, which exposed her to a wide range of political events and gave her the confidence to talk to people from all over Australia.

> I went to a Second National Indigenous Media conference in Alice Springs in 1982. […] But then I realised everyone else was doing community radio and they didn't have the confidence or the training that we'd had, and so I was right in the middle and all the others were just sort of all watching, thinking, 'who's this girl', you know? And so I was just doing my thing and in everyone's face doing interviews and stuff, because every time you went somewhere you had to do a package and send it back [to the ABC]. […] So we realised that a lot of the other broadcasters didn't have that confidence or that training.

Andrea, who considers the media a critical tool of social change, jokingly credits the state with training her in effective media advocacy:

> I have to give credit to the Commonwealth Public Service for that training. I've attended media training on their time and using their resources so that's where I think the Commonwealth Public Service has contributed great help to the cause.

While the ABC is not a mouthpiece of the state per say, Francine's 'training' as an effective Indigenous advocate was facilitated by the Australian state. Working in the

public service likewise enabled Andrea, through mechanisms of the state, to resist against the state.

More often than enabling activism and advocacy, though, the state constrains what agents can accomplish. Mary Lu notes that there are several 'gatekeepers' who block some social action. Andrea also acknowledges her ability to make social change within state structures is also limited as a public servant, noting the power imbalance and that 'there's really only so much you can do within [it]… because when you're in, it's hard to criticise… that's [the case] within any dominant culture'. While resources like knowledge and insider status may enable agents, the Australian Settler-State is still perceived as largely exclusionary of Indigenous peoples. Moreover, several participants view those who work within the state with an air of suspicion (Andrea; Spoona; Yvette). Being part of the bureaucracy means becoming 'co-opted' by the Settler-State, largely constraining their ability to exercise agency (Yvette). Spoona hopes that the 'next generation' of Indigenous public servants is not 'whitewashed up on the top', highlighting this fear of co-optation.

Given the constraints of working inside the structure, other forms of advocacy are more valued by Indigenous agents in Townsville. Most participants recognise the effectiveness of 'personalised advocacy' (Bungaru) such as one-on-one meetings with bureaucrats and local politicians (Bruce). This method of diplomacy is the most successful in promoting Indigenous interests in Townsville through 'advocacy, networking, negotiating… [and] agreement making' (Andrea). This method does not seek to 'promote a guilt trip or to place blame [on white Australians] but more so to connect and educate on the same level' (Bruce). Indigenous agents feel a need to act as 'role models' in order to 'promot[e] that high expectation' (May) and 'encourage those aspirational pathways' (Andrea). This aspect of diplomacy simultaneously encourages other Indigenous people to exercise agency in this way, and also tells non-Indigenous people that Indigenous people are worth taking seriously. Diplomacy aims to build positive relationships through constructive communication rather than hostility.

Education is another highly valued form of advocacy. Pursuing formal education is viewed as an expression of agency, which echoes the statement above that simply surviving and thriving as an Aboriginal person is activism. Gauwada argues that '[youth] can go through university and...they can beat the system...

they can go into the government... [and] they can make the change happen'. Gauwada also highlights her sense of moral obligation to reciprocate her knowledge as a resource which allows her to negotiate state structures more easily, in then returning that knowledge to her community for future state interactions.

Equally important as their own education is the education of non-Indigenous people. Townsville is considered by many to be 'the most racist city in Australia', or the 'KKK capital of Australia', based on what May and Yvette explain as a lack of historical understanding. This racism is shifting from overt to 'more subtle… more covert' (Yvette) forms of discrimination (Spoona). The majority of the population of Townsville is described by participants as anti-Indigenous, 'reasonably conservative' and 'quite apathetic' (Bungaru), evidencing a continuing constraint on Indigenous agency. A lack of education of the non-Indigenous community is perceived as contributing to the ignorance and apathy, perpetuating racism and constraining Indigenous agency (Andrea). All of the agents with whom we worked through our fieldwork and interviews work hard to educate non-Indigenous people about the history of race relations, and especially the impact of that history on Aboriginal and Torres Strait Islander people today. One way is through the framing of issues as related to human rights, justice, or other frames that are not specific to Indigenous people. For example, Bruce describes the 2004 Palm Island death in custody as 'a failure of the justice system'. 'This isn't a black issue' becomes a call to non-Indigenous people that the problems facing Aboriginal and Torres Strait Islander people are problems that could face anyone – though in reality, they are overwhelmingly experienced as Indigenous issues.[47]

A final form of advocacy identified by participants is the creation of alternatives. This exercise of agency is most easily identified as Ortner's agency as project, a proactive enacting of culturally-specific goals.[48] Projects provide an alternative to the seemingly ineffective opportunities provided by the Settler-State. Aboriginal and Torres Strait Islander people and organisations attempt to create positive results in service delivery in employment opportunities, housing, or healthcare, for example. However, Indigenous agents must negotiate projects without aggravating the state too much. In order to avoid the constraints of structure, agency as project requires restraint: 'minute…subtle…discreet… nobody

knows I'm actually behind influencing something, and it's happened...you can't be too visible when you're…being the middle person' (Mary Lu).

State and Social Structures

Though our discussion of agency above touches on the ways the Australian Settler-State constrains and enables Indigenous people, here we focus more explicitly on the structure side of the structure-agency relationship. As we have said above, our research participants recognise different ways in which the state enables and constrains their actions. Giddens discusses the reflexive process that agents use, and our participants are certainly reflexive of their relationship with structures like the state and their social context.[49]

Our participants view the state as negative, exclusionary, and discriminatory, despite the ways in which it enables their actions. This is based on personal experiences of policies and practices whereby the state 'dealt with people on a race basis in a very derogatory way' (Yvette). Most participants feel the state excludes Indigenous peoples, finding it 'a constant battle… to get recognition for the stuff that needs to happen' (Gail). While recognition of Native Title, for example, may symbolically represent the state's acknowledgement of a certain 'level of sovereignty' for traditional owners, the Settler-State is still in the position of the 'invader… or coloniser… also [being] in power, so [making] the rules' (Andrea). A lack of engagement between the Settler-State and the Indigenous community contributes to feelings of exclusion. The Settler-State also has substantial control over Indigenous organisations, particularly through funding mechanisms, and constrains agency as project in that way. For example, many Indigenous projects are co-opted by the state, usually making them ineffective (Gauwada). Projects have to prove their functionality as defined by the state, rather than the community.

Despite these negative views of state structures, Indigenous agents maintain their relationships with the state in an attempt to make social change. This relationship is largely regulated by the state, though. Agents who have access to state structures can become a 'middle person' able to play a 'brokerage role' between the Indigenous community and government (Mary Lu), or build a

'relationship with the state…to achieve an outcome' (Andrea). However, the state decides who is 'able to work within… the government system' (Mary Lu). Our participants, who represent an educated and employed class, have more access to state structures than many Aboriginal and Torres Strait Islander people.

Another key structural constraint, related to the state but more social in nature, is the racism that Indigenous agents come up against. This racism, however, is seen as 'more subtle... more covert' than it used to be (Yvette). Participants discuss the overwhelming apathy of non-Indigenous people in Townsville and see this as seriously curtailing what they can achieve. Despite attempts at education, which we discuss above, participants find that many non-Indigenous people simply do not want to know about Indigenous issues, experiences, and perspectives. We label this as 'active apathy' – people making an effort to remain ignorant. As Andrea points out, active apathy is easy to achieve in Australia, because Aboriginal and Torres Strait Islander people are 'still in the minority' and can be easily ignored. Participants regularly have to negotiate self and social action within an environment of covert racism and active apathy. Many participants adamantly believe non-Indigenous people will not support them 'unless it impacts on [them]' (Andrea), that they 'only [demonstrate] when it's directly involved with their personal issue[s]' (Yvette).

Despite identifying constraints, participants adapt to them and find ways to exercise agency regardless. Andrea argued that 'even though those are the things you are presented with…the community is empowered enough to be able to negotiate through that…you just sort of, you adapt', such as in the realm of health care, governmental processes through diplomacy, and alternate education (Spoona). Clearly, Indigenous people not only exercise agency to achieve social change, but also creatively adapt structures when they can.

Conclusions

Aboriginal and Torres Strait Islander people exercise agency in a variety of ways. We have focused on agents who are 'empowered' in the state and social structures in order to explore their experiences of agency and constraints. Our participants identify activism and advocacy as two key ways of exercising agency, a

distinction which largely parallels Ortner's discussion of agency as resistance and agency as project.[50] Ortner suggests that these two modes of agency are closely connected and difficult to disentangle.[51] Similarly, the advocacy that participants speak of are also forms of resistance to the state. Advocacy and diplomacy are more about agency as project, though, and allow agents to utilise state structures to their own advantage. The Australian Settler-State is viewed by many participants as a structure which normally dominates, marginalises, and excludes. Indigenous people are continually treated as the Other, with racism existing both institutionally and in day-to-day interactions. Even in cases where the Settler-State attempts to assist Indigenous projects it tends to dominate them through the control of resources. However, the key constraints for most participants are racism and active apathy.

The complex relationship between Indigenous agency and the modern Australian Settler-State is an area which requires further research. Research participants in this study feel they are empowered enough to speak back to the state, as well as adapt to its structures in performing a mediation role. However, further analysis is needed to explore the world views of Aboriginal and Torres Strait Islander people who may not feel as capable of undertaking creative resistance. Continuing to research from a strengths-based approach will provide greater understanding of the relationship between agents and the state, and Indigenous lives in Australian society.

Notes

[1] Loos, Noel. "A Chapter of Contact: Aboriginal–European Relations in North Queensland, 1606–1992." In *Race Relations in North Queensland*, edited by Henry Reynolds, 4–39. Townsville, North Queensland: James Cook University, 1993: 14.

[2] Ibid., 14.

[3] Ibid., 25–29; Reid, Gordon. *'That Unhappy Race': Queensland and the Aboriginal Problem 1838–1901*. Melbourne, Victoria: Australian Scholarly Publishing, 2006: 207; Rowse, Tim. *White Flour, White Power: From Rations to Citizenship in Central Australia*. Cambridge, United Kingdom: Cambridge University Press, 1999: 108.

[4] Brigg, Morgan and Sarah Maddison. "Unsettling Governance: From Bark Petition to YouTube." In *Unsettling the Settler-State: Creativity and Resistance in Indigenous Settler-State Governance*,

edited by Sarah Maddison and Morgan Brigg, 1–15. Annandale, New South Wales: The Federation Press, 2011: 8.

[5] Giddens, Anthony. *The Constitution of Society*. Cambridge, United Kingdom: Polity Press, 1984.

[6] Christiansen, Melanie. 2006. "Townsville mayor condemns racist poll." *The World Today*, July 17. www.abc.net.au/worldtoday/content/2006/s1688260.htm; Hooper, Chloe. *The Tall Man: Death and Life on Palm Island*. Camberwell, Victoria: Penguin Books, 2008.

[7] Cunneen, Chris. "Riot, Resistance, and Moral Panic: Demonising the Colonial Order". *University of New South Wales Faculty of Law Research Series*, 29, 2008. http://law.bepress.com/unswwps/flrps08/art29/; Hooper, *The Tall Man*; Page, Alex and Theresa Petray. "The Duality of Agency and the Australian Settler-State in the Twenty First Century: The Palm Island Riot of 2004 and the Aftermath.". *Proceedings of the Annual Conference of the Australian Sociological Association*. TASA: Brisbane.

[8] Watson, Joanne. *Palm Island: Through A Long Lens*. Canberra, Australian Capital Territory: Aboriginal Studies Press, 2010.

[9] Page and Petray, "The Duality of Agency and the Australian Settler-State in the Twenty First Century".

[10] Glowczewski, Barbara and Lex Wotton. *Warriors for Peace: The Political Condition of the Aboriginal People as Viewed from Palm Island*. Townsville, Queensland: James Cook University, 2008.

[11] Graham, Chris. 2007. "Palm island riot a sensible, necessary response". *National Indigenous Times*, April 17, 22–24: 22.

[12] Christiansen, "Townsville mayor condemns racist poll"; Hooper, *The Tall Man*; Page and Petray, "The Duality of Agency and the Australian Settler-State in the Twenty First Century".

[13] Giddens, *The Constitution of Society*.

[14] Petray, Theresa. "Can theory disempower? Making space for agency in theories of Indigenous issues". *Theorising Indigenous Sociology: Australian Perspectives*. University of Sydney e-Press: Sydney.

[15] Giddens, *The Constitution of Society*, 9.

[16] Ortner, S.B. *Anthropology and social theory: culture, power, and the acting subject*. London, United Kingdom: Duke University Press, 2006: 137.

[17] Ibid., 137; Kaspersen, L.B. *Anthony Giddens: An Introduction to a Social Theorist*. Oxford, United Kingdom: Blackwell, 2000: 38.

[18] Barnes, Barry. *Understanding Agency: Social Theory and Responsible Action*. London, United Kingdom: Sage, 2000: 27; Emirbayer, Mustafa and Ann Mische. "What is Agency?" *American Journal of Sociology* 103: no 1. (1998): 962–1023: 970.

[19] Giddens, Anthony. *Central Problems in Social Theory*. London, United Kingdom: Macmillan Press, 1979: 88.

[20] Giddens, *The Constitution of Society*, 14; Kaspersen, *Anthony Giddens*, 40.

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[21] Cowlishaw, Gillian. "Disappointing Indigenous People: Violence and the Refusal of Help." *Public Culture*, 15: no 1. (2003): 103–125.

[22] Sewell, W.H. "A Theory of Structure: Duality, Agency and Transformation." *American Journal of Sociology*, 98: no 1. (1992): 1–29: 20.

[23] Ibid., 9; Giddens, *Central Problems in Social Theory*, 92.

[24] Ortner, *Anthropology and social theory*, 139.

[25] Ibid., 145.

[26] Ibid., 144; Callinicos, Alex. *Making History: Agency, Structure and Change in Social Theory*. Oxford, United Kingdom: Polity Press, 1987: 11.

[27] Weber, Max. *From Max Weber: Essays in Sociology*. London, United Kingdom: Routledge and Kegan Paul, 1970:78.

[28] Giddens, *The Constitution of Society*; Graeber, David. *Direct Action: An Ethnography*. Oakland, California: AK Press, 2009; Weber, *From Max Weber*.

[29] Balibar, Étienne. "Racism and Nationalism." In *Race, Nation, Class: Ambiguous Entities*, edited by Étienne Balibar and Immanuel Wallerstein, 87–105. London, United Kingdom: Verso, 1991; Rigney, L.I. "Internationalisation of an Indigenous Anticolonial Cultural Critique of Research Methodologies: A Guide to Indigenist Research Methodology and Its Principles." *Wicazo Sa Review*, 14: no 2. (1999): 109–121.

[30] Balibar, "Racism and Nationalism".

[31] Ibid.; Banton, Michael. *Racial Theories*. Cambridge, United Kingdom: Cambridge University, 1998; Miles, Robert and Malcolm Brown. *Racism*. London, United Kingdom: Routledge, 1993.

[32] Dodson, Patrick and Darryl Cronin. "An Australian Dialogue: Decolonising the Country." In *Unsettling the Settler State: Creativity and Resistance in Indigenous Settler-State Governance*, edited by Sarah Maddison and Morgan Brigg, 189–205. Annandale, New South Wales: The Federation Press, 2011.

[33] Johnson, Anna and Alan Lawson. "Settler Colonies." In *A Companion to Postcolonial Studies*, edited by Henry Schwarz and Sangeeta Ray, 360–376. Malden, Massachusetts: Blackwell, 2000: 361.

[34] Maddison, Sarah. *Black Politics: Inside the Complexity of Aboriginal Political Culture*. Crows Nest, New South Wales: Allen & Unwin, 2009: 24.

[35] McCallum David. "Liberal forms of governing Australian Indigenous peoples." *Journal of Law and Society*, 38: no 1. (2011): 604–630: 609; Langton, Marcia. "Indigenous exceptionalism and the constitutional 'race power'." *Melbourne Writers Festival* (August 26, 2012); Macoun, Alissa and Elizabeth Strakosch. "The ethical demands of settler colonial theory." *Settler Colonial Studies*, 3: nos. 3-4 (2013): 426–423.

[36] Howard-Wagner, Deirdre. "Reclaiming the Northern Territory as a Settler-colonial Space". *Arena*, 37/38: no 1. (2012): 220–240; Larkin, Steven. "Race Blindness in Neo-Liberal and Managerial Approaches to Indigenous Administration." *International Journal of Critical Indigenous Studies*, 2: no 1. (2009): 36–42: 39.

[37] Kaspersen, *Anthony Giddens*, 25; Sewell, "A Theory of Structure: Duality, Agency and Transformation", 19.

[38] Giddens, *The Constitution of Society*, 27.

[39] Kaspersen, *Anthony Giddens*, 43–48.

[40] Rigney, "Internationalisation of an Indigenous Anticolonial Cultural Critique of Research Methodologies: A Guide to Indigenist Research Methodology and Its Principles".

[41] Graeber, David. *Fragments of an Anarchist Anthropology*. Chicago, Illinois: Prickly Paradigm Press, 2004.

[42] Martin, Karen. "Ways of knowing, being and doing: A theoretical framework and methods for indigenous and indigenist research." *Journal of Australian Studies*, 27: no 1. (2003): 203–214.

[43] Lahn, Julie. "Aboriginal Professionals: Work, Class and Culture". *Centre for Aboriginal Economic Policy Research*, Working Paper 89. (2013); Langton, "Indigenous exceptionalism and the constitutional 'race power'"; Maddison, *Black Politics*, 115-116.

[44] Durkheim, Emilé. *The Division of Labour in Society*. New York, New York: The Free Press, 1933 [1893]: 14-15, 409.

[45] Ortner, *Anthropology and social theory*.

[46] Sutton, Peter. *The Politics of Suffering*. Carlton, Victoria: Melbourne University Press, 2009.

[47] Petray, Theresa. "This isn't a Black Issue: Homophily and Diversity in Aboriginal Activism." *Social Movement Studies*, 9: no 1. (2010): 411–424.

[48] Ortner, *Anthropology and social theory*.

[49] Giddens, *The Constitution of Society*, 28.

[50] Ortner, *Anthropology and social theory*, 137.

[51] Ibid., 137–138.