Contesting Colonial Sovereignty: Aboriginal Passports and Offshore Processing

Abstract: On 15 September 2012, on the Traditional Lands of the Gadigal people, over 200 people, including newly arrived asylum seekers, will receive an Aboriginal Passport which will be issued by Robbie Thorpe of the Treaty Republic and Ray Jackson, President of the Indigenous Social Justice Association. According to Ray Jackson “the issuing of the Passports covers two important areas of interactions between the Traditional Owners of the Lands and migrants, asylum seekers and non-Aboriginal citizens of this country. Whilst they acknowledge our rights to all the Aboriginal Nations of Australia we reciprocate by welcoming them into our Nations. It is a moral win-win for all involved in the process”. But while this ceremony takes place the state, which must remain outside of these proceedings, continues to enact its colonial sovereignty, both within Australia as well as outside it. In this paper I seek to underscore the importance of this ceremony and the strengthening of relations between Aboriginal peoples and migrant groups, while also emphasising the manoeuvres which the Australian colonial state is currently deploying to weaken these relations. The recent relicensing of offshore processing in places like Nauru and PNG demonstrates that Australian immigration law reaches far beyond the national boundary and raises questions around whether the Aboriginal welcome of migrant and refugee communities is also effectively being relegated offshore. So while it remains urgent and crucial for colonial forms of sovereignty to be discredited, it remains equally urgent to track the contemporary manifestations of colonial power.

Maria Giannacopoulos holds a double Honours degree in Law and English Literature from the University of Wollongong and a PhD in Cultural Studies from Macquarie University. Her interdisciplinary research focuses on the relations between law, justice and sovereignty with a specific emphasis on racialised communities (Indigenous peoples, refugees and migrants) in Australia. She is a Lecturer in Socio-Legal Studies and Criminal Justice at Flinders University.