

Honni van Rijswijk 

Prof. H van Rijswijk,
University of Technology
Sydney  Sydney,
Australia.

E-mail:

Honni.vanRijswijk@uts.edu.au

First submission: 28 February
2025

Acceptance: 14 May 2025

Published: 30 June 2026

 [https://doi.org/
10.38140/t2y5k853](https://doi.org/10.38140/t2y5k853)

ISSN: 0587-2405

e-ISSN: 2415-0479

Acta Academica •
2026 58(1): 21-55

© Authors



Figurations of the Australian carceral imaginary: the child, the paedophile and the cop

Abstract

This article examines the figures of the child, the paedophile, and the cop in the Australian carceral imaginary, focusing on their deployment in legal and cultural narratives to justify state intervention and colonial control over First Nations communities. Through an analysis of Alexis Wright's *Plains of Promise* (1997), *Carpentaria* (2006), *The Swan Book* (2013), and *Praiseworthy* (2023), the article argues that these figures function as central agents of colonial governance, sustaining state authority through legal fictions of protection and security. Wright's novels systematically dismantle these mythologies, exposing how settler law constructs First Nations children as vulnerable subjects in need of state intervention, while simultaneously criminalizing First Nations men as threats. The figure of the paedophile, particularly as mobilized during the Northern Territory Intervention, serves as a racialized spectre that legitimates carceral expansion, while the cop operates as a violent enforcer of settler law, suppressing First Nations resistance. Wright's fiction challenges these colonial representations by centring First Nations epistemologies, storytelling, and law as counter-

narratives to state violence. The article situates Wright's literary interventions within broader socio-legal debates on First Nations sovereignty, the Stolen Generations, and the failures of contemporary child protection policies. By reconfiguring the carceral figures of the child, the paedophile, and the cop, Wright's work asserts an alternative jurisprudence—one that refuses the legitimacy of settler law and insists on the endurance of First Nations legal authority. The article concludes by considering the implications of Wright's novels for a decolonial legal framework that transcends the limitations of the settler state.

Keywords: carceral imaginary; colonial law; First Nations sovereignty; child protection; paedophile panic; police violence; Alexis Wright; legal authority; indigenous jurisprudence; state intervention.

Introduction

The figures of the child, the paedophile, and the cop are central to the colonial and carceral imaginary in Australia, structuring state interventions, legal frameworks, and broader narratives of sovereignty, protection, and control. These figures have been historically mobilised to justify forms of colonial violence, particularly against First Nations communities, under the guise of protection and public safety. Alexis Wright's fiction systematically interrogates and rewrites these figures, exposing their complicity in sustaining colonial power while simultaneously asserting alternative legal and narrative frameworks. Each of the novels of Alexis Wright, a First Nations Waanyi novelist—*Plains of promise*,¹ *Carpentaria*,² *The swan book*³ and most recently *Praiseworthy*⁴—challenges the relation of representation to questions of First Nations authority. In her counter imaginary, Wright re-writes law's narratives and figures, and makes explicit that which the state has hidden in plain sight. By refusing to accept the state's authority over these figures, Wright's novels dismantle the mythologies underpinning colonial and carceral logics and assert First Nations epistemologies, histories, and sovereignties.

The persistence of state violence against First Nations peoples is constituted through legal and political domains, as well as through particular stories,

1 Wright, *A Plains of promise* Brisbane: Queensland University Press (1997).

2 Wright, *A Carpentaria* Artarmon: Giramondo (2006).

3 Wright, *A The swan book* Artarmon: Giramondo (2013).

4 Wright, *A Praiseworthy* Artarmon: Giramondo (2023).

myths and figures that are part of our colonial legacy. These include the stories we tell about so-called 'settlement,' and about the effects of colonialism on First Nations people. One of the most dangerous myths is that colonial law is justified in asserting jurisdiction over First Nations people, and one of the most dangerous figures in this context is the figure of the child. The figure of 'the vulnerable First Nations child' is an overdetermined figure in both legal and public imaginaries. The role of this figure in what we might think of more widely as Australia's imaginary of colonial authority—which transcends legal, political and cultural domains—needs to be interrogated and challenged. The child has long been deployed as a moral justification for colonial and carceral violence, particularly through the discourse of protection. The removal of First Nations children under Protection Acts, the Stolen Generations, and contemporary child removal policies all rest on the assumption that the state, rather than First Nations communities, is best positioned to protect First Nations children. This assumption is a continuation of settler-colonial logics that construct First Nations peoples as inherently incapable of self-governance, thereby requiring the perpetual intervention of state institutions. Wright's *Plains of Promise* and *The Swan Book* challenge this construct by centring First Nations children who refuse to be legible within the state's protectionist framework. Instead, these children's stories become sites of legal and political critique, exposing the ongoing violence of the settler state's claim to protection.

The figure of the paedophile similarly functions as a justification for colonial and carceral expansion, particularly in relation to First Nations communities. The Northern Territory Intervention, for instance, relied on racist and largely unsubstantiated claims of endemic paedophilia in First Nations communities to justify the suspension of the Racial Discrimination Act and the imposition of punitive state controls. In *Praiseworthy*, Wright satirises and deconstructs the racialised hysteria surrounding paedophilia by presenting a young boy, Tommyhawk, who becomes obsessed with state and media discourses that depict his own community as a site of predation and abuse. This internalisation of settler-colonial narratives leads Tommyhawk to betray his own brother to the police, ultimately resulting in tragedy. In this way, Wright demonstrates how the figure of the paedophile is not merely an individual threat but a constructed spectre used to legitimate state violence and undermine First Nations sovereignty.

The cop, as a figure of colonial authority, is perhaps the most explicit agent of state violence in Wright's novels. In *Carpentaria*, Constable Truthful

embodies the racist, predatory, and corrupt nature of law enforcement in First Nations communities. His unchecked power, sexual predation, and ultimate breakdown reveal the deep contradictions in settler-colonial law, which claims to uphold justice while perpetuating violence. In *Praiseworthy*, the police are depicted as both absurd and lethal, their interventions bringing devastation rather than protection. Through these depictions, Wright exposes the colonial state's reliance on policing as a mechanism for maintaining control, rather than ensuring justice. More importantly, her novels present First Nations law and authority as enduring and in direct opposition to the settler state's punitive logic. By reconfiguring these figures within her narratives, Wright challenges their colonial functions and offers alternative ways of understanding law, sovereignty, and justice. Her novels resist the colonial state's claims to protection and order, instead centring First Nations epistemologies and legal traditions. In doing so, Wright dismantles the colonial carceral imaginary and asserts the continuing presence and authority of First Nations law.

I read these three figures as discursive anchors that organise a master narrative of settler benevolence and First Nations incapacity. Within that narrative the child embodies a manufactured simultaneity of vulnerability and danger, the paedophile supplies the racialised threat that legitimates intervention, and the cop materialises the state's myth of truthful authority, together sustaining what I describe as Australia's carceral-colonial common sense. Situated in this frame, Alexis Wright's quartet of novels does more than expose hypocrisy: by staging counter-narratives that refuse the epistemic grounds on which colonial power rests, her work performs a post-colonial unmaking of sovereignty and unsettles the aggressive realism through which settler law claims an exclusive purchase on truth. This theoretical map—linking governmentality, epistemic violence, and discursive justice—provides the necessary groundwork for the close readings that follow, demonstrating how Wright's formal strategies of satire, carnivalesque excess, and recursive temporality dismantle the narrative infrastructure of Australia's colonial carceral state and re-centre First Nations jurisprudence as a living, sovereign alternative.

Contemporary violence against the First Nations child

Wright's novels underscore what socio-legal research has long demonstrated: despite the Australian state's professed commitment to child protection, First Nations children continue to be removed from their families at alarming rates,

disproportionately experience incarceration, and face significantly higher rates of harm and suicide. Although former Prime Minister Kevin Rudd's 2008 Apology to the Stolen Generations⁵ was framed as a turning point in national reconciliation, the systemic removal of First Nations children by the state has not only persisted but has intensified under new legal and policy frameworks. The most recent *Closing the Gap* Report—the third Annual Data Compilation Report monitoring progress under the National Agreement on Closing the Gap⁶—reveals that, in the decade following Rudd's National Apology, the number of First Nations children removed from their families has doubled.⁷ This stark increase exposes the inadequacy of state-led reconciliation efforts and demonstrates how contemporary legal mechanisms continue to enact the same structural violences that defined the historical Stolen Generations. Despite rhetorical commitments to addressing First Nations child welfare, government policies remain embedded within the colonial logics of surveillance, intervention, and removal, perpetuating intergenerational trauma rather than addressing its root causes. The National Agreement on Closing the Gap, specifically through its twelfth target, has set the goal of reducing the number of First Nations children in out-of-home care by 45% by the year 2031. But the most recent Closing the Gap report, published in July 2023, starkly indicates that progress toward this target is not on course.⁸

Furthermore, the 2023 Family Matters report, issued by the Secretariat of National First Nations and Islander Child Care (SNAICC), reveals that over 22,000 First Nations children are currently living in out-of-home care environments across Australia.⁹ This figure represents a rate of removal that is 10.5 times higher for First Nations children compared to their non-First Nations peers. Additionally, First Nations children constitute 42% of the out-of-home care population, despite only accounting for 5% of the overall child population in

5 Rudd K 'Apology to Australia's indigenous peoples' (13 February 2008) *Hansard*.

6 Australian Government Productivity Commission *Closing the Gap Annual Data Compilation Report July 2023* at <https://www.pc.gov.au/closing-the-gap-data/annual-data-report/report> (accessed 12 February 2024).

7 See SOCIO-ECONOMIC OUTCOME AREA 12, 'First Nations and Torres Strait Islander children are not overrepresented in the child protection system' in *Closing the gap* (2023). See also Behrendt L *After the apology* Sydney: Ronin Films (2017) at <https://www.roninfilms.com.au/feature/16485/after-apology.html> (accessed 12 February 2024).

8 *Closing the gap* (2023).

9 Secretariat of National First Nations and Islander Child Care (SNAICC) *Family matters report 2023* at <https://www.snaicc.org.au/wp-content/uploads/2024/07/20240731-Family-Matters-Report-2023.pdf> (accessed 8 September 2025) at 5.

Australia. In 2024, Shine Lawyers filed Complaints in the Australian Human Rights Commission against the Department of Communities in Western Australia, alleging the Department has been removing First Nations children from their families discriminatorily and against the Department of Communities and Justice (NSW). The firm alleges that widespread racial discrimination across a number of State governments has resulted in the unlawful and unjust removal of First Nations children into State care, and in the failure to reunify those children with their families. Class Actions Special Counsel, Caitlin Wilson, said the foster care system has been 'flooded' with First Nations children who the firm alleges should never have been removed from their families and/or have been isolated from their families, community and culture once placed into State care.¹⁰ This is despite continuing, robust research concerning the problem of removal. For example, in late 2019, the *Family is Culture Report*, commissioned by NSW Department of Communities and Justice, involved a three-year process involving the forensic review of the case files of 1144 First Nations children who had been removed from their homes. A First Nations Reference Group was established, which engaged with First Nations communities, received submissions and analysed data.¹¹ The production of a comprehensive 434-page report, encompassing 126 recommendations, marked a significant milestone in the effort to address the issue of First Nations children being placed into care. These recommendations, if enacted, hold the potential to markedly diminish the incidence of First Nations children entering the child-care system. Despite the urgency and the critical nature of these recommendations, the department responsible for their implementation has chosen to postpone any legislative changes. These reports suggest a slow advancement on some of the recommendations, especially reforms aimed at establishing essential independent oversight mechanisms within the system.

Wright's fiction intervenes in this ongoing legal and political reality by refusing the state's framing of child removal as a protective measure, instead revealing it as a fundamental mechanism of colonial governance. Her novels, particularly *The Swan Book* and *Praiseworthy*, insist that the figure of the 'vulnerable First Nations child'—invoked by the state to justify continued intervention—operates as a powerful but deeply harmful legal and political

10 <https://www.shine.com.au/service/class-actions/first-nations-child-removal-class-action> (accessed 12 February 2024).

11 NSW Department of Communities and Justice (2019) *The family is culture report* at <https://dcj.nsw.gov.au/children-and-families/family-is-culture.html> (accessed 12 February 2024).

fiction. By positioning First Nations children at the centre of legal critique, Wright challenges dominant narratives that frame removal as necessary for child welfare, instead exposing it as an enduring technique of colonial dispossession.

The failure of the Voice to Parliament referendum in 2023 marked the loss of a significant, albeit modest, opportunity for Australia to take a first step toward recognising First Nations sovereignty. The referendum, along with the Uluru Statement from the Heart,¹² called for Australians to engage with the critical issues facing First Nations and Torres Strait Islander communities, yet its defeat reinforced the enduring resistance to meaningful structural change. In the aftermath, Opposition Leader Peter Dutton and Senator Nampijinpa Jacinta Price—two of the most vocal opponents of the Voice—attempted to pass a Senate motion for a royal commission into child sexual abuse in First Nations communities. While this motion was ultimately rejected by Parliament, its ideological underpinnings were consistent with the logics of the Northern Territory Intervention and the earlier Protection Acts, which historically framed First Nations communities as sites of inherent dysfunction in need of state intervention. The overwhelming public rejection of the Voice underscores that the problem cannot be reduced to flawed policy design or state institutions alone. Indeed, the state's inability to enact even modest reforms demonstrates the settler polity's unwillingness to meaningfully confront its own role in upholding colonial hierarchies. Far from blaming the abstraction of "the state" and thereby implicitly absolving the community, I want to insist that The Voice's failure, then, is not just the failure of a political mechanism, but a cultural indictment—a sign that settler society remains deeply ambivalent, if not hostile, toward Indigenous self-determination. The analysis resists an easy disaggregation of "state" and "people," showing instead how they operate in tandem to disavow Aboriginal sovereignty. Thus, colonial violence is as much a product of state apparatuses as it is of settler desire, fear, and fantasy.

The persistence of narratives that use the figure of the "vulnerable First Nations child" as a justification for government surveillance and control, obscures the structural causes of harm within First Nations communities—including intergenerational trauma, systemic discrimination, and socioeconomic marginalisation. Nowhere is this more devastatingly apparent than in the

12 *Uluru Statement from the Heart* at <https://ulurustatement.org/wp-content/uploads/2022/01/UluruStatementfromtheHeartPLAINTEXT.pdf> (accessed 8 September 2025).

ongoing crisis of suicide among First Nations people, particularly among young people. According to data from the National Mortality Database and the Australian Bureau of Statistics Causes of Death reports (2018–2022),¹³ suicide remains a leading cause of premature mortality for First Nations people, with the highest rates occurring in younger age groups. Among First Nations Australians aged 0–24 years, almost a quarter of all deaths (22.0%) were due to suicide, while the proportion remained alarmingly high among those aged 25–44 years (19.2%). These figures reveal stark disparities: the suicide rate per 100,000 population for First Nations people aged 25–44 years was 50.0, followed by those aged 45–64 years (23.4), 0–24 years (16.0), and 65 years and over (9.9). Notably, First Nations suicide rates among individuals aged 0–24 and 25–44 were more than three times higher than those of non-First Nations Australians (3.1 times higher in each group).¹⁴ These statistics underscore the failure of state policies that purport to protect First Nations communities while, in practice, reinforcing their marginalisation. The same colonial logics that justified past interventions under the guise of child protection continue to shape contemporary policy, deflecting attention away from systemic state violence and instead pathologising First Nations communities as inherently dysfunctional. Rather than addressing the root causes of harm—such as poverty, displacement, and the erosion of First Nations legal and cultural authority—state interventions often reproduce the very conditions that exacerbate despair and premature death. The rejection of the Voice to Parliament reinforces the profound disconnect between state policy and First Nations self-determination, demonstrating how legal and political structures remain deeply resistant to addressing the ongoing harms of colonialism.

Plains of Promise: undoing state law through the figure of the child

Wright's fiction formally exceeds the boundaries of realism, not only asserting alternative claims to truth in contrast to legal and social narratives but also challenging the very modes through which truth claims are constructed. Her

13 Australian Bureau of Statistics *Causes of death, Australia* (2018–2022) at <https://www.abs.gov.au/statistics/health/causes-death/causes-death-australia> (accessed 8 September 2025).

14 Australian Institute of Health and Welfare (AIHW) (2024) *Suicide and intentional self-harm* at <https://www.aihw.gov.au/suicide-self-harm-monitoring/summary/suicide-and-intentional-self-harm> (accessed 8 March 2024).

work resists the 'colonising spider's trap door' of colonial representational practices, which assert an exclusive claim to truth, reducing First Nations experiences to the narrow frameworks of legal and state recognition¹⁵. Set in the 1950s, *Plains of Promise* follows the harrowing story of Ivy Koopundi, a young girl forcibly removed from her mother and placed at St Dominic's Mission in northern Queensland. The missionary in charge, Errol Jipp, immediately separates Ivy from her mother, an act that triggers the mother's profound and absolute despair: 'Her heart stopped dead'¹⁶. The novel's narration makes clear that this separation is not simply an individual trauma but part of a broader system of colonial governance that severs First Nations familial and cultural ties. Disturbed by the mother's grief, Jipp responds not with compassion but with violent authoritarianism, imprisoning her in the Mission's 'black hole'—a prison cell where those who resist the institution's control are confined¹⁷. Upon her release, unable to bear the loss of her child, Ivy's mother soaks herself in kerosene and walks into a campfire, leaving Ivy entirely alone and vulnerable to Jipp's predatory violence. The novel renders explicit the entanglement of personal suffering and systemic colonial power: Ivy, now without the protection of her mother, becomes the repeated victim of Jipp's sexual abuse, a fate that is disturbingly framed as inevitable within the legal and institutional structures governing First Nations lives.

While *Plains of Promise* offers a harrowing portrayal of the suffering endured by Ivy and her mother, Wright deliberately embeds these personal experiences within the broader legal and political systems that facilitate such harm. The novel's opening image—an invasive tree growing on the Mission's grounds—functions as a potent symbol of colonial expansion: an unnatural, suffocating force that displaces and consumes everything in its path. Mirroring the relentless spread of colonial law over First Nations land and bodies, the tree marks the Mission as a site of ecological, cultural, and legal violence. Wright uses this imagery to challenge the compartmentalisation of harm typical of state law, which isolates personal injury from questions of land, history, and governance. In contrast, the novel insists on their entanglement, offering an alternative framework of harm grounded in sovereignty and systemic dispossession:

15 Wright A "On writing Carpentaria" (2007) *Heat* 79–95 at 90.

16 Wright (1997) at 13.

17 Wright (1997) at 38.

The First Nations inmates thought the tree should not have been allowed to grow there on their ancestral country. It was wrong. Their spiritual ancestors grew more and more disturbed by the thirsty, greedy foreign tree intruding into the bowels of their world. The uprising fluid carried away precious nutrients; in the middle of the night they woke up gasping for air, thought they were dying, raced up through the trunk into the limbs and branches, through the tiny veins of the minute leaves and into the flowers themselves.¹⁸

This metaphor of invasion serves as the conceptual foundation for the novel's critique of colonial harm, connecting the trauma of the Stolen Generations to the ongoing structures that deny First Nations peoples their laws and sovereignty. Unlike the compartmentalised framing of harm in legal cases such as *Cubillo v Commonwealth*¹⁹ and *Trevorrow v South Australia*²⁰—where suffering was acknowledged as individual trauma, detached from broader legal implications—Wright presents such violence as inseparable from the colonial state's systemic denial of Indigenous sovereignty.

From the outset, the novel asserts First Nations jurisdiction, linking child removal directly to land and ancestral law. The recurring image of the tree thus operates not only as ecological metaphor but as juridical critique. It is described as a “thirsty, greedy, foreign” intruder, its roots burrowing into the “bowels” of the First Nations world and leeching away “precious nutrients”.²¹ This parasitic presence embodies the invasive logic of the colonial legal system: operating beneath the surface, consuming Indigenous resources and displacing First Nations law under the guise of ‘protection.’ By embedding the personal pain of child removal within this larger ecology of colonial violence, *Plains of Promise* challenges settler law's fiction of isolated harm and exposes the deep, ongoing entwinement of personal suffering with state-sanctioned dispossession.

Halfway through the novel, there is a moment of ambivalent healing that is figured through the land, rather than interpersonally: ‘the land turned into a brilliant carpet of bright shades of green moments after the rain finally stopped

18 Wright (1997) at 4.

19 *Cubillo v Commonwealth of Australia* (2000) 103 FCR 1.

20 *Trevorrow v South Australia* (No 5) (2007) 98 SASR 136; *South Australia v Lampard-Trevorrow* (2010) 106 SASR 331.

21 Wright (1997) at 6.

... The land rejoiced. The words of the world whistled by in an endless murmur of repeated rhythms'.²² *Plains of Promise* deals with characters who suffer, but the evolution of these characters is not framed through the trauma narrative of personal healing and resolution. Rather, the removal of First Nations children is shown to go to the heart of First Nations law, and to offend First Nations sovereignty. The novel ends in tragedy, figured through the loss of land and animal life that signifies the violation of First Nations laws:

Over time ... the waterbird's children's children's child went mad, because she lost her daughter in a terrible place. And the secret of the lake was lost because the crows were too interested in evil things and could not control the waterbird's madness.

So the great lake dried up and is no more.²³

This final image of desolation and irretrievable loss reinforces Wright's broader argument: that the removal of First Nations children is not simply a violation of individual rights but a rupture in the very fabric of First Nations law and Country. In contrast to legal cases such as *Cubillo v Commonwealth* and *Trevorrow v South Australia*, which framed the removal of children in terms of individual injury and personal trauma, *Plains of Promise* exposes the inadequacy of this legal framework.²⁴ The novel demands a jurisprudence that recognises the ongoing nature of colonial violence and the necessity of legal frameworks that are responsive to First Nations sovereignties, histories, and laws. Alexis Wright's novels themselves offer a model: a narrative form of jurisprudence grounded not in the linear, compartmentalised logic of settler law but in an Indigenous epistemology that understands land, law, memory, and harm as inextricably linked. In *Plains of Promise*, Wright constructs a legal imaginary where harm is not confined to the individual or the past but is situated within a living continuum of dispossession, ecological disturbance, and spiritual upheaval. A jurisprudence grounded in this framework would move beyond recognition or compensation models and instead centre First Nations law as living and

22 Wright (1997) at 80.

23 Wright (1997) at 304.

24 *Cubillo v Commonwealth* was a Federal Court case brought by two members of the Stolen Generations who alleged unlawful removal and mistreatment by government officials. The court acknowledged their suffering but ultimately ruled against them, citing insufficient evidence of legal wrongdoing by the state. *Trevorrow v South Australia* (2007; upheld on appeal in 2010) marked the first successful compensation claim for a member of the Stolen Generations. The court found that Bruce Trevorrow had been unlawfully removed from his family and awarded damages for breach of duty and psychiatric harm.

sovereign—capable of naming, judging, and repairing harm in its own terms. Such a legal framework would require the colonial state not merely to make room for Indigenous law within its institutions, but to relinquish its monopoly over the legal order and to subject its own authority to Indigenous jurisdiction. This is not just a structural or procedural question but a deeply imaginative and ethical one: the state must learn to hear law not only in statutes but in story, in land, in spirit. Wright's fiction thus models a jurisprudence of relation, responsibility, and resurgence—an aesthetic and political form that teaches settler law how to listen differently, and perhaps more radically, how to cede space. The challenge, then, is not how colonial law can incorporate this jurisprudence, but whether it can survive the encounter with it.

Carpentaria: the aesthetics of colonialism and sovereignty

Wright's *Carpentaria* provides a radical reimagining of legal authority through its depiction of the cop and the child, exposing the ways in which colonial law constructs and maintains power while simultaneously rendering First Nations law and sovereignty illegible. The novel juxtaposes two competing legal and social orders: the violent, extractive colonial state and the enduring, self-sustaining authority of First Nations law, which is inextricable from the land. Through this contrast, *Carpentaria* challenges the fundamental assumptions underpinning the settler legal system, particularly its claims to exclusive jurisdiction and its ability to adjudicate harm.

The figure of the cop, embodied in Constable Truthful and the town's mayor, Stan Bruiser, represents the coercive force of the settler state. Both men are entrusted with upholding the law, yet they are themselves perpetrators of sexual violence against First Nations women and girls. Their unchecked brutality exposes the contradictions at the heart of settler colonial legal authority: while the state claims to intervene in the lives of First Nations people under the guise of 'protection' and 'justice,' its own agents enact the very violence the law purports to prevent. This duplicity is central to the colonial legal order, which deploys the figure of the 'vulnerable First Nations child' to justify oppressive interventions, while simultaneously disregarding the systemic conditions that produce harm. Wright's novel refuses this logic, instead locating responsibility not within First Nations communities but within the structures of colonial governance itself.

The opening scene of *Carpentaria* introduces the reader to the novel's central challenge to colonial legality through the voice of First Nations girls, who see through the legal and religious fictions of settler authority. In a Biblical register, they announce the coming of an apocalypse, marking the settler state's inevitable demise:

THE BELLS PEAL EVERYWHERE.

CHURCH BELLS CALLING THE FAITHFUL TO THE TABERNACLE
WHERE THE GATES OF HEAVEN WILL OPEN, BUT NOT FOR THE
WICKED. CALLING INNOCENT LITTLE BLACK GIRLS FROM A DISTANT
COMMUNITY WHERE THE WHITE DOVE BEARING AN OLIVE BRANCH
NEVER LANDS. LITTLE GIRLS WHO COME BACK HOME AFTER CHURCH
ON SUNDAY, WHO LOOK AROUND THEMSELVES AT THE HUMAN FALL
OUT AND ANNOUNCE MATTER-OF-FACTLY, ARMAGEDDON BEGINS
HERE.²⁵

The girls in this passage are not passive objects of state intervention but active witnesses to settler violence. Their declaration, "Armageddon begins here" inverts the colonial fantasy of First Nations erasure—rather than First Nations sovereignty being extinguished by the settler state, it is the colonial legal order that is marked for destruction. Their pronouncement foreshadows the novel's conclusion, in which the land itself rises up against colonial occupation, destroying the white settlement in an apocalyptic storm that reinstates the law of the Waanyi people. In contrast to the legal narratives of Australian settler law, which claim that First Nations sovereignty was extinguished upon British occupation (*Mabo*;²⁶ *Yorta Yorta*²⁷), *Carpentaria* asserts that it is settler law that is finite and contingent.

The child's pronouncement of the apocalypse stands in stark contrast to the role of the child in colonial law, which constructs First Nations children as both victims and threats in order to justify legal intervention. As scholars such as Irene Watson²⁸ have shown, Australian law has repeatedly used the figure of the First Nations child as the pretext for legal violence, from the removal policies of the Stolen Generations to the Northern Territory Intervention. In *Carpentaria*, this legal fiction is destabilised: the girls are neither helpless nor in need of settler intervention. Instead, they are the ones who name the world as

25 Wright (2006) at 1.

26 *Mabo and Others v Queensland* (No. 2) [1992] HCA 23.

27 *Yorta Yorta Aboriginal Community v The State of Victoria* (2002) HCA 58.

28 (2009).

it is, recognising settler law not as a source of order but as a site of “human fallout”—a structure of violence that will be undone by the forces of justice that the novel ultimately unleashes.

The presence of the cop in *Carpentaria* similarly underscores the novel’s critique of colonial legality. Constable Truthful’s name is deeply ironic: he is not a figure of truth or justice but one of brutal state power, his violence sanctioned by the law he represents. His role mirrors the broader function of the police in settler colonial societies, where law enforcement is not merely about upholding order but about maintaining racial hierarchy and suppressing First Nations resistance.²⁹ The complicity of the police in acts of sexual violence further exposes the settler legal system’s failures: the very figures who claim to ‘protect’ First Nations children are the perpetrators of harm, and yet it is First Nations communities that are subjected to scrutiny and legal intervention.

The novel refuses to accept the state’s framing of legal authority as absolute. Instead, *Carpentaria* asserts an alternative jurisdiction—one that is not based on the coercive power of the state but on the enduring presence of First Nations law. The Waanyi serpent, whose covenant ‘permeates everything, is the novel’s most powerful legal figure, embodying a law that cannot be extinguished by the settler state.³⁰ The final destruction of Desperance and its colonial institutions is not simply an act of environmental catastrophe but a moment of legal reckoning: settler sovereignty is revealed to be historically contingent, while First Nations law remains foundational and inextinguishable.

The contrast between the settler legal system and First Nations law is most evident in the novel’s closing passages. While colonial law claims dominion over the land, treating it as a resource to be owned and exploited, *Carpentaria* reveals a different legal order—one in which the land itself is an active agent of justice:

It was a mystery, but there was so much song wafting off the watery land, singing the country afresh ...³¹

Here, the land is not simply a passive object of legal adjudication but a participant in law’s enactment. The land ‘sings the country afresh,’ asserting a legal authority that exceeds and ultimately nullifies colonial jurisdiction.

29 Cunneen 2023; Blagg and Anthony 2019.

30 Wright (2006) at 11.

31 Wright (2006) at 519.

This reversal of settler law's claims to legitimacy is a direct challenge to the reasoning of cases such as *Yorta Yorta*, in which the High Court ruled that First Nations law ceased to exist when it was no longer recognisable to the settler state. In *Carpentaria*, it is the settler state that ceases to exist, its institutions destroyed by the very forces it sought to control.

Through its depiction of the cop and the child, *Carpentaria* exposes the settler legal system as a violent, failing structure that maintains power through coercion and legal fictions. The figures of the First Nations child and the cop are central to the novel's dismantling of colonial law: while the cop embodies the state's brutality, the child carries the prophecy of its undoing. In contrast to the colonial legal imaginary, which constructs the First Nations child as an object of intervention, *Carpentaria* presents the child as a witness to and agent of legal transformation. The novel's conclusion affirms that First Nations law is not a relic of the past but a living, authoritative force—one that not only survives the settler state's attempts to erase it but ultimately outlasts and overcomes its colonial violence.

***The Swan Book*: undoing the figure of the First Nations child**

Alexis Wright's third novel, *The Swan Book*, presents a dystopian vision of Australia's future, centring on the experiences of a teenaged First Nations girl, Oblivion Ethylene, known as 'Oblivia.' Set in the year 2088, the novel unfolds in a post-apocalyptic world ravaged by climate catastrophe and geopolitical collapse. The global north has largely collapsed, leading to mass displacement, with "countless stateless millions of sea gypsies looking for somewhere to live".³² These climate refugees, seeking safety, are cast adrift, most doomed to perish at sea. Meanwhile, within Australia's borders, the settler-colonial state continues to reproduce and intensify its carceral violence against First Nations communities. Oblivia lives in the Northern Territory in what Wright describes as "the world's most unknown detention camp".³³ Her home is a rusted boat, positioned at the periphery of a First Nations settlement that has been forcibly displaced onto a swamp and encircled by government razor-wire—a stark symbol of the state's ongoing project of containment and control. Oblivia is deliberately mute, having refused to speak since she was gang-raped by members of her own community. Her trauma is embodied in a relentless

32 Wright (2013) at 23.

33 Wright (2013) at 40.

internal affliction, described as a “cut snake virus” that has invaded her mind, an uncontrollable force that she can neither fight nor eliminate.³⁴ Her struggle is articulated as an existential and political one: she is attempting to “regain sovereignty over [her] own brain,” and the novel follows her as she embarks on this complex and fraught “quest” for self-determination.³⁵ By centring the female First Nations child as the primary subject of political and legal claims, Wright profoundly disrupts state law’s frameworks of both personal injury and First Nations sovereignty. *The Swan Book* challenges the very foundations of legal discourse by refusing the separation between individual harm and collective dispossession, instead presenting Oblivia’s trauma as inseparable from the ongoing violences of colonial occupation, environmental destruction, and systemic state control. Through Oblivia, Wright insists that sovereignty is not merely a political or legal concept but something deeply embodied—one that is relentlessly contested, both within and beyond the self.

Oblivia epitomizes the figure of “the vulnerable First Nations child,” but rather than simply reinforcing this colonial construction, Wright uses *The Swan Book* to systematically dismantle and challenge the legal, political, and aesthetic frameworks that sustain it. The novel exposes how this figure has been instrumentalized by the settler-colonial state to justify its legal and military interventions into First Nations communities. While state law remains a dominant force in *The Swan Book*, it is not the only authority operating on the land. Multiple First Nations sovereignties continue to exist, intersecting and competing with colonial legal structures. *The Swan Book* presents a dystopian future in which colonial law is prevailing. Seventy years into the future, the violent policies of the Northern Territory Intervention not only persist but have intensified.

Land, as *The Swan Book* makes clear, has been materially and discursively produced through legal structures that simultaneously inflicted and obscured harm. Australian legal concepts of property, title, and ownership are not neutral constructs but are instead the products of colonization, embedded with histories of violence against both First Nations people and the land itself. Law’s focus on land as ‘property’—with an emphasis on title, interests, and technical legal classifications—conceals the ways in which land is inseparable from historical and contemporary violence. This occlusion is particularly evident

34 Wright (2013) at 1.

35 Wright (2013) at 4.

in the way Australian legal regimes have historically separated different forms of colonial harm. The violence of assimilation policies, including the removal of children in the Stolen Generations, is adjudicated separately from Native Title claims, despite the fact that these acts of violence are fundamentally connected. The legal division of these claims prevents a fuller reckoning with how past and present state policies have systematically targeted First Nations sovereignty.

This fragmentation of harm is not incidental; it is central to how settler law sustains itself. The Australian state has historically claimed a particular kind of authority over First Nations people, often framing its interventions as forms of ‘protection,’ particularly in relation to First Nations children. However, as Wright’s novel highlights, these policies—justified as protective measures—were deeply entangled with the broader project of land dispossession and the dismantling of First Nations legal and cultural systems. The *Bringing Them Home* report extensively documented how twentieth-century laws that facilitated the forced removal of First Nations children severed their connections to language, law, culture, and land, weakening and, in many cases, eradicating First Nations sovereignty in tangible ways.³⁶ These historical legal violences are not confined to the past; they continue in contemporary legal regimes, where First Nations sovereignty is consistently undermined through state policies that present themselves as mechanisms of care or reform. By centring *The Swan Book* on these entanglements of land, law, and harm, Wright offers an alternative reading of sovereignty that directly challenges the settler-colonial imaginary. Rather than viewing sovereignty solely through the legal frameworks of title and jurisdiction, Wright insists that sovereignty must be understood in relation to historical and ongoing harms. The novel forces its readers to confront the fact that settler law not only sustains itself through violence but also through its capacity to obscure, compartmentalize, and erase the historical and contemporary effects of its own authority.

State law operates within a genre of “aggressive realism”, asserting its authority by constructing a singular and incontestable reality that it alone can access and adjudicate. This authoritative legal imaginary was evident in the public debates and second-reading speeches preceding the Northern

36 Human Rights and Equal Opportunity Commission (HREOC) (1997) *Bringing them home: report of the national inquiry into the separation of Aboriginal and Torres Strait Islander children from their families* Canberra: HREOC.

Territory Intervention and the Stronger Futures legislation,³⁷ where the figure of “the vulnerable First Nations child” was mobilized to justify sweeping state interventions.³⁸ The state’s legal and political discourse constructed a narrative of endemic violence within First Nations communities, one that required the state’s unilateral control, denying the legitimacy of First Nations laws, authorities, and sovereignty. Wright’s *The Swan Book* directly challenges this colonial legal imaginary, not merely by contesting its conclusions but by rejecting its underlying epistemological framework.

In contrast to the aggressive realism of state law, *The Swan Book* foregrounds a critical self-consciousness regarding the status of representation itself. The novel refuses the constraints of legal realism, embracing a multiplicity of genres to expose the limitations of state law’s claim to truth. While the novel includes realist descriptions and details, it repeatedly exceeds the realist mode, disrupting any straightforward reading of events or causality. The fantastical emerges in Oblivia’s ten-year sleep inside a Eucalyptus tree, evoking the “Rip Van Winkle” trope of temporal displacement.³⁹ The absurd and prophetic coalesce in the figure of the pet monkey, which is abandoned after it begins “predicting colossal wars that started to frighten the life out of everyone”.⁴⁰ The novel’s dystopian elements take shape through the radical disruption of weather patterns: “the weather has flipped sides, swapping southern weather with that of the north”, and black swans, which have never before lived in the north of Australia, now migrate there, signifying ecological upheaval.⁴¹

Wright also engages with the epic tradition, situating contemporary displacement within a broader mythological framework. The swan’s role as a guiding figure suggests both possibility and impossibility, evoking classical narratives of divine intervention while also confronting the false hopes and exploitative mythologies that sustain the global refugee crisis. As a dominant motif in the novel, the swan figures both unlikely and inevitability. At the same time, it echoes the longstanding and troubling literary myths of sexual violence. In *Metamorphoses*, Ovid’s reference to Zeus’s rape of Leda is strikingly

37 Stronger Futures in the Northern Territory Act 2012 (Cth); Stronger Futures in the Northern Territory Act 2013 (Cth).

38 van Rijswijk H ‘Feminist genres of violence and law’s aggressive realism’ in *Routledge handbook of law and theory* (2019) 329.

39 Wright (2013) at 7.

40 Wright (2013) at 40.

41 Wright (2013) at 18.

brief: "... and Leda, lying under a swan's wing..." (VI.153). In Yeats' "Leda and the Swan," this act of violence initiates a lineage of war and destruction, culminating in the "terrible beauty" of Helen and the devastation of Troy:

A shudder in the loins engenders there
The broken wall, the burning roof and tower
And Agamemnon dead.

By invoking these myths, Wright signals the persistent intertwining of sexual violence and state violence, suggesting that foundational legal and political structures remain complicit in histories of dispossession, subjugation, and harm. The presence of the swan in Wright's novel thus operates on multiple levels: as an emblem of colonial mythmaking, as a figure of forced migration and dislocation, and as a critique of the violent aesthetics through which law sustains itself. *The Swan Book* refuses to participate in the legal fiction of singular truth, instead layering competing temporalities, histories, and genres to reveal the colonial legal order as one narrative among many—one that is neither natural nor inevitable, but constructed and therefore open to dismantling.

As a "little First Nations kid", Oblivia occupies a position of profound representational complexity within the dominant Australian imaginary.⁴² Given the fraught legal and political history of "the vulnerable First Nations child" as a figure deployed to justify state intervention, mainstream audiences are predisposed to interpret the account of Oblivia's rape—committed by members of her own community—as a narrative of communal or familial dysfunction. Similarly, within the framework of state law, First Nations children primarily become legible as subjects requiring legal intervention, but not as autonomous individuals with their own agency, histories, or narratives. *The Swan Book* actively resists these colonial representational tactics, challenging the dominant discourses through which First Nations children are apprehended in both law and literature.

Rather than staging Oblivia's rape as a pivotal narrative moment, *The Swan Book* refuses to depict the scene of violence at all. The perpetrators remain unidentified; no legal or extralegal justice is sought or obtained. Moreover, the novel refuses to structure Oblivia's story within the conventions of a trauma-and-recovery arc, rejecting the assumption that healing necessarily follows

42 Wright (2013) at 2.

from rupture. Instead of positioning sexual violence as an isolated event that can be neatly processed or overcome, Wright embeds Oblivia's experience within a larger dystopian landscape in which the ongoing consequences of colonialism—on First Nations people, on the environment, on sovereignty—are taken to their logical and devastating conclusions. The novel does not suggest that the sexual violence inflicted upon Oblivia is peripheral or insignificant; rather, it insists that her suffering cannot be understood without a broader recognition of the structural and historical forces that have shaped her world. Wright explicitly links individual and systemic violence, underscoring how 'like any other long-standing conflict around the world, one act of violation becomes a story of another'.⁴³

By refusing to isolate Oblivia's rape as a singular trauma, Wright critiques the legal and political instrumentalisation of sexual violence in colonial narratives. The novel suggests that reducing her experience to a legal case of rape—separable from the wider context of dispossession, poverty, and systemic racism—would reinforce the very legal structures that have historically weaponised claims of sexual violence to justify the removal of First Nations children, the policing of First Nations communities, and the erosion of First Nations sovereignty. In this way, *The Swan Book* does not merely offer an alternative narrative—it exposes and resists the legal and cultural mechanisms that demand certain stories be told in particular ways, unsettling the colonial scripts that govern both law and literature.

In *The Swan Book*, the concept of 'the sovereignty of the mind' reframes harm as something that cannot be disentangled from the broader dispossession of land, animals, languages, cultures, sovereignties, and laws. This conceptualisation of harm as inherently entangled with sovereignty is particularly striking in relation to the novel's representation of sexual violence and the suffering of its protagonist, Oblivia. Wright's invocation of sovereignty within the framework of individual harm is a direct challenge to the legal discourses of the Australian state, which have systematically obscured the role of sovereignty both in the infliction and adjudication of harm to First Nations children. By positioning Oblivia's suffering within a broader struggle for sovereignty, the novel critiques the colonial legal system's reduction of harm to an individualised and depoliticised event—one that can be adjudicated through state law without reference to the dispossession and epistemicide that underpin it.

43 Wright (2013) at 20.

The novel's reframing of sexual violence unfolds within a legal landscape that is radically plural, animated by multiple intersecting forms of authority that exist beyond the colonial state. *The Swan Book* insists on the ongoing vitality of First Nations law, depicting a world where legal knowledge is embedded in the landscape itself. The swans, for instance, traverse the country by 'following stories for country that had been always known to them' because 'Swans had Law too', with their own 'Law scriptures'.⁴⁴ Oblivia's sanctuary inside the ancient tree is not simply a refuge; it is 'a sacred tree where all the stories of the swamp were stored like doctrines of Law left by the spiritual ancestors'.⁴⁵ The landscape itself is suffused with law: 'law spirits' scrutinise the country,⁴⁶ and 'law music' emerges from 'old powerful chants'.⁴⁷ This insistence on the materiality of First Nations law directly counters the Australian legal system's repeated denial of its living authority, particularly in landmark cases such as *Mabo v Queensland*⁴⁸ and *Members of the Yorta Yorta Aboriginal Community v Victoria*.⁴⁹ In *Yorta Yorta*, for instance, the High Court ruled that in order for Native Title to be legally recognised, First Nations laws and customs must be shown to have remained unchanged since sovereignty—a requirement that effectively denied the ongoing evolution and dynamism of First Nations legal systems.⁵⁰ Similarly, in cases concerning the Stolen Generations, Australian courts have focused on the 'beneficial intentions' of the state rather than on the profound damage inflicted upon First Nations legal and cultural authority through the forced removal of children.

Wright's thick description of these intersecting legal authorities generates a vision of Australia that is fundamentally plural, resisting the national legal imaginary that insists on a singular, unitary sovereignty. The novel's depiction

44 Wright (2013) at 86.

45 Wright (2013) at 36.

46 Wright (2013) at 40.

47 Wright (2013) at 86.

48 *Mabo and Others v Queensland* (No. 2) [1992] HCA 23.

49 *Members of the Yorta Yorta Aboriginal Community v The State of Victoria* 2002 [2001] FCA 45.

50 The landmark High Court decision of *Mabo* recognised native title in Australian law for the first time, overturning the doctrine of *terra nullius* and acknowledging that Indigenous peoples had existing systems of law and connection to land prior to British colonisation. The Court held that native title could survive colonisation where it had not been extinguished and was based on the continued observance of traditional laws and customs. In the *Yorta Yorta* case, the High Court rejected the Yorta Yorta people's native title claim, ruling that their traditional laws and customs had ceased to be observed in a continuous way since sovereignty. The decision established a strict legal test requiring that native title rights must be rooted in a normative system that has been substantially uninterrupted since 1788, significantly narrowing the scope for future claims.

of law is not merely an assertion of First Nations legal traditions, but a radical challenge to the epistemic violence enacted by Australian jurisprudence—a jurisprudence that has historically sought to contain, diminish, or erase the existence of alternative legal orders. By foregrounding “the sovereignty of the mind” and situating Oblivia’s suffering within a broader legal and epistemological struggle, *The Swan Book* exposes the inadequacy of colonial law’s framework for understanding and adjudicating harm, and instead offers a vision of legal pluralism that exceeds the constraints of the nation-state.

By moving the framework of harm beyond the individual, *The Swan Book* destabilises law’s claim to authority over both First Nations suffering and First Nations sovereignty. Rather than seeking to make harm fully legible within existing legal and literary structures, Wright’s text foregrounds the impossibility of such containment, offering instead an aesthetics of disruption, excess, and refusal. This radical reconfiguration of harm demands an equally radical rethinking of jurisprudence. The legal relation between settler colonial states and First Nations peoples cannot be meaningfully restructured within the confines of existing legal categories, which remain fundamentally shaped by colonial logics of jurisdiction, sovereignty, and authority. Instead, as *The Swan Book* suggests, a twenty-first-century jurisprudence must be capable of comprehending the specific histories through which law has enacted judgment and continues to act in the present. This requires more than legal reform—it necessitates a transformation in how law itself is conceptualised, moving towards a model that recognises the interconnectedness of harms and the multiplicity of legal orders that exist beyond the colonial state. Wright’s novel provides not only a critique of colonial legal imaginaries but also a vision of what law might become if it were to reckon fully with its own violences and limitations.

***Praiseworthy* (2023): the figure of the paedophile**

Alexis Wright’s most recent novel, *Praiseworthy* (2023), interrogates state violence against First Nations communities, particularly as it is justified through fabricated narratives of harm to First Nations children. The novel, alongside *The Swan Book*, employs the Northern Territory Intervention as a metonym for the persistence of state-sanctioned oppression, demonstrating how the Intervention—though officially concluded—continues under new guises. Both novels underscore the enduring present of this colonial project, revealing how

its ideological foundations remain intact despite shifts in policy. Set in the arid town of Praiseworthy, located on the Gulf of Carpentaria, the novel situates the persecution of First Nations people within the broader context of climate catastrophe. The narrative opens as a 'monument of haze' descends upon the town,⁵¹ foreshadowing both an impending ecological collapse and the gathering fury of ancestral spirits. One of the ten oracles narrating the novel describes this toxic haze as the accumulation of ancient stories and grief, 'the tragedies in the epical pyres of life'.⁵² This spectral presence functions as a materialization of ongoing violence—both environmental and colonial—emphasizing the inseparability of ecological destruction and the erosion of Indigenous sovereignty.

Through its shifting narrative voices and densely layered temporality, *Praiseworthy* offers a profound meditation on the psychic toll of state violence. The novel explores how First Nations communities, stripped of collective autonomy, are subjected to both material dispossession and sustained psychological harm. The figure of the First Nations child, deployed by the colonial state as a justification for interventionist policies, becomes central to the novel's critique, illustrating how the production of vulnerability is strategically weaponized against Indigenous communities. In this way, *Praiseworthy* not only exposes the mechanics of contemporary colonial governance but also reveals its profound consequences for Indigenous subjectivity, agency, and intergenerational survival.

The representational strategies of *Praiseworthy* extend far beyond the conventions of realism. While Wright draws on the narrative structures of *The Dreaming*, she also incorporates an eclectic range of Western genres—including science fiction, horror, epic, classical myth, romance, and melodrama—to depict the ongoing violence of colonialism. The novel operates simultaneously as an epic and a satire, offering a scathing critique of the Northern Territory Intervention while serving as a cautionary tale about systemic suffering, including youth suicide and climate collapse. Wright's use of satire is particularly evident in the characterisation of Widespread, also known as Planet and Cause Man Steel, who embarks on a quixotic mission to combat environmental degradation by establishing a long-haul transport network powered by feral donkeys. Meanwhile, the town's mayor, Ice Pick, is so committed to assimilation

51 Wright (2023) at 4.

52 Wright (2023) at 22.

that his skin and eyes have turned white, a grotesque exaggeration of colonial absorption. The novel's opening line, 'Once upon a fine time for some people in the world,' immediately signals its concern with power disparities, suggesting that reality is experienced differently by the powerful and the dispossessed.⁵³ These structural inequalities are reflected in the novel's hybrid and shifting modes of representation, reinforcing Wright's broader thematic exploration of how colonial violence persists in multiple, intersecting forms.

The novel is set during the Howard Government's Intervention, which began in 2008, yet its temporal framework is neither linear nor confined to this singular historical moment. Rather, *Praiseworthy* unfolds within the enduring temporality of the Intervention, while simultaneously engaging with contemporary political and social realities, including references to figures such as Donald Trump and platforms like TikTok. The novel's structure, divided into ten parts, continually circles back in time, revisiting events and reinterpreting past language as multiple versions of the truth emerge. This layering of time and discourse disrupts any straightforward narrative progression, emphasizing the persistence of colonial violence across generations. A central event to which the novel repeatedly returns is the suicidal act of the young Aboriginal Sovereignty, who walks into the ocean. This moment is not treated as a singular occurrence leading to resolution or narrative closure; instead, it recurs throughout the text, resisting containment within conventional arcs of meaning-making or redemption. In this way, the novel refuses the expectation that trauma must be assimilated into a coherent, linear framework, instead insisting on its unresolved and continuing presence.

The narrative centres on the Steel family, who reside on the contested fringes of *Praiseworthy*, occupying disputed Native Title land. Cause Man Steel, the family's patriarch, envisions a future in which fossil fuel dependency is eradicated and First Nations financial autonomy is secured, freeing Indigenous communities from reliance on the colonial government. However, the townspeople dismiss him as little more than a disruptive presence. Determined to realise his vision, Cause Man embarks on a quixotic journey, setting off in a dilapidated Ford with the ambition of replacing Qantas, Australia's national airline, with a revolutionary transport system powered by the country's five million feral donkeys. Meanwhile, his wife, Dance Steel, seeks refuge from her husband's grandiose schemes. She finds solace in the ephemeral beauty of

53 Wright (2023) at 5.

butterfly dances and becomes increasingly preoccupied with online searches on how to repatriate her First Nations/Chinese family to China, imagining an escape from the entrapments of colonial Australia. The Steels have two sons: Aboriginal Sovereignty is a 19-year-old dancer and Tommyhawk is eight years old, a 'government-indoctrinated robotic type of kid fascist' who spends his life on the internet, obsessing about the 'infestation' of paedophilia the media claim is rampant in his community.⁵⁴ Tommyhawk dreams of being taken away 'into the white world before he too was molested'.⁵⁵ Brainwashed by the media, Tommyhawk fixates on scenes of imagined sexual abuse and predation. He believes Praiseworthy is overrun with 'paedophile cockroaches living on First Nations communities and preying on First Nations children',⁵⁶ and that his brother is one of them. Tommyhawk is unable to distinguish fantasy from reality and becomes obsessed with the idea that the minister for First Nations affairs — 'the swivel-throned Golden Hair Mother' — will adopt him and take him away from Praiseworthy, where he will live with her 'like a prince in Parliament House' and be 'assimilated to the level of being rich white'.⁵⁷ He constantly texts the minister, begging her to rescue and adopt him to save him from his fate of being prey to paedophiles. Tommyhawk has internalised the brutal racist ideologies of the twentieth and twenty-first centuries, suspecting that he has been adopted into his First Nations family as 'a kind of Stolen Generation in reverse'.⁵⁸ He attempts to set his plan in motion by reporting his 17-year-old brother, Aboriginal Sovereignty, to the police for statutory rape, after Aboriginal Sovereignty marries his 15-year-old girlfriend in accordance with traditional law: 'Tommyhawk had hotmailed the police about how Aboriginal Sovereignty was raping an underage girl'.⁵⁹ Tommyhawk turns on his brother as a direct result of government and media propaganda:

This is what the government is saying. Not me saying it. It was all in the newspapers. I even know the hotline. We got it at school. ... I reckon you are one of those paedophiles. You are? Your girlfriend is underage? She still goes to school. The police will be coming for you, you know?⁶⁰

54 Wright (2023) at 81.

55 Wright (2023) at 83.

56 Wright (2023) at 120.

57 Wright (2023) at 124.

58 Wright (2023) at 124.

59 Wright (2023) at 196.

60 Wright (2023) at 192.

Tommyhawk's actions transform Praiseworthy into a focal point for sensationalized claims of paedophilia, exacerbating the already pervasive state surveillance of First Nations communities. As in wider colonial narratives that criminalize and pathologize Indigenous men, Aboriginal Sovereignty is swiftly recast as a sexual predator by the state. This framing results in a brutal police intervention, in which he is violently assaulted before choosing to walk into the ocean. Tommyhawk, standing on the shore, does not experience grief at his brother's suicide; rather, his thoughts remain consumed by the manufactured crisis of child endangerment. His mind has been "eaten alive by a thought virus, a pandemic, where every First Nations child was at risk".⁶¹ Tommyhawk's detachment underscores the profound impact of state and media propaganda, which has severed his emotional ties to his own community. His belief in the righteousness of his actions, despite their devastating consequences, reveals the extent to which he has internalized settler-colonial logics that weaponize the figure of the vulnerable First Nations child against First Nations communities themselves. Aboriginal Sovereignty's disappearance is swiftly consumed by the media, rebranded as part of a broader narrative about the crisis of Indigenous youth suicide. However, rather than addressing the systemic causes of First Nations deaths—ongoing dispossession, systemic racism, and state violence—the government responds with a task force to recover his body, reducing his death to another statistic in a crisis it continues to perpetuate.

Praiseworthy shifts the narrative focus of *The Swan Book* from the figure of the violated First Nations girl to that of the First Nations man, who is constructed within the national legal and social imaginary as her abuser. The trajectories of the two central children in *Praiseworthy*, Aboriginal Sovereignty and Tommyhawk, are shaped by two distinct yet interrelated crises affecting their community. The first is a manufactured moral panic: the mainstream media's portrayal of an "epidemic" of First Nations paedophiles, which frames Indigenous men as inherent threats within their own communities. The second is a genuine crisis that is systematically ignored by the colonial Australian government: the devastating epidemic of suicides among First Nations children. Through Tommyhawk's deeply painful subjectivity—rendered in excruciating realist detail—Wright exposes the profound psychic violence inflicted upon First Nations children. His experience reflects the consequences of a colonial regime that, driven by fascist ideologies and sensationalist media narratives,

61 Wright (2023) at 204.

constructs a fantasy of harm that eclipses the real and ongoing trauma suffered by Indigenous communities:

There was a total misere outpouring from all sorts, in the new world psalm of those who were desperately turning themselves blue in the face with worrying about First Nations children being attacked by paedophiles and neglected by their parents, and jumping up and down in their tracks, and lurching at one another to be the top dog of all the argy-bargy facts, to dominate the frenzied media about loving First Nations children more than their parents loved them. There was bugger-all need for stitching real facts together in the complete osmosis of First Nations men being rampant prowlers of First Nations communities to get their molesting hands on the little children.⁶²

This persistent, relentless barrage of violence sends Tommyhawk mad: 'He reasoned that if he was to be raped by paedophile parents who did not love him, if that was the future, why was he still here'.⁶³ Tommyhawk, who his father Cause Man labels an 'assimilationist fascist,' is a symptom of colonial violence.⁶⁴ He becomes consumed by his obsession with the figure of the paedophile, who he sees as real and omnipresent. Tommyhawk has internalised the mainstream racist violence of the colonial state and media and in turn inflicts this violence against himself and his own community. Wright explains in her novel that Tommyhawk's fears of being abused were unsurprising in a child:

born into the shrill of a nation constantly yelling at the top of its voice about how to fix up the black problem. ... It was easy for him to believe he was living in a typical First Nations community plagued by paedophiles and being cared for by misopedists, by children-hating parents Hatred was not a strong enough word for how he felt about his parents.⁶⁵

Tommyhawk's interiority is brutal, his psychology is a living hell. At eight years old, he believes 'All sexual depravers were out to get him'.⁶⁶ His child's mind is full of grotesque and violent images that have originated not *de novo* from his imagination but from governmental policy and racist media coverage:

62 Wright (2023) at 83.

63 Wright (2023) at 88.

64 Wright (2023) at 68.

65 Wright (2023) at 191.

66 Wright (2023) at 191.

*'Filthy penises. Stick it anywhere. Into little girls. Sicko'.*⁶⁷ He packs his bag, ready to leave his family, waiting for the government to send the army in to protect him.⁶⁸

In contrast to the imagined harm caused by fictional paedophiles, Praiseworthy is enduring an actual epidemic of youth suicide. This reality is represented with absolute sorrow, Wright describing the quotidian way in which:

on these perfect youth suicidal nights of Praiseworthy, where wind comes in the afternoons, blows the dust out to see, trading lightly through the water, another child of Praiseworthy was leaving the butterfly country He was going to the dream country like those other lost children disappearing over weeks and months, being led away by the hand.⁶⁹

Tommyhawk, only eight years old, thinks 'of how he would kill himself like the other children, of what it felt like to be walking like a zombie through the air with your feet above the ground ...'.⁷⁰ He becomes 'became obsessed with ways of committing suicide'.⁷¹ Still a young child, he is yet:

a seasoned witness to a string of kid deaths. You could say he was an expert unbiased observer of this kind of tragedy, kind of like the aspiring first world viewing the third world committing suicide at its expense. The first time he saw a kid die he just felt that somehow this did not happen. It affected him less each time he saw it happen. He could not help it, and he had become fascinated with the idea of some of his friends committing suicide.⁷²

Is there anything bleaker than an eight-year-old child fantasising about the suicide of his friends? In Tommyhawk, we see the epitome of psychological harm to children produced by state violence in the name of the child.

The persistent invocation of "the vulnerable First Nations child" as a justification for legal intervention has facilitated ongoing legal violence, producing serious political and material consequences. This figure, abstracted and decontextualized, has been repeatedly mobilized to justify policies that

67 Wright (2023) at 193.

68 Wright (2023) at 197.

69 Wright (2023) at 178.

70 Wright (2023) at 200.

71 Wright (2023) at 200.

72 Wright (2023) at 216.

remove First Nations children from their families and incarcerate Indigenous youth—some as young as ten—in carceral institutions so brutal that they could seamlessly appear in a Dickensian novel without historical anachronism. In response, jurisprudence must shift its analytical focus, centring the lived realities and experiences of First Nations children as the foundation for legal critique. Alexis Wright's novels insist on making the figure of the child particular and material—situating Ivy Koopundi (*Plains of Promise*), Bala (*Carpentaria*), Oblivia (*The Swan Book*), and Tommyhawk (*Praiseworthy*) within specific racial, gendered, classed, and spatial contexts. These characters are not abstract symbols of vulnerability but individuals whose lives and struggles reveal the devastating legal and social structures that shape their fates. Their quests for justice, and their failures to obtain it, mark them as critical subject positions from which to interrogate and remake the law. Wright's fiction thus contributes to an emergent transnational, interdisciplinary jurisprudence that refuses to accept legal systems as neutral or inevitable. Instead, her work invites readers to listen to these children, to take seriously their perspectives as central to legal critique. In doing so, her novels disrupt the legal fictions that sustain settler-colonial power and open space for imagining legal worlds that do not reproduce the violences of the present.

The figure of the Australian cop

The cop is a figure of both violence and ridicule in Wright's novels. In *Carpentaria*, the town's cope is called Constable Truthful—even though he is deeply corrupt and a sexual predator. He torments the Phantom family's youngest daughter, Girlie; he continuously coerces her into having sex with him by threatening to harass her family if she refuses. He is also punished: one night, Truthful dreams of hearing a knock at his door, but when he answers, no one is there. Turning around, he sees the police station filled with First Nations people whose grey skin is covered with greenish sea slime. Frightened, Truthful checks on his three young prisoners, only to find that the boys have hanged themselves and are dead. Days later, Desperance residents report a terrible stench of death emanating from the police station. The corrupt town mayor, Bruiser, goes to investigate and finds Truthful still there, bringing meals to the boys and putting their dead bodies to bed each night.

In *Praiseworthy*, when Tommyhawk becomes obsessed with paedophiles, Wright describes a psychological state where 'the police cars roar[.] through

the streets of his ... brain'.⁷³ Tommyhawk gives in 'to the cop in his head and call the cops on [Aboriginal Sovereignty] ... knowing full well what they will do. And they do it properly, beating this kid to within an inch of his life ...' Tommyhawk then emails the police to dob his brother in and the police come searching for Aboriginal Sovereignty. They find him at school, where his teacher tries to protect him, protesting, 'Can't you see he is just a boy?' Aboriginal Sovereignty has just turned seventeen, but the police claim that, 'He's a man' and drag him away.⁷⁴

Mykaela Saunders, a Koori/Goori and Lebanese writer, has written a brilliant meditation on the figure of the cop in the Australian cultural imaginary, arising from reflections on her own experience of reading *Praiseworthy*. Saunders observes that the cop is a dominant figure in the Australian imaginary:

From 1788, when Sydney was magically conjured on stolen Dharug land, Australia has always been a nation of cop-lovers, evident in its love of heavy-handed, paternalistic laws, enacted by both large-scale military interventions as well as its smaller-scale culture of policing and dobbing on thy neighbours.⁷⁵

Saunders points out that the first police in Australia were 'snitches and lags'—the penal colony relied on people policing each other, and some of them were willing to do so, for whatever relative benefit that would give them.⁷⁶ The "cop" is not only a figure of institutional power but also an affective and psychic structure reproduced within the social body. Saunders suggests that in *Praiseworthy*, Wright provides a harrowing answer to the question of:

What would happen if a community of assimilationist-minded First Nations people became cops to each other? Everyone would start dobbing on everyone else, and even children would police each other too.⁷⁷

The cop is the ultimate figure of colonisation, and for a First Nations child to inhabit the cop's point of view means we are at the limit point of colonial dystopia.

73 Wright (2023) at 77.

74 Wright (2023) at 359.

75 Saunders M "Think of the children!" *Sydney Review of Books* June 5, 2023 at <https://sydneyreviewofbooks.com/review/praiseworthy/> (accessed 11 December 2023).

76 Saunders (2023).

77 Saunders (2023).

Undoing the imaginary of colonial authority

Praiseworthy ends with a continuing apocalypse. Further, the narrative arc is not linear but circular: the key harm of the novel, the death of Aboriginal Sovereignty, is returned to again and again, and each time is given different meaning. When the police come searching for him, they find no evidence that Aboriginal Sovereignty has actually died, and yet there is no evidence that he is living, either; the mystery of his disappearance becomes the novel's fixation: 'nobody could say what it was that happened to Aboriginal Sovereignty, or what it meant'.⁷⁸ Alexis Wright employs repetition as a critical structural and literary device that underscores the persistent and cyclical nature of colonial violence, particularly its psychological impact on First Nations children. The novel's narrative repeatedly returns to traumatic episodes—most notably the suicide of Aboriginal Sovereignty—refracting the same event through different temporalities and perspectives to resist closure and resolution. This repetition enacts the experience of intergenerational trauma and epistemic rupture, emphasizing that colonial harms are not past events but ongoing phenomena. The obsessive mental loops of Tommyhawk, consumed by government propaganda about paedophilia in his community, serve as a microcosm of how colonial discourse embeds itself within Indigenous subjectivity, producing a "cop in his head." Tommyhawk's internal monologue—filled with grotesque, repeated images of imagined abuse—echoes across the novel, enacting both structural recursion and psychological saturation. Compared to earlier novels like *Plains of Promise*, where trauma is narrated more linearly (e.g., Ivy's removal and abuse by the missionary), *Praiseworthy* breaks narrative temporality to reflect how the violence of settler colonialism saturates time, space, and memory. Whereas *Plains of Promise* ends in symbolic desolation, *Praiseworthy* resists narrative finality altogether, circling back to unresolved harm and defying the reader's desire for narrative catharsis. Repetition thus serves not merely as stylistic flourish, but as epistemological refusal—undermining linear settler logics of causality and instead articulating a First Nations temporality grounded in recurrence, hauntings, and the endurance of Indigenous law.

The tone is not always earnest, though: there is a subversive, carnivalesque scene where the 'corpse hunters' who come looking for Aboriginal Sovereignty

78 Wright (2023) at 312.

are attacked by Cause Steel's horde of 5 million asses,⁷⁹ evoking the carnivalesque. The carnivalesque refers to a literary mode that subverts and liberates the assumptions of the dominant genre through humour and chaos. It embodies the spirit of carnival, characterised by a temporary suspension of hierarchical rank, privileges, norms, and prohibitions.⁸⁰ *Praiseworthy* overturns the colonial legal order, and law's genre of aggressive realism, through carnivalesque tactics including the use of collective bodies (eg the horde of donkeys that chaotically clash with the police), and by breaking down the barriers between self and world (self/animal, spirit/material). Aboriginal Sovereignty becomes a powerful idea for his community. The novel ends: 'Of course, the spirit of Aboriginal Sovereignty never dies, for you cannot destroy what was infinitely existing in the law of Country that always is, and always will be governing itself'.⁸¹

Wright's novels offer not only thematic answers to questions of justice but also a method for examining the forms, devices, and habits through which these truths are represented in both legal and cultural contexts. In examining Alexis Wright's novels as a critical intervention into the Australian carceral imaginary, this article has traced the ways in which the figures of the child, the paedophile, and the cop function as central agents of colonial and carceral power. These figures are not merely representational; they actively shape legal and political structures, underpinning the settler state's ongoing assertion of jurisdiction over First Nations communities. The invocation of child protection to justify punitive state interventions, the racialised spectre of the paedophile to legitimate the expansion of carceral power, and the cop as the primary enforcer of colonial violence all work together to sustain Australia's carceral logic. Wright's fiction systematically challenges these narratives, demonstrating their ideological underpinnings and their material consequences for First Nations sovereignty and survival.

Through *Plains of Promise*, *Carpentaria*, *The Swan Book*, and *Praiseworthy*, Wright reconfigures these figures, exposing their complicity in colonial violence and offering alternative epistemologies grounded in First Nations law, land, and storytelling. Her works reveal the violence inherent in the settler state's claims

79 Wright (2023) at 317.

80 Bakhtin M *Rabelais and his world* Translated by H. Iswolsky. Bloomington: Indiana University Press (1984); Stallybrass P and White A *The politics and poetics of transgression* Ithaca: Cornell University Press (1986).

81 Wright (2023) at 754.

to protection and order, demonstrating how these claims serve to displace and delegitimize First Nations legal traditions. In particular, *Praiseworthy* illustrates the psychic violence inflicted on First Nations communities through state narratives of child abuse and dysfunction, showing how these narratives operate as self-fulfilling prophecies that entrench cycles of surveillance, criminalization, and despair. The internalization of colonial myths, as seen in Tommyhawk's betrayal of his brother, highlights the insidious ways in which state discourse infiltrates the intimate spaces of community and family, weaponizing the figure of the child against its own people.

The implications of this analysis extend beyond literary criticism into legal and political theory. As this article has shown, the figures Wright deconstructs are not only embedded in literature but also in legal judgments, policy decisions, and national myths. Understanding how these figures operate in law and culture is essential to dismantling the structures that perpetuate First Nations dispossession and incarceration. Wright's novels, in this sense, provide both a critique and a methodology for thinking beyond the carceral state. By foregrounding First Nations authority, storytelling, and law, they propose a jurisprudence that does not seek to reform the colonial legal order but to reject its epistemological foundations altogether. The reimagining of these carceral figures in Wright's fiction challenges the settler state's foundational narratives and its ongoing legal violence. Her works assert that true justice cannot emerge from within the frameworks of colonial legality, but rather through the resurgence of First Nations sovereignty and epistemologies. By dismantling the mythologies that sustain the Australian carceral imaginary, Wright's novels open space for alternative futures in which law is no longer an instrument of colonial domination but a site of resistance and transformation.

References

- BAKHTIN M. 2018. *Rabelais and his world*. Translated by H Iswolsky. Bloomington: Indiana University Press.
- BEHRENDT L. 2017. *After the apology*. Sydney: Ronin Films. Available at: <https://www.roninfilms.com.au/feature/16485/after-apology.html> [accessed on 12 February 2024].
- BLAGG H AND ANTHONY T. 2019. *Decolonising criminology: imagining justice in a postcolonial world*. London: Palgrave Macmillan. <https://doi.org/10.1057/978-1-137-53247-3>

- CUNNEEN C. 2023. *Defund the police: an international insurrection*. Bristol: Policy Press. <https://doi.org/10.1332/policypress/9781447361664.001.0001>
- RUDD K. 2008. Apology to Australia's Indigenous peoples. *Hansard*, 13 February.
- SAUNDERS M. 2023. Think of the children! *Sydney Review of Books*, 5 June. Available at: <https://sydneyreviewofbooks.com/review/praiseworthy/> [accessed on 11 December 2023].
- STALLYBRASS P AND WHITE A. 1986. *The politics and poetics of transgression*. Ithaca: Cornell University Press.
- VAN RIJSWIJK H. 2019. Feminist genres of violence and law's aggressive realism. In: *Routledge handbook of law and theory*. London: Routledge. <https://doi.org/10.4324/9781315665733-17>
- WATSON I. 2009. Sovereign spaces, caring for country, and the homeless position of Aboriginal peoples. *The South Atlantic Quarterly* 108(1): 27–51. <https://doi.org/10.1215/00382876-2008-021>
- WRIGHT A. 1997. *Plains of promise*. Brisbane: Queensland University Press.
- WRIGHT A. 2006. *Carpentaria*. Artarmon: Giramondo. <https://doi.org/10.1353/man.2007.0030>
- WRIGHT A. 2007. On writing Carpentaria. *Heat* 13: 79–95. <https://doi.org/10.1016/j.asw.2008.09.001>
- WRIGHT A. 2013. *The swan book*. Artarmon: Giramondo. <https://doi.org/10.4324/9781315783734>
- WRIGHT A. 2023. *Praiseworthy*. Artarmon: Giramondo.
- YEATS WB. 1924. Leda and the swan.

Case law

- CUBILLO V COMMONWEALTH OF AUSTRALIA (2000) 103 FCR 1.
- CUBILLO V THE COMMONWEALTH [No 2] 112 FCR 1.
- MABO AND OTHERS V QUEENSLAND (No 2) [1992] HCA 23.
- MEMBERS OF THE YORTA YORTA ABORIGINAL COMMUNITY V THE STATE OF VICTORIA [2001] FCA 45.
- SOUTH AUSTRALIA V LAMPARD–TREVORROW (2010) 106 SASR 331.
- TREVORROW V SOUTH AUSTRALIA (No 5) (2007) 98 SASR 136.
- YORTA YORTA ABORIGINAL COMMUNITY V THE STATE OF VICTORIA (2002) HCA 58.
- LEGISLATION
- STRONGER FUTURES IN THE NORTHERN TERRITORY ACT 2012 (Cth).
- REPORTS

- AUSTRALIAN BUREAU OF STATISTICS. 2022. Causes of death, Australia (2018–2022). Available at: <https://www.abs.gov.au/statistics/health/causes-death/causes-death-australia> [accessed on 8 September 2025].
- AUSTRALIAN GOVERNMENT PRODUCTIVITY COMMISSION. 2023. Closing the gap annual data compilation report, July 2023. Available at: <https://www.pc.gov.au/closing-the-gap-data/annual-data-report/report> [accessed on 12 February 2024].
- AUSTRALIAN INSTITUTE OF HEALTH AND WELFARE. 2024. Suicide and intentional self-harm. Available at: <https://www.aihw.gov.au/suicide-self-harm-monitoring/summary/suicide-and-intentional-self-harm> [accessed on 8 March 2024].
- HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION. 1997. *Bringing them home: report of the national inquiry into the separation of Aboriginal and Torres Strait Islander children from their families*. Canberra: HREOC.
- NSW DEPARTMENT OF COMMUNITIES AND JUSTICE. 2019. The family is culture report. Available at: <https://dcj.nsw.gov.au/children-and-families/family-is-culture.html> [accessed on 12 February 2024].
- SECRETARIAT OF NATIONAL FIRST NATIONS AND ISLANDER CHILD CARE. 2023. Family matters report 2023. Available at: <https://www.snaicc.org.au/wp-content/uploads/2024/07/20240731-Family-Matters-Report-2023.pdf> [accessed on 8 September 2025].
- ULURU STATEMENT FROM THE HEART. n.d. Available at: <https://ulurustatement.org/wp-content/uploads/2022/01/UluruStatementfromtheHeartPLAINTEXT.pdf> [accessed on 8 September 2025].