
KEEPING FAITH WITH SELF-DETERMINATION: ECONOMY AND CULTURAL DIFFERENCE

by Diane Austin-Broos

In the first decade of the 21st century, the terrain of Aboriginal policy-making for remote communities became a battlefield again. Critics of the policy turn called it ‘interventionist’, evoking the 2007 Intervention (or Emergency Response) in the Northern Territory. This description involved a contrast between self-determination and the new turn. In part, the latter has entailed a move away from parallel service delivery in areas such as education, employment, and health – including the treatment of substance abuse. The aim has been to pare down a growing Indigenous Sector. At the same time, in designated communities, significant areas of remote Aboriginal life including welfare payments and school attendance have been subject to heightened and discriminatory policing. An integral part of these developments has been a Territory and federal intent to consolidate services in Territory Growth Towns, a move that has major implications for small outstations, especially in sparsely populated central Australia. If it amounts to forced relocation, the centralisation of services becomes a counterpart to more policing in towns and camps; people compelled this way and that ‘for their own good’.

The introduction of new types of leasehold provision on traditional land (there was such a provision in the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth) (*‘NT Land Rights Act’*)) is intended to facilitate new uses for land held under customary tenure. More recently still, debates over the proper use of funds in the Aboriginals Benefit Account, the federally controlled holding-station for mining-related Aboriginal income, also reflect this change in policy thinking. Some have proposed that the discretionary part of this fund might be deployed on education and health spending, for instance, as well as on income-producing investments. These latter ideas echo proposals in the Reeves Report (1998) to the Howard Federal Government on the *NT Land Rights Act*, proposals that had limited discussion due to the Report’s predatory approach to land councils.¹ In its more vitriolic form, the policy turn has been accompanied by a supporting rhetoric that glorifies policing and construes the growth of an Indigenous Sector as little more than an Aboriginal Industry in which whites often benefit most.

This reading of the Indigenous Sector contradicts another; that the sector is an organised political response to unequal incorporation of Indigenous peoples into the Australian state. On these grounds, many supporters of self-determination regard this policy turn as dangerous. Notwithstanding, I argue below that the current transition in policy is both less than a break with self-determination, and more than merely a change in appearances. In order to make this argument, I develop a position on self-determination drawing on indicative statements by Tim Rowse and Noel Pearson respectively. The substance of my argument will be that self-determination can never be simply a matter of identity politics, law and cultural rights. Self-determination has always required, in addition, a successful Aboriginal engagement with Australia’s economy. In Australia and elsewhere, discussions of self-determination have often neglected economy although Indigenous peoples commonly assume that improved material conditions will be an integral part of self-determination. This fact raises various dilemmas that revolve around matters of difference, equality and rights.² I write with the view that it is better to face these issues and work through them than to pose economy and rights as inherently conflicting concerns.³

SELF-DETERMINATION AND THE INDIGENOUS SECTOR

Notoriously, ‘self-determination’ has been variously and vaguely defined in Australia. Legal scholar, Paul McHugh, remarks on the ‘broad’ and ‘inspecific’ way in which the concept has been used. He writes:

[The term] was synonymous with a notion of community empowerment and the shift from total control of Aboriginal life by government to the other extreme of handing over control of indigenous communities with limited focus on accountability to government or inside the community itself.⁴

McHugh adds that self-determination became ‘a form of minority right to cultural integrity’.⁵ That integrity was underpinned legally not only by state and federal land rights Acts, but also by the *Aboriginal Councils and Associations Act 1976* (Cth) that placed the practice of Indigenous governance in a context of regional and

national affairs. From it grew the Aboriginal and Torres Strait Islander Commission (‘ATSIC’), and the plethora of Aboriginal corporations known as the ‘Indigenous Sector’.

Rowse’s account of self-determination stems from this context. He designates three ‘defining features’ of self-determination: the ‘legislated recognition’ of land rights; the recognition of a distinctive cultural identity for Aboriginal and Torres Strait Islander peoples (via their enumeration in censuses); and, finally, the ‘rise of the Indigenous Sector’. By the latter Rowse means ‘the thousands of incorporated bodies that are publicly funded to represent Indigenous Australians, to administer services to them and to hold title to their lands’. By ‘land rights’ he understands ‘an Indigenous land base’. Rowse remarks that these three components of self-determination ‘set up a separate property and institutional base for the development of an acknowledged Indigenous people’. Thereby each component ‘violat[e]s a principle that many advocates of assimilation thought fundamental’; namely, that there should be just one (Euro) Australian nation.⁶ In sum, self-determination involves both the legal and cultural affirmation of difference and minority group rights, the latter required on the grounds that cultural difference cannot be sustained within the state by a small minority of discrete individuals. Importantly, these rights are also located ones, secured in land that becomes the property of remote Indigenous people.

The reference to property is ambiguous here. The ‘land base’ that Rowse writes about is not as such an economic base but rather land held under a land rights Act. Not transactable as freehold land, it can be a source of mining royalties or a resource for pastoral enterprise and some forms of agri-business. It may also be the site of parks and natural resource management. The fundamental feature of all lands under customary tenure is, however, that they are transactable, if at all, in terms of ritual custodianship rather than in market terms. Traditional land in and of itself cannot and should not be cast in the principal role of economic resource. It is for this reason, perhaps, that Rowse’s account of self-determination makes its focus law, identity politics and rights. He does not forefront economy as a central component of self-determination. Rather, his focus is on a struggle for autonomy embodied in the Indigenous Sector that is at once a political agent, a cultural phenomenon and, with the aid of government transfers, a major employer of Aboriginal people. Yet on Rowse’s view, waged employment in this domain is only one form of participation. Others include hunter-gathering itself, receiving welfare, or being involved extensively in other traditionally-oriented non-work activities within or

beyond a campsite. Stated in 2002, this view is consistent with Rowse’s position ten years earlier when he described the idea that ‘Aboriginal people with jobs are more independent than Aboriginal people surviving on welfare benefits’ as a ‘questionable assumption’.⁷

SELF-DETERMINATION AND ECONOMY

On this point, Noel Pearson diverged from Rowse. Although Pearson has posed the matter in terms of ‘responsibilities’ versus ‘rights’, he has always embraced Aboriginal land rights vigorously as a part of self-determination. He has also underlined the need for good governance in communities. Where land rights and self-management in governance are concerned, there is in principle agreement between them.⁸ Nonetheless, it is fair to say that the emphasis that Rowse and others give to governance in their discussions of self-determination is, in Pearson’s writing, given to economy and to levels of full-time employment and unemployment in remote communities.

Pearson’s views also diverged from those of Jon Altman and Will Sanders – two other prominent writers on remote Indigenous policy. Each has maintained that low levels of productive activity in remote communities compel the use of government resource transfers to create employment. For around 30 years, a central component of these transfers was CDEPs (Community Development Employment Programs), administered by ATSIC for part of that time.¹⁰ However, where Altman and others defended this scheme as a major and successful part of economic life in remote communities, Pearson was critical. In his view, whether or not they were intended as such, CDEP schemes became ‘passive welfare’ which has been destructive of its recipients and of oncoming generations.¹⁰ In part, ‘Our Right to Take Responsibility’ was and is the need to limit as far as possible the adverse effects of this type of government transfer. The issue’s difficulty is witnessed by the fact that, over time, economists have changed their views on CDEPs. Boyd Hunter, for example, has become a little more critical while Bob Gregory has become a little more supportive. Sanders has noted the ambiguity in CDEPs which can be engaged as ‘workfare’ or ‘welfare’. He has seen a shift from the former to the latter over time.¹¹

Pearson’s approach to self-determination involves both law (including the politics and governance that gains and protects rights) and economy. Moreover, he sees Aboriginal participation in Australia’s economy as an issue *sui generis* and not simply as a matter of governance. Beyond the corporate structure of communities, Aboriginal people

need the specific capacities that bear on participation in an Australian economy. His rationale for this position is fundamentally historical. He underlines that the initial dispossession of Aboriginal people was economic as much as a matter of the British law and force that usurped their sovereignty. Pearson remarks:

The great tragedy of Aboriginal history ... was *the Australian failure* – when discrimination against Aboriginal people became untenable and citizenship was finally recognised in 1967 – to *remove the discrimination that our people suffered in the mainstream economy ...*¹²

That Pearson's views were not accepted by many who supported self-determination comes down to at least two factors. The first is that Pearson's perfectly reasonable remarks on the socially corrosive effects of life-long under-employment came in the context of the federal Coalition's position on 'welfare dependence' and 'mutual obligation'.¹³ Were they expressed in the context of most other economically marginalised communities Pearson's views would have been unexceptional. However, within the context of the Coalition's position, his statements seemed to fly in the face of the fact that CDEPs had begun in Aboriginal communities (in 1977) as expressions of the desire for local employment in the place of 'sit down' money. Pearson's bow to the right – notwithstanding his historical perspective – annoyed many academics. A second factor that fuelled debate was a general view among the left that cultural difference meant that economic marginalisation was not experienced as such, or as acutely, in remote communities. Rather, in terms embraced by Rowse and others, receipt of government transfers – in the form of either unemployment benefits or CDEP payments – was actually indicative of choice; the choice made by remote Aboriginal people to remain peripheral to the larger economy.¹⁴ For writers such as Rowse, theirs was a principled stance on the issue of cultural difference as opposed to a glib adoption of 'equity' as the guiding value in remote Indigenous policy – especially with regard to employment. Despite his experience and his Indigenous identity, some perceived Pearson's views as insensitive to cultural difference and, therefore, to self-determination.

As an anthropologist, let me focus on this second factor. In recent years, the view that widespread receipt of resource transfers reflects a choice to preserve cultural difference has been tested by the numerous reports of marked distress in remote communities. Reports concern a wide range of Aboriginal groups and have come from both Indigenous and non-Indigenous writers with an array of political positions.¹⁵ As Rowse has noted previously, apprehensions of Indigenous people are shaped by 'vignettes of pathology

or wholesomeness' that circulate constantly in the course of debate.¹⁶ Nonetheless, the accumulation of evidence concerning widespread distress in remote communities is now hard to overlook. Reflecting on my own research and the gamut of relevant literature produced in the past 15 years, I am left with the question: If remote Indigenous communities today involve only issues of cultural difference rather than issues of economic inequality as well, why are their residents so often troubled or ill with the lifestyle conditions linked elsewhere with an epidemiology of the poor?¹⁷

Three crucial factors frame this situation of felt poverty. First, the histories of remote communities and their engagement with work regimes vary widely. Where some communities could still be described as 'hunter-gatherers today' in the late 1980s, others had already been absorbed for many decades in forms of work familiar to non-Indigenous Australians.¹⁸ These differences are related not only to divergent institutional histories but also to ecology. In the presence of cash and commodities including manufactured food, hunter-gathering in desert environments loses its appeal more rapidly than it does in coastal communities or in the midst of tropical savannah. Second, these developments speak to the fact that elements of rural capitalism can undermine a previous economy without necessarily offering the means to re-integrate a local economic and social life. The notion of marginalisation points to a process of incorporation but, even more so, to a circumstance in which people struggle to bring predictability to their lives. In this context, third, government transfers of the CDEP and welfare type do not necessarily contribute to a new integration. They become more nearly Beckett's 'welfare colonialism' in which people are sustained by the state, sometimes via the Indigenous Sector, but are also represented by society at large as dependents and usually as undeserving ones.¹⁹ In sum, remote Aboriginal people, by virtue of their historical position, can lack the power to consistently rebuff the definitions of them pressed by the state and those it represents. Distress is the outcome of this structural condition. Consequently, prolonged under-employment and dependence on welfare are not innocuous – even in the context of various forms of cultural difference.

ECONOMY, CHOICE AND SELF-DETERMINATION

What then are the economic futures of remote communities? A common view has been that cultural difference cannot be maintained unless remote Aboriginal people have essentially local economies with a 'separate property and institutional base'. The recommendation has been for community-based development rather than for

labour market approaches that put a strong emphasis not only on investing royalties, but also on individual capacity-building via English literacy and numeracy. In strongly supporting an Indigenous Sector, Altman and Rowse have emphasised the former issues. Pearson has emphasised the latter ones. Another way to frame this matter is to ask whether the aim should be to develop Indigenous economies or to encourage greater Aboriginal engagement with the Australian economy. Among academics, and contrary to Noel Pearson's position, the former course is often linked with self-determination, the latter with assimilation.

Altman has sought to move beyond this dichotomy with his 'hybrid economy model'. It involves an economy that can include customary, market and state activity both singly and in a range of combinations.²⁰ Yet, does this approach really come to grips with all the issues? Altman's focus is on land-based employment of the type that evokes an Indigenous economy. In his accounts, little weight is given to the fact that today even most local enterprise – if it will be managed by the Aboriginal people involved – requires considerable capacity-building especially among the young. It is unlikely that this process can occur without sound primary education, out-migration for further education, and the pursuit by some of qualifications that can be deployed either within or beyond a community. In short, to secure a localised community today in fact requires increasing engagement with Australia's economy and not simply with a hybrid Indigenous one. The different views on economy put by Pearson and Altman and Rowse need to move closer together – for the sake of self-determination.

CONCLUSION

To embrace the constructive dimension of the recent policy turn requires more 'give' from both the left and the right. Where the left is concerned, a greater emphasis is required not simply on the 'land base' of a local economy but also on the capacities of remote Aboriginal people. These capacities include English literacy, numeracy and the pursuit of further education where this is desired and feasible. For remote Aboriginal youth who will not enter trades, be technicians or professionals, their local futures will be affected by their kin who do seek these routes to employment. Without this capacity-building, communities will still lack the means to manage their own capital incomes. Is such a circumstance self-determination? For communities less fortunate, basic education and transportable qualifications for youth are even more important if the role of law and cultural rights is to be secured by economic participation.

Where the right is concerned, it is time to acknowledge that the initial measures of the 2007 Northern Territory Intervention are not the answer for remote Aboriginal communities. Reliance on policing as a central measure in communities and camps is always a failure and/or a reflection of past failure whatever the policy genre involved. Indeed, a focus in this area has managed to stifle searching debate on the range of Aboriginal structural disadvantage in Australia and appropriate responses to it at local as well as national levels. Some of these responses include education and labour market policy built from the ground up in communities. Other responses involve a greater readiness to subsidise Indigenous industry that provides regional employment; a willingness to contravene the ideology of small government as an intrinsic good. In the last half century, federal parties in power have found this much easier to do for non-Indigenous peoples than for Indigenous ones.

Self-determination inheres in economy as much as it inheres in identity politics, law and cultural rights. In his informative discussion of self-determination and assimilation, Rowse proposed that perhaps self-determination was in fact the ironic 'triumph' of an assimilation process.²¹ May we consider that the current policy turn towards economy's role in self-determination is the promising product (though not yet a triumph) of the identity politics and the rights secured in law that the previous 50 years have brought?

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1 John Reeves QC, *Building on Land Rights for the Next Generation* (ATSIC, 1998); Diane Austin-Broos, *A Different Inequality* (Allen & Unwin, 2011) 86-9.

2 See Karen Engle, *The Elusive Promise of Indigenous Development* (Duke University Press, 2010) 12.

3 The Howard Coalition Government sought to create this wedge when it proposed that policies of 'self-empowerment' should replace policies of 'self-determination'. Surely they are complementary in which case no such distinction is really needed.

4 Paul McHugh, *Aboriginal Societies and the Common Law* (Oxford University Press, 2004) 341.

5 Ibid.

6 Tim Rowse, 'Introduction' in Tim Rowse (ed), *Contesting Assimilation* (CUT and API, 2005) 19.

7 Tim Rowse, 'The Indigenous Sector' in Diane Austin-Broos and

- Gaynor Macdonald (eds) *Cultural, Economy and Governance* (Sydney University Press 2005) 207-33; Tim Rowse, *Indigenous Futures* (UNSW Press, 2002) 233; Tim Rowse, *Remote Possibilities*, (NARU, 1992) 82-3.
- 8 Noel Pearson, *Our Right to take Responsibility* (Noel Pearson and Associates, 2000) 44.
 - 9 William Sanders, 'The rise and rise of the CDEP scheme' (Discussion Paper No 54, CAEPR, 1993).
 - 10 Frances Morphy and William Sanders (eds), 'The Indigenous Welfare Economy' (Research Monograph No 20, CAEPR, 2001); Pearson, above n 7, 87-8.
 - 11 Boyd Hunter, 'A half-hearted defence of the CDEP scheme' (2009) 81 *Family Matters* 43-54; Bob Gregory, 'Asking the Right Questions?' in Boyd Hunter (ed), 'Assessing the evidence on Indigenous socioeconomic outcomes' (Research Monograph 26, CAEPR, 2006) 127-137; W Sanders, 'Adjusting Balances: reshaping the CDEP scheme after 20 good years' in Morphy and Sanders (eds), *The Indigenous Welfare Economy* (2001) 47-50.
 - 12 Pearson, above n 7, 28 (emphasis added).
 - 13 Austin-Broos, above n 1, 16-17.
 - 14 Rowse, above n 5, 236; John Taylor, 'The Social, Cultural and Economic Costs and Benefits of Land Rights' in Jon Altman, Frances Morphy and Tim Rowse (eds), *Land Rights at Risk?* (CAEPR, 2002) 105-106; Jon Altman and Tim Rowse, 'Indigenous Affairs' in Peter Saunders and James Walter (eds), *Ideas and Influence* (UNSW Press, 2005) 175-6.
 - 15 Pearson, above n 7; Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, Northern Territory Government, *Ampe Akelyernemane Meke Mekarle* (Report 2007); Peter Sutton, *The Politics of Suffering* (Melbourne University Press, 2009); Marcia Langton, 'The Shock of the New' in Jon Altman and Melinda Hinkson (eds), *Culture Crisis* (UNSW Press, 2010) 91-115; Marcia Langton, 'Anthropology, Politics and the Changing World of Aboriginal Australians' (2011) 21 *Anthropological Forum* 1-22; Austin-Broos, above n 1.
 - 16 Rowse, above n 5, 233.
 - 17 See Frank Trovato, 'Comparative Analysis of Aboriginal Mortality in Canada, the United States and New Zealand' (2001) 33 *Journal of Biosocial Science* 67-86; Diane Austin-Broos, 'Quarantining Violence' in Jon Altman and Melinda Hinkson (eds), *Culture Crisis* (UNSW Press 2010) 136-149.
 - 18 Cf. Jon Altman, *Hunter-gatherers Today* (IAS Press, 1987); Diane Austin-Broos, *Arrernte Present, Arrernte Past* (Chicago University Press, 2009).
 - 19 Jeremy Beckett, *Torres Strait Islanders: Custom and Colonialism* (Cambridge University Press, 1987).
 - 20 For a recent description of this model see Jon Altman, 'Contestations over Development' in Jon Altman and David Martin (eds), 'Power, Culture, Economy' (Research Monograph 30, CAEPR, 2009) 17-49.
 - 21 Rowse, above n 5.

Untitled

Natalie Puantulura

Ochre on linen
1800mm x 1200mm

