



EDMUND RICE INSTITUTE FOR SOCIAL JUSTICE,  
FREMANTLE

***Old themes, new conundrums: Indigenous Australian  
self-determination, 'human capital' and state intervention***

**David Freeman**

Director, *Edmund Rice Institute for Social Justice, Fremantle*

[www.erisj.org.au](http://www.erisj.org.au)

10 November 2007

Invited Speaker, *National Conference on Racism in a Global  
Context*

Murdoch University, Murdoch, Western Australia

Friday 9 November - Sunday 11 November 2007

<http://ncrgc.murdoch.edu.au/>

## ***Old themes, new conundrums: Indigenous Australian self-determination, 'human capital' and state intervention***

### **Paper Abstract:**

This paper is an attempt to think aloud about lines of delineation within the Australian community about indigenous Australia. It does so by exploring arguably the two leading public debates of the past decade regarding indigenous Australia. The first debate is the desirability of greater indigenous employment within the 'mainstream' Australian economy, and hence intensified policy efforts and outcomes in the field of indigenous 'human capital formation' (and greater employer-recognised credentialing of extant, informally gained, skills). Strikingly, virtually all - across ideological, race, gender and class lines – concur that this is A Good Thing. The second debate arises out of allegations during recent years of chronic dysfunction within numerous remote Aboriginal communities, culminating in Howard Government intervention in Northern Territory communities announced on 21 June 2007. It scarcely requires repetition that this has cleaved Australian opinion along multiple axes.

An attempt is made to identify explanatory factors that might enable actors unanimous about the former debate to vigorously differ about the latter. While each is a new debate, both evoke multiple motifs of the 200 years following European arrival, including eradication, paternalism, assimilation and self-determination.

## Paper

Let me begin by acknowledging the traditional owners of the land we are on, the Nyoongar people, and express my sorrow at the price they have paid for our presence – as they continue to. What to say but to reiterate what is doubtless a shared longing here: that the day might come that aboriginal and non-aboriginal people so write a new story together that the burden of vast hurt and grief has an even-money chance of substantial healing.

It's probably not going to be a tough sell at a racism conference to put the proposition that racism exists in Australia. My paper is an attempt to ask: ***if you wash the racism out of debates about indigenous Australia, what is left when people disagree?*** Is there anything left? If there, what is it, and what's at stake conceptually?

Why ask this - and doesn't such a question seem flamboyantly useless for anything that matters? Let me initially address this within a more general category of phenomena – the role of thinking - and then get a whole lot more specific. I believe in all the regular forms of political action for social justice but, in addition, regard good thinking, creativity and imagination as among the most potent political tools. Thinking is a tool of action in itself, and a tool that can then generate new forms of action long after. Thinking has a bad rep, because assumed to be an élite activity. This bad rep can be accentuated inside social justice circles, given an understandable leeriness toward élites as anti-democratic and toward apparent diversions from action. My stance is simple: thinking can relatively easily become a participatory, not an élite, sport. Like riding a bike, it's about practice, not innate genius. This practice will only happen if one first establishes that riding a bike is a good thing to do. How else can or will we possibly put into practice the sort of things that Pat Dodson commended this morning about the necessity of re-imagining new forms of conversation? To deny that thinking will be integral to meeting Pat's challenge is actually incredibly élitist, because surely assuming that most are incapable of this.

As well as being interested in what, if anything, is left if you wash racism out of debates about indigenous Australia, I'm particularly interested in debates **between** indigenous Australians. Focusing on this rarely happens in anti-racism circles. There is justifiable anxiety about not giving racist elements a stick to hit the cause with, and not giving the powerful yet another divide-and-conquer tool, and not providing an easy beat-up to a media that feeds off conflict as innately newsworthy. But I'm interested in these debates; I'll just mention two reasons here. First, actually listening to, and thinking about, the utterances of the country's finest indigenous minds is an appropriate stance for a non-indigenous person. Second, debates between indigenous folks provide a good test case for my question, *if you wash the racism out of debates about indigenous Australia, what's left?* It provides a good test case because it's a fair bet that there is no racism at all in their respective positions.

I promised earlier that I'd move from general propositions to specific cases. I'd like to proceed via two case studies, arguably the two most substantial debates about indigenous Australia of the past decade. The first comprises arguments **for human capital formation** – greater indigenous formal education attainment, greater skill formation and greater formal accreditation of indigenous skills. All of this would, advocates suggest, dovetail into greater indigenous employment in the mainstream economy. This case study finds virtual consensus across indigenous and non-indigenous individuals and organisations. An entire mix of public policy across indigenous education, welfare, training and youth portfolios has ensued. The second case study, the Howard Government's Northern Territory (NT) Intervention of this year, sees numerous gulfs. So, my question is, how to account for the fact that widespread consensus occurred in one of the two leading indigenous issues of the decade, and absolute cleavage along numerous axes occurred during the other, the Howard-Brough NT Intervention?

My core argument is that autonomy is the key idea here. Different assumptions about autonomy can co-exist within the consensus in favour of human capital formation, but do not easily co-exist in the NT Intervention. If discussing autonomy here all sounds like waffle because seemingly

disconnected from daily life, I would say it is practically important, for two reasons. First, autonomy is a motherhood statement – hardly anyone disagrees with it in principle. But one’s underlying assumptions about it will greatly affect the order, the ranking, and the relative weight, of the policy priorities one advocates – and thus which things need to come first. It is said, for example, that Pat Dodson and Noel Pearson agree on ends but disagree on means. But seen on a larger canvas, I think they have largely similar means: non-violent action, media pressure, consensus-building, the need for far greater public and private sector investment in these communities and ensuing opportunities. But they do perhaps differ on the requisite order and sequence of events most likely to do this. Perhaps it is that their differences on the Intervention also suggest some differences on the degree of autonomy that local communities should have, and hence what Dodson and Pearson mean in practice when they each commend bottom-up local community ‘empowerment’.

I return to this later. For now, let me explore a little about the idea of autonomy. A ***national conference on racism in a global context*** suggests themes that are national rather than merely local, yet which open into, international developments. The single most influential idea in world affairs post-WWII – now 62 years – has probably been decolonisation. At a minimum, decolonisation is right up there with globalisation, nuclear armaments, feminism, environmentalism and hyper-technology as the most consequential things to have occurred over that period.

Decolonisation has two obvious meanings. The first is national independence, former colonies becoming sovereign states. Second, Indigenous peoples have campaigned hard for internal decolonisation within their countries – formally in rights and special, semi-autonomous zones but, also, psychologically and culturally. Several related terms are often used interchangeably or as synonyms to describe both struggles: independence, self-rule, autonomy or regional autonomy, self-determination, and freedom. As mentioned earlier, if you wash out all the heartlessness and meanness in Australia about indigenous matters – what is left? Is there anything

substantive that people are disagreeing about? My argument, as I have flagged, is that you get some traction into this question by dealing with the many things that people can mean when they deploy the term 'autonomy' in support of their case. Some mean collective autonomy first and foremost, and others mean individual autonomy first and foremost. To generalise, when these two are in tension within individualistic societies, the latter tends to hold sway.

However loonily unrelated this may sound while contemplating the NT Intervention and human capital - hopefully it won't in a few minutes - the ancient Greeks may offer us a way through. Such scholars of ancient Athenian democracy as Fotopoulos (1997), Castoriadis (1991) and Hansen (1991) regard Athenian integration of both forms – collective and individual, into the one indivisible autonomy - as a distinctive attainment of that society that remains instructive. In this view, contemporary, neoliberal versions of autonomy – essentially the right of individuals not to be interfered with by their government, nor overtaxed – collapses as too thin, too feeble, to sustain notions of society based upon the common good. Fotopoulos (1997) argues that one of the legacies of Athenian democracy (594 – 427 BC) is that ancient Athenians would regard our contemporary, atomised 'autonomy' as unrecognisable. For the ancients, autonomy is an indivisible **synthesis** of collective and individual self-determination. This insight is actually fairly consequential, and provides something of a can-opener into the two case studies in question here. For purposes of this discussion, I will put to one side just how deeply early Athens was saturated by anti-democratic contradictions – the economy was based upon slaves, only land-owning free men could vote, and so on.

You can see how individual and collective autonomy could easily become split at even a semantic level, let alone in practice. Autonomy's root words are *auto* plus *nomos*, which is Greek for *self* plus *law* or *rule*. Self-rule can pertain to individuals, communities of larger or smaller size, and entire polities. Allow me to take this autonomy thing and transplant it to now re-engage with the aforementioned debates about human capital and the NT Intervention.

From 1987, the ***National Training Reform Agenda*** was proposed by trade unions and then taken up widely as a way to simultaneously save Australian business, worker employment and Australian wage levels, the current account and balance of trade, and promote social justice. The trigger and agent provocateur was understood the burgeoning economies of the South-east Asian 'Tigers', with China clearly coming up behind them. Their especial threat was the unusual combination of improving and increasing manufacturing capacity while retaining low wages. Australian trade unions concluded that this challenge could be seen off in only one way: high-skilled niche manufacturing that produced value-added manufactures for the (quality-demanding) top end of the world economy. The exemplar was to be Sweden: eight million people on a slab of rock, with few natural resources beyond forestry and fishing, yet one of the world's most affluent – and relatively equitable – societies. The necessary upskilling agenda for Australia could be formulated, they urged, as to combine the requisites of national prosperity, worker job security yet not slashing wages to those of regional competitors, **and** bringing equity groups into employment by providing greater skill formation and accreditation for extant informal but real skills.

For this latter aspiration, Indigenous training and employment was identified, with workplace discrimination against women's merit-based advancement, as the most severe sites of inequity and hence warranting extensive focus. Indigenous and non-indigenous Australians, and the political Left, Right and Centre, were able to concur over the Human Capital/skills agenda. Each of these perspectives, for all their differences, can sign up to the propositions that skill development and ensuing employment are virtues in their own right, plus part of a virtuous circle that connects individual to society and over time can generate in the psychological states of self-efficacy and self-actualisation. A divergent critique of state welfare from the Left and Right can converge around the proposition: spend more now on skill formation = pay less later on welfare. (The appropriate cost-sharing split between individuals, business and Government would later render this convergence temporary, but that is another story.)

Consequently, all manner of Indigenous Consultative Committees were set up and did incredibly good work on how to make training-friendly resources for aboriginal folks, with a heavy emphasis on the language, content and visuals likely to ensure take up by Aboriginal youth in particular (cf. Aboriginal and Torres Strait Islander Peoples' Training Advisory Council 1998a, b, 1999; Australian Indigenous Training Advisory Council 2001).

What happens in human capital debates is that pro-business, pro-government and pro-equity people end up saying something similar. Here individual and collective autonomy seen to all serve each other. *More skilled people is great for the economy, and great for people without jobs or who are capable of more skilled jobs than they currently hold.* Opportunities for 'equity groups', business profitability and national prosperity are apparently simultaneously serviced.

I'm not aware of any Indigenous leader who has opposed Human Capital Formation. The sole critique I know of is insufficiency of funding by government and business. Most residents of Australia present here today would accept the proposition, I imagine, that University of Technology, Sydney Law Professor Larissa Behrendt is a strong activist and policy voice for indigenous folks, and critic of the Howard Government. Let me quote from her *Eddie Mabo Oration* of 15 June 2007, six days before the Howard NT Intervention was announced. Her Oration traverses plenty of ground but I'll focus upon her strong endorsement of indigenous human capital formation as one of the key requirements into the future.

Behrendt regards Aboriginal violence in remote communities as caused by Government "neglect of basic services and infrastructure", with the Howard Government *grandstanding* "...about what everyone else should do. *Underspending on essential matters – and it is hard to think of anything more essential than basic health services – lack of investment in infrastructure and **human capital** are far from conducive to breaking cycles of desperate poverty. In fact, it is a breeding ground for it. And against this back drop, ad*

*hoc measures like shared responsibility agreements and home ownership schemes are not going to solve institutionalised and systemic failings.”* So for Larissa Behrendt, human capital formation is part of the standard solution.

Behrendt continues:

“Overcoming Indigenous disadvantage means governments at all levels have to take responsibility for the provision of three things as a matter of right:

- \* adequate standards of essential services;
- \* adequate provision of infrastructure; and
- \* **investment in human capital (my emphasis)**

She continues: This is a simple formula and it has been shown in numerous reports into issues such as the high levels of sexual assault within Indigenous communities that dysfunction in Indigenous communities is the result of decades of neglect where underfunding on essential services and infrastructure, **and no investment in human capital, compound to create dysfunction in some communities as the social fabric unravels (my emphasis).**”

We can see in this brief overview that human capital formation has become a bridge across traditional chasms. Here a leading, relatively firebrand, indigenous academic otherwise excoriates Government – yet valorises the human capital agenda.

**By contrast, let me turn to the NT Intervention:**

I will take it as read and a given, that every significant actor in that debate firmly opposes paedophilia involving any race. Those who oppose the Intervention have obviously felt back-footed by the de facto insinuation that to oppose the Intervention is to effectively betray children.







Second, I’ll treat it as a given, rather than revisit it extensively, that there are numerous appalling dimensions of both the Intervention itself and its manner. These failures have been well canvassed by indigenous and non-indigenous commentators. I’ll reel off several such flaws and quickly move on: non-

consultation, suspension of the *Racial Discrimination Act*, acquisition of lands and businesses for a minimum of five years, thereby suspension of communal title, a hastily-conceived, poorly written and thoroughly tortuous 52,000 word *Northern Territory National Emergency Response Act 2007* and so on.

The Howard Government combination of announcing the Intervention as fait d'accompli, rolling out the Army, a wartime discourse of and suspension of normal practice and collective smearing and shaming of Aboriginal parents inevitably poses questions about how Aboriginal dignity is to emerge at the other end. Jeff McMullen (2007) relates the story of Patrick Dodson leaning across the panel desk as McMullen's ABC TV show '*Difference of Opinion*' concluded and saying "in a quiet, measured tone to Mal Brough: 'Minister, it is not fundamentally about policy; it is about how you value Aboriginal people as human beings'".

Another factor is context and credibility. Are earlier Howard Government failures in all things Indigenous pertinent to how we ought view this? Or ought we analyse them discretely, give John Howard the benefit of the doubt given, his personal history story recently that he might have done some things better? – or ought we see this as an election campaign in which he has needed to pull furry little animals with big ears out of hats. The problem is that – to borrow from Cockney slang - Howard has form. Jeff McMullen's (2007) 25 June speech this year puts it thus:

*"To understand the architecture of John Howard's policy you need to know the architects. You also need to recognize that several important steps have been taken over the past decade to arrive at this emerging blueprint for a new Aboriginal Destiny:*

-  *The Federal Government's refusal to say Sorry ended Reconciliation;*
-  *The Government's 10-point Plan undermined Native Title;*
-  *This was followed by denial of the Indigenous Right to Self-Determination;*
-  *The Abolition of ATSIC;*
-  *The assault on Indigenous Self-Management and Autonomy;*
-  *The isolation of Indigenous leaders who do not support Assimilation;*

- ✚ *The cultivation of a New Conservative, Pragmatism*
- ✚ *And finally, a plan to change communal ownership of Aboriginal Lands.”*

So the question is probably not how can John Howard support this, but how does Noel Pearson, and some other indigenous folks? My hunch is that it is because of two differing propositions about autonomy:

- ✚ The first is that the NT Intervention kills self-determination; it puts a nail in the coffin of the three-decade project of some Government support for Indigenous self-determination. This plus, the death of ATSIC and indifference to many elements of reconciliation, returns us full-circle to paternalism, and doing things ‘for their own good’. In contrast with human capital formation, this has disastrous legal, psychological and cultural consequences for self-determination. For Dodson and Behrendt for example, all major aboriginal conundrums – including child-safety – need structural solutions because they emerge out of structural problems. Moreover, the Intervention proposes apples solutions for oranges problems. Pat’s abstract today makes the point that “Compulsory acquisition of Indigenous settlements will not keep a single child safe. Not one” (Dodson 2007).
- ✚ The second proposition mobilises a different assumption about autonomy. Far from killing self-determination, the Intervention will ultimately assist it. In this reading, the Intervention first draws a line in the sand for the sake of abused children - and women – and will then gradually normalise and stabilise daily life. The latter will not create but now no longer undermine springboards and ladders of opportunity. These will be utilised by kids with new cultural norms gradually established around education. Perhaps the most brazen Newspaper editorial in support of the Intervention – certainly the most surprising version of this argument - came from *The Australian* on 19 June (p. 15), entitled ‘Save yourselves: Indigenous Australians must embrace self-determination’.

What are the deeper explanatory factors behind these differences between indigenous folks? My best guess would start with these two:

1. Various key underpinnings of Noel Pearson's reasoning lie in two books of Amartya Sen, *Development as Freedom* (1999) and *Inequality Re-examined* (1992). I'm told by Tom Calma and others that Noel has acknowledged Sen's influence on several occasions. Sen is an Indian, Nobel Prize for Economics winner. I refer here particularly to Sen's arguments about capabilities and poverty. Sen argues that rising incomes are only one dimension of poverty removal; the other half is capabilities to lead the kind of life one values. Building such capabilities is simultaneously the work of freedom, of development and of poverty busting. As you would expect, Sen's case is irreducible here to a couple of throwaway lines. But I imagine that you can see already from what I've said that it lends itself to Pearson's sensibility that a stable childhood, with cultural norms and practises for incremental individual attainment from childhood, might sometimes trump land rights, at least in the short term.
2. Believe it or not, my earlier discussion of the ancient Greeks may apply! I mentioned before a split between emphasising autonomy as primarily an act of individuals or of groups. If Dodson and Pearson were compelled to reduce their respective positions on the NT Intervention to an essence on this matter, I'm guessing that Pat's position (I stand corrected, Pat!) - might be that collective autonomy (in this case of Aboriginal people) generates the conditions of personal autonomy. For Noel Pearson – again, I stand corrected - it might be the converse: that personal autonomy - via the capabilities Sen underscores – can go on to eventually create the conditions for collective Aboriginal autonomy. Needless to say, both Dodson and Pearson would insist that it's a false divide, because all people need both. But I'm guessing that they each believe that if push comes to shove, and forced to choose one before the other, that they would make different choices.

I'd like to conclude with an observation about the *NT Act's* attempt to end communal ownership of remote community lands and business. I think the assumption here is that parental neglect seen in paedophilia or poor educational attainment of children is all part of a similar mindset that also sees low levels of private home and land ownership. If you own your own home and land, you'll take care of it, so it's almost about training in parenting. Removing communal ownership will inculcate a greater sense of personal responsibility. Private ownership now becomes character forming. It's appropriate to say at a Racism Conference that this is incredibly racist: Implanting people with traditional communal-ownership societies now effectively have lower moral fibre. The conservative leap here is that because state socialism had all sorts of problems and the state owned all housing, this proves that the communalism of traditional hunting and gathering societies was also flawed. Homo economicus is a term sometimes used to designate humanity according to orthodox capitalist economics: individualistic, economically rational in calculating one's best interests, and then self-maximising. Effectively, there is an assertion by the Federal Government that homo sapiens' – with its highly variegated economic forms - true nature is homo economicus. Moreover and as I say, there is an implicit claim that private property is character forming.

I will close now with a sense of gratitude to all those persons here who have been damaged by racism, whether currently or previously. It is striking to me that - as a person born into the majority and 'invader' race – I have had access to your companionship and even friendship, let alone am invited to speak at this Conference. That is typical of the graciousness – and tacit forgiveness - with which Caucasians in such countries are so often treated by their indigenous brothers and sisters. It saddens me that my mob so seldom grasps this as remarkable – even miraculous - gift. Thank you.

## Bibliography

Aboriginal and Torres Strait Islander Peoples' Training Advisory Council (1998a) *TrainAbout*, Quarterly National Newsletter of ATSIPTAC, 2, May, Somerton (Victoria): Kangan Institute of TAFE

Aboriginal and Torres Strait Islander Peoples' Training Advisory Council (1998b) *TrainAbout*, Quarterly National Newsletter of ATSIPTAC, 3, December, Somerton (Victoria): Kangan Institute of TAFE

Aboriginal and Torres Strait Islander Peoples' Training Advisory Council (1999) *Partners in a Learning Culture: Aboriginal and Torres Strait Islander Strategy for Vocational Education and Training* (Draft). Somerton (Victoria): Kangan Institute of TAFE

Australian Indigenous Training Advisory Council (2001) *WADU Resource - Vocational Learning for Indigenous Australians*. (CD-Rom), Joint Project of the Enterprise and Career Education Foundation Limited and Australian Indigenous Training Advisory Council (Australian National Training Authority). Developed and produced Melbourne: Curriculum Corporation

Behrendt, Larissa (2007) '*Finding the Promise of Mabo: Law and Social Justice for the First Australians*', Eddie Mabo Oration 2007, Queensland Performing Arts Centre, Brisbane, 15 June ([www.adcq.qld.gov.au/ATSI/FindingthePromise.html](http://www.adcq.qld.gov.au/ATSI/FindingthePromise.html))

Bouchet, Dominique (2007) 'The ambiguity of the modern conception of autonomy and the paradox of culture', *Thesis Eleven*, 88, February: 31-54

Dodson, Pat (2007) 'WHAT NOW? Moving beyond shame, guilt and the right to rule', *Conference Program and Abstracts: Paper to the National Conference on Racism in a Global Context*, 10 November, Murdoch University, Murdoch, Western Australia

Eckersley, Richard, Dixon, Jane and Douglas, Bob (2001) (eds.) *The Social Origins of Health and Wellbeing*. Cambridge: Cambridge University Press

Freeman, David (2005) 'Transitional status as promise: the implicit social inclusion claim of recent developments in post-compulsory education and training', *Transitions and Risk: New Directions in Social Policy - International Social Policy Conference*, Centre for Public Policy, (University of Melbourne), Melbourne Park Function Centre, Melbourne, 25 February.

Freeman, David (2003) 'Paradoxes of inclusion and exclusion: the case of knowledge societies', *Social Inequality Today Conference*, Centre for Research on Social Inclusion, Division of Society, Culture, Media and Philosophy, Macquarie University, 12 November.

Fotopoulos, Takis (1997) *Towards An Inclusive Democracy: The Crisis of the*

*Growth Economy and the Need For a New Liberatory Project*. London: Cassell

Castoriadis, Cornelius (1991) *Philosophy, Politics, Autonomy: Essays in Political Philosophy* (Edited: David Ames Curtis, New York: Oxford University Press (Odeon))

Hansen, Mogens Herman (1991) *The Athenian Democracy in the Age of Demosthenes*. Oxford: Blackwell

McMullen, Jeff (2007) '*The Children of the Sunrise*', Address to Australian Catholic University, Sydney campus, 25 June.

Parliament of the Commonwealth of Australia (2007) *Northern Territory National Emergency Response Act 2007 (Commonwealth)*, Canberra

Pearson, Noel (2000a) 'Aboriginal disadvantage', in Michelle Grattan (ed.), *Essays on Australian Reconciliation*. Melbourne: Black Ink (Bookman Press): 165-175

Pearson, Noel (2000b) 'From Campbelltown to Cape York: rebuilding community', Address to the Brisbane Institute, 26 July, 2000, *The Fabian Newsletter*, Newsletter of the Australian Fabian Society, 40, 4, October-December: 8

Pearson, Noel (2000c) *Our Right to Take Responsibility*. Cairns: Noel Pearson and Associates

Sen, Amartya (1992) *Inequality Reexamined*. Cambridge (Mass.): Harvard University Press, 1995

Sen, Amartya (1999) *Development as Freedom*. New York: Anchor Books/Random House

Sen, Amartya (2001) 'All players on a global stage', *Alfred Deakin Lecture*, Melbourne, 15 May ([www.theaustralian.com.au/common/story](http://www.theaustralian.com.au/common/story))