

Ideology, Evidence and Competing Principles in Australian Indigenous Affairs: From Brough to Rudd via Pearson and the NTER

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This paper tracks the recent rise of an 'ideology vs evidence' discourse as a way of describing good and bad Indigenous affairs policy. It suggests that a more useful way of thinking about Indigenous affairs is the analytic of three competing principles: equality, choice and guardianship. The paper suggests that dominant debates in Indigenous affairs balance these principles and move between them over time. Using a fourfold categorisation of ideological tendencies, it also suggests that different tendencies of thought about settler society and its relations with Indigenous societies occupy different positions in relation to the three competing principles. Finally, using the work of the Northern Territory Emergency Response Review Board as an example, the paper examines the role of evidence in Indigenous affairs. Evidence, it argues, always needs to be contextualised: it is always a part of arguments or debates and needs to be understood in relation to the much larger issue of balancing competing principles.

Keywords: Competing Principles, Indigenous Policy, Ideology and evidence

The terms ideology and evidence have recently come to the fore in Australian Indigenous affairs. Ideology is generally disparaged as something to be avoided and driven out of policy debates, while evidence is generally lauded as the basis of good policy making. This ideology and evidence construction of good and bad Indigenous affairs policy began to be prominent during the period when Mal Brough was the Howard Coalition Commonwealth government's fourth Minister for Indigenous affairs, from January 2006 to November 2007. However it has also taken root on the Labor side of politics and been even more prominent under the Rudd Commonwealth government elected in November 2007. As the Rudd Labor government has begun putting its own stamp on Indigenous affairs, ideology and evidence have continued to be prominent terms of opprobrium and praise respectively.

The aim of this paper is to suggest a slightly more complex analytic way of thinking about Indigenous affairs. It briefly documents the recent rise to prominence of the terms ideology and evidence. It then takes a step back from these recent events and identifies three competing principles which inform Australian Indigenous affairs policy in very different ways: equality, choice and guardianship. The third section of the paper suggests that at particular times in history the dominant debates in Australian Indigenous affairs have tended to emphasise one or two of these principles; but that all three are persistent ideas in Indigenous affairs policy debate. Reintroducing the term ideology to the analysis, and developing some of Noel Pearson's writings, the fourth section of the paper argues that there have indeed been swings in Australian Indigenous affairs over the years between Right and Left ideological tendencies, as is often claimed in the ideology and evidence construction. However, using a fourfold rather than a twofold categorisation of ideological tendencies, the paper suggests that each sits closest to a particular principle and that Indigenous affairs always involves some genuinely difficult balancing of all three competing principles.

The fifth section of the paper turns to the role of evidence. By examining the work of the Northern Territory Emergency Response (NTER) Review Board, it suggests how evidence in policy processes is always embedded in contexts and debates which inevitably lead back to the three competing principles. The concluding remarks of the paper return to the writings of Noel Pearson and note that his search for a radical centre in Australian Indigenous affairs does not focus on evidence, but rather looks to dialectical tension between, and synthesis of, pairs of opposing principles. Although this is a somewhat different analytic schema to my own, Pearson and I seem to be agreeing that competing or opposing principles are at the heart of Indigenous affairs and that balancing or synthesising them requires conceptual argument and debate as much as evidence.

Ideology and Evidence Discourse Since 2006

Although Minister Brough was a willing user of the growing ideology and evidence discourse in Indigenous affairs during his twenty months in the Families, Community Services and Indigenous Affairs portfolio, it was his Labor Opposition shadow ministerial counterpart in 2006, Senator Chris Evans, who

seemed to contribute more directly to establishing the prominence of these two terms. On 10 March, Evans delivered a speech entitled 'The End of Ideology in Australian Indigenous Affairs', in which he argued that in the past 'both major political parties' had 'pursued their ideological convictions in Indigenous policy to the detriment of Indigenous Australians' (Evans 2006: 1-2). Predictably, Evans condemned the Howard government's administrative re-arrangement of Indigenous affairs in 2005 as 'just the latest ideological experiment' which was 'doomed to fail'. But perhaps more surprisingly, Evans also condemned his own party when he argued that:

Labor's ideological commitment to the rights agenda, self-determination and reconciliation was not matched by a successful attack on the fundamental causes of Indigenous disadvantage. We put too much faith in the capacity of the rights agenda to contribute to overcoming Indigenous disadvantage (Evans 2006: 3).

In the future, Evans argued, Labor would 'look beyond our ideology and look to the evidence'. The 'guiding principle' would be 'the evidence of what works and what does not.... what is successful in overcoming Indigenous disadvantage' (Evans 2006: 7-8). More specifically Evans argued that Labor 'must engage more and adopt a less ideological stance in the welfare debate'. He pointed to Noel Pearson's 'contributions on economic development, welfare dependency and individual responsibility' as having 'fundamentally shifted the Indigenous debate' and as confronting 'real and raw issues that challenge us all' (Evans 2006:8).

A month and half later on 29 April 2006 in his first major ministerial speech, Brough joined this debate about the effects of welfare income on Aboriginal families, citing his own 'experience' in recently 'visiting Aboriginal communities', as well as that of Noel Pearson and the Chair of the National Indigenous Council, Sue Gordon (Brough 2006: 2). Brough argued not only that the 'misuse of this discretionary income' was 'destroying families' in Aboriginal communities, but also that voluntary Family Income Management initiatives, supported by his department, were showing the way forward:

we have the evidence that proves that reducing discretionary income and ensuring payments are directed to their intended purpose makes a real and positive impact on those we are seeking to assist. The question, therefore, is how do we achieve this more widely (Brough 2006: 2-3)

While Brough indicated that he, personally, was ready to 'take the tough decisions and move to a system that requires certain welfare recipients to have part of their payments directed specifically to the benefit of their children', he also noted that his 'thoughts' that day were his 'own' and 'not Government policy' (Brough 2006: 3).

Two and half weeks later, on 15 May 2006, Indigenous affairs erupted into national attention through the revelations, on the ABC's *Lateline* program, of a central Australian crown prosecutor, Nannette Rogers, of some horrific Aboriginal child sexual abuse cases in which she had been involved. In the debates which followed, the word ideology was again brought to the fore as a term of opprobrium, though sometimes paired with some other words than evidence as its laudatory opposite. For example in a matter of public importance debate in the House of Representatives on 30 May 2006, the member for the Northern Territory seat of Lingiari, Warren Snowdon, accused the Howard government of having 'pursued its agenda to reshape the Indigenous affairs policy landscape in its own image, with a single-minded ideological commitment' (Commonwealth Parliamentary Debates (CPD), House of Representatives (HR), 30 May 2006: 29). In reply, Minister Brough accused the member for Lingiari of 'revisiting an ideological approach that has failed' (CPD, HR, 30 May 2006: 32). Brough expressed his willingness to 'put the ideologies behind us' on the understanding that 'the two fundamentals' which needed to be dealt with were 'law and order and faith in our criminal justice system' (CPD, HR, 30 May 2006: 36).

As it turned out, these were just the opening exchanges in a war of words in Australian Indigenous affairs which would continue for the next two years and beyond. Further allegations of child abuse were aired on *Lateline* in June 2006, relating to the Aboriginal community of Mutitjulu adjacent to Uluru. This led to the Northern Territory government establishing a Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse in all communities across the Northern Territory. When the report of that Board of Inquiry was published almost a year later, it became the basis on which the Howard Commonwealth government launched the Northern Territory Emergency Response (NTER) from late June 2007 (Brough 2007).¹

One of the other prominent contributors in this war of words in Indigenous affairs has been Noel Pearson. In December 2006, in an article in *The Australian* newspaper, Pearson complimented Evans for 'rethinking the fundamental principles and the philosophy' of Labor's Indigenous affairs policies. However, he also asked why, despite 'goodwill across the political spectrum' and 'across the community, from the cities and the regions', this had 'not translated into reform' (Pearson 2006)? In April 2007, in the lead up to the fortieth anniversary of the 1967 constitutional alteration referendum, Pearson seemed to answer his own question in another article in *The Weekend Australian* by arguing that in Indigenous affairs 'Australia is still divided into two ideological tribes'. As he put it:

¹ For a collection of essays reacting almost immediately to the announcement of the NTER, see Altman and Hinkson eds 2007.

One tribe comprising most indigenous leaders and possibly most indigenous people (but by no means an overwhelming majority) and their progressive supporters holds the view that the absence or insufficient realization of rights is the core of the indigenous predicament in our country.

The other tribe comprises most non-progressive, non-indigenous Australians and their conservative political leaders (including substantial numbers in the Labor Party) who hold the view that it is the absence of responsibilities that lies at the core of our people's malaise (Pearson 2007a).

Pearson saw these two ideological tribes as 'insistent and deafly opposed camps', which helped explain why 'Indigenous policy is still at such a juvenile stage' in Australia (Pearson 2007a). He saw the rights-oriented progressives, or Left, as having generally dominated debate in Australian Indigenous affairs since the 1967 referendum and the more responsibility-oriented Right as having risen to prominence in more recent times (see also Pearson 2007b). Pearson described his own position as an attempt to enunciate a more sophisticated 'radical centre' in Australian Indigenous affairs which advocates 'a synthesis of the rights and responsibilities paradigms' (Pearson 2007a).

I will return to Pearson's ideas later, not just in his newspaper articles but also as enunciated in a longer article published in the *Griffith Review* in mid 2007 (Pearson 2007c). But first, I give a few more examples of the way in which politicians and others have not only disparaged ideology, but also lauded evidence in recent Australian Indigenous affairs debates.

The first is Mal Brough on the occasion of losing his House of Representatives seat of Longman at the November 2007 Commonwealth election. In conceding defeat, not only in his seat, but also to the Rudd Labor government, Brough said:

The work we have commenced in the Northern Territory—I just hope and pray it continues.

I took the chance during this campaign to go back to places like Hermannsburg and Mutitjulu, and I saw in the eyes of the women out there their desperate need for this to continue.

So I have a plea to Mr Rudd: I know you don't agree with much of what I've done, but not for me, not for some ideology, but for the children of the next generation, please give them a chance, give this a chance to work (*The Australian*, 26 November 2007)

The second is the incoming Commonwealth Minister for Families, Housing, Community Service and Indigenous Affairs, Labor's Jenny Macklin, a week later. She was reported in *The Weekend Australian* as saying in an interview that:

she was not interested in ideology, only outcomes, and that she has ordered her department to collect hard data on the progress of the intervention to provide information for a 12-month review (Karvelas and Kearney 2007).

The article also reported Macklin as 'refusing to attack the Howard government's approach to indigenous affairs' and as indicating that 'radical policies' might be applied elsewhere 'provided they had been shown to work'.

In January 2008, after a meeting with the taskforce directing the NTER, Macklin was quoted as saying:

I emphasized to the taskforce that my whole approach in indigenous affairs will be based on evidence. I'm not interested in ideology. What I'm interested in is what works (*The Age*, 17 January 2008, See also Macklin 2008a).

Six months later, when appointing a Board to conduct a review of the NTER after one year, Macklin directed them to:

1. examine evidence and assess the overall progress of the NTER in the safety and wellbeing of children and laying the basis for a sustainable and better future for residents of remote communities in the Northern Territory (NT);
2. consider what is and isn't working and whether the current suite of NTER measures will deliver the intended results, whether any unintended consequences have emerged and whether other measures should be developed; and
3. in relation to each NTER measure, make an assessment of its effect to date, and recommend any required changes to improve each measure and monitor performance (Macklin 2008b).

Clearly the idea of evidence driving policy was to the fore in these terms of reference and this was reinforced in another media statement two weeks later in which Macklin related the appointment of this 'independent Review' to the Rudd Government's 'commitment to an evidenced-based approach to Indigenous policy' (Macklin 2008c).

At the beginning of October 2008, when the NTER Review Board report was about to be submitted to the government, it was Prime Minister Rudd who reiterated the commitment to evidenced-based policy in Indigenous affairs and the condemnation of ideology:

You take it step by step, look at the evidence, what's working what's not and act accordingly.

We provided bipartisan support for this intervention in the first place. We said that against the objectives which have been set that we wanted to see the evidence in the first 12 months.

Let's look for the evidence, see what's working, see what's half working, see what's not working and act accordingly. That's our approach and none of it is ideological (quoted in Karvelas 2008).

The three members of the NTER Review Board also highlighted the issue of evidence early in their report. Under the heading 'Lack of evidentiary material', they argued that 'little or no baseline data existed against which to specifically evaluate the impacts of the NTER' and that this was 'a major problem' for them. They recommended that a 'single integrated information system' be established by government to enable 'regular measurement of outcomes of all government agency programs and services that target Aboriginal communities in the Northern Territory' (Yu et al. 2008: 16). However, in line with their terms of reference, the Review Board did still proceed to make an 'assessment' of the seven 'key elements' of the NTER with the information that was available (Yu et al. 2008: *passim*).

I will return to the report of the NTER Review Board and reactions to it in the later section of this paper focusing specifically on evidence. For now, however, I wish to step back from current events and turn instead to the idea of competing principles in Australian Indigenous affairs.

Competing Principles: Equality, Choice and Guardianship

The simple dichotomising of ideology as bad and evidence as good in Australian Indigenous affairs is, to me, somewhat inadequate as an analytic schema. My suggestion for a slightly more complex schema to make sense of Indigenous affairs begins with the idea of three competing principles. It then moves on to how dominant debates, persistent ideas and ideological tendencies relate to these principles over time, before turning to the issue of evidence.

The dominant principle which sits at the top and centre of Australian Indigenous affairs is equality—the idea that in some important way Indigenous Australians ought to be equal to settler Australians. As soon as the equality principle is stated, however, questions arise about the way, or ways, in which it is important for Indigenous and other Australians to be equal, and about how to manage any tension between different ways of being equal. Writing a decade ago, Scott Bennett identified five possible 'measures' of equality, or inequality, that were worthy of attention in Australian Indigenous affairs: legal equality, political equality, economic equality, equality of opportunity and equal satisfaction of basic needs (Bennett 1999: 2). My analytic schema makes do with just three types of equality: legal equality, socio-economic equality and equality of opportunity.²

Many debates in Australian Indigenous affairs are about whether legal equality or socio-economic equality between Indigenous and settler Australians is more important and should therefore be the focus of policy attention. Both positions

² In footnote 3, I suggest that political equality may be another dimension not well captured in this analytic schema.

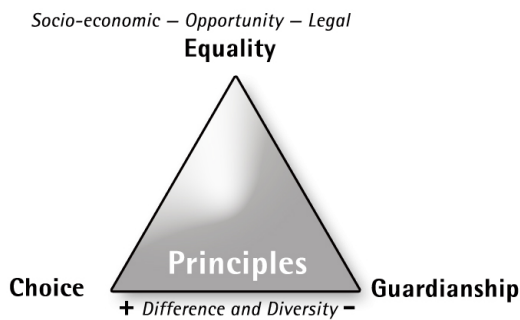
have attractions, but both also have problems. Legal equality seems simple and fair, but can also be seen as inadequate recognition of the distinctive historical and cultural origins of Indigenous people and of their contemporary disadvantaged socio-economic circumstances. The push towards socio-economic equality, on the other hand, seems to address disadvantage but can also look like a somewhat insensitive attempt to eradicate social, historical and cultural distinctiveness along with socio-economic disadvantage. Often the way to resolve these problems, philosophically, is to move to an idea of equality of opportunity. But this too has problems: how can we know when equality of opportunity exists? Nevertheless, it is this idea of equality of opportunity that I put absolutely at the top and centre of my analytic schema of Indigenous affairs, with the ideas of legal equality and socio-economic equality slightly off to the left and right respectively (see Figure 1).

The alternative to equality is difference and diversity. In Indigenous affairs, as in other fields of social analysis, difference and diversity can be seen both positively and negatively. If seen positively, as an indicator of informed Indigenous agency at either the group or individual level, difference and diversity can become identified with a second desirable principle—the liberal principle of choice and freedom. This principle can justify some degree of inequality between Indigenous and settler Australians, whether socio-economic or legal, as long as the difference and diversity is seen as the result of responsible, informed Indigenous choice or appropriate treatment by the nation state of people with distinctive historical and cultural origins and contemporary circumstances. If difference and diversity is seen negatively, however, as an indicator of misinformed or irresponsible Indigenous agency, or of settler exploitation of Indigenous people, then this will invoke a third principle in Indigenous affairs policy; the principle of guardianship (again see Figure 1).

The principle of guardianship enters public policy when governments believe that particular people within their jurisdictions are not competent judges of their own best interests; and that neither are their close relatives and associates who, in the absence of government intervention, would normally take on the role of guardian of an incompetent person's interests. The most common invocation of the guardianship principle in public policy is in relation to children who have either lost their parents, or whose parents are deemed at a particular point in time to be unfit judges of their child's best interests. But the principle is also invoked in relation to the mentally ill, the disabled and the infirm aged, among others. In relation to Indigenous people, the guardianship principle can clearly be invoked in all these particular individual circumstances. However it can also be invoked in relation to larger numbers or whole groups of Indigenous people because of a worry that the relationship between large-scale, settler industrial society and small-scale Indigenous societies is unequal, unjust and in some way predatory or exploitative. Indigenous people as whole groups can be judged as vulnerable to the encroaching power of settler industrial society, or parts thereof, and as not therefore competent judges of their own best interests.

These three competing principles of equality, choice and guardianship can clearly push Indigenous affairs policy in some quite contrasting directions. Indigenous people are at one level invited to be equal to settler Australians, while at the same time allowed to be different, so long as that difference is the result of responsible Indigenous agency and choice, at either the group or individual level. However, if difference is seen by governments as being the result of irresponsible Indigenous agency, or of an exploitative or predatory relationship with parts of settler society, then the third competing principle of guardianship will be invoked. Figure 1 represents this triangular relationship between competing principles.

Figure 1: Competing Principles in Australian Indigenous Affairs



Dominant Debates and Persistent Ideas in Indigenous Affairs History

In the previous section, I have deliberately set out the three competing principles of Indigenous affairs policy as an analytic schema without historical referents. I have also used terms which are somewhat different from those employed in many conventional accounts of Australian Indigenous affairs policy history. The intention is to separate the analytic schema from the history of Australian Indigenous affairs debates. But having established the basic analytic schema, I think it is important to relate it to policy history, at least of the twentieth century.

The conventional way to tell Australian Indigenous affairs policy history of the twentieth century has been in three periods, with the key terms attached to the consecutive thirds of the century being protection, assimilation and self-determination. Protection clearly relates to the principle of guardianship, and there is, I think, some truth in arguing that during the first third of the twentieth century up to the 1930s, the dominant debates in Australian Indigenous affairs tended towards an emphasis on the guardianship principle, particularly in relation to Indigenous people in more remote areas who were still coming into contact with settler industrial society for the first time (see for example Paisley in Rowse 2005). Protection eventually, however, came up against the limits of its own restricted vision for Aborigines and was in time met by calls for a more positive, optimistic policy which would see Aborigines moving beyond their status of protective guardianship within Australian society

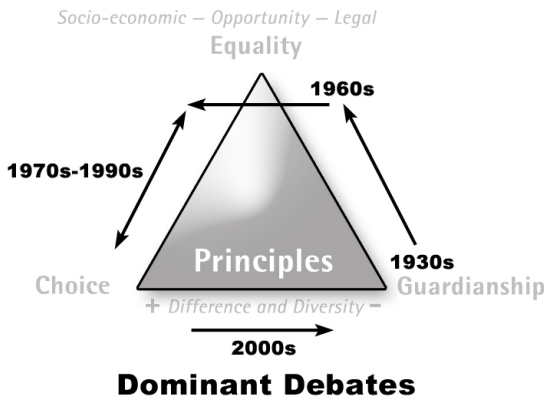
towards citizenship and equal rights. So there is also some truth in observing, as depicted in Figure 2, that from the 1930s to the 1960s the dominant debates of Australian Indigenous affairs gradually moved, under the influence of ideas like assimilation and citizenship, towards the achievement of equal legal rights for individual Aborigines compared with other Australians (see for example Attwood 2003: chapter 7; Chesterman and Galligan 1997: chapter 6). However, no sooner had such equal legal rights been achieved during the 1960s than the limits of this approach too began to be apparent.

In the 1970s, in a swing to the Left, the dominant debates of Australian Indigenous affairs began to move beyond the idea of equal individual legal rights. In part they moved towards claims for Indigenous-specific group rights in areas like land and organisation, in the name of Indigenous self-determination, choice, cultural survival and recognition (see Attwood 2003: chapters 8-10; Chesterman and Galligan 1997: chapter 7). However, reflecting the dominance of the equality principle in Indigenous affairs, dominant debates also moved towards the idea of achieving socio-economic equality, rather than just legal equality, between Indigenous and other Australians. The debates which ensued from the 1970s to the 1990s were profoundly equivocal between ideas of Indigenous socio-economic difference reflecting informed cultural choice, on the one hand, and ongoing unjust exclusion and disadvantage of Aboriginal people within the structures and opportunities of settler industrial society, on the other.

A good example of this equivocation was in 2002 when Tim Rowse published a book looking back on the work of the Australian National University's Centre for Aboriginal Economic Policy Research, where staff had participated in these debates over the previous decade (see for example Altman 1991; Sanders 1991). Rowse put the issue of choice at the focal point of his work, seeing its expansion for Indigenous people through the 'Indigenous sector' and other means as 'the defining achievement of the self-determination policy era' (Rowse 2002a: 17). However, Wootten, in launching Rowse's book, argued that his emphasis on increased Indigenous choice was overly optimistic and serene and overlooked the profound structural and psychological constraints which were still massively restricting the socio-economic status of Indigenous people (Wootten 2002; see also Rowse 2002b). These debates over the relative importance of structure and agency as explanations for Indigenous people's contemporary socio-economic circumstances were never resolved. So my representation of the dominant debates of the 1970s to 1990s in Figure 2 does not depict a movement over time, but rather simply an ongoing debate between the principles of choice and socio-economic equality.³

³ The term self-determination also invokes ideas of equality between political communities, which may not be well captured in this analytic schema. One comment I received in response to a draft of this paper was that the competing principles are all versions of equality; it is just a matter of which kind of equality is seen as important.

Figure 2: Dominant Debates and Competing Principles in Australian Indigenous Affairs—a historical perspective



In the years since the turn of the millennium, the dominant debates in Australian Indigenous affairs would appear to have shifted quite markedly again, away from the ideas of choice and positive difference and diversity, and towards the ideas of guardianship, vulnerability and negative difference and diversity. This change has, to a significant extent, been driven by Noel Pearson who in the year 2000 published *Our Right to Take Responsibility*, a manifesto directed as much to the Indigenous people of Cape York as to government (Pearson 2000). Pearson argued that the equal rights of Indigenous people to award wages, social security payments and alcohol gained in the 1960s had, somewhat perversely and despite good intentions, created ‘passive welfare’ dependence in his home area of Cape York, and others like it, and a highly ‘dysfunctional’ and ‘corrupted’ modern Aboriginal society. He argued for a more active policy paradigm in which ‘responsibility and reciprocity’ were built into ‘economic and social relationships’ and into government programs for Indigenous people (Pearson 2000: passim). Almost a decade on, Pearson has had some success in moving government policy in this direction, with the introduction of a Family Responsibilities Commission and aspects of income management into Cape York. The NTER has also picked up on these ideas, focusing on the quarantining and management of portions of Aboriginal people’s social security incomes as a key intervention measure.

In moving Indigenous affairs towards ‘responsibility’, Pearson has also explicitly questioned the principle of choice. In April 2007, in a newspaper article entitled ‘Choice is not enough’, Pearson argued that even when combined with the ideas of ‘opportunity’ and ‘capacity’, the idea of choice still ‘overlooks the idea of responsibility failure’, particularly in the ‘behaviour’ of those ‘under the influence of the addictions which enthrall them’ (Pearson 2007d). This seems to be rediscovering the idea of vulnerable people who cannot presently judge their own best interests.

While Pearson sees this recent shift in Indigenous affairs policy as a move to the Right after thirty years of domination by the Left, he also sees himself and a few others as trying to discover a radical policy centre. While I agree with Pearson's analysis on both these points, I want to note that this swing back to the Right has not occurred at the same place as the shift away forty years ago. Rather than ending up back at the equal legal rights position of the 1960s at the top of my analytic triangle, the debate has in fact rediscovered the ideas of negative difference, vulnerability, protection and guardianship at the bottom of the analytic triangle. These are the ideas and principles which were more prevalent in Australian Indigenous affairs in the first third of the twentieth century.

This current shift suggests that the guardianship principle is a *persistent idea* in Australian Indigenous policy. Policy moved away from it for sixty or seventy years, first in the name of equal rights and citizenship and then in the name of Indigenous rights and choice. In the self-determination era, the guardianship principle was almost entirely lost from view, only to be rediscovered very quickly in the early 2000s. Something similar could also be said, in reverse, of the ideas of self-determination, choice and positive cultural difference, which one Aboriginal historian has recently reminded us were still present as persistent ideas in 1920s Aboriginal activism even though often overlooked (Maynard 2005).

So even when dominant debates appear to have almost forgotten one of these three competing principles in Australian Indigenous affairs, there is a sense in which they still continue to be present as a persistent idea which never entirely goes away. While dominant debates in Indigenous affairs do move over time in favour of one or two of the three competing principles, there is another sense in which Indigenous affairs is always and at all times a balancing, and re-balancing, of *all three* competing principles.

A Fourfold Categorisation of Ideological Tendencies

In contrasting the progressive Left and conservative Right ideological tendencies in Australian Indigenous affairs, Pearson generally refers to their different attitudes to rights and responsibilities. However, in his longer piece published in 2007 in the *Griffith Review*, he contrasted them rather differently in terms of their attitude to 'racism' in Australian society. The Left, he argued, tended to 'consider racism a serious problem', whereas the Right did not. Pearson characterised the Right as 'defensive about their own identity and (colonial) heritage' and as having 'a strong tradition of denial' of racism. The Left, by contrast, he saw as '*morally vain* about race and history' and as being primarily concerned not with:

the plight or needs of those who suffer racism and oppression, but rather their view of themselves, their understandings of the world and belief in their superiority over their opponents (Pearson 2007c: 17)

With two such negative portraits of the Left and Right ideological tendencies, it was, perhaps, to be anticipated that Pearson would argue for the clear superiority of the search for a 'radical centre' in Australian Indigenous affairs.

To understand Australian Indigenous affairs a little more deeply however, I suggest we need to start with some more sympathetic, or at least neutral analytic views of ideological tendencies in Australian society. These need to focus first on attitudes towards settler society and then second on attitudes towards Indigenous society and affairs. I also want to suggest the need for a *fourfold* categorisation of ideological tendencies, based on a distinction between their economic and social dimensions.

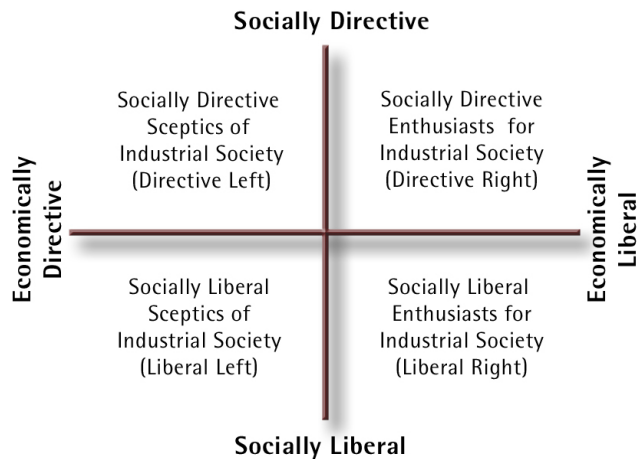
In the economic dimension, the Right are the defenders of and believers in modern, large-scale industrial, primarily market-based society. They see the expansion of industrial society as progress. To the extent that they defend an economic form which already predominates in the modern world, they are appropriately labelled conservatives. The Left, on other hand, are and have long been the critics and sceptics of modern, large-scale industrial, market-based society. They are not so sure that capitalist industrial expansion is progress and they look for other possible images of what progress might be. One such image, which is now somewhat discredited, is modern, large-scale industrial socialism or communism. But other images of progress on the Left often look more to smaller scale societies which are not quite so industrial or competitive and market-based in their nature. Hence the Left in Australia has some fascination with Indigenous hunter-gatherer society as a smaller scale, less industrial economic system; whereas the Right has less interest in the Indigenous economic system, seeing it as backwards in comparison to modern industrial production.

In the social dimension, the basic question which ideological tendencies address is whether the social behaviour of various groups and individuals ought to be respected as of their own responsible informed choosing, or whether such behaviour needs to be more externally directed in the pursuit of some good not yet fully appreciated and taken into account by the group in question. The basic divide which emerges is between, what I call, the socially directive and the socially liberal and it is possible for both these tendencies to be combined with the economic tendencies towards enthusiasm for, and scepticism of, the goodness of large-scale industrial, market-based production.

This separation of social and economic dimensions produces the four ideological tendencies which I identify in Figure 3 as socially directive enthusiasts for industrial society, socially liberal enthusiasts for industrial society, socially directive sceptics of industrial society and socially liberal sceptics of industrial society. As these are somewhat long labels, I reduce them by applying the words Right and Left to the economic dimension and the words directive and liberal to the social dimension, producing the labels directive Right, liberal Right, directive

Left and liberal Left.⁴ My contention is that each of these four ideological tendencies sits in a somewhat different position around the triangular analytic schema of competing principles in Australian Indigenous affairs and that each has historically also had times of greater and lesser influence in the dominant debates of Australian Indigenous affairs.

Figure 3: A Fourfold Categorisation of Ideological Tendencies



The directive Right sit closest to the guardianship principle and had their greatest influence in Australian Indigenous affairs policy in the 1930s and before. At that time the colonising, civilising mission of expanding industrial society was still being confidently pursued but there was a concern that the people of small-scale societies being encroached upon may be vulnerable to exploitation by elements of industrial society. So Indigenous affairs combined a protective element towards Indigenous people with a positive view of the colonising industrial society.

The liberal Right sit closer to the legal equality principle in the analytic schema and had their greatest influence in Australian Indigenous affairs in the 1960s. This was the time when protective regimes for Aboriginal people based on the guardianship principle were brought to an end because of a worry that they were not positive enough about recognising the full potential and capacity of

⁴ This rather analytic labelling does not give much sense of history or, in the case of the socially directive ideological tendencies, from where they draw their inspiration for the objective, external definition of people's interests. The directive Left has tended historically to draw on Marx or other socialist thinkers, and could at times, but far from always, be referred to as the socialist Left. The directive Right has tended historically to draw on religion and the idea of a God as the objective definer of interests, and could at times be referred to as the religious Right, or possibly also Christian conservatism. However the relationship between religious commitment and Indigenous affairs in Australia is complex, with religious people appearing among those with ideological tendencies to the Left as well as to the Right. So I have in this paper and in my labelling of the four ideological tendencies largely avoided this issue of religion. Generally, however, I think it is true to say that religious influences were greatly lessened in Indigenous affairs in the swing to the Left in the 1970s and are now, somewhat tentatively, re-establishing some presence.

Indigenous people. In the name of citizenship and assimilation, the liberal Right optimistically foresaw Indigenous people joining in the progress of large-scale industrial society under a regime of equal individual legal rights.

The swing to the Left in Australian Indigenous affairs in the 1970s involved a considerable re-assessment of the ‘goodness’ of large-scale industrial society for Aboriginal people. In the words of Senator Jim Cavanagh, the Whitlam government’s second Aboriginal Affairs minister, policy no longer assumed that Aborigines would become ‘indistinguishable from other Australians in their hopes, loyalties and lifestyle’, but rather was ‘open-ended’ on such issues ‘because of its emphasis on self-determination’ (Cavanagh 1974: 12). However, Whitlam himself suggested that Aborigines had been ‘seriously damaged and demoralized’ by ‘200 years of despoliation, injustice and discrimination’, and that the new policy would require ‘active and progressive rehabilitation’ (Whitlam 1973: 698). These two statements again suggest the ambivalence in this swing to the Left in the 1970s, which equivocated over the issue of social directiveness versus social liberalism. The directive Left, I would argue, sat closer to the idea of socio-economic equality, seeing its achievement as indicating equality of opportunity for Aboriginal people in Australian society. The liberal Left sat closer to the principle of choice and seriously contemplated that some degree of socio-economic difference might follow from Aboriginal self-determination.⁵

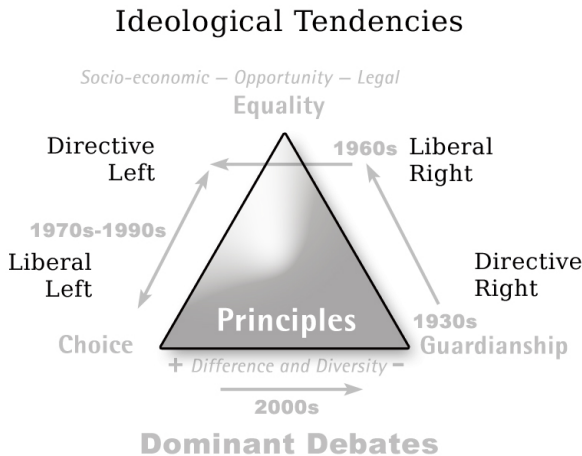
Pearson has already suggested, with his twofold ideological mapping of Indigenous affairs, that there are elements of both the progressive Left and the conservative Right within the Australian Labor Party, and the same observation could also be made of the Coalition parties. My fourfold mapping of ideological tendencies onto the analytic triangle of three competing principles further suggests that major debates in Australian Indigenous affairs can occur *within* the Left and Right, as well as between them (see Figure 4). Debates between social directiveness and social liberalism occur on *both* sides of the economically-defined ideological divide and are, in many ways, the big persistent debates in Indigenous affairs.

This more complex fourfold description of ideological tendencies would also seem to suggest that the entry of ideologies into Indigenous affairs policy debates is, in some sense, inevitable rather than avoidable. Can actors be neutral about their judgments of the goodness of modern large-scale industrial economic processes in comparison to remnant hunter-gatherer production, and about social directiveness and liberalism? And if they can, are they useful

⁵ One commentator on a draft of this paper suggested that the socially directive Left could also be seen as those who value the maintenance of distinct Aboriginal cultures irrespective of the choices of Aboriginal people. This position, which does have some currency in Indigenous affairs, perhaps suggests that cultural difference and diversity, at the bottom of my analytic triangle, is itself another competing principle, or value, in Indigenous affairs policy debates, separate from either choice or guardianship. Another commentator on this paper suggested that I should remove all reference to Left and Right and just focus on the competing principles. I am attracted to this idea for a future paper, but found it overwhelming in revision of the current paper which already had the ideas of Left and Right ideological tendencies deeply embedded within it.

participants in policy debates? Ideological tendencies, in this more analytic sense of large underlying ideas about the nature of society and economy, would seem almost a *pre-requisite* for contributing to Indigenous affairs policy debates, rather than something that either can or should be avoided.

Figure 4: Ideological Tendencies, Dominant Debates and Competing Principles in Australian Indigenous Affairs



What Role Evidence?

What then is the role of evidence in Australian Indigenous affairs? I want to approach this final question by returning to the report of the NTER Review Board, published in October 2008, and reactions to it. You will recall that the terms of reference asked the Review Board to ‘examine evidence and assess the overall progress of the NTER’ and ‘in relation to each NTER measure, make an assessment of its effects to date’ (Macklin 2008b; also Yu et al. 2008: 66). You will also recall that early in their report the Review Board noted the lack of ‘baseline data to specifically evaluate the impacts of the NTER’ and that this was ‘a major problem’ for them (Yu et al. 2008: 16). So how did a Review Board proceed which was charged with looking at the evidence, but which judged early on that there was a ‘lack of evidentiary material’? (Yu et al. 2008: 16). And what does this tell us about the nature of evidence in Australian Indigenous affairs and possibly also in policy processes more generally?

The Review Board report began by stating that it:

placed primary importance on establishing face-to-face dialogue with Aboriginal people and encouraging them to put forward their views on the NTER and its impact on their lives—both good and bad (Yu et al. 2008: 16).

The Board told of meetings with representatives of 56 communities and 140 organisations. They recounted seeking ‘public submissions’ (they received over 200) and meeting with ‘relevant Commonwealth and Northern Territory agencies’ who provided ‘background briefing material’, plus some ‘data and

specific information requested by the Board' (Yu et al. 2008: 16). The Board also noted that they convened three meetings of an Expert Group, the 11 members of which 'generously provided their expertise and advice in response to the Board's requests' (Yu et al. 2008: 16). On the basis of these four sources of information the Board proceeded to make an assessment of each of the seven intervention measures in terms of:

their impact on the local communities, the strengths and weaknesses of the initiatives and whether government should consider alternatives in pursuit of its objectives to improve the protection of children and advance the wellbeing of Aboriginal families and communities in the Northern Territory (Yu et al. 2008: 20).

Chapter 2 of the Review Board's report examined, in turn, each of the seven 'measures' within the NTER, and their various 'sub-measures'. This chapter is predominantly negative in tone, citing a lot of instances in which submissions and community meetings had adverse and critical things to say about the measures and a minority of instances in which more positive comments were made. The chapter is also notable for its primarily anecdotal tone, citing a lot of what people said in submissions and meetings, while being very cautious about the few available sources of statistics, as I will discuss further shortly. In addition, in terms of a useful schema recently elaborated by Head (2008: 6), virtually all the information used by the NTER Review Board was 'practical implementation knowledge', rather than 'scientific (research-based) knowledge'. That is, it was knowledge generated in the processes of service delivery by providers and consumers, rather than knowledge generated by research processes.⁶ This may reflect the short-time scales of both the NTER and the Review Board's work, but I would suggest that it is in fact the normal situation in Indigenous affairs policy processes. Head's third form of knowledge in evidenced-based policy, 'political knowledge', would also seem indispensable. Without working through all that was said on all measures and sub-measures in Chapter 2 of the NTER Review Board report, I will in the next few paragraphs try to give some sense of its style.

On 'income management', the 'most widely recognized measure' of the NTER, the Review Board reported 'competing views' about its 'direct and profound impact on the lives of over 13,300 individuals' subject to it by 30 June 2008. They reported 'widespread disillusionment, resentment and anger in a significant segment of the Indigenous community' about the 'blanket imposition of compulsory income management' in prescribed areas and the lack of any 'opportunity' for people who 'responsibly manage their income' to 'negotiate' the arrangement. They also reported 'confusion and anxiety' arising from the requirement 'to master new, complex and often changing procedures with

⁶ The closest thing there was to scientific research knowledge referred to in the report was some demographic work on the current and projected populations of the prescribed areas based on the 2006 Census by John Taylor of the ANU. This work also attempted to look at mobility issues using Centrelink data about change of address. This work was published in an appendix and only referred to briefly in the report as part of the 'demographic context'.

a minimum of information and explanation', leading to complaints to the Commonwealth Ombudsman, and they further noted 'difficulties associated with acquiring and using store cards' as part of income management (Yu et al. 2008: 20). On the more positive side, the Review Board noted that 'many Aboriginal people, especially women, along with the observations of local clinicians, school teachers and storekeepers' supported income management and felt that it had 'benefited' people by enabling them to 'avoid or limit "humbugging"' and to 'manage their income and family budgets' in ways 'which they had not done previously' (Yu et al. 2008: 21). Reflecting this more positive experience, the Review Board recommended that:

income management be available on a voluntary basis to community members who choose to have some of their income quarantined for specific purposes, as determined by them (Yu et al. 2008: 23).

However, reflecting the more negative comments it also recommended that the 'current blanket application of compulsory income management' in prescribed areas should 'cease' and be replaced by a compulsory scheme which 'should only apply on the basis of child protection, school enrolment and attendance and other relevant behavioural triggers', but which would apply 'across the Northern Territory' rather than just in prescribed areas (Yu et al. 2008: 23).

On the policing sub-measures within the law and order measure, it was reported that '18 additional temporary police stations' had been built and 'an additional 51 police' deployed. The tone of the report on this sub-measure was generally more positive:

Numerous submissions from Aboriginal community organisations and service providers in remote communities indicate that the additional police are needed and welcomed. The Northern Territory Government said in its submission that 'there is clear evidence that communities are safer' (Yu et al. 2008: 25).

The only negative sentiment seemed to be the 'view expressed' in submissions that 'policing arrangements needed to be normalized' to involve Northern Territory police officers and also made 'permanent' (Yu et al. 2008: 25). Of greater interest to my current purpose was the limited use made of police statistics which showed:

increases in reported and detected crimes in prescribed communities from 2006-07 to 2007-8 (Yu et al. 2008: 116).

The Review Board treated this data with great caution and confined it to an appendix. In the body of their report they simply stated that 'expert advice' suggested that it was 'too early to draw any significant conclusions from this data' and that all it really showed was:

that a police station is now operating and that crime is being reported—it does not provide a measure of the actual level of crime before and after the establishment of the station (Yu et al. 2008: 26).

This example of the police statistics is, I think, worth dwelling on, as it is often just such hard, quantitative data that advocates of evidenced-based policy seek. However, when they obtain it, as in this case, they often then realise that, of itself, it does not tell them very much. The data, or evidence, needs to be interpreted in relation to a context and an argument, rather than simply standing alone as an indicator of what works or does not work. In this instance, where police numbers had just gone up, an *increase* in the level of reported and detected crime was seen as *good* evidence of getting police systems up and running in communities. However in a few years time when police numbers are more stable, the evidence being looked for as an indicator of success will more likely be *decreases* in crimes detected and reported.

A similar argument could be made in the child protection area, where the Review Board had access to statistics which showed a 93 per cent increase in numbers of ‘notifications’ in the Northern Territory since 2001 and a 120 per cent increase in the number of children in care. Again the Board treated these statistics with caution. They acknowledged that there had been recent ‘reforms’ in the Northern Territory child protection system but:

found no evidence of increased confidence in reporting child maltreatment in Aboriginal communities (Yu et al. 2008: 34).

They recounted hearing of:

recent examples of attempts to report abuse or neglect to child protection authorities where there was no effective response (Yu et al. 2008: 34)

So the statistics were again interpreted in a way which suggested a context of getting a better service delivery system up and running and, as a result, expecting increases in numbers of reports and cases.

These examples of the tentative use of statistics by the NTER Review Board suggest that evidence in policy processes is, as Majone argued twenty years ago, just a small part of a much larger process of argument. Evidence, Majone argued, is:

information selected from the available stock and introduced at a specific point in an argument ‘to persuade the mind that a given factual proposition is true or false’ (Majone 1989: 48).

So with any contribution to a policy process, it may be as important to focus on the argument being made as on any specific piece of data or evidence being used. What was the argument of the NTER Review Board, and who were they trying to persuade?

Despite all the negative and critical commentary drawn from their various information sources, the NTER Review Board argued strongly *in favour* of the continuation of the intervention, though with some changes towards a more participatory and consultative approach.⁷ The three paragraphs which best captured this tone of argument, and its qualification, occurred towards the end of the report's 'executive summary':

The situation in remote communities and town camps was—and remains—sufficiently acute to be described as a national emergency. The NTER should continue.

There is a need for a bipartisan commitment to a sustained national effort, and a sustained commitment of the funds necessary, to provide Aboriginal children and families in these communities with a level of safety and wellbeing comparable to any other Australian community.

The single most valuable resource that the NTER has lacked from its inception is the positive, willing participation of the people it was intended to help. The most essential element in moving forward is for government to re-engage with the Aboriginal people of the Northern Territory (Yu et al. 2008: 10-11).

These three short paragraphs captured succinctly the way in which argument in Australian Indigenous affairs is always balancing the three competing principles of my analytic schema. In the middle paragraph we see the dominant equality principle, in the form of a claim that 'Aboriginal children and families in these communities' ought to have 'a level of safety and wellbeing comparable to other Australian communities'. In the third paragraph we see the reference to Aboriginal agency and choice, in the form of the need for 'the positive, willing participation of the people it was intended to help' if the NTER is to move 'forward'. Back in the first paragraph, we find an agreement with the fundamental contention that the situation in these Aboriginal communities is sufficiently bad to justify the language of national emergency, and this will inevitably lead to at least some external definition of people's interests and an invoking of the guardianship principle.

While paying due respect to all three competing principles in their argumentative process, the Review Board was, it seems to me, also trying to resist somewhat the recent move towards re-emphasising the guardianship principle and possibly, in the process, losing sight of the importance of engaging with Indigenous people's agency and choice. This can be seen not only in their general argument in favour of an approach which engages much more with the 'positive, willing participation' of the Aboriginal constituency but also in their specific call for a shift away from blanket, compulsory income management in prescribed areas,

⁷ Lea 2008 has noted how, as part of a process of reproducing helping organisations, a very negative understanding of current situations in Indigenous affairs is combined with an ever hopeful analysis of the potential for improvement.

as discussed above. It can also be seen in the second of their ‘overarching recommendations’. The first of these recommendations was for both the Commonwealth and the Northern Territory governments to continue:

to address the unacceptably high level of disadvantage and social dislocation being experienced by Aboriginal Australians living in remote communities throughout the Northern Territory (Yu et al. 2008: 12).

The second was to base the ‘relationship with Aboriginal people’ on ‘genuine consultation, engagement and partnership’ and the third was to make ‘government actions’ conform with the Racial Discrimination Act (Yu et al. 2008:12). But were the Board’s arguments and recommendations persuasive to the minister and government to whom they were directed?

On 23 October 2008, in announcing the Rudd Government’s response to the NTER Review Board’s report, Minister Macklin indicated an acceptance of the three ‘overarching recommendations’ but also identified, as the headline item, that compulsory income management was to ‘continue’ because of its ‘demonstrated benefit for women and children’. Because of this the ‘current stabilisation phase of the NTER’ would continue ‘for the next twelve months’ before transition to a ‘long-term’ phase which would not rely on the ‘suspension of the Racial Discrimination Act’ (Macklin 2008d). However, even in this longer term phase, it appeared, compulsory income management would probably continue:

The government is strongly committed to compulsory income management as a tool to reduce alcohol-related violence, protect children, guard against humbugging and promote personal responsibility.

The existing comprehensive compulsory income management measures are yielding vital benefits to Indigenous communities and many Indigenous people want them to continue (Macklin 2008d).

While the term evidence was not used in this written government statement, it was to the fore when Macklin elaborated verbally. In an interview on the ABC’s *7.30 Report* later in the day, the opening question focused on the evidence to support compulsory income management and Macklin answered as follows:

The best evidence I have available to me is twofold: one coming from some excellent evidence that’s been collected from the stores showing that there’s been a significant increase in the purchase of fresh fruit and vegetables, increased purchases of fresh meat, we are also seeing some of the children putting on weight, income management has also allowed people to save for whitegoods, there’s been a reduction in the consumption of cigarettes and alcohol, so there’s some direct evidence.

Some of the more anecdotal evidence is really coming from particularly all of the women that I have spoken to in many, many communities, some of whom I'd have to say have pleaded with me to keep compulsory income management (*7.30 Report* 23 October 2008).

Macklin's argument put a more positive interpretation on the practice-based evidence surrounding compulsory income management than the NTER Review Board. In terms of my analytic schema, Macklin seemed to be defending the guardianship aspects of compulsory income management not only with evidence derived from practitioner third parties, like the store keepers, but also from people subject to the measure themselves. This latter is, of course, highly prized evidence for those who invoke the guardianship principle in policy processes. When parties subject to an external definition of their interests quickly adopt that definition as their own, then the invoking of the guardianship principle seems well justified, as well as consistent with a more informed exercise of choice. As Macklin put it in response to the next question on the *7.30 Report*, the government wanted 'to see the development of strong social norms in these communities' and, as far as she was concerned, there was 'very strong evidence that it's coming from compulsory income management' (*7.30 Report*, 23 October 2008).

So evidence could be found and woven into both sides of this argument about compulsory income management, which was in my analytic schema a struggle between the choice and guardianship principles. Evidence did not stand alone as demonstrating what worked. It had to be contextualised, interpreted and inserted at appropriate points in arguments between the competing principles of guardianship and choice and the ideological tendencies towards social liberalism and directiveness.

The Radical Centre and Evidence: Some Concluding Remarks

In conclusion I want to return to Noel Pearson's idea of the radical centre in Australian Indigenous affairs and to how it relates to the idea of evidence. Pearson's account of the radical centre does not focus on evidence at all. Rather he talks about this centre being a point of high 'dialectical tension' between 'opposing principles' where 'policy positions' are 'much closer and more carefully calibrated than most people imagine' (Pearson 2007c: 25). Pearson identifies ten dichotomous sets of 'classic dialectical tensions in human policy', but confines his discussion in the context of Indigenous affairs to just five: social order versus liberty or freedom, idealism versus realism or pragmatism, structure versus behaviour, opportunity versus choice and, finally, rights versus responsibility. Pearson argues that the:

resolution of each of these tensions lies in their dialectical synthesis, and not through the absolute triumph of one side of a struggle or a weak compromise (Pearson 2007c: 29).

He also argues that ‘complexity arises because questions of human policy ... involve a number of tensions simultaneously’, rather than being neatly confined to the ‘isolated categories of a ten-point list’ (Pearson 2007c: 29).

While this is a somewhat different construction of competing principles in Australian Indigenous affairs to my own, it does seem that Pearson and I agree in general on the importance of opposing or competing principles, and the way in which they are forever being balanced and synthesised rather than definitively resolved in Australian Indigenous affairs. Evidence in Indigenous affairs plays just a small role in a much larger argumentative struggle, not only between competing principles but also between different, largely unavoidable, ideological tendencies. The simple dichotomising of evidence as good and ideology as bad needs to be transcended in Australian Indigenous affairs. The idea of competing principles, however schematised, is a far more powerful analytic device.

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