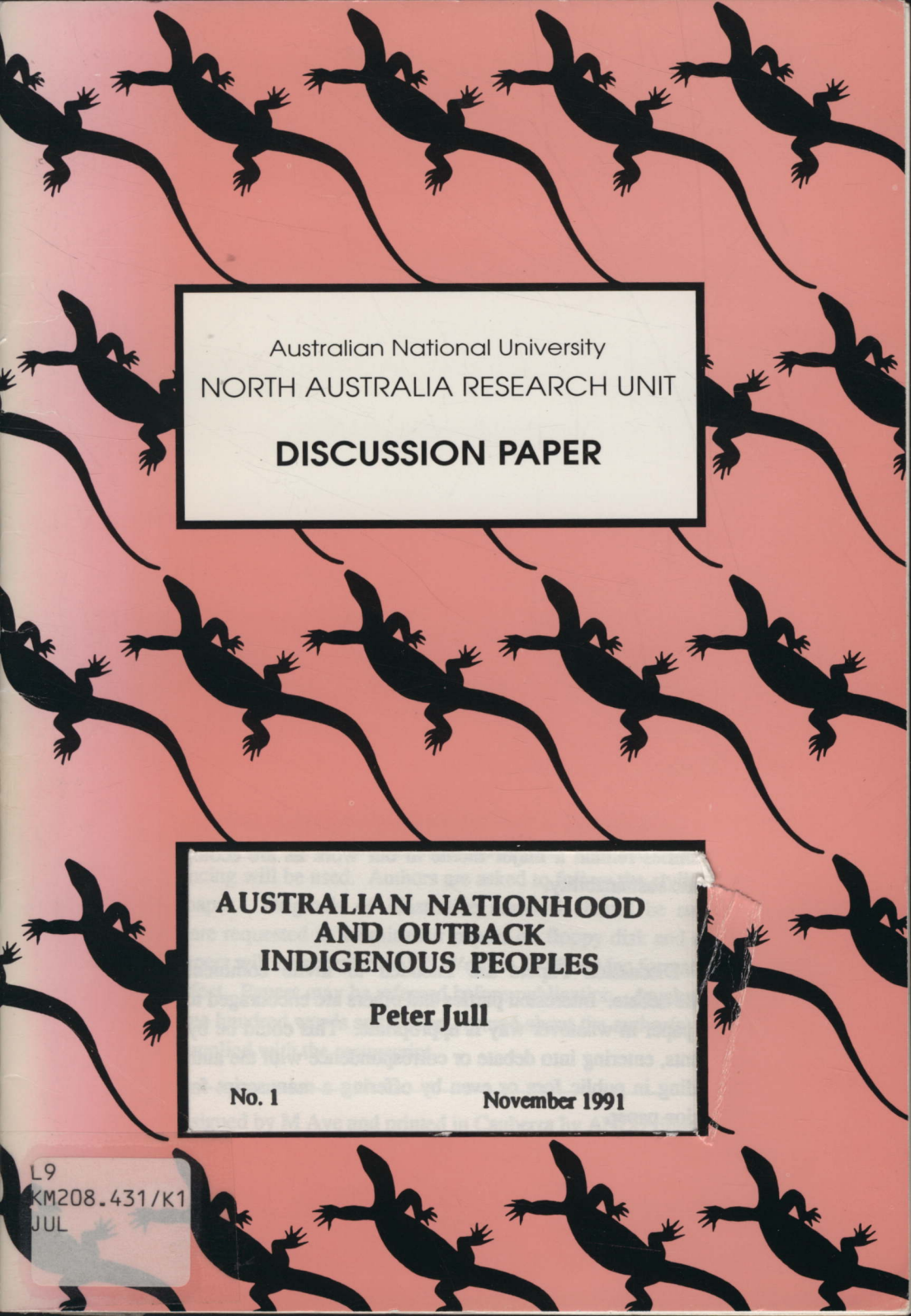




Australian National University
NORTH AUSTRALIA RESEARCH UNIT

DISCUSSION PAPER

**AUSTRALIAN NATIONHOOD
AND OUTBACK
INDIGENOUS PEOPLES**

Peter Jull

No. 1

November 1991

L9
KM208.431/K1
JUL

NORTH AUSTRALIA RESEARCH UNIT

DISCUSSION PAPER

The Publications Officer
North Australia Research Unit
PO Box 41321
Casuarina NT 0811

Telephone: (089) 215 080
• animal husbandry and fisheries
• Government and local government
• Economic development and social equity
• Quality of community life

AUSTRALIAN NATIONHOOD AND OUTBACK INDIGENOUS PEOPLES

Peter Jull

No. 1

November 1991

ISSN 1037 5112
ISBN 0 7315 1309 6

NORTH AUSTRALIA RESEARCH UNIT

In 1973 the Australian National University created the North Australia Research Unit for two purposes: to carry out a research program of its own and to provide a base and logistic support for research workers, from ANU and from other Australian or overseas research institutions. The Unit is part of the Research School of Pacific Studies.

The Unit's activities range well beyond its base in Darwin in the Northern Territory to research localities in central Australia and the north and west of Queensland and north Western Australia.

The Unit's academic work is interdisciplinary and principally in the social sciences. An overall aim is to initiate research on problems of development in the north, little studied by other institutions. At present, emphasis is being given to four main research areas:

- Environmental management and planning
- Governance and policymaking structures
- Economic development and social equity
- Quality of community life

The future prospects and present needs of the Aboriginal and Islander communities remain a major theme in our work as are ecological and economic sustainability.

NARU Discussion Papers are intended to invite comment and to stimulate debate. Interested parties and others are encouraged to respond to any paper in whatever way is appropriate. This could be by offering comments, entering into debate or correspondence with the author, or by responding in public fora or even by offering a manuscript for another discussion paper.

Each paper will be short — no more than 40 pages. They will often deal with controversial topics. While the Unit takes pride in, and legal responsibility for, its publications, these papers reflect views of authors and not those of the Australian National University or the North Australia Research Unit.

The Unit is willing to publish discussion papers written by authors who are not members of ANU or NARU. However, NARU retains the right to use referees or to reject manuscripts. Non-NARU contributors may be expected to make some financial contribution towards publication.

We hope that this series will open up discussion about some issues of northern development and the inevitable conflicts that arise from change, culture contacts and diversity of values.

Information about the Unit's activities and publications can be obtained from:

The Publications Officer
North Australia Research Unit
PO Box 41321
Casuarina NT 0811

Telephone (089) 275 688
Fax (089) 450 752

Guidelines for contributors:

Papers should not exceed eleven thousand words. The Harvard system of referencing will be used. Authors are asked to follow the styling used in this paper. Originals of illustrative material should be supplied. Authors are requested to submit their papers on floppy disk and as hard copy. Papers will be accepted in MS Word in IBM or Mac format and in WordPerfect. Papers may be refereed before publication. An abstract of about three hundred words and a short resumé about the author(s) should also be supplied with the manuscript.

Cover designed by M Aye and printed in Canberra by ANU Printery

ABSTRACT

Australian institutions of governance and identity are being re-examined in preparation for a century of modern constitutional nationhood in 2001. Northern and outback regions, their people, the unique cultures, and their place in a new world order are apt to be forgotten in an era which celebrates rationalised government and statistical averages. Canada has similar political institutions and traditions, as well as northern and indigenous social problems, and a national review of its fundamental values and institutions is underway; some of the parallels are interesting and provocative. The Australian situation is discussed in three main sections. First is a review of some recent policy developments which indicate Australian official difficulty with the international trend of indigenous autonomy and self-government on national margins. Second is a step-by-step look at the stages necessary in a successful Australian policy in the north and outback. Finally some overall conclusions are suggested, including a new divide in Australian policy which supersedes old Right-Left distinctions, a few bright spots for new policy hope, and the scope and necessity for indigenous initiative in the absence of sufficient non-indigenous momentum in Australian policy today.

Acknowledgements

My special thanks to Greg Crough for helpful discussions during the writing of this Discussion Paper, and to Nicki Hanssen who produced the many drafts and the new format and contents of the final product. I am also grateful to my colleagues Monica Mulrennan and Sally Roberts for their usual invaluable advice and assistance. On behalf of myself — and of all future authors in this series — a special word of appreciation to Mardy Aye, designer of our new face, and to Ann Webb who developed, managed, coordinated and executed all that was required to bring the series into being. The series was conceived by David Lea.

Notes on contributor

Peter Jull is a Senior Research Fellow, North Australia Research Unit, Australian National University. A graduate in humanities from the University of Toronto, he worked as assistant to the head of government in Canada's Northwest Territories from 1966; as cabinet secretary in the Premier's Office, Government of British Columbia; as Adviser on the Constitution (Native and Northern Affairs) in the Privy Council Office/Federal-Provincial Relations Office, i.e., 'prime minister's department', Ottawa, for a decade; and from 1980 as constitutional development and government relations adviser to regional, national and international indigenous peoples' organisations. His monographs include *The Politics of Northern Frontiers* (1991); co-edited with Sally Roberts, *The Challenge of Northern Regions* (1991); with John Merritt *et al*, *Nunavut: Political Choices and Manifest Destiny* (1989); with Gordon Robertson *et al*, *The North and Canada's International Relations* (1988); *Lapland: the Native North in Norway* (1988) and *Politics, Conservation and Development in the International North* (1986).

AUSTRALIAN NATIONHOOD AND OUTBACK INDIGENOUS PEOPLES*

Peter Jull

Introduction

Today Australia is seriously reconsidering its fundamental institutional arrangements (CCC 1991). Canada is doing the same, the best current description being by Abele and friends (Abele 1991a; Abele 1991b; see also Mulroney 1991). For countries seeking renewal, the frontiers offer obvious opportunities to proclaim the national will anew. They are less encrusted with the nation's conventional wisdom, less settled, less final, more open to broad solutions and more susceptible to public sector decision-making. In Australia and Canada the frontiers face us once again with the fundamental challenges of the national experience: first settlement in alien climes; relations with 'the natives'; establishment of viable economic life and basic infrastructure; discovery and use of unfamiliar resources and natural processes; the emergence of a new society; and even the establishment of what a new Canadian report calls 'a domain of enhanced civility' (Griffiths & Kuptana *et al* 1991, 2). This latter term should not be seen as quixotic; after all, the individuals who settled Australia and Canada all had hopes for a better future. Those who

* A reader has warned me that my use of 'the White Man' should be replaced by a 'gender neutral' term like 'white persons' or else I will upset Canberra readers accustomed to 'more appropriate' language. Hence my explanation here. The term 'White Man' is exceedingly well understood by non-European peoples. It refers to European colonialism abroad, an almost exclusively male historical activity (even when conducted in the name of Queen Victoria), and one whose hangover is still with us in some social attitudes and public policies. On the other hand, we should be glad that there are officials and others today sufficiently confident of the gender neutral, multi-cultural reality of the world around them that they do not recognise the term.

settle the northlands today, and those who already live in them, desire better futures no less than did earlier settlers.

In Canada disputes of regions versus the centre, inter-regional disaffection, resulting public despair and a loss of political direction have seemed to threaten national dissolution in the last two years. An extraordinary national body was set up in late 1990 to open a dialogue with a public which had felt left out while heads of government made constitutional deals behind closed doors. The Chairman of this Citizens' Forum on Canada's Future, in a personal summing-up contained in the Forum's summary report (published as a press supplement across Canada), puts the national challenge in the north thus:

The Yukon and Northwest Territories remain our last frontier. We need ways to allow the people living there to be heard more in Ottawa and at the constitutional table. We need to make a concerted effort to learn much more about the unique challenges, opportunities and culture of the North. And we need to bring the idea of North more vividly into the imagination of Canadians as a unifying factor (Spicer 1991, 4).

For the Forum, as for most other Canadians, the north includes the concept of a relatively intact homeland of indigenous Dene (Athapaskan Indians), Métis and Inuit (Eskimos). For good measure, and speaking of the north as much as the south in Canada, Spicer notes:

Aboriginals were also a high priority in our consultation. Far from being only a moral challenge and a 'problem' for Canada, they must be a prominent part of our solutions.

How? They can help us grasp the huge land we share, and teach us to respect it. Also, aboriginals normally tend to take a more consensual, less adversarial, approach to settling differences — an approach we can only dream our politicians might learn. Finally, with their rich and varied culture, aboriginals can bring us to a deeper sense of spirituality about our life and destiny in Canada.

There is a growing number in Australia who would recognise these passages as no less relevant to the Northern Territory, Western Australia and Queensland, and some other outback areas of the continent to boot. In Canada, too many people think of the north as *only* the two Territories, but large swaths of seven of the ten Canadian provinces qualify as well.

The indigenous peoples, whose claim on northlands is both unique and strong, and the informed national public, both seek the maintenance of northern differences, a source of diversity in a homogenist global order. The counter arguments advanced by some northern White élites, on the other hand, seem merely self-serving with their demands for freedom to relive 19th century resource booms and settlement patterns. We would be foolish not to have learned something since those pioneering days. For both Australia and Canada, the New World Order must begin at home. In practical terms this could mean:

- a package including constitutional recognition of indigenous peoples, certain indigenous rights and the constitutional entrenchment of certain negotiated agreements; and
- politico-administrative action on specific regional arrangements such as a Torres Strait regional politico-environmental and socio-economic agreement, a process begun to achieve Northern Territory Aboriginal self-government and something to secure the rights of Aborigines in the East and West Kimberleys.

The need is to re-write the indigenous-White relationship nationally, to make progress on indigenous political and socio-economic development at the spinifex and sea-grass roots, and to link the management of unique eco-systems to local and regional ecologically sustainable development strategies. The referendum requirements of the Australian constitution and the scarcely developed national public opinion on indigenous issues make emphasis on regional and inter-governmental issues, which require no constitutional amendment, the more important.

The paper will proceed under five headings.

1. *Constitutional growth in northern Canada* — the recent developments there;
2. *Northern Australia's contemporary struggle* — the uncertainties of indigenous political development;
3. *Australia's next steps* — Australia's immediate needs in northern peoples policy and northern regions policy;
4. *A domain of enhanced civility?* — a few words on prospects in Australia's uncivil north; and
5. *Conclusions* — recapitulation and the need for indigenous initiative in developing a new Australian vision in the north.

In neither Australia nor Canada are northern issues seen as a major cause of, or central issue in, national disarray. Both countries recognise that the place of the first inhabitants of the continent is an outstanding issue, however. In Australia the Northern Territory government would like to make its desire for Statehood an issue, although it has no great public support for that cause. In Canada the Northwest Territories and Yukon have been insultingly, if not very damagingly, treated by constitutional conclaves in recent years and many politicians nationally recognise that some amends are due. In this paper some news of recent Canadian experience is provided as a prologue to the main subject matter of north Australia.

Constitutional growth in northern Canada

Following the Second World War several developments altered Canadian thinking about the north. Wider education, self-confidence returning after fifteen years of depression and war, and the racist ideology of the

defeated Germans in that war made Canadians self-conscious about obvious social disparities coinciding with racial divisions. (Nonetheless, Canadian Indians did not vote until 1960.) Wartime developments in aviation, and northern air and meteorology facilities established in support of Far Eastern and European war efforts, followed by the post-war economic boom with its appetite for natural resources, all brought the north, a huge region of primarily traditional hunting-gathering peoples, into view. This north seemed impoverished, primitive, an unacceptable eyesore to a rapidly urbanising White Canada — a sort of repudiation of the modernising and material impulses which gripped the populous southern regions. The rollicking purposes of wartime propaganda were easily transferred to the north. Furthermore, many indigenous Canadians had served in wartime and had seen the world, while indigenous youth were getting more and better education post-war. These forces hastened change. Not law or theoretical rights, but social change was the catalyst.

In 1953 the federal government revamped its northern administration, creating a department with a significant budget and a mandate to transform the north. The Inuit areas were particularly affected, having had no real administration before except an occasional 'Mountie' (RCM Policeman) doing long dog-sled patrols. Whereas Indians had an administration which went back to the previous century, Inuit received a different sort of administration. Post-war ideals and new people went north. The federal government operated in northern Quebec and in the two federal territories — Northwest Territories (NWT) and Yukon. A flair for public relations characterised the federal Inuit administration. Its successor, the government of the NWT, relocating from Ottawa to the north and setting up a full-scale province-like government in 1967 (Canada's constitutional centennial year, by no means a coincidence), continued the tradition. The romance which Canadians had always felt for the north was cleverly transformed by officials and politicians into an asset — both a political and financial asset. The NWT government used striking colour photos of icebergs, polar bears and the clear cold arctic to sell vacations along its thousand miles of dusty gravel road to the south

in the sub-arctic forests. Romance supported a massive and expensive reconstruction of the north, while new Inuit art media were developed and quickly became sources of Canadian pride. It became possible for southern Canadians to become honorary northerners while sitting in southern armchairs. The Inuit political organisations of today have sometimes followed in this tradition and generated national sympathies in support of their political agendas, an important 'resource' given their marginal numbers, locations and political assets.

Young educated Indians and Métis from the 1960s, and Inuit from around 1970, began to articulate political demands which seemed new. As recent histories show, there is much continuity with old demands going back to early Indian-White relations in North America (Miller 1989). For whatever reasons — new modes of expression, a newly apt or embarrassed public, more Canadian awareness thanks to British decolonisation in the Third World, and the example of American civil rights struggles — a new political context was developing. Conservative prime minister Diefenbaker made significant steps in Indian rights and, through his inspired northern affairs minister, Alvin Hamilton, northern Canada was materially and socially transformed. The confidence in material change typical of the times left many misunderstandings and even tragedies, as well as private bitterness, among northern indigenous peoples. But change was underway and irreversible. The areas which suffered most were the northern regions of the provinces; like the Kimberleys or far north Queensland, they were often ignored while the federally-nurtured Territories rushed ahead. The resource hinterlands — which are how Canada's provincial governments view their northlands — comprise a few modern mining or administration towns with an indigenous under-class, amid wide indigenous homelands 'in the bush' (Indian areas) or 'on the land' (Inuit areas), regions which remain centred on hunting, trapping and fishing, regions whose people are often seasonally sustained by social welfare payments.

The federal northern administration did not easily move from a paternalistic welfare-style administration to recognition of indigenous

politics. When Ottawa devolved power to Territorial governments, the results varied (Dacks 1990). In the Yukon a slow evolution, the long White hegemony and the minority of Indian descent (about a fifth of the population) made for continuity, including continuing Native (Indian and Métis) disadvantage. In the NWT, however, with its Native majority, its more recent and all-pervading welfare-state style and its enclaves of Whites, many of them service and public personnel serving Native needs, a different atmosphere prevailed. Despite a bid by White entrepreneurs in the 1960s and 1970s to make a north in their image, they failed. In 1979 a period of difficult NWT race relations ended with a newly elected government and a legislature containing an active Native majority and a new generation of Whites ready to work with their Native fellow citizens. The steady hand of federal policy has been a major factor in northern constitutional development: indigenous interests and claims settlements were to be protected in federal law, safe from White populists in northern legislatures. Ottawa has coolly played its hand: no major constitutional steps unless and until both major White and Native interests agree on them. The federal government has learned from bad experience in the provinces that indigenous peoples must be given enough support that they will not simply be brushed aside. The new constitutions emerging in the north are made up of two main elements: land claims settlements and territory government arrangements, each being embodied in federal statutes. The claims are explicitly negotiated and the territory constitutions are being implicitly negotiated (although everyone is too polite to say that aloud). The northern claims not only provide indigenous people with massive capital funds as 'compensation' payments for lands and resources lost or used, but many other benefits in perpetuity, including statutory bodies through which indigenous peoples and senior governments will co-manage (through 50-50 membership) land use, wildlife, surface resources, development planning on- and off-shore, income support programs for hunters and trappers, etc.

A claims settlement in Quebec in 1975 saw the Inuit of the arctic coasts and the Cree Indians of the northern forests — and later the Naskapi Indians — given wide powers and substantial development funds across

the northern half of the Province. This was triggered by the vast hydro-electric power schemes of the Quebec government. This first modern Canadian land claims settlement was inevitably controversial, with many indigenous groups accusing Inuit and Cree of a sell-out, while many ill-informed or bloody-minded Whites saw it as a massive giveaway of tax dollars and power to feckless welfare cases. The settlement has been a continuing learning experience for governments and indigenous peoples. The former had failed to ready their administrations to cope with the many exotic new features, causing misunderstandings and worse, while the indigenous people have had to master a complex and alien system of corporate, political and socio-economic structures with the help of the inevitable White advisers. Today a new phase of 'hydro' development has divided Cree (who totally oppose it) and Inuit (who want to negotiate terms which include greater self-government), while Quebec and many 'francophones' see the national horror reaction of environmentalists as the latest trick by perfidious Anglophones to deny Quebec its destiny. (Already the Inuit may be vindicated. 'The Quebec government should start serious negotiations with native people, including possible transfer of powers and royalty payments for natural resources, as a means of getting the Great Whale hydroelectric project back on track, Opposition leader Jacques Parizeau says' ['Negotiate with natives, PQ urges', *Globe and Mail*, 21 August 1991], a man who days earlier had been dismissing indigenous concerns and constitutional interests as merely mischievous.) The environment of a vast area of Quebec, the ecology of Hudson Bay, and the flora and fauna on which the Inuit and Cree depend for food and livelihoods are hostages, and the Cree and Inuit are the people who will 'lose' most immediately (Makivik Corporation 1991; Puddicombe 1991).

A significant political phase opened in 1978 when the federal Prime Minister invited indigenous peoples to make proposals for an amended national constitution (Jull 1981). Not the least factor behind this initiative was the historical nonsense of 'the two founding peoples', i.e., French and British, as the main affected parties while reform ignored the people who had been present for thousands of years. By the time a first amendment package was ready in 1982, the indigenous groups had

negotiated significant items for inclusion: notably a recognition and affirmation of 'existing aboriginal rights', a commitment to a 5-year series of conferences between indigenous leaders and the federal and provincial premiers to discuss detailed further amendments, and inclusion of the large mixed-blood group, Métis, alongside Inuit and Indians. At first the indigenous groups worked at draft charters of indigenous rights, but soon they set these aside to move on to what has become the main political issue of Canada's indigenous politics: self-government. At one end of the spectrum this could mean the new self-governing Inuit-run territory, Nunavut, to be carved from the NWT, and at the other end, the self-management by small Indian bands of those matters which most affect their daily lives. As constitutional talks went on these matters became subject to more and more agreement, but a problem prevented a successful conclusion to the conference series: some governments wanted to see more detail before they signed an open-ended commitment to self-government (and wanted to see the funding and territorial expanses which would be required to give it substance), while others argued that such a commitment would necessitate detailed implementation work in any event and was no cause for alarm. At the end the indigenous groups had put all their eggs in one basket, letting practical work on self-government, e.g., in Nunavut, take second place to the pursuit of a largely symbolic constitutional amendment (Jull 1987). When they failed to achieve it, they retreated in disarray and the indigenous political movement lost momentum for several years (Hawkes & Devine 1991), with only the very concrete work on land claims and the low-key federal transfer of power and budgets to Indian band governments, already well underway, usefully and quietly proceeding across the country (Cassidy & Bish 1989).

The uncertain era brought in by the March 1987 conference failure ended with the August 1990 standoff between troops and Indians at Oka near Montreal over a local plan to extend a golf course onto Indian burial grounds. In the interval, government attention to indigenous concerns and spending at the federal level had been in retreat (Hawkes & Devine 1991, 46-8). Nevertheless, that retreat was more a pause, one brought on

by fiscal restraint and the desire of the federal government to pursue 'good news' stories with grateful clienteles (neither very numerous in modern indigenous-White relations!), as well as by the apparent bemusement of the indigenous leadership after the collapse of the high hopes generated by the conference series.

That there is reforming vigour in Canadian institutions is evidenced by the recent report of a Province of Manitoba inquiry on indigenous people and the justice system, recommending among other things that 'tribal courts based on culture and tradition be the cornerstone of a separate legal system for native people' ('Native justice probe urges massive change', *Globe and Mail InfoFAX* 30 August 1991). A number of Canadian governments have been at the leading edge of indigenous policy change. Their weaknesses in recent years (until later 1990) have been a certain shyness about commitments of funds and lack of urgency. A few small successes are not enough. Furthermore, governments have spent a great deal of time searching their own traditions for legalistic contrivances to fit the indigenous challenge and too little time on the local practicalities of indigenous need. George Watts, a leader of the Nuuchah-nulth (the so-called 'Nootka' Indians of Vancouver Island), a man who hosted the founding conference of the World Council of Indigenous Peoples (WCIP) on his reserve at Port Alberni in 1975, emphasised this problem in a recent conference (Cassidy 1991, 21-2):

I want to talk about...land, and this great European culture that they have to own everything. 'I own it and therefore I can give it.' Well, I live on the land that my great-great-great-great-grandfather lived on. You are not going to move me off that land. You are not going to give me that land. So we have to get rid of this concept that this is a land claim. It isn't a land claim, it's a settlement; a settlement of two different jurisdictions. There is a European jurisdiction that came here and there is the aboriginal jurisdiction over that land that has always been here. Please remove from your mind the European concept that you own everything and you can give it away. It's not possible. You cannot give me the land which my great-great-great-great-great

grandfather passed on to me and I'm going to pass on to my great-great-grandchildren. You will never give us the land, but what you can do is come to an accommodation of the conflicts in the titles that we have.

In the 1991 annual August conference of premiers, the leaders of Canada's national indigenous organisations were invited to join in a number of open and closed sessions. Some premiers said afterwards that they thought indigenous leaders should be routinely included at future heads of government meetings ('Natives supported for role in talks', *Vancouver Sun*, 24 August 1991). The Prime Minister has made a similar commitment in respect of future constitutional conferences ('Aboriginals to take part in talks, PM says', *Globe and Mail InfoFAX*, 30 August 1991). A national Royal Commission on Aboriginal Affairs, with a majority of Commission members being indigenous politicians, was also announced in August 1991, with

the recognition and affirmation of aboriginal self-government; its origins, content and a strategy for progressive implementation...[and]...the special difficulties of aboriginal people who live in the North

among its subjects for investigation and recommendation (Office of the Prime Minister, Canada 1991, Schedule 1, pages 1, 2). National Indian leader Ovide Mercredi, recently elected in the first indigenous elections given national media coverage, put the case bluntly to the premiers at the August meeting:

You have also been affected [by white injustices to indigenous peoples] because you have inherited a way of seeing First Nation peoples which cannot work in a free and democratic society...Your constitutional values are still founded on ideas which were prominent in the colonial era — power, greed, exclusivity and the rejection and denial of other cultures (Hume 1991).

Furthermore, Mercredi added, 'A great nation cannot emerge from these values'. This linkage of inappropriate past values to Canada's unity crisis is widely and uneasily felt by non-indigenous Canadians, even if they do not all agree with Chief Mercredi's particular list of causes. However, Canadians have come to agree — and it is probably their most widely shared constitutional agreement today — that any future for Canada or of its present parts in new combinations must include generous political accommodation of indigenous peoples as distinct self-governing societies. A positive response has now been made in the Prime Minister's latest offer (September 24, 1991) for an amended constitution:

The Government of Canada proposes an amendment to the Constitution to entrench a general justiciable right to aboriginal self-government in order to recognize aboriginal peoples' autonomy over their own affairs within the Canadian federation (Mulroney 1991, 7).

Northern Australia's contemporary struggle

The type of problem facing the completion of Australian nationhood in the 'north' and 'outback' has been described elsewhere (e.g., Jull 1991). In Australia at this time one has the sense that there is genuine incomprehension among many policy makers. For instance, the international political centre-piece of 1992, the Columbus 500th anniversary year, is the UNCED Earth Summit. It will review action on ecologically sustainable development since publication of the UN's Brundtland Report (Brundtland *et al* 1987), and make recommendations for further action. In its principal response to this call, the Draft Australian National Report to UNCED rather misses the point, as some have noted (e.g., Dargavel & Brown 1991). For instance, we read that,

Special programs have been introduced for Aborigines and Torres Strait Islanders in education, health, employment and housing. The Aboriginal and Torres Strait Islander Commission Act 1990 is aimed at promoting self-management by Australia's

indigenous people. Its objectives involve land and economic development, social advancement and the protection of Aboriginal and Torres Strait Islander culture and heritage (DASETT 1991, 9).

A wealthy country like Australia is unlikely to surprise anyone abroad with the news that it has education, health and employment programs. But this is not what the Earth Summit will be talking about, or what the Brundtland Report sought. That report is quite clear on what it expects of Australia and other countries with large hinterland areas.

The starting point for a just and humane policy for [indigenous] groups is the recognition and protection of their traditional rights to land and the other resources that sustain their way of life — rights they may define in terms that do not fit into standard legal systems. These groups' own institutions to regulate rights and obligations are crucial for maintaining the harmony with nature and the environmental awareness characteristic of the traditional way of life. Hence the recognition of traditional rights must go hand in hand with measures to protect the local institutions that enforce responsibility in resource use. And this recognition must also give local communities a decisive voice in the decisions about resource use in their area (Brundtland et al 1987, 115-16).

Another recent disappointment has come to Islanders and Aborigines alike in Queensland. The 1989 Labor platform for Aboriginal and Torres Strait Islander issues was an open one, and most promising (ALP 1989). Consultation was stressed as the key. In early April 1991 the Labor Premier of Queensland visited Torres Strait and assured everyone that he would be working with them and that a positive new relationship was nigh (Island Coordinating Council, personal communication, 1991). But a few weeks later, in late night sessions reminiscent of the bulldozer style of the legendary former Premier Joh Bjelke-Petersen, a style most voters thought they were voting out forever in December 1989, the same Labor Premier rushed through land rights bills for both Torres Strait Islanders and Aborigines, with virtually no consultation. As damaging to Labor's image with the indigenous peoples as the mode of passage and contents

of these new Acts were some of the patronising comments made during these days inside and outside the legislature by the Premier.

The Torres Strait Islanders, just before this fuss, wrote a letter to the Queensland Premier in which they urged that a more consultative process accompany resolution of land rights and other major issues. The letter, sent by Island Coordinating Council chairman Getano Lui, Jr., was both gracious and optimistic (Letter to Premier Wayne Goss, 16 May 1991). He argued that a rushed decision on such important matters as land rights would lack credibility and create more problems than it solved if people did not understand or support it. He concluded,

I ask you on behalf of all Islanders to work with us now, as we have begun, to show others that we can achieve good outcomes by agreement. The world has heard too much about Australian failures with Aboriginal people and resulting bad social conditions. We have a chance to do things very differently in Torres Strait, and we have a chance to give Queensland the sort of race relations success story which has eluded it throughout its white history.

Appended to the letter were 'Principles and Objectives for the Future of Torres Strait'. These were presented to give an overview of Islander aspirations. The main section was a series of points on ecologically sustainable development strategies, introduced thus:

A comprehensive conservation and sustainable development strategy is needed as the foundation for future public policy and economic development in the Torres Strait region. A Torres Strait Marine Conservation Strategy would be the largest element in this approach, building on the unique relationship between Islanders and the sea. This relationship is as important for cultural traditions and social forms as for our livelihoods and future well-being.

Another point adds that,

The central element in Torres Strait reform, decision-making, jurisdiction and management should be a regional government designed to meet the region's unique needs and circumstances. ... Other countries including USA, Canada and the Nordic countries...have relevant experience in regard to flexible self-government systems for unique regions and societies.

And again,

The Report of the World Commission on Environment and Development (Brundtland Report) contains an important section on indigenous peoples in Australia and other regions where such people still inhabit their traditional territories. In the process of implementing the Brundtland ethic as Commonwealth and State governments are now doing, significant resource management and resource use decisions, the maintenance of traditional knowledge, and genuine self-government by indigenous societies as outlined by that report must not be forgotten.

The Islanders placed their Principles and Objectives on an agenda for discussion with federal and Queensland ministries concerned with Torres Strait. Officials of the federal environment department (DASETT) and foreign ministry (DFAT) reacted very negatively (personal communications, 1991). There followed Dostoyevskian scenes of upset and pleading, overwrought interpretations and prophesied disaster on the part of these federal elements, something which amused the Islanders more than it angered them. They should have been angry, too. The environment ministry was apparently unable to recognise a coherent approach to a sustainable development strategy for the region, even though the ministry is in the business of promoting such things. The foreign ministry, although full of experienced analysts of world politics and ethno-politics, reacted to a careful, quiet and utterly moderate program for reforms within Australia as if it were a separatist and radical menace. After everyone had settled down, the ministries involved agreed

that the environment-related points were acceptable, although worries about separatism did not entirely go away.

Sometimes junior officials discover a 'problem' in order to draw attention to themselves. The Trudeau era in Canada often saw weak ministers and trivial officials screaming 'Separatism!' at Indians and Inuit in the belief that this would trigger the Prime Minister's animus towards ethnic nationalism and make them look like good front-line fighters. (Before he retired Trudeau had nonetheless become a hero of progressive accommodation to national indigenous groups whose leaders genuinely sorrowed at his departure.) Governments today cannot afford loose cannons in officialdom creating ethno-political problems. If practical and moderate proposals for indigenous policy reform and local betterment are rejected or ignored, the people affected will conclude that 'the system' does not work for them. Rather than rushing to deny and block indigenous peoples' resurgence and growing pride, both of which are necessary to solutions of long-standing indigenous socio-economic problems, officials might more usefully respond cooperatively to their reasonable initiatives. Fortunately there are senior officials in Canberra who recognise this.

The federal government has stood firmly behind its Northern Territory land rights legislation, refusing to turn it over to an NT government which has often seemed to make war on indigenous inhabitants as a political staple (1). Here the national constitutional reformers have an ideal opening to sponsor or broker a constitutional settlement because it seems unlikely that the minimum NT government demands for a Statehood constitution such as the takeover of Aboriginals lands, lives and programs will be acceptable to the federally-protected indigenous population. To transfer indigenous peoples and their lands to another jurisdiction they perceive as hostile would surely be unthinkable today under international convention; it would also provide Aborigines with a dramatic issue to take to the court of world opinion.

Australia's national approach to indigenous policy today is explicit, thanks to an unprecedented policy statement released with the 1991 federal Budget.

The Government firmly believes that Aboriginal and Torres Strait Islander people should have more control over their own lives. The creation of ATSIC in 1990 gives Aboriginal and Torres Strait Islander people an unprecedented role in Commonwealth decision making on matters which affect their lives and thus a greater capacity to determine their own destiny (Social Justice for Indigenous Australians 1991, 23).

This equation is faulty. The indigenous people certainly need 'more control over their lives', but ATSIC is a very uncertain device for achieving it, being an advisory scaffolding added onto a strong federal bureaucracy. On the Reconciliation process and on Self-Management, the statement similarly avoids concepts of self-government, promising only to work for more racial sensitivity among Whites and for 'culturally appropriate programs' (Social Justice for Indigenous Australians 1991, 12, 13). Of the nearly \$1 billion (\$987.016 million) spent this past year on all federal services to indigenous peoples, including education and health, only \$161,000 was on 'local government development' (Social Justice for Indigenous Australians 1991, 21, 161). The Budget paper is revealing here by referring to how this particular funding aims 'to improve relations between Aboriginal communities and mainstream local government', continuing mysteriously by noting that it will also help 'to enable *genuine self-management and self-determination* for Aboriginal and Torres Strait Islander local government bodies' [my italics] (Social Justice for Indigenous Australians 1991, 161). This seems to imply both that indigenous peoples are not expected to have self-government outside 'mainstream', i.e., White-run, systems and that the government knows that what is offered is not 'genuine' self-management and self-determination. (See also Jull, 1991, 54-6, on the danger of misleading terms like 'self-management' and 'self-determination'.)

The policy statement ends with a recognition of the size of the problem:

The position of Australia's indigenous peoples is Australia's most important social justice consideration as the country approaches the centenary of Federation in 2001. This paper, together with the process of reconciliation and the Commonwealth's ongoing Aboriginal and Torres Strait Islander programs, is designed to respond to this critical issue (Social Justice for Indigenous Australians 1991, 35).

Governments in Australia have apparently convinced themselves that efficient program delivery is enough, and that surging indigenous ethno-politics can be so contained. Perhaps the most remarkable new development is a report agreed by federal, state and territory ministers, reliably reported to be recommending the virtual handover of Aboriginal program delivery to the States and NT (AAAC 1991; CAOAS 1991). While the report is said to insist that indigenous 'self-determination' is the centre-piece of the new national policy, the report was agreed without indigenous input (although pushed into the ATSIC Commission *later* for rubber stamping) and appears to include a unilateral federal reversal of the publicly accepted meaning of the 1967 constitutional referendum giving Canberra the lead role in Aboriginal matters. The icing on the cake is that the new plan virtually ignores ATSIC as a significant future player, even though this controversial body caused Canberra so much political grief to bring into being a mere year ago!

Canadian and other recent 'first world' experience might lead Australian policy-makers to different conclusions about this panacea of programs and their 'efficient' delivery. Denmark, too, has proceeded from such program hopes through logical stages and successive disappointments to Inuit home rule in Greenland (Jull 1991, 37-9), and Norway has recently moved to constitutional recognition and a national elected Sami (Lapp) parliament advising the all-Norway Parliament and government as first steps in a broader political accommodation (Brantenberg 1991; Jull 1988). Sweden has allowed itself to get caught in the logic of its social democratic or labour tradition, however, and has failed dismally to keep

up with its Nordic neighbours (Korsmo 1991). This may be a useful caution for ideologically-driven policy-making elsewhere. In Alaska the indigenous peoples are sorting out their land claims settlement results and working to confirm greater political and economic autonomy (Maas 1991). Finland has been engaged in stop-and-go reform for its small Sami minority in the north, now propelled to some extent by neighbouring Norway's momentum. The twenty-six indigenous peoples of the Russian republic launched an organisation in 1990 with support from President Gorbachev and have since made clear in national and international forums that they are seeking the same autonomy, land and resource rights, and self-government as indigenous peoples abroad (Dahl *et al* 1990; Mary Simon, personal communication, 1990). Now those northern hemisphere indigenous peoples have begun to work together internationally and are creating whole new vistas in indigenous politics (e.g., Jull 1991, 67-70).

Australia has a distinct advantage over northern hemisphere countries which worked grimly and alone for so long, as if embarrassed by a guilty family secret. Today those countries are at last sharing experience, spurred in no small part by their indigenous peoples, and are moving quickly ahead in several fields as a result. Australia has the benefit of all their recent experience — their mistakes and successes — and should not fail to draw on these. At least one list has been drawn up of research topics which could be of immediate help to Australia (Jull 1991, 75-6).

Australia's next steps

Australia has given itself ten years in which to renew its institutional framework and national assumptions before the celebration of one hundred years as a political union. There are two main northern and outback policy changes required to meet that deadline, but they can overlap in time or even occur simultaneously.

1. Public policy respecting outback peoples must move from administrative fixes to political relations between peoples and their public bodies. Indigenous peoples are not a species of social problems for urban Whites to solve with national service delivery alone; they are unique societies whose present well-being and future survival require their political development as communities.
2. Implicit and explicit assumptions of national uniformity must be supplemented by the embracing of some degree of local and regional variety as underpinnings of outback socio-cultural and environmental well-being. Cities like Sydney and Melbourne are a dime a dozen in the world, but Torres Strait, Cape York, the Red Centre, the Top End and the Kimberleys are unique. The passion which Australian city-dwellers feel in the public debates over Kakadu reminds us that the north and outback are the heritage of all Australians, especially because of their Aboriginal and environmental values.

Northern peoples policy

There are several steps which, taken in sequence, make up the first policy change above. These steps begin with a sort of public policy clean-up.

1. Politicians and public officials lack the knowledge (and the right) to define indigenous peoples, or make other pronouncements on the inner life of cultures not their own. Their public musings about who is or is not a legitimate indigenous person are an echo of earlier racial interventions in Aboriginal families and society. In 'first world' (OECD member) countries, especially among immigrant populations like the USA and Canada, public figures usually face party discipline or human rights tribunals when they stray into such areas of racial slur and putdown as have been visited by Australian politicians in recent times. The same will happen here soon, no doubt. Meanwhile, such talk poisons the race relations atmosphere at home and hands international critics a stick for beating Australia. As part

of national implementation of the 1991 Race Discrimination Commissioner's report on 'racist violence' and the 1991 Royal Commission report on Aboriginal/Islander deaths in custody (HREOC 1991; Royal Commission 1991a), a new federal-State-Territory code for public conduct should be agreed and implemented to improve standards. Something like this may already be contemplated (Social Justice for Indigenous Australians 1991, 158).

2. The next step forward will require that public policy in relation to indigenous peoples include participation by those peoples. ATSIC is a partial attempt to meet that need, and one less and less convincing to northern indigenous organisations. It is too early to say how it will work in practice, but anecdotal evidence suggests that some senior ATSIC officials see the elected indigenous councils and commissioners as mere window-dressing. In Canada the indigenous organisations federally funded at both national and provincial levels have established routine consultative relations with government on matters of policy, programs, personnel appointments, etc. Indigenous policy has been much the better for it. The view of indigenous people as more than objects of White 'good works' or control appears to be a true threshold: when it is crossed it leads quickly to real progress on further indigenous-White relations. Many Australian policy makers have accepted this challenge in name but very unevenly in fact.
3. A further step involves transfer of authority to indigenous entities. (ATSIC may be the transfer of indigenous identity to the authorities, on the other hand!) This devolution occurs on two levels: the local and the national. Experience elsewhere in OECD countries suggests that the two produce the best results when proceeding in tandem. That is, it is local authority which is needed to actually improve individual lives, but national influence or direct power is needed to create the conditions and the frameworks for local power to be transferred. The Norwegian Sami have long flailed away at back-

country racism without much effect, despite the high level of politicisation and expertise of their people, because until the election of their national Sami Parliament in 1989 they had no permanent national lobby. It is best for indigenous groups to maintain an active presence in the capital cities from which they are governed so that officials, press, politicians and public are continually made aware of indigenous needs and positions.

(At this stage governments sometimes look for a quick fix, symbolic gestures rather than effective new institutions. This is a trap. Indigenous people will be keenly aware of the realities; they are seeking real power, not photo opportunities. Of course, governments can always find some indigenous persons who enjoy photo opportunities and who can be presented as indigenous spokespersons. At this late stage of political development such ruses produce the very thing they are meant to avoid: radicalisation of the indigenous leadership who, in their anger at being manipulated, become merely more insistent in their demands. The better course for governments is to invite genuine power-sharing so that a cooperative problem-solving spirit prevails. If anyone really thinks that governments should continue their role as sole arbiters and experts, he/she need only visit some indigenous communities in outback Australia to see the extent of governmental program failures.)

4. At the final stage, there being no ideological or 'national question' remaining, nor signs of the country fragmenting (despite fears of some on both Left and Right), the indigenous 'problem' will have become one of implementing funding, service delivery and economic development systems relevant to and manageable by local people. This is a functional question, not a philosophical one. However, national and sub-national governments which undertake the sponsorship of indigenous self-government are often organisationally ill-prepared to carry it out successfully. In such cases confusion and disappointments may generate indigenous bitterness and scepticism about government intentions, while government officials embarrassed

by press reports or parliamentary committee evidence fall back on blaming the victims, i.e., the indigenous peoples themselves. All this is avoidable. The critical first official evaluations of Cree self-government in northern Quebec were astonishing for one reason only: anyone with slight experience could have predicted all but one of the major problems encountered, that one exception being peculiar to the specific Cree arrangements (Cree-Naskapi Commission 1986).

A related issue is the problem of 'catch-up'. Many indigenous communities, by virtue of their isolated location or lack of past funding, have severe needs relative to the general Australian society. How can these best be provided? Norwegian service equalisation among all areas of that country deserves Australian study.

Another issue is the preparation of indigenous societies themselves to use and participate in the new opportunities. In Canada, for instance, most of the political attention of White society in respect of indigenous self-government has been on how to find in White legal and constitutional traditions a precedented technique for sharing a little power with the country's first inhabitants. Much more attention is needed to local capacities, cultural preferences, training needs (not just to typing skills but also to what might be called 'northern civics'), and socio-economic self-help programs, especially 'ecologically sustainable development' strategies. Self-government must be effective in indigenous society no less than officials must make it respectable in White society.

It will be seen that these steps are simple. They do not require the re-thinking of Australian identity, but rather the application of time-honoured and fundamental principles of practical public management. They do not create alienated tracts of countryside, but only more participating populations in some of the wastelands of today's Australia, areas which begin to contribute more to the national economy (Crough *et al* 1989). Too many programs for indigenous well-being are implicitly or explicitly aimed at the individual who is willing to break away from the group to receive some benefit in the White world. That is too much

to ask and is the reason why many programs give 'disappointing' results. Such programs are divisive for indigenous society and put gratuitous and often tragic stress on the individuals concerned.

Northern regions policy

The second main need may be more difficult for some because it requires a mental shift. However, it also offers more full expression to the national identity of Australia. The special regional qualities of different parts of Australia are a matter of pride even to the most ardent city-dwellers. Similarly, Americans, Canadians, Norwegians and Danes take pride in their remote northern frontiers. It does not matter why this is so, or whether it makes much sense; all that matters is that it is so. Today we find even hard-bitten economists trying to put a price on some of these global assets so that they may be valued more highly and, thereby, protected more assiduously. Our OECD-member governments, however, have tended to take an interest in northern regional issues only episodically. The Soviet government, with its autarkic dreams, has focussed much more on 'northern development' since 1917 than has the rest of the north circumpolar world, and is usually recognised in Europe and North America to be far ahead in many fields of northern research. However, the price paid in the USSR by the northern environment and indigenous peoples has been far too high in some areas (Dahl *et al* 1990).

Inuit in Canada, together with the international Inuit organisation, the Inuit Circumpolar Conference, have played a leading role in reshaping the Canadian and circumpolar image of the far north and the arctic region generally. They have done this through testimony to boards and inquiries reviewing resource development and arctic shipping projects, through land claims and self-government negotiations, through the Canadian constitutional review over many years, and through publicity campaigns and world media coverage of three-yearly ICC assemblies. Films and art from the Inuit north have also been popular and have reached the whole world. Essentially they have taken a region known to

the White Man as empty and cold, a harsh land luring only the rugged White adventurer, and transformed it into a beautiful, bountiful and human landscape. Brilliant books like Brody's *Living Arctic* have crossed the cultural divide to make the arctic indigenous community accessible and intelligible to raw city-dwellers (Brody 1987).

The practical side of this filling in of national space has been best reflected in the public administration of northern territory and the environment. All Canada's northern land claims have come down to the desire of hunter-gatherer peoples to protect habitat and renewable resources. Consequently, land claims provisions on management of territory are the most detailed and the most emotionally loaded for the peoples involved. In the new claims settlements the indigenous peoples have negotiated wide powers of decision-making for management of territory, development impacts, planning and renewable resource management on-shore and off-shore, typically through 50-50 Inuit-government membership on statutory bodies whose decisions can only be over-ruled at federal Cabinet level under extraordinary and narrowly defined circumstances. The Arctic Marine Conservation Strategy and more recent Arctic Environmental Strategy, both Canadian government action plans, have indigenous people, the Inuit, at their centre. (The Torres Strait Treaty in Australia does no less for Islanders, and could provide important opportunities in the future.) These striking documents are not mere saccharine wording but the result of years of conflict and debate among parties to northern development. They provide for wide approaches to reinforce work on smaller regional eco-systems, as do processes like the Lancaster Sound Land Use Plan. Inuit have also taken their fight to the international community. They have not only cooperated among themselves across national frontiers to keep an eye on the big oil companies and to share many kinds of expertise, but they have worked on a pan-arctic ecologically sustainable development strategy. After years of Inuit fighting for multi-lateral circumpolar cooperation in aid of environmental, social, cultural and indigenous political values, their presence at the June 1991 gathering of arctic governments at Rovaniemi, Finland, and the resulting commitments to multi-lateral and

to indigenous-government cooperation, are matters of satisfaction (Ministry of Foreign Affairs, Finland 1991).

The Canadian Inuit are as scattered, isolated and remote from news media and levers of power as a people can be. They include only a few persons with tertiary education. Nonetheless, in order to look after the future of their vast northern homeland and ensure the survival of their culture, they have used all the peaceful political means at their disposal to create a new cultural, political and environmental order across the north. During an August 1991 visit of the federal Cabinet constitutional committee to Iqaluit, the *de facto* Nunavut capital, chairman Benoit Bouchard said,

Inuit and native people are not special interest groups; they are nations, they are societies, they are different and they will be treated as such ('Natives deemed distinct societies', Vancouver Sun, 15 August 1991).

The homogenist assumptions evident in Australian policy thinking today can be destructive of White rural social culture as well as indigenous cultures. In a highly urbanised society like contemporary Australia, with a rural crisis, drought and various other afflictions, not to mention the afflictions brought by some centralist and rationalist public policy, the variety and regional identity of most of Australia's land area are too easily ignored or forgotten. These must be factored back into policy and political thinking.

At the opening of the NT University's Centre for Aboriginal and Islander Studies (CAIS) in Darwin, September 4, 1991, Northern Land Council chairman Galarrwuy Yunupingu said that the time was coming when the Aboriginal and Islander peoples would teach the Whites some important things (Jull, personal recollection). There is no doubt that indigenous peoples' initiative is needed to re-define the north and outback of Australia today — for indigenous benefit and for all Australians — and give those regions their due place inside the Australian constitutional order. The Torres Strait Islanders have made a good start.

A domain of enhanced civility?

Australia has so many basic national tasks in the outback that it may seem ludicrous to hope for anything like 'a domain of enhanced civility' amid the often uncivil politics of the north. Nevertheless, the phrase has been coined by Frank Griffiths in a region where conflicts, including Cold War feints and stand-offs, have been the most evident shared context. Even NATO allies have been angrily engaged in rival territorial claims in northern seas. Inside national borders, mining companies, indigenous peoples, the military, national energy ministries, White-dominated northern administrations and southern environmentalists often could not speak civilly in the same room. The social disparities between indigenous northerners and settlers remain all too plain. What Griffiths is saying is that there is a wider community of interests which should encourage these different ethnic nationalities, interests and national states to work together. Improbably enough it is now happening in the arctic.

There are obvious shared values in outback Australia today. These include: the celebration of the unique environment-oriented lifestyle of indigenous and settler peoples alike; the protection of unique environments which all people enjoy, including miners and land developers outside their working hours; the need to improve indigenous social conditions (rather than merely trying to legislate the blacks out of sight so as not to distress passing tourists) and to enable indigenous peoples to contribute fully to the wider economy and society; the maintaining of natural and cultural heritage for Australians and the rest of the world; the search for ecologically sustainable development; and the setting of an example of tropical development by the only 'first world' country situated in the tropics. These require a constitutional order which embraces difference and conservation *as well as* equality of opportunity, economic expansion and more efficient national programs. Those who propose internationalisation in Australia today embrace invigorating pluralism as their starting point, and yet some seem to assume homogenisation at home. Visions may seem frivolous at a time when tough talk about economic matters is obligatory for public figures.

However, if Australians have no national vision beyond *the removal of obstacles to micro-economic reform*, they may have no future.

Although Canadians had some considerable northern vision in the post-war era, this declined sharply from the late 1960s. It was not replaced by anything very new from territorial governments spreading their wings, despite their great emphasis on their own legitimacy as northern and popular ('of the people') bodies. Not surprisingly, those governments were occupied with the many tasks of consolidating their administration. The resulting vacuum has been appropriately filled by indigenous peoples. The alternative social vision which they have articulated through land claims, self-government, constitutional and environmental demands has become the clearest northern agenda. Government policy north and south has been a response to it. Canadians who had vague notions of the north as a harsh and empty land, and whose leaders toyed with hypotheses of futuristic development there, have now found the place inhabited after all. The same kind of policy and political vacuum is found in outback Australia today, and the same opportunity for indigenous peoples groups to fill it with their social and political agenda.

Conclusions

The essential policy and political divide in Australia today may no longer be so much between Left and Right as between the adherents of centrally-driven rational uniformity or homogenisation on the one hand and those who see the nurturing of variety and smaller scale community as the way ahead within a global society which is already sufficiently self-homogenising without Australian help. The social philosopher Marshall McLuhan and others have seen that the very creation of a mass society creates its own counter need for differentiation (McLuhan, personal communication, 1966). The two are not at all incompatible; indeed, federal political systems are a creative reconciliation of these two principles.

The future of the peoples and environments of North Australia depends on the locating of sufficient political powers and institutions within northern regions that they may thrive. The federal parties in Canberra already understand that they cannot simply hand Aboriginal lands and lives over to the Northern Territory government. They now have to stop and think about the implications of that realisation, and think about what are more appropriate models for the northern and outback future. They could at least start a process to develop options.

Australia's actual and stated indigenous policies, as we have seen, are intended to give indigenous individuals better lives within Australia. In the north and outback, however, the indigenous peoples are seeking betterment within their own social and cultural communities. They are increasingly expressing their aspirations as political goals for new political units they are now defining. What they want is not simply better lives but survival as peoples. Some Australian policy-makers seem not to understand that *cultural autonomy* is an internationally recognised right of indigenous peoples, or that it means more than some Aboriginal designs on table mats in the Cairns airport souvenir shop. Indigenous societies have the right to survive whole and to develop in their own way. This is not separatism or *apartheid* but an essential first step in their equal participation in Australian society.

This is the pattern of all indigenous development in the world today. It would seem that in some particulars recent Australian government policies are silent or already out of date on the most important issues. The 1991 indigenous policy statement has all the up-to-the-minute categories like 'Self Management' and 'International Developments', but does not contain all the up-to-the-minute thinking (Social Justice for Indigenous Australians 1991, 12, 14). If this implies a policy compromise, that may be fair enough, in theory. However, the current position is not a tenable stopping place in the real world of ethno-politics.

There are other currents in Australian public administration. A federal Parliamentary committee study of Australia's overseas territories has found that special environmental plans and unique political accommodations of the special historical circumstances of the inhabited territories of Cocos (Keeling), Norfolk and Christmas Islands are needed (House of Representatives Standing Committee on Legal and Constitutional Affairs 1991), principles which should surely be no less applicable to indigenous communities. In the Northern Territory the Australian military routinely runs its plans through the Aboriginal sacred sites authority for clearance of land use and projected activities in order to avoid denigration of indigenous culture and sensitivities, federal defence over-ride powers notwithstanding. The Queensland Parliament's Public Accounts Committee has studied the problems of indigenous community councils and made sensible recommendations for greater autonomy and self-government (Queensland Parliamentary Committee of Public Accounts 1991). A Queensland government legislation review committee discussion paper entitled 'Towards Self-Government', released in August 1991, recommends practical indigenous autonomy, self-government, block funding, etc., to be provided through State legislation (Legislation Review Committee, Queensland 1991). That discussion paper and associated consultation were not intended, we learn in the Summary, page 1, but apparently the Queensland government has learned since May 1991 that trying to slip land rights settlements and new political arrangements over the heads of unprepared groups is not the way to develop constitutions in the late 20th century. Nevertheless, these Queensland proposals appear most promising, building on the earlier Public Accounts Committee report and demonstrating that Queensland's reformist energies need not yet be written off, the May land rights furore notwithstanding. At national level, meanwhile, the process created in April 1991 to work on constitutional reform leading to the year 2001 has issued a first statement, saying that indigenous-White reconciliation should, among other things,

seek to identify what rights the Aboriginal and Torres Strait Islander peoples have, and should have, as the indigenous

peoples of Australia, and how best to secure those rights, including through constitutional changes (CCC 1991).

This may provide a forum in which some new thinking and reflection on available experience in Australia and abroad lead to reformulated expectations. The very predisposition in public administration for controlled or at least contained outcomes can be a problem, however. Indigenous peoples must feel themselves genuinely authors of the solutions to their problems if those solutions are to be effective. They must undergo their own renaissance. There may be some surprises for governments and politicians, but these should be relatively minor. Attempts to avoid those inevitabilities will result in more trouble than they save. The history of White paternalism in Greenland and Nunavut since World War II should be cautionary tales for all outsiders who believe they can manufacture ideal realities for indigenous cultures. The elaborate lengths to which the Canadian government has had to go recently to show the Indians that it is acting in good faith is shown by the selection of members and drawing up of terms of reference for the Royal Commission on Aboriginal Affairs by the recently retired Chief Justice *without Prime Ministerial or Cabinet input!* Australian attempts at close management will appear intrusive and manipulative to indigenous peoples, and will ultimately generate similar mistrust.

A particular danger in Australia today is 'bottom line' thinking which would focus all new initiatives, even northern ones, on economic development, economic returns, etc. As the long-time head of the Canadian cabinet and prime minister 'department', Gordon Robertson, has written from a unique perspective as founding head in earlier years of the federal northern affairs department, national governments must accept that northern regions may be costly. He argues that there is no alternative to supporting these regions financially, and especially their permanent indigenous residents — in ways which encourage indigenous socio-economic self-reliance, cultural autonomy and forms of self-government with which they 'can identify' (Robertson 1988, 53, and see also pages 19-21). Robertson and his team of long experienced 'hands-

on' experts produced their comprehensive report on the needs of northern Canada in response to an influential Parliamentary report which had said Canada needed 'a coherent arctic policy' and to a general perception that Ottawa had lost interest and direction in the north. A similar independent project to help Australian governments re-focus their northern policy thinking today may be no less desirable, albeit for somewhat different reasons.

A useful new survey of the world's indigenous peoples emphasises the character and universality of their circumstances (Burger *et al* 1990). Its lengthy Part Three is titled 'Alternative Visions', a title which reminds us that indigenous peoples are not simply looking for a fair share of the national wealth. The introduction to that section is as follows.

*Indigenous peoples are increasingly active on the world stage — fighting for self-determination, legal rights to land, and the preservation of the environment, with strength, imagination, and success. And they are now part of a larger alliance concerned about the future. Human rights and development organizations, environmentalists, scientists, political parties and individuals see the important role indigenous peoples are playing in the current ecological crisis. Together they are challenging destructive models of development. Damaging projects have not ceased, but international banks, corporations, and governments are now more ready to listen to indigenous peoples. The way forward is not easy. Many indigenous peoples remain unaware of the forces that threaten them, and there are inevitable conflicts among those who have organised successfully. Some peoples give priority to the education of their young, others to sustainable development projects, others to political lobbying. But a powerful process is in motion. Growing numbers are dealing creatively with external interests impinging on their world — winning back their lands, running their own affairs, developing strategies to sustain the rain forests, conserve the Arctic, create a nuclear-free Pacific, and to come together peacefully to ensure a future for all our children (Burger *et al* 1990, 135).*

All Australians stand to benefit from indigenous vision. In the north where predominantly White settlers often see themselves as bringing modernity to 'primitive' peoples, it is really the other way around. The indigenous people are, however haltingly at first, constructing new societies based on non-industrial values in keeping with the capacity of their eco-systems. They are in the world forefront. Sometimes it seems that the White power élites, however, mistake 19th century pioneer virtues celebrated in outback theme parks and halls of fame for contemporary reality.

Indigenous people now have an opportunity to define the sort of future they want. Their needs and hopes transcend prevailing Australian policy categories and are more suited to the wider context of a constitutional re-think. They also have a gift from recent world environment bodies in the concept of regional sustainable development strategies, or 'regional conservation strategies', a format well suited to expressing their own traditional indigenous outlooks (e.g., Smith 1990). These necessarily involve politico-administrative management, as well as social, economic and cultural issues, and land and sea claims. While governments fine-tune programs and juggle acronyms, as if these 'micro' approaches could bring indigenous well-being, the real agenda of indigenous people composed of autonomy and self-government is lost or ignored. Social problems are a symptom, not a source. Instead of constantly responding to the fragmented and sometimes divisive agenda of senior governments, indigenous people must take the initiative, articulating their own regional social visions and pressing their own agenda. They must show governments that they seek a positive future as viable social, cultural and political communities, not merely as individuals qualifying for one or other band-aid program. This approach will also give them a more coherent basis and measuring stick for identifying specific program needs and for evaluating impacts of existing programs and policies.

Such indigenous initiative is the more important given the bleakness of policy prospects in Australia today. In spite of some reformers in high places in federal and State governments, the current policy fashions for

streamlining and rationalising, for the bottom line and for safe steps only promise to smother change. The demand for safety seems utterly enervating. White politicians and officials determine what the predominantly White community will wish to hear, but that is rather less than minimum demands by mainstream indigenous organisations. Those demands, though locally developed, conform to the typical experience of ethno-politics in the rest of the 'first world', experience which Australians would do well to consider. Instead, indigenous leaders are told privately not to talk about anything which might upset White complacency, as if they should connive at their own continuing helplessness. It is like finding a starving man and telling him that 'of course' a meal is out of the question but that we can offer him a photo opportunity with a civic official who will award him a certificate, suitable for framing, saying that his experience has enriched us all. This will promote positive feeling, he will be told, and maybe someday that will translate into more generous food policies. Attempts by governments to deny serious reform and to insulate the public from awareness of the need for such reform serve nobody's interests except those who would see in eventual social unrest and resulting political violence a universal remedy to misery and injustice.

Endnotes

1. see Media Release Ref T-1192-90, Chief Minister of NT, with exchange of correspondence between NT Chief Minister, 4 December 1990, and Prime Minister, 5 November 1990, respecting Aboriginal land rights.

References

- AAAC, 1991. *Achieving Greater Co-Ordination of Aboriginal and Torres Strait Islander Programs and Services: Report of a Commonwealth-State-Territory-Local Government Working Party*, Australian Aboriginal Affairs Council, 30 August 1991.
- Abele F (ed), 1991a. *How Ottawa Spends, the Politics of Fragmentation, 1991-92*. Carleton University Press, Ottawa.
- Abele F, 1991b. The politics of fragmentation, in Abele 1991a, 1-32.
- ALP, 1989. Aboriginal and Islander Affairs Policy, in *Decisions of the 33rd State Conference of the Australian Labor Party in Brisbane*.
- Brantenberg OT, 1991. Norway: Constructing Indigenous Self-Government in a Nation-State, in Jull and Roberts 1991, 66-128.
- Brody H, 1987. *Living Arctic: Hunters of the Canadian North*, Faber, London.
- Brundtland GH *et al*, 1987. *Our Common Future: The Report of the World Commission on Environment and Development*, Oxford University Press, Oxford/New York.
- Burger J *et al*, 1990. *The Gaia Atlas of First Peoples: A Future for the Indigenous World*, Penguin Australia, Ringwood, Victoria.
- CAOAS, 1991. New federalism threatens Aboriginal self determination, Open letter, Combined Aboriginal Organisations of Alice Springs, 8 October.
- Cassidy F (ed), 1991. *Reaching Just Settlements: Land Claims in British Columbia*, Proceedings of a Conference held February 21-22, 1990, Oolichan Books, Lantzville, British Columbia, and Institute for Research on Public Policy, Halifax.
- Cassidy F and Bish RL, 1989. *Indian Government: Its Meaning in Practice*, Oolichan Books and the Institute for Research on Public Policy, Halifax.
- CCC, 1991. *Statement*, Constitutional Centenary Conference 1991 April 5, Sydney, Secretariat, Centre for Comparative Constitutional Studies, University of Melbourne.

- Cree-Naskapi Commission, 1986. *1986 Report of the Cree Naskapi Commission*, Ottawa.
- Crough G *et al*, 1989. *Aboriginal Economic Development in Central Australia*, Report for the Combined Aboriginal Organisations of Alice Springs.
- Dacks G (ed), 1990. *Devolution and Constitutional Development in the Canadian North*, Carleton University Press, Ottawa.
- Dahl J *et al*, 1990. *Indigenous Peoples of the Soviet North*, IWGIA Document no. 67, International Working Group on Indigenous Affairs, Copenhagen.
- Dargavel J and Brown V, 1991. Depopulating the environment, *Australian Society* 19(9), 24-5.
- DASETT, 1991. *Australian National Report to the United Nations Conference on Environment and Development*, Public Discussion Draft, 30 July, Department of the Arts, Sport, the Environment, Tourism and Territories, Canberra.
- Griffiths F and Kuptana R *et al*, 1991. *To Establish an International Arctic Council: A Framework Report*, Canadian Arctic Resources Committee *et al*, Ottawa.
- Hawkes DC and Devine M, 1991. Meech Lake and Elijah Harper: Native-State relations in the 1990s, in Abele 1991a, 33-62.
- House of Representatives Standing Committee on Legal and Constitutional Affairs, 1991. *Islands in the Sun: the Legal Regimes of Australia's External Territories and the Jervis Bay Territory*, AGPS, Canberra.
- Human Rights and Equal Opportunity Commission, 1991. *Racist Violence: Report of the National Inquiry into Racist Violence in Australia*, AGPS, Canberra.
- Hume J, 1991. Talk Politics column, *Victoria Times-Colonist*, August 28.
- Jull P, 1981. Aboriginal peoples and political change in the North Atlantic area, *Journal of Canadian Studies* 16(2), 41-52.
- Jull P, 1987. How self government must come, *Policy Options* (Halifax) 8(6), 10-13.

- Jull P, 1988. *Lapland: The Native North in Norway*, Government of the Northwest Territories, Yellowknife, Canada.
- Jull P, 1991. Canada's Northwest Territories: constitutional development and Aboriginal rights, in Jull & Roberts (eds) 1991, 43-64.
- Jull P and Roberts S (eds), 1991. *The Challenge of Northern Regions*, North Australia Research Unit, Darwin.
- Korsmo F, 1991. The Swedish Saami Rights Commission: Economic Interests and legal Rights, Paper for conference on Indigenous People in Remote Regions, 3-5 July 1991, University of Victoria, British Columbia.
- Legislation Review Committee, Queensland, 1991. *Towards Self-Government, A Discussion Paper by the Legislation Review Committee Inquiring into legislation relating to the management of Aboriginal and Torres Strait Islander Communities in Queensland*, Cairns.
- Maas D, 1991. The Alaska Native and history: the rise of nationalism and the decline of democracy, in Jull & Roberts (eds) 1991, 31-42.
- Makivik Corporation, 1991. Makivik Corporation's 1991 AGM in Kuujuaaraapik, *Makivik News*, 19, June.
- Miller JR, 1989. *Skyscrapers Hide the Heavens: a History of Indian-White Relations in Canada*, University of Toronto Press, Toronto.
- Ministry of Foreign Affairs, Finland, 1991. *Arctic Environmental Protection Strategy*, June 14, (including Declaration on the Protection of the Arctic Environment), Helsinki.
- Mulroney B, 1991. *Shaping Canada's Future Together: Proposals*, Tabled by the Prime Minister of Canada in Parliament, September 24, Ottawa.
- Office of the Prime Minister, Canada, 1991. *Release, August 27: Royal Commission on Aboriginal Peoples*, Ottawa.
- Puddicombe S, 1991. Realpolitik in Arctic Quebec, *Arctic Circle* 2(2), 14-20.
- Queensland Parliamentary Committee of Public Accounts, 1991. *Financial Administration of Aboriginal and Island Councils Report 2: Effectiveness of Councils, Support for Councils, Training*, Brisbane.

Robertson RG *et al*, 1988. *The North and Canada's International Relations*, Canadian Institute of International Affairs, Toronto, and Canadian Arctic Resources Committee, Ottawa.

Royal Commission into Aboriginal Deaths in Custody, 1991. *National Report*, 5 volumes, AGPS, Canberra.

Smith E (ed), 1990. *Sustainable Development through Northern Conservation Strategies*, University of Calgary Press, Calgary.

Social Justice for Indigenous Australians, 1991-92, Budget Related Paper No. 7, AGPS, Canberra.

Spicer K, 1991. Canada needs a new strategy of hope, in *The Forum: A Report to the People from the Citizens' Forum on Canada's Future*, *Ottawa Citizen*, 29 June 1991, 2-3.

NORTH AUSTRALIA RESEARCH UNIT DISCUSSION PAPERS

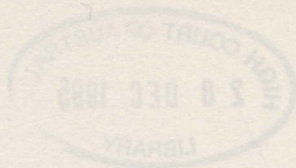
1. Australian Nonwooded and Outback Indigenous Peoples
Peter Jull (November 1991)
2. Aboriginal Australia and the New Federalism Initiative
G I Crough (December 1991)
3. A Guide for Australian Research into Northern Regions
and Indigenous Policy in North America and Europe
Peter Jull (January 1992)
4. Strategic Regional Planning on the Northern Frontier
John Holmes (July 1992)
5. Central Management: Challenges and Changes in the
Torres Strait Islands
Monica E. Muluken (April 1992)
6. The Communal Culture of Nonwooded Northern
Territories and Indigenous Peoples
Peter Jull (May 1992)
7. Aboriginal Land and Development in the Northern Territory
G I Crough (June 1992)
8. Towards the Public Sector Financing of Aboriginal
Self-Government
G I Crough (August 1992)

NORTH AUSTRALIA RESEARCH UNIT DISCUSSION PAPERS

1. *Australian Nationhood and Outback Indigenous Peoples*
Peter Jull (November 1991)
2. *Aboriginal Australia and the 'New Federalism' Initiative*
G J Crough (December 1991)
3. *A Guide for Australian Research into Northern Regions
and Indigenous Policy in North America and Europe*
Peter Jull (January 1992)
4. *Strategic Regional Planning on the Northern Frontiers*
John Holmes (July 1992)
5. *Coastal Management: Challenges and Changes in the
Torres Strait Islands*
Monica E Mulrennan (April 1992)
6. *The Constitutional Culture of Nationhood, Northern
Territories and Indigenous Peoples*
Peter Jull (May 1992)
7. *Aboriginal Land and Development in the Northern Territory*
G J Crough (June 1992)
8. *Towards the Public Sector Financing of Aboriginal
Self Government*
G J Crough (August 1992)

12/15/82 431/K1

107



107 431/K1 12/15/82

ALL. Peter. Australian
and Australian National
Library

