

REMOTE POSSIBILITIES

THE ABORIGINAL DOMAIN
AND THE
ADMINISTRATIVE IMAGINATION



Tim Rowse

North Australia Research Unit
Australian National University
1992

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*'For new nobility is but the act of power but
ancient nobility is the act of time.'
Francis Bacon 'Of nobility'*

North Australia Research Unit
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Darwin

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ABBREVIATIONS

AAO	Australian Audit Office
AATA	Aboriginal Advancement Trust Account
ADC	Aboriginal Development Commission
AEDP	Aboriginal Employment Development Policy
ALC	Aboriginal Loans Commission
ALFC	Aboriginal Land Fund Commission
AMS	Aboriginal Medical Services
ANU	The Australian National University
ANU/CRES	The Australian National University/Centre for Resource and Environmental Studies
ATSIC	Aboriginal and Torres Strait Islander Commission
CDEP	Community Development Employment Projects
CLC	Central Land Council
CLP	Country Liberal Party
DAA	Department of Aboriginal Affairs
DCD	Department of Community Development
DOF	Department of Finance
FMIP	Financial Management Improvement Program
HRSCAA	House of Representatives Standing Committee on Aboriginal Affairs
JCPA	Joint Committee of Public Accounts
KLC	Kimberley Land Council
MHR	Member of the House of Representatives
NAC	National Aboriginal Conference
NLC	Northern Land Council
NT	Northern Territory
OAA	Office of Aboriginal Affairs
OLG	Office of Local Government
TMPU	Town Maintenance and Public Utility

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INTRODUCTION

In March 1988 the House of Representatives Standing Committee on Aboriginal Affairs heard evidence on 'support services' from the residents of Kintore. The Chairman, Mr Blanchard, having called Riley Major, Johnnie Scobie and Joe Young, asked:

Do you members of the Council want to make a statement to the Committee?

MR MAJOR: The Community Council is worried about putting in a swimming pool.

CHAIRMAN: What have you done to plan for a swimming pool?

MR MAJOR: We have been talking about a swimming pool ever since Kintore was small, and we are still talking about it.

CHAIRMAN: What sized swimming pool are you after, a big pool or a small pool?

MR YOUNG: We need a pool for everyone here.

CHAIRMAN: Perhaps there are other things that you need first. Before we answer that, perhaps you could tell us how the Council operates. How do you elect your councillors?

MR YOUNG: We have been waiting for five years for a swimming pool. We need it here for all the people.

CHAIRMAN: The question of a swimming pool will have to be addressed to either the Department of Aboriginal Affairs or the Northern Territory Government. Mr Cameron mentions that there is a local member [Warren Snowdon] here. Does the Council meet regularly as a full council and how often does it meet?

MR MAJOR: The Council has been meeting often and discussing this issue of a swimming pool ... (House of Representatives Standing Committee on Aboriginal Affairs (HRSCAA) Hansard, 454).

Such striking disconnection between the concerns of consulters and consulted makes this a vignette of many Aboriginal people's contemporary relationship with the Australian state. The Committee wished to hear how Kintore people used the machinery of self-determination; the Kintore leaders wanted the government to understand the strength of their desire for a swimming pool. The result: polite and comic struggle over who was to set the agenda.

In this monograph I wish to explore some of the ambiguities and paradoxes of Aboriginal self-determination. In Chapter 1, I review perspectives, emanating from government sources, on the relationships between the structures of self-determination and the traditions of Aboriginal social organisation. Briefly, I outline the tensions over legitimacy and accountability which have arisen within the Aboriginal Affairs

portfolio since its inception in 1973. I conclude this chapter by introducing three terms essential to the rest of the argument: 'Aboriginal domain', 'Aboriginal enclave' and 'welfare colonialism'. Chapter 2 summarises ethnographic literature relevant to an understanding of the 'Aboriginal domain'; while Chapter 3 reviews what some writers have taken to be distinctive in Aboriginal notions of decision-making and representation. Part II, comprising Chapters 4 and 5, examines the debate about 'community government' in the Northern Territory — an instance of a contemporary welfare colonial policy ostensibly striving for Aboriginal self-determination — before highlighting three areas of difficulty confronting the development of Aborigines' local self-governance. Part III concludes the monograph with a sympathetic critique of the House of Representatives Standing Committee's recent report *Our Future Our Selves* (1990b). The theme which runs through the monograph is that the administrative imagination needs to be further informed by ethnographic perspectives on remote Aboriginal concerns and styles of collectivity. I do not propose solutions to the problems of implementing 'self-determination', other than a general caution to government officials to participate with greater humility, tolerance and sympathy in the momentous transition in which Aboriginal people now find themselves.

PART I

THE ABORIGINAL DOMAIN

CHAPTER 1

ADMINISTRATIVE PERSPECTIVES ON THE ABORIGINAL DOMAIN

The Department of Aboriginal Affairs and self-determination

In 1988, the Department of Aboriginal Affairs (DAA), in a submission to the House of Representatives Standing Committee on Aboriginal Affairs, evaluated its own policy of Aboriginal self-determination. Candidly, the submission revealed the federal government's philosophical and practical difficulties in delivering services to Aboriginal people while simultaneously affirming Aboriginal self-determination. The DAA submission implicitly acknowledges the existence of what I shall call the Aboriginal domain, some of whose essential features not only lie beyond the measurement of the Department's chosen 'social indicators', but also effectively subvert what the Department considers to be the political and administrative maturing of Aboriginal communities.

Self-determination policy, according to DAA

is based on the recognition of the equal right of Aboriginal people along with other Australians to determine their own future within the Australian community. It explicitly acknowledges that Aborigines are a distinct cultural group as well as recognising the worth of Aboriginal culture and the right of Aborigines to pursue lifestyles which are in accordance with that culture. Self-determination also seeks to improve the social and economic circumstances of Aborigines by encouraging them to take charge of their own affairs (DAA 1988, 228).

In practice, the submission added, the policy 'means that Aboriginal people should identify their needs, plan programs to meet those needs, manage projects and assume responsibility for the outcomes achieved' (1988, 229). Incorporated Aboriginal associations (of which there are now over 1500 in Australia, Altman 1990, 48) were essential to this practice 'not just for legal purposes [acquiring property, entering agreements, conducting business] but also to ensure a structure for individual community participation' (1988, 233). It was also DAA's policy to encourage 'the

Passages found on pp 5-10 have already appeared, in a slightly different version, on pp 520-4 in vol 2 of the National Report of the Royal Commission into Aboriginal Deaths in Custody, AGPS, Canberra, 1991, under the authorship of Commissioner Elliott Johnston QC.

establishment of community councils and executive management infrastructures within Aboriginal communities' (1988, 232).

The submission then noted some difficulties of implementing 'self-determination'. Here I draw attention to three which seem particularly important:

- * Aborigines' economic circumstances make them dependent on public funding; therefore, they are accountable to Parliament through the Department's own accountability for program expenditure; 'This leaves the Department in the unhappy situation of sometimes being seen to limit Aboriginal autonomy' (1988, 235)
- * community development sometimes undermined the preservation of 'traditional cultural patterns' (1988, 235)
- * 'Many Aborigines' associated self-determination with the achievement of 'land rights'.

That the third matter should be thought a 'difficulty' is consistent with the Hawke government's abandonment of its promise to pass national land rights laws. The Hawke government has been anxious, since the debates of 1984-6, to distance itself from an issue so contentious, and has left the legislation of land rights to each State.

Despite these 'difficulties', much had been achieved, the Department reassured the Committee, instancing: the formation of many Aboriginal organisations and the development of an Aboriginal leadership with executive competence; 'a far greater degree of effective consultation' (1988, 236); more and better services, controlled by Aboriginal people.

The submission then listed five sets of 'organisational and administrative breakdowns':

- * Aboriginal organisations sometimes went through 'incorporation breaches and financial problems', to which the Department usually responded with offers of conditional assistance. Such measures not only compromised 'self-management', they did not always solve the problems
- * 'factionalism ... a cause of organisational disharmony and community disintegration' (1988, 240). Providing resources often encouraged 'latent factionalism to emerge'. Such differences were not necessarily harmful if they were resolved by internal political processes, with the Department as 'honest broker'. Further devolution of decision-making 'to local Aboriginal groups' might encourage them to learn to

accommodate factional differences, the submission hoped (1988, 240-1)

- * 'lack of effective community participation in the decision-making process'. Especially in 'tribal communities', Aborigines perceived some matters as best left to 'white advisers'. As well, 'western decision-making structures and processes are alien to traditional Aboriginal cultural patterns', and 'administrative impartiality ... can conflict with, or at least cut across, traditional kinship obligations' (1988, 241). In counselling patience as the best response to this difficulty, the submission implied that these 'cultural patterns' and 'kinship obligations' were expected eventually to diminish in significance.
- * 'community advisers'. The Department's difficulty was that such people were not controlled by the Department but by the Aboriginal communities/organisations they advised. Their turnover was high, their quality uneven. Some had an interest in continuing paternalism, and either misunderstood or opposed Departmental policy. Some exploited and exacerbated community factionalism, though not always deliberately. Some were just crooks.
- * training Aboriginal people in literacy and administration. The submission argued that DAA was putting more and more money into training. It would seem that one goal of such training might be to subvert the 'cultural patterns' and 'kinship obligations' noted earlier as impediments to good management.

The submission concluded by summarising DAA's State Directors' views of the outstanding problems of 'self-determination': the need for better coordination of the many agencies serving communities; the development of 'appropriate and sensitive executive management structures within communities'; the stimulation of Aboriginal peoples' involvement 'in management processes of all kinds' (1988, 253). The submission went on to assign responsibility for dealing with these three problems. Whereas the first two 'relate primarily to the shortcomings of Governments and service delivery agencies', the third was also a matter to which Aboriginal people themselves must attend. Here the submission admitted that the

failure to achieve a balance between the demands of the cultural imperatives of Aboriginal society and the needs of good administration and proper accountability has been a major cause for the lack of success of self-determination in some communities (1988, 255).

The submission expressed the hope that the inception of the Aboriginal and Torres

Strait Islander Commission (ATSIC) would occasion a 're-examination of the concept of self-determination'. With Aboriginal people in charge, 'the divergence between the cultural and developmental aspects of self-determination ... will not be able to persist' (1988, 256). (1)

Later, the Standing Committee asked the Department to clarify a number of these arguments. DAA's response included the following points:

- * dependence on government funding allowed self-determination/self-management 'only in a limited sense' (1988, 678).
- * cultural impediments to Aboriginal self-determination were three: the conflict between administrative impartiality and kinship obligations; 'the perception that administrative systems, accounting and inter-agency liaison are "white man's" business; and the 'alien' nature of 'the concept of elected representation and delegated authority'. It was vital to achieve an 'accommodation' between 'Aboriginal culture and Western values'; without it, dependence on government funding would continue (1988, 679).
- * There was no alternative but to encourage and to pressure Aboriginal communities' movement towards self-management.
- * The Department's criteria for judging a community's attainment of self-management were: 'extent of reliance on welfare payments; educational profiles; employment levels; degree to which the community is able to manage anti social and socially destructive practices (alcohol consumption, petrol sniffing, vandalism, juvenile delinquency)'.

In summary, DAA showed itself to be, at best, ambivalent about those aspects of Aboriginal culture which are seen to be refractory to its notions of good community management. The cultural differences to which the submissions referred were to be dealt with by an 'accommodation' between Aboriginal and non-Aboriginal forms of social organisation; but the terms of this accommodation, it would seem, are to be set by the bureaucracies to which Aboriginal communities are financially accountable, for DAA was quite frank that Aborigines' freedom of negotiation was 'limited'.

It is revealing of DAA's underlying antagonism to some of the features of Aboriginal social organisation to which it referred that the Department's stated criteria of self-determination make no reference at all to distinctively Aboriginal cultural goals, such as the effective transmission of knowledge of 'country' and the ability to determine the uses to which 'country' is put. Indeed, the latter goal — land rights — seems to be cast as a problematic misunderstanding of self-determination, not one of its essential

features. One has a sense of *deja vu*, reading the DAA criteria. High levels of employment (and low levels of welfare dependency), high rates of educational achievement, and the effective control of practices thought by DAA to be 'anti-social and socially destructive' — these could just as easily be desired outcomes of a policy of assimilation.

The DAA submission's tendency to ignore, or to depict as an obstacle to administrative efficiency, continuities in traditional Aboriginal ways of recognising social obligations raises a larger question: what kind of body was the Department of Aboriginal Affairs? I will now turn to a discussion of aspects of the history of DAA and its sibling body within the Aboriginal Affairs portfolio, the Aboriginal Development Commission. I will argue that both bodies have had to deal with the contradiction between two rather different tasks of legitimation: on the one hand, both are formal instruments of non-Aboriginal government, administering 'taxpayers' money'; on the other, each has had the mission of serving Aboriginal interests, of advocating Aboriginal interests in an often hostile bureaucratic and political climate.

Aborigines in the bureaucracy

The Aboriginal affairs bureaucracies have to some extent been 'Aboriginalised'. According to McIver (1988), about 30% of DAA staff and 45% of ADC staff were Aboriginal by 1988, some of them in senior positions. But do Aboriginal staff infuse such bureaucracies with an 'Aboriginal perspective'? One observer has shifted from optimism to caution in his answer to that question. Assessing 'a decade of progress' in 1977, Dr H C Coombs (1978, 242-3) drew attention to

an emerging intelligentsia of [Aboriginal] politicians, administrators, writers and artists, a source from which ... an ideology may before long emerge to unite and give common purpose to Aboriginal aspirations and political action.

However, after reviewing the Aboriginal-elected advisory body, the National Aboriginal Conference (NAC), in 1983-4, Coombs voiced misgivings about that scenario, reporting that the influence of 'the black bureaucracy' was 'by no means universally welcomed by Aborigines' (1984, 30). People were worried that it

will come to identify itself progressively with the white bureaucracy and to accept its methods and ways of thought, ceasing in any real sense to be an instrument of Aboriginal self-management or self-determination.

Aboriginal people were not, however, of one mind on this point; others saw the black bureaucracy's influence as creating useful structures of brokerage:

In this role they can help Governments and their agents understand Aboriginal aspirations and help Aborigines frame their demands in ways most likely to be understood and sympathetically received by white authority (Coombs 1984, 30).

In this perspective, it was thought that blacks were more suited than even sympathetic whites to perform such brokerage, 'if mechanisms ensuring their accountability to Aborigines can be established and maintained' — a proviso to which Coombs gave his own endorsement.

Within the Commonwealth government and among its advisers there are views of the 'black bureaucracy' which, if realised, would militate against such accountability. The DAA *Annual Report 1985-6* (p 13) (with Charles Perkins as Secretary) noted that

Aboriginal people tend to see the Department as 'their' Department and accountable to them. This presents difficulties for Aboriginal and non-Aboriginal departmental officers whose primary responsibility is to the Minister and the Government.

And a consultant's review of DAA in July 1986 offered the following reasons for 'Aboriginalising' the Department (Coopers and Lybrand/W D Scott 1986, 80-1):

- (a) clients prefer to deal with Aboriginal people at the operational level;
- (b) senior Aborigines within the Department tend to have greater credibility with other Departments in the co-ordination process;
- (c) there is much greater credibility with the general public if senior spokespeople for the Department are Aborigines.

Putting these two quotes together raises the possibility that 'Aboriginalisation' gives the appearance of responsiveness to the wishes of Aboriginal clients, while preserving the traditional lines of accountability that constrain any department of state and, to a lesser extent, any statutory body of the Commonwealth.

Documentary evidence is available showing that, within DAA and ADC, the imperatives of financial rationality and financial accountability have conditioned the terms in which Aboriginal and non-Aboriginal bureaucrats have understood their general mandate to serve the interests of Aboriginal people.

Performance and accountability in DAA

The Department of Aboriginal Affairs was set up on 19 December 1972. In its very earliest days, its procedures for distributing money to Aboriginal organisations continued the established practices of the Office of Aboriginal Affairs (OAA) — ready

acceptance of field officers' recommendations, advance payment of the entire allocation and loosely-policed audits. The OAA had begun to fund Aboriginal organisations from the Aboriginal Advancement Trust Account (AATA). The Account was a single line item within the Commonwealth's Budget, and the OAA and the new Department decided how best to disburse it, unimpeded by having to go before 'Estimates' scrutinies. The first Minister, Gordon Bryant, made himself highly accessible to Aboriginal people. According to Duke and Sommerlad (1974, 22), Bryant 'encouraged direct telephone calls from all parts of the country, and associated closely with a group of (mainly Aboriginal) advisers not members of the Department'.

Such practices provoked professional bureaucrats. In 1973, the Auditor General's supplementary report for 1972-3 referred to deficiencies in DAA's control over such expenditures. Barrie Dexter, Secretary of the Department, invited the Auditor General to report further. Finding no evidence of dishonesty, but lamenting 'unorthodox and irregular practices', the Auditor General, in March 1974, complained that the AATA, as a one line appropriation, gave Parliament no information about what DAA was intending to do by way of grants (1974, 2). As well, any trust money left unspent at the end of each financial year could be carried forward, giving the Department an unusual degree of autonomy from Treasury's power to compose the overall pattern of Commonwealth expenditure. The Auditor General suggested that the appropriation to DAA henceforth be detailed by 'division and item' (1974, 4).

By October/November 1974, an Operations Management Branch had been formed within DAA's Operations Division. The Branch issued standard grant application forms, 'financial rules for the guidance of Aboriginal organisations' and advice about grant conditions (1974, 62-3). Instead of the total grant being issued in advance of an organisation's use, money would be released quarterly, after the Department had received quarterly statements of expenditure. 'Under the new project control system, the Operations Management Branch would make the judgement as to whether the organisation had complied with the conditions of the grant or not' (1974, 63).

DAA's procedures were again investigated in 1975 and 1976, by the Joint Committee of Public Accounts (JCPA). Witnesses for the Department told the Committee that DAA was gradually removing expenditure items from the Trust Account so that they could be separately listed in the annual DAA appropriation that went before Parliament. The Joint Committee was pleased to note that the Trust Account had ceased from 1 July 1976.

Notwithstanding these changes, DAA continued to include many officers who wished to oblige, with a minimum of red tape, Aboriginal organisations' requests for support. The Department, addressing the Joint Committee, defended its field officers, saying that 'it would be too much to expect that all officers in operational areas could be thoroughly familiar with the Audit Act, and the Treasury Regulations and Directions' (1974, 48).

In 1974, Duke and Sommerlad found evidence of tensions in DAA over these matters. Northern Territory officers, they reported, had recently learned to implement what the Department understood to be 'self-determination'.

Aboriginal communities deciding the pace and nature of their future development within the legal, social and economic restraints of Australian society (Duke and Sommerlad 1974, 14).

To these officers, the Ministerial largesse of 1973 seemed at first to contradict 'self-determination' and to be wasteful. But they were soon persuaded that the outcome of such easy access to subsidy was 'community learning'; grants did not have to be evaluated as 'investment'. However

By the time N.T. officers had come to internalise this and started to accept this aspect of their role as community facilitators and educators rather than custodians of the public purse or project managers, there had been a quite catastrophic reversal of policy from Canberra which, for some time at least, largely nullified this process of redefinition, and of commitment to longer term Aboriginal advancement and self help (1974, 21).

Duke and Sommerlad record that the effect of DAA's response to the Auditor-General's criticism was 'more formal and traditional forms of working' and 'less responsiveness to community requests' (1974, 23). As well, the increase in the size of the Head Office establishment — related to the formalisation of assessment and accreditation — went against the preference expressed by officers in 1973 that 'what was needed was heavy devolution and regionalisation, with a small think-tank and monitoring Head Office group, not an expanded traditional bureaucracy' (1974, 24). Intensified scrutiny by the central officers of the Department, Duke and Sommerlad concluded, 'damaged the morale of the Northern Territory community workers ... who are the cutting edge for the policy of facilitation'.

The new emphasis on assessment and acquittal, if it were to be more than simply the practice of a narrow financial accounting, had to make some reference to program objectives and to measuring the degree of their attainment. When D O Hay reviewed the Department in 1976, he complained that (1976, 5) 'statements of policy objectives in some cases are inconsistent or obscure'. As well as refining 'objectives', DAA must collect data 'to assess progress and to establish a performance basis for bids for funds from the Commonwealth' (1976, 5). Hay acknowledged that some objectives were difficult to quantify, but suggested crude measures such as 'numbers of houses built and their cost, and the rate of convictions recorded and severity of sentences imposed on recipients of legal aid' (1976, 5).

In August 1976, an anonymous discussion paper which seemed to answer Hay, was circulated within the Department. 'Social program evaluation: problems and pitfalls'

began by noting that over the previous five years, it had become common for Departments to 'prepare budgets and estimates in terms of categories that reflect Departmental objectives and activities over a longer time-span' (p 1). While welcoming this development, the paper warned that it would be necessary to consult with Aboriginal people and that such discussions, if they led to changes in policy, as they surely would at times, could create the impression of confusion. The paper urged tolerance of 'confusion', arguing that to reduce or to eliminate consultation and 'confusion' in the interests of smoother service delivery would, in effect, transform the Department's means (its services) into ends. The more global ends (Aborigines' learning to manage their own lives) were at risk of disappearing from administrative view. The paper questioned whether counting houses ('intermediate outputs' in the jargon of the paper) was an adequate approach to the assessment of housing policy. To mistake such 'intermediate outputs' for the program goal had a further consequence: the financial costs of those outputs became the primary data to be considered. Because this approach was easier, it was also the more common — 'an organisational convenience' (p 4), the paper observed. 'It is easier to monitor physical outputs (eg houses, service delivery rates, etc.) than to try and monitor end products ("self-management")'(p 3) ('Social program evaluation: problems and pitfalls (the Aboriginal Affairs case)' unpublished, Canberra 1976).

This paper was an unusually sophisticated attempt to maintain the social idealism of DAA in the midst of the emerging ethos of performance measurement. Whether it was influential is another matter. Will Sanders (1990) has traced the persistence since then of a sectorially narrow and crudely quantitative approach to the assessment of Aboriginal housing policy.

Does the state retain the ultimate power to define Aborigines' needs? This is, in essence, the issue over which DAA's internal discussions ranged. In its submissions to the Joint Committee of Public Accounts, DAA had argued that 'the majority of grants made from the Trust Account were for work performed on behalf of the Australian Government and were not grants in the philanthropic sense'. (JCPA 1977, 47, my emphasis). Another unpublished internal discussion paper (Despoja 1977) showed that the corollary of that view enjoyed great support within DAA. That is, the executives and staff of Aboriginal organisations were conceived to be like 'employees' of the Department. A variant of this view was that such organisations were 'sub-contracted' to the Department. Despoja criticised such notions, urging the Department to revise its approach to funding Aboriginal organisations, to return to the minimal accountability procedures that the Office of Aboriginal Affairs had inaugurated.

Aboriginal people, Despoja pointed out, did not see 'philanthropy' and working as if for the Department as the only possible bases of the Department's subsidies. First, some saw DAA's subsidy as 'compensation ... to make up for the wrongs done to us through the circumstances arising out of European settlement and dispossession of our

land' (David R Anderson, cited in Despoja 1977, 100). Second, Aborigines did not see their subsidised work for other Aboriginal people as 'charity', but as something wider and more empowering (1977, 56-60). Despoja (on p 61) cited R F Henderson's report on poverty in order to endorse the view that associations to benefit the poor could or should be 'concerned with personal well-being, individual rights, and personal aid as well as social justice, social order and social control', offering 'counselling, information, personal support and political action'. The identification and articulation of Aboriginal needs was a **political** practice, yet the Department, Despoja found, had not yet been convinced of the legitimacy and necessity of such political action by its clients. Despoja deplored the Department's instructions and advice to grantees, issued in June 1974 and revised in 1977. While there was much that was helpful in the so-called 'Pink Book', certain passages were judged paternalistic by Aboriginal people. In sum, Despoja alleged, the Department tended to scapegoat Treasury (and the Auditor General) for its attempts at strict financial administration, but it had over-reacted to their scrutiny in 1973-5 and now invigilated grantees more than those watchdogs decreed.

Notwithstanding these dissenting voices among its ranks, and encouraged by the Financial Management Improvement Program (FMIP) of the 1980s (with its further stimulus to program budgeting), DAA Annual Reports have continued to take pride in the rigour of the Department's financial self-scrutiny. DAA has developed notions of its goals — such as those I have cited from the 1988 submission to the Standing Committee — which, as predicted in 1976, honour the quantitative and the intermediate at the expense of the longer term and less tangible. Nonetheless, according to the Coopers and Lybrand/W D Scott review, some ambiguities and tensions remained within DAA's corporate ethos.

The role of the Department is not clearly understood by the majority of the Aboriginal people met during the conduct of the study. Some Departmental staff also appear to have difficulty distinguishing between the objectives of the Department and the objectives of Aboriginal organisations (1986, 2).

The ADC: compensation or investment, welfare or enterprise?

The Aboriginal Development Commission (ADC) was founded in 1980. Its tasks were to assist Aboriginal and Islander people by: buying land, issuing housing grants and loans, and lending or granting the capital for enterprises. The ADC thus succeeded and replaced the Aboriginal Land Fund Commission (ALFC), the Aboriginal Loans Commission and DAA's enterprise program. The ADC had been given a Capital Fund, with the potential (cut short by the drying up of appropriations to it) to make the ADC independent of Treasury appropriations. In the event, ADC was defined by the use of its General Fund. In 1981 and 1983, respectively, the

Housing grants program was transferred from DAA to ADC, and ADC took on the work of the National Aboriginal Sports Foundation. Finally, ADC combined with the NAC in the early 1980s to hold conferences on land needs, compiling a confidential register of properties that the ADC would eventually purchase.

Appointed by the Minister of Aboriginal Affairs, the Commissioners were Aboriginal, as was its first Director, Charles Perkins. For a few years, it seemed to some Aboriginal and Islander people that executive powers had at last been placed in their hands. To Senator Bonner, 'the ADC was a kind of compensation for dispossession — although [the Fraser government] didn't go the full extent of admitting that'. (*ADC News* 4(2) Summer 1987, 7). According to ADC Chairperson Shirley McPherson, the ADC was the envy of indigenous people from many lands (Read 1990, 215). Director Perkins (Perkins 1982, 165) saw the ADC as the means of salvation from 'welfare'.

A sound economic basis will help us to cut the welfare umbilical cord that binds us. Increasingly, we must become active producers, instead of passive users, in the context of the Australian economy. We must develop sound economic and social infrastructures ... in order to take control of our own destiny. Unless these imperatives are achieved, Aborigines will continue to be gripped by a counter-productive 'hand-out mentality' and destined to be a race of economic cripples and perpetual dependants.

However, it has since become clear that the ADC's promotion of a self-sustaining, commercially-independent Aboriginal economic base has been qualified by its sensitivity to other needs, resulting in a series of programs whose substantive rationales remained multiple and obscure. When ADC took over DAA's Housing Program, a move which increased its stature as a bureaucratic 'player' within the Aboriginal Affairs portfolio, it acquired a welfare responsibility, given the poverty of most Aboriginal householders. Similarly, ADC's acquisition of land for Aboriginal people responded not only to their 'economic' needs but also to Aborigines' hunger for control over ancestral land, whatever its commercial prospects. Finally, although ADC's grants and loans for the purchase and development of enterprises have ostensibly obeyed the laws of the market, recent reviews of the enterprise program show it to have been less than hard-headed in its selection of what ventures to support and in its judgement about how long to continue such support in the face of commercial failures. In what follows I will argue that, contrary to Perkins' rhetoric, the ADC continued the 'welfare umbilical cord', and that it did so in such a way as to fund Aboriginal home and small business ownership more than to buy back the lands of which Aboriginal people have been dispossessed.

The emphases in ADC's use of its 'General Fund' can be gauged from the following table. The predominance of housing and the minor importance of land acquisition are the main features of this table.

**Amounts (\$ millions) spent on five main ADC programs
to 30 June 1988**

	\$	%
Housing grants	243.6	53
Housing loans	131.2	29
Enterprise grants	40.5	9
Enterprise loans	27.5	6
Land grants	15.6	3
Total	458.4	100

Source: ADC Annual Report 1987-8: 'Notes to and forming part of the accounts'.

What have been the rationales of these programs and of their combination within ADC?

Enterprises:

Inquiry into ADC's enterprise programs began in 1984 with the (McLeay) review of ADC's effectiveness by the House of Representatives Standing Committee on Expenditure. ADC told the Committee that its aims were to train Aboriginal people, to establish profitable businesses and to support enterprises (such as remote community stores) which were socially valuable. It also admitted that 75% of enterprise loan repayments were in arrears. However, the ADC argued that some enterprises which were not proving to be viable were nonetheless 'fulfilling a wide range of social needs' (1984, 44).

The Committee recommended that ADC distinguish ventures whose performance could be judged on purely commercial criteria and then assess and monitor these projects more rigorously. Because ADC was controlled by Aboriginal people, it had a mandate to intervene in ailing Aboriginal enterprises; no compromise of 'self-management' would be implied by such intervention, the Committee argued, adding that it lowered respect for the ADC's business acumen that enterprises in arrears could have their loans retrospectively re-classified as grants. Mr Tuckey (MHR) suggested that, to ensure a tougher commitment to enterprise, ADC staff should in future be drawn from the private sector rather than from the public service.

The Miller Report of the Committee of Review (1985) commented on the contribution that the 'removal of barriers' to Aboriginal enterprise might make to Aboriginal employment. Miller saw three kinds of deficiency in ADC's practice: poor initial assessment of projects; insufficient and inflexible funding arrangements; insufficient business advice and training for inexperienced Aboriginal entrepreneurs (1985, 304-306). His report recommended that ADC establish regional Small Business Support Units and that the funding of Aboriginal businesses be transferred to the

Commonwealth Development Bank. Finally, Miller urged ADC to transfer to the Department of Employment and Industrial Relations the management training of Aboriginal people. In short, Miller assessed optimistically the employment-creating potential of Aboriginal enterprises and called for their better promotion and support by a more diverse team of Commonwealth agencies; it was too important and too large a job for the ADC alone.

By 1989-90 criticisms of what became known as ADC's 'economic independence program' had begun to emerge from the Australian Audit Office (AAO) and from the Department of Finance (DOF). In March 1989, stimulated to make inquiries into Aboriginal enterprises by the concern of the Minister for Aboriginal Affairs at questions raised by the Senate Estimates Committee, the AAO concluded that 'the ADC gave undue emphasis to promoting employment of Aboriginals and to creating social facilities for Aboriginals'. Indeed the ADC's Act did not require it to pursue such goals, noted the AAO (1989, 58). The need for further clarification of ADC goals was implied by the comment that

The enterprise program has occasionally been treated as a welfare program rather than a development program. ADC should be careful to distinguish such programs (1989, 59).

Approval procedures were inadequate, argued the AAO, and so were assessments of what to do about enterprises in difficulties.

In practice, because of support from local communities, it can be difficult for ADC and other government authorities to cease funding an Aboriginal or Aboriginal body once funding begins (1989, 60).

The AAO called for much tighter ministerial (and therefore parliamentary) oversight of ADC programs.

The DOF investigation (known as the Jarvie Report) took a more sympathetic view of the ADC's employment objective, but concluded that too few jobs for Aboriginal people had been generated by the enterprise programs and at too great a cost per job. Like previous critics, Jarvie drew attention to the very high rate of arrears on loan repayments and added 'doubtful debts' and 'cost per job', to create a battery of performance indicators, all of which showed the program had failed. She criticised the quality of ADC's initial assessments and the ADC's approach to failing businesses — an approach which seemed to have no foundations in an articulated philosophy or policy (DOF 1989).

It is evident from these critical reviews that the ADC's enterprise programs have been supported and implemented according to a number of competing rationales: amassing Aboriginal-controlled, but not necessarily profitable, resources able to deliver

important services to Aboriginal people; enabling Aboriginal people to support themselves from the profits of enterprises; increasing the rate of employment (including self-employment) among Aboriginal people. Critics of the priority apparently given to the first objective have not necessarily agreed as to which of the second and third objectives should be paramount.

Housing:

In 1981, one of the biggest programs within DAA, housing, was transferred to the ADC. Making grants and loans to individuals and housing associations quickly became ADC's major activity. At the time the McLeay Committee met, grants and loans for houses amounted to 79% of total program expenditure by ADC (McLeay 1984, 30).

Yet there were critics of ADC's carriage of and emphasis upon housing. Before the transfer of functions took place, the NAC Chairman, Bill Bird, warned the Minister (Senator Peter Baume) that the welfare orientation of the program was at odds with the ADC's economic development charter. Bird advised against trying to reconcile the two within one organisation, as staff skills and outlooks could not be expected to combine such different perspectives. (1981 letter to Senator Baume, NAC newsletter 1(3) supplement).

The McLeay Committee endorsed ADC's carriage of housing programs, but made a criticism which seems to have substantiated the NAC's fears: too many of those receiving ADC loans were affluent enough not to need such repayment concessions as the ADC allowed. Loans should be directed to more needy Aboriginal people. Yet the Committee also heard ADC evidence that 25% of loan repayments were in arrears (McLeay 1984, 34). Are we not entitled to infer that ADC's indulgence of the better off applicants may have been an attempt to minimise this repayments problem? To urge the ADC to venture further 'downmarket' was also to ask it to risk a greater rate of arrears, an implication which immediately raises the NAC's question: was the Housing Program aimed primarily at welfare or at amassing a self-financing resource base?

Whatever the rationales of housing grants and loans, there was another point of view that thought the ADC 'unduly preoccupied with housing' at the expense of creating Aboriginal employment (Miller 1985, 407). Indeed, the Miller Report echoed the NAC's 1981 complaint when it wrote that

the provision of welfare housing and the acquisition and development of economic resources do not fit comfortably within the one agency. Very different management skills are involved in the effective discharge of these two functions (1985, 408).

As with 'enterprises', so with 'housing': among ADC's critics and supporters there has emerged no clear rationale for ADC's program.

Land:

ADC's land acquisition program can be better understood by knowing its prehistory. In 1968 the Office of Aboriginal Affairs persuaded Prime Minister Gorton to set up the Capital Fund for Aboriginal Enterprises. It lent money to purchase commercially viable properties for Aboriginal people. Some pastoral leases (notably Willowra, NT) which Aborigines wished to buy did not meet the 'commercial' test, and the OAA agitated for a more flexible appropriation. In his 1972 Australia Day speech, Prime Minister McMahon announced the setting aside of \$5 million per year for grants to purchase properties of economic and/or social significance. DAA dipped into this fund (but used less than \$5 million over the years 1972/3 to 1974/5), until the Whitlam government formalised it in the *Aboriginal Land Fund Act 1974*. Between June 1975 and June 1980, the ALFC made 58 purchases, before being abolished to make way for the ADC which continued the ALFC's work of land acquisition to satisfy Aboriginal peoples' non-commercial needs.

Ian Palmer's study of the ALFC concludes that its history was one of 'struggle against a variety of measures each of which diminished the ability of the ALFC to meet the Aboriginal desire for land'. He mentions

government cuts to its budget, and DAA strategies of avoiding, pre-empting, re-orienting, blocking and re-checking ALFC proposals. In Queensland and Western Australia they included delays on technical grounds and straight-out refusals to transfer leases intended for Aboriginal communities (Palmer 1988, 149).

Although a statutory corporation, the ALFC received five 'major directives' from the Minister for Aboriginal Affairs in five years.

It is therefore at first surprising that, in setting up the ADC, the Fraser government gave the Minister so few powers over it. Like DAA under Gordon Bryant, the ADC did not have to submit estimates of receipts and expenditure for ministerial approval. In keeping with Aboriginal wishes to own land, ADC Commissioners continued the ALFC practice of convening land needs conferences, from which was compiled a confidential register of land marked for eventual purchase. Section 23 of the ADC Act allowed purchase for 'social' purposes. ADC's evidence to the McLeay Committee in 1984 described 96% of land acquisition as either 'social' or mixed 'social/economic' (McLeay 1984, 35). Perkins advised the Committee that there were only 'subjective' criteria for 'social'. Despite this unprecedented discretion, the ADC used little of its budget simply to buy land that Aboriginal people wanted.

The ADC appears to have moved cautiously in acquiring land for a number of reasons. First, there was the problem of land improvement investment. Some Aboriginal owners told the McLeay Committee that the ADC had been unable to meet their needs for investment capital after purchase — a problem which led the ADC to cease buying properties, McLeay (1984, 38) reported. Second, the Commissioners seem to have begun to question the value of land purchases. In 1985-6, the ADC explained that fewer properties of traditional significance were coming on to the market, but at higher prices. It added the pious hope that, as the states and territories began to legislate land rights, 'the demand on the Commission's funds to purchase properties will, to some degree, lessen' (ADC 1985-6, 67). In 1987-8, the financial year within which Gerry Hand replaced eight out of ten Commissioners with his own appointees, the ADC resumed purchases: 19 properties costing \$3.36 million. Third, Ian Palmer, surveying the pattern of ADC expenditure up to and including 1984-5, argued that, if anything, ADC has been more constrained than the ALFC ever was, not by ministerial or DAA pressure, but by having to find funds for housing and for land from the same appropriation. Attempting to meet the need for houses has starved the ADC of land acquisition money. Palmer comments

In a sense, a conflict which existed between the ALFC and the DAA — expenditure on land as compensation versus other social welfare expenditure — has been transported into the one body, the ADC (Palmer 1988, 159).

Accountability:

I have provided a number of illustrations of the proposition that the two main Commonwealth bureaucracies in the Aboriginal Affairs portfolio, charged with implementing Aboriginal and Islander 'self-management' or 'self-determination', have found it enormously difficult to give clear accounts of the objectives and rationales of their main programs. Each has responded in a different way to this difficulty. DAA came to emphasise the rigour of its financial accountability provisions, its welfare programs unsullied by critical remarks from the Australian Audit Office or the Department of Finance. The ADC, ostensibly eschewing 'welfare', has promoted a belief in the self-sustaining viability of the housing and business programs that consumed the vast majority of its funds. Both bodies pointed to the 'Aboriginalisation' of their staffing and leadership as the guarantee of fidelity to the wishes of the Aboriginal constituency. Both bodies have had difficulties in articulating and then pursuing a coherent set of substantive, nation-wide objectives.

There are two ways that one can view these difficulties. One is to say that there has been a failure of governmental rationality. The alternative is to argue that a policy of self-determination necessarily implies that, from the point of view of government's commanding heights, there is a high degree of indeterminacy in the administration of such programs. That is, it can be argued that Aboriginal people quite rightly pressure DAA and ADC to supply funds and services to cater to the diversity of their needs; communities presenting themselves as clients of a program do not necessarily look for

and receive identical benefits from it. Further, one could argue, as many Aboriginal people have done, that the money passing through the Aboriginal Affairs portfolio is compensation for dispossession and subsequent harassment and that, therefore, it is not for non-Aboriginal bureaucrats to make far-reaching determinations of that money's use.

Yet the argument that there should be rigorous central control over the aims, procedures and evaluations of Commonwealth Aboriginal affairs programs has gained considerable support, even from senior Aboriginal bureaucrats concerned, ostensibly, with questions of equity and efficiency in the use of the public money that has been allocated to their people. And such questions are raised with particular conviction by officers of Departments with no direct dealings with Aboriginal and Islander people. For example, in 1989, a Department of Finance officer urged ADC Commissioners to define

the terms 'economic independence', 'self sufficiency' and 'self determination' in the section [of the ADC's corporate plan] dealing with the major goals and philosophies of the Commission. The Commissioners should also define what they mean by the terms 'financial viability', 'social viability' and 'technical viability' so that the Commissioners and Commission staff have objective statements with which to assess the initial viability of projects and later assess performance of projects against these criteria (DOF 1989, 9).

What remains unspoken in such advice is that the Commissioners, or others making such decisions, do not necessarily need so rigorously to objectify the criteria of their decisions. The very vagueness of the above terms has probably afforded them the discretion which constitutes an important element of their power. It is those (such as the DOF) who invigilate the Commissioners who will benefit more from tighter definitions of these phrases. For only when this is done is it possible for all efforts of program delivery to be commensurable, to be reckoned in the common coin of number — indicators of performance gathered at a central point of intelligence and decision-making. And as that impartial adjudication of number proceeds, it evaluates Aboriginal need according to its own notions of equity across regions and interest groups. The resources required for such invigilation rest, in the first place, in such central agencies of government as Finance itself.

However, advice such as that offered to ADC by Finance exemplifies **aspirations** to centralised accountability, not necessarily their achievement. As I have illustrated above, discussions of evaluation in DAA and reviews of ADC have displayed contradictory criteria of program and portfolio performance. The impulses towards centralised quantification of the achievement of prioritised objectives have been held in check by some officers' senses of the larger vision, and actual practice, of Aborigines' tendency towards autonomy. It is a long way from Finance to Fitzroy Crossing, and at each point of mediation in the chain between them, the pressures to

be accountable upwards (to the centre) are in tension with pressures to adapt to the many exigencies of the field. Charles Rowley worried that although the result of this tension has often been (what he thought of as) an appropriately lenient practice, there has never emerged 'an established philosophy of social accounting.' A field officer must therefore

look in two directions — back to his department for promotion and security, and to his community for what they wish to do. For the first he will tend to conform; for the second he must take risks. If he has in previous administrative experience acquired the habit of domination, the relationship will be disastrous, although his record on the files may be excellent (Rowley 1986, 138-9).

That the dissemination of the centre's administrative procedures and data-gathering instruments has not been easy was evident when DAA's Mr Miller admitted to the Senate Estimates Committee that his Department's performance indicators were underdeveloped

we are having difficulty collecting uniform statistical information from all of our 1,200 grant recipients, and that is what you need to do to present data here (Senate 1988, 12).

Government policy since 1967 has been a massive investment in equipping both regional staff and Aboriginal people to pursue their own diverse purposes. What we are to make of the resulting indeterminacy of policies and intentions, this degree of ungovernability, is now a matter for debate.

Welfare colonialism and the Aboriginal domain

In characterising as 'welfare colonialism' the general circumstances of Aborigines' inclusion within Australian society I follow Beckett's suggestion.

Colonialism ... refers to that aspect of Western expansion whereby new peoples are incorporated into a conquering state. Colonial relations derive from this event, as institutionalisations of the distinction between conquerors and conquered ... Australia started out by reproducing existing colonial relations between the descendants of natives and settlers, making citizenship the privilege of the latter. Its recent attempts to extend citizenship to the Aborigines have run afoul of these pre-existing structures, giving rise to the curious hybrid of welfare colonialism (Beckett 1988, 4).

Beckett's phrase 'afoul of these pre-existing structures' is somewhat obscure. In the context of 'self-determination' policy, it could be taken to refer to the difficulties of converting Aboriginal people from being the objects of administration to being its subjects. For that conversion involves a further stage of tutelage in which Aboriginal people nominally enjoy the right to run their own affairs, but actually find themselves having to learn to do so according to the forms of land tenure and administrative process created for them by the state. That Aboriginal ways are both affirmed and rendered problematic within administrative ideology is evident from the DAA submission discussed above. DAA sees no alternative but to encourage Aboriginal people, whatever their reservations, to perform according to official notions of self-determination. A play of excluding and including practices is thus set in motion.

The objects-cum-subjects of welfare colonialism's devolutions can be conceived as inhabiting and taking their bearings from the 'Aboriginal domain'. John von Sturmer (1984, 219) referred to the 'Aboriginal domain' as being found in parts of Australia 'in which the dominant social life and culture are Aboriginal, where the major language or languages are Aboriginal, where the system of knowledge is Aboriginal; in short, where the resident Aboriginal population constitutes the public'. His example was an entire region, western Arnhem Land; but other writers have made it clear that much smaller spaces can work as Aboriginal domains.

As Stephen Harris (1990, 14) has recently reminded us, the concept 'domain' has been developed within linguistics to describe distinct practices of speaking and of referring to the world through language: it 'has connotations of content, physical space and the way things are done'. In an earlier study of Milingimbi, he described the 'balanda' domain as 'that of the cash economy and modern technology, [it] operates mainly between 8 am and 5 pm, Monday to Friday'; the Yolngu domain 'operates "after hours" and on weekends. Here the vernacular is always spoken, all the time; the Aboriginal world-view and social priorities reign, and those of the other domain are virtually non-existent' (Harris 1980, 132). Harris has recently applied the term in advocating that schools in remote Aboriginal communities clearly separate spaces and times of language use in order to afford the indigenous language the uses it requires if it is to remain practically relevant and alive. He recommends that such schools separate their activities into two clearly demarcated 'domains'. 'The aim in each separate domain would be to teach language, skills, content and behaviour relevant to that domain. Because the ways of teaching in each domain would be part of the cultural content and message, teachers in each domain would need to be fairly autonomous' (1990, 14). Harris's concept of domain is not merely descriptive of the ways languages are used in multilingual remote communities, it is also politically prescriptive of the apportioning of powers of management within such communities.

David Trigger (1986) found 'Aboriginal domain' useful in describing the resistance of Doomadgee Aborigines to the mission's attempts to transform their culture according to non-Aboriginal ideals: 'the imperative for Aborigines is generally to insulate the

domain of Blackfella space, thought and behaviour from the White domain' (1986, 114). Doomadgee Aborigines understood the spatial order of the mission in these terms, as zones where Aboriginality of thought and behaviour was either exposed to or sheltered from non-Aboriginal scrutiny and correction. 'Aborigines appear to be generally more committed than Whites to the maintenance of the separation of the two domains' (1986, 115). (2) Just as Beckett's notion of welfare colonialism does not necessarily claim the material exploitation of the colonized, pointing rather to their cultural subordination under conditions of formal equality, so Trigger's notion of Aboriginal resistance emphasises the symbolic utility of the Aboriginal domain to those maintaining it.

Aboriginal maintenance of control over the Blackfella domain occurs in spite of the formal pervasiveness of White authority. It is predicated on exclusion of Whites from physical space, styles of behaviour and modes of thought (and communication), rather than on the capacity to wrest economic or political power from the wider society (Trigger 1986, 116).

Trigger explains the persistence of the Aboriginal domain despite administrative annexation by reference to something more than 'continuity of tradition' (a circular explanation, in any case)

[T]he effective exclusion of Doomadgee Aborigines from status and associated class competitions in Australian society is also a significant factor. For it is clear that [if?] the moral judgements of non-Aboriginal society typically disallow any chances of reaching anything but the lowest levels on class and status hierarchies, would Aborigines necessarily accept the legitimacy of such hierarchies. It seems plausible that part of a strategy of resistance would instead be to develop a determined public (egalitarian) ethic, designed to 'cut down to size' any of those within the Aboriginal domain who appeared to be seeking acclaim according to the criteria perceived to be institutionalised throughout non-Aboriginal society (Trigger 1988, 538-9).

An alternative approach to explaining the persistence of the Aboriginal domain is that it survives partly because of its apparent triviality. Peter Sutton has recently suggested that

Aboriginal decision making and relative autonomy or domains of relative autonomy tend to be concentrated in areas conceived of by outside interests largely as private affairs, not as part of the public domain, and these are areas such as entertainment, gambling, sport and religion or ceremonies or whatever. In reality, though, those areas may be the very ones that contain focal and basic stages on which the Aboriginal public, political and economic life is lived out and in which they exercise what to them may be

quite critical areas of relatively autonomous decision making. In other words, they are not a side show, they might be core activities for people, and core activities for whole communities. (Sutton in HRSCAA 1990a, 59)

The third concept which I wish to introduce is 'Aboriginal enclave'. There are parts of Australia in which Aboriginal people are numerous, if not in the majority, and where non-Aboriginal interests are not yet highly developed. Cape York, the Kimberley, Arnhem Land and the western desert are examples. In these spaces, the Aboriginal domain flourishes (in some areas, as an Archipelago of Doomadgee-like spaces, in others, as vast tracts of land still hardly touched by non-Aboriginal endeavour), and the structures of welfare colonialism are nominally committed to an accommodation between that domain and the opportunities and pressures of non-Aboriginal institutions. The word 'enclave' has unpleasant and even sinister connotation for some: suggesting 'apartheid'. I use it in a neutral sense to refer to parts of Australia where non-Aboriginal institutions could still be placed under pressure to adjust to indigenous ways.

CHAPTER 2

ETHNOGRAPHIC ACCOUNTS OF THE ABORIGINAL DOMAIN

Some general models of the Aboriginal polity

When Les Hiatt (1986) devoted his 1984 Wentworth Lecture to a discussion of 'Aboriginal political life', he took that phrase to refer to processes within the 'traditional' Aboriginal polity. In other words, in keeping with an increasingly contested convention of anthropology, Hiatt said little about the relationship between Aboriginal people and the wider Australian and global society, but wrote of a cultural isolate. Despite this serious limitation, his review of extant analyses of Aboriginal political life is an excellent introduction to the literature.

Hiatt first summed up what has been the orthodox account as set out by Mervyn Meggitt, Lauriston Sharp and himself:

Aboriginal political life is characterized by a uniform distribution of rights, privileges, and duties throughout a social order based on kinship and suffused by an egalitarian ideology (1986, 177).

He then drew attention to two alternative accounts, one he called the 'Hobbesian individualism' (referring to the work of Peter Sutton and John von Sturmer and derived from Cape York fieldwork in the early 1970s) the other 'Marxist' and credited to John Bern, a student of south east Arnhem Land since the early 1970s.

The 'Hobbesian' view portrayed political life as competitive relations among outstanding, assertive individual clan-heads. Ritual discipline and the control of an important totemic site were held to be the joint foundations of their powers to rally kin, in efforts to secure tenure of the most favoured ecological niches. Bern's Marxist account pointed to the solidarities as well as the competitive relations among senior men. Such men wielded a dominant religious ideology in order to assert their collective superiority over younger men (whom they gradually admitted into the secrecies of religious life) and over women (whom they excluded from the religious life that they controlled and deemed most powerful). Aboriginal society was a religiously sanctioned hierarchy of gender and age, argued Bern.

Hiatt found himself able to reconcile all three accounts, arguing

that traditional Aboriginal communities lack enduring hierarchies of authority for the administration of public affairs; that individuals, especially senior males, compete for control of scarce natural and metaphysical resources in order to gain or enhance reputations as ceremonial big-men; and that, collectively, senior males exercise a degree of domination over junior males and females, especially in the sphere of religion (1986, 180).

He saw in Aboriginal society a mingling of authoritarianism (manifested in ritual discipline) and autonomy (so that no man holds anything like an established position of authority over others beyond the ritual sphere) (1986, 179-182). What is more, men compete within the sphere of ritual, vaunting the centrality to collective well-being of particular places, totems and songs with which they are associated. As for women, they 'are not in the business of domination but of resistance'; such resistance may afford them degrees of collective autonomy from men. Hiatt's closing observations show him to be aware that access to European goods and services and to legal identities conferred by European law are new resources for Aborigines' political life; their use by powerful individuals might further weaken Aboriginal society's egalitarian restraints. However, Hiatt's attention to the contemporary encapsulation of Aboriginal society within the Australian nation-state is too belated and cursory to allow him to come to grips with a problem that he had acknowledged already in Meggitt's treatment of 'traditional' society (1986, 182): what was the relationship between the ritual domain (in which senior men were undoubtedly supreme) and other spheres in which relations of solidarity, competition and subordination might be discerned? Welfare colonialism's opening out and enrichment of those other spheres, and the consequent potential to undermine ritual authority, would seem to make contemporary Aboriginal political life a new game.

Despite the, to me obvious, necessity to understand these new conditions of Aboriginal political life, Ian Keen's (1989, 21) recent discussion of 'Aboriginal governance' opens by declaring the continuing usefulness of 'treating the Aboriginal domain as a conceptual isolate..., distinguishing it from its environment'. Seeking to develop an analytical vocabulary appropriate to Aboriginal political processes, Keen argues that there are undoubtedly 'leaders' in this domain, but denies that what they do can be analysed in relation to a social structure of pre-given 'groups'. Emphasising the fluidity of corporate boundaries, Keen points to our lack of understanding of 'the structure of ... social networks and fields'.

Or, if Aboriginal leaders do have influence, then the structure of the networks within which they operate also need to be understood (1989, 26).

As he goes on to point out, age and gender are important in structuring such fields of influence.

In particular, Keen is concerned to free from culture-bound preconceptions the vocabulary with which these matters are analysed. He favours the verb 'control' and wishes to apply it broadly, so that it includes all the processes of 'socialisation' as well as 'more direct modes of control'. As he argues (1989, 37), the two are interdependent, for 'control' does not refer only to specific actions, but also to 'an organised set of long-term and short-term, specific and diffuse actions, coordinated roles, and a body of norms' (1989, 38). Referring to Foucault (1980), he completes his argument by dispensing with the need to consider who controls:

total configuration of control ... is an historical product, the collective creation of many minds, designed by no one, tinkered with and interpreted by many (1989, 38).

In this framework, assertions of categorical (eg male) control or autonomy become questionable, and our interest must turn to characteristic processes or idioms of 'control'. It is a pity that Keen's sole example of such an action-focused account — Basil Sansom's (1980) description of 'mob' formation and dissolution on Darwin town camps — seems so internal to the 'Aboriginal domain'. By reaffirming the 'conceptual isolate' Keen postpones dealing with the necessary question of the relationships of that domain to the Australian society which encloses it, relationships which constitute so many of Aborigines' possibilities of action.

That deficiency makes the work of Rolf Gerritsen (1982a, 1982b) (to which Keen makes no reference) all the more valuable. Gerritsen, who observed local level politics in the Lajamanu, Katherine, and Ngukurr regions in the late 1970s, develops a typology of actors who work within a unified field of community/bureaucracy relations. His themes are that:

the uses that services are put to in any community may reflect the structure of power and interests in the community as much as government-designated function.

and

communities are not mere pawns in the bureaucracy's organisational games; there are important areas of autonomy and initiative at the community level and even some elements of control over the bureaucracy's agents (1982a, 16).

Rivalry and lack of coordination among government agencies present opportunities for manipulation by receivers of services.

Those doing the manipulating he labels: 'dominant men', 'prominent men'; the followers of both: 'adventurous men' and 'wayfarers'. His 'dominant men' seem to be the 'Hobbesian' clan leaders to which Hiatt refers. Their power consists of possessing one or more of the following three elements: inherited ceremonial knowledge; control

or ownership of sacred land; and 'whitefella power'. The latter requires

literacy or at least adequate English and it encompasses the skills required to understand bureaucrats and bureaucratic processes; to represent the community in dealings with bureaucrats; to control the distribution of benefits of governmental services; to be a 'boss' of whitefella business (1982a, 22).

Typically, the power of dominant men is expressed in their access to generous store credit, to motor vehicles and to employment — goods which they distribute among their kin and followers. Their influence among other Aboriginal people is such that government officials become dependent on them in their field work.

'Prominent men' are more obligated and more easily checked than 'dominant men' (1982a, 25). Older 'prominent men' find their autonomy from 'dominant men' by establishing outstations away from the centres where 'dominant men' hold sway (1982b). 'Adventurous men' possess useful whitefella skills but lack the security of living on their own land among their own kin; they are 'outsiders' to the communities to which they make themselves useful.

Non-Aboriginal residents of remote communities are either 'service whites' — employees of a bureaucracy (eg teachers, nurses), living with the community for only a few months or years as part of a career of service — or 'wayfarers', employed by Aborigines, living for a longer period with communities with whose most powerful members they cultivate relations of patronage and debt.

Gerritsen argues that each of these types of political actor is a more or less permanent feature of the structured field of relationships between Aboriginal communities and the bureaucracies which service them. My bald summary does not do justice to his many interesting observations about their interaction. However, the very point on which Gerritsen is valuably innovative — his focus on the community-Government relationship as a new field of political relationships — is also the source of an important uncertainty in his framework. Gerritsen seems to me to be undecided about the relative importance, in the constitution of 'dominant men', of ritual and secular powers.

Recall that two out of the three factors listed by Gerritsen as founding these men's dominance were from the 'Aboriginal domain': ritual knowledge and site ownership. He then comments (1982a, 22) that: 'dominant men will usually have more than one of these [three] attributes though this is not necessary'. That is, their dominance might be grounded in only one of the three factors. In his examples, it is the third factor, 'whitefella power', which is mentioned most often. 'The dominant men seek to control the delivery of services (initiative) and access to them. That is both the basis and object of their power' (1982a, 25, my emphasis). Later: 'they are dominant men

because they are quick learners; their experience makes the young field officer no contest' (1982a, 25). 'The positions of the dominant men depend upon their being able to direct resources to reward their families and retainers. The struggle for resources is the dominant men's *raison d'être*' (1982a, 31). 'Findlay became President and Public Officer, thereby continuing the control of access to government that is the foundation of power' (1982b, 67).

In not one of these four formulations is Gerritsen evidently referring to differential access to ritual knowledges or to sacred places as the grounds of inequalities of power. His 'dominant men' dominate the channels of communication between bureaucracy and community, not those between the community and the realm of the 'spiritual'. For Gerritsen so to overlook the allocation of ritual knowledges and land-holding responsibilities, he must imply either that the goods assigned value in the Aboriginal domain are distributed in a non-competitive way (thus compromising his point that Aboriginal people are politically competitive and self-seeking rather than egalitarian), or that the goods which governments distribute are now more valued and more struggled over than such goods as ritual knowledge and land-holding rights.

I detect more of the latter implication in Gerritsen's work. 'Goods' originating within the Aboriginal domain do not figure in his account of politics. That is, his account of Aboriginal politics seems to rest on an unargued assumption that what is at stake in politics is the flow of material goods. Although he concedes that it is the prestige and status which goods confer, not just their utility or monetary value, which excites Aborigines' competitive interest, he is nonetheless fixated on those goods which flow from government patronage.

This ethnocentric or, at best, ill-considered concept of 'good' is also apparent in Gerritsen's recent paper (1990) for the Royal Commission into Aboriginal Deaths in Custody, in which he canvasses the contribution which local government structures might make to ensuring 'intergenerational, intergender or intergroup equity' (1990, 47) among Aboriginal people. The problem is: with respect to what 'goods' are such (in)equities to be measured? Gerritsen denies that he means simply money or goods in their usual use: 'Aboriginal community leadership is about access to power, not access to material or financial benefits for their own sake' (1990, 46). If that is so, then those interested in equity must consider the distribution of this variously manifested thing 'power'. But how do we assess the distribution of power? Do we and Aboriginal people all agree about what power is and how its presence or absence is made manifest? Cultures differ in what they think 'power' is. For many Aboriginal people it seems to include forces that are 'spiritual' (for want of a better term), embodied in objects and places and summoned through ritual. Distinctive Aboriginal understandings of 'power' are not treated in Gerritsen's work. Nor does he pin down 'power' any more firmly by referring to 'control over resources'; it is not clear that either 'control' or 'resources' necessarily mean the same for Aboriginal people as they do for Gerritsen. (3)

However, his 1990 paper makes it clear that the theory of Aboriginal politics he has put forward, within such limitations, is apt to the consideration of a problem arising in current attempts to practice 'self-determination': the trade-off between the state's avowed program of stimulating community political initiatives — with their likely result, intra-communal inequities in the allocation of government-derived goods — and the regulation of 'community decisions' by governments with a concern for equity. In short, Gerritsen raises the question: what limits, if any, should be placed by governments on dominant men's room to manoeuvre? This is the practical question to which Gerritsen has led us with his theory of the politics of remote Aboriginal communities.

We still lack a theory which shows how the powers emanating from the Aboriginal domain articulate with those manifest in the manipulations of government subsidy. Perhaps this is not a matter which can be encompassed by any theory, at least not yet; rather we need a series of ethnographies and histories which illustrate the many contingencies of the relationship between old forms of power and new forms of power. Erich Kolig, generalising from his Kimberley fieldwork from 1970 to 1982 (Kolig 1982, 1989) has acknowledged the difficulty of theoretically anticipating these contingencies. His work concerns Aborigines' changing notions of what it is to act powerfully.

According to Kolig's paper 'An obituary for ritual power' Aborigines have over the past few years increased their knowledge of the processes operating in Western society to obtain power. Progressively they approximate current Western paradigms of winning power, in the process detaching themselves more and more from the traditional power concept (1982, 26).

However, 'this ideological switch has not taken place instantly, in fact it is still very much in a state of flux'. That flux is expressed in an emerging duality in the Aboriginal political elite.

A new leadership is emerging which is divorced from religious expertise and which manages the collective drive for control of resources, land, and economic development. While leaving religious expertise now to others, the new political elite organises the impulse toward Aboriginal land rights and economic strength as a means to obtain power mainly *vis-a-vis* the wider society (1982, 28).

How that duality (of powers, and of those able to wield them) is managed by Aboriginal people and by those who have dealings with them, is an important question on which Kolig has nothing to say in general terms. (As he puts it (1989, 48): 'The diachronic dynamic of the two types of power, relative to each other, is a hypothetical construct that is extremely difficult to empirically verify'). However, Kolig's 1989 paper has discussed aspects of Aboriginal powers in such a way as to correct the

impression that, by virtue of secularism's unstoppable spread, 'ritual power' and its beneficiaries were being eclipsed by those wielding powers evident in their competent transaction with whites. The first of his points has to do with 'knowledge', the second with 'goods'.

The knowledge associated with ritual is still valued partly because of the difficulty of empirically demonstrating its inefficacy. Ritually powerful men, Kolig assures us, are skilled in the many arts of 'reputation management'. But men whose power derives mainly or exclusively from transacting with whites find that the efficacy of their knowledge is much more easily tested. Not delivering 'the goods' can quickly diminish such people. The second point that I derive from Kolig is his exposition of the term 'goods'. To understand Aboriginal politics, he has found, an expansive notion of 'goods' is useful. The category 'goods' includes both material and spiritual things.

But in both cases the goods to be dispensed and managed on behalf of all, are associated with beliefs about what is desirable or necessary for human existence and for the unfolding of human potential. This may concern the spiritual and religious ambience which provides the necessary prerequisite for humanness, or it may relate to the material quality necessary to attain proper human dignity and the full enjoyment of life (1989, 49).

This passage usefully counters any tendency to a reductive and culture-bound notion of what is at stake in politics among Aboriginal people (such as that which I identified in Gerritsen's work).

Nonetheless, Kolig has gone no further than the other writers examined here in developing a theoretical framework with which to think about the relationship between the political processes of the 'Aboriginal domain' and those of the Australian nation state. Perhaps such a theory is not possible; perhaps it would be more fruitful to look at particular cases, in order to develop a sense of the many contingencies of that relationship. Fred Myers and Robert Tonkinson have given us such cases.

The Pintupi polity

Myers (1986a) describes Pintupi politics in such a way as to emphasise its inward-looking focus and its relative detachment from any non-Pintupi agenda of community management. When he says of 'the problem of community' that it is the most visible feature of Pintupi life, he refers not to the representation and administration of a place, but to the maintenance of less formalised connections among people of a region. Because relations of authority and leadership among the Pintupi are not localised (as

they are in the clans of the Arremte and of many Aborigines of the Top End) the Pintupi polity is

not a reflex of authority and is not identified with a permanent, concrete grouping. It is better understood as a temporary jurisdiction of relatedness among autonomous equals (1986a, 256).

Pintupi people seek to balance a sense of land-based relatedness against a desire for individual autonomy. This gives their aggregations a temporary quality evident in the scenes Myers himself has observed since 1973. 'Since establishing the early outstations [of Papunya] in 1973, Pintupi continue to move centrifugally outward from the larger settlements, where conflict and tension have been marked, to smaller and relatively more peaceful outstations' (1986a, 257). Self determination, for the Pintupi, means the reassertion of the 'fragile polities' that such centrifugal movement precipitates, argues Myers. Obligations to enduring corporate entities (such as Papunya Council or Walangura (Kintore) Council) are of less significance than the 'obligations individuals have to each other. In such a kinship-based social order, these relations are defined egocentrically'. Such thinking preserves the primacy of individual autonomy over obligations to a corporate 'community'.

The Pintupi community at Yayayi arose in 1973 from the difficulty which the Pintupi experienced in integrating themselves into the large and diverse settlement of Papunya. However, within two years, Yayayi's population had fallen from 350 to 200 as tensions among Yayayi residents stimulated fission and the setting up of another outstation, Kungkayunti. Further splits of the remaining Yayayi mob followed various troubles, until almost no-one was there in 1979. Myers draws the conclusion that

Yayayi's gradual devolution suggests how the organizational problems of a large, permanent community remain beyond the reach of traditional Pintupi means of resolution. The very basis of integration limits the numbers it can manage (1986, 260).

However, as Myers would likely acknowledge, the Pintupi are now sufficiently persuaded of the value of water bores, stores, schools and clinics, that they will remain for months or even years at a time in large aggregations where these services are available, delaying or resisting the schisms that are prompted by their love of individual autonomy. These service-based aggregations (Kintore, for example) are the sites of new institutions which the government intends to be representative and administrative — the councils. So how do Pintupi councillors relate to their 'constituents'?

Myers argues that councillors have an ambiguous mandate; there is no clear conception of the 'common good' which they must enact. This lack of clarity is

particularly evident in disputes over the rights and wrongs of councillors' use of council vehicles, for councillors have a duty to help individuals who ask for it, while preserving council property from over-use by particular people. 'By denying someone the use of a community-owned truck, a councillor opens himself to the accusation that he is not helping them' (1986a, 263). Myers' argument here sheds a more positive light than usually falls (for instance, the DAA submission) on such topics as 'factionalism' and 'patronage'. He remarks that 'the patron-client conception of the rights and duties surrounding authority inevitably undermines a councillor's ability to organize the community'. He then explains that the Pintupi notion of hierarchy which gives rise to such organizational incapacity is personal rather than corporate; that is, 'bosses' traditionally contribute to the welfare and 'growing up' of particular individuals assigned to their care by the kinship system, so that when a 'boss' is a Village Councillor, his 'responsibility to the level of organization embodied by the 'community' as a whole may conflict with his obligation to individuals' (1986a, 264).

Myers also illuminates the problem (for outsiders) of the apparent impotence and/or indifference of councils. The Pintupi notion of hierarchy is such as to make it still possible to respect personal autonomy: being a boss entitles one more to others' esteem than to their compliance. 'The council has no real power of sanction or denial, and few feel obliged to follow or to police decisions if their own interests are in conflict'. Among the Pintupi communities which Myers has observed at Yayayi, Yinyilingki, New Bore and Papunya, council regulations about fighting, liquor use, work and wages, though 'agreed to in 'meetings', are rarely obeyed' (1986a, 264). The job of enforcing such rules is neither sought nor relished by Pintupi people. So much so that 'when it is necessary to avoid the claims of sympathy and compassion, they characteristically prefer to shift the responsibility by delegating such jobs to an outsider. This person tends to be the Community Adviser ...' (1986a, 264-5).

This face-saving exploitation of the authority of outsiders contrasts with the much-cited 'authority' of 'elders'. Myers, like many other commentators (cf Maddock 1984), distinguishes between injunctions which are warranted by what is understood to be sacred law (or Dreaming) and injunctions which are propounded by such non-Aboriginal-inspired assemblies as councils. 'Because Council decisions are clearly perceived not as principles transcending time, but as human products, they lack legitimacy. Rarely do such decisions stand' (Myers 1986a, 267). Apart from the Law, as mediated by senior men, the only significant contemporary collectivity to which individuals accept a binding relation is that created in the religious cult, both traditional and Christian (1986a, 268-9).

In short, the high value of personal autonomy, the distinctive Pintupi understanding of hierarchy and the categorisation of Council affairs as lying outside the sacred charters of the social order, combine to render precarious the senses of communal identity and community mandate that proponents of Community Government and like schemes of 'self-determination' assume to be emergent among Aboriginal people.

Myers has mixed with the Pintupi over the period of their westward return to re-establish residence on their homelands, a series of initiatives which clearly evidenced what Myers takes to be the characteristic elements of Pintupi political culture.

Thus, the conditions that permit genuine autonomy are, as they have always been, restricted to life in relatively small groups or to frequent travel. Not surprisingly, these conditions have become the aspiration of contemporary outstation movements: available transport and numerous small homeland communities. As soon as the Pintupi had moved en masse to Kintore, smaller groups began to plan their own desert outstations. Many Pintupi still see any 'community' as contingent, expecting that they can go elsewhere if events should turn against them (1986a, 276).

The last sentence seems to allow the possibility that some Pintupi might come to see some manifestations of community as semi-permanent, rather than contingent, for instance those sentiments which are evident when the residents of Kintore contribute to sending 'their' football team hundreds of kilometres to contend with the teams of other communities. This identification with recent towns/communities seems likely among a younger generation of Pintupi who are beneficiaries of the move away from missions and welfare settlements back on to resourced Pintupi homelands. Such men and women are not only more accustomed than their parents to the amenities of larger aggregations, they are more able, by virtue of some education, to make a career within the emerging indigenous administrations of such places as Kintore and Kiwirrkura. How their Pintupi culture will differ from that of the senior men who have talked to Myers remains to be seen.

'Whitefella' versus 'blackfella' spheres

In a series of papers, Robert Tonkinson (1977, 1978, 1982, 1988) has monitored the emergence of another western desert Aboriginal people's response to the new opportunities for self-determination. Having visited the Jigalong mob on many occasions since 1963, Tonkinson's observations have more historical depth than Myers'.

The Jigalong mob found in 1970 that the non-Aboriginal administration with which they had had to deal since 1946 had changed suddenly from a mission regime, antagonistic to Aboriginal Law and paternalistic in supervision, to a secular regime which validated their law and encouraged their making decisions about Jigalong's future. How the Jigalong mob have made sense of, and responded to, that change has been Tonkinson's theme.

To deal with the missionaries, the Jigalong mob had conceptualised Jigalong as consisting of two areas (the mission and the camp) corresponding to two distinct spheres of 'whitefella' and 'blackfella' business. (4) In 1974 Tonkinson (1977, 69) predicted that

this deeply embedded attitude of dissociation ... will continue to hamper community development and the transition to Aboriginal self-government until the local people can have the fact of their ownership [of the mission] demonstrated to them. For their part, many whites find it equally difficult to cease being paternalistic in their interaction with Aborigines.

It is not apparent from Tonkinson's argument what such a demonstration of Aboriginal ownership would consist of. More important, it was not evident that, among Aboriginal people themselves, there was a desire to use the powers previously in 'whitefella' hands. On the contrary, the Jigalong mob were confidently introverted in their perspectives. They had retained from the mission days 'a strong sense of independence and autonomy in the conduct of their internal affairs'; and they believed that 'despite their economic dependence on agencies of the wider society, they still controlled their own destiny' (1977, 69).

The Jigalong mob in the early 1970s was concerned primarily with the reproduction of its own Aboriginal domain. Alcohol abuse, the vandalism of children (with its associated threat of police intervention), and various difficulties in relationships with the neighbouring 'Strelley mob' — these were the matters on the Jigalong mob's agenda. The agenda of the newly-formed council was not their main concern.

Tonkinson's subsequent observations, over the next 10-15 years, have confirmed and deepened these initial impressions and so attest the cultural conservatism of the Jigalong mob's response to the post-assimilationist era. By the late 1970s Tonkinson was arguing that, in one respect, such conservatism was a legacy of the mission era. That is, the problem of adjusting to self-determination was made greater by the fact that the previous mission regime had obscured from Aboriginal view one of the main problems now emerging for their cultural reproduction, the insubordination of children. Mission effort at Jigalong had brought together a large group of children and also created a context for their vandalism against property. With their dormitory system, the missionaries had made it 'whitefella business' to control this youthful peer group, but now it was a matter for Aboriginal adults to deal with. As Tonkinson put it

'The mission' as a social field has become Aboriginal business, but the Aborigines have stubbornly resisted the erosion of their old dichotomy. They would be relieved to have whites take on the task of disciplining children outside the camp environment, just as they would like whites to police and stem the inflow of alcohol into Jigalong. Instead, they are told by the white

staff that, as Aboriginal business, these problems must be dealt with by council and the community at large (1982, 123).

As well as the newly-revealed problem of children, there are many other issues once managed within the whitefella domain for the Jigalong mob now to deal with, matters brought to their attention by government agencies wishing to service and to 'develop' Jigalong. According to Tonkinson, this new agenda has not been taken on by Jigalong people. Rather, they have tried to maintain the compartmentalisation of worlds to which they became accustomed in the mission days. They therefore wish

their elected councillors to handle all of what they still considered to be essentially 'whitefella business'. It was up to the councillors to decide what information could be usefully communicated to the camp domain, and to keep the rest confined to the 'mission'. The concerted attempts by whites to convert 'whitefella business' to Aboriginal business and thus destroy the old compartmentalization of these distinct, and to a certain extent opposed, domains, has proved to be a major problem for the Aborigines of Jigalong (1982, 127-8).

Tonkinson's way of putting it is worth noting. The new government policy might be conceived by its practitioners as an unfettering of over-governed Aborigines but it is experienced by the Jigalong mob as a challenge to take up new and unfamiliar responsibilities. Paradoxically, 'self-determination' poses a threat to the Jigalong mob's sense of the autonomy of the Aboriginal domain.

Self-determination also poses an intellectual problem for the Jigalong mob, according to Tonkinson. Reminding the reader that Aboriginal people have traditionally understood all power to be derived from the Dreaming, Tonkinson argues that the Jigalong mob has not, at first, needed to understand the secular and material basis of the power manifest in the 'whitefella' domain. Now that they have been invited to use that power, the people of Jigalong are conceptually ill-equipped to do so. No intellectual synthesis of the traditional/sacred and the modern/material notions of power has yet emerged within their culture. Indeed, the Jigalong mob's preference for maintaining the 'whitefella business'/Aboriginal business distinction has entailed a disinclination to forge such a synthesis.

Tonkinson's most recent reports on the Jigalong mob's experience of self-determination add the new autonomy of women to alcohol abuse and to vandalism as the key problems of cultural reproduction now posed for the older male bosses of the Aboriginal domain. In other respects Tonkinson's argument remains fundamentally as it has been since 1974: the evident disconnection between Aboriginal concerns and non-Aboriginal ambitions to devolve decision-making. Tonkinson has become confirmed in his argument that 'the fundamental problem lies in Aboriginal conceptualizations of two distinct realms of power and authority: their own, deriving

from the Dreaming, and that of the whites, deriving from some other source' (1988, 407). It is an interesting choice of words. Tonkinson refers to Aborigines being 'governed by this dichotomy' but, he adds (1988, 408), 'it is no longer possible to maintain the clear dichotomy, since the pace of change is necessitating some degree of fusion between the two realms of power and authority'. If the Jigalong mob were to develop 'a notion of power as having common properties irrespective of its source ...', they would find 'workable solutions to the problems that have arisen [among them, the new freedom of women, the insubordination of children, alcohol abuse] ... as the impingement of the wider society intensifies'. Perhaps the most distinctive element of Tonkinson's argument is this stress on Aboriginal conceptualisation, its tendency towards a self-protective, conservative dichotomy of white and black, and the pressures upon that conservatism not only from government policies, but also from changes immanent to Aboriginal society itself. (5)

The series of works produced by Myers and Tonkinson are persuasive about two themes with which any consideration of 'self-determination' policy must deal:

- 1) self-determination demands of Aborigines that they actualize their concerns within a political framework and according to a political agenda which are not of their making;
- 2) Aboriginal peoples' response to this challenge is not necessarily to be awakened to its opportunities; in some regions, at least, the more likely reaction is a withdrawal from that policy's challenges, in order to shore up the integrity of an Aboriginal domain established self-protectively in an earlier phase of colonization.

Self-determination cannot be assumed to be either an unlocking of an Aboriginal desire to exert new powers or a solvent of a self-validating conservatism.

It is important that neither Myers nor Tonkinson considers this cultural conservatism to be undermined by communities' dependency on public subsidy. To understand their remarks on this point, it is first necessary to be aware of the differences among Aboriginal people's experiences of welfare colonialism. For many Aboriginal Australians, 'welfare' evokes a demeaning exercise of non-Aboriginal powers: the breaking up of families, incarceration in ostensibly benign institutions, discrimination in employment and housing, and so on. Aborigines with such background understandably wish to reject the hand of 'welfare': its continued influence in their lives is an imposition that can be ended only by attaining the economic self-sufficiency that must complement the formal freedoms of 'citizenship'. I believe that it is in the light of such an historical trauma and foreshadowed transition to freedom that we can understand Charles Perkins' scathing renunciation of the 'welfare umbilical cord' (cited in Chapter 1).

However, this anti-welfare ideology is not universal among Aborigines. Where the 'Aboriginal domain' has remained strong, 'welfare' has been seen as non-threatening or even as benign. As Tonkinson remarked in 1974 (1977, 69), the Jigalong mob thought they controlled their own destiny 'despite their economic dependence on agencies of the wider society'. As for the Pintupi, that the government looked after them only validated one of the key constructs of their social order. Pintupi 'assimilate government actions to their indigenous political theory'.

On the whole, Pintupi understand the Australian government and its representatives as largely autonomous 'bosses', to whom deference and obedience is owed. In turn, the government is obliged to 'help' and 'look after' the Aborigines. Their interpretation of past government behaviour convinces Pintupi that their view is appropriate ... (Myers 1986a, 282).

Such arguments leave us in need of a much more complex notion of 'autonomy' and 'self-determination' than are implied by the DAA argument that economic dependence on welfare payments pre-empts autonomy. No matter how large the imperatives of enterprise and the protocols of grant acquittal might loom in the work of administrators such as Perkins, the terms 'autonomy' and 'self-determination' refer not only to the issue of where the money comes from, but also to the **subjective** senses of the continuity and integrity of culture and to the collective practices which maintain that sense and so shore up the Aboriginal domain as something beyond structures of administration.

Aboriginal organisations and the Aboriginal domain

In order to build on such ethnography as Myers' and Tonkinson's, it is necessary to consider some of the concrete problems of organising Aborigines' participation in the wider economy and political system. Anthropology has not had a lot to say about the politics of Aboriginal organisations. However, the small (and rather recent) literature that can be identified will be the subject of the rest of Part I. I begin by reviewing four studies of the organised mediation of the Aboriginal domain, before moving on to some discussions of decision-making styles, the marginalisation of women, and the problems of the concept of 'community'. I will conclude Part I by arguing that 'duality' is a theme which emerges from all the literature of Part I. That is, throughout the Aboriginal enclaves of Australia, there are various balances being struck between the Aboriginal domain and 'welfare colonialism'. These balances may, in their particulars, be awkward, tense and unstable, but the dualities which underly them are not transient. The task of 'self-determination policy, I will argue, should therefore be sympathetically to manage the cultural dualities on which such balances are founded, rather than to try to resolve these dualities into culturally unambiguous representations

of Aboriginal interests, using European precepts of good management. Culturally ambiguous Aboriginal organisations are historic necessities.

1. Sullivan: The necessity of ambiguity

Patrick Sullivan worked for Ngoonjuwah, an Aboriginal resource agency in Halls Creek, for most of the period March 1983 to August 1985. Ngoonjuwah and other Aboriginal organisations of the Kimberley are intelligible, he concluded, if we see them as 'inherently ambiguous, situated at the intersection of cultural systems, and occupying positions within two incommensurate structures at the same time' (Sullivan 1988, 1). Sullivan treated separately: the community council, Aboriginal Medical Services (AMS) and other 'single service agencies'; the resource agencies; and the Kimberley Land Council (KLC). Each had its own problems of cultural mediation and ambiguity.

Community councils were viewed and therefore treated by Europeans as if they unproblematically represented community opinion; but, within the Aboriginal domain, their decisions did not compromise 'community members' ultimate right to disavow anything said on their behalf (1988, 11).

The Aboriginal Medical Services were responsible to their clients (for example in the hiring and firing of staff), but were also deploying a non-Aboriginal professional authority which, by assuming the primacy of 'health' considerations, challenged well established practices of Aboriginal daily life; their prescriptions and advice also presented understandings of illness and death which competed with Aborigines' intellectual systems (1988, 18-19). Government demands that AMSs 'perform' had the potential further to empower medical expertise in these implicit or explicit confrontations with Aboriginal ways.

Resource agencies were subject to 'two incompatible requirements'

First, there is the fundamental requirement to translate funds originating in the convoluted forms of European rational financial administration into the raw materials of Aboriginal survival. Secondly, there is the social requirement that Aborigines be doing these things for themselves, that resource agencies be community organisations (1988, 26).

He argued further that two 'radically distinct constituencies' perceive resource agencies as fulfilling their expectations (1988, 28). Europeans want the agencies to help them deal with Aboriginal clients (to pay bills, register to vote, submit development applications to the Shire, etc); Aborigines, on the other hand, manifest 'a clearly personal and instrumental attitude toward the functions of the agency and its individual workers which is coupled with the haziest of notions of its European

identity' (1988, 38). Both perspectives are held with great conviction. Agency staff, more than the agencies' governing councils, mediate the contradictions between them.

The Kimberley Land Council although lacking a statutory base, is nonetheless essential to both white and Aboriginal considerations about issues fundamentally important to each, the ownership and use of land. The KLC consists of meetings of traditionally empowered custodians of the land, and, between meetings, the day to day work of KLC executive and staff.

At the meetings workers and executive committee members recharge their sense of commitment to an uncompromisingly non-European mode of behaviour. In between large-scale meetings they occupy the promontory of Aboriginal political expression, the point at which it intrudes into European political and economic processes, and which is seen from the European vantage to be the whole ground. In this way they straddle two unequal and incompatible domains (1988, 49).

Whereas in the AMS there is considerable scope for non-Aboriginal professionals to work according to their own traditions, in matters to do with land, 'the long, delicate, and tenuous personal involvement of elders in decisions' is essential to the KLC's legitimacy. Unfortunately, 'performing Aboriginal politics in an Aboriginal manner which cannot be appropriated by whites produces a political style that maintains its integrity, yet is ultimately unable to be effective' (1988, 53).

Sullivan's important argument is flawed (though not undermined) by his rather abstract conception of the wider political context in which these Aboriginal organisations pursue their aims. For example, Sullivan does not give an account of the political obstacles to Kimberley people's realisation of the political interests that they have articulated through the KLC; indeed he fails to mention any specific demands which emanate from Kimberley Aborigines' broad interest in holding land. Therefore we do not know to what extent we should explain the KLC's alleged ineffectiveness by reference to the strength of anti-land rights forces in the state and national political system; it is possible that, in a more sympathetic political climate, the persistence of Aboriginal ways in the manner in which the elders conduct KLC business would not seem so disabling.

Sullivan's paper deals unevenly with two features of the relationship between the Aboriginal domain and wider Australian society, **difference** — that the two are persistently and radically different; and **inequality** — that European structures ultimately set limits to the wishes of Aboriginal people and, out of altruism or self-interest, are gradually penetrating, transforming and perhaps even dissolving the Aboriginal domain. That Sullivan tends to take the power inequality as given, in order to explore the many ambiguities generated by 'difference', is evident in his relative lack of attention (compared to von Sturmer or Gerritsen) to Aboriginal brokers as a

new and problematic formation within the Aboriginal domain. The challenge that they might bring to the 'internal articulation' of the Aboriginal domain remains unexplored. The effect of Sullivan's emphasis on difference and ambiguity rather than on political inequality is that the internal structure of the 'Aboriginal domain' seems untouched by history.

2. Rowse: the pressures of translation

In 1987, I worked for Tangentyere Council, the resource agency servicing 18 Aboriginal housing associations occupying special purpose leases around Alice Springs. In a published paper (Rowse, 1988), I have argued that Tangentyere has been the site of a continuing, collective cultural adjustment by Aboriginal town campers. In becoming financially responsible for the running costs of houses, town campers have entered into financial obligations to agencies beyond the circuits through which their money previously flowed. This has required the formation of budgetting households and so challenged the loose social order of flexibly-bound mobs.

However Tangentyere's guidance of town campers to develop their domestic economy in this direction did not arise from a unified conviction among council and executive members that such was the proper course of town campers' social evolution; nor has such guidance been guaranteed of success. Rather, I argue, Tangentyere has produced a model of the budgetting town camp household under the pressure of two circumstances.

First, the Northern Territory Government announced that, from July 1983, housing associations would be billed the costs of running all ablution blocks, park playgrounds, sewage pump stations and street lights that had been installed on their special purpose leases. In lobbying against this, Tangentyere found it convenient to distinguish between municipal costs (which the government should bear) and private household costs (to be borne by town campers). Eventually, the government agreed to fit the household water and electricity meters that made this distinction practically possible.

Then it was the Commonwealth government's turn. The Aboriginal Development Commission (ADC) advised Tangentyere in 1985 that it wanted future housing grants to be devoted only to house building and repair; tenancy services were not to be run on ADC funds. Tangentyere defended the integral necessity of tenancy services to house maintenance, and added that, without them, it was much more difficult to collect the rent which ADC policy decreed should be paid on ADC-funded houses in order to defray some maintenance costs. By showing its ability to collect rent from householders, Tangentyere attempted to justify its discretionary apportioning of ADC funds to various capital, recurrent and welfare servicing costs.

In short, on two occasions, when negotiating with public utilities providing houses and the water and electricity they required, Tangentyere postulated the household as the emergent unit of consumption and financial responsibility within the Aboriginal domain.

This postulate was, in fact, an intervention into that domain. I inferred (because direct observation was difficult) that the pathways by which money travelled among town campers did not necessarily include household saving and budgeting, but obliged older mob- or 'hearth'- based notions of reciprocity and debt-servicing. Certainly, Tangentyere had its work cut out inducing and assisting town campers to meet each household's obligations in rent, water and electricity. In addition, many town campers, as individuals, were falling into debt to Tangentyere's food voucher system (in which Woolworths' purchasing orders could be obtained by town campers who promised to pay for them later). Tangentyere found itself having to get involved in financial counselling and so helping to establish new pathways of financial obligation among town campers in the money circuits linking public utilities, town campers and Tangentyere itself.

I argued that Tangentyere's computerisation of town campers' current standing in relation to this or that financial obligation was a non-Aboriginal administrative artefact of great importance. Using this data base required Tangentyere staff to conceive of town campers either as individuals (with food voucher debts) or as members of households (with rent, electricity or water/sewage debts). The 'mob' or 'hearth' group was invisible when town camp life was perceived through this administrative grid, however fundamental such aggregations might have been for town campers. Fortunately for Tangentyere's legitimacy as the town campers' organisation, Aboriginal field staff (then or recently residents of town camps) could use contextual knowledge to 'translate' this artefact into terms that were sensitive to each individual's actual domestic circumstances. Further, there was a relatively high tolerance for defaulted payment built into the relationship among town campers, Tangentyere and public utilities. Tangentyere's 'two knowledges' (the computerised administrative lists and field staff's contextual information about householders' actual domestic associations) were thus deployed together, as Tangentyere staff struggled to keep these defaults as low as possible. It helped that many town campers were not yet dependent on electricity as a form of domestic energy.

Tangentyere can be deemed a necessarily ambiguous resource agency, in Sullivan's terms. To its Aboriginal clients it gives housing, tenancy support services, cheque-cashing and credit; to oblige non-Aboriginal organisations Tangentyere defines and attempts to bring into being a new sense of financial obligation among town campers. Tangentyere mediates the culturally-transforming pressures of the urban market for essential services now consumed by Aboriginal people, but it does not do so passively. Its mediation of cultural difference is actively tactical and its practices are mildly interventionist.

The cultural pressures of another Northern Territory region are the subject of the next two studies. In von Sturmer's and Taylor's accounts of Western Arnhem Land, and particularly Oenpelli, Aboriginal people appear not so much as consumers of housing and related commodities, but more as sellers of mining access to their country, and as producers and sellers of paintings.

3. Von Sturmer: Inequality and institutionalised individualism

The Alligator Rivers region has been the site of intense non-Aboriginal interest because of the geographic coincidence of the uranium province (the Ranger and Jabiluka mines) and an area rich in human and natural heritage. John von Sturmer was part of a multi-disciplinary team assigned to study the social impact of these interests on local Aboriginal people. He concluded that, although the prospects for Aboriginal self-management had been enhanced by their receipt of mining royalties, 'another obvious condition of self-management, the continued existence of a distinctive Aboriginal social field, is now at some risk' (1982, 84). He later remarked on 'the waning knowledge of the landscape, the increasing number of ceremonies coupled with a dwindling emotional commitment, the abandonment of so-called 'increase ritual' (1982, 99). Nor was this challenge to a 'distinctive Aboriginal social field' balanced by greater participation in non-Aboriginal decisions about the region: 'despite the plethora of meetings, the locus of decision-making lies effectively outside the region; and none of the monitoring agencies or committees of review concerned with the region has arrived at a really satisfactory way of engaging Aborigines in its deliberations' (1982, 89). Von Sturmer thus presents us with a paradoxical picture: the 'Aboriginal social field' was at risk of losing its distinct existence, while apparently remaining sufficiently distinct that von Sturmer could judge it to be remote from the making of decisions.

His remarks on the 'internal articulation' of the region's Aboriginal domain go some way towards addressing this conundrum: self-interested Aboriginal brokers mediate the relationship between non-Aboriginal powers and the Aboriginal domain. On the one hand, land-holding is still an important traditional basis of power and social identity, hence the flourishing outstation movement. However, new power bases have been created, the most important being the community council, which has tended to displace the church (1982, 93). The effect of this displacement is that black 'brokers' now have 'jumped a rung', that is, they are a step closer to the sources of European patronage and are thus further empowered as brokers. But ceremonial 'bosses' have also retained their strength and, on the basis of their control of their outstations, can recruit 'mobs' more successfully than can the brokers of access to European material wealth and prestige. The power bases of the latter are more fragile, since the brokers must work to appear to be responsible for a flow of European goods which they do not control (1982, 95).

Whatever that fragility, the material rewards of brokerage were evident to von Sturmer who recorded Aboriginal criticism of the brokers as 'exploiters', a response, apparently, to growing inequalities. The brokerage system, which he termed 'institutionalised individualism', was resilient, he argued: 'everyone seeks his own "channel", his "captive European", his tame organisation. And ... as many "channels" are created as there are potential "operators" ' (1982, 98).

Von Sturmer seemed uncertain about whether this newly-based inequality and individualism was undermining distinct Aboriginal traditions. Some fears of that kind seem to be implied by his hope that a more socially responsible leadership would emerge, willing 'to keep family priorities in abeyance' until the organisations of the region had developed a hierarchically-ordered political cohesion, with: 'long-term goals and strategies'; 'management as well as decision-making skills'; 'a viable economic base' (1982, 99). However, his hopes were modest, for he saw the tendencies towards inequality and individualism not only as an outcome of outsiders' manipulative or blundering actions but also as an effect of the persistence, in new, favourable conditions, of Aborigines' own traditions of political individualism.

A recent comment by von Sturmer could be taken as a further reflection on these problems. Asking himself 'whether [Aboriginal and European] systems are at all commensurable', he responded that they are

but in ways which, unfortunately, run up against certain values that are held very deeply within European political thinking, for the point at which things become articulated is through individuals and it leads directly into questions of sponsorship and patronage (HRSCAA 1990a, 10).

4. Taylor: traditions and the market

Luke Taylor's comparison of two Arnhem Land (Kunwinjku) adaptations to the market for paintings gives a very concrete account of the 'Aboriginal domain' and the forces which can impinge on it. His fieldwork has yielded convincing detail of the processes by which major Kunwinjku artists attain their right to paint and their repertoire of mythical subjects, on the outstations of the eastern Liverpool and Mann Rivers area. The individual eminence of senior painters is more a matter of the prestigious extent of their knowledge than of the size of their earnings, Taylor reports. In the lifetime acquisition of a repertoire, each senior artist 'also affiliates himself with numerous different groups of people'.

For each subject the artist acknowledges the name of the clan that owns the site in question and in so doing the artist reiterates the importance of clan units in Kunwinjku social organisation. In extending his knowledge to other

clan lands, an artist joins a wider political group that shares knowledge of the major sites in the region and who cooperate to perform major regional ceremonies that tap the Ancestral power located at these sites for the benefit of the community as a whole (Taylor 1989, 132-3).

Yet Kunwinjku artists are also successful in the market, particularly the 'fine art' sector of the market for Aborigines' bark paintings.

In short, Taylor has described a particular articulation of 'Aboriginal domain' (instanced, in this case, by the significance of the paintings in the relationship of individual artist to local clan structures, and to the relationships among the clans themselves) with the non-Aboriginal world (the buying and interpretation of these paintings by non-Aborigines and Aborigines from outside that region). Analysing the precise terms of that articulation is Taylor's other contribution in this paper.

Taylor pursues this question by comparing the art of the outstation Kunwinjku with the art of those who reside mainly at Oenpelli. There is much greater pressure on the latter 'to create souvenirs' (1989, 121), that is, 'to create specifically for the market' (1989, 138).

He identifies three factors determining this difference. One is a general difference between outstations and towns, a matter of the different proximities to European-derived powers and Ancestral, land-based powers. Drawing on von Sturmer's work, he reminds us that

While some Oenpelli artists demonstrate considerable knowledge of ancestral matters, the value of Ancestral knowledge has itself been eroded. Alternative channels of power have developed within the town ... Traditionalists are pushed to the periphery of the organisation of power within the town (Taylor 1989, 123-4).

Second, artists at Oenpelli have less financial security, less autonomy from what the market gives them, than outstation artists, because at Oenpelli artists 'are not encouraged to apply for social security benefits' (1989, 123). Third, Oenpelli artists have been without the services of an arts advisor since 1987; while the Liverpool/Mann Rivers Kunwinjku continue to be assisted in their relations with the market by staff of the Bawinanga Aboriginal Corporation, based in Maningrida. These staff visit the outstations to collect paintings for sale.

The result of these differences is perhaps best illustrated by the different ways that young artists at Oenpelli and on outstations acquire their skills and repertoire. Taylor writes that at Oenpelli 'the artistic apprenticeship is not used as means of acquiring social prestige' (1989 134). Rather, young artists were teaching themselves to paint, 'looking at the works of the older artists in the craft shop and at illustrations in the

books at the school library. The adult educator associated with the school had made the books available' (1989, 136). We could therefore add a fourth factor differentiating Oenpelli from the outstation milieu: the means by which knowledge is handed on. No longer is the passing on of such knowledge the exclusive prerogative of old men; the mechanical reproduction of words and pictures has extended the free circulation of images further and further out from the cities into the bush. Where there are schools, libraries and adult educators there arises a competing system for the reproduction of 'Aboriginality', so modifying the conditions of existence of the 'Aboriginal domain'.

Taylor's analysis illustrates the general point that a multiplicity of contingent factors — economic, spatial, administrative, educational — may condition the relationships between Aboriginal domain and non-Aboriginal institutions.

CHAPTER 3

DECISIONS AND REPRESENTATION

Aborigines' decision-making

DAA's submission to the House of Representatives Standing Committee on Aboriginal Affairs implied something important about the Aboriginal domain when it stated that 'western decision-making structures and processes are alien to traditional Aboriginal cultural patterns' (DAA 1988, 241). What 'cultural patterns' was DAA referring to?

In 1972, Dr H C Coombs, then of the Office for Aboriginal Affairs, called upon anthropologists to study traditional Aboriginal decision-making and to advise policy-makers on how best to create legal structures to embody Aboriginal interests. Coombs emphasised the adaptive potential of Aboriginal culture, but acknowledged that 'it will not be easy to build what hopeful elements there may be into an effective system of collective or corporate action'.

The concept of representative government and decision is unfamiliar to Aboriginal communities, and it will be long before communities are content to leave decisions on non-Aboriginal matters to chosen representatives, however highly they may regard them (Coombs 1978, 50).

Coombs therefore advocated that, meanwhile, Aboriginal people should make decisions by consensus, and that others with an interest in such decisions be 'prepared to allow time in which a consensus can emerge'.

representatives will serve not as persons who can speak with authority on behalf of those they represent but as those whose task it is first to identify the issues and to clarify the problems and, having clarified them, to explain to those they represent, and patiently to promote the development of the consensus ... The final act of formal decision by the representative body will not be the imposition of the will of the majority, but giving the sanction of collective authority to a consensus patiently and tolerantly developed (1978, 50-51).

As Coombs reminded his listeners, such processes would require a lot of time (1978, 50-1).

Nancy Williams' (1985) contribution to this theme was motivated by her perception that white Australian misunderstandings of Aboriginal decision-making practices are embedded in 'ignorance and expediency serving convenience in managing a politically dependent minority' (1985, 265). Her analysis of a Yolngu decision about where to hold the funeral of a senior man illustrated her generalisation that Aboriginal decisions are characterised by:

- * protocols about who, by proposing an outcome, initiates discussion;
- * shared, contingent understandings about who has the right to contribute to the discussion of that proposal, and about the length of the period for such discussion;
- * preconceptions of the form of the decision itself — consensus, meaning the absence of public opposition.

It is implicit in her account that no two sequences of events characterised by these protocols will have the same cast of discussants nor the same period of discussion. Consensus-seeking may take time, and new technologies (eg short wave radio) may increase the number of those with an acknowledged right to help form that consensus. But, once formed, the consensus provides 'a solid moral and jurally actionable base for those who will be responsible for organising subsequent activities, and it forces dissidents into the arena of private machinations'. Above all, Williams' message was that Aborigines' machinery of decision-making works.

Accordingly, she criticised the assimilationist confidence with which missionaries and welfare administrators have tried to train Aboriginal people in European conventions of 'public discussion at meetings, the framing of motions, and voting' (1985, 261). (6) She points out that in cases where Aboriginal people have been susceptible to such training but have not held 'Aboriginally defined positions of authority, their roles are limited to those of spokesman or messenger' mediating between Aboriginal defined leaders and the non-Aboriginal-designed council (1985, 263). Non-Aboriginal officials' failure to recognise the limited authority of such go-betweens 'has been the basis for white Australians' observations that councils are reluctant to make decisions and that individual councillors are apparently not bound by council decisions' (1985, 263).

Where Councils have enjoyed the authority intended by non-Aboriginal outsiders 'they have been composed of Aboriginally defined leaders ... representing all or most of the groups present, and ... the effective chairman is a member of the group that owns the land where the community is located' (1985, 263). Williams denies that the non-Aboriginal origin of a matter for decision will jeopardise the chances of a decision being made at all. On the contrary, issues to do with land claims and decentralisation, while initiated by outside interests, have fully engaged Aboriginal

peoples' attention. Her argument seems to allow, however, that Aboriginal people not only retain a sense of the proper machinery of Aboriginal authority, but also of what matters it is important to subject to that authority, and what not. However, she is much less inclined than Tonkinson to elucidate what is distinctive about that Aboriginal agenda.

Stephen Harris (1980, 137) distinguishes between decisions made by consensus and those 'made by individuals who have the clear-cut authority to make those decisions', as in the exercise of parental or ritual authority. In consensual decision-making, Yolngu make an effort to avoid the confrontation of opposed proposals. Instead

a series of possible alternative actions and their consequent results are not outlined simultaneously as would often be the case in a balanda group. The Yolngu approach to reaching consensus is for each person speaking to make a single proposal of what they would like to see done, then others make their alternative proposals. The original proposal is thus progressively modified until consensus is reached, without anyone's prior proposal being directly criticised (1980, 137).

Kenneth Liberman (1985) studied the minute processes of conversation among western desert Aborigines by which consensus was actually fabricated. Consensus can be called for 'when discussion appears to be getting ambiguous and participants are uncertain about what direction an ensemble is taking' (1985, 59). Such a call is answered by the production of 'summary accounts' or attempts to formulâte the sense of the conversation so far. Aboriginal people are skilful in contriving, through interaction, a sense of an emerging point of view in common; they set a high value on congeniality and seek to avoid contest. Personal styles are non-egoistic; Aboriginal participants in such encounters convey their lack of a personal interest in the summary accounts they put forward; their rhetoric implies anonymity. However

This does not mean that strong personal beliefs do not exist. Frequently the unanimity achieved is predicated upon voluntary silence on the part of some participants ... Aboriginal etiquette demands that individuals do not go 'against the grain' of public opinion and that propositional content be sacrificed in favour of preserving congenial relations (1985, 62).

Liberman's apparent conflation of 'consensus' with 'unanimity' can be corrected by Williams' insistence that they are different things.

Consensus ... should refer to the existence of general agreement in the absence of any overt disagreement. One may in fact view consensus as an agreement not to differ. Overt disagreement can continue so long as the spokesmen for a group do not have to take it into account (Williams 1985, 243).

In 'unanimity', on the other hand, there is 'general agreement marked in some manner to indicate that all relevant decision-makers agree'. Unanimity, in Williams' sense, seems more a matter of the actual convictions of those involved; consensus, while not necessarily less binding than unanimity, is determined partly by customs of interaction (who can say what, to whom, when) and so does not necessarily reflect the distribution of actual convictions. (It is interesting to note that Tonkinson makes a similar distinction, referring to 'consensus' as 'that which is achieved when public disagreement ceases, though opposition may persist privately'.)

One of the effects of Liberman's apparent insensitivity to the difference between consensus and unanimity is that he implies that relationships among Aboriginal people are governed by their practised, consensus-generating conversational conventions. Because, for him, leadership operates invisibly, by skilful employment of the conventions of congeniality, the distribution of power and influence is a non-issue. He has nothing to say about: who tends to lead?, how do they acquire and maintain that capacity?

Other writers have shown more interest in leadership. Williams (1985), observing Arnhem Land people, depicts the hierarchical social relations determining who can speak on a given issue. Sutton, drawing on Arnhem Land and Cape York field work, argues that group decisions are the outcomes of the reflection and argument of only a few of their members.

Participants in any Aboriginal meeting may firmly disclaim personal authority and stress the anonymity of a group view, while at the same time only some of those eligible to be there are there, only some of those actually take part openly, only some of those who do speak actually introduce concrete propositions which could influence opinion, and only some of those present are authorized to present the consensus of the group to the outside world (Sutton 1985, 382).

Kolig has some interesting observations on the differences of manner he has seen among Kimberley men of different powers.

Expressing their prominence in rather subdued tones [outstanding men] would easily have escaped the attention of a person not intimately familiar with the situation. They shunned the limelight of public speeches, grandiose gestures, or self-exhibitionism. Thinking back, it strikes me that these men sported a relaxed, affable style being jovial, smiling and mild of manner. Yet a word, casually uttered or jocularly said, rarely failed to make a noticeable impression. Their behaviour contrasted with the style of what I might call the lower level elite, those men aspiring to yet higher status, most of whom it appears to me now, were stern, tense, serious men (Kolig 1989, 56).

We could say of Kolig's description that it concerns 'manner' as habituated strategy.

These differences between opinion-shaping dominant men and those whom they lead may not be simply an instance of traditional inequalities; they might also reflect Aboriginal people's differential absorption of information about the wider context of their deliberations. Sutton remarks:

I believe that in the kind of Aboriginal society at present encountered in the Northern Territory only a handful of people actually have a personal position on major issues of the type for which the [Aboriginal Land Rights (Northern Territory)] Act's consultation provisions were created. Most people either suppress their own opinions or — in my view most often the case — cannot come to real opinions until the key opinion formers speak (Sutton 1985a, 383).

By contrast with these observers of leadership, Liberman seems so beguiled by the convention of consensus as to write — again conflating consensus and unanimity — that 'a general consensus must be produced without any coercion; not only must the group achieve unanimity without misgivings — the consensus must be sustained by congenial fellowship' (Liberman 1985, 86). A lot rests on the meaning we give to the term 'coercion'. Its absence, in Liberman's descriptions, seems to be accompanied by a lack of interest in the dynamics or conditions of leadership or influence. And are there not occasions in which people are so dissatisfied by a consensus that congenial fellowship can be maintained only by the departure of the dissenters? 'Congenial fellowship', in such cases, refers not only to an absence of combat, but also to a very material change in people's tolerance for living with one another, the schismatic tendencies remarked among the Pintupi by Myers.

The possibility of such **dis-integrating** outcomes, and the related point that consensus and congeniality may be fragile phenomena of the surface, are both more evident in Fred Myers' account of 'the meeting' among Pintupi people (Myers 1986b). Myers is attentive to the fact that 'consensus' is not so much a matter of the way people think as of the way they speak to one another. His theme is the fragility of the Pintupi 'polity'. Indeed the talk at Pintupi meetings 'does not press on toward a topic, relentlessly to solve a problem'; rather 'the maintenance of a political arena itself — of a polity, so to speak — might be the substance of political activity' (1986b, 432). This is because, 'as the central domain in which consensus can occur, the very process of the meeting is the polity and defines it, however momentarily'. Harris, writing of Yolngu at Milingimbi in the 1970s (Harris 1980, 128, 136), made a related point: that the decisions of meetings were not necessarily effectual.

Myers, more than Liberman, conveys the inconclusive nature of much meeting talk. That is, the consensus toward which the meeting is made to move by participants need

not have any substantive sway; its 'decisions' may not be binding. Myers considers the possibility that such inconsequence reflects 'the futility of collective Aboriginal political action in the face of Euro-Australian control of critical resources'. While he allows that this is so, he argues that the relatively inconsequential character of meetings is also an effect of the Pintupi attempt to balance 'autonomy and relatedness in all forms of collective identification' (1986b, 434). Accordingly, speakers: deprecate their own contributions; present their position as that of an outside force; refer only indirectly to conflict; and avoid contradicting others (1986b, 437).

Myers' argument that meetings need not have substantive outcomes binding on participants raises the question whether the Pintupi ever make collective determinations about their desires, needs or actions, as they deal with the 'outside world', or whether they ever could, if given the chance by relaxation of 'Euro-Australian control'. Are Kintore, Kiwirrkura and their outstations not, to some degree, the material outcomes of Pintupi political processes? Are not ceremonies and football matches planned and executed by the Pintupi to their own satisfaction? However Myers may have overstated the immaterial nature of the Pintupi polity, his work, like Liberman's offers us a sense of what is so different about the way western desert people make up decision-making collectives. How this distinctive style can sustain structures which articulate with the Australian state is a question they leave unanswered.

Women and the new structures of decision-making

Myers (1986b, 440), like Liberman (1985, 50), observed meetings in which men were the main or only speakers. Liberman makes little of this; while Myers notes that men are more prominent in meetings, he argues that we should not assume that women have to obey the (male) meeting's decision: 'that [meetings] have authority at all is problematic'. Rather than producing enforceable decisions, argues Myers, men reproduce their wider social eminence by the prominence of their meeting performances (1986b, 434, 440).

Other anthropologists might find this conclusion too restricted to a consideration of the Aboriginal domain. Meredith Rowell (1983) has argued that the Central Land Council (which employed her) effectively constitutes men as the representatives of Aboriginal culture. Diane Bell would presumably agree, as she has made this point about all the recently-introduced structures of Aboriginal self-determination. In *Daughters of the Dreaming* (1983, 46) she observed women to be excluded from meetings of the Warrabri Council as a combined result of sexually-discriminatory training given by non-Aborigines and of traditional customs discouraging men and women from sitting together in large mixed meetings.

That the composition of the governing bodies of many councils and other Aboriginal organisations is predominantly (and in some cases, exclusively) male is beyond argument. However, the critical force of this observation depends on us having a sense of Aboriginal women's distinct interests. As well, and this applies particularly to Bell's argument, we need an account of the relevance of council decisions within the Aboriginal domain. As Bell acknowledges (1983, 203), any argument that women are peripheral to political life depends very much on how 'the political' is conceived. Insofar as there remains an indigenous sphere of 'sexual politics' (eg bestowal, and the allocation, by sex, of responsibilities in ceremonies), 'both men and women can then be depicted as politicians' (1983, 242). Bell does not make it clear in what respects women are disadvantaged in 'sexual politics' by their under-representation in Warrabri's officially-constituted political arena.

With these points in mind, it is interesting to ponder the implications of a story she tells (1983, 33) of women intervening ('fuming', according to Bell) in an all-male council meeting, and berating the men for views and decisions to which they, as women, objected. The women then 'left the meeting in triumph'. Such an incident could be interpreted as supporting or as undermining Bell's thesis, since it suggests that the women were able to intervene when they judged it to be necessary.

Tonkinson (1990) has recently criticised Bell's argument for its underestimation of women's new found 'autonomy' from their menfolk. In an earlier paper, Tonkinson (1985, 379) had plotted the increasing participation of women in Jigalong's council meetings. Recently, he has written that women councillors 'and other women show no inhibitions about making their opinions known to all in camp meetings, especially when the topic under discussion arouses their attention and concern' (1990, 143). However, he remains unsure of one important point — the nature of women's interests.

Women and men have not as a rule expressed opposing interests, but I cannot say whether this is because community members see themselves as similarly affected, or whether it reflects a degree of reluctance on the part of women to press their views in opposition to men (1990, 140).

He thus leaves room for Bell and others to respond by developing an account of women's interests and of their marginalisation or exclusion by certain male-dominated political forums.

Community representation

Myers' argument that, for the Pintupi domain, the meeting, for all its transience, is the polity, raises the question: what are the 'communities' to which most discussions of 'self-determination policies refer?

The ethnography of Aborigines has tended to be critical and even dismissive of terms such as 'tribe' or 'community', arguing that Aboriginal social organisation is more labile than these terms imply. In what has proved to be a rare commitment to the concept, Meggitt (1962) used 'community' to refer to the highest unit of social organisation he found among the Warlpiri in the 1950s. However, Peterson's re-analysis of Meggitt's data (1969, 29-30) puts into question the substantive attributes of 'community'. Co-residence of members of any of the four named Warlpiri 'communities' would have been rare, for ecological reasons, Peterson argued; and much inter-community visiting is implied by the frequency of inter-community marriage. It was kin rather than 'the community' which cared for the aged and weak. So too did kinship determine roles in ritual: there was no single 'community' ritual, but rather each 'community' consisted of a number of groups constituted by their members' common relationship to a ritually-powerful line of male descent ('patri-lodges'). A 'community's relationship to the land was therefore 'only the sum of the relationships of the individual lodges composing the community to their particular sites' (1969, 30). In any case, as Meggitt himself points out (1962, 55), there was no necessary correspondence between 'community' in the traditional Warlpiri sense and 'community' in the sense of 'the Yuendumu community': members of three 'communities' were to be found among the Warlpiri residing at Hooker Creek, while all four 'communities' were represented at Yuendumu.

How the Department of Aboriginal Affairs came to postulate 'community' as the primary unit of Aborigines' contemporary social organisation is a question Barry Smith (1989) has recently pursued. His own observations have persuaded him that 'many Aboriginal geographic communities/towns are not "self-governing social units", but rather can often be collections of families, language groups, or clans who can be in competition for resources' (1989, 19-20). However, needing a new Aboriginal welfare policy in the early 1970s, bureaucratic intellectuals found the term 'community' useful. The term had wider currency in a new approach to the delivery of welfare services, Australia-wide; it connoted 'civil equality, democracy and free choice'; and it 'could accommodate both the residual protectionist, institutional approaches and attitudes of old the (sic) staff and the aspirations of the new personnel working under the new policy [of self-determination]' (1989, 16). Smith could have added that, for many public servants working in the Northern Territory since the 1960s, the concept 'community' has been legitimated by their experience of administering pre-colonial and post-colonial New Guinea. (7)

Smith implies some confidence in the term, however.

If the responsibilities of functioning as a fully 'socially organised community' are thrust prematurely on a 'geographic community' it is likely that community will not be able to cope with the complex administrative responsibilities involved in managing the structure and services of the town or 'geographic community' (1989, 18, my emphasis).

'Socially organised community', he implies, may eventually emerge among co-resident Aboriginal people; and so Smith prescribes not a complete rejection of the concept, but caution and patience in its application.

Cautious hope in the emergence of 'community' is also evident in an argument by one of the reforming bureaucratic intellectuals to which Smith implicitly refers. H C Coombs, in 1974, reviewed a study of the structure of power at Hermannsburg mission which found that residents were organised into a number ('at least five') of families or descent groups within each of which there were well-established hierarchies. Mission-inspired councils had failed because council members did not include these head men, and because it was a matter of shame for the affairs of one family to be discussed in front of the members of other families in a common forum. The missionaries had decided no longer to constitute such a community forum; instead they would consult family heads serially. Coombs was worried that if this adaptation to Aboriginal custom became exemplary,

government acceptance of traditional Aboriginal authority through the family head could be interpreted simply as a device for preserving the power and influence of the white administrators or white missionaries as a divide-and-rule technique exercised by whites (Coombs 1978, 40).

He therefore advocated

experimenting with procedures by which separate discussions with group leaders are followed by formal meetings at which decisions reached in the separate discussions were formally confirmed. This might provide the basis for the emergence, on some issues at least, of a recognition of common concern and the need for common action (1978, 41).

Along the Fitzroy River, Kolig (1990) has seen the official instigation and subsequent dissolution of bonds of 'community' between the exiles from Noonkanbah station and a neighbouring group. He shows how elements in a common mythical heritage were manipulated by Aboriginal leaders to legitimate the linking or the disassociation of the political projects of families with affiliations to related tracts of land. Kolig is critical of the continuing influence of white officials over these Aborigines' choice of leader, though he concedes that the official preference for a unifying leadership has had some justification and benefits.

European influence promoting disunity is also the theme of Sackett's recent account of the effects of setting up enterprises at Wiluna. Each of the European advisers to these projects had become the focus of a series of loyal groups of Wiluna-ites, by the early 1980s, so continuing white authority in a new form and promising 'a hopelessly fragmented Ngangganawili community' (1990, 214). Sackett acknowledges that

previous intra-community relations were far from harmonious, but argues that 'development' has created 'a new arena of disputation' (1990, 210).

Chris Anderson, in his account of economic and political 'inequalities' at Wujalwujal (North Queensland) is careful not to explain the priority of 'the mob' over 'the community' as the outcome of external manipulation. The subversion of 'community' by mob-based loyalties is undoubted, he argues. Mobs are clusters of economically-sharing households whose residents are related to one another. 'Only two mobs have ever been represented in significant positions on the council', and one mob, in particular, has been most powerful in decisions about the allocation of jobs, housing and equipment and about the spending of community grants (Anderson 1989, 75).

In explaining how there come to be 'mobs', however, Anderson traces their continuity back to the period from the 1880s to the 1960s, when Kuku-Yalanji people responded in locally-differentiated ways to the diverse opportunities and pressures of colonising non-Aborigines. Mobs have been in continuous existence since those times, and they derive their contemporary identities from focal ancestors who transacted with non-Aborigines and from the places where they did so. Encouraged to settle together under Lutheran supervision since the 1960s, the mobs have nonetheless clung to their separate identities rather than merge into a single mission-based 'community'. Such loyalties perpetuate inequalities between mobs. Anderson cautions against 'blaming' such inequalities on forces external to Aboriginal society; the reproduction of Kuku-Yalanji culture, he argues, maintains politically and economically significant distinctions among mobs by requiring of Kuku-Yalanji that they conceive of themselves as mob-members rather than as members of a recently-created 'community'.

Kingsley Palmer uses the experiences of Pitjantjatjara people at Yalata to illustrate the argument that 'community' 'has become a convenient label used by those involved in the administration of Aboriginal affairs to refer to a complex and heterogeneous group of people' (1990, 169), but the implication of this critique is left open. 'Intra-community factional strife' (1990, 170) militated against the management of a council vehicle, for instance. Although there were matters about which community authority was more easily exercised, through the community council, these were relatively minor and concerned the orderly management of Yalata itself. The determination of the larger issue — whether to devote resources to the development of Yalata or to the Pitjantjatjara-preferred option of leaving Yalata and returning to homelands — has remained within the control of 'European Australians, largely from outside and according to predetermined priorities and ideals' (1990, 171). 'Community democracy', according to Palmer, means that the factionalised Pitjantjatjara of Yalata manage trivial aspects of resources they do not own. However, it is not the Yalata mob's lack of community cohesiveness but their dependence on the government for material resources which most prevents Aborigines from determining their own affairs, he concludes.

Palmer's conclusion raises an important question — the relationship between our explanations for the failures of 'self-determination' and the solutions we might propose. Let us suppose that, stung by Palmer's critique, government agencies transferred all resourcing of Yalata to the building up of the Oak Valley homeland, in accordance with the reported wishes of Yalata residents. As Palmer himself concedes, this would also diminish the autonomy of the homelands venture, for, in his observations, 'the lack of material investment on the part of the government meant that control of the project rested firmly with the Aborigines, who had the power to both direct and control its course within the physical limitations that circumscribed the whole affair' (1990, 179). One way out of this problem would be for the Aboriginal people concerned to raise their own funds to finance the homeland venture — by pooling social security cheques, selling artefacts, getting wages and contributing part to a common fund, or agreeing to the exploitation of some of their land by a mining company. Such options either remain dependent on outside initiative (minerals exploration and mining) or would require substantial changes in the allocation of time (waged employment) and a rethinking of people's material responsibilities towards each other (the community pooling of cash surpluses, rather than the exchanges of money and goods among kin). Certainly it would be necessary to find ways to share such resources as motor vehicles on a community-wide basis; and a greater sense of common purpose would have to emerge, to mobilise and then deploy the combined cash resources of many family groups — a large change from the 'community segmentation and factionalism' which Palmer describes (1990, 179).

When we think the options through in this way, it is apparent that there may be a nexus between the external origin of Yalata people's material resources and the persistence of their segmentation into something which cannot be termed a 'community'. If, as Palmer says, the Yalata mobs 'have developed no ideology that might lessen their need to rely on European-Australians' (1990, 179), then the reason may be that there is no material pressure for them to go against Aboriginal traditions of localised, family- or mob- centred loyalties. Can we imagine the conditions under which such an ideology (which would include a stronger sense of common interest) might develop? Can we sketch a government policy which would bring about those conditions, without exposing the government to the charge that it was ceasing to 'look after' people? These are some of the essential dilemmas of self-determination policy, dilemmas which are neither clarified nor resolved by assigning 'blame' to governments or to Aboriginal people and implying that they should be behaving other than they are. (I am not implying criticism of Palmer here.)

There is danger of complacency in these reflections, a risk of implying that nothing can be done to improve the ways that government agencies assist 'community development' among the Aboriginal people dependent on the public sector. One of the few studies to focus on the attitudes and practices of public servants servicing Aborigines (Bolger 1987a, 1987b) has concluded that they: actively inhibit the

devolution of control to Aboriginal people; express scepticism about 'self-determination'; and, by virtue of their many separate 'consultations' with Aborigines, promote social disintegration. Despite Bolger's critique, I suggest we that we do not rush to the conclusion that more coordination among agencies would necessarily reverse Aborigines' 'social disintegration'. Gerritsen's argument, that 'dominant men' find room for their manoeuvrings in the spaces and competition between government agencies must first be recalled. There is also the possibility that the effort to coordinate various government agencies' work will come from above, not from Aboriginal people themselves, and that such coordination will therefore express, even more forcefully than before, what other people think is good for the Aboriginal clients of services. I will discuss this issue further in Part III.

One of the lessons to be gained from the anthropological literature is that Aboriginal peoples' traditional modes of social integration do not necessarily lend themselves to community-building. Brady's (1990) reflections on the use and non-use of her 'community sponsored' research at Yalata complements Palmer's argument and cautions readers against seeing non-Aboriginal community development as a source of models for policies towards Aboriginal people. Aboriginal people may, in comparative terms, be among the most refractory raw material from which to mould 'community' mandates.

The political representation of whole 'communities' requires not only the setting up of formal mechanisms of delegation and decision-making; such mechanisms also presuppose a certain political culture which may be absent. This topic was much discussed in a seminar of (mainly) anthropologists in Brisbane in January 1990 (HRSCAA 1990a). John von Sturmer (HRSCAA 1990a, 118) generalised that, among Aboriginal people known to him, 'there is no notion of a general good'. He added that therefore 'you cannot set up machines to represent it'. He and his colleagues remarked that the representation of North Queensland people has so far tended to be characterised by relations of patronage between particular groupings of people and 'their' non-Aboriginal visitor, a person made familiar by many visits and long stays.

Peter Sutton offered some cultural analysis relevant to the problems of community representation and the delegation of powers, in his remarks on the difficulties of being a stranger in Aboriginal society. Non-Aboriginal society has developed, over a long period, a facility for impersonal dealings with strangers, a facility relevant to non-Aboriginal conventions of political delegation. However, this impersonal facility can be odd and even abhorrent to Aboriginal people.

Western society is built for speed in dealing with people you do not already know. When you walk into an inverted mirror image of that, where the society is built for relationships between those who already do know each other, there are major problems in maintaining a reasonably respectful relationship between the outsiders and the host people (HRSCAA 1990a, 112-3).

The important point, if I understand Sutton, is that the terms 'outsiders' and 'host' were not necessarily synonymous with 'whites' and 'Aborigines'; they could be glossed as 'people from elsewhere' and 'people from here'. Where this boundary lies has obvious implications for people's perception of who can and can not represent their interests. In times of rapid changes, and the insecurities associated with them, people may adhere to very restrictive notions of who 'belongs' to them and who, therefore, can represent them. A very restrictive attitude to representation and delegation might be a defensive response to such feelings of insecurity, limiting aspirations to what is 'realisable' and to maintaining that which is 'constant'.

So you really try to preserve yourself from too much and try to reduce everything as much as possible to your mob — your family ... Your own family or your own interests are going to be there as primary ones right through any social change up to a certain point (Sutton in HRSCAA 1990a, 85).

However, Aboriginal people exposed to certain political pressures and to certain opportunities for dealing with them may expand their senses of common interest. Nancy Williams has argued that this indeed is the story of the successful implantation of the Northern Territory Land Councils in Yolngu political life. When land use decisions 'began to be seen locally in communities as impinging on them or having a real effect, then people began to be seriously concerned with the operation of the land council and its decisions' (Williams in HRSCAA 1990, 153).

As Sutton has warned, we must not take as given the boundaries of Aboriginal political communities, that is, the boundaries around parties to collective decision-making.

European ideas of collective decision-making fall back naturally, almost unconsciously, on corporate notions which are different from those of Aborigines. This is primarily because, in the end, European corporate groups making major decisions, especially those with financial implications, have well-bounded memberships which may be publicly tested in an established neutral context (the courts). Aboriginal corporations, on the other hand, have customarily been reifications reflecting certain states of negotiation, in some cases blurred by states of chronic disputation for which no referral to external adjudication has been possible (Sutton 1985a, 383-4).

Basil Sansom has evoked better than most the elusive, transient nature of Aboriginal collectivity. In the mid 1970s, he lived among Darwin fringe-campers who were associated with one another as 'countrymen' — people who, through family ties and/or long association, saw themselves as coming from the same hinterland. Among 'countrymen', 'mobs' formed and dissolved. Mobs were particular groupings that were

precipitated for a time by their common interest in a particular project. The existence of a mob is not given by some principle of enduring social structure; rather, mobs are 'talked' into existence by the interactions between leaders and affiliates. Like Myers and Liberman, Sansom emphasises the importance of speech in composing transient senses of communal identity. Sansom (1981, 278) decries an anthropology (and, by implication, an administrative ideology) which must find among Aboriginal people 'entities that perdure', adding that

the sociology of labile groupings will advance only when investigators give ear to the ways in which people of ephemeral groupings, pro tem relationships and short-lived entitlement model their own social arrangements (Sansom 1981, 278-9).

Hence his decision to use no other terms for Aboriginal collectivities than 'countrymen' and 'mob'.

It is more difficult for those involved in helping to implement a policy of self-determination to practise such terminological purity. Whether we like it or not, there are within Aboriginal 'countries' constellations of capital goods to which mobile residents show certain practical attachments. Even if we agree that 'community' is a misnomer for such aggregations, there remain the problems of how the essential services of such places are designed, funded and managed, a problem of (self-) government, in other words.

Coombs et al have acknowledged the characteristic duality of contemporary Aboriginal senses of 'community'. Nowadays, in the East Kimberley as elsewhere, Aborigines' residential orientation to town-based structures and services (a mix of public provision and private enterprise) is in some elusive relationship with social solidarities of a different kind 'the multiple-stranded social ties linking individuals, founded in land and shared associations with land and entailing shared obligations and mutual support' (1989, 34).

This duality, expressed here in terms that one might call 'ecological', is undoubtedly related to the conceptual dichotomies of Aborigines (eg Tonkinson's 'blackfella business' and 'whitefella business') and also to the different ways of thinking evident in the literature discussed above. Anthropologists, with some exceptions, have maintained a notion of the Aboriginal domain as a 'conceptual isolate' (to which the material goods of settled communities are seen to be relatively incidental), whereas administrators find it hard to avoid being concerned primarily with the management of concentrations of services and infrastructure (and assuming that these must also be Aborigines' priorities). In an attempt to recognise these dualities — that is, in order to represent 'a dimension of the Aboriginal polity which lies beyond the system of "camp

bosses", community councils and land councils and which existing land-based administrative structures do not attempt to include in any explicit way' (Sutton 1985, 396) — Peter Sutton has suggested bicameral forms of government.

A ceremonial congress, or council of elders, would have the right to veto decisions of the democratic congress where they affect things such as: traditional ownership of Aboriginal land; sites of sacred significance to Aborigines; and disbursement of funds in direct relation to the above or in connection with Aboriginal ceremonial life (Sutton 1985, 396).

The dualities between indigenous and introduced political structures which are revealed in my discussion so far should be recognised as a deep structural legacy of the colonial encounter. The indeterminate relationship between the 'Aboriginal domain' and that which now encloses and penetrates it (albeit, in some cases, while seeking to enable) will be with us for a long time. That indeterminacy is unlikely to resolve itself into some stable, predictable and everywhere-the-same articulation between 'Aboriginal society' and the encroaching world. A continuing indeterminacy is one of the unavoidable effects of the profound differences between Aboriginal and non-Aboriginal culture and social organisation. It is an effect, also, of the Aboriginal capacity to deal with colonial pressures and changes by withdrawing into a familiar (in more than one sense) milieu. The ambitions of a policy of 'self-determination' should therefore not be forcefully to resolve this indeterminacy nor to eliminate its tensions, for it is all too clear which side will be asked to submit in such a contest; rather, 'self-determination' should signify policies which recognise this tension and seek sympathetically to manage it and to limit its destructive effects on either side.

PART II

ABORIGINAL LOCAL GOVERNMENT IN THE NORTHERN TERRITORY

The argument so far

In Part I of this paper, I reviewed a body of (mostly) anthropological studies of the process of self-determination on remote Aboriginal communities of the north and centre of Australia. The stimulus to do so lay partly in the acknowledgment made by DAA (among other government agencies) in 1988 that all was not well in the practice of 'self-determination'.

DAA argued that some of the problems of implementing that policy arose from the enduring strength of Aboriginal social organisation. Against the detectable DAA presumption that European notions of administrative rationality would ultimately have to triumph over such cultural obstacles, the anthropological studies tend, implicitly or explicitly, to uphold Aboriginal ways. At the very least they make them comprehensible as something more than impediments to the realisation of non-Aboriginal models of managerial efficiency. Some Aboriginal people (for example, the Pintupi as described by Myers) can be seen to be working hard to maintain their own kind of regional community — a community highly permissive of individual and family autonomy. Others (the Jigalong mob as described by Tonkinson) can be seen to be more concerned with an internally-generated agenda of problems of cultural change rather than an externally-prompted agenda of community management. Aboriginal organisations standing between the Aboriginal domain and the structures of non-Aboriginal society are made necessarily ambiguous by their role as mediators of each to the other. Aborigines from a number of places have been observed to strive to make decisions according to an ideal of consensus rather than by means of adversarial procedures accepted within non-Aboriginal associations. The hierarchical structure of such processes, and particularly their impact on Aboriginal women, require further analysis. Finally, anthropological commentators have expressed scepticism about the emergence of senses of community that would underpin 'community government': the bonds of kinship still seem to make as much or more sense to Aboriginal people as the imperatives of 'community'. The Aboriginal enclave is thus characterised by dualities of powers and structures: between the Aboriginal domain and the structures of self-determination. I have argued for a recognition and acceptance of these dualities. Self-determination policy must exercise caution and awareness rather than attempt to impose resolutions.

These apparent realities of contemporary Aboriginal life are a necessary background to Part II, in which I will analyse the debate about the Northern Territory government's attempt to incorporate Aboriginal communities into an expanded system of local government by means of community government legislation. I ask: can community government be the means by which Aboriginal social organisation is sympathetically incorporated into the structures of government in the Northern Territory? In the debate on this question there has been all too little acknowledgement of the matters portrayed in the anthropological literature.

CHAPTER 4

'COMMUNITY GOVERNMENT' — PERSPECTIVES OF THE MAIN PLAYERS

Community government as a strategy of the Northern Territory government

In 1978, the Northern Territory government newly empowered with 'self-government' by the Commonwealth, passed the *Local Government Act (No. 4) 1978*, introducing Part XX 'Community Government' into the local government legislation. On July 1 1986, the new *Local Government Amendment Act 1986* became operative, in which Part XX was amended and incorporated as 'Part VIII Community Government'. The provisions of Part VIII cover the following matters:

- * consultations with Aboriginal communities, in which the concept of community government is explained to an interested community
- * procedures by which a community consents to adopting the scheme
- * the embodiment in law of each community government constitution
- * the variable features of such constitutions: boundaries, franchise, electoral machinery, meeting and decision-making procedures
- * the permissible functions of community governments, including revenue raising powers (rating, charging and enterprise development)
- * enabling Sections (subject to specification in Regulations) about financial administration
- * Sections enabling the making of by-laws
- * procedures for the dissolution of community government councils

By October 1990, there were 15 community governments in the Territory, their boundary principles, franchise rules and procedures manifesting the variety permitted by the legislation. Office of Local Government officials claim that, although the first few community governments clung timidly to orthodox municipal models, more recent schemes have begun to exploit the intended flexibility of the Act (Phegan in HRSCAA Hansard, 935).

These schemes are not unprecedented. Aboriginal missions and settlements experimented with local councils during the assimilation period. In a recent review of the history of such experiments, Peter Loveday characterised their limitations:

Non-Aboriginal society held on to its own authority and conceded Aboriginal councils only a consultative role and administrative tasks of the most trivial kind. Ultimate authority always rested with the superintendent, especially in regard to expenditures (1989, 18).

Loveday's valuable history goes on to point out an irony of Commonwealth policy in the early 1970s: just as self-determination was being proclaimed, the administrative structures impinging on Aboriginal communities were suddenly made much more complicated by 'the dispersal of the functions of the Welfare Branch to separate Commonwealth departments' (1989, 20). When the Territory was given self-government in 1978 this dispersal was even further complicated, not just by the further proliferation of agencies but also by political tensions between Commonwealth and Territory governments.

In order to work within the basic legacy of Commonwealth Aboriginal welfare policy — a series of Aboriginal townships (ex-mission, ex-settlement) scattered throughout a predominantly Aboriginal hinterland — the Northern Territory introduced community government. Devising a system of local government has been an important step in the development of the Northern Territory's self-governing capacities along the lines followed by the States. But the cultural setting for this initiative was unprecedented on the Australian continent. The Northern Territory is culturally 'dual' to a greater degree than any Australian State: there is a large 'Aboriginal enclave' to be encompassed within any emerging framework of government. In 1986, Aborigines were 22 per cent of the Territory population — 34,678 stating the NT as their usual place of residence. Their distribution is spatially uneven: the predominantly non-Aboriginal and municipally-governed towns are surrounded by predominantly Aboriginal hinterlands throughout which ex-missions and settlements are dotted. Recently, two dynamics of that hinterland population have been important. Many Aboriginal people with their cultural roots in the hinterland have chosen (for various reasons) to reside for extensive periods in or near major non-Aboriginal towns; others have moved away from the missions and settlements to establish small homeland camps or outstations.

Land rights legislation has encouraged Aboriginal people to consolidate, rather than to relinquish, their attachment to non-urban land. By virtue of Commonwealth powers not devolved to the Territory (the *Aboriginal Land Rights (Northern Territory) Act 1976*), these lands have been rapidly coming under 'Aboriginal freehold' title. About 35 per cent of the Territory land mass is under Aboriginal freehold, with a potential

ceiling of about 50 per cent. The political framework for resourcing the Aboriginal enclave was also unique in combining Northern Territory government programs and legislation with other important powers over Aboriginal affairs which have not been devolved by the Commonwealth. Aboriginal leaders, elevated to prominence within Aboriginal organisations fostered by the reforming Commonwealth governments of the 1970s, have continued to look to the Commonwealth for the resources needed not only to sustain ex-settlements and ex-missions but also to establish and resource Aboriginal cattle stations, town camps and outstations. These places of residence — to which we can add the small number of camps on excised portions of pastoral leases — now comprise a varied Aboriginal enclave within the Northern Territory. Throughout this enclave there are enacted the many relationships between residual Aboriginal domains and encroaching non-Aboriginal structures, the subject of the anthropological literature discussed in my first three chapters.

The immediate public policy context in which community government schemes have been developed can be described by recalling the choice facing the Commonwealth in the early 1980s: having handed over to the Northern Territory government responsibility for the schools, the clinics and the police servicing all Territorians, in towns and out bush, should it also relinquish Aboriginal housing programs and the ensemble of services known as Town Maintenance and Public Utility (TMPU)?

In the event, the Commonwealth has not passed on to the Northern Territory the entire responsibility for housing Aborigines: the ADC continued to fund the work of Aboriginal Housing Associations; and housing is now a major program of ATSIC. But the job of funding those basic municipal functions known as TMPU was given, in 1980, to the Territory Department of Community Development (DCD). DCD was abolished in 1985 and many of its functions passed to the new Office of Local Government. At the same time, in response to Commonwealth initiatives in relation to the financing of local government all over Australia, the Northern Territory set up the Local Government Grants Commission. Now, the money granted to all local government bodies (variously constituted Aboriginal community councils and the municipal councils of the larger cities and towns) to perform municipal type functions is issued through the Northern Territory Local government Grants Commission as 'operational subsidies' from the Northern Territory government and as grants from the Commonwealth under the *Local Government (Financial Assistance) Act 1986*.

In short, by the mid 1980s, the Northern Territory government was responsible for directing most of the funding and delivering most of the services to the Aboriginal enclave. It was therefore poised to take an interest in the structure and functions of the 42 councils which governed — nominally or actually — the townships of that enclave.

The promotion of community government as the preferred form of local government for those 42 places has been challenged by the Northern Territory Land Councils. As

the statutory representatives (under Commonwealth law) of Aborigines, the Land Councils have become suspicious of any Territory government policy initiative which affects Aboriginal interests. They have reason to be. To strengthen its influence over the government of the Territory, the Northern Territory government has adopted four measures in relation to Aborigines, since 1978. Each can be seen as a bid for non-Aboriginal hegemony over the Aboriginal enclave. First, the Northern Territory government has relentlessly contested the implementation of the Land Rights Act, through litigation, the rezoning of land and the presentation of evidence of detriment at land claim hearings. Second, in 1987, the Northern Territory government 'mainstreamed' all services to Aborigines, that is, it pre-empted the possibility that a particular department (most likely the former Department of Community Development) would become captive of Aborigines as its major client group and so a voice within Cabinet for the Aboriginal constituency. Aboriginal townships now have to deal with a multiplicity of Northern Territory government agencies, each of which is instructed to define the 'special needs' of Aboriginal people. Third, the NTG has adopted a sceptical attitude towards, and sometimes tried to discourage the growth of, Aboriginal organisations, funded partly by the Commonwealth and dedicated to servicing Aboriginal people as a culturally-distinct group. Such attitudes have been particularly evident in the Northern Territory government's 'mainstreaming' approach to Aboriginal town camp resource agencies whose work, the government argues, wastefully duplicates the work intended to be done by the municipal councils of the larger Territory towns (Mowbray 1990). Fourth, it has developed a legislative framework for local government which it hopes will appeal to local Aboriginal leaders.

The ideal which unifies these four strategies, as far as the ideologies of the Northern Territory government are concerned, is that the Northern Territory's sovereignty should cease to be compromised by a) the residual legislative and financial powers of the Commonwealth which deny the Territory its 'statehood'; and b) the aspirations of Aboriginal people which, in the eyes of some leading Territory politicians and public servants, amount to a claim for 'separate development' or 'apartheid'.

Sovereignty as divided as that in the Northern Territory is inevitably an arena of political competition. Historically, Australia has established a federal formula to apportion powers between State and national governments. But the cultural basis of politics in the Territory makes the application of that formula inappropriate. Aborigines are seen, domestically and internationally, as a special responsibility of an Australian national government. The Commonwealth cannot lightly give up the power it has long wielded (since 1911) in the Territory. The persistence of the Aboriginal enclave raises the challenge of pluralism to those who would shape the political evolution of the Territory. Those who wish the Territory to become a State similar to other States find that in current political arrangements and cultural aspirations there are unhealthy tendencies towards the fragmentation of sovereignties. The question for their political rhetoric is whether that fragmentation is into two

(Commonwealth powers vs. NT government powers, Aborigines vs. non-Aborigines) or three (Commonwealth vs. NT government vs. Aborigines). In the 1980s, culminating in the 1988 'Barunga statement', Aboriginal leaders in the Northern Territory have sometimes argued their demands within the overarching framework of a reaffirmation of Aboriginal sovereignty wrongly occluded by non-Aboriginal law. Not granted that sovereignty, Aborigines have cleaved (with some reservations) to the remaining powers of the Commonwealth, in order to defend themselves against the increasingly monocultural government offered in the Territory.

Community government as Aboriginal tradition?

That there were good prospects for accommodation between Aboriginal and non-Aboriginal political styles is a theme of David Turner's consultancy report to the Northern Territory government *Transformation and Tradition*. Turner (1986, 142-3) argued that Aboriginal people's political traditions were superior to those of non-Aboriginal Australians. The more developed non-Aboriginal economy encouraged social relationships which were disharmonious, competitive and individualistic compared to the relationships characteristic of Aboriginal tradition. Aboriginal social relationships, Turner wrote, have been notable for their 'interdependence and a predisposition towards accommodation' (1986, 17). The groups that were constitutive of Aboriginal society — clans, skin groups and other 'heritable jurisdictions' — governed their relations with one another by mechanisms such as intermarriage, linked mythologies and complementary responsibility for ceremonies, and so guaranteed the necessity of peaceful transactions among such groups.

Could such political finesse be embodied in modern forms of Aboriginal association that would fit into the Australian state? asked Turner. Indeed they could: the Northern Territory government's community government scheme (set out in part VIII of the Local Government Act as amended in 1985), by letting Aboriginal people decide the boundaries and the eligibility of voters and councillors, would allow the institutionalisation of Aboriginal custom at the local government level. That Turner (1990) has recently changed his mind about community government, no longer anticipating that it can be the vehicle of such an Aboriginal/non-Aboriginal accommodation, does not detract from the interest of his original arguments.

Turner's case recognises the kinds of problems in self-determination policy to which the DAA submission of 1988 was addressed. Commenting on the shaky start of community government in Lajamanu, for instance, he wrote that

the community is often unprepared to accept full responsibility for its decisions, it is often not prepared to abandon the previous 'hand-out'

approach to funding, and it is DCD [the Northern Territory Department of Community Development, then the administrator of the Community government scheme] who has to bail them out when it runs into trouble ... One of the major problems at Lajamanu is that council decisions are not seen as binding on the whole community. Councillors are reluctant to make decisions when this is the case (1986, 102-3).

To deal with such problems, Turner referred to the need for training and for the re-design of the system of representation.

Turner also referred to the other major obstacle to self-determination mentioned in the DAA submission: a community's dependency on public subsidy and consequent accountability to the government for its expenditure. Yes, he acknowledged, community governments were accountable to a Minister of the NT government. 'However', he reassured, 'this is mainly a watchdog role safeguarding the taxpayers' interests'. 'Independence ... cannot be complete. Nor should it be' (1986, 83, 95). Turner then optimistically surveyed the possibilities for economic enterprise to generate the funds needed by remote Aboriginal communities — arts/crafts, tourism, primary industries (fishing and mining) and pastoralism — arguing that such enterprise must be shielded from the ravages of the market by government policies of local preferment in purchasing and by the sympathetic arrangement of markets. He was in no doubt that it was more dignified for Aboriginal people to pursue these opportunities than to continue to rely on welfare (cf. 1986, 84, 127-8). More recently, discussing the political rights of non-Aborigines residing on Aboriginal communities (many of whom are managing enterprises for Aboriginal people) he has referred to the need for 'a loosening-up of Aboriginal culture in the direction of economic development' (1990, 151). He warned that 'it is not clear, however, how much loosening up is permissible before negative consequences set in, or before "outsiders" are able to move in and assume control'.

What commended community government to Turner, despite his uncertainties about the social bases of such economic changes as he thought desirable, were the flexibility of the scheme's notion of citizenship and the opportunities for administrative coordination that it offered. In non-Aboriginal traditions, to be eligible to vote in the election of a municipal government has required either that one enjoyed a property right in that area, or that one was a resident of the area. Neither of these qualifications suited the Aboriginal tradition of 'heritable jurisdictions'. In particular, Aboriginal people had important affiliations to country whether or not they resided within it; and Aboriginal notions of 'ownership' were notoriously difficult to translate into non-Aboriginal understandings of 'property'. Therefore, it was conducive to an accommodation between Aboriginal and non-Aboriginal custom that community government would allow Aborigines to develop new rules about who could vote and stand for office (cf. Turner 1986, 27, 82, 134) (8).

As for administrative coordination, Turner thought that communities had been 'fractured' by the proliferation of incorporated Aboriginal groups within communities and of government departments (Territory and Commonwealth) that serviced them. It was not hard for 'an astute "white advisor" [to] play one faction off against another to his or her own advantage' (1986, 108).

Overcoming this fragmentation and re-establishing the whole that was Aboriginal culture — albeit on a different plane — seems to me one of the most compelling reasons for community government (1986, 108)

Turner's recent loss of confidence in community government is based on two arguments. First, community government councils 'still risk being introduced piecemeal on a settlement-by-settlement basis, thus perpetuating the fragmentation that contact conditions have fostered'. Turner had warned of this danger in his 1986 study (1986, 134), and it is difficult to imagine how, otherwise, the government or communities could have proceeded. In fact, by 1990, only 15 communities had adopted the scheme. Turner's second reason for losing faith in community government is that, in Australia, 'primary decision-making powers' are unlikely ever to be vested in local government. Turner has never argued convincingly that there was ever such a prospect (see, for example his acknowledgement (1986, 137) that local governments are accountable to State governments); the 1988 referendum clarified matters when it rejected the proposal to write local government into the Australian Constitution as a level of government in its own right (1990, 160).

Let us recall, for a moment, the way the DAA submissions of 1988 and 1989 portrayed Aboriginal approaches to government and management. When compared, the DAA submission and David Turner's publications raise a number of important issues about the terms of an 'accommodation' of Aboriginal culture to the Australian political system.

Both agree that there are distinct traditions of Aboriginal social organisation in which ideologies of kinship foster certain social solidarities and lines of obligation between persons. Whereas DAA's submission tends to dwell on the tensions between these traditions and administrative impartiality and efficiency, Turner's view is more positive: Aborigines, he says, have a more developed talent for living in complementary rather than competitive relationships. Accordingly, whereas DAA implies that, in matters administrative, Aboriginal tradition will be adjusted (by training and by the elapse of time) to meet the technical requirements laid down by funding agencies, Turner had hoped that the structure of the Australian state might itself be modified, in respect of the franchise and jurisdictional features of the local government tier.

Both DAA and Turner wish Aborigines' welfare dependency to come to an end. But whereas DAA reasons that Aborigines' financial accountability to governments

compromises political self-determination, Turner seems less disturbed by the degree to which publicly subsidised Aboriginal corporations are financially accountable to the state; he wishes to see Aborigines become more self-supporting for their own sake. He warns, however, that economic development encourages a deterioration in the quality of social relationships. DAA's submission does not consider the social consequences for Aborigines of the economic changes implied by its high employment objective.

DAA is concerned that Aborigines, in many cases, seem to be declining the opportunity (from the Department's point of view, the unavoidable necessity) to develop a self-determining capacity. Turner, by contrast, has lost faith in the Northern Territory government's model of self-determination through community government, in which he once expressed great hope. He does not consider the issue of Aborigines' willingness to engage in such changes of their priorities as self-determination would require.

The Land Councils' critique of community government

The Land Councils responded to community government policy by engaging Martin Mowbray to advise them. Mowbray's critique of community government effectively initiated the debate which I now wish to summarise.

There have been two phases in Mowbray's critique. The first emphasised financial issues, the second, political. In the first phase, Mowbray saw community government as a way for the Northern Territory government to compel Aboriginal communities to begin to pay for their own essential services, so that the diminishing resources of the NT public sector could be reserved for the predominantly non-Aboriginal municipalities which are the electoral base of the Country Liberal Party (CLP) government. In support of this argument, he and his CLC colleague, Kathryn Shain (Mowbray and Shain 1986, 110) revealed that the 1985-6 budgets of a sample of community councils (only some of which were community governments) had recently been reduced, in real terms, between seven and twenty-five per cent. They argued that the Territory preferred community government to other incorporation options because community government enabled local councils to initiate enterprises. That 'liberty' to enterprise had to be seen in the context of such councils' increasing necessity to raise money.

Other commentaries on the political economy of the Northern Territory give plausibility to this account of Territory government intentions. Since 1986, the Territory has been trying to come to grips with a reduction in the total Commonwealth grant to the Northern Territory. A number of commentators, (O'Faircheallaigh 1987;

Gerritsen 1988) have underlined the importance of this change in Commonwealth policy, Gerritsen calling it a 'crisis' for the Territory. The Northern Territory economy, more than any State economy, is structured around a big-spending public sector. Further, it can be argued that the electoral ascendancy of the CLP since self-government has rested on the high rate of urban growth that the earlier, more generous Commonwealth financial policy afforded (Gerritsen and Jaensch 1986).

That the Territory government might wish to sacrifice its funding of remote Aboriginal communities in order to uphold this commitment to white, urban electorates is a speculation made plausible by geographer John Taylor's recent analysis of population mobility in northern Australia. Between the 1981 and 1986 censuses, mobility in the NT was characterised by two distinct trends. One was the persistence, and even rapid growth, of the population of urban centres. Taylor (1989, 23-4) noted the importance of public sector employment 'in maintaining a degree of population stability in declining towns and providing a significant share of the growth of boom towns'. The other trend, the growth in the 'dispersed rural population', seems attributable largely to the outstation movement among Aboriginal people (1989, 13). It could be argued that, in conditions of declining government revenue from the Commonwealth, the Territory must in future choose either to continue to prime the demand for (mostly non-Aboriginal) labour in urban centres or to equip the outstation movement with the possibly expensive infrastructure required for healthy living in remote, dispersed Aboriginal communities. One way to limit the drain which the latter obligation makes on Treasury is to discourage the dispersion of Aboriginal people; the other is to impose on Aboriginal people themselves more of the costs of the infrastructure of such dispersion. Both methods could be pursued at the one time by influencing the local planning of subsidised services. I conclude that the Northern Territory government has a great interest in the structure of the revenues and the expenditures of Aboriginal local government.

Mowbray and Shain's presentation of the 1985-6 allocations as an indicator of the Northern Territory government's intentions has been answered by those who point to later decisions of the Local Government Grants Commission. In 1989, a consultant to the Northern Territory Office of Local Government, Peter Nichols, pointed out that the Local Government Grants Commission's procedures for carving up Commonwealth funds changed in 1988-9: 'non-municipal' councils (ie, in most cases, Aboriginal councils) gained a 10 per cent increase in their collective funding, at the expense of the municipal councils (Nichols 1989, 120-1). Elsewhere he foreshadowed a further 'skew on a per capita basis towards the Aboriginal communities' in 1989-90, as the changes to the Grants Commission formula were progressively implemented (HRSCAA Hansard, 959). However, he also pointed out that the more the municipal councils felt the pinch, the more they could be expected to lobby the Northern Territory government to put pressure on Aboriginal councils to raise some of their own revenue and to exclude or to minimise the servicing of outstations. Recently Mowbray (1990, 22) has argued that, since 1985, 'average real term reductions [in

subsidies to Aboriginal councils] probably amount to between 25 and 50 per cent of government financial support ... These cuts are greater than those suffered by most Territory government agencies'.

Structural competition between (predominantly non-Aboriginal) municipal and (predominantly Aboriginal) non-municipal councils of the Aboriginal enclave remains an underlying feature of the politics of local government finance. This competition has its roots, I would argue, in the political economy of the post 1985 financial relationship between the Commonwealth and the Territory and in the two demographic trends identified by Taylor. Even with a change of government in the Northern Territory, that structural competition would remain.

The second phase of Mowbray's and Shain's critique emphasised the political relations between Aboriginal councils, the Territory government and the Land Councils.

Under Commonwealth legislation, the traditional owners of vast tracts of Aboriginal land have the final say over the use made of that land. The Northern Territory Land Councils are obliged by the same legislation to give effect to those powers by advising and representing traditional owners. However, in creating a tier of local government, the Northern Territory government has begun to erect a parallel and competing structure of authority within Aboriginal communities on Aboriginal land. Even though community governments enjoy no land use planning powers their powers are nonetheless substantial, affecting the political and economic relationships among Aboriginal people, and making Aboriginal councillors ultimately answerable to the Northern Territory government in the performance of their duties. Moreover, Mowbray has recently argued that community government franchises and procedures give disproportionate influence over community affairs to resident non-Aborigines, particularly in the five community government schemes established in 'open towns' (towns not on Aboriginal land) (Mowbray 1990).

There are two ways we can understand the relationship between the authorities founded upon the Aboriginal Land Rights Act and the Local Government Act. One emphasises their complementarity, the other their competition.

David Turner was aware of the Land Councils' fears and was also embarrassed by the way his client, Minister for Community Development, Barry Coulter, fed those fears with statements he made in March 1986 (Turner 1986, 143). In reply to the Land Councils, he argued that the Aboriginal relationship to land could be characterised as both 'proprietary' and 'political'. That is, with respect to any tract of land, there were some Aboriginal people who 'owned' it and others who 'managed' it. Both had equally to be involved in the ritual life by which that land was held. Modern structures of government must remain faithful to this duality of proprietorship and political jurisdiction, Turner argued, and this duality was indeed 'reflected in the distinction

between Land Trusts/Land Councils and community government councils' (1986, 145).

This was not convincing. To argue that the complementarities characteristic of Aborigines' rituals were being reproduced in the relationship between the Land Councils and the Northern Territory government was not only an extremely dubious piece of anthropological reasoning (treating matters linked by ingenious analogy as if they were items in a demonstrated continuity of practice and thought), it also ignored the history of acute mutual hostility between the Territory government and the Land Councils. The alternative view — that overlapping and competing authorities are being created — better fits the facts of that history. Mowbray and Shain argued that there are now emerging two different kinds of mandate for local government: that given by residents and that given by traditional owners. Because it is predicated on the sovereignty of residents within a region, the community government scheme conflicts with the sovereignty of traditional owners as it is expressed via the Land Trusts and the Land Councils. Though many people might be both residents and traditional owners, their powers are separately and competitively constituted. Functions and powers set out in the NT Local Government Act 'would seriously derogate from those functions and powers given to the Land Councils' (1986, 109). Community government schemes should therefore be viewed with great caution by Aboriginal communities invited to consider them, Mowbray and Shain suggested. They added that community government schemes should be 'extremely carefully drafted to include consultancy and consent provisions relating to traditional owners, Land Trusts and the Land Councils' (1986, 109).

In 1989, the Northern Land Council (NLC) suggested greater Commonwealth involvement as a means to resolve this tension

The Territory land councils call upon the [Commonwealth] government to support the establishment of Commonwealth incorporated, adequately funded and fully accountable Aboriginal local governing organisations in the Northern Territory. We also call on the Commonwealth to circumscribe the legislative and administrative activities of the Northern Territory government in so far as they adversely affect the rights and interests of Aborigines ... The Commonwealth should pressure the Northern Territory government to leave the field of local government on Aboriginal land to the Commonwealth (Northern Land Council 1989, 2658).

The submission had little to say about why they thought Commonwealth legislation and policy were to be preferred; the Land Councils were more concerned to establish the unsuitable nature of the NT government's actions. However, the NLC made two notable points. First, that the definition of Aboriginal local governing bodies needed to be broadened to include.

all those Aboriginal-controlled organisations providing a specified range of local services. Such a definition would serve to ensure that improvement in service outcomes remains the focus of policy (NLC 1989, 2643).

The local government of a given township, in other words, might consist of an ensemble of separately incorporated resource agencies, a condition of dispersed rather than unified sovereignty at the local level. I will return to this idea later. Second, in speaking to the Standing Committee, a representative of the NLC claimed that

The Commonwealth [Aboriginal Councils and Associations Act 1976] Act specifically makes incorporated councils operate according to the principles of Aboriginal tradition. That is something that the Northern Territory legislation does not do (HRSCAA Hansard, 901).

The speaker did not spell out the principles to which he referred (and nor did their legal adviser, David Dalrymple (1988)) but the import of his comment — a strong endorsement of the Commonwealth Act — is clear.

Responses to the Land Councils' critique

The NT government has proceeded undaunted to promote community government to Aborigines, though the rate at which communities are being converted seems to be slow. The Office of Local Government's Graham Phegan, without naming Mowbray and Shain, has scorned their suspicions. In a 1989 conference paper (Phegan 1989) he extolled the flexibility of the Local Government Act electoral provisions and the consequent emerging diversity of electoral systems to be found among community governments to date. However, his paper declined to take up criticisms of the autonomy and scope of community governments once elected. In other words, he and the critics of community government seemed to talk past each other. Only at one point did Phegan directly address Mowbray's and Shain's fears, a passage to which I will draw attention below.

In a submission to the Royal Commission into Aboriginal Deaths in Custody, the Office of Local Government (OLG 1990, 6-10) identified and refuted what it saw as the three points in the Land Councils' critique. First, the Land Councils have argued that, in order not to pre-empt negotiations with the Commonwealth over Aboriginal sovereignty, Aborigines should incorporate themselves only under Commonwealth legislation (since the Northern Territory legislature cannot address the issue of Aboriginal sovereignty). The OLG's reply was that the Commonwealth has rejected several times the option of negotiating over Aboriginal sovereignty. Second, the Land

Councils were taken by the OLG to be objecting to the Minister's ultimate control over community government schemes. The OLG began its reply by pointing out that the Northern Territory government was as committed as the Commonwealth government to equity of servicing of Aboriginal people through local government, whatever the form of land title enjoyed by Aboriginal residents. The OLG then asserted that the NT Minister's discretions over incorporated councils were no greater than that of the (non-elected) Registrar in the Commonwealth's Aboriginal Councils and Associations Act, except that the NT legislation afforded a greater measure of natural justice to dismissed councils. Third, the Land Councils have cited legal opinion (Castan QC) that community government could not be concurrent with powers created by the Aboriginal Land Rights (NT) Act. The OLG cited two later opinions (NT Department of Law, Federal Attorney General) to the contrary.

Mowbray and Shain's work has stimulated argument from other quarters. By inviting a number of Canadian scholars to study in the Northern Territory, the ANU's North Australia Research Unit has introduced a perspective informed by the North American experiments in indigenous self-government. Commenting on Northern Territory developments, the Canadian writers have tended to support Mowbray's and Shain's arguments.

Jackie Wolfe's recent monograph (1989) is critical of the community government scheme on many grounds. In setting out her framework for analysis, she distinguishes between two models of local government. The 'bureaucratic' view emphasises fiscal accountability, efficiency, coordination and the effective representation of local needs, the 'radical' view, representativeness, accountability, responsiveness and equity. Because the initiative for community government rests with the Northern Territory government, she argues, it is a top-down proposal, not a response to demands from below (1989, 86). She is also critical of the adequacy of several efforts (by the Northern Territory government, DAA and the Aboriginal Electoral Information Service, 1989, 99) to prepare communities for making the decision about community government and says that there are major problems in ascertaining Aboriginal opinion on such an important matter (1989, 48). Once Aboriginal people have chosen community government, she says, the machinery for assisting the transition to it is not well developed (1989, 102).

For community government to be an autonomous expression of Aboriginal wishes, Wolfe argues, there must be additional discretionary funds or money raised by the council itself and not discounted by the government against the untied funds issuing from the Local Government Grants Commission. At the moment, she argues, community governments

are self-managing only in so far as they respond to Territory expectations that they will manage and administer the programs, primarily for physical services and physical infrastructure development, that the Territory wishes

to devolve. They thus take on responsibilities without having commensurate authority (1989, 85).

In stressing that the scope of community government powers are determined by the Northern Territory government, Wolfe in effect reiterates the criticism made by Mowbray and Shain (1986, 107) that when the Territory refers to community government's carriage of 'essential services', it ignores or downgrades the arguably 'essential' nature of such services as health, education and security (law and order). Though these services are directly implicated in the problems of reproducing Aboriginal culture, they remain, in most cases, under Territory control and are not to be affected by the decisions of local assemblies, whether community government or not.

Fellow Canadian Roger Gibbins, looking ahead to the time when the Northern Territory may be a state, asks the following questions:

Will community government provide an effective political shield to shelter Aboriginal communities from potentially adverse state policies? Will community government provide any significant leverage on state politics for NT Aborigines? Will community government provide an effective means of boundary maintenance vis-a-vis the encroachment of the larger society on Aboriginal communities? (1988, 91).

His answers are largely in the negative: community government does not offer Aboriginal communities the power that they would need were the Northern Territory to become a state. The scheme lacks constitutional independence from the wishes of ministers and parliament. There is little promise, so far, of an independent revenue base for all community governments. People are poor, populations small and dependent ratios high.

Gibbins acknowledges, however, that political costs may inhibit direct ministerial intervention into the affairs of councils; and at one point he offers that (1988, 102) 'the fiscal relationship between the NT government and community governments is too new and too much in a state of flux to permit any firm conclusions'. However, when discussing the scope of community government, Gibbins forecasts that, because of the cuts in Commonwealth funding of the Northern Territory, increased Northern Territory government funding for community government is unlikely. Like Wolfe, he notes that the array of Northern Territory services already given to a community effectively pre-empts community governments' decisions about the range of their work.

Gibbins argues that much of the future of Aboriginal self-determination depends on the scale of the units of government which are developed. Aboriginal communities

are usually internally fragmented, he argues, and community government schemes divide the Aboriginal constituency into sub-regional units, with the result that

By themselves, Aboriginal community governments will be too small to assemble the demographic, financial and political resources necessary for effective self-determination (1988, 109).

This prediction leads Gibbins to consider the potential of the Land Councils themselves as regional organs of Aboriginal self-determination.

Mike Dillon and Jon Altman opened public debate on this potential in 1988 (Altman and Dillon 1988, 126) arguing that 'Land Councils' activities are increasingly para-governmental in nature'. Aborigines, without decisive industrial or electoral strength, and facing a political system in which there is bi-partisan support for 'development', have only the legal powers of the Land Councils to turn to, they pointed out. Accordingly, the Land Councils have used their legal strength to begin to acquire functions similar to those of governments, particularly in helping traditional owners to plan the use of Aboriginal land. These functions, and the aspiration they imply, Altman and Dillon term 'para-governmental'.

Gibbins also portrays the Land Councils as 'embryonic Aboriginal governments'. Because the Aboriginal population base is so geographically dispersed and financially impoverished, he argues, only relatively large regional organisations such as the Land Councils could be effective as organs of Aboriginal self-determination. Whereas community governments are too small, he says, Land Councils are the right size: 'they alone encompass the necessary resource base'. However, for the Land Councils to mature into organs of government, each member community would have to cede powers to its Land Council, he claims (1988, 127-8).

It is in the context of this **potential** of the Land Councils to become organs of Aboriginal self-government that we should review what has been said by Land Council and Northern Territory government staff about the tension between the Local Government Act and the Land Rights Act.

Mowbray and Shain did not go so far as to argue that community government schemes necessarily contradict and undermine traditional owners' powers. Rather they called for community government schemes to be devised so as to acknowledge the precedence, in any scheme of Aborigines' local self-governance, of the legal and cultural powers of traditional ownership. Another contributor to the debate, Peter Carroll (1989, 186), has made a similar point. Under the provisions of the Land Rights Act, traditional owners could grant leases to a community government council

where its area of responsibility includes Aboriginal land. The terms of the lease would define the respective responsibilities of the Land Council and the community government (1989, 186).

The Northern Land Council's representatives told the Standing Committee on Aboriginal Affairs that traditional owners were 'beating on our door' to negotiate leases so that local government functions could be performed on Aboriginal land on a legal basis (HRSCAA Hansard, 912). There were then no community government schemes benefiting from such leases, but lease arrangements between traditional owners and local government schemes were then under discussion at Ngukurr (which has community government), Belyuen (where there have been preliminary discussions about community government), Maningrida and Port Keats (where there had yet been no request for community government).

An alternative possible resolution of the relationship between bodies representing traditional owners and local government councils was sketched by the Office of Local Government's Graham Phegan. Like Gibbins, he discussed the problem of some Aboriginal communities being too small to be viable self-governing units. He canvassed the possibility that they join together to become regional or shire community governments, a possibility which he argued to be in sympathy with 'the move to separate land councils'.

Although local government has no functional jurisdiction in the area of land rights, there appears to be emerging a correlation between community government and separate land councils. A nexus between autonomous community government ... and separate land councils is not illogical. Just as communities are averse to the provision and administration of their municipal services from remote bureaucracies, they are similarly averse to land issue being administered centrally. Just as importantly, because remote Aboriginal communities have limited numbers of people qualified in managerial and administrative skills, it makes sense to pool available resources for such local functions as local (community) government and local land administration matters (1989, 97).

This scenario's assumptions about what is logical and efficient are not shared by the Land Councils. Phegan in this passage seemed to confirm Land Council fears that, through the promotion of community government, the Northern Territory government is attempting to displace Land Councils by assisting their break-up and by integrating the remaining fragments with forums of local government which are accountable to the Northern Territory government.

Canadian geographer Jackie Wolfe has independently echoed reservations about community government expressed by Land Council staff. She notes (1989, 59) that community government electoral systems may enfranchise traditional owners who are

not resident in a community, and that this provision could be used to reconcile the mandate of community governments with the mandates of the traditional owners whom the land councils must represent. However, Wolfe's concluding verdict on community government in practice is that it has begun vexatiously to divide the task of governing Aboriginal lands and communities. Residents and traditional owners are emerging as overlapping but not coincident categories, she remarks. Accordingly,

When councils' rights and responsibilities towards upholding general community interests conflicts [sic] with the interests of traditional owners, and the responsibility of the Land Councils to uphold those interests, resolution may be difficult to achieve (1989, 93).

She later added that

Community government legislation provides the NT with a means to test the relative powers of Commonwealth Land Rights legislation and Territory Local government legislation, since both are operative in Aboriginal settlements. Community government legislation provides the Territory with a legitimate legal tool to challenge the power and influence of the Aboriginal Land Councils over Aboriginal land and Aboriginal people, with a view to limiting that power.

Commonwealth government views

The Commonwealth Government has formed an Interdepartmental Task Force on Aboriginal Local Government, consisting of representatives from the Departments of Finance, Aboriginal Affairs and the Commonwealth Office of Local Government. In October 1987 DAA circulated a paper outlining the policies to be adopted by that Task Force. One of its opening statements (DAA 1987, 9) made it clear that the Commonwealth was unlikely to establish a system of Aboriginal local government in jurisdictions where there was one already, such as in the Northern Territory. More recently the Department has declared its 'support of the broad concept of the NT system of community government' (DAA 1989, 1678).

The 1987 paper lists the benefits which 'local government may offer Aboriginal communities' (1987, 19):

- * the co-ordinated provision of income, including some untied financial assistance, and access to other programs for local government;

- * an opportunity to define the role and qualifications of staff and to provide a career path for the training and employment of local people;
- * greater power to levy and enforce service charges;
- * the capacity to make and enforce by-laws which accord with traditional cultural values;
- * clearly defined management and financial systems; and
- * support and guidance from Local government Associations.

Let us discuss the first five of these attributes one by one.

Access to funds for municipal-type services has not been conditional upon Aboriginal townships' adoption of community government. It is a matter for government policy (Northern Territory and Commonwealth) which Aboriginal associations are given money to perform local government functions. As the NLC submission pointed out, the definition of Aboriginal local government could be broadened to include the ensemble of service organisations incorporated at each community; the definition does not have to compel Aboriginal communities towards community government, unless governments wish it so.

Nor are well-defined roles, qualifications or career paths the singular attribute of community government. By postulating this attribute, DAA seems to look forward to the emergence of a professional cadre of Aboriginal local government staff. Might it not be just as beneficial for literate Aboriginal people to see their working lives unfolding across a number of local associations, each of which will require the individual to have a core of literacy and numeracy skills? The professionalisation of any skill inevitably entails it being made exclusive and esoteric to some degree, and the new professionals are tempted to identify with their professional peers and the external structures which empower them, rather than with their 'clients'. The Department's paper does not reflect critically on the appropriateness of this development in the context of remote Aboriginal communities.

'Greater power to levy and enforce service charges'. The paper here refers to legal powers, but later acknowledges the economic realities within which such legal powers would be wielded: 'the low revenue base and general financial disadvantage of Aboriginal local governments' (DAA 1987, 26). Government subsidy, in various forms, is likely, for many years to come, to be the basis of income for local associations providing services.

The paper refers to the making and enforcement of by-laws as if the crucial question were the powers of local authorities as defined by non-Aboriginal law. Our review of the anthropological literature in Part I of this paper indicates that the writ of any local authority may be severely circumscribed by its cultural setting, that is, by its relationships with the Aboriginal domain: the actual legitimate authority of local governing authorities may in fact be quite weak. The sources of powers of importance

to Aboriginal people would seem to be more various and complicated than this vision implies.

In nominating as an advantage of local government 'clearly defined management and financial systems', the Department's paper may have struck the most appealing note for many administrators. The following statement, issued from the office of the Northern Territory Director of DAA, illustrates the importance that some attach to this virtue

Officers of government departments, on whose funding communities can depend, usually visit infrequently and funding rules are sometimes seen as too restrictive for effective community self-management. This is in part a misconception of self-management by individuals and or groups who see self management as licence to do what they like rather than accept the responsibility that goes with management and control (DAA 1988, 290).

However, this misconception would soon be corrected by pressures from the central agencies of government, the Director reassured the Committee. 'The move into Program Budgeting by Commonwealth departments, particularly DAA, will emphasise the need for communities to become more responsible'. Even if the Director's restricted view of 'self-management' were accepted, there would still be no need to suppose that the acquittal of grants would be performed better within structures of community government than within other incorporated structures.

There is an additional issue to consider. These five attributes of local government/community government could be read to imply that Aboriginal townships will eventually develop unified administrations of all their affairs. However, DAA has warned against the presumption that

the introduction of a local government structure [will] necessarily satisfy all of a community's community development needs. This is particularly so where a community lacks cohesion, motivation or the skills necessary to make the structure work. Mainstream local government is not the focal point of general community organisation, is not expected to accept responsibility for all aspects of the community's welfare, and does not attract most people to active participation. It is important to relate to people in the appropriate context, and often that will not be through local government. Similarly, Aboriginal local government should not be regarded as the sole focus for community activities nor as the convenient 'one-stop' point for community consultation by government officials or for funding for all community endeavours (DAA 1987, 19).

Consistent with this advice, DAA in 1989 commented as follows on Northern Territory government policy

A basic objective of CGC [Community government council] status under the LGA [Local Government Act] is to strengthen self-management and local decision-making, as well as improving effective programming. The NT has suggested this could be achieved by integrating the many separate agencies within the community with those of CGCs. The Department does not support this as a model for communities to adopt, however, it is an option some communities may prefer (1989, 1678).

Whatever the official reservations about community government entertained by DAA, there is evidence that, in practice, Northern Territory officials of DAA have seen the scheme in a good light. DAA's Northern Territory Director, Graham Castine, told the Standing Committee that

It is ... agreed pretty well between the Minister for Aboriginal Affairs and the Northern Territory counterparts he meets, that there is a general feeling that local government is the way to go (HRSCAA Hansard, 37).

He referred to his Department's advice to the NT government about the particular features and problems of Aboriginal communities and then instanced one of the general problems that would be resolved by 'going down the local government track'

it does get rid of the accounting processes and so forth taking into account Aboriginal concepts of this so-called self-management and accountancy, and it will knock out a whole lot of players in the game that are already there and that really confuse the issue and only worry about their own particular thing in what are the community development processes, their own concerns of the particular agency that they work for and so forth. It brings together one lot of paper work and the incorporation of the whole planning process of the community at large (HRSCAA, Hansard, 39).

Mr Castine's support for the unification of community management under community government could hardly be clearer.

The Commonwealth's practical support for community government was noted in the Northern Land Council's submission to the Standing Committee (1989, 2644) where it complained that the potential for an alternative form of incorporation of Aboriginal councils — under the Commonwealth's *Aboriginal Councils and Associations Act 1976* — was not able to be exploited, apparently because of

pressure on communities (sic) to incorporate as community government councils, bureaucratic delays in obtaining incorporation under the Act and continuing advice to Aboriginal people by officers of the Federal Department of Aboriginal Affairs against the use of Part III of the legislation — the section that allows for the creation of councils.

But those in the federal government who are favourable towards the Territory initiative can achieve only so much by such inertia. While the Commonwealth continues to subsidise directly a host of local Aboriginal resource associations, there remains some latitude for Aboriginal people to deliberate over and even to postpone indefinitely any commitment to community government.

CHAPTER 5

EMERGING ISSUES FOR SELF-DETERMINATION THROUGH LOCAL GOVERNMENT

Economic autonomy

One of the arguments in favour of community government is that it would allow Aboriginal communities to generate revenue towards funding their own services and so allow them to wean themselves from economic dependency on governments. In such arguments, the significant issue is taken to be the source of the money on which Aboriginal people are dependent. Quite a different perspective emerges when we consider the use to which such money is put among Aboriginal people themselves — in 'the Aboriginal economy'.

Some may doubt that there is any such thing. It is arguable that Aborigines are simply no more than very poor and dependent members of the wider national economy, with low labour force participation rates, high unemployment and low average incomes based on social service benefits. Such a Eurocentric conception of Aborigines' economic status is evident in DAA's 1988 submission to the Standing Committee, as I noted in Part I. A negative conception of the Aboriginal economy has been influential in some surprising quarters. Mowbray (1986, 36) cited the 1985 Miller Report on 'Aboriginal Employment and Training Programs' in order to assert that 'the delicate indigenous economy of Aborigines was destroyed along with responsibility for their own livelihood'.

Without wishing to underestimate the transformations of Aboriginal subsistence wrought by colonisation, one can criticise such assertions for leaving no room to conceptualise a contemporary indigenous economy, based primarily on welfare benefits and characterised by exchanges whose principles owe something to Aboriginal custom (Sansom 1988). In any consideration of the economics of Aborigines' futures, we should allow for the possibility that the circulation of money and goods among Aboriginal people is conditioned by some peculiarly indigenous senses of mutual obligation.

The recent study by Ellanna *et al* (1988) warns that government agencies or community governments which seek to introduce enterprises into Aboriginal communities must respect each community's 'subsistence' economic sector.

It is via the patterned distribution of subsistence resources and the resultant reciprocal obligations that group solidarity and lines of authority are established and maintained. The role of subsistence distribution in reinforcing community alliances and lines of authority can not be understated if a social group is expected to function as a unit in its interactions with external individuals, agencies, and corporations (1988, 8).

Respecting the subsistence sector in this way has implications for any projections of the revenue base of Aboriginal local government bodies. When Aboriginal organisations attempt to introduce charges for services (eg rent, electricity) they will find themselves cutting into pre-existing patterns of expenditure. That much is true by definition. However the social implications of such changes may be considerable. Ellanna *et al* allude to the point made by Chris Gregory about exchanges in the Highlands of Niugini: that they signify relationships between persons more than relationships between things. It is an application of his theoretical observation to say that, in asking for reallocations of priorities in spending, Aboriginal organisations which institute charges are also asking for individuals and households to change their understandings of what relationships are important to them. I do not wish to imply that such changes are inconceivable, only to point out that they may be much more complex than non-Aboriginal people imagine. It is salutary to discourage facile models of the expenditure decisions made within Aboriginal domestic groups by remembering that the Aboriginal economy is a matrix of social obligations expressed in the idiom of goods and cash (Dagmar 1990, 107-112; Palmer 1982; Stanton 1982).

For Aboriginal people of initiative to create enterprises and for councils to charge for essential services is to constitute some individual or family groups within that social matrix as nett receivers of others' money. Ellanna *et al* (1988, 259) found that when community governments developed enterprises, the effect was 'divisive'. They consider historical reasons for the likelihood of this effect: that the 'communities' in which community government is being introduced are heterogeneous aggregations inspired by non-Aboriginal policy, against the grain of traditions of Aboriginal social organisation in which such large gatherings were infrequent and temporary. They too urge us not to assume coherent community support for local council projects, commercial or otherwise (1988, 23). For communities to develop projects of any kind calls for strong and skilful leadership by a few individuals; the complexity of their political task in establishing the legitimacy of new occasions and pathways of exchange cannot be underestimated, the authors stress (1988, 32-3).

Employment for Aboriginal people entails another set of changes of some complexity. Unemployed Aboriginal people can be conceived in negative terms as people who lack jobs and are therefore dependent on the state. Alternatively, they can be conceived as people whose time is not constrained by the need to work for another in order to obtain life's basic necessities. It is a questionable (but all too rarely questioned) assumption of much of the discussion of Aboriginal employment that

Aboriginal people with jobs are more independent than Aboriginal people surviving on welfare benefits. Yet a person collecting welfare benefits, however materially poor, can be regarded as, in some senses, independent. He or she can choose how to spend time, not beholden to an employer whose interest is to use employees' labour time for his/her own purposes. That abundance of 'unemployed' labour time, not having to be sold for subsistence, can be devoted to projects which are rewarding in themselves. Such time might be experienced as no more than a depressing idleness; on the other hand it may be one of the richest resources of a materially poor people, the opportunity to pursue an Aboriginal sociability in which the connections among kin and friends are maintained in their amicable density. Altman (1990, 49) reports some sensitivity among Aboriginal people on this issue. At a recent ANU/CRES workshop on 'Sustainable use of Aboriginal land', 'Aboriginal interests' criticised the Aboriginal Employment Development Policy (AEDP) as 'assimilationist'.

If there is to be a serious commitment to Aborigines' self-determination, it is important to avoid assuming that the unwaged state is either dispiriting or unproductive for those who find themselves in it. The occasions of Aboriginal people's participation in the waged and salaried work force must be among the cultural issues on which they exercise unhurried judgement. The transformations which the 'economic advancement' of Aboriginal people might bring are momentous and need to be approached with great care by policy-makers. In the promotion of Aborigines' movement from welfare-dependency to the forms of economic life idealised in modern capitalist, industrial societies a surviving social order is at risk of being ignorantly pressured into transformation. Altman has formulated the political problem that such promotion poses for Aboriginal leaders who seek, at the local level, to defend an Aboriginal domain now (and for the foreseeable future) dependent on program subsidies such as AEDP and CDEP.

Local Aboriginal people face a continual dilemma — they need to be publicly accountable both inside and outside the community. Internal accountability is required to kith and kin who frequently make unrealistic demands for public resources. Current internal accountability is often of greater importance for Aboriginal people than external accountability (Altman 1990, 51).

Space and politics

Whether or not community government becomes the common form of local self-governance for Aboriginal people in the Northern Territory, Aboriginal people will have to fight to formalise certain boundaries to the jurisdictions they adopt in developing the self-determination of the Northern Territory's Aboriginal enclave.

The struggle over land rights shows one aspect of this fight to be already well advanced. Some Aboriginal people have gained strong title to their land. Others, particularly those whose ancestral country now lies under pastoral lease, have had a much longer wait and are still not assured of the portions of land they seek. Some Aboriginal people have sought to found their security in the possession of town camps. In this section, I will review briefly two of the issues of jurisdiction which these achievements and aspirations have brought about. The first is the role of town camp resource agencies; the second, the variously envisaged possibility of moving towards regional units of government.

The towns of the Northern Territory include camps occupied by Aboriginal families for whom English is a second language and for whom the ties to ancestral country (whether in town or out bush) are still fundamentally important. Only a small proportion of town campers are employed, and the welfare payments on which most live afford a life in which maintaining ties with kin and country can be of primary importance. In several towns (Alice Springs, Tennant Creek, Elliott, Borroloola) the town campers are served by resource agencies, funded by both the Northern Territory government and the Commonwealth, whose functions parallel (or have the potential to parallel) the municipal work of formally recognised local government councils. The Northern Territory government is more and more concerned that such Aboriginal 'municipalities', whose fields of operation lie within the boundaries of predominantly non-Aboriginal towns, are an anomaly within the local government system; the terms 'separate development' and even 'apartheid' are sometimes used in hostile characterisation of these town camp jurisdictions. In the interests of rationality and equity, it is claimed, the functions and budgets of such bodies as Tangentyere and Julalikari Councils should gradually be absorbed into the Alice Springs and Tennant Creek Councils. Within the large towns of the Northern Territory, it is thought, there should be no Aboriginal enclave or separate jurisdiction.

This vision of a single local urban polity, in which Aboriginal town campers are no more than citizens with 'special needs', would betray the tradition of self-determination which Jeff Collmann has elucidated in the lives of Alice Springs town campers. Referring to the camps' 'overall structural flexibility' (Collmann 1988, 87), Collmann puts forward the following propositions about the Aboriginal campers around Alice Springs, as he observed them in the mid 1970s:

Fringe-campers maintain relationships with a great range of contexts outside their own domestic groups. Consequently, the fringe-camps offer a range of opportunities to their residents, particularly in the field of employment. The relationships between the fringe-campers and outside contexts are relatively simplex. Fringe-campers are less structurally involved with any one white agent than most other Aborigines. The fringe-camps enable Aborigines to realize resources they can offer in exchange for

access to white-controlled contexts. Fringe-dwellers have a greater capacity to control their own mobility than many other Aborigines (1988, 87).

These conditions obtained before 'self determination' was government policy. Since the inception of that policy, bodies such as Tangentyere Council have used government grants to build a stock of housing and to develop tenancy services in such a way as to defend town campers' senses of distinct cultural identity. That this should be a necessary part of the Aboriginal project in the Territory becomes evident when one studies the long history of non-Aboriginal efforts to regulate Aborigines' participation in town life. In brief, being part of town life was offered as a reward to Aborigines for their perceived conformity to European norms of economic self-sufficiency and domestic competence. To challenge that invigilation of their town presence and thus to create the physical and psychological spaces for distinctly Aboriginal modes of participating in the pleasures and opportunities of town life has been one of the most stirring themes in the history of 'self-determination' policy. Recent policy initiatives of Tangentyere Council — particularly those dealing with the regulation of alcohol abuse — indicate that the project of making towns a useful amenity for Aboriginal people is far from over. Such seasoned Aboriginal leaders as now prosecute the towncampers' cause are unlikely to yield the initiative on such matters to non-Aboriginal-led councils. Nor are municipal councils necessarily in favour of taking over the work of town campers' resource agencies. The Alice Springs Town Council has insisted, in the face of Northern Territory government arguments, that it does not wish to absorb the functions of Tangentyere Council, since Tangentyere has developed unique competences necessary to servicing the town camp clientele.

The lines of a struggle about Aboriginal jurisdiction are more clearly developed in the case of town camps than they are in discussions of the appropriate units of government for the rest of the Aboriginal domain, the hinterlands. There is a flourishing speculative literature on the advantages of regionalism, but no single proposal has yet emerged as the focus of discussion.

I noted above Gibbins' view that Aboriginal communities should concede powers to the Land Councils as units of regional government. Gibbins reasoned that Northern Territory Aboriginal communities were too small to be units of effective self-government, that is, units which could effectively deploy the resources which contemporary policies now place in Aborigines' hands: houses, sewage, water supplies, roads and so on. He argued that it would be possible to transform Land Councils into local government bodies, with member communities conceding more powers 'up' to the Land Councils.

However there have been others who, while raising the possibility of regionalism, have argued the opposite — that the Land Councils need to devolve power 'down' to regional units within their areas. At least two versions of this argument have been

heard. In 1984, Justice Toohey (1984, 48-9) suggested that the Land Councils should set up regional councils which would be allowed to make decisions about land use with their area. This was not a proposal to break up the Land Councils but merely to decentralise their authority. The Land Councils have preferred merely to decentralise their staff. For example, the Northern Land Council has opened offices in Nhulunbuy, Jabiru, Tennant Creek and Katherine; further offices are planned or contemplated in Timber Creek, Ngukurr and Borroloola. The Central Land Council's regional offices are in Tennant Creek, Kalkeringi and Mutitjulu; Harts Range and Yuendumu or Papunya may soon join this list.

The second version of this 'decentralise the Land Councils' argument does envisage the actual break-up of the Land Councils. I drew attention above to Graham Phegan's suggestion to promote the formation of regions or shires partly by mobilising regional discontent with the Land Councils.

The differences among Toohey, Gibbins and Phegan illustrate the various political uses to which the theme of regionalism can be put. But these three are not alone in speculating about the possible forms of regionalism.

Elsbeth Young and Kim Doohan (1989), in their recent study of central Australian Aborigines' continuing mobility argued for regionalism as a practical way to recognise, in the design of service delivery systems, the continuing significance of Aboriginal mobility. Government agencies have misleadingly treated the Aboriginal population as if it consisted of a series of 'communities', discrete sites of residence. But Aborigines behave according to a spatial logic of regions not of places, the authors argued. It would be possible, therefore, to map the Northern Territory as a series of culturally coherent administrative regions whose boundaries, while never being precise, would recognise the regular associations among people and between countries and people. The core populations of each region could then be defined, and this would be a better basis for resource allocation than the futile enumeration of people at a particular place at a particular time.

While the cultural logic of this proposal is persuasive, it leaves unanswered the question of the units of Aboriginal self-government. Young and Doohan's advice seems to be directed towards an unnamed but enlightened administration confronted with a technical problem of conceptualising the spatial aspects of Aboriginal social organisation. Their advice permits a reading that, implicit in the patterns of Aboriginal mobility there are indigenously meaningful senses of common interest upon which could be founded regional Aboriginal assemblies and resource organisations. How such assemblies would relate to existing or proposed structures of administration is an issue beyond the scope of Young and Doohan's argument.

Two other writers have brought regionalism to our attention by posing the question of the relationships of outstations to Aboriginal towns. Stanley (1989) has argued that outstations have not only originated from towns, but also that outstations' viability has

continued to rest partly on their relationship to towns. Towns on Aboriginal land (usually former settlements and missions) are therefore becoming more like 'open towns' with Aboriginal majorities, 'serving themselves and a hinterland which is dependent on them'. Stanley does not make explicit the policy implications of this model; but Wolfe (1989, 51, 55-6) does. Stressing the intimate connections between the towns and outstations, she argues that they pose a problem for the drawing of community government boundaries. On the one hand, Aborigines can be conceived as dwelling within a region that includes both their outstation and the town which resources nearby outstations; that conception suggests a single unit of local government embracing both the town and the outstations it resources. On the other hand, the motives in establishing outstations may include wishing to be autonomous from townships in a number of ways, including economically. To rate outstation residents the same as town dwellers, even while offering them the same level of services, might frustrate that desire to be apart.

The Commonwealth government's recent ATSIC legislation has outlined a scheme of regional government, but only in respect of those programs hitherto controlled by the Department of Aboriginal Affairs (DAA) and the Aboriginal Development Commission (ADC). The machinery of regional deliberation (regional councils) is well defined in the legislation, but the allocation of much of each region's expenditure will be decided in Canberra, not by each regional council. Nor do regional councils have any staff of their own. As for controlling discretionary funds, Altman (1990, 52) doubts that the likely level and conditions of funding to regional councils will allow significant discretion. It therefore remains to be seen whether regional councils will become substantial agencies of regional government. The most important thing to note is that regional councils have been conceived as doing their work side by side with other organs of Aboriginal self-government, but without any clear policy as to their working relationship. Between the Northern Territory and the Commonwealth governments there is no integrated program of regionalisation or localisation.

Researchers on the East Kimberley Impact Assessment Project (Coombs *et al* 1989), writing of the prospects for the economic and political development of that region's Aborigines, have made a case for the block funding of regional Aboriginal councils which goes beyond what has been envisaged under ATSIC. While respecting the intimate and practical relationship between local Aboriginal organisations and their clientele, they point out that such bodies need seriously to consider combining in regional associations if they are to exert political influence. Such federations could then participate in the formula-based division of public funds, in a manner similar to the States' approaches to the Commonwealth via the States Grants Commissions. Block funding, guaranteed over periods of more than one year would increase the discretion of such regional bodies. Coombs *et al* conclude by suggesting that a treaty between Aboriginal and non-Aboriginal Australians should formalise the financial and constitutional relationships between such regional councils and the Commonwealth, State and local levels of government.

Resource agencies

One of the conclusions reached by Coombs *et al* is that 'in the East Kimberley, resource agencies are important instruments of Aboriginal political effectiveness'.

They provide a range of services to communities and outstations and offer training to members of such groups to enable them to participate in services such as bookkeeping, accounting, store management and communications. They advise and assist individuals in relation to social security matters including the cashing of cheques. They initiate and conduct negotiations with commercial enterprises involving mining, tourism and other developments, and assist in the identification of important sites. They act as intermediaries between individuals and groups and government agencies and initiate and prepare submissions to arrange or apply for access to various government assistance and development schemes. They contribute to the work of studies and inquiries and are active in the development of Aboriginal enterprises (1989, 117).

Resource agencies may be more important in the East Kimberley than in the Northern Territory — because of the absence in Western Australia of such statutory instruments of Aboriginal representation as the Northern Territory Land Councils. Nonetheless, this sketch of their manifold functions raises the question: are State/Territory attempts to institutionalise Aboriginal forms of local government superfluous, or even damaging, to the work performed by resource agencies? Certainly, as I have already noted, the autonomy of one of the largest and most innovative Aboriginal resource agencies in Australia, Tangentyere Council, is under threat from those in the Northern Territory government who argue that its services should be under Alice Springs Town Council control. Tangentyere will no doubt argue in its own defence a case of wider pertinence in the north and centre: that with their established record of Aboriginal involvement and practical achievement, resource agencies have evolved as instruments of local governance which, while usually dependent on government subsidy and non-Aboriginal staff, are identified by their Aboriginal clients as **their** organisations.

Dagmar (1990), in his recent, valuable review of the literature on contemporary Aboriginal political organisation, has argued that 'Aboriginal interest associations' are strengthened by being invested with their clients' sense of 'ethnic honour'; their 'inter-ethnic' effectiveness is closely related to their 'intra-ethnic' credibility. Adding that for client support to be maintained, the 'tasks undertaken ... must be concrete and of immediate relevance to daily life', he cites Drakakis-Smith's study of Tangentyere Council to illustrate the point (1990, 113).

Some submissions to the House of Representatives Standing Committee on Aboriginal

Affairs, though favourable to the Northern Territory government's local government initiatives, also conceded the value of resource agencies. The ADC, while reporting (1988, 735) the criticism (?) that resource agencies 'are often more concerned with issues than budgets and bookkeeping', conceded that their work was valuable 'especially where Local government councils are an unsuitable vehicle for provision of community support services' (1988, 734, my emphasis). DAA's submission tended to subsume its consideration of resource agencies under too narrow a heading — the servicing of outstations — but nonetheless endorsed them for (among other things) 'representing outstations/homelands at the interface with governments and service agencies — that is a general advocacy role' (DAA 1989, 1683).

The practical productivity of 'Aboriginal interest associations' is not their only attractive feature in the eyes of their clients, according to Dagmar. Though, like Coombs *et al*, he argues for the political development of regional and even inter-regional cooperation among Aboriginal associations, and the transcendence of 'narrow personal, family and other social organisational interests' (DAA 1990, 112, 117), he also recommends that 'tasks chosen [by Aboriginal interest associations] should not as a rule necessitate direct cooperation of groups larger than extended families' (1990, 113). While we should not underestimate the difficulty of balancing family-centred with regional or inter-regional mobilisations of loyalty and interest, we should recognise Dagmar's positive identification of kinship as a basis of social cohesion. In this respect he differs from that corpus of administrative thinking, so amply revealed in the submissions and discussions of the Standing Committee, which holds kinship to be little more than an obstacle to realising non-Aboriginal ideals of administrative rationality.

Wolfe seems also to argue for a recognition of the extended family as a focus of loyalty, trust and cooperation, rather than to bemoan 'community's' alleged collapse into a disappointing congeries of 'factions'. She criticises the community government idea for assuming that authority in any 'community' can or should be centralised. Citing some of the anthropological studies I have dealt with, she points out the inevitability of what she calls 'dispersed governance'.

The dispersed governance typical of many NT Aboriginal communities may not be the most effective structure for the delivery of services. But communities may find it more effective, at least for a while, to let the associations continue, rather than lose the support of influential individuals and clans, and further undermine cooperation in the interests of coordination (1989, 70).

Wolfe's is a good point on which to close this chapter, for she questions one of the most common and seductive assumptions in the discussion of Aboriginal self-government: that community power is, or should be made to be, a unified, centralised sovereignty. 'Dispersed governance' is an alternative model for us to consider, a

model which can draw on already practiced traditions of service delivery through resource agencies, for within any settlement and its hinterland of outstations there are, or could be, a series of resource agencies, able to negotiate cooperation with one another when the need arises, but secure in their autonomy.

Let me underline this point. If there is one lesson that must be drawn from an anthropological consideration of Aborigines' emerging instruments of self-determination, it is that 'autonomy' refers not only to Aborigines' relationships with non-Aboriginal society, but, just as important, it refers to their relationships with one another.

That feature of the Aboriginal domain is in danger of being trivialised in an administrative ideology which presumes unification of local sovereignty to be the best or only basis of technical efficiency in service delivery and financial accounting. To counter the subversion of Aboriginal self-determination by such blind assertions of administrative rationality, it is essential to make explicit one of the latent themes of this paper — that means of political representation can be neither culturally nor politically neutral. Many senior figures in the field of Aboriginal affairs have evidently lost sight of this axiom of political analysis.

PART III

'OUR FUTURE OUR SELVES': A SYMPATHETIC CRITIQUE

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The final report of the House of Representatives Standing Committee on Aboriginal Affairs *Our Future Our Selves* (August 1990) drew from anthropological publications and submissions in order to make sense of the difficulties of delivering 'support services' to Aboriginal 'communities' while keeping faith with Aboriginal 'self-determination'. Following a point made by its anthropologist consultant (John Bern), the Committee acknowledged an important difference between 'self-determination' and 'self-management'. The latter term referred to efficient administration, while the former 'goes beyond this and implies control over policy and decision making, "especially the determination of structures, processes and priorities"' (HRSCAA 1990b, 4). Government agencies which intervened in Aborigines' affairs in a quest to improve communities' or incorporated bodies' administrative efficiency jeopardised self-determination, the Committee added.

Applying this important distinction to matters of policy, the Committee's final report made four important points which I will review in this concluding chapter. The report:

1. upheld the importance of 'resource agencies' as instruments of self-determination;
2. advocated negotiation, rather than consultation, as the government agencies' mode of interaction with Aborigines' representative bodies;
3. called for government agencies to coordinate their negotiations by working through ATSIC field staff and to make the formulation of a community plan the objective of such negotiations;
4. promoted the importance of training in various aspects of 'self-management' for Aboriginal people.

1. *Resource agencies, the indigenous alternative*

After reviewing the Commonwealth, State and Territory initiatives to develop machineries for self-determination, the Committee cautioned that:

local government type and other imposed structures cannot by themselves provide a basis for self-determination. Indeed, the structures available for community management in the States and the Northern Territory have less to

do with self-determination than they have to do with self-management. They have also been developed by government with the expectation that Aboriginal people will accommodate their imposition. For this reason, these structures have not always been able to meet Aboriginal aspirations (1990b, 41).

Written in the past tense, the latter sentence could not be taken as a judgement on ATSIC, then only a few months old. However, the Committee was cautious in its welcome to ATSIC's regional councils, noting that regional councils will not have their own staff, and that such staff as will assist them will be responsible not to elected Aboriginal delegates but 'to their State office and the Chief Executive Officer of the Commission' (1990b, 41). Perhaps we can read further reservations about ATSIC in the Committee's distinction between Aboriginal organisations which emerge from Aborigines' 'aspirations and priorities' and those which are 'imposed from above, with varying degrees of consultation by government departments and agencies depending on their particular policy orientation'. The latter 'may be rejected by Aboriginal people' (1990b, 42). Indeed, organisations 'that have emerged from within the Aboriginal community and which reflect Aboriginal aspirations and priorities are functioning better than other structures that are imposed by government', the Committee concluded (1990b, 45).

Assigning priority to 'self determination' over 'self management' gave the Committee a critical distance from all government initiatives in the creation of political and administrative structures for Aboriginal people to use. Indeed, at one point the Committee recognised the advantages that Aboriginal people in 'small non-urban communities' might enjoy by not having to incorporate at all (1990b, 135). Holding to an ideal that any corporations that do eventuate should arise from Aboriginal initiatives, the Committee referred approvingly to existing or proposed alternatives or complements to such representative bodies as ATSIC's regional councils and State/Territory local government schemes. The Committee stated its belief that 'a range of structures which are not creations of government appear to be working well' (1990b, 44). The Northern Territory's community government scheme, for example, was only one of an array of options that should be kept before the Territory's Aborigines, the Committee remarked (1990b, 30-1).

The Committee made it clear what alternatives it had in mind. Land councils were noted, with evident approval, to be basing a broad range of representative actions on Aborigines' profound and pervasive interest in their land; in some jurisdictions, land councils were also statutory bodies, inspiring further confidence among the bureaucracies and mining companies that dealt with them. The Committee generalised that

Land is a crucial component of Aboriginal self-identity and group identity. Currently many of the community-based structures ignore or do not reflect

the land-based structures. Government funding of communities of [sic] the basis of location or residential status is a manifestation of this problem (1990b, 42).

However, this issue was not pursued: the Committee made no recommendations in favour of the extension of strong forms of Aboriginal title, surely the only possible basis for creating land-based structures. The Commonwealth government's political embarrassment at having abandoned, in 1986, its policy of national land rights legislation may explain this faltering. Instead of raising such a contentious policy issue, the Committee devoted a chapter to extolling the virtues of resource agencies, bodies which arose from 'the need for culturally relevant service delivery' (1990b, 133).

Resource agencies have developed as one of the instruments of Aboriginal self-determination. They perform an intermediary or bridging role that interconnects Aboriginal and non-Aboriginal socio-cultural systems while minimising the imposition of non-Aboriginal structures on Aboriginal people (1990b, 131).

2. Not consultation, but negotiation

Encouraged by Aboriginal submissions which complained about some organisations' contacts with bureaucracies, the Committee found government agencies to be complacent about 'consultation' (1990b, 50-1). The complaints included: agencies' narrow choice of people to consult, ignoring a variety of opinions and interests within communities; the *ad hoc* and presumptuous demands made by those wishing to consult; poor communication, leading to inadequate comprehension of issues by those being consulted; lack of awareness of Aboriginal needs on the part of departmental personnel; selective attention by bureaucrats, according to a preconceived agenda.

The Committee made a number of recommendations concerning communications media and training for bureaucrats; but its major contribution was to urge a conceptual shift, from 'consultation' to 'negotiation'.

Aboriginal people need to be actively involved in the settlement of the terms of the policies and programs as they apply to them and at a level which is more accurately described as 'negotiation' (1990b, 59).

What the Committee did not discuss, however, was the increase in Aboriginal power on which such a shift would be based. As miners who have negotiated with Aboriginal land owners would know, parties to 'negotiation' must each have something the other wants. If 'A' does not like the terms being offered by 'B', then 'A' has the ultimate sanction of withdrawing from the negotiations until 'B' presents more

suitable terms for discussion. If 'A's' withdrawal poses no threat to the interests of 'B', then what is there to compel 'B' to reconsider? The Committee does not seem to have thought about 'negotiation' in such terms; at no point did it ask: what do Aboriginal people have which governments need? Aborigines' capacities to gratify or to deny government interests — essential to their capacity to 'negotiate' — were not explored. Instead the Committee aimed its recommendations on this matter (1990b, 59) at government departments (including ATSIC), as if they were merely to hold themselves responsible for 'negotiating' rather than 'consulting'. The manner in which this important recommendation could be implemented therefore needs to be given further thought.

3. *Government coordination and community planning*

Some of the puzzle of this rather wishful and intra-bureaucratic approach to introducing 'negotiation' is illuminated by the Committee's comment that 'negotiation' 'is intended to address the issue of co-ordination'.

With increased involvement by Aboriginal people in the planning and delivery of policies and programs a more planned co-ordinated approach should be an achievable outcome (HRSCAA 1990b, 82).

The Committee expressed great concern at the number of government agencies with which Aboriginal people had to deal, and questioned the technical efficiency and economic rationality of so many agencies implementing their programs independently of one another. But by what mechanisms would Aborigines' 'negotiation' deal with this problem?

Given that the Committee meant by 'negotiation' a higher level of Aboriginal involvement in the formulation and implementation of programs, the answer to this question was twofold: ATSIC was recommended to be given the job of coordinating all government departments; and Aboriginal communities were to be encouraged to formulate plans.

ATSIC enjoys an ambiguous status in the Committee's thinking. I drew attention above to the Committee's reservations about government-initiated representative structures, in general, and to its fear about ATSIC, in particular, that is, that regional councils will not control ATSIC's public service staff. Nonetheless, despite such caution about ATSIC, the Committee accorded ATSIC a crucial role, recommending that

Commonwealth, State, Territory and local governments view the Aboriginal and Torres Strait Islander Commission as the co-ordinating agency for working with Aboriginal people (HRSCAA 1990b, 72).

It is not clear whether the Committee is here referring to regional councils or to the Commission itself or to ATSIC's bureaucracy. If the first, then it would imply a huge increase in regional councils' capacities for policy-making and for administrative oversight. If the recommendation refers only to ATSIC's national leadership, then it would be unlikely to deal with the problem of lack of coordination in the implementation of programs at the local level. Can we therefore infer that the Committee perceived coordination as merely a technical matter, best left to the bureaucrats to deal with?

Whatever our answer to this question, the recommendation is unlikely to be adopted in the Northern Territory. The Northern Territory government has declared its hostility to ATSIC on a number of grounds. Just as unlikely to be heeded is the suggestion that agencies rationalise their field trips by contracting ATSIC to do field work on their behalf (1990b, 75-6). Departments are unlikely to give up the independence of their information gathering and persuasion. In short, the Committee's attempt to have ATSIC deal with problems of intra-bureaucratic coordination seem both ill-conceived and ill-fated.

As it happened, the Committee implied a critique of its own proposals by asserting that

If co-ordination is to be consistent with policies of self-determination and self-management then there needs to be a concerted change in the relationship between government departments and agencies and Aboriginal people (HRSCAA 1990b, 81).

That is, relationships among government apparatuses are not so important as relationships between the government as a whole and the Aboriginal clients of government programs. With this assertion we are back with 'negotiation': the object of that process is to formulate 'community plans' which express 'economic, infrastructure, social and cultural needs' (1990b, 82). The benefits of such plans, as the Committee saw them, were that they would: register Aboriginal concerns; clarify the roles of the many different agencies attempting to address those concerns, and the roles of community-based staff; identify infrastructure deficiencies; enable funding to be better targeted. The Committee acknowledged that developing such plans would be time-consuming and that both non-Aboriginal and Aboriginal people would require training if they were to be effectively involved.

Even more important, it would be easier for Aboriginal people to manage the realisation of community plans if they received their program funding in the form of 'block grants'. The Committee cited *Land of Promises* (Coombs *et al* 1989) to back this point. The Committee could have added (they may think it already well understood) that unless Aboriginal people can change their plans, they do not control them. Changing plans (for example, implementing programs in an order other than

that originally planned) would seem to be much easier with block funding, especially if triennial, as recommended (HRSCAA 1990b, 96).

In order to conceive of community plans and their block funding, the Committee had to commit itself to a notion of 'community' and to promote the strengthening of 'the community management structure' (1990b, 95). However, in the context of the entire report, that term remains problematic. The Committee was, in other chapters, very open to seeing 'communities' as lacking the cohesion usually presupposed of them in administrative discourse. Settlements and missions were 'artificial communities' (1990b, 2, 16), comprising several family groupings and sometimes more than one language group. Councils accordingly found it difficult to represent such aggregations fairly (1990b, 16-17). The Committee argued that it was more justifiable to refer to 'homeland centres' as 'communities': they are 'communities of association and family connection' (1990b, 18). When discussing 'community plans', however, the Committee was not so careful in specifying the social unit to which they could apply that term with confidence. It would seem that the Report's recommendations on 'community plans' refer to large, heterogeneous 'communities' — community in the flawed sense criticised by the Committee — as well as to such family-based units as outstations.

One way to defend the concept 'community' from such criticisms as the Committee acknowledged is to see community as an emergent property of all Aboriginal aggregations. That is, it is possible to assume that, however divided by 'family' considerations such aggregations might now be, there is an inevitable, if slow, tendency for senses of common interest to be precipitated by the sheer necessity of administering a common stock of resources. I suspect that this is the unacknowledged position of the Committee.

If my inference is correct, then the Committee can be accused of subtly reversing or cancelling the priority of self-determination over self-management. The task of 'managing' resources, in this scenario, attracts such attention and so many Aboriginal resources that it begins to reform Aboriginal culture, to dissolve segmentary loyalties and to bring to the fore quite different senses of social identity: 'community' starts to displace 'family' (or 'mob') as the social unit to which one refers in thinking of oneself and of others as social beings. The anthropological literature which I have discussed above lets us know that this contest between traditional and modern sources of power and between older and newer senses of solidarity and mutual obligation — the fissured cultural ground upon which all political institutions will stand or fall — has already begun.

My literature survey shows the different ways the duality of 'community' versus 'kinship' — to use short-hand terms — is being negotiated in different parts of 'remote' Australia. There is no inevitable evolutionary trajectory here. For every advance made by 'community' solidarities (the resourcing of 'community' councils; the

formation of 'community' football teams) there seem to be countervailing strengthenings of segmentary affiliations (the flourishing of outstations; the enacting of region-wide, kin-based networks of ceremonial partnerships). Government programs are implicated in helping both tendencies to flourish; and the interests of individuals and families can also be made to join with both these opposed (or is it complementary?) developments.

The Committee itself is sensitive enough to both the rationality of 'community' planning and the persisting appeal of more centrifugal solidarities. Not only does the Committee invoke and advocate 'community' representation, it also, as we have seen, urges a non-dogmatic approach to the fostering of any organisations that are intended to represent Aborigines' interests. Against those who bemoan 'factions', the Committee argues that

given the disparate nature of some Aboriginal communities, the existence of a range of organisations representing different groupings may be a reasonable way of ensuring that all sections of the community have access to resources. Where Aboriginal people have responded to imposed structures and organisations by setting up their own organisations, this may also be seen as a positive development in terms of Aboriginal self-determination (HRSCAA 1990b, 19).

In short, it may be as difficult to unify communities as to coordinate government agencies; to undertake either as a means to achieving self-determination not only assigns priority to self-management (over self-determination), it may also be to ignore the fact that both Aboriginal and non-Aboriginal people behave politically according to a logic of relatively small, possibly defensive, consociate units.

4. *Training: solvent or promoter of cultural difference?*

The significance of what I have so far argued about *Our Future Our Selves* is that the Committee was sufficiently intellectually open that its report has come to exhibit, rather than to resolve, the sometimes complementary, sometimes competitive, always indeterminate relationship between the 'Aboriginal domain' and the new structures of welfare colonialism which now encroach upon it. One of the Committee's responses to these complexities was to call for more training.

'Training' is the subject of a separate report by the Committee (HRSCAA 1989). In *Our Future Our Selves* the various skill and knowledge bases which would be the substance of training are specified and justified in more detail. Of the Committee's 62 recommendations, eleven are to do with training Aboriginal people (and, in some cases, non-Aboriginal people) better to perform tasks essential to self-management. To understand what such training might contribute it is necessary to return to the concept of the 'Aboriginal domain'.

Aboriginal culture is oriented towards its own reproduction. That is, many of the customs and beliefs documented by anthropologists concern the handing on of beliefs, psychological dispositions and knowledge, from older people to younger people. Ian Keen (1989), as I noted in Part I, argued that we should include in our conception of Aboriginal 'politics' the entire configuration of behaviours by which such intergenerational transmissions were effected. What we understand by 'Aboriginal self-determination' would therefore have to include their struggle to maintain, or to adapt according to their own judgements, that configuration of teaching/learning practices. Moulded by these indigenous practices, Aboriginal people achieve personhood and, to varying degrees, attain honour and power in one another's eyes.

The Standing Committee cannot be accused of wishing to subvert that capacity for cultural self-reproduction. However, their recommendations do present the challenge of a better resourced and better rewarded parallel structure of socialisation which we call 'training'. As young Aboriginal people commit themselves to such training and to the careers which such training implies, they implicate themselves in new ways of achieving personhood and attaining honour. These introduced ways do not simply displace the indigenous ways; the anthropological literature shows clearly that they parallel them, creating new opportunities for brokerage by bicultural people, and setting up tensions, ambiguities and complementarities in the relationships between the norms of Aboriginal domain and those of the institutions of colonial society. To recommend training, as the Committee has done, 'in organisation and community management', is thus to go further than simply imparting the techniques of self-management, techniques intended to be employed as the means to self-determination. Indeed, the distinction between 'self-management' (as means) and 'self-determination' (as end) is, in this way, ultimately untenable. We are left with the paradox noted by the Committee:

It is ironic that Aboriginal communities are being asked to accept non-Aboriginal structures in order to have greater control over their own affairs (HRSCAA 1990b, 25).

If, like the Committee, we cannot find an escape from this ironic position, we can at least recognise it.

CONCLUSION

The reader should not look in these pages for clear, prescriptive 'answers' to the problems I have raised. In my Introduction, I foreshadowed a discussion of problems of self-determination which would not necessarily tell anyone how better to implement that policy. Rather, I have marshalled historical and anthropological argument in order to show some of the complexity of the social and cultural environment affecting the intentions and practices of government. Aboriginal people, particularly those among whom there has been the least non-Aboriginal influence, make up a constituency of public policy which must be understood in its own terms. I have therefore suggested that we introduce into our vocabulary for describing the difficulties of self-determination policy the term 'Aboriginal domain'.

Using documents that were, for the most part, generated from within the administrative culture of 'Aboriginal affairs', I pointed out in Chapter 1 that DAA (and now ATSIC?) has postulated this constituency as a series of 'communities' with the potential to be both self-determining and self-managing. However, according to one influential view, this potential is to some extent frustrated by the following residual features of Aboriginal culture and of previous administrations of Aboriginal welfare: kin-based factionalism; economic dependence; abiding aspirations to enjoy rights in land; excessive trust in non-Aboriginal advisers of dubious merit; lack of literacy, numeracy and administrative skill. I suggested that the nomination of this list of cultural obstacles performs a certain ideological function within the administrative imagination: it prevents or delays the recognition and validation of Aboriginal people's own purposes and interests and of their loose and temporary forms of collective action — their tendency to disaggregation. That tendency sits awkwardly with administrative notions and technologies which are inclined towards aggregation, the unification of sovereignties across space and the persistence of corporate forms through time.

DAA, ADC and (now) ATSIC officials, both Aboriginal and non-Aboriginal, have been caught between increasing pressures to define and to quantify the benefits of 'Aboriginal affairs' expenditures and countervailing pressures to subsidise projects whose local contingencies may not be captured easily through the available instruments of administrative knowledge. To establish what Rowley called 'a philosophy of social accounting' remains an elusive goal of those reforming the means of administrative oversight. The difficulty is in part conceptual — giving substantive content to 'self determination' — and in part administrative: large numbers of Aboriginal organisations are funded, and they are gradually being asked to give an account of their aims, methods and results in terms which make their diverse claims commensurable across regions, programs and times. At least that is the ideal of administrative order to which players in the funding game are being asked to pay lip service.

I suggested that the frailty of the means of such administrative oversight, the history of the contested autonomy of DAA and ADC, and the sheer heterogeneity of Aborigines' circumstances and wishes interact to create a degree of indeterminacy or local latitude which is in fact quite appropriate to the decolonisation of the Aboriginal domain (or, less grandly, to the curbing of administration's powers of annexation of that domain).

The Aboriginal domain — a structure of political relations, of honour and indebtedness, of the relatively unfettered consumption of time — is suggestively presented here by drawing on numerous ethnographic evocations. My intention in putting forward some accounts of the Aboriginal domain has been to stimulate critical reflection, especially among those instinct with a spirit of administrative rationality and with ready-made understandings of what, in Aboriginal life, is refractory to it.

However no generally applicable model of the Aboriginal domain emerges from these writings; even less do they yield generalisations about the relationships of the Aboriginal domain to the structures of welfare colonialism. There are at least two difficulties here. The first is that among the ethnographies of Aboriginal political life there are notable, theory-based differences of emphasis. Some writers stress egalitarian relations and the tendency towards 'consensus'; others draw attention to the prominence of individuals of initiative and their skill in contriving consensus. Some accounts feature structures of dominance (male gerontocracy), others point to the pliability of structure and the importance of individual autonomy. I have not tried to arbitrate among these possibilities to promote a singular, 'true' account (though my discussion of 'consensus' and 'unanimity' favours the analytical starting point that 'consensus' be treated as a political artefact, a representation of the wishes and opinions of the actors within a political process).

The second difficulty is that of keeping simultaneously in focus both the Aboriginal domain and the structures which encroach upon it. Here the problem of 'goods' needs emphasis. What are the 'goods' over which people contend politically? Are the 'goods' of the Aboriginal domain and those offered by welfare colonialism commensurable? If I have not produced answers, I can at least insist on the necessity and utility of these questions.

Despite these conceptual difficulties, an important historical argument emerges from some of the ethnographies: that Aboriginal people have been working to maintain a sense of their distinct domain in the face of a welfare colonialism that would treat Aborigines as just another category of needy citizens for whose benefit the state has begun to contrive new forms of social organisation. The tasks of domain preservation have included reluctance or caution in the taking on of new tasks of governance, the persistence of solidarities which could subvert the coherence of 'communities', and an apparent validation of the work of cultural brokerage, work to which certain Aboriginal people seem more drawn than their fellows. Cultural brokers are not only

individuals; they are also incorporated organisations. They mediate not only between agencies and the clients of welfare colonialism, but also between Aboriginal people with cash or goods to trade and the markets in which they now find themselves buying or selling.

I opened Part II by sketching the historical context in which the Northern Territory government has promoted its Community Government scheme. That government has been steadfastly opposed to the consolidation, under Commonwealth legislation, of a land-based Aboriginal enclave, believing (or professing to believe) that 'northern development' is jeopardised by such entrenchment of traditional Aboriginal interests. Consistently, it has also been wary of the politically organised Aboriginal services sector, especially those organisations which are under Aboriginal control. 'Mainstreaming' names the ideology and, to some degree, the practice of this government's resourcing of services to Aboriginal people. To ameliorate its fiscal crisis, the Northern Territory government also seeks to persuade remote Aborigines to pay for some essential services.

All of these inclinations and imperatives can be seen to contribute to the Territory government's wish to create a tier of Aboriginal local government. However, although the Community Government legislation offers Aboriginal 'communities' the prospect of designing their own procedures of representation, the scheme has not become popular among Aboriginal people. No doubt the Central and Northern Land Councils' campaigns against Community Government are a major reason for its limited appeal. Published comment from the Land Councils argues that Community Government threatens the authority of Traditional Owners (and of the Land Councils); but such comment also concedes that legal arrangements, demarcating powers and functions, could be negotiated between Traditional Owners (Land Trusts) and Community Government. The Commonwealth has been even more equivocal in its assessment of Community Government, some officials wholeheartedly endorsing the unification of powers of local governance within the Community Government scheme (on grounds of technical/administrative efficiency), others acknowledging a number of alternatives — including the conferring of local governing powers on Aboriginal 'resource agencies'.

The political debate about Community Government — a competitive promotion of Land Councils' and Northern Territory government aspirations — has largely failed to address three issues which I have tried to identify in Chapter 5: the cultural and political logic of boundaries to emerging Aboriginal jurisdictions; the degree and the kind of dependence on the public subsidy of services to remote Aborigines; the unification or dispersion of powers among the organs of Aboriginal governance. No process of political evolution by remote Aboriginal people can hope to evade making some responses to these issues.

The House of Representatives Standing Committee on Aboriginal Affairs can be congratulated for trying to come to grips with many of the ethnographic themes and public policy problems raised in parts I and II of my monograph. In particular, the Committee's report *Our Future Our Selves*, professes its respect for the distinction between creating forms of government for Aborigines and allowing forms of government to emerge from longer term interaction between welfare structures and Aboriginal clients.

However, my critique of *Our Future Our Selves* argues that the Committee has failed to resolve evident confusion or ambivalence on two matters of short to medium term importance: the basis upon which Aboriginal people will be able to 'negotiate' with government officials (the Committee tactfully fails to challenge the stalling of land rights reform); and the relationships between ATSIC and other government agencies, and, within ATSIC, between Regional Councils and ATSIC's central organs. Like other recent projections of policy in 'Aboriginal Affairs', the Committee also seems to defer proposing solutions to problems of cultural transition by appealing to 'training', that all-purpose solvent of cultural contradiction. The nature, pace and purpose of future 'training' in self-determination and self-management are thus set to be among the most important dimensions of contest and 'negotiation' in the years to come.

The ethical presuppositions of 'self-determination' policy may be described as 'democratic'; and so could my concerns as a critical reviewer of the materials covered in this monograph. Without wishing to resile from such ethics, I find it sobering to consider Ernest Gellner's recent cautionary words about the purchase of 'enlightened politics', a politics which values 'consent', on such processes of cultural transition as Aboriginal people now find themselves in.

What one consents to depends on what one is, and what one is, in the end, springs from the society which has formed one. Could a vote have been taken, in the late Middle Ages, on whether mankind was to move onwards to a secular and industrial world? The question would have been unintelligible. Those who were capable of thought at all endorsed the world they knew. They knew it to be right and proper, and they knew radical changes to be accursed. The changes which have taken place since then have given us a humanity which, in the main, prefers itself as it now finds itself to be. But which third man, encapsulated in both, or independent of either, could possibly choose between them, and endorse that transformation 'democratically', by consent? There is no such third man. He cannot possibly exist (Gellner 1991, 193-4).

Changes of this magnitude now face Aboriginal people first colonised in the last seventy years or so. While seeking to maximise Aboriginal opportunities for self-determination, administrators, advisers and critics — lest they underestimate these transformations — should avoid invoking that 'third man' in their projections of the possible scope of Aboriginal consent and/or denial.

END NOTES

(1)p4: The suggestion that ATSIC will make a difference to the terms of an accommodation between subsidised Aboriginal communities and the wider political structures of Australian society is questionable on at least two counts. First, ATSIC, like DAA, is accountable to parliament through the Minister for Aboriginal Affairs; second, the submission noted and welcomed the increasing contribution of agencies other than ATSIC to the tasks of implementing self-determination policy.

(2)p20: Peter Sutton has commented on this matter to me, as follows:

It is more complex than this. In my experience, whites are generally keen to assimilate Aborigines culturally to the point where they can run the post office (etc), and to incorporate them politically in a general sense, but not to incorporate them socially, while Aborigines try to incorporate individual whites socially and micro-politically and in precise, local economic ways, but also have a strong interest in whites learning their languages, practising speech taboos, going hunting etc. At Aurukun the school, set up to in some way transfer white skills to Aborigines, is staffed by people who almost never are seen in an Aboriginal household. Yet Aborigines, individually, visit white households at Aurukun quite often and attempt to engage whites in relationships of many kinds and incorporate them, if successful, into specific families by quasi-adoption. Mutual colonisation is normally in process, but on unequal terms and in different spheres of action.

(3)p26: John Bern has argued that the 'surplus' generated for the male gerontocracy by the efforts of women and young people took the form of 'time, that is, time away from material production' (1988, 569).

(4)p32: Other studies of Aboriginal missions and settlements have noted their duality in this sense. See Maddock (1977) and Trigger (1986). Their analyses were foreshadowed by a perceptive Welfare Branch superintendent, Long (1964).

(5)p34: Lee Sackett's account of Wiluna has made similar points to those of Tonkinson and Myers: that Aborigines retained a sense of control over their internal affairs under pastoralism but have been threatened by a more interventionist welfare colonialism; that Aboriginal leadership is persuasive but not authoritative because of the value attached to autonomy; that the outcomes of collective deliberations are decisions 'that all the participants can live with'; that 'the idea of representative government ... does not coincide

with the belief (ideal) that each man should speak for himself; and that Aborigines at Wiluna wish whites to continue making the decisions for their community (Sackett 1978, 38-40, 43, 46, 47).

(6)p45: Bern's account of a community in southern Arnhem Land (Bern 1977, 113) suggests that this non-adversarial style is not universal among Aboriginal people: 'Debates on contentious points are often heated and can become laced with personal invectives, particularly between members of the same family. The vitriolic interchanges subside with the ending of the debate. Heated exchanges, they say, are an indication that the issue is being treated seriously, and a speaker often prefaces his introduction of an important topic with the remark that people 'should speak from their hearts'. After one occasion in which the exchanges were particularly heated and personal, the contenders came together and congratulated each other on the good meeting they had just had. One of the men put the feeling succinctly when he said 'argument was good, and people found out what he was thinking'.

(7)p51: Officers of the NT Office of Local Government (Northern Territory Government 1988, 1314; Hansard, 936) pointed proudly to the influence of their New Guinea background on their thinking about local government and community development. Had Charles Rowley been alive to hear them, he would have been sceptical. Rowley (1986, 126-31) argued that 'community development' has worked where the indigenous people have retained their property and a surplus of labour which could be devoted voluntarily to the construction of infrastructure. Some or all of these conditions have been lacking on the recent frontiers between Aboriginal and non-Aboriginal Australians. Brady (1990) also cautions against adopting community development schemes from other colonial theatres, instancing the inappropriateness to Yalata of Freirian models from Brazil.

(8)p65: Young and Doohan (1989, Chapter 5) also draw attention to the non-coincidence of residence and traditional ownership in central Australia.

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Tim Rowse is a senior research officer in the Menzies School of Health Research, Alice Springs. A graduate of Sydney University and of the Flinders University of South Australia, he has also written *Australian Liberalism and National Character* (1978) and *Arguing the Arts* (1985), with Anne Curthoys and Allan Martin he edited *Australians from 1939* (1987).