



WHEN PUSH COMES TO SHOVE...

The ideology of Aboriginal empowerment is doing far more harm than good—especially in dysfunctional remote communities, writes **Gary Johns** in this book extract.

Atitjere community AFLW grand final, November 2022.

Photo: Plenty Highway SCFC/Facebook

The problem with the empowerment thesis (apart from its falsity) is that ... every problem that occurs among Indigenous Australians can thereby be traced back to the original European sin of colonisation and dispossession. This is a recipe for keeping Indigenous Australians in a permanent state of victimisation.

Don Weatherburn, 2014

The Deaths in Custody Royal Commission declared the goal of self-determination was to “empower Aboriginal society”. Many silly things are done in the name of ‘empowerment’. As National Drug and Alcohol Research Centre professor and former NSW Bureau of Crime Statistics and Research executive director Don Weatherburn suggested in his 2014 study, *Arresting Incarceration: Pathways Out of Indigenous Imprisonment* (Aboriginal Studies Press), the aim may translate into the power to play the victim. An individual can play the victim and so too can an organisation. Power and empowerment are usually associated with or emanate from organisations. Aboriginal corporations and land councils have grown in number and size in recent decades, a potentially welcome sign of self-determination, and an expression of Aboriginal power. As Cyril Kalippa, the inaugural Tiwi Land Council (TLC) chairman stated, “getting our own Land Council was the key to everything, it gave us the power to run things our way”. This is a fine sentiment, but the TLC is heavily reliant on government funds because it does not have the power to raise money through rates. The same is true for land councils and comparable corporations that undertake local council functions. How much, and by whom, power is exercised by these corporations is moot. Indeed, Aboriginal health organisations are the most well-funded parts of the industry and, in that respect, powerful. The trouble is there is no proof that these and other

Aboriginal-controlled organisations are better placed to help Aborigines. They just say they are.

The answer to the question of ‘whose empowerment’ lies not simply in corporate form, or money, but in culture. A crucial piece of the puzzle is made clear in former community manager Tadhg Purtill’s brilliant study of an Aboriginal community in the central desert of Western Australia, *The Dystopia in the Desert: The Silent Culture of Australia’s Remotest Aboriginal Communities* (ASP, 2017). It demonstrates that what looks obvious from the outside—white suppliers and black dependents—is anything but. While at one level Aborigines are left powerless, at another they are powerful.

Elsewhere, there are numerous manifestations of power. There is the power to review Aboriginal programs with one eye closed. The Productivity Commission is to review Aboriginal programs and policies without having all the options on the table. This is a power not exercised. There is the power to tilt the balance in crucial decisions. Every State or Territory government has responsibility to decide a child’s life course in out-of-home care arrangements.

Unfortunately, these powers are used sometimes to downgrade human rights while kneeling to cultural rights. Each of these demonstrates that self-determination is more complex than it appears. The constant chatter about it is often a cover to avoid difficult debate about who benefits from Aboriginal empowerment.

ABORIGINAL CORPORATIONS: SOME POWER, SOME MONEY

Judging from Purtill’s observation, Aboriginal programs provide little reassurance that Aborigines hold power, or that the power they do hold will result in less dependence. The same may hold true for Aboriginal corporations, as most have little or no income, unless they are lucky enough to have a mining or other corporation seek access to their land. The most prosperous

Aboriginal corporations—and in some senses the most powerful—deliver government services. Aboriginal organisations have blossomed in the last 30 years, but the power they wield is not necessarily based in tradition.

Some Aboriginal corporations have benefitted from the mining boom.

Office of the Registrar of Indigenous Corporations records show there were 3,273 registered Aboriginal corporations in 2020. Using an earlier survey, the combined income of the top 500 Aboriginal and Torres Strait Islander corporations for 2015-16 was \$1.92 billion, more than double the income 10 years prior. The Northern Territory, Western Australia and Queensland contain most of these corporations and the most income. The bulk of the income, assets, and equity are shared by two jurisdictions: NT and Western Australia. Corporations in the Pilbara, for example, have significantly benefitted from the mining boom. The number one ranked corporation had an annual income of \$96 million, the 500th had an income of \$400,000, while the remainder had an income less than that. Less well known are those corporations in the health and community services sector, which is the most common sector of corporation activity with 202 corporations, followed by employment and training, land management, and arts centres.

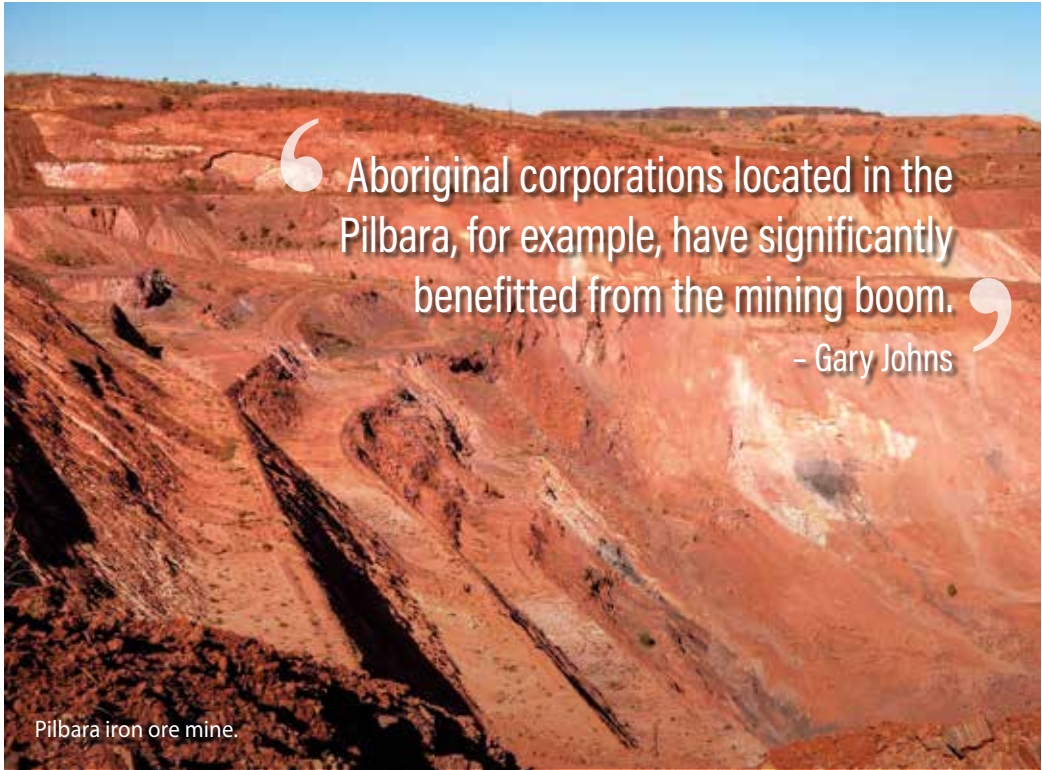
There were 13,000 employees in the top 500 corporations, almost half of whom were in NT corporations. The land base for these corporations varies. For example, the NT has land rights legislation which is geographically extensive and far more powerful than native

title. In other States land rights may not be as geographically extensive or powerful, and in some cases pockets of land have been granted under specific Acts that have no settlement purpose but may be, for example, for historical preservation.

Kimberley Land Council is one of the biggest employers in the Kimberley, employing about 103 staff (60 of whom are indigenous) across the divisions of native title, legal, land and sea management, corporate services, and finance. They have offices in Broome, Kununurra, and Derby, as well as smaller satellite stations in remote communities that act as a base for the Kimberley Ranger Network teams. The Council is almost solely dependent on grants from the Commonwealth, which were \$23 million in 2020.

A recent audit of the governance of the Northern Land Council (NT), which was established in 1974 to represent the interests of traditional owners, found a very low standard of administration. The Land Council administers and distributes land access and use payments (royalty payments) received on behalf of owners for activities undertaken on Aboriginal land. The NLC also delivers Caring for Country, and other environmental and liaison functions for Australian and NT government departments. In all, they distribute more than \$40 million annually.

In the games played in Canberra, the auditor provides encouragement and the respondent organisations—the NLC which spends money and the Department of Prime Minister and Cabinet (PM&C) which has oversight of the expenditure—say they are already on the job, despite PM&C having administered moneys to the organisation for decades. A typical statement by the Auditor General (in 2017) is: “The NLC is improving its representation processes but has collected insufficient information to demonstrate how effective representation has been in practice”. In 2016-17, the Indigenous Affairs Group in PM&C had 1,520 staff, with a departmental budget for program support of \$280 million.



Pilbara iron ore mine.

“Aboriginal corporations located in the Pilbara, for example, have significantly benefitted from the mining boom.”
 – Gary Johns

ABORIGINAL COMMUNITY-CONTROLLED HEALTH ORGANISATIONS

The Commonwealth has announced what it has labelled “a new approach to Closing the Gap” by partnering with Aboriginal organisations (see *Health Performance Framework, 2020*). Under this new agreement, community-controlled Aboriginal health organisations will do a lot of the work previously done by government departments and non-Aboriginal organisations. This arrangement builds on the work undertaken by Aboriginal-controlled health services, which have existed since the 1970s, but is a further shift away from the approach whereby the best provider wins the contract to deliver health services. The National Aboriginal Community Controlled Health Organisation (NACCHO), which has 141 member bodies, makes numerous claims about their utility (there were 198 Indigenous-specific primary

health care services in 2017-18), which must hold up if the Commonwealth is to reach its goal by handing work to Aboriginal-controlled organisations. NACCHO’s self-professed claim to fame is that it is “the largest employer of Indigenous people”: the 141 Aboriginal-controlled health services employ 6,000 staff, many of whom are Aboriginal. This means that one out of every 44 Aboriginal jobs in Australia is with one of their services. The organisation makes clear, however, that it does not wish to be held responsible for the Gap, given that other programs are responsible for 87 per cent of expenditure on Aboriginal health.

A Productivity Commission report quotes NACCHO claiming “studies have shown that Aboriginal controlled health services are 23% better at attracting and retaining Aboriginal clients than mainstream providers”. Unfortunately, the report does not cite the source of this figure. Regardless, the claims by the national association seem ill-

founded as they do not prove that Aboriginal-controlled health services have higher utilisation and adherence rates. The claim relied on the Campbell study, which collated and analysed published evidence supporting the contribution of community-controlled centres to improving the health of Aboriginal people. The only study of actual positive health impact was Canadian. The research concluded that similar studies have not been undertaken in Australia. The main benefit appeared to be in greater service utilisation; in other words, getting people to turn up to clinics, often in conjunction with other providers. This is a very important aspect of improved medical services, but there may be other ways to achieve those outcomes. Most not-for-profit human service providers, for example, hire local Aboriginal liaison officers to increase their outreach. They further reported that Aboriginal people are more likely to “describe positive health care experiences” from community-controlled

than other types of health services. That is not the same as having better outcomes, and self-reports of this nature can be self-serving.

No weight should be placed on the claim of greater utilisation rates by Aboriginal-controlled health services.

POWER TO IGNORE IMPORTANT PIECES OF THE PUZZLE

There is confusion in the minds of some of the major institutions in Australia about power and empowerment. Some have come to believe that self-determination means handing power to Aborigines as the end goal. The idea of power is far more subtle. The Productivity Commission was handed the task of tracking expenditure and programs following Prime Minister Rudd’s apology to the so-called stolen generations—Aborigines removed from their families and taken into care throughout the 20th century. The Commission has performed



Ngaanyatjarra kids.
Photo: Mark Roy/Wikimedia

the task professionally, except in one regard. No doubt under pressure to suggest a 'path forward', it has inserted in each Overcoming Indigenous Disadvantage (OID) report 'stories of success', without proof that these stories, or programs, were successful. It has also published the Indigenous Expenditure Reports, which suggested huge costs for little return. Consequently, it was asked by government to create a methodology for evaluations of Aboriginal programs, a belated recognition that "evidence about what works and why remains thin".

The problem in Aboriginal affairs sits right here. Like the stories of success in the OID reports, the Indigenous Evaluation Strategy (IES) is to be hemmed in by two large ideological constructs: that culture (and 'knowledges') must be recognised, and that Aborigines must own the process. In other words, evidence and options that regard culture and Aboriginal ownership as problems will be disregarded. Cultural recreation and self-determination are central to the industry, but both may be fatal to the chances of the 20 per cent of the Aboriginal population who are most likely subject to the self-determination dream. The ideological constraints belie the Commission's legal obligations "to undertake, on its own initiative, research about matters relating to industry, industry development and productivity", with special reference "to promote regional development".

OVERCOMING INDIGENOUS DISADVANTAGE

The OID 2020 report does not attempt to understand the different paths that Aborigines have taken. It does not attempt to analyse the two Aboriginal societies: captive and free. Indeed, as Purtill would have it, it equates ownership of, and Aboriginal perspectives on, programs with solutions. The OID report seeks to identify the significant strengths of, and sources of wellbeing for, Aborigines.

The report claims that "the factors

that contributed to their wellbeing or that cause the disadvantage they experience ... were selected based on evidence, logic and where experience suggests that targeted policies will have the greatest impact". The Commission could not be more wrong. Various assumptions and assertions grate, others are factually wrong, still others make assumptions that must be investigated, not accepted.

The following shaded excerpts are statements from the OID:

Attachment to the land was, and still is, a central element of traditional (and ongoing) Aboriginal and Torres Strait cultures, customs and laws.

What of those who do not live on land, are they less Aboriginal? The Commission is falling into the trap of treating all Aborigines, fully integrated and not fully integrated, as a single person. Moreover, the Commonwealth's paper on developing northern Australia (*Our North, Our Future: White Paper on Developing Northern Australia*) singles out native title as an impediment to economic development, one that requires significant funds and reform to attempt to have some productive outcome for Aborigines.

Aboriginal clans were not nations.

Further, the Commission could also refer to its own report on the resources industry which recommended changes to native title to enable a better commercial use of trust money. While the Productivity Commission thinks about that they should also read Purtill to understand the poison within communities.

The right to vote from the Commonwealth Electoral Act 1962 was singled out by the Commission [but not State rights].

The report should have mentioned that all adult male British subjects, including Aborigines, were entitled to vote in South Australia from 1856, in Victoria from 1857, New South Wales from 1858, and Tasmania from 1896. Queensland gained self-government in 1859 and Western Australia in 1890, but these colonies denied Aborigines the vote.

The '1966 equal pay case for Aboriginal pastoral workers', which led to many workers and their families being forced off the land and, over time, onto welfare.

It was a decision by the Commonwealth Arbitration and Conciliation Commission in 1965 to include Aboriginal workers in the *Cattle Station Industry (NT) Award 1951*. Most Aborigines are doing well. They probably do not use Aboriginal-controlled services. Why would the report not ask whether Aboriginal-controlled organisations were better or worse for Aborigines, and in what circumstances and regions?

There are over 250 different language groups spread across Australia, of which 145 are still spoken today.

This is highly misleading and suggests languages are alive and viable. In fact, very few are, and evidence that reviving languages has other than a short-term boost to those involved is lacking.

What if (collective) self-determination is the problem?

Nowhere is there reference to adaptation. Instead there is a seemingly wooden acceptance that Aborigines can never change and that they must run their own show, despite the fact that policies implemented under these assumptions have for some time shown no positive results, and that the gap exists for only a subset of Aborigines. This report is poorly framed. It is not free to do its job, which is presumably to recommend ways to help people who need help. Instead, it plays to Aboriginal industry solidarity.

INDIGENOUS EVALUATION STRATEGY

Much the same can be said of the Indigenous Evaluation Strategy (IES). The Commission defines evaluation as "the systematic process of making a judgment about the merit or worth of a policy or program ... It answers questions such as ... what difference did the policy or program make, what would have happened without the policy or program in place and do the benefits of the policy or program justify the costs?" This definition is sensible, as is the objective to improve the lives of Aborigines.

The further elaboration of the strategy, however, would undermine the idea of evaluation.

Next, here are statements from the IES:

Centring Aboriginal and Torres Strait Islander people, perspectives, priorities and knowledges in all stages of evaluation.

Let Us Not Be Bitter

Away with bitterness, my own dark people
Come stand with me, look forward, not back,
For a new time has come for us.
Now we must change, my people. For so long
Time for us stood still; now we know
Life is change, life is progress ...

– by Kath Walker (later known as Oodgeroo Noonuccal)

Oodgeroo Noonuccal at her writing desk, Stradbroke Island, 1974.

Photo: Carrol Jerrens/NGV

What does centring mean? It does not pose the one question that makes sense: why are some Aborigines successful and some not? Which knowledges, whose knowledge? Accepting these notions is a dereliction of the Commission's duty to evaluate evidence as the means to improve the performance of the Australian economy, and Aborigines' part in it.

It supports Aboriginal and Torres Strait Islander people's rights to self-determination.

What if (collective) self-determination is the problem? What if the government asked the Commission to advise on the best settings for a strong manufacturing sector in Australia, but with the proviso it had to be Australian-owned and union-run? The outcomes would be poor indeed, but would have satisfied

the government's political objectives. Pity the manufacturing sector and the Australian consumer. The same may be said of Aboriginal 'programs' under Aboriginal ownership.

Evaluations are conducted by Aboriginal and Torres Strait Islander evaluators and/or non-Indigenous evaluators with skills and experience working with Aboriginal and Torres Strait Islander people.

This is stock standard jobs for insiders, academics and the like who have made a career from following intellectual fashion. This is the pay-off.

... [engaging ethically] is yindyamarra, a Wiradjuri concept which means to act with honour and respect ...

This statement, which the Commission used to introduce ‘ethics’, is sophistry. It is borrowed, and it is an insult to suggest that without ‘Aboriginal ethics’ there are no ethics in evaluation. Again, this is playing to the industry. Ethics will be used by elders to block evaluations that may lead to answers the elders prefer not to hear.

The evaluation strategy to be overseen by a new Office of Indigenous Policy Evaluation, in partnership with an Indigenous Evaluation Council (with all Aboriginal and Torres Strait Islander members).

This is a victory for the industry, to own evaluations and thereby control what is deemed acceptable, which is the antithesis of evaluation. This recommendation is a disgrace to the Commission.

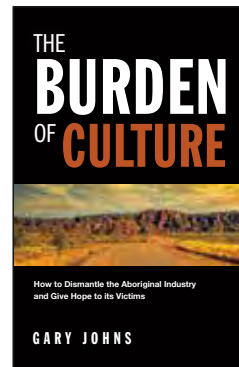
Nowhere in the evaluation strategy does the concept of individual responsibility rate a mention and yet without it, it is unlikely there will be Aborigines who will succeed in life. Nowhere does the concept of individual capacity rate a mention, and yet this was raised by the Western Australian coroner in her report on suicide by Aboriginal children and youths. Nowhere does the concept of individual adaptability rate a mention, and yet this is perhaps the dominant feature of all Aborigines who are now leading healthy and productive lives. Nowhere is there mention of successful Aborigines and the pathways they undertook to become successful. Only when these concepts are incorporated into evaluations will the full gamut of policies be on the table. The programs that are likely to succeed will be ‘old fashioned’—integrating people into the mainstream, to be free to live

as they please, contributing to society.

EMPOWERMENT HAS NOT RISEN ABOVE REDISTRIBUTION

Self-determination has delivered power into the hands of a small number of people who run health centres, some land councils, and the like. Mostly it remains in the hands of public servants enthralled by an ideology of self-determination that will ensure the free flow of moneys and the continued dependence of Aboriginal people on those public servants. Have they delivered self-determination to Aborigines, or simply a new dependence, a maladaptive one?

The power to create is very different from the power to redistribute. At present, Aboriginal empowerment—where its focus is on Aboriginal collective control—has never risen above redistribution. The real power lies in shaping ideology, blinding governments to the blinding obvious: that empowerment is a fool’s errand.



This article is an edited extract from chapter 5, ‘Whose Empowerment?’, of *The Burden of Culture* (Quadrant, 2023) by Gary Johns. Footnotes were omitted for style and brevity.

Gary Johns is an Australian writer and former politician who served as a minister in the Keating Government, as Commissioner of the ACNC, and is a former senior fellow of the IPA.

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