Introduction

In this chapter we take the Northern Territory Intervention as a prism through which to explore a distinctive cultural shift that is currently underway in the governing of remote-living Aboriginal Australians. At the heart of this process, we argue, lies a shift from a focus on community to individuation that entails a profound contradiction. From one perspective the state can be interpreted as acting responsibly and decisively to reduce the risk posed by a section of its citizenry who represent a refusal to conform to mainstream social values. This refusal is viewed as constituting risk not just for the Australian nation, but also for Aboriginal communities and persons themselves. Yet such mainstreaming action will be shown to have opposite effects. Rather than working to re-establish the kinds of social forms through which ontological security might be fostered within this distinctive section of Australian society, government policy is increasingly geared towards producing mobile, formally educated, individualised Aboriginal citizens who will embrace the values of the free market. Paradoxically, the production of this new Aboriginal
subject is urged at a time when the deep contradictions of neo-liberal processes have never been more apparent.

This chapter is structured as follows. We begin with a brief history of the risks that settler colonialism posed for Aboriginal societies and vice versa from 1788. We next provide a cultural and analytical perspective on the issue of risk. We trace policy shifts to the present and then focus on the NT Intervention and consider the rationale for this unprecedented action. We outline the Intervention measures and assess their logic and likely consequences, focusing on the areas of employment, housing and income control. We ask whether what we observe represents unintended consequence or creative destruction of Indigenous institutions? In the final section we briefly explore some of the aspirational common ground shared by remote-living Aboriginal people and the state and sketch out an alternative vision for a policy approach that could go some way to meet the risk-minimising needs of both.

Setting the scene
Today, there are over 500,000 Indigenous people and within Australia’s western legal terms, they own over 20 per cent of the continent. The areas owned in various ways under land rights and native title laws are generally extremely remote and historically have had no or low commercial value, hence their historic availability for claim as unalienated crown land. This massive estate now has value, both for mineral prospectivity and extraction and in biodiversity. This land is home to about 20 per cent of the Indigenous population.

Since 1788, Aboriginal societies have been at risk firstly because they were dispossessed of their land base and secondly because of their ongoing commitment to a different set of principles and values in the ordering of their lifeworlds. The state has continually attempted to eliminate the risk posed by Aboriginal people via a series of policy frameworks. In the first instance elimination was the clear intent and then the expectation to ‘smooth the pillow of a dying race’ via segregation and then to offer the opportunity for assimilation as a part of the modern project of improvement. Self-determination and its associated recognition of distinctive forms of land ownership and elements of customary law, and the statutory establishment of Aboriginal organisations constituted the first
comprehensive shift to recognise difference in positive rather than negative terms, and to put in place mechanisms by which Aboriginal people could pursue aspirations that differed from the mainstream.

The NT was the jurisdiction where this policy shift had the greatest impact, most particularly because of the passage of the powerful *Aboriginal Land Rights (Northern Territory) Act* in 1976 based on social justice principles; and the decentralisation movement that followed that saw land held under inalienable freehold title re-occupied. Yet the governmental framework of self-determination constrained possibilities and gave rise to a highly diverse and complex intercultural landscape that can be observed three decades on. While some communities have successfully established various forms of community development—often based on a form of hybrid economy that includes a significant and locally valued customary (non-market) sector—many others have been less successful.

The Australian state had assumed that the shift in government policy to self-determination would bring about a rapid improvement in life expectancy and other social indicators. But by the turn of the twenty-first century, standard social indicators suggest that remote-living Aboriginal people continued to present as the same intractable ‘problem’. Substance abuse, poor health, impoverished living conditions, high reportage rates of domestic violence and sexual abuse were all taken as evidence that the self-determination dream had failed.

**Recognising Aboriginal risk**
In terms of their behaviour, Aboriginal people have increasingly been represented as constituting a risk to themselves via the increasingly publicised spectre of widespread social pathologies. But they also constitute a risk to the Australian nation state at a number of levels, some of which the state only recognised belatedly. Such risks include the rapid growth of an unhealthy and impoverished population that would represent an escalating cost in the future, both in terms of welfare costs and income foregone, a prospect first identified by anthropologist Stanner forty years ago. Unless Aboriginal impoverishment and welfare dependence is addressed it could constitute social risk to the public health and criminal justice systems; to the economic foundation of remote Australia, mining, tourism and...
pastoralism; and to the very social fabric of society. Indeed there has
been a growing argument that remote Australia, and especially its
Indigenous population concentrations, exhibits many characteristics
of weak states including poverty, conflict and poorly functioning
political systems.\textsuperscript{5} In particular and using the four criteria developed
by the Brookings Institute, Dillon and Westbury question the capacity
of the Australian state to provide basic services for human develop-
ment in remote Australia and the legitimacy of government in the
lives of remote living Indigenous people. The state could rationalise
that it was clearly in the interests of all to force remote living
Indigenous people into the mainstream.

Altman\textsuperscript{6} and Sanders\textsuperscript{7} have charted the unfolding of this ambi-
tion and its various points of articulation and practice, across the
Howard governments’ terms in office. These include a long-held
antipathy to ATSIC and its dismantling in 2004; an antipathy to sym-
bolic, as distinct from practical, reconciliation and the undermining
of the reconciliation movement at the height of its public support; a
long-held ambivalence to land rights, and especially the right to veto
commercial development; an emerging representation of outstations
as archaic ‘cultural museums’, and concerns about extremely low
individual home ownership rates and private sector employment in
remote Australia. From 2006, a growing media focus on social dys-
function triggered by crown prosecutor Nanette Rogers’ appearance
on the ABC’s Lateline in June 2006 and culminating in accusations
(never substantiated) by then Minister Mal Brough of paedophile
rings operating across central Australian communities brought
Indigenous affairs issues to a head.

**Risk and Aboriginal culture**

If we were to pose the question as to where the neo-liberal state
locates the fundamental risk posed by remote living Aboriginal people,
the answer would be at the level of subjectivity and cultural commit-
ment: quite simply, Aborigines do not behave like other Australians
and are not necessarily motivated by the same aspirations.

In order to function effectively and productively as a member of
late modern capitalist society, Ulrich Beck observes that ‘the indi-
vidual must … learn, on pain of permanent disadvantage, to conceive
of himself or herself as the center of the action’.\textsuperscript{8} In other words, in
order to survive one must develop an ego-centred worldview. Arguably, as a form of cultural commitment, it is this ego-centred worldview that remote-living Aboriginal people lack. This is not to suggest that across remote Australia one universally finds all-loving community-minded individuals, but rather that the structures that continue to frame Aboriginal worldviews are differently organised to those generally associated with mainstream Australia. These worldviews do not privilege the individual as the primary unit of society, but rather a set of relationships that bind particular persons intergenerationally to specific places via carefully delineated bodies of cosmological knowledge.

Where Beck\(^9\) and Giddens\(^{10}\) characterise risk societies as future focused, Aboriginal societies have been described as oriented to the present through a vision that looks back through time, finding its sustenance in intergenerational inheritance. Aboriginal life was, prior to colonisation, organised by a different temporality, one that defies the abstract notion of time that structures industrialised societies. The ideology of the Dreaming, the body of social law that explains the creation of the universe and people’s relationships within it, is inherently conservative and stresses continuity over change within a continuous and well-defined seasonal cycle. As Stanner eloquently put it, the Dreaming is ‘many things in one. Among them, a kind of narrative of things that once happened; a kind of character of things that still happen; and a kind of logos or principle of order transcending everything significant for Aboriginal man’.\(^{11}\) As one of the most gifted interpreters of Aboriginal cosmology, Stanner left his readers in no doubt as to the implications of the Dreaming for the kinds of persons Aboriginal individuals could be, and of the great distance between Aboriginal notions of personhood and those called out by modernity: ‘one cannot easily, in the mobility of modern life and thought, grasp the vast intuitions of stability and permanence, and of life and man, at the heart of Aboriginal ontology’.\(^{12}\) And perhaps more pointedly for our purposes here, ‘there is a sense in which The Dreaming and The Market are mutually exclusive’.\(^{13}\)

Yet the ontology to which Stanner refers has undergone deep intergenerational transformation in recent decades as the organisational principle of the Dreaming and its associated hunter-gatherer lifestyle has been challenged by the colonising experience. As
Aboriginal people have come to live more sedentary, settlement-based lives, the practical anchorage of Dreaming philosophy in daily life has shifted shape in important respects. But this is not to suggest it no longer looms large as an organising principle for the relations between people, other living things and the environments they inhabit.

Culture as risk
The challenge to coherently integrate a distinctly Aboriginal worldview with the competing and contradictory ideas and practices introduced by missionaries, educators, bureaucrats and media representations has seen Aboriginal people acquire complex intercultural identities. The diversity of historical experience across the continent has given rise to a diversity of contemporary circumstances. In some places despair and dysfunction are reported by Aboriginal spokespeople, journalists and anthropologists to have become so deeply entrenched as to constitute the norm, as communities are said to teeter on the edge of a social abyss. The urgent need to break the deadlock of hopelessness in such places is put forward as a rationale for a radically new interpretive framework as a basis for policy making—one that looks beyond colonial experience and governmental neglect to place the onus on Aboriginal people to themselves take responsibility for their actions. Through the ensuing debate that has emerged, a stark separation has opened up between the proponents of a 'rights' or 'culture'-based politics and policy making versus those who promote individual responsibility. This debate is ultimately a contestation over the reshaping of Aboriginal values.

Proponents of mainstreaming and individual responsibility argue that 'Aboriginal culture' and self-determination have become all-embracing shields behind which a multi-faceted set of destructive behaviours have been able to hide, from substance abuse and rape to physical violence and homicide. In the extreme case of those communities in Cape York and other parts of the country that are said to have lost the basic organising principle of social norms, what is being proposed is a radical form of cultural redevelopment modeled around the fostering of self-respect and individual responsibility. Sutton suggests, perceptively, that the core of this process will have to entail the reorganisation of kinship from a public to a private
concern, with Aboriginal people participating in ‘much greater social integration with non-kin than occurs at present’. His views dovetail with those of Pearson who promotes boarding schools and participation in the ‘real economy’ outside home communities, as a means to establish the forms of ‘self-regard’ that are currently said to be lacking among Cape York Aborigines. Welfare quarantining, but only for families who have been shown to be neglecting their duties as carers of children, is the other integral plank of Pearson’s project. But note that Pearson’s programs are localised, discretionary, and are being implemented with the reported active participation of members of the communities involved.

Pearson has recently insisted that rights and responsibilities are dialectically related, not mutually exclusive perspectives, and has stated that while he ‘strongly object[s]’ to the idea that Aboriginal people might be characterised in terms of a ‘singular identity’ (here he follows the writings of development economist Amartya Sen), he does embrace the idea that communities of people share a self-reflexive sense of the distinct dimensions of their ‘peoplehood’. In other words, he seems to suggest that the principles of the market can coexist with other modes of social value. If this is the case, then it becomes a matter of relative balance. The precariousness of Pearson’s model lies in the fact that the work of fostering the values of ‘peoplehood’ is to rest on the shoulders of individuals – to put it crudely, culture becomes a matter of individual choice, the kind of activity people might participate in after they have secured an education, a job and a mortgage, as a lifestyle option rather than a form of ontological anchorage. Pearson is right in recognising that within the self-reflexive processes of identity making associated with late modernity lie the prospects for an alternative future for Indigenous Australians, but if this is to be one that privileges a notion of ‘peoplehood’, the values that might sustain such a notion will need to be laid down well in advance.

The NT ‘national emergency’ Intervention

The snowballing events that led to the declaration of the NT Intervention and established it not simply as reasonable but necessary and responsible action for a government to take, circled around the public reportage of the widespread breakdown of social order. In
what follows we put aside the highly problematic suggestion that extreme breakdown characterised for Cape York might describe the circumstances of Aboriginal communities in general and constitute a kind of baseline against which national policy-making might occur, and rather, pose the question of what such an approach (if fully implemented) is likely to realise.

Why was the Northern Territory selected as the ‘greenfields’ for the ‘new paternalism’ experiment in Indigenous affairs that we outline below? There was in fact a number of reasons for this that all seemed to align in June 2007: the Australian government always had constitutional (under s122) and fiscal powers to intervene directly in the NT; half the NT terrestrial jurisdiction was Aboriginal land vested by the Commonwealth Land Rights Act; opinion polling and focus groups were telling the government that its electoral prospects were poor and something decisive was needed to shore up prospects; and finally the fourth Howard government enjoyed rare control of both Houses of Parliament from 1 July 2005 and so it intervened because it could under the triple rationales of moral crisis, NT government incompetence and a need for a fundamentally different and dracanian approach to address past policy failures.

It is also noteworthy that a parallel set of crises including global terrorism and the threat posed by climate change were increasingly identified as threatening the very viability of neo-liberal capitalism and, closer to home, what is referred to as ‘the Australian way of life’. As John Hinkson has observed, the pervasive insecurities associated with this unprecedented period in world history trigger deep and growing intolerance towards cultural commitments that are of another kind. In this sense it is too simplistic to see the current agenda in Aboriginal policy making as continuous with earlier versions of assimilation. There is a further set of cultural forces at work.

While evidence was not used to substantiate the focus on the NT, it is noteworthy that analysis subsequently undertaken using 2006 census data does show that in comparative terms Indigenous people in the NT are generally worse off than Indigenous people elsewhere in Australia. This situation is partly explained by the unusually high Indigenous proportion (32 per cent) of the total NT population and its unusual geographic distribution with over
70 per cent living very remotely—as James Scott notes, natives can constitute risk if they sit outside the state’s administrative grid.23

On 21 June 2007, Prime Minister John Howard and Indigenous Affairs Minister Mal Brough announced an unprecedented set of interventions into the lives of Aboriginal people to ‘stabilise’, ‘normalise’ and then ‘exit’ seventy-three prescribed communities in the NT. The governmental actions were justified as a response to the widespread allegations of sexual abuse across those communities reported in the Ampe Akelyerneman Meke Mekarle, ‘Little Children Are Sacred’ report, a situation the Prime Minister described as akin to a ‘national emergency’. While child sexual abuse was identified as the initial target of the measures the government would introduce, in the weeks that followed the discourse changed shape considerably.

The intervention measures outlined in Table 1 were far reaching in their implications. Beyond delivering law and order and the provision of basic needs, the initial twelve month stabilisation phase was clearly imagined as establishing the pre-conditions for the production of a new kind of disciplined Aboriginal subject: one who would embrace the individualised aspirations of neo-liberalism. Undergirding the various measures that would be welcomed by residents of many communities lay what could be gleaned as the sketch of a new manifesto for Aboriginal affairs: income quarantining as a means to control Aboriginal consumption practices (although the focus was actually on expenditure patterns); the insistence on school attendance and on gainful employment in ‘real jobs’—the latter ostensibly assured with the disbanding of the Community Development Employment Program (CDEP)—as the basis for establishing hope, self-respect and future-focused aspiration; and, the privatisation of home ownership. A glimpse of what the government had in mind was provided by the Prime Minister in his first foray into the emergency jurisdiction, when he visited Hermannsburg in late August. Here he told Aboriginal residents ‘whilst respecting the special place of indigenous people in the history and life of this country, their future can only be as part of the mainstream of the Australian community’ (Wilson 2007).
## Table 1: Perceived risk and ameliorating measures.

<table>
<thead>
<tr>
<th>Perceived risk to Aboriginal subjects</th>
<th>‘National emergency’ Intervention response measures proposed in June and July 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violence, lawlessness, abuse of women and children</td>
<td>Widespread alcohol restrictions on Northern Territory Aboriginal land (and beyond)</td>
</tr>
<tr>
<td>Violence, lawlessness, abuse of women and children, crime, substance abuse</td>
<td>Increase policing levels in prescribed communities</td>
</tr>
<tr>
<td>Substance abuse and child neglect</td>
<td>Welfare reform and income quarantining [now termed income management]</td>
</tr>
<tr>
<td>Educational lawlessness and child neglect</td>
<td>Enforced school attendance by linking income support and family assistance payments to school attendance; school meals for children at school at parents’ expense</td>
</tr>
<tr>
<td>Child neglect, poor health and sexual abuse</td>
<td>Compulsory [immediately voluntary] health checks for all children to identify and treat health problems and any effects of sexual abuse</td>
</tr>
<tr>
<td>Poor housing, absence of privatisation and individual home ownership options</td>
<td>Compulsory acquisition of prescribed townships through five year leases including payment of just terms compensation</td>
</tr>
<tr>
<td>Unsafe and unhealthy communities</td>
<td>Community clean up and repair of housing and infrastructure through marshalling local work-for-the-dole workforce</td>
</tr>
<tr>
<td>Poor housing and unacceptable community living arrangements</td>
<td>Introduce market based rents and normal tenancy arrangements</td>
</tr>
<tr>
<td>Illegal pornographic material</td>
<td>Ban possession of X-rated pornography and audit all publicly-funded computers</td>
</tr>
<tr>
<td>Unacceptable shelter from the free market and media</td>
<td>Scrap the permit system</td>
</tr>
<tr>
<td>Poor community governance</td>
<td>Appoint managers of all government business in prescribed communities</td>
</tr>
<tr>
<td>Poor employment outcomes, means to bypass income quarantining</td>
<td>Scrap the Community Development Employment Program (CDEP)</td>
</tr>
</tbody>
</table>

Source: Brough, National emergency response to protect Aboriginal children in the NT; Hinkson, ‘In the name of the child’, Sanders, ‘In the name of failure’.
Unintended consequences or creative destruction?

It soon became clear that there was a gulf between the rhetorical force of the ‘emergency response’ and its implementation on the ground. This is not an unusual occurrence in the aftermath of crisis interventions generally.24 While the intervention was given the carefully crafted profile of a military exercise, with army personnel quickly deployed to aid the ‘roll out’ which would be overseen by a Major General and a Task Force, on the ground there was no sense of any military precision. In many places Aboriginal people welcomed the government’s promise of greater police protection as a citizenship entitlement they had long been calling for, but in many cases the extra personnel never arrived. Of greater consequence was the disbanding of CDEP before adequate systems were in place to handle the new and lower work-for-the-dole payments – leaving many residents with no income for a period of weeks.

In Table 1 we present a synoptic overview of perceived risks posed by Aboriginal people either to themselves or the state and the intervention measure introduced to address the risk. It is not possible or necessary for us to provide a measure by measure analysis of outcomes, this is something that proved to be beyond the NTER Review Board and its team of officials and consultants.25

What lies at the heart of any notion of outcomes depends on how the ‘normalisation’ phase is defined and there has certainly been a rhetorical shift away from using such terminology. For example, by June 2008 the NTER Task Force26 was looking to redefine the three phases of the Intervention as: stabilisation to introduce emergency measures to protect children and make communities safe (year 1); normalisation of services and infrastructure (years 2–5); and longer-term support based on the same norms and choices that other Australians enjoy (year 5 onward). In its report NT Emergency Response: One Year On the Australian Government27 does not even mention the term ‘normalisation’. Instead ‘normalisation’ has been replaced with ‘closing the gap’ a term first coined in the Australian Indigenous affairs policy making context, paradoxically, by the NT Government (2007) in its official response Closing the Gap of Indigenous Disadvantage: Generational Plan of Action to the Little Children Are Sacred Report. This term has now been adopted by the Rudd Government as the centerpiece of its Indigenous affairs policy

Recent research undertaken by Altman, Biddle and Hunter indicates that at a national level closing the gaps will take generations where variables are converging (rather than diverging as some are). This research drew on statistical evidence from five-yearly censuses between 1971 and 2006 and made some projections on the basis of this economic history. Such projections have not been made for the NT alone and given data quality issues cannot be. Nevertheless, as noted above, the NT situation is the worst in Australia according to standard social indicators so closing the gaps in this jurisdiction will probably take the longest. As an over-arching policy framework there is nothing in the NT Intervention measures that indicates why this approach based on neo-paternalism and remote managerialism from Canberra would have greater prospects of success than previous approaches. In particular and despite escalating budgetary allocations there is no indication that the deeply-entrenched structural, cultural, historical and locational barriers to the ‘closing the gap’ notion of normalisation are being systematically addressed.

If the intended aim of the intervention is unlikely to deliver supposed risk-reducing ‘closing the gap’ outcomes to meet the state’s ambitious project of improvement, what unintended consequences might result? There is a long history of unintended consequences when government interventions interact with Aboriginal agency as outlined by Folds in his book *Crossed Purposes*. Alternatively, it is possible that these are not unintended consequences at all. Harvey notes that:

‘the process of neo-liberalism has ... entailed much “creative destruction”, not only of prior institutional frameworks and powers (even challenging traditional forms of state sovereignty) but also of divisions of labour, social relations, welfare provisions, technological mixes, ways of life and thought, reproductive activities, attachments to the land and habits of the heart ... [Neo-liberalism] ... seeks to bring all human action into the domain of the market’.
Whether we interpret government policy as having unintended consequences or intentionally wreaking creative destruction clearly matters a great deal. While bearing in mind that the totalising desires and aspirations of neo-liberal states are rarely fully realised, and that ‘intention does not automatically translate into success’ in what follows we consider the question of unintended consequences versus creative destruction via an examination of the main measures of the intervention related to employment, housing, and income control. Each, as we shall show, has inherent contradictions that will result in increased risk for Aboriginal persons; and each, we shall argue, on its own and as a cluster support an ultimate interpretation of creative destruction of distinct Aboriginal practice and identity.

**Employment**

The employment measures of the intervention quite clearly embody the kind of ‘creative destruction’ Harvey refers to. The state and certain Indigenous spokespeople want to foster ‘real’ jobs, a concept that has never been rigorously defined, except quite recently in the Australian Employment Covenant (or the Forrest Plan) as full-time private sector employment. But since 2007 the process of enhancing Aboriginal employment has been obfuscated with the need to abolish the CDEP, an act which will undermine community-controlled employment and the only successful enterprises functioning in many townships. Initially in July 2007 Minister Brough sought to abolish CDEP when he discovered that the wages paid through Indigenous community-based organisations could not be quarantined. This also seems to be the intention of the latest Australian Government discussion paper *Increasing Indigenous Employment Opportunity*, despite a Rudd Government pre-election commitment to reinstate and enhance the scheme.

The CDEP has been operating in remote Australia since 1977 and available census and survey statistics indicate that it increases participants’ incomes, underwrites viable enterprises and ensures productive activity in situations where adequate mainstream labour markets rarely exist. Given this, the abolition of CDEP must be interpreted as an ideological solution to a series of ideological suggestions—that CDEP is welfare (which it has never been), that it has negative
social impacts such as passivity, that the program hampers transition to mainstream work and that without CDEP full employment is possible. The issue that the previous government found most objectionable in ideological terms is CDEP’s flexibility, as the program allows participants the opportunity to pursue cultural and non-market prerogatives alongside waged-based work. From the perspective of development bureaucrats CDEP is unpopular because it is open-ended, and thus will require government funding for the foreseeable future.

In August 2008 as public debate was raging about the need to import labour from the Pacific for seasonal agricultural work, the Forrest Plan was promulgated. This plan, now called the Australian Employment Covenant (AEC), commits to secure 50,000 full-time job opportunities for Indigenous people in the corporate sector. Endorsed with much fanfare by the Prime Minister, who has committed to provide training funds from the public purse to match each job offer, and lauded by Indigenous leaders like Pearson and Mundine (who are on the AEC Board), initially the AEC was to meet its ambitious target in two years. It appeared to be predicated on Aboriginal job seekers moving away from their home communities to take up employment, thus fundamentally transforming Aboriginal people’s commitments to a place-specific, kin-based organisation of life to create mobile citizens, a mobile, flexible workforce who could be moved around as required. Such a vision is to be pursued despite available statistical evidence from the labour force survey indicating that employment prospects do not necessarily improve for Aboriginal people as they move (to areas with larger labour markets).34

Subsequently the AEC has been modified with a relaxation of the two year time frame and with an expanded focus on metropolitan and urban regions—but it is still over-ambitious given that only 25,000 Indigenous people are registered as unemployed and given that only 20,000 new jobs have been created between 2002 and 2007 when employment grew at an unprecedented rapid rate.35

These proposed employment reforms extend beyond the Northern Territory, but their impacts will be most acutely felt in that jurisdiction where prior to the intervention there were nearly 8,000 CDEP participants. Abolition of CDEP will turn the majority from work to welfare, will reduce both income and hours of work and will
widen the employment gap considerably. What is not clear is whether there is an associated deliberate intent to destroy effective community-based mediating institutions built up under CDEP to allow the state to deal directly with individuals and families in a manner consistent with the policy aspiration of previous Minister Brough. What is also not clear is whether the flexibility of the scheme that allows participation in both waged work and ceremonial activity is unacceptable to the Rudd government.

**Home ownership**

The debate about Aboriginal home ownership was at fever pitch in 2005 well before the intervention. It was ignited by Warren Mundine and the Howard government’s appointed National Indigenous Council who concurred with then Minister Vanstone that inalienable freehold title held by corporate groups of Aboriginal traditional owners was the principal reason for low home ownership rates in remote parts of the NT.

Aboriginal people were ‘land rich but dirt poor’ and something needed to be done about it. It was not long before free market fundamentalist Helen Hughes joined the debate writing for the right-wing think tank The Centre for Independent Studies. An alternative explanation of low home ownership rates was provided by Altman, Linkhorn and Clark and Sanders. The former authors, writing for Oxfam Australia provide evidence that contradicts the notion that private individual ownership of low-value land in remote settings could be the driving force in addressing housing need. The latter uses data from the 2001 Census to demonstrate that the low Indigenous home ownership rate of 7.3 per cent in very remote Australia has multiple explanations including policy history and socioeconomic circumstances and that transposing the housing tenure system of more densely settled Australia to remote areas may be an unrealistic policy goal.

Again the evidence has not dissuaded the Australian government and even before the intervention the *Aboriginal Land Rights (NT) Act* was amended in August 2006 to allow the leasing of entire townships to the Commonwealth for ninety-nine years to allow individuation of sub-leases to potential private home owners. This scheme referred to as s19A head-leasing was only considered by one
community prior to the intervention. Possibly frustrated at this low response rate, under the intervention the government compulsorily acquired, via lease for five years, all prescribed township lands, with a commitment to paying traditional owners reasonable terms of compensation. This has been a flagrant exploitation of the spirit, if not the letter, of Australian property law that would not be countenanced for other Australians.41

This measure is replete with paradoxes and contradictions. In order to provide private home ownership to residents of Aboriginal townships, the freehold title rights of traditional owners must be sacrificed, an odd mixing of state intervention with free market principles and associated respect of private property rights. To date, no compensation has been paid and little additional housing constructed. Under the s19A model, lease payments are to be made from the Aboriginals Benefit Account that holds mining royalties earmarked for Aboriginal benefit, so it is Aboriginal interests, not the state, that will bear the risk of head-leasing. It also seems likely that all just terms compensation will be paid from the Aboriginals Benefit Account. Similarly, getting access to ‘real’ (privately owned) housing will be dependent on holding a ‘real’ job to ensure mortgage finance can be repaid. This initiative is being undertaken in remote Australia as many Australians elsewhere are struggling to meet home loan repayments.

Income controls
Income quarantining is the measure that has had the single greatest influence on the daily lives of Aboriginal residents of the prescribed communities. Little evidence-based research was used to justify this measure which is applied to all welfare recipients irrespective of age, gender or spending patterns. Since the intervention no publicly-available research has been completed on its effects but investigative journalism and anecdotal evidence provides a compelling view of a litany of unintended consequences. One exception is in a report by Smith and Jackson undertaken in the Katherine region that reports Aboriginal viewpoints on the benefits and costs of income quarantining and people’s views on whether it should continue.42 The majority of respondents in this study indicated that they would not
continue with income quarantining (now termed management) even if voluntary.

The stated aim of income quarantining was to force parents to spend a considerable amount of their welfare payments on food; the assumption being this was not already occurring and would ensure children are fed and less alcohol is consumed (see Table 1). The passage of this contentious legislation in August 2007, which would apply to all Aboriginal welfare recipients in the Northern Territory, required the suspension of the Commonwealth’s Racial Discrimination Act.

Reports from the Katherine region suggest that residents are significantly more disadvantaged and at risk as a result of the new controls placed on where they can spend their quarantined income, with accounts of people (usually women) having to pay hundreds of dollars of their (50 per cent) discretionary income on taxi fares to take them to ‘licenced’ stores to purchase food; of making the journey and lining up at a cash register with a trolley of food only to find one’s BasicsCard is faulty or does not hold enough credit to cover the cost of purchases, and of the weight of responsibility to manage this process falling on the shoulders of the women who are already undertaking the primary care of children. There have also been vivid accounts of people getting stuck in town, in close proximity to their drinking kin, with all the risks entailed; and of people standing outside the Centrelink office for hours in the hot sun waiting for irregularities to be attended to or payments to be processed. In other words, the irresponsible persons who were ostensibly the target of the intervention seem not to be touched by these measures, while those who were already fulfilling the role as responsible caregivers experience more complexity and more control over their daily lives (ABC Radio National, 16 November 2008). Paradoxically, the state wants to produce responsible individuals, but introduces yet further layers of governmental control over people’s lives, with the greatest pressure being applied to those who seem not to require it. It appears that for Aboriginal Territorians the only road to freedom to spend one’s income is via a ‘real’ job.

Ultimately, these three examples return us to our earlier discussion of culture as risk. Employed, home owning Aborigines who
spend their income wisely are low risk and those who combine employment with other activities or who are unemployed, live in over-crowded community housing and who share their income and/or commodities with extended kin are perceived to be high risk. In all of this there is the implicit assumption of two categories of Aboriginal citizen, an essentialised responsible citizen and the essentialised other, the irresponsible native who is either so utterly different that he/she cannot be improved or else he/she can be transformed, but must remain in a waiting room structure of deferral until properly trained and acculturated.43

Re-embedding ontological security: Alternative options for defusing risk

The forms of cultural redevelopment proposed by Pearson for Cape York and extended by the Howard and now Rudd Governments to the Northern Territory amount to attempts at re-embedding, in the sense that Beck and Giddens deploy this concept. They are attempts to restructure the lives of communities of people who are observed to have lost a secure anchorage in tradition. But individuation is by no means the only possible response to such circumstances, nor, we have argued, is it likely to succeed. It is interesting to note that at the end of his term heading the Intervention Taskforce, Major-General Dave Chalmers has singled out the need to pay ‘a lot more attention to traditional healers and traditional lawmakers, the role they played, and play, in people’s lives’ (quoted in Toohey 2008). Chalmers alludes to the deep psychological damage that requires urgent attention and care across many communities. Embedded in these comments is an awareness that any successful program of cultural redevelopment will be built on a reinvigorated set of pre-existing principles and values and a recognition of these in the wider society.

Douglas and Wildavsky note that just as risk is culturally determined, so are responses to risk.44 Aboriginal people in remote Australia have not sat back passively, they have creatively adapted many new institutions to suit their purposes. There has been much diversity in Aboriginal responses with variations influenced by colonial history, physical environments and local politics. It is well beyond the scope of this chapter to discuss the many levels at which substantial energies are currently being, and must continue to be,
expended with further state support if the litany of challenges facing remote Aboriginal people are to be addressed. In the final section of this chapter we briefly consider an alternative way of conceiving challenges on the economic front.

One of the more interesting adaptations has been based on the notion of a hybrid economy and empirical evidence indicates that this represents the ‘real’ economy in remote Aboriginal Australia. This approach recognises that Aboriginal people engage with the market and the state and the customary (or non-market) sectors of their local economies. For example, in the arts, customary activity and state patronage of mediating community-controlled arts centres results in market sales. And in natural resource management, customary activity such as fire management or hunting of feral species for food not only sustains culturally distinctive ways of life, but also generates benefits that can be sold as environmental services.

Information from the National Aboriginal and Torres Strait Islander Social Survey indicates that such diverse economic activity is buoyant in remote Aboriginal Australia. In the Northern Territory almost all people in remote communities engage in some hunting and fishing, and one in five in the production of art. What is especially significant for our discussion here is that such engagements cannot only be highly productive but also risk minimising – they reflect Aboriginal people’s wariness about over-reliance on any of the market or state or customary sectors. They also allow Aboriginal people to retain and revitalise their productive relationships to country and are predicated on a degree of flexibility, not just in occupational movements between sectors, but also between waged work and other forms of meaningful activity.

The state, on the other hand, appears committed to livelihood trajectories for Aboriginal subjects that only countenance the mainstream labour market, an option that appears extremely risky for remote living Aboriginal people given the vagaries of the market that are all too apparent today. As a growing body of literature observes, the state looks to bring about risk-reducing order, but simultaneously overlooks its role in creating chaos. There is a clear logic for the state in rendering Aboriginal disadvantage a technical problem with no history; and rendering cultural difference either invisible or too visible and to be eliminated. Such an approach allows the state to

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ignore risky and potentially expensive politico-economic relations, the distribution of property and power, and to repose political questions as technical—in this case, to educate people, move people to jobs, and change institutional arrangements to allow private housing. As Li argues, such approaches look to encourage people to behave as they ought, educate their desires, and reform their practices so as to conform to neo-liberal norms. Experts look to obliterate existing relations to build upon a clean slate, a future with no past; the state and development experts promise improvements that they cannot deliver and avoid confounding their abstract theory with the messy world it would explain. In short, the state ‘sees like a state’, but rarely delivers development.

The Australian state needs to adopt alternate options for defusing risk both for Aboriginal people and for the nation. One obvious opportunity exists in environmental stewardship. The Aboriginal estate covers 1,500,000 square kilometres and includes some of the most biodiverse lands in Australia. Natural resource atlas maps indicate that many of the most intact and nationally important environments are located on this estate. Mapping also shows that these lands are at considerable risk of species extinction and face major threats from feral animals, exotic weeds, changed fire regimes, pollution and over-grazing. On top of these threats, the latest available climate science suggests that substantial biodiversity is at risk on this part of the continental landmass.

Australians are increasingly concerned about the issues of climate change, water shortage, environmental degradation, and ecological sustainability. What is not yet well understood is that Aboriginal interests, given their substantial land holdings, have a crucial role to play in confronting these challenges and finding solutions which are in the national interest. In the face of this, an innovative national policy approach is required to value and support community-based efforts to ameliorate threats and minimise adverse biodiversity outcomes. Addressing under-investment in the management of the Aboriginal estate could provide a major development impetus that is so desperately needed.

This alternate vision is predicated on the reality that for the majority of Aboriginal people in remote communities, migration
away from ancestral lands, often hard won through legal claim, and from extended kin will be neither an aspiration nor a solution. This in turn suggests that key institutions like CDEP organisations that are currently under threat will need to be retained and enhanced, both in terms of resourcing and participation. Such organisations are critical to enhancing prospects and links with the market, as is currently illustrated by innovative Aboriginal engagements in carbon abatement and offsets trading.

This alternative option for defusing risk sees value in cultural plurality and economic diversity at a time of great, possibly historically unprecedented uncertainty. Cultural plurality suggests that there might be multiple interpretations of lifeworlds—where the state might see failure, mendicancy, dysfunctionality—many Aboriginal people identify certain features that lie at the heart of their worldview. As we have discussed, there may be widespread agreement on the identification of social breakdown, but radically different views as to how to foster renewal. The ‘end of consensus’ among Aboriginal people complexifies this debate, but not yet in ways that transcend the dichotomy between individual responsibility (to be achieved paradoxically by coercive state-instituted mechanisms) and forms of action that seek to reinvigorate Aboriginal communities by building upon existing successful programs. Where Aboriginal people see a system of social relations, the state and its supporters seek to deal with individuals and to undermine the hybrid structures Aboriginal people and their collaborators have established over decades that have a greater capacity to accommodate and support difference.

If, as suggested here, the state chooses to foster the kinds of activity that will regenerate ontological security for Aboriginal people in remote Australia, benefits will flow in two directions: Aboriginal people will have the chance to recover and to pursue options that are not in conflict with their existing value systems and the nation will receive the benefit of activities that have positive national and global consequences. A partnership approach that recognises diversity of historical experience, complexity of contemporary circumstances and future aspirations might result in a fundamentally different approach to managing risk that would be beneficial to all.
Conclusion

In this chapter we have explored the Australian state’s project to normalise remote living Aboriginal people as a risk-reducing strategy in the name of improvement. We have suggested, drawing on observations about the NT intervention that from one perspective normalisation will be predicated on the creative destruction of those distinct Aboriginal cultural practices that are anathema to neo-liberalism. We have seen nothing in the aftermath of the NT intervention that suggests the project of improvement will succeed. Indeed liberal democratic accountability seems to leave the Indigenous citizenry, rather than the state, bearing all the risk. In our view such an approach is very risky business for Indigenous societies and for the nation. The case of Aboriginal Australia highlights the fact that homogeneity itself is risky. History tells us that remote-living Aboriginal people will not acquiesce to such a project, but rather continue to pursue their diverse aspirations. Their capacity to realise such aspirations will depend, however, upon the state’s willingness to contribute productively to the means by which they might be achieved.

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Notes
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6 Altman, ‘Practical reconciliation and the new mainstreaming’.
7 Sanders, ‘In the name of failure’.
8 Beck, Risk Society, p. 135, emphasis added.
9 Beck, Risk Society.
10 Giddens, The Consequences of Modernity; Giddens, Modernity and Self-Identity.
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13 Stanner, ‘Continuity and change among the aborigines’, p. 58.
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