

The Cunning of Consultation

North American anthropologist Elizabeth Povinelli coined the term ‘the cunning of recognition’ to expose the multicultural legacy of settler colonialism and how it perpetuates unequal systems of power.

The ‘cunning’ of neoliberal multiculturalism is that it acknowledges difference, while simultaneously disciplining, regulating and constraining otherness.

And so it is with the cunning of what is termed ‘consultation’ by the Australian Government, in its project to expand key elements of the Northern Territory Emergency Response (NTER) Intervention, especially the disciplining and punishing of welfare recipients for school truancy by their children as a central plank of Intervention Mark II.

A series of reports in October and November have made it quite clear that the Intervention, currently re-labelled the National Partnership Agreement to Close the Gap in the Northern Territory, is having limited measurable impacts for residents of prescribed communities.

Poor outcomes are evident in many areas including, very clearly, in the area of school attendance that hovers around 60 per cent and that seem to worsen the larger the community.

Keen to reduce the public disgrace of paternalistic Intervention Mark I and its unprecedented fiscal impost on federal coffers, the Australian Government is looking to reshape Intervention Mark II now so much more diplomatically relabelled ‘Stronger Futures for the Northern Territory’.

At the same time the Gillard Government appears hypersensitive to any charge from the media, Opposition, focus group research or swinging voters that it is going soft on the need for draconian and paternalistic interventions.

And so the soft targets of school attendance; surely every Australian child irrespective of ethnicity must attend school to have future choice? And the responsibility of welfare recipients to get their children to school—surely this is the least that unemployed, single or disabled parents can do to pay back society for the generous income support they have received?—have been selected for an escalated and additional layer of punitive measures.

The Improving School Enrolment and Attendance (through Welfare Reform) Measure or SEAM (with the bracketed welfare reform element conveniently left out of the acronym), a voluntary pilot scheme, is now to be potentially extended on a mandatory basis to all welfare recipients in the Northern Territory and elsewhere, even though there is no evidence that the trials have worked. The first tranche is made up of 16 specific sites in the Territory.

SEAM sees the neoliberal Daddy State in its most coercive and potentially destructive manifestation of moral behaviourism.

A benchmark for attendance will be set and there will be much counselling of families assisted by a truancy ‘support’ worker; if parents do not meet their part of agreed attendance plans their income support payments will be suspended.

It is not clear how families are expected to survive without income. What is inexplicable and unconscionable about such draconian possibilities is that they are being proposed by a government concerned about food security and children’s wellbeing.

But kids, even in remote Indigenous Australia, do not live by school attendance alone, they also need food. And families with no income will inevitably become an economic burden for others in their community counter to the aim of other measures like income management.

The tabled Australian Government amendments indicate that SEAM will be aligned with the Northern Territory Government’s *Every Child Every Day* strategy, but it is hard to see how this will occur. The Commonwealth strategy looks to make just welfare recipients responsible using the stick of income suspension; while the NT Government looks to make all parents responsible using the sanction of fines.

There is a distinct possibility that the two schemes will be at loggerheads and clumsy and wasteful and in any case there is not a shred of evidence, fiscal might aside, that Canberra is better placed than Darwin in this difficult area of policy.

Indeed the NT laws seem more wide-ranging and less race-based; and fining is probably more equitable than discretionary withdrawal of income support.

Earlier this month, when the *Northern Territory Emergency Response Evaluation Report 2011* and the *Community Safety and Wellbeing Research Study* were released *The Australian* newspaper reported Minister Macklin was emboldened by evidence proving her agenda would end child suffering.

It is hard to reconcile that with the proposed SEAM measures. And to anti-Intervention activists the Minister said:

Look at the evidence. This has nothing to do with ideology or politics; it is about what people need and what (their) aspirations are for their own lives and their children’s lives.

In the absence of evidence it is hard to see SEAM deriving from anything other than ideology and politics. There is no evidence from SEAM pilots that the measure actually improves attendance.

And there is no evidence that the children of welfare recipients in remote Indigenous communities are more likely to be truants than the children of those in employment—this is just a moralistic and moralising conception of truancy as the individual failing of parents in receipt of welfare.

In 2007 the Howard Government passed racist income quarantining laws that required the suspension of the *Racial Discrimination Act*.

The Rudd Opposition and then Government that had meekly acquiesced to these laws subsequently copped considerable national and international criticism. And so in 2010 it amended the law to include non-Indigenous Australians in its income management regime, thus making it non-racist, at least in a technical legal sense.

The Gillard Government has cleverly learnt and now seeks to bypass the charge of racism by being cunning in the manner it is implementing these ideological measures. On one hand, the measures as proposed are neither race-based nor regionally-focused, even though initially they will mainly target a small number of large Aboriginal townships in the NT where school attendance appears especially low, but where development prospects are supposedly greatest.

On the other, according to government spin, it is Aboriginal people who truly desire these draconian special measures as evident from widespread consultation.

And so even if SEAM principally targets Indigenous Australians, the Australian Government can argue to the global community that it complies with the *Racial Discrimination Act* as a beneficial special measure consented to by the Aboriginal people impacted and thus meeting the minimum benchmark set by the High Court in the celebrated case *Gerhardy v Brown* in 1985.

There are other ways of thinking and talking about Indigenous education and development, but such alternatives are closed off, suppressed and silenced. They mainly come from white and black practitioners at the education coalface, Aboriginal activists, civil society and those parts of the academy that are not subject to state capture.

Take, for example, the very different interpretation and counter-narrative of what happened at consultations reported in *Cuts to Welfare Payments for School Non-Attendance: Requested or Imposed?*, a must read, available on the Concerned Australians website.⁸⁹ This analysis from a diverse set of 10 community meetings indicates that ‘there was not a single request for welfare

⁸⁹ Michele Harris and Rosa McKenna, ‘Cuts to Welfare Payments for School Non-Attendance: Requested or Imposed?’, *Concerned Australians* (October 2011) <<http://www.concernedaustralians.com.au/media/Welfare-Cuts-Requested-or-Imposed.pdf>>.

cuts or fines to those parents with children who were not attending school’.

Concern about education was given a high priority, but what was sought was the re-introduction of bilingual learning, access to full-time education in homelands, support for Aboriginal teachers, acknowledging culture in the curriculum and the need to distribute funds more equitably.

The Australian Government is keen to focus both its policy attention and the taxpayers’ financial resources on punitive measures to punish parents of truants in receipt of welfare.

However, this takes too much attention away from the role of the state to ensure that school infrastructure is of sufficient physical quality and that remote teachers are sufficiently skilled to attract students with quality, locally relevant, engrossing, perhaps bilingual, education that would make staying away from school an unattractive option.

A decent education is unquestionably important for jobs, confidence and political empowerment. But for the bicultural ways of remote living Aboriginal people it needs to be tailored for success in two worlds, not just an imposed one based on mainstream aspirations.

Evidently, this is a massive challenge that is beyond current and past Australian Governments; and so it is far easier for the powerful to deploy discursive weapons and welfare sticks. Monolithic and imposed solutions to complex problems are high risk, especially for the supposed subjects of the state project of educational improvement.

Australian Governments need to invest less in cunning consultation and more in canvassing policy alternatives and learning about educational success from here and overseas.

30 December 2011