Contractual Coloniality: Strategic State Intervention in Aboriginal Governance

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Acknowledgments

Synopsis

This thesis argues that certain strategic interventions in the delivery of services to Indigenous Australians employ rationalities congruent with colonial-settler governance. The Koori Services Improvement Strategy in the Australian State of Victoria is a case in point. Detailed examination of this strategy - understood as a set of specific technologies of power – raises questions about practical issues in Aboriginal governance, tensions within liberalism, the actual implications of neo-liberal techniques employed in human services, and the bearing these have on Aboriginal wellbeing. Following Michel Foucault's 'governmentality' approach, tools of discourse analysis and genealogy are used to address these questions and to investigate the limits and possibilities of such an approach to understanding Aboriginal governance.

This study is divided into three parts. Firstly, 'governmentality' is defined and certain limits in its application are identified. Aspects of these limitations are addressed by using a case-study format where the themes identified in participants' interviews shape both the content and direction of analysis. The case study draws on and critiques historical narratives, Acts of Parliament, parliamentary reports and policies, and documented processes of the Koori Services Improvement Strategy's implementation. Relationships between liberalism (with racism problematised as one component), neo-liberal techniques, and Aboriginal governance are then introduced.

Part Two constructs a genealogy of Victoria's bureaucratic interventions in Aboriginal/colonial-settler relations. Beginning with the earliest contractual arrangements, a highly detailed narrative establishes the socio/political environment in which this particular strategy was developed and implemented. Connections are made between the practical implications of State interventions and the governmental possibilities they permit. As a non-Aboriginal imposed structure of governance, issues are raised of how and for whom the Koori Services Improvement Strategy facilitated the exercise of power as it proceeded with its stated intention of improving human services.

Part Three engages broader implications of practices in Aboriginal governance. Self-determination and models of health are examined in terms of their relationships with Aboriginal wellbeing.

This study attempts to show that the 'governmentality' approach to analysing relations of power is effective for ascertaining how control is operationalised. However, it is far less useful in engaging with experiential aspects of power, such as participants' experiences of racism and illness. Improvement of human services used by Aboriginal Victorians was not seen to stem from the Koori Services Improvement Strategy. This thesis therefore concludes with a discussion of alternatives in Aboriginal governance which are based on different relations of power to those encountered in this case study.

Acronyms

AAV .... Aboriginal Affairs Victoria

ABS .... Australian Bureau of Statistics

ACES ...... Aboriginal Community Elders Service

ATSIC ...... Aboriginal and Torres Strait Islander Commission

CDEP ...... Community Development Employment Projects

CYS .... Community and Youth Support (Program)

VDHS ...... Victorian Department of Human Services

EMR .... Eastern Metropolitan Region (of VDHS)

ICACC ..... Inter-council Aboriginal Consultative Committee

INTRAIN .. Indigenous Training and Recruitment Initiatives (Program)

HOA .... Health Outcomes Agreement (A mechanism for making operable the Reform Strategy outlined in *Achieving Health Outcomes*)

KSIS .... Improving Human Services for Victorian Koories: The Koori Services Improvement Strategy: A Five Year Strategic Plan

LMKHRSG Loddon Mallee Koori Health Reform Strategy Group

NACCHO .. National Aboriginal Community Controlled Health Organisation

NAHS ...... National Aboriginal Health Strategy

NMR .... Northern Metropolitan Region (of VDHS)

RCIADIC .. Royal Commission into Aboriginal Deaths in Custody

SMR .... Southern Metropolitan Region (of VDHS)

VACCA .... Victorian Aboriginal Child Care Agency

VACCHO .. Victorian Aboriginal Community Controlled Health Organisation

VACSAL ... Victorian Aboriginal Community Services Association Ltd

WMR .... Western Metropolitan Region (of VDHS)

Abbreviations of document titles referred to in the text

Agreement	*Agreement on Aboriginal and Torres Strait Islander Health*
Achieving Health Outcomes (August 1996)	*Achieving Improved Health Outcomes: An Approach to Reform*
Draft Report (September 2000)	A draft form of a report compiled in order to brief relevant Ministers on the status of the KSIS
Final Draft (October 1997)	*Improving Human Services for Victorian Koories: the Koori Services Improvement Strategy - Final Draft*
Five Year Plan (August 1998)	*Improving Human Services for Victorian Koories: the Koori Services Improvement Strategy - A Five Year Strategic Plan*
Health Performance Indicators Report (1998/99)	*National Aboriginal and Torres Strait Islander Health Performance Indicators: Report for Victoria for 1998/99*
Koori Health Plan (1997)	*Koori Health Plan for the Southern Metropolitan Region*
National Report (1991)	*National Report of the Royal Commission into Aboriginal Deaths in Custody*
National Inquiry (1997)	*National inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their families - 'Bringing Them Home Report'*
National Commitment (December 1992)	*National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal Peoples and Torres Strait Islanders*

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Introduction

> I have this thing that I call a government waltz ... the government plays the tune, alright ... so we get to dance ... we learn the steps and we're dancing along really deadly and then, next thing, they change the tune ... you see ... so the Koori Services Improvement Strategy introduced here ... we'll do a few laps of the dance floor and then it'll be changed ... (Bamblett, Interview, March 2000).

In 1997, while researching general issues of Aboriginal governance, I was challenged by a staff member at the Victorian Aboriginal Community Controlled Health Organisation (VACCHO) to explore a specific state intervention, *Improving Human Services for Victorian Kooris: the Koori Services Improvement Strategy - Five Year Plan* (KSIS). This strategic initiative was designed to address Aboriginal needs across the portfolio of Victorian Department of Human Services (VDHS) activities. But, as indicated in my interview with Alf Bamblett, Executive Officer of Victorian Aboriginal Community Services Association (VACSA) and former ATSIC Commissioner, the KSIS was developed and implemented in such a way as to provoke cynicism. Indeed, many Aboriginal people involved in human services reacted to the initiative with a mixture of confusion, hostility, mistrust and apathy. Curious as to the origin of these negative responses I expanded my focus beyond the local particularities of the KSIS to include an analytics of power in Aboriginal governance, with particular reference to how this power is rendered practicable.

As its title indicates, the KSIS represented State-based acknowledgment of and commitment to the need to improve human services used by Aboriginal people in Victoria. But the subtitle, *Koori Services Improvement Strategy*, suggested a shift in focus from mainstream providers improving their services and making them more culturally viable, to an attempt to 'improve Koori services'. The Coordinator of the Secretariat of National Aboriginal and Torres Strait Islander Child Care noted how very different the title and the subtitle of the document were in their focus and meaning (Pocock, 1999:1). *Improving Human Services for Victorian Kooris* was perceived as being dynamically different from developing an 'Aboriginal services improvement strategy':

> The first implies that all providers of human services (and therefore

all human services), will in some way be assisted or encouraged to improve their service delivery to Koories. On the contrary, the second implies that Koori Services will be put under the microscope and with the focus on improvement (Pocock, 1999:1).

The title of the strategy provides an instance of a discursively created space of ambiguity. In this space, the use of particular rhetorical forms permit 'slippages' from one meaning to another, from one party to another. This is a space of tension affected by broader issues of power and control in Aboriginal affairs. Aboriginal self-determination, the contested meanings of this term, and its practical application by Aboriginal and non-Aboriginal Victorians constitute aspects of these issues.

Spaces created by discourses and rhetoric, as illustrated in the language of the Strategy's title, condition what is possible in Aboriginal governance. For this reason I include discourse analysis as a tool to identify congruities and discontinuities in the rhetorical forms that featured in the policy environment of which the KSIS was part, and in the KSIS both as a document and in its practical implementation. In this way I follow Michel Foucault in his claim that 'I localize problems, but I believe that this permits me to make others emerge from them that are very general' (Foucault, 1991:153). By selecting the 'local and particular' that is the KSIS, I am able to investigate more general possibilities, self-determination being one, and the relationship between past and present colonial practices another.

From the outset, the KSIS represented a site of contestation and ambivalence. Relationships, between the KSIS and those for whom the Strategy was said to benefit were (as described in interviews conducted during the course of this case study, complex in the extreme. Some interviewees saw the KSIS as furthering a governmental logic that had congruence with practices of colonialism. Others saw the Strategy providing a forum wherein possibilities for Aboriginal control could be articulated and enacted. The political environment that informed the development and implementation of the KSIS was further compounded by complexities inherent in Aboriginal/non-Aboriginal dynamics of control and unresolved relations in Victoria's Aboriginal/colonial-settler past. The KSIS was shaped in accordance with a political climate of neo-liberal concern for financial viability amidst competitive market forces. My highly detailed exploration attempts to address what, in Victoria, can be seen as a

shortfall in investigating the practical implications of neo-liberal human-service intervention in Aboriginal affairs.

'Local and particular' Victoria

Issues of Aboriginal governance continue to be widely debated across Australia. Conditions unique to Victoria, however, are often subsumed within debates such as land rights, reconciliation and the role of ATSIC. The population of Aboriginal people living in Victoria is comparatively small in relation to other states, and as John Herron, the previous Federal Minister for Aboriginal Affairs has noted, the ratio of Aboriginal people to non-Aboriginal people in Melbourne is three in one thousand. But Mr Herron uses this comparatively small proportion as a basis for complaining about what he sees as the disproportionate contribution made by what he described as 'the intelligentsia of the Sydney-Melbourne-Canberra axis' to debates regarding land rights and reconciliation (Herron, 2001:15). This thesis rejects a logic that uses population demographics as a measure qualifying the type and force of a critique. Processes of Aboriginal governance, as specific to uniquely Victorian conditions, have not to date been the subject of extensive analysis, and if population size were to be the deciding factor, this situation would continue. In what follows I seek to rectify this failing.

Implemented for three of its proposed five years, the KSIS provides a cameo of Aboriginal governance in Victoria. This case study observes the Strategy throughout that period from a vantage informed by historical and bureaucratic documentation and by discussions with people involved in and subject to its implementation. It uses these observations to create a 'genealogy', using a broadly Foucauldian approach, of the KSIS's past and present 'history'. Foucault has suggested that:

> In itself the exercise of power is not violence; nor is it a consent which, implicitly, is renewable. It is a total structure of actions brought to bear upon possible actions; it incites, it induces, it seduces, it makes easier or more difficult; in the extreme it constrains or forbids absolutely; it is nevertheless always a way of acting upon an acting subject or acting subjects by virtue of their acting or being capable of action. A set of actions upon other actions (Foucault, 1983:220).

The KSIS was an amalgam of often-imperceptible 'actions upon other actions' the chronology and consequences of which saw power being made practical in complex and opaque configurations. In order to bring clarity to this practical aspect of Aboriginal governance I approached my investigation of the KSIS from the position of asking 'how was power defined, constructed, and made practicable by all parties involved?' In this way dimensions of Aboriginal governance became clearer and more accessible to critique. One dimension in particular took priority, the health and wellbeing of Aboriginal people in Victoria.

'Wellness' as a generality

> Can we ever decolonise Australian institutions? Can we decolonise our minds? Probably not. But we can try to find ways to undermine the colonial hegemony (Langton, 1993:8).

Marcia Langton calls us to question the role played in Aboriginal governance by state institutions. The KSIS was prefaced by an expression of concern shared by State Ministers for Health and Aged Care, Youth and Community Services, and Housing: 'It is clear by examining indicators of health and social well-being that the needs of the Aboriginal community are indeed great'. In response to this concern the Secretary to the VDHS asserted 'I am committed to ensuring that the health and social well-being of the Victorian Koori community is substantially improved' (VDHS, 1998:iii-iv). *Prima facie* these concerns and commitments indicate the KSIS's attention to Aboriginal health and wellbeing, but they are articulated in such a way as to demonstrate particular configurations of power in Aboriginal governance. They beg the question of 'by whom and on what bases are definitions and indicators of health and wellbeing constructed?' These concerns lead to further questions of what, in practical terms, are the consequences of these power differentials in terms of Aboriginal governance and what bearing does 'self-determination' have on Aboriginal health and wellbeing? These questions pose a particular set of problems regarding Aboriginal governance due to complexities inherent in Aboriginal/non-Aboriginal dynamics of control, unresolved relations in Victoria's Aboriginal/colonial-settler past, and a political climate of neo-liberal concern for cost effectiveness.

Cost-benefit and cost-effectiveness analyses, tools commonly equated with neo-liberal techniques of policy reform, are inadequate for assessing both health effects in financial terms, and duration of life in terms of quality. Health outcomes are, therefore, rarely measured in terms of 'wellness'. In contrast a technique called 'social-audit analysis', noted in the 1993 National Health Strategy, permits greater consideration of distribution and equity issues than normally given in conventional economic appraisal. Distribution and equity have unique importance when addressing the governance of Aboriginal health. Social-audit analysis involves listing all the parties interested in a given project, in addition to the nature of their interests and how they are affected by the project's implementation. But, despite its immediate relevance for measuring 'wellness', this technique is rarely used in relation to health (Commonwealth Government, 1993:242).

Whilst this case study does not use the 'social-audit' method of analysis it does, nevertheless, have some tools in common with it. The KSIS made use of reference groups as its primary vehicle for implementing its goals. The reference group provided a site where many, if not all, parties interested in improving the services used by Aboriginal people came together to further that end. By including six of the possible nine reference groups as smaller case studies within the larger study of the KSIS I was able to ascertain the 'nature' of reference group participants 'interests' and how these people were 'affected' by implementation of this strategy. As health in general is an area where the 'social audit' approach to practical analysis is rarely undertaken, this study of the KSIS is valuable in its input to larger debates concerning how health is governed. Noting that the professional literature organised to support Aboriginal health practitioners, as opposed to literature about Aboriginal health, is also sparse (Bartlette & Legge, 1994:20), this thesis attempts to make a unique contribution by describing in practical terms how a politics of self-determination relates to the governance of Aboriginal health.

To recite the main points, at the level of the 'local and particular' this case study is a practical exercise in policy analysis. At a more general level it contributes to the breadth of literature that engages issues of power, specifically power as it operates in the governance of Aboriginal health and wellbeing. Furthermore, I have made reference to the work of Foucault and his study of the problematics of power. Throughout this

case study, I employ a framework that has emerged in response to Foucault's 'governmentality' approach. Briefly, this approach adopts a decentred position in analysis of the state and how we think about governing others and ourselves in a wide variety of contexts (Dean, 1999:209). The exercise of power and authority in terms of governmentality is regarded as anything but self-evident and in need of considerable analytic resources (op. cit., p.9). I have, therefore, used methodological tools of genealogy and discourse analysis, also informed by Foucault. However, just as the very title of the KSIS document, and the ministerial concerns and Departmental commitments with which it is prefaced are 'grist to the analytic mill', so too is the theoretical framework used in the analysis. I do not use a Foucauldian-based approach uncritically. This case study not only offers the opportunity to examine in a very detailed and searching way a specific state intervention in Aboriginal governance, but it also provides a context to explore the Foucauldian approach in regards to its effective application and examine the limits and capacities of governmentality theory.

The thesis is divided into three Parts. The first, comprising chapters one and two, introduces the theoretical, methodological and philosophical framework of the case study. In chapter one the governmentality framework is introduced and epistemological issues are raised. Questions that will be answered throughout the course of the case study are framed in terms of practices of power and control and what they suggest about the governmental logic that informs these practices. The processes involved in constructing the case study, including selecting and interviewing participants, are also outlined.

Chapter two describes the bearing liberal philosophy has on Aboriginal governance. It raises unresolved tensions within liberalism between notions of freedom, individual autonomy, and group diversity and juxtaposes these against Aboriginal 'choice' in human-services production and distribution. Continuities and incongruities between liberal philosophy and practice are identified and discussed in the context of neo-liberalism in Victoria. The notion of 'contractual coloniality' is introduced within this context as an aspect of Aboriginal/colonial-settler relations. Racism is discussed as a factor in these relations and as an aspect of power enmeshed in liberal constructions of freedom.

Part Two comprises chapters three, four, five and six which collectively describe the KSIS in terms of Victoria's Aboriginal/colonial-settler relationships, the policy environment that informed the KSIS's development, and the mechanisms employed in its implementation. Chapter three links the past and present of Aboriginal governance. Drawing on the background of liberal problematics composed in the previous chapter it constructs a genealogical account of Victoria's colonial-settler past. This is structured in such a way as to address 'how' historical processes and conditions of power have been implemented. Foucault has suggested that reflection is a component of the ensemble that, in governmentality terms, allows the exercise of power. This chapter introduces the argument that part of the role of reflection in the 'exercise of power' is its capacity to render previously invisible practices of control open to ethical scrutiny. The chapter proposes that a *'telos* of ethical reflection', inclusive of accountability, be brought to bear in processes of evaluating past and present policy impacts.

Pursuing this line of argument, chapter four outlines the Federal, State and local government policies and bureaucratic interventions that combined to inform the development of the Strategy and shaped the service delivery environment in which the KSIS was implemented. Chapter five provides a detailed account of the KSIS in six VDHS regions. It describes experiences unique to individual reference groups, linking governmental practices with the narrative of recent and past bureaucratic interventions constructed in previous chapters. Chapter six examines the reference group as itself a mechanism of governance entailing group dynamics and bureaucratic requirements. This examination engages questions of how and by whom power and control have been exercised, relating this to possible outcomes including self-determination and its antithesis. Throughout Part Two, data from participants' interviews are particularly important in the way they inform and guide discussion.

The third Part, composed of chapters seven and eight, seeks to explore how alternative governmental rationalities and practices can become manifest. Chapter seven inquires more deeply into the notion of Aboriginal self-determination, contrasting theoretical observations and State formulations with experiences described by interviewees. Tensions between how notions of community, relationships, and personalities are understood emerge in self-determination discourses. These tensions have had implications for the KSIS in particular and Aboriginal governance in general.

Chapter eight explores the governance of Aboriginal health in relation to issues raised in chapter seven. It engages the questions of health indicators and measures of wellbeing raised earlier, and discusses these from the point of view of those who need and use human services. In these discussions constructions of health are problematised and an alternative model suggested.

The thesis concludes with a summary of how power and control, as examined in the case study and exercised through the KSIS, can form the subject of a governmentality-based analysis of Aboriginal governance. It also considers the effectiveness of such an approach. I argue that the governmentality framework, genealogy and discourse analysis, when applied to recent and past narratives of Aboriginal/colonial-settler relationships and neo-liberal human-service practices in Aboriginal affairs, confirms certain congruities between recent and colonial-settler interventions. The limits of the approach are outweighed by its capacity to differentiate between practices of power and control that pervade the governance of Aboriginal health and self-determination. In this way such a framework also facilitates the articulation of a range of alternative practices, including a *telos* of ethical reflection', particularly in the context of evaluating policy impact and generating new responses.

PART ONE

Chapter 1

Defining the terrain

During the course of this analysis of State interventions in Aboriginal governance in Victoria questions of 'what is power' and 'how does it work to control', will be addressed. In this chapter I outline how and why the theoretical framework of 'governmentality' will be employed, and what methodological and epistemological issues are raised using such an approach.

Governance is broadly understood in terms of an attempt to 'control' or 'manage' any known object. The definition of a 'known object' in this case extends to an event, relationship, an animate object, an inanimate object, in fact any phenomenon that human beings endeavour to control or manage (Hunt & Wickham, 1994:78). Control and management engage relations of power. Foucault, in his philosophical formulations, took the view that 'the way in which power is exercised and functions in a society like ours [Western liberal] is little understood' (Foucault, 1988:103). Attempting to resolve this deficit during an interview with Pierre Boncenne, Foucault commented:

> I don't believe that this question of 'who exercises power?' can be resolved unless that other question 'how does it happen?' is resolved at the same time ... even if we reach the point of designating exactly all those people, all those 'decision-makers', we will still not really know why and how the decision was made, how it came to be accepted by everybody, and how it is that it hurts a particular category of person, etc.
> [P.B.] So we can't study power without what you call the 'strategies of power' ...
> [M.F.] Yes, the strategies, the networks, the mechanisms, all those techniques by which a decision is accepted and by which that decision could not but be taken in the way it was (Foucault, 1988:103-104).

Here Foucault linked the notion of power with 'techniques' of governance, a point that recommended itself in terms of choosing a methodological approach for an investigation seeking to grapple with 'how' power has been exercised in Aboriginal governance. This focus on techniques represents a radical departure from standard contemporary accounts of power in which government has been seen to focus on the 'city-citizen' model, wherein subjects are regarded as citizens, and governments are

seen to rule by citizens' rational consent (Hindess, 1996:19). This 'decentering' of the state (Smandych, 1999:1) is part of a larger critique of liberal governance collectively known as 'studies in governmentality'.

In his theoretical speculations on dynamics of 'power', Foucault described problematics, modalities, and mentalities of rule operating within and constructing society in terms of a triangular relationship between sovereignty, discipline, and government (Foucault, 1979:19). These dimensions of power and rule describe aspects of Victorian Department of Human Services (VDHS) activity. Foucault used the term 'governmentality' to convey a sense of the complexity and subtlety operating within this triangular relationship. Political practice defined in terms of 'governmentality' refers simultaneously to two aspects of government. I have given concentrated critical focus to the nuances of these concepts.

Firstly, to cite a classic and definitive passage from a lecture by Foucault the term 'governmentality' refers to:

> the ensemble formed by institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of this specific albeit complex form of power, which has as its target population, as its principle form of knowledge political economy and as its technical means apparatus of security (Foucault, 1979:20).

The Koori Services Improvement Strategy (KSIS), described in terms of the parameters of this 'ensemble', was a tool by which the Victorian State governed populations of Aboriginal people. As a VDHS intervention, the KSIS constituted a set of procedures in which those who were effected by, and/or responsible for, its implementation were enjoined to address the 'improvement' of service provision and delivery to Aboriginal people. Seen from a governmentality perspective, the relationship between the KSIS and Aboriginal governance cannot be separated from what Foucault described as 'the constitution of a knowledge (*savoir*) and the exercise of power' (Foucault, 1991:150). Foucault's use of the term *savoir* connotes specific constructions and applications of knowledge wherein the management of populations is brought about by 'knowledge' generated by specialists including administrators, economists, and doctors. These fields of expertise generate discourses that are particular in the way they, as Procacci describes

it, 'mediate between the analytico-programmatic levels of the "sciences" and the exigencies of direct social intervention' (Procacci, 1991:156). Following this conceptual line, the power to decide how Aboriginal needs have been addressed in Victoria is directly related to how and by whom knowledge about these needs has been constructed.

The second aspect of governmentality pertinent to this study is the depiction of governing and government in terms of 'art'. Graham Burchell suggests that:

> to govern individuals is to get them to act and to align their particular wills with ends imposed on them through constraining and facilitating models of possible action (Burchell, 1991:119).

The art of 'leading' individuals into relationships where one or other parties are imposed on by others will gather importance throughout this analysis, as it is linked to ongoing contractual techniques of colonial governance. The KSIS represented a technique of governance wherein some parties unwillingly acquiesced to being governed in a particular way. Discipline, part of the triangular relationship operating within Foucault's representation of the dynamic of power, was seen to be active within this technique. A tacit contractual agreement existed between those involved with and effected by the KSIS, and the VDHS as a State 'bureaucratic apparatus'.

The KSIS will be explored in terms of both aspects of governmentality: the apparatuses and practices through which governing occurs, and the 'art' of governing in which individuals remain to an extent 'willing to exist as subjects' (Gordon, 1991:48). Simultaneously, this investigation will ascertain how visible and transparent KSIS practices of management and control became through the lens of a governmentality approach. Central to this is what Foucault described as 'governmental rationality'.

Colin Gordon asserts that Foucault used 'governmentality' as a neologism for 'governmental rationality' (Gordon, 1991:1), which implies that the terms are to some extent, synonymous. Kevin Stenson distinguishes a different relationship between the two terms wherein governmentality refers to a range of governmental rationalities and practices, associated with liberal rule, by which populations are rendered thinkable and measurable for the purpose of government. Beyond this general definition of

governmentality he distinguishes 'mentalities of liberal government' as manifest in textual discourses. These are analysed as archives using methodologies of the 'history of the present', and 'mentalities' that operate within oral discourses and social practices that can be investigated through a range of cross-disciplinary methodologies, including ethnography (Stenson, 1999:45).

Analysis of discourse requires that attention be focused on discursive forms themselves, but also on what Foucault describes as discursive 'discontinuities'. By this he refers not to spaces of difference *per se*, but to 'a play of specific transformations, each one different from the next (with its own conditions, rules and level of impact), linked together according to schemes of dependence' (Foucault, 1978:59). I will explore these Foucauldian subtleties in my analysis of discourses employed in Aboriginal governance and the discontinuities that emerge as a result of the outworking of different problematics, modalities, and mentalities of rule.

To return to the notion of 'governmental rationality', there is also the sense that it pertains to the 'rational principles' that are intrinsic to the functioning of government structures and processes. Foucault related these to the State. He suggested that these principles find their rationale in that which actually constitutes the 'specific reality' of such governing bodies (Foucault, 1979:14). I understand this constitutive element of 'governmental rationality' as a 'mentality of government' that has its own internal logic. This logic extends to what Mitchell Dean describes as 'the form of representation of the field to be governed, the agencies to be considered and enrolled in governing, the techniques to be employed, and the ends to be achieved' (Dean, 1999:211). Applying this philosophical premise to the VDHS, rational principles were at work in the development and implementation of the KSIS that were consistent with a particular internal logic that had, in turn, implications for 'how' the imperative to 'improve' services used by Aboriginal people would be achieved.

Studies of 'governmental rationality' engage with such questions as how and in what way procedures, techniques, and methods have bearing on the practice of governing itself. How and in what ways the KSIS is seen as having been an instrument of governance can be examined with greater clarity when the following questions are raised: what forms of political and economic knowledge did this strategy select and

operationalise; under what authority did this occur; how was this connected to particular administrative techniques, rationalities and forms of calculation; and how were programmatic objectives transformed into action. These questions, which will be addressed in the chapters to follow, are consistent with Nikolas Rose's description of the 'analytics of government' as a diagnostic approach to examining:

> the multitude of relations of power, knowledge, technique and ethics through which the conduct of human beings is shaped by others and by themselves (Rose, 1999:274).

Analytics of government can show us our 'taken for granted' ways of doing things, thereby facilitating a process of questioning the 'self-evident' nature of our assumptions (Dean, 1999:21). Through this type of reflection, previously invisible practices of control are opened to ethical scrutiny.

Limitations of a governmentality approach

On the face of it, governmentality provides a useful framework for investigating strategic State interventions such as the KSIS. But, as political theorists have noted, this approach is not without its limitations and problems. Barry Hindess, David Garland, and Stenson, for instance, have articulated areas within the governmentality literature that they perceive as being variously problematic.

Stenson has proposed that the main focus of governmentality studies pertains to the shifting technologies of liberal rule. He describes liberalism, in this sense, as an:

> ongoing critique of government and a set of reflections on, and technologies of a form of rule which requires constant vigilance about the limits of and separation between state governmental powers (Stenson, 1999:45).

Hindess, on the other hand, suggests that Foucault's account of the liberal rationality of government, which is implicit in governmentality, is 'seriously incomplete' (Hindess, 1997[a]:258). Reflecting on Foucault's claim that the rationality of government in the modern West is predicated on the idea of an autonomous rationality of government, Hindess is concerned that this claim entails a different account of liberalism and a more

complex understanding of politics than he finds in Foucault's own discussions (Hindess, 1997[a]:259). Hindess claims that politically oriented action poses a particular problem for a rationality of government that is committed to what he describes as the 'illusory' ideal of its own autonomy (Hindess, 1997[a]:269). Further, he asserts, Foucault is of the opinion that liberalism is the 'very antithesis of freedom', a position which can be seen to be in conflict with a reading of liberal rationality founded on autonomy. Unresolved tensions between freedom and autonomy in liberalism have a bearing on how analysis of State interventions can proceed. Using a governmentality approach consistent with liberalism as described by Stenson, I will endeavour, in the next chapter, to grapple with some of these tensions as they pertain to Aboriginal governance, and ascertain ways in which this approach is effective in that undertaking.

An issue that exacerbates confusion regarding governmenality-based critiques of liberalism is a failure to differentiate clearly between key analytical terms. Hindess notes that in Foucault's writings on government, he commonly uses the term 'political' as if it were equivalent to a certain understanding of 'governmental' (Hindess, 1997[a]:257). Whilst it is likely that Foucault had reasons for doing this, definitional ambiguity, such as Gordon's assertion of the neologistic use of 'governmentality' and 'governmental rationality', has left the ensuing body of governmentality literature with a legacy of terms that are open to redefinition in differing, sometimes conflicting ways.

Garland also makes note of the confusion that can arise from neologisms that appear throughout Foucault's work on governance. Use of terms such as 'bio-power' and 'pastoral power', he suggests, is not only unclear in regards to how they relate to each other and to governmentality, but also in so far as they refer to distinct kinds of practices. He questions whether, in fact, they are different names for the same kind of things (Garland, 1999:26). This terminological confusion, Garland says, is evident in discussions of liberalism's place in descriptions of 'the present'. He suggests that the breadth of the term includes political forms that are actually contrasted to it, for instance in some governmentality literature, the notion of 'liberal' is contrasted with 'welfarist', the suggestion being that the welfare state is not to be viewed as a liberal state. Still others contrast 'neo-liberal' policies to welfarist policies (Garland, 1999:26).

This confusion, in part, relates to the way the 'state' is confusingly configured in governmentality critiques. Stenson suggests that the governmentality school is somewhat 'agnostic' about the 'reality of, and distinction between, civil society and the state in their traditional senses'. The state, in this 'non-traditional' sense, is not viewed as a unitary complex of institutions, which performs predictable, dominating functions. Instead, it is a term used to apply to technologies of rule and should not delimit the investigation of rule as it operates in a multiplicity of sites beyond those traditionally classified as the province of the state (Stenson, 1999:52). Garland, contributing to the debate regarding the merits or confounds of distinguishing between the state and civil society, notes that such a distinction is not merely analytical, and as such, one that can be 'jettisoned at will' (Garland, 1999:27).

In the light of limitations in the governmentality approach, as indicated by Hindess, Garland and Stenson, I have endeavoured to be clear in my terminology. I have used Stenson's 'non-traditional' notion of the state in order to talk about power through governance in its broadest terms. But, I have also made distinctions between the 'state' and 'non-state'. The terrain of Aboriginal governance is characterised by interventions by the state in, as Stenson describes it, 'traditional' terms, which have been afforded legal and economic resources and legitimacy. It is this legal and economic power which leads Garland to posit that differentiation of the state is not analytically arbitrary.

Peter Khoury, in his New South Wales focused treatise *Contested Rationalities: Aboriginal Organisations and the State* (1996), was concerned to conceptualise this differentiated role of the Australian state in terms of its relationship with Aboriginal governance. Locating his analysis within an investigation of the development of Aboriginal organisations in an inner-city area of Sydney, Khoury examined the roles Aboriginal people play in their own governance, the concept of their agency being his central concern (1996:22). My inquiry can, to some degree, be seen to dovetail with Khoury's work, but my critical focus differs in so far as I am concerned to investigate State agency and intervention in Aboriginal governance, rather than Aboriginal agency in itself. This has also entailed a theoretical investigation that draws on (dis)continuities, contradictions, discrepancies and possibilities of governance in its broadest sense as they impact on liberal fields of Aboriginal governance, and specifically the KSIS.

I turn now to discuss what, in terms of this case study, constitutes the most important limitation that has been identified in terms of the governmentality approach. Both Garland and Stenson note the preponderance of attention given in governmentality literature to the techniques, practices, and knowledge-based rationalities, and a neglect of the experiential subjectivities of those who are governed. In response to Foucault's genealogical approach to research that seeks to write a 'history of the present', Stenson notes a certain bias in the selection of data used as the focus for analysis. He asserts that selection favours archival material, much of which is found in textual and documentary forms, for example maps (see Appendix A), reports, parliamentary debate, and which has overwhelmingly been produced by a small, literate, and in many ways powerful, section of a wider population. The views of this latter group can, in genealogical terms, often be invisible. Garland is also concerned that whilst the anatomisation of rationalities and technologies are strengths of the governmentality approach, it is a mistake to focus on the structure of conceptual and technological assemblages at the expense of what he describes as 'an analytics of the pragmatics of use'. He makes a call, which corresponds to Stenson's, that there is a need to study the ways in which techniques of governance are put to use, and the meanings they acquire 'in context' (Garland, 1999:31). In other words, to include the voices from a diversity of sources to ensure that as complete a picture as possible of that context is constructed. To this end I have included interviews as a key source of data in addition to archival, textual and documentary forms.

Interviews

> Aboriginal structures are ... like you've got the Yorta Yorta community, not the Echuca community or the Shepparton community ... you've got the Yorta Yorta community ... you've got the Kerrup Tjamara community Western Victoria, which is part of the bigger tribe, the Gunditjmara, within which you've got all the other local clans ... Kira Wiera, which is Framlingham ... they're a community ... it's not Western Victoria community or the Gippsland community, or the Loddon Mallee community ... it's Yorta Yorta, Kerrup Tjamara, Duni Kurno and all that ... (Interview, January 2000).

The above quotation is taken from an interview I conducted with an Aboriginal woman who, at the time, was an employee of the Victorian Aboriginal Community Controlled Health Organisation (VACCHO). Previously employed within Aboriginal Affairs

Victoria (AAV), then a department of the VDHS, she drew my attention to the KSIS, an initiative that had recently been developed by AAV and implemented by the VDHS.

As its name implies, the KSIS was constructed to provide a strategic framework for improving services used by Aboriginal people in Victoria. From the outset the strategy had attracted contention as to its dealing with tensions between Aboriginal and mainstream control or service provision and delivery. This interviewee was clearly hostile to this intervention and her antagonism was the initial motivating force behind my investigation of this particular strategy. Her concern about disparities between boundaries, as defined on one hand by Aboriginal communities, and the State on the other (Map 4: Appendix A) pointed me in the direction of exploring strategic State interventions. I proceeded in such a way as to answer Foucault's questions of not only 'who exercises power?' but also 'how does it happen?'

In that particular interview distinctions are made between VDHS boundaries and boundaries that have emerged in the context of Aboriginal recent and/or traditional histories. During the course of the history of Aboriginal governance in Australia, discontinuity and diversity in perceived boundaries, be they defined politically, geographically, socially, or historically have resulted in the emergence of many sites of tension and contestation. The continued proliferation of such sites has had significant implications for the construction and implementation of government policies generated by the State in response to Aboriginal needs.

Difficulties associated with formulating and implementing policy in the face of tension and contestation between different parties acquire structural clarity when applying a governmentality approach that views relations of power as differentiated interactions between discourses, practices, and effects. But, these three elements do not, *ipso facto*, fit together with schematic consistency (Gordon, 1980:246-247). The resultant gap, or absence of fit, between the 'intention' and 'unintended consequences' of social action (Hunt & Wickham, 1994:29), has had unique consequences for Aboriginal people's individual and collective experiences of governance.

Due to the problematics associated with Aboriginal governance, it is imperative both to subject policy initiatives to rigorous analytic scrutiny, and to adopt theoretical

and methodological tools to adequately fulfil this task. Therefore, in assessing the suitability of 'governmentality' for an analysis of Aboriginal governance, the limits of this approach, as described in the critiques of Hindess, Stenson and Garland, must be addressed. So, in addition to constructing an archival and textual genealogy I gathered information directly through interview. In this way I aimed to acknowledge and address ethical and epistemological problems of speaking for or about the subjectivities of others. Without this component any analysis of the KSIS would have been limited and textual, my vantage being constrained, as argued by Garland and Stenson, by philosophical and methodological imbalance.

In consultation with relevant Aboriginal organisations, including VACCHO and the Victorian Aboriginal Health Service, I constructed a semi-structured interview schedule. This was composed of open-ended questions directed towards ascertaining people's experiences and views of the KSIS (Appendix B). Responses to these questions often led to discussions of broader issues in Aboriginal governance in Victoria. The KSIS document itself provided much of the structure for these questions, most of which were formulated by reframing statements made in the text of the document into questions. For instance, where it was stated in the text of the KSIS that an objective would be achieved and done so in a particular way, the question on the interview schedule that corresponded with this statement asked whether this, in fact, transpired. Permission to pursue the venture within the VDHS was given by the office of the then Minister for Aboriginal Affairs, Keith Hamilton.

Using the schedule, interviews were between thirty and ninety minutes in duration. Explanatory prompts were used only after interviewees had been given opportunity to respond, and if they then indicated they were unsure of what was being asked. With one exception, participants gave permission and their responses were duly taped. Transcriptions were made and copies returned to respective participants in conjunction with a copy of their tape. Participants were encouraged to maintain contact throughout the following period of investigation and to convey any errors they may have detected in transcriptions, or communicate any additional views they may have wished to impart.

After interviews were transcribed, responses to each question were collated and examined for themes. The content of these themes is conveyed in tables throughout the text at points where they inform discussion. Direct quotations from interview data are combined with minutes and official documents to provide a particularly rich source of case-study material. This has expanded insight into the processes and functioning of the KSIS as a tool of governance, and provided a highly detailed scenario for examination of the extent to which the governmentality approach has effective application.

Sampling

Decisions regarding those who were approached to participate in this case study were affected by a number of factors. Given that a primary focus of the analysis was an exploration of the relationship between the KSIS and power differentials in Aboriginal/colonial-settler relationships, a perceived link between Aboriginal health and self-determination (self-determination necessarily engaging relations of power) was pertinent to participant selection. Those working in the field of Aboriginal health, both in mainstream and Aboriginal community controlled organisations were, therefore, approached to participate in this exploration of the KSIS.

The area of Aboriginal health was also deemed important in participant selection in so far as health programs, often a focus of 'improvement-driven' reforms, are reliant on funding formulas that determine the extent of Victoria's financial contributions. The VDHS is an important conduit through which Victorian State generated funding reaches mainstream service providers that are specially assigned to address Aboriginal needs. Similarly, Aboriginal community controlled organisations in Victoria also rely on this State funding to subsidise many of their own programs. Accordingly, participants were sought from both the VDHS, mainstream service providers such as the Westernport Drug and Alcohol Service and Ballarat's Child and Family Services, and Aboriginal organisations such as the Victorian Aboriginal Health Service Co-operative, regardless of whether or not these parties were directly involved in implementing the KSIS.

The implementation phase of the KSIS required the formation of reference groups. There are nine VDHS regions in Victoria (Map 4: Appendix A) and the VDHS initiated reference groups in each. These were composed of representatives from

regional VDHS offices, local Aboriginal communities, local government, non-Aboriginal service providers, and local ATSIC councillors. The composition of these groups varied, some regions having a greater representation of Aboriginal or, conversely, non-Aboriginal people than others. The length of time each group remained functional over the three-year period of KSIS implementation also varied. Some areas found at quite an early stage that processes required by the KSIS were unsustainable. In the Northern metropolitan Region, for instance, the reference group ceased to function after only two years. Conversely, other regions were able to adapt the KSIS to meet their own specific needs, or include its procedures and requirements in structures they already had operating. For example, in the Southern metropolitan region, the KSIS requirement for a reference group was met by a pre-existing group of local government, mainstream service providers and Aboriginal participants called the Inter Council Aboriginal Consultative Committee (ICACC). ICACC has continued to operate, the KSIS, having been largely peripheral to its activities.

Each reference group formulated its own responses to the KSIS and, as such, each group constituted, in its own right, a unique study within the larger KSIS case study. I attended three regional reference groups' meetings in the capacity of observer during the course of this analysis. In addition to attending meetings, I also obtained minutes from both State and regional reference groups. In total, participants from six groups participated in interviews. Towards the later stages of the KSIS, VDHS officers responsible for implementing the KSIS initiated their own Coordinators' meetings for the purpose of mutual support and information sharing. Details gleaned from my observations of some of these meetings also contributed depth to the case study.

Participants selected

The reasoning underpinning my final selection of participants was linked to the need to canvass views held by the range of stakeholders affected by the VDHS portfolio that incorporated the KSIS, thereby accessing breadth of opinion. This sampling process is most accurately described as 'purposive' (Patton, 1990:169), and I make no claim to represent the views of any particular group of participants. Table 1, reading from left to right, provides an overview of the capacities in which people contributed to this case study and their relationship to the KSIS.

Table 1.

Participant demographics

No.	Aboriginal	Non-Aboriginal	VDHS/AAV	Aboriginal Organisations	Other Mainstream	Reference Group
1						S
2						
3						
4						W
5						
6						
7						
8						S & E
9						W
10						
11						
12						N
13						N
14						
15						
16						G
17						
18						
19						
20						
21						G
22						
23						
24						E
25						W
26						
27						
Totals	23	4	5	13	7	13

KSIS Reference Groups and respective interviewees included in analysis

Males = 13

Females = 14

Total Group = 27

N	Northern Metropolitan	2	(2Female)
S	Southern Metropolitan	2	(1 male; 1 Female)
E	Eastern Metropolitan	3	(2Male; 1 Female)
W	Western Metropolitan	3	(2 Male; 1 Female)
G	Grampians	2	(2 Female)
LM	Loddon Mallee	1	(1 Female)

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It describes whether participants identified themselves as Aboriginal (these were in the majority), whether they participated in a reference group, and if they worked at the VDHS, Aboriginal organisations, or in mainstream areas of service provision and/or delivery. Participant number 1 in Table 1, for example, is female and described herself as Aboriginal. At the time of interview she worked for the Victorian State government, either in one of the regional offices or at AAV. She also regularly attended the SMR reference group.

Of the fourteen women I interviewed, nine attended reference group meetings regularly, and seven of these identified themselves as Aboriginal. Of the thirteen men interviewed only five attended reference group meetings, four of whom identified themselves as Aboriginal. This skewed distribution in my total number of participants, wherein females outnumbered men in their participation at reference groups, was also reflected across the reference groups themselves. Men appeared to attend less frequently and this attendance coincided, in the main, with their employment within human services, a requisite of which was their attendance at a reference group.

I include this substantial level of detail at the commencement of this investigation in order to convey the depth and breadth of the case-study's interview material, and also to note the propensity for bias in participants' responses. Those employed by an Aboriginal organisation, for instance, were more likely to express views antithetical to those employed by the VDHS regarding questions on the interview schedule such as 'Do you think the KSIS supports Aboriginal self-determination?' (Question 12: Appendix B). Similarly, people who had participated in reference groups, particularly on a regular basis, were more likely than those who had not attended to view the KSIS in positive terms. These perspectives and the diversity of views inherent in them illustrate the outworking of political, social and historical disparities and discontinuities that constitute the focus of this exploration of Aboriginal governance. The KSIS, examined as a case study, provides a useful microcosm via which problematics associated with control in Aboriginal governance can be disentangled and the Foucauldian governmentality approach assessed in terms of this endeavour.

Archival and textual Genealogy

Genealogy, in the Foucauldian sense, has been conceived as a 'history of the present' (Foucault, 1997:31). Using this methodological tool, the present is addressed 'through' the past, wherein what Dean describes as 'historicity of social conduct' is addressed 'via its own particular set of ethical and political concerns "grounded" in the present' (Dean, 1999:41). Investigation of the KSIS and Aboriginal/colonial-settler relationships can be approached in genealogical terms with the aim of writing what Foucault described as an 'effective history'. In this way previously perceived 'truths' are conceived as being open to renegotiation (Dreyfus and Rabinow, 1983:110). This does not in any way, however, imply that the views of the present will be used to 'judge' the past. Rather, I construct this 'effective' genealogy of Victoria's Aboriginal/colonial-settler relationships with a view to questioning, indeed challenging, certain present 'epistemic presuppositions' and the 'internal ethnology' of present rationalities (Sheridan, 1980:196-205).

The purpose and direction of genealogical observation and interpretation in this case study of the KSIS is guided by the same questions pursued regarding investigation of governmental rationality - 'what', 'who' and 'how'. Garland, for instance, framed the following questions: 'what are the social and historical processes of control', 'upon what historical conditions do institutions of control depend' (Garland, 2001:2). These questions proved useful in discussing three crucial areas. Firstly, the succession of bureaucratic interventions in Aboriginal governance throughout Victoria's colonial past; secondly, the more recent past spanning ten years of State policies and initiatives; and thirdly the 'present' past of the KSIS. The attempt to examine the 'present' past of the KSIS is based on interviews and informed by material gathered from a variety of sources. These include official documents that range from Acts of Parliament, Royal Commissions, National Inquiries, and Standing Committee reports, to VDHS publications and minutes from meetings related to the KSIS.

In the analysis to follow in subsequent chapters, discussion of these three areas is linked by a focus on power and the processes, techniques and methods through which people were governed and govern themselves. Power is viewed in terms of what Foucault describes as its 'real and effective practices ... where it installs itself and

produces its real effects' (Foucault, 1976:213). It is examined in terms of the discourses, that is the discursive formations that made technologies of governance practicable, rendered those who were their objects/subjects knowable, and shaped the interrelationships between these dynamics. By observing bureaucratic interventions and attending to the study of power, the more recent progression of events and experiences concerning the KSIS and the governmental rationalities that underpinned Aboriginal governance in Victoria are brought sharply into focus.

Bureaucracy as a vehicle for governmental rationality

The term 'bureaucratic apparatus' was used earlier to describe the VDHS. As I will, during the course of this analysis, be calling on this term to describe how the VDHS acted as a powerful agent in Aboriginal/colonial-settler relations, it is necessary to have first delimited the terms of my usage. In the context of this governmentality-focused inquiry, 'bureaucracy' represents a formal structure, an administrative apparatus that operates within the epistemological parameters defined by particular sets of measures, statistical assessments, and interventions aimed at governing the social body (Hacking, 1991:183). The Weberian model of bureaucracy, and types of authority distinguished therein, describes a hierarchical structure, or institution, through which state power is devolved. The VDHS constitutes such a structure. A broader definition is also relevant in which bureaucracy refers to any hierarchical structure, not specifically state directed, where power is held by a few and devolved in pyramidal fashion.

The type of authority that justifies bureaucratic function is identified by Weber is 'rational-legal' (Marshall, 1994:35). In a differentiation of bureaucratic function that aligns authority with what was previously described in terms of 'traditional' notions of the state, power is transferred and rendered valid by virtue of belief in a 'legally ascribed authority to issue directives'. Obedience is expected in the discharge of such directives, regardless of whether these reflect the convictions of those who are directed by their 'superiors' to undertake them (Gerth & Mills, 1977:79-95). Weber also identifies another source of authority, but one that is antithetical to the 'rational-legal' authority that underpins bureaucracies such as the VDHS. This source of authority stems from loyalties and social obligations to family, clan or social class and was termed by him, in his investigations of bureaucracy as social invention, 'traditional'

authority (Pusey, 1976:15). With regard to the KSIS these two types of authority, rational-legal and traditional were found at times to be in tension. The VDHS in its implementation of the KSIS finds its justification in rational-legal authority. Conversely, many Aboriginal communities and community-controlled organisations embroiled in KSIS processes find their legitimacy in traditional (according to Pusey's definition) forms of authority.

Merton, in his analysis of unanticipated consequences of purposive social action, suggested that individuals working within bureaucratic structures gradually acquire a 'trained incapacity' to behave intelligently, creatively or productively. He ascribes this to the hierarchical devolution of authority from the top down, wherein there is an in-built tendency for 'dysfunction' (Pusey, 1976:16). Both these characteristics of bureaucracy, tensions due to disparate sources of recognised authority and internal self-generated systemic frailties, have become the focus of political attention and reform. In attempts to redefine the relationship between the state and bureaucracy, and establish what has been described as 'new partnerships between government and civil society', notions of 'community' and 'communities of interest' have gained ascendancy (Latham, 2001[a]:22-23). Communities, not bureaucracies, are being proffered as having a central role in defining and managing appropriate forms of social action (Botsman, 2001[a]:4). Social 'entrepreneurship' has been seen to challenge bureaucracy (Botsman, 2001[b]:112). Competition and contractual relationships based on trust and cooperation are seen, in some quarters, as vehicles redefining bureaucracy, in particular welfare bureaucracy (Sturgess, 2001:210). It is within this environment that the KSIS operated as part of the VDHS bureaucratic apparatus.

The KSIS, in its focus on human services used specifically by Aboriginal people, introduced a unique dimension to the problematics of bureaucracy, this being the issue of control as it pertains to relationships between Aboriginal people and bureaucracy. As Scott Bennett, in his description of the dynamics of these relationships suggests, Aboriginal people have long been accustomed to the implied requirement that they must change their behaviour in order to receive government benefits. Aboriginal communities have had to reconstitute themselves in accordance with legally defined parameters: form committees; delegate community representatives; open bank accounts; complete forms often confusing in their complexity. Bureaucratic discourses, processes

and requirements concerned most often with commitment to a governmental rationality of smooth and cost-effective governance, have been experienced by many Aboriginal people as yet further instances of coercion, wherein they have become politically and economically subordinated to a bureaucratic machine (Bennett, 1999:139). This illustrates control as both practice and effect, and provides a preliminary example of how a governmentality approach in its dual aspects, being both an 'ensemble' of governmental techniques and practices, and an 'art', can make sense of dynamics in Aboriginal governance.

Aboriginal/colonial-settler relations

Tensions between acknowledged sources of authority, such as 'rational-legal' and 'traditional' authorities previously referred to in relation to bureaucracy, do not occur in a vacuum. They are conceived in the context of relationship. In a bid to acknowledge these tensions and, in their inadequate resolution, the term 'Aboriginal/colonial-settler' is central to my exploration of the historical/social relationships between Aboriginal and non-Aboriginal Victorians. This use, in the chapters to follow, reinforces the position that Victoria's colonial-settler past remains very present.

This position pertains to the ongoing debate that flared after the National Inquiry into the Separation of Aboriginal and Torres Straight Islander Children from their Families report *Bringing them home* (1997). The KSIS was implemented in an environment wherein a continuum of hostility was evident in public and political responses to issues raised in the report. The Australian political Right has been characterised as finding it expedient to attack the Inquiry, this being part of a larger 'cultural war' over the meaning of Aboriginal dispossession (Lucashenko, 2001:15). This 'cultural war' includes debate over the legitimacy of practices associated with past and present political rationalities, in particular assimilation and self-determination.

The shift from assimilationist practices to those in the 1970s that sought to support and generate Aboriginal self-determination has been understood in some quarters to be a calamitous failure. Those sharing this view include the lobby group, the 'Bennelong Society', the president of which is the previous minister for Aboriginal Affairs, Senator Herron (Manne, 2001). My use of terms such as 'Aboriginal/colonial-

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settler' and 'contractual coloniality', therefore, serve a particular purpose. They are intended to locate this investigation within wider debates that currently feature in the terrain of Aboriginal governance and to signal that this investigation is in no way aligned with positions represented, for example, by the Bennelong Society. Nor does it subscribe to the 'post', as in 'past', renderings of postcolonialism. Despite postcolonial theory's claim that reforms of intellectual and epistemological exclusions have taken place (Gandhi, 1998:ix), I contest the resilience of these reforms.

The importance of using particular terms in this analysis has application beyond expressing the 'colonial present'. For instance, the term 'Koori', as in the *Koori Services Improvement Strategy*, is often used to describe Aboriginal people from Victoria and Southern New South Wales. But, for reasons unique to this analysis, 'Koori' is not used here unless otherwise cited in a reference. This is for the specific reason that one of the key interview participants, an Aboriginal elder, Aunty Dot Peters[1] from the Yarra people in Healesville, formally requested that I use the term 'Aboriginal' instead. She said 'we older people don't like the word Koori ... we like Aboriginal' (Interview, May 2000:5). So, in an attempt to respect this view and assuage concerns expressed by many Aboriginal people in this investigation that their opinions and preferences are frequently over looked, the word 'Aboriginal' is used here rather than 'Koori'. But it must also be acknowledged that Dot's views are not representative of all Aboriginal Victorians and, indeed, for many, the recognition of Koori identity represents many political and cultural victories. This analysis does not seek in any way to undermine these victories. I use the term 'Aboriginal' here instead of 'Koori' only in so far as to respect a formal request by someone who has made a significant contribution to the analysis.

Conclusion

In this chapter I have outlined how and why I have employed a 'governmentality' approach. Studies of 'governmentality', derived from Foucault's initial redefinition of government, have emerged to form a 'problem-centred' and 'present-oriented' discipline across the human sciences (Dean, 1999:3). Within this framing of

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[1] The use of 'Aunty' in this context connotes respect, not familial relationship.

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governance, discursive formations - be they, for instance, philosophical, medical, historical, or economic - define parameters of 'the possible'. Power and control are governmental possibilities, the thresholds of which gain clarity through discourse analysis informed by an 'effective genealogy'. Using the KSIS as a 'problem-centred', 'present-oriented' case study where a variety of discourses have been operational, I will proceed to establish how power and control have operated through the KSIS as a State intervention, simultaneously ascertaining the uses and limits of a 'governmentality' approach.

I start from a philosophical position that accepts that the functioning of a bureaucratic institution, such as the VDHS, has a governmental rationality, or internal logic, that is, at least theoretically, consistent with its practices (to be differentiated from the effects of these practices). Observation of these practices, or more precisely, the bureaucratic procedures, techniques and methods of the KSIS should, in governmentality terms, facilitate the identification of those governmental rationalities which were operating at the time, how they related to the VDHS, and how these impacted on power differentials within Aboriginal/colonial settler-relationships. I focus then not only on the strategy itself as a regime of practices, but also on the 'gap' between 'intention' and 'unintended consequence' in which the effectiveness of 'governmentality' as a tool for critically examining the 'means' and 'ends' of Aboriginal governance can also be ascertained. Before commencing a genealogical construction of State interventions in Aboriginal governance in Victoria, it is necessary to first address the philosophical problematics introduced earlier. Therefore, in the following chapter, I will engage with the tensions in liberalism between philosophy and practice that characterise the foundations of Aboriginal governance.

Chapter 2

Liberalism in Aboriginal governance

The previous chapter outlined the parameters of this study and the theoretical and empirical terrain to be traversed. A key area of investigation, and a significant background to the case study of the KSIS, is the history of bureaucratic interventions in Aboriginal governance in Victoria. This history needs to be situated within its relevant philosophical framework. Governance in nineteenth and twentieth century Australia was rooted in the political philosophy commonly described as liberalism. Liberal ways of governing attempt to operate through the freedom or capacities of the governed. Liberalism conceives the freedom of the governed as a technical means of securing the ends of government. However, different liberal rationalities of rule vary in their conception and 'management' of this freedom (Dean, 1999:15), or in a strange oxymoron, 'control of freedom'. Within this general liberal rubric, different political resolutions have been generated in response to problematizations associated with rendering liberal political philosophy practicable. In other words, aspects of liberal practices, such as policy formation, are, at different times and in different situations, called into question, or 'problematized', and new responses generated (Dean, 1999:27). This chapter locates the KSIS within liberal philosophy and practices of governance, and identifies areas in which exploration of the KSIS calls into question aspects of liberal tension, tensions that permeate all aspects of Aboriginal governance.

Galston, in his explorations of liberalism, identified two theoretical conceptions that simultaneously coexist and compete - autonomy and diversity (1995:525) - which, depending on how they are articulated, create spaces of varying governmental possibilities, difficulties, contradictions, and subsequently problematizations. For instance, in constructions of autonomy and diversity, attempts are made to hold in focus at one and the same time, 'the individual' and the wider collective of individuals commonly understood as 'society'. But in protecting diversity, in this case Aboriginal diversity, within a predominantly non-Aboriginal population the potential arises for curtailment of individual autonomy. This potential has been exploited in some quarters, particularly in debates over Aboriginal land rights. Appeals have been made to the fears of some non-Aboriginal people that their individual autonomy would be curtailed.

Within this liberal polemic of individual and collective autonomy, further tensions arise between philosophical constructions of 'freedom' and 'choice'. Governmental attempts to render these dynamics operable inevitably inherit these tensions.

Tensions between liberal philosophy and practice

Theoretical notions of 'freedom' and 'individual autonomy' concerning discussions of liberal political philosophy can be in danger of oversimplification. Polemical dynamics associated with the practical application of these notions are not acknowledged or articulated when this occurs. It is important to submit to close scrutiny and critique connections between liberal philosophy and practice. In this way it may be possible to avoid the creation of what Anna Yeatman describes as 'popular axioms'. These are propositions that appear, in their capacity to attract 'easy and fast assent', to be self-evidently true or in accord with the nature of things (Yeatman, 2000:3). For instance, just what constitutes notions of Aboriginal self-determination in the practical arena of service provision and delivery, is not as straight forward, unambiguous or transparently amenable to practical application as a purely philosophical liberal rendering might lead one to imagine. In the context of liberal philosophy and liberal practices this analysis uses a governmentality approach. Acknowledging Hindess's and Garland's criticisms that Foucault inadequately articulated his notion of liberal rationalities and that the term 'liberalism' is itself too broad, as noted in the previous chapter, the use of a governmentality approach can be assessed as to its capacity to bring clarity to debates associated with relationships of power within Aboriginal governance, in particular those where self-determination has various types and degrees of salience.

The House of Representatives Standing Committee on Aboriginal Affairs report, *Our Future, Our Selves* (1990) reflected efforts at a federal level to address the complexity of issues involved with the philosophy and practice of Aboriginal self-determination. In this report distinctions were made between 'self determination' and 'self management'. The former concept was said to go beyond the parameters of the latter's administration focus, to include control over policy and decision-making (cited Martin & Finlayson, 1996:9). It was this self-determination, rather than self-management, that participants in this case study of the KSIS favoured in their interviews. These perceptions will be discussed in greater detail in chapter seven. Most

important, at this point in the analysis, is the recognition that the very differentiation of the two concepts - self-management and self-determination - represents a governmental attempt to resolve some of the tensions that arise within the relationship between philosophy and practice in political philosophy itself.

Aboriginal self-determination, as practiced in the area of service provision and delivery, pertains to a spectrum of administration, management, policy control and consumer issues, and is subject to a range of constraints. Self-determination has been enacted in a number of ways: through Aboriginal people being solely responsible for Aboriginal services; through partnership agreements between Aboriginal and non-Aboriginal organisations; and through non-Aboriginal agencies meeting 'culturally appropriate' standards via the employment of Aboriginal workers. There is, however, another significant dimension to these practical renderings that aligns self-determination with philosophical notions of individual autonomy. That is autonomous 'choice', as exercised by Aboriginal people throughout the spectrum of human service provision and delivery options. In practical terms Aboriginal self-determination includes the act of 'choosing' to have one's needs met or mediated by an Aboriginal organisation, or 'choosing' to use services provided by generally non-Aboriginal mainstream organisations and institutions. 'Choice', in its relationship to improving health and wellbeing outcomes, is as much a practical aspect of asserting individual power as it is a focal point for liberal tensions.

Choices are made in real environments where conditions may or may not, for a variety of reasons, be conducive to supporting a variety of options. They are enacted in individual and collective terms. The KSIS, for instance, was concerned to improve the provision and delivery of services that are most used by Aboriginal people, both individually and as communities. But human services for Aboriginal people in Victoria comprise an arena in which culturally relevant choices are often not sustained due to issues such as race-based public hostility, funding formulae and availability of appropriately trained staff.

The question arises as to how the notion of Aboriginal choice in service provision and delivery is variously constructed. It is popularly assumed that availability of services is in itself the issue, rather than having choice amongst services. This

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assumption underlies the 'one size fits all' approach to the human services. But, as will be argued in chapter eight, mere availability of services does not equate to or ensure that Aboriginal people access these services. Health outcomes amongst Aboriginal people in Victoria are greatly influenced, not by the availability of services *per se*, but also by the availability of services that are amenable to particular needs. These may be Aboriginal controlled services in some instances or mainstream services in others. The very importance of Aboriginal people actually accessing services provides a central plank in validating the importance of choice as a focus in investigating human services as sites of power in Aboriginal governance.

The views of three political theorists - William Galston, Will Kymlicka, and Chandran Kukathas - are relevant at this point to help articulate the variety of positions in liberal philosophy which are brought to bear on dimensions of freedom, choice, and Aboriginal/colonial-settler relationships. These positions combine to describe possibilities within relationships of power as rendered practicable through the KSIS. Broadly speaking, their arguments are as follows.

Galston prefaces his argument by defining 'autonomy' as individual self-direction, and 'diversity' as differences among individuals and groups over matters including quality of life, sources of moral authority, and reason versus faith. It is within the context of autonomy that he addresses the notion of 'choice'. Although within what he describes as the 'standard liberal view', two principles of autonomy and diversity are thought to complement one another, Galston claims that this is not, in fact, the case. Instead of the exercise of individual autonomy yielding group diversity, and group diversity nourishing individual autonomy, Galston argues that in practice these dynamics do not always cohere; indeed, in areas of dispute, such as education, rights of association, and religious freedom, they are in conflict (Galston, 1995:521). He asserts that a liberal state need not and should not 'take sides', and resolves what he perceives as the discontinuity, or conflict, between individual autonomy and group diversity by positing that 'liberalism is about the protection of diversity, not the valorisation of choice' (op. cit., p.523).

Kymlicka attempts to resolve the tension between group diversity and individual autonomy by asserting that the 'protection' of minority cultures (and Aboriginal

communities conceivably can be construed within the parameters of 'minority cultures') is not only consistent with, but is actually required for the promotion of individual autonomy. (Galston, 1995:522). The 'protection' Kymlicka refers to relates to protection from economic and political decisions made by the majority culture. This argument in favour of protection in the form of 'special rights' appears to support the argument for 'positive discrimination'. He posits that this is consistent with liberal principles of equality in that 'justice requires removing or compensating for undeserved or 'morally arbitrary' disadvantages' (Kymlicka, 1992:140). In my view, and in the analysis to follow, racism is conceived as an undeserved morally arbitrary disadvantage. Kymlicka differentiates between two types of minority cultures - those formed by immigration, and those that have been colonised, their incorporation into the majority culture being involuntary (Kymlicka, 1991:239). Kymlicka's description of 'involuntary' participation in processes of governance generated by majority cultures introduces to this investigation another dimension in which aspects of liberal philosophy are called into question, or problematized, namely Aboriginal people asserting their 'freedom' in a colonial/settler society.

Conversely, Kukathas identifies what he describes as:

> a fundamental conflict between two irreconcilable aspirations: on one hand, to leave cultural communities alone to manage their own affairs ... and, on the other hand, to champion the claims or the interests of individuals who, we think, are disadvantaged (Kukathas, 1992:678).

There is conflict here between the concern to respect cultural differences and the concern to uphold certain individual rights. Kukathas finds that resolution of this conflict must grapple with the heterogeneous nature of groups in which consensus cannot be assumed. He indicates that, just as interests between groups can conflict, interests within groups themselves can also conflict. He rejects the idea of 'group claims' as the basis for moral and political settlements because groups are not fixed and unchanging entities in the moral and political universe. They are 'constantly forming and dissolving in response to political and institutional circumstances' (Kukathas, 1997:232). Kukathas, pursuing this description of groups, suggests that 'cultural communities do not exist prior to or independently of legal and political institutions, but

are themselves given shape by those institutions' (op. cit.). They are best regarded as 'associations of individuals whose freedom to live according to communal practices each finds acceptable' (Kukathas, 1997:238).

So how can the work of these three theorists contribute to the construction of a philosophically coherent argument that orients the KSIS and relationships of power in Aboriginal governance ethically, politically and practically within the field of liberal tensions and contradictions? Galston presents individual self-directed autonomy and group diversity in conflicting, oppositional terms, and rejects the notion that autonomy and diversity can occupy complementary positions. This standpoint is linked to his perception that 'to place an ideal of autonomous choice at the core of liberalism' results in a uniformity, not diversity, derived from the exertion of an 'autonomy principle' across all ways of life including those that do not embrace autonomy (Galston, 1995:523). It is for this reason that he propounds the proposition that liberalism is about the protection of diversity, not what he describes as the valorisation of autonomous choice.

For the purpose of furthering this study's concern to identify what aspects of power are rendered practicable within a framework of choice, Galston's configuration implies an 'either/or' scenario: protection of diversity or valorisation of autonomous choice. The problem here is that when applied to the KSIS, this polarized differentiation appears to diminish rather than expand possibilities. Aboriginal choice in the accessing of human services requires a nexus of factors in which individual autonomy and group diversity are enmeshed, in some cases mutually dependent, and usually involving interplay across groups of Aboriginal and non-Aboriginal people. To give one concrete example, the financial sustainability of Aboriginal controlled organisations in Victoria at present requires substantial government funding. Two immediate correlates affect whether such funding is forthcoming: prevailing political rationalities and public opinion.

Funding arrangements reflect how governments perceive the notion, role and condition of economy, issues that will be pursued a little later, and they are also affected by the popular conception of what constitutes worthwhile expenditure. The funds made available to Aboriginal organisations by the state through ATSIC, the Commonwealth

statutory authority responsible for administering many programs for Aboriginal and Torres Strait Islander people, declined during the 1990s. This indicates that, in terms of political rationality and public opinion, Galston's 'protection of diversity' as it pertains to diversity of human services, did not prevail. But, neither had Aboriginal 'individual autonomous choice' been valorised. Galston's polarisation of individual choice and group diversity does not appear to further the project of articulating Aboriginal governance in terms of the generation of empowerment possibilities. Unless diversity, in this case in the range of Aboriginal controlled and culturally aware/sensitive non-Aboriginal services, is protected, choice is diminished. Consequences of this connection between individual choice and group diversity for Aboriginal people across Victoria, continues to reverberate in many and varied ways, not least of all in the areas of health and education.

In contrast to Galston, Kymlicka finds that protection of diversity is consistent with the promotion of individual autonomy. Within his notions of equality and justice, the funding of Aboriginal controlled human service options can be read as a liberal requisite. In his identification of colonised cultures as a particular type of minority he opens the way to acknowledge and address issues of governance unique to involuntary participation founded on past colonial-settler relationships. However, as Kukathas notes in his critique of Kymlicka's argument, one cannot adopt a position of protection of minority diversity that assumes homogeneity within such groups. Taking the debate surrounding Aboriginal self-determination as a case in point, it became apparent during the course of their interviews that participants in this study confirmed the condition of 'within group heterogeneity'. No consensus could be appealed to, either within Aboriginal communities, or across the broader political and popular spectrum of individual views, as to what Aboriginal self-determination was and how it was to be arrived at. Although Kymlicka has articulated a place for differential allocation of rights and political powers, he uses the group itself as the unit of differentiation, leaving the heterogeneous character of Aboriginal communities unresolved.

As Kukathas suggests, in a philosophical formulation that assumes all members of a cultural minority experience the same inequality (Kukathas, 1992:674), benefits can be extended to those who don't need them. This can have the negative effect of generating resentment amongst people who might share similar needs but are defined as

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being 'outside' the group upon which minority benefits are conferred. Many non-Aboriginal people, it can be argued, have issues associated with health, education and housing in common with Aboriginal people but would not receive the same benefits within Kymlicka's formulation. So how can an argument be constructed that legitimates the acknowledgment and alleviation of distinctly Aboriginal circumstances without assuming homogeneity across Aboriginal people or alienating other parties? Kukathas refers to 'associations of individuals whose freedom to live according to communal practices each finds acceptable' (Kukathas, 1997:238).

Rowse finds Kukathas's notion of association useful to describe Aboriginal communities in the context of debating issues of 'cultural appropriateness'. He makes a connection between Aboriginal organisations, 'association of individuals' and 'adaptive continuation of indigenous traditions' (Rowse, 2000[a]:1524). He refers to the work of Helen Corbett who states that:

> Indigenous peoples in Australia have an inherent right to self-determination. A constituent part of this right are [sic] the rights to a group identity and choice of membership, aims and structures of their political institutions (cited Rowse, 2000[a]:1524).

In the project of deciphering philosophical legitimacy for the notion of choice, Kukathas's notion of 'associations' has merit. Provision, delivery and mediation of human services by Aboriginal organisations, such as the Victorian Aboriginal Health Service and the Aboriginal community controlled services in Redfern (NSW) which were Khoury's focus in his analysis, fit within Kukathas's loose definition of associations. They provide an alternative to mainstream service providers and render practicable an aspect of choice through the notion of 'association'. The liberal philosophical dilemma of resolving tensions between individual autonomy and group diversity, in which the question of Aboriginal choice is enmeshed, becomes amenable to resolution if one accepts Kukathas's 'association', rather than Kymlicka's notion of 'minority group'. Funding bodies are able to extend support to the 'associations' without falling foul of problematics associated with liberal principles of equality. Indeed, in being legally recognisable bodies as Rowse notes (2000[a]:1516), Aboriginal organisations can employ the framework of the law to prevail on commonwealth and

state governments regarding their needs. In providing a site where Aboriginal people can be self-determining, Aboriginal organisations also create governmental spaces where, to some degree, the 'involuntary' participation of colonised peoples in colonial-settler society can find recompense and forms of collective and individual participation acceptable to them can be formulated.

The realm of liberal philosophy generates a variety of possibilities for relationships within Aboriginal governance whereby equally diverse relationships of power operate between and amongst Aboriginal and non-Aboriginal individuals and groups. In a continually changing liberal landscape the polemical relationship between liberty, power and governance are further problematised by a racial dimension in which Aboriginal and non-Aboriginal individuals and associations are active protagonists. In order to decipher the possibilities rendered practicable in Aboriginal governance it is necessary to trace the race-based discontinuities within liberalism itself that continue to shape Aboriginal/colonial-settler relationships and constrain Aboriginal people in rendering their freedom practicable.

Aboriginal 'freedom' and liberal discontinuities

> Liberalism resonates with the principle: 'One always governs too much' - or, at any rate, one always must suspect that one governs too much (Foucault, 1997:74).

This observation of the liberal suspicions that 'one governs too much' has been characterised by Dean as a response to the fear that to do so might be worse than not governing at all (Dean, 1999:51). This is an expression of the view that many components of social life work tolerably well, 'as they are' (Hindess, 1997[b]:19). In the absence of good reasons for doing otherwise, prudent government entails leaving these components in some degree of peace and not precipitating changes that interfere with, or constrain, processes and conditions germane to the liberty and security of the governed population. Dean expands this Foucauldian identification of the liberal tendency to problematize, describing it as a 'critical ethos'. Within this ethos the 'means' of government are continually being reviewed in order to ascertain whether the 'means' are inimical to the 'ends' of government (Dean, 1999:51).

The history of bureaucratic interventions in Aboriginal affairs is characterised by a procession of reviews and strategic incremental policy shifts that demonstrate Dean's 'critical ethos'. These reassessments and subsequent changes suggest that in a variety of historical and socio-political instances, the 'means' in Aboriginal governance have been identified as being inimical to its 'ends'. But, contrary to the Foucauldian position, these shifts have not reflected concerns to govern Aboriginal people 'less', but rather to do so differently. The liberal fear of 'governing too much' has not traditionally extended to Aboriginal 'liberty' or 'security'. The ends of liberal governance have historically focused on the 'liberty' and 'security' of non-Aboriginal populations wherein Aboriginal populations have been counted as a threat and have been 'governed more'. In their failure to articulate race-based discontinuity within liberalism Foucauldian accounts of liberal principle prove, at this juncture, to be inadequate.

Racially determined inconsistencies, or discontinuities, within practical renderings of liberal philosophic principles are reflective of variance in how freedom itself has been conceived and constructed. These discontinuities find their political rationality in the liberal doctrine advanced by John Stuart Mill wherein 'liberty' applies to 'human beings in the maturity of their faculties' (Yeatman, 2000:2). Those historically deemed to inadequately display mature attributes, such as the autonomy and responsibility required of juridical and political subjects of the rights of liberty, were subjected to sovereign, disciplinary, and bio-political[1] interventions (Dean, 1999:133-134). This includes Aboriginal people and has resulted in practices of imposed governance that have curtailed Aboriginal liberties. Obvious examples include removal of Aboriginal adults and children to reserves and institutions that resulted from the implementation of the Aboriginal Protection Act 1869 (Vic). This Act gave the then Board for the Protection of Aborigines control over where people could live, work, what kinds of employment they could undertake, who they could associate with, and who they could marry.[2] Curtailment of specifically Aboriginal liberty continues to be

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[1] 'Bio-political' is used here to refer to population-based problematisations and techniques of governance.
[2] Libraries, universities and museums are recreating constructions of Victoria's colonial-settler past. These are not without political bias or agenda. They have, nonetheless, contributed to the formation of electronic sources and databases wherein archival material, ordinarily limited in its availability, can now be accessed. For an electronic reproductions of the 1869 Act (Vic) see the Museum of Victoria database, viewed 27/08/03, <http://www.museum.vic.gov.au/encounters/coranderrk/legislation/index.htm> and the National Archives of Australia database, viewed 27/08/03, <http://www.foundingdocs.gov.au/places/vic/vic7i.htm>.

manifest in a diversity of subtle and unacknowledged or articulated ways. The following exploration of the KSIS attempts to render visible some of these curtailments.

Discontinuities in liberal practices emerge from factors additional to race-based differences in ontological constructions of 'freedom' and 'liberty'. Accepting Dean's 'critical ethos', liberalism's propensity for generating problematics in the course of attempting to resolve tensions of rule, results in shifts in prevailing governmental rationalities and the techniques they employ. These shifts cannot be understood in terms of schematic absolutes, nor do they occur in all areas of governance, or impact on all aspects of the population simultaneously. For example, the liberal precept that privileges individuals' liberty has not been universally invoked across all sections of Australian society. Tensions regarding the degree and the manner of state intervention used to generate and protect the 'welfare' of society have impacted on Aboriginal and non-Aboriginal people differently.

During the period characterised as 'welfare' governance, for instance, the 'welfare state', or the mode of government termed 'welfarism' was, broadly speaking, constituted within the context of liberal rationality that embodied principles and ideals based on particular conceptions of society and citizenship. The role of the welfare state, generally associated with many western countries during the first half of the twentieth century, was to ensure the following: high levels of employment, economic progress, social security, health and housing. These can be understood in terms of what Rowse describes as 'citizenship rights' (Rowse, 2002-2003:30). The state, understood in the 'traditional' centralized sense, was to bring about these ends through the use of the tax system and investments, through state planning and intervention in the economy, and through the development of an extended and bureaucratically staffed apparatus for social administration (Rose & Miller, 1992:191). By 1909 and 1910 welfare initiatives such as old-age and invalid pensions were being introduced in Australia and by 1948 the notion of welfare recipience was being asserted as a 'right' of citizenship (Macintyre, 1999:110-112).

A combination of factors, including the 1901 constitutionally framed Aboriginal exclusion from citizenship entitlements, and liberalism's philosophical countenancing of race-based exclusions resulted in differences between the ways Aboriginal and non-

Aboriginal 'welfare' was ensured. 'Welfare', as enacted in the terrain of Aboriginal governance, was generally addressed, not through a range of pensions, but through a succession of authoritarian interventions. Authoritarian governance stood in stark contrast to the techniques of welfare that non-Aboriginal society was subject to at the same time. As will be discussed in the following chapter, authoritarian governance was articulated and rendered practicable through the Aborigines Protection Act Amendment 1886 (Vic)[3] and the Aborigines Act of 1910 (Vic).[4] These Acts continued to inform and influence the legislation of successive Victorian governments. In the context of what Noel Pearson has described as the 'white dictator' model of authoritarian governance, Aboriginal people were defined as 'inmates of institutions' in which 'iron fisted control' was justified (Pearson, 2000:49).

In his differentiation of 'authoritarian governmentality' Dean contends that, to the extent that populations are not perceived to possess the capacities and attributes of responsibility and freedom, liberalism allows for despotic practices (Dean, 1999:207). This is consistent with Mill's notion of 'mature faculties' noted earlier and the exclusion of those who were not deemed to fit within parameters so defined. However, authoritarian governmentality, Dean postulates, is discontinuous with liberal philosophy when subjects' capacities for action are regarded as subordinate to the expectation of obedience. Historically, colonial-settler relations have been situated within this latter category. This focus on 'obedience' typically made the neutralisation and even elimination of Aboriginal opposition and resistance a governmental objective (op. cit.).

McCallum provides an illustration of one such race-based discontinuity between philosophy and practice in liberal governance. He notes that the 'removal' of children from their families occurred in both non-Aboriginal and Aboriginal contexts in response to various kinds of schooling being constructed as solutions to emerging problems of what McCallum defines as 'social hygiene'. The removal of non-Aboriginal children from their families, conceivably to institutions such as boarding schools, was, according to McCallum, advocated in order to bring about social benefit and improvement in the 'imperial race'. Conversely child removal strategies that were applied to Aboriginal

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[3] For an electronic reproductions of the 1886 Act (Vic) see the Museum of Victoria database, viewed 27/08/03, <http://www.museum.vic.gov.au/encounters/coranderrk/legislation/index_imageA.htm>
[4] See footnote 2, refer in particular to the National Archives of Victoria database.

communities used the language of eugenics, the objective being the 'removal of race' by 'the breeding out of colour and habits' (McCallum, 2001:87). This discontinuity is suggestive of what McCallum describes as a 'eugenic strategy' in which Aboriginal people were consciously targeted through actions that were government authorised and racist (McCallum, 2001:88).

Authoritarian governance, in this sense, was concomitant with a rationality driven by overt and aggressive racism. In his argument for discontinuity between authoritarian expectations of subordination and liberal practices, Dean, who works within a governmentality framework, articulates one of the limits of this approach to the present examination of liberalism. Governmentality is no longer being used to examine liberal governmental rationality, but rather a rationality of racism and racist practice. A rationality of race-based exclusion informs authoritarian governance and must be examined in terms of that connection. At this juncture the governmentality approach remains viable in that it provides a method for examining how power is implemented at a practical level and by whom, regardless of its continuity with liberal philosophy.

Practices associated with authoritarian governance of Aboriginal people altered during the latter half of the twentieth century in response to a combination of factors. These included Aboriginal peoples' political activism, changing political agendas supportive of assimilation, and the 1967 referendum that recognised Aboriginal people as Australian citizens within the Constitution. With Aboriginal citizenship rights came state interventions which implemented a political rationality that, instead of being overtly exclusionary in its authoritarianism, rendered practicable a 'welfare' more consistent with that experienced by non-Aboriginal people. Despite this shift, strategic interventions continued to operate to colonise the 'Aboriginal domain' with the state's own distinctive welfare norms and structures. Accordingly these have been described in terms of 'welfare colonialism' (Bernadi, 1997:36).

Articulations of liberal economy

Within a liberal philosophical adherence to the primacy of 'the mature [historically Western] individual' and the privileging of liberty as pertaining to those individuals, states have traditionally attempted to govern as 'economically' as possible. Liberalism,

understood from a governmentality perspective, is concerned with two types of economy within which the efficacy of the relationship between governmental means and ends is in a state of continual reappraisal. Firstly, the state has fostered 'the self-organising capacities of markets, citizens and civil society' (Rose, 1993:290). Nikolas Rose, in describing how liberal forms of governance have addressed the problem of 'governing too much', notes that whilst liberalism advocates limits on direct sovereign power, it simultaneously shapes the domains of the market, the public sphere and the liberty of individuals in desired directions (op. cit.). A society that has been contrived to 'self-organise' can be conceived as being less costly to the state in so far as it requires less funding for smaller and fewer forms of bureaucratic apparatus, thus satisfying the imperative to govern economically or 'cheaply' (Burchell, 1993:273). This rationality of 'cheap' government has contributed to the formulation of liberal practices of constraining and shaping individuals' conduct in such a way as to encourage individuals to conduct themselves in ways consistent with state objectives. The fostering of the 'self-organising capacities of markets' introduces the second interpretation of economy and the variants of political rationalities described as 'advanced liberalism' or, as I use in this thesis, 'neo-liberalism'. The term neo-liberalism pertains here to what Dean has described as a 'problematization of the "welfare state" and its features, such as bureaucracy, rigidity and dependency formation' (Dean, 1999:210).

The welfare state sought to govern 'through society', that is, through acting upon persons and activities in relation to a 'social' norm and constituting experiences and evaluations in a 'social' form (Rose, 1993:285). Critics of the welfare state were concerned by the growing discrepancy between debts that ensued from increased social security and other state expenditure, and decreased gross national product accumulated through the state's direct and sovereign intervention in social welfare. This 'uneconomical' discrepancy was characterised in terms of the, albeit unintended, 'ends' of government (Donzelot, 1991:175). More recently, in debates concerning Aboriginal governance the welfare state has been problematised in terms of a 'poison' that encourages Aboriginal passivity and dependence (Pearson, 2000). In the context of the Cape York Peninsula (where issues of Aboriginal governance are arguably different from those in Victoria) Noel Pearson makes distinctions between, on one hand welfare in its broadest sense, in which the state intervenes to redistribute wealth and generally level out systemic inequities. On the other hand, and more problematically, he describes

the passive welfare-based economy of Aboriginal society in which funds are transferred from Federal and State budgets to individual families without what he describes as 'reciprocation' (Pearson, 2000:11). These variously interpreted 'ends' of government have, in line with Dean's concept of 'critical ethos', been found to be inimical by critics of welfarism and therefore ripe for reform.

Neo-liberal political rationalities have problematized the governmental practices associated with the costly 'ends' of welfare governance. They have done so, as Rose suggests in his explorations of liberal formulas of rule, through posing the question of whether it is possible to govern 'without governing society', to govern instead through the regulated and accountable choices of autonomous agents - citizens, consumers, parents, employees, managers, and investors (Rose, 1993:298). This use of 'choice', in particular, 'public choice theory', as a technique of neo-liberal governance and its relationship to Aboriginal choice in accessing a variety of human service options will be discussed shortly.

The vehicle for the neo-liberal reform agenda was 'the economy', that is, an extension of market rationality to all spheres of governance, focusing on the choices of individuals and collectives, and the establishment of a culture of enterprise and responsible autonomy (Donzelot, 1991:175). The technologies of governance employed in the service of reforming the conduct of individuals and institutions in this distinctly neo-liberal rendering of economy, included rhetorical constructions of competition, efficiency, accountability and consumer demand which facilitated the devolution of state power away from centralised government. Devolution, in this sense, pertained to a form of decentralisation which required transference of authority (to be distinguished from 'power') from a centralised political or administrative group, namely the state and its associated bureaucracy, to other groups lower in the organisational hierarchy (Cavanagh and Dellar, 1995:8). The shift in authority was brought about through moving resources and decision-making responsibility away from the centre (op. cit.). The KSIS will be shown to be a technique of governance that applied such technologies and shaped Aboriginal possibilities within post-welfarist frameworks that ostensibly decentralised VDHS authority.

The argument has been advanced that neo-liberal use of economy and market driven processes was essentially democratic and founded on individuals' freedoms (Marshall, 1994:305). At one level this interpretation describes a problematization of welfare's rigidity of rule. But at a number of other levels, neo-liberalism created its own enclaves of varying governmental possibilities, difficulties, contradictions, and, subsequently, problematizations. For instance, neo-liberal practices of governance have 'assumed' that autonomous agents, such as those noted previously - citizens, consumers, parents, employees, managers, and investors - are indeed autonomous, and that they are, or will be, desirous or capable of freely participating in market driven practices and dynamics. Assuming blithely that all Aboriginal individuals, communities and organisations have these capacities and are willing to participate in state-contrived service-provision 'markets' was problematic from the outset, as will be seen later in this chapter where I address issues of voluntary and involuntary participation in the context of Aboriginal/colonial-settler relationships.

Moral dimensions of neo-liberal governance give rise to a second concern. Many sites of social cost and individual and systemic inequality were effectively depoliticised through devolution of authority and market-based techniques of governance. Previously, within the more centralised government associated with the postwar welfare state, the economy was seen as a distinct component which functioned as a resource base for education, social welfare and other government activities (Hindess, 1997[b]:26). Seen as non-economic spheres, recognition of the political as apposed to economic dimension of these activities rendered them accessible to political debate and public recourse. The population, or groups within the population including Aboriginal communities, could appeal to a centralised and readily definable source of governmental authority if they experienced difficulties regarding service provision. Increasingly, however, this distinction between the economy and other parts of the national society has become less secure (op. cit.). The activities associated with the state's provision of resources to spheres previously constructed as non-economic are (under the auspices of neo-liberal governance) now regarded as sources of 'economic inefficiency' and subject to economic reform via competition and efficiency measures. Avenues of political recourse that were previously open to direct contestation have transmuted, necessitating new, and in many ways yet-to-be actualised, ways of

generating arguments for countermanding consequences of these measures of economic reform.

The devolution of political authority from the state to interactions dictated by economic forces has seen the emergence of phenomena including 'managerialism' and 'contractualism', the second being of more immediate interest to this case study. These phenomena belie the potential for disempowerment of Aboriginal protagonists within strategies such as the KSIS that were constituted as 'non-political' activities in areas of governance but that, nevertheless, possessed inescapably political dimensions. Neo-liberal techniques and technologies of governance - such as those employed in managerialism's use of generic managers to secure increased 'outputs', and contractualism's use of what have been described by Jonathon Boston as 'pseudo-contracts' such as performance agreements (Boston, 1997:180) - do not regulate public conduct any less than did precursor institutions within the 'welfare state'. But they are different in the ways that they have rendered problems of governance accessible or inaccessible to critique and challenge. Issues of accessibility are reflective of dynamics of transparency and opacity and introduce a third problematization of neo-liberal governance identified here as entailing two composite dynamics: responsibility and accountability.

State responsibilities, particularly those that were previously articulated in terms of centralised resource provision, have become increasingly difficult to localise and delimit within neo-liberal devolved and decentralised governance. In processes of devolution individuals and groups have been given increased responsibility whilst simultaneously being rendered subject to exponential expectations of accountability (Cavanagh & Dellar, 1995:8). As will be seen later in this study's detailed investigation of the KSIS, reference group participants became responsible for improving human services used by Aboriginal people. Rather than being accountable to the Aboriginal communities where reference groups were situated, participants were accountable to the VDHS, the centralised body which previously had had responsibility for such processes. The KSIS served as a vehicle for devolving programmatic objectives pertaining to 'improvement' to various levels of VDHS bureaucracy, particularly the regions, and to service provider and delivery agencies between which there was competition for the acquisition of Aboriginal funding. It also enlisted the support of Aboriginal

communities within this process. KSIS reference groups became sites for articulating and generating 'improvement' in Aboriginal services. But power to ultimately ensure these improvements were practicable lay with a diversity of agents, predominantly the state, despite its ostensible devolution of responsibility. Power to implement change rested with Aboriginal and non-Aboriginal service providers, and was influenced by a complex of dynamics including public opinion, racism and Aboriginal community politics. As will be seen in following chapters the reference group structure on its own was ill equipped to meet this plethora of dynamics and interests. Inevitably, therefore, as a mechanism of change, it was likely to fall short on improvement measures for which the VDHS had made it both responsible and accountable.

Silent partners

Enlarging on issues of responsibility, accountability and dynamics of transparency, processes of neo-liberal governance have resulted in opacity and intransigence that differ from outcomes that have occurred during the course of welfarist political rationalities. In his contribution to the ongoing analysis of neo-liberalism, Damien Cahill has noted the influence of neo-liberal 'think-tanks', including the Institute of Public Affairs (IPA) and the Centre for Independent Studies (CIS), reporting that these organisations received extensive financial support from mining and mineral companies, including the Western Mining Company, BHP and Shell (Cahill, 2002:21). Motivation for funding neo-liberal ''think-tanks' derives from the corporate desire to 'reshape the political agenda' [to align with theirs] and 'change public opinion' (Hugh Morgan, Chief of Western Mining Corporation, cited Davis, 2001:7). Mark Davis makes the point that, paradoxically, given neo-liberalism's criticisms of welfare dependence and its promotion of market competition, these ''think-tanks' are dependent on corporate sponsorship, that is 'corporate welfare', without which funding they would not be viable (ibid).

More important than this paradox to my study of governmental possibilities availed through the KSIS, is the fact that ''think-tanks' generate neo-liberal frameworks of economic analysis, presenting the fruits of this analysis as 'knowledge', authoritative, disinterested, and objective (Cahill, 2002:24). Cahill has asserted that mining corporations view environmental and land rights movements as direct threats and that

the "think-tanks' they financially support have consistently attacked and undermined these movements of social and political resistance (Cahill, 2002:22). For example, Davis has claimed that the IPA provided anthropological research on the validity of Aboriginal land claims to the Liberal Party in the service of their anti-Mabo and Wik campaigns (Davis, 2001:8).

In addition to creating 'knowledge' consistent with neo-liberal agendas, a range of divisive policies were sponsored that centred on the politics of race, gender, and sexuality, and were oriented around normative ideas pertaining to national identity and the family (Davis, 2001:7). In public and political debate regarding policies operating in arenas of race, gender and sexuality, those who present dissenting views are disparaged, or as Cahill says 'demonised' (Cahill, 2002:25) as 'politically correct', self-interested acolytes of a 'welfare industry', a 'multicultural industry' or an 'Aboriginal industry' (Davis, 2001:8). Processes of constructing and disseminating derogatory concepts are themselves techniques of governance that shape and limit possibilities within Aboriginal/colonial-settler power relations. One 'think-tank', the Bennelong society, propounds assimilationist notions, challenges Aboriginal self-determination and disparages validity of the 'stolen generation' and the idea of 'white guilt' (Da Silva, 2002:22). These neo-liberal constructions have become features of the public terrain. They have contributed to the structure and content of debate in such a way as to exacerbate abstruseness within Aboriginal governance. They have encouraged the acceptance of the construction of notions such as 'social equity' couched in terms of a level playing field where no-one is disadvantaged at the outset (Davis, 2001:8) and where colonial injustice is a defunct issue no longer worthy of current preoccupation or effort. I strongly oppose this line of argument for reason of what I perceive as continuity between, on one hand, past colonial-settler injustices regarding Aboriginal people in Victoria and, on the other, ongoing race-based inequality and exclusions. As will become clear, these continuities must be addressed in the construction of interventions, such as the KSIS, in order that improvement in the production and delivery of services required specifically by Aboriginal people does actually occur.

Neo-Liberalism in Victoria

The Tasman Institute, a neo-liberal 'think-tank' sponsored by BHP, ESSO, Shell, Woodside Petroleum and Western Mining, has been credited with providing the 'ideological blueprint' for the Kennett Government's economic reform agenda in Victoria (Davis, 2001:8). It was in this context that the KSIS was developed and implemented at a time when 'economy' in Victoria had come to be associated with 'crisis'. This crisis was outlined by the Victorian Commission of Audit which, in 1993, reported to the newly elected Kennett Liberal Coalition Government that in mid-1992 the Victorian government had liabilities of $69.8 billion and expenses exceeding revenues by $3 billion (Alford, O'Neill, McGuire, Considine, Muetzelfeldt & Ernst, 1994:7).

This level of debt was attributed to self-interested behaviour on the part of public employees and the lobbying strength of privileged client groups (Alford et. al., 1994:9-10). Facilitated by the work of neo-liberal ''think-tanks' such as the IPA, the CIS, and the Tasman Institute, 'public choice theory' provided a theoretical framework for interpreting the cause of Victoria's debt in terms of self-interest. Within public choice theory, outcomes of the political system are viewed as a consequence of the 'rational, self-interested behaviour of the actors that operate within it' (Dullard & Hayward, 1998:16). This framework furnished a rationale for constructing the extreme measures of economic reform favoured by the Kennett government. Public choice theory has also been described as a methodology, its defining feature being a commitment to an approach to politics that draws its inspiration from the individualism associated with neo-liberal economics (op. cit., p.38).

In an oversimplification of the manifold considerations bearing on people's decisions, public choice theory has been used to substantiate arguments that favour welfare reforms based on the suspicion that people will chose to be 'free-loaders' if given the option (Harris, 2000:284). Public choice theory poses the following type of questions and answers regarding the receipt of unemployment support. If it pays not to work, why do so? If one can get by without doing one's bit, why bother? If others will pay, what's the need to contribute? (op. cit.). Self-interested behaviour is also associated with the 'capture' of governmental decision making processes by bureaucratic and

interest groups (Alford et.al., 1994:9) at the expense of society as a whole (Dullard & Hayward, 1998:16). In focusing on motivation driven by self-interest, public choice theory disputes the capacity of collectives to make financially 'rational decisions' (op. cit., p.18).

Public choice theory has implications, then, for many of the aspects of Aboriginal governance. It rejects the viability of Aboriginal organisations, *in their* collective structure, to operate rationally, that is, in ways consistent with the prevailing political rationality manifest in neo-liberal individualism. It constructs debates regarding government funding of Aboriginal organisations consistent with the presumption of 'free-loading'. In its suspicion of self-interest, public choice theory is not conspicuous in its support for funding that might facilitate options in the human services, and hence afford Aboriginal people choice. It is more likely to advance the argument that they should settle for what is available, regardless of health policy research that reveals, as I shall discuss in chapter eight, the problematic nature of this line of action.

To return to Victoria's account deficit, the Kennett government saw its most pressing priority in terms of eliminating the state's debt before it faced the next state election, due in 1995-1996. In its first two years of office the Kennett government made the most severe cuts to government spending and employment in Victoria's postwar history (Salvaris, 1995:146). Reduction of expenditure, and revenue raising were achieved by initial budget reductions, such as cuts of $618 million in the health, welfare and education budgets, followed later by further cuts. Reductions of that proportion and immediacy were achieved through processes of specific structural solutions including service 'rationalisation' and 'contractualist' devices (Alford et.al., 1994:9-10).

These terms emerged at that time in the context of particular models of economic reform which were applied to the public sector. The Victorian government embraced the liberal notion of economy in its dual senses. Ministers were under pressure to improve effectiveness and efficiency in the public sector whilst providing 'higher quality service to the community at minimum cost to the taxpayer' (Mike Codd, cited Muetzelfeldt, 1995:95). Generic managers were introduced, regardless of their expertise, as vehicles for state devolution and to facilitate economic efficiency in all

areas of the public sector. This model of 'efficient management', termed 'managerialism', was embedded in the prescriptive doctrines of the market and rendered practical through market-based economic policies and controls enacted by managers (Rees & Rodley, 1995:3).

In Victoria, the foundations laid by the managerialist model of economic reform were augmented by the Kennett government's use of the 'contractual model' (Alford et.al., 1994:4). The contract has been described as a vehicle for shifting the work of government, that is the 'rowing' component of the 'steering/rowing' analogy. There was to be a clear separation between government departments responsible for setting policy, regulating and ultimately contracting for the provision of goods and services, including those specific to Aboriginal needs, and the organisations responsible for providing those goods and services (Alford et.al., 1994:5). Government 'contracted' to have others do the 'rowing'.

Within the contract model, relationships between different organisational units, between employees and employers, and between organisations and the people who use their services, are based on a series of specifically negotiated contracts. Rather than continuing a shared commitment to following previously established rules of bureaucratic organisation, industrial awards, and established ideas of citizens' relations with government (Muetzelfeldt, 1995:95-96), contracts are both individualistic and individualising (Hindess,1997[b]:15). Hindess suggests that contracts are individualistic to the extent that contracting parties are identified as independent individuals. He concludes they are also individualising in so far as contracts explicitly frame the particular and individual circumstances, rights and obligations of the contracting parties (op. cit.).

In its rudimentary shaping of relationships between different organisational units, the contract as structure and as process cannot be separated from the discourses within which it originates. Nor can it be separated from parties such as ''think-tanks', which, in pursuit of non-Aboriginal vested interests, facilitate the dissemination of discourses, such as those pertaining to public choice theory, and support particular models of relationship. With regard to human services generally, a variety of contractual forms have served to place individuals and households in contractual relationships with

welfare agencies. As is consistent with public choice suspicion, these contracts can be seen as inducing the former to take 'responsibility' for fulfilling their side of what Hindess describes as a 'somewhat forced bargain' (Hindess, 1997[b]:24). In these cases, the imposition of manifestly unequal 'contractual' relationships is seen to function as a means of promoting the personal capacities required for the exercise of 'autonomy' (op. cit., p.25). This imposition and inequality manifoldly compounds race-based and authoritarian aspects of Aboriginal governance that preceded it.

The imperative to take 'responsibility' is a key discursive theme that links contractual structures, which have become integral to defining relations between individuals and the state, with modes and terms of participation. The McClure Report, *Participation Support for a More Equitable Society* (McClure 2000), highlighted the role of participation in reforming the welfare system. Without defining clear lines of demarcation between 'economic' and 'social', participation is advanced in the Report as a vehicle for welfare reform. These notions of economic and social participation are articulated within a broader framework of 'mutual obligation' (McClure, 2000:4).

Mutual obligation, in its association with contemporary social policy, commands the support of both sides of politics and the support of prominent Aboriginal leaders such as Noel Pearson (Warburton & McDonald, 2002:12). It is predicated on what the Report describes as 'renewed awareness that for societies to function effectively, the growth of individual 'rights' and 'choices' needs to be married with a growth in individual 'responsibility' and 'obligations' to society (McClure, 2000:32). In a manner reminiscent of the dynamic of mistrust and suspicion in public choice theory, wherein the obverse of participation is 'free-loading', the obverse of participation within mutual obligation is constructed as dependency/passivity (Harris, 2000:283). Should Aboriginal modes of governance seek to resist pressure to participate in the imposition of mutual obligation as constructed by the state, they are readily promoted in the popular imagination as fostering in Aboriginal people a propensity for 'free loading', 'dependence' and 'passivity'. This perception is fuelled by arguments, such as those advanced by Noel Pearson, being taken out of the socio/historical context in which they were made and applied uncritically to all Aboriginal communities, including those in Victoria.

Within the theoretical construct of mutual obligation, welfare is problematised as a system that isolates and excludes people within their own communities, and has negative effects on people's health, both physically and psychologically, their finances, and their personal relationships (op. cit.). The solution to these effects of passive welfare dependency is seen to lie in individuals' obligation to take responsibility via participation in the economic and social life of the community. Patricia Harris is troubled by what she describes as the 'rhetorical appeal' of such notions of community that deflect attention from the national and the structural, toward the local and the individual. She suggests problems associated with welfare can come to be seen as residing in communities themselves rather than in economic forces that have altered political power and the distribution of resources over the past quarter century (Harris, 2000:288-289). In terms of Aboriginal communities this deflection can be seen to permit a 'blame the victim' response to unintended 'ends' of government.

How do these governmental constructions of contractualism and mutual obligation have direct bearing on this analysis of Aboriginal governance in Victoria and of the KSIS in particular? By acknowledging the effects of such constructs, including competition, efficiency, responsibility, obligation, and contract, it is possible to gain some inkling of the divergent pressures that impacted on the development and implementation of the KSIS, and on the Aboriginal people who participated in or were affected by it. Also it is important to acknowledge that, whilst these neo-liberal forms of governance gained purchase and caused hardship across all areas of human services in Victoria, for Aboriginal arenas of governance specifically they constituted a collision of forces unique in their scale and type of demand.

Mutual obligation, as defined in the McClure Report, had as its primary objective 'equitable distribution of employment, ensuring that long term jobless people are able to compete in the labor market' (McClure, 2000:4). As a construct, mutual obligation contrives to alert people to their responsibility to the broader community, the subtext being that people generally do not already act on this responsibility. But for many Aboriginal people in Victoria, voluntary participation through relationships of obligation and responsibility is already the norm. It was evident throughout the interviews I conducted in this study, that work by informal Aboriginal carers in response to the needs of family and extended family members who are frail, unwell or

in some way struggling, is crucial and indispensable in generating and maintaining Aboriginal 'wellbeing'. This is of particular significance, as will be seen in chapter seven, as many Aboriginal people in Victoria are resistant or reluctant to approach mainstream services. The KSIS, in so far as it was consistent with principles of mutual obligation that 'required' Aboriginal people to 'participate' in prescribed ways in order to be involved in generating coordinated improvement in human services, can be seen as having been a site of 'compulsory volunteering'.

As I will attempt to later demonstrate, the KSIS, in its consistency with mutual obligation discourse, was problematic from a variety of standpoints. Firstly, participation by Aboriginal communities was a legitimating force for the VDHS. The VDHS could be 'seen' to be working 'with' Aboriginal people, as evidenced by their participation, and thereby avoid criticisms that it was imposing VDHS agendas, or that it was superficial in its attempt to improve services to Aboriginal people. Secondly, KSIS reference groups were established for the two-fold 'benefit' of Aboriginal people. They were ostensibly sites where Aboriginal people could exercise power in processes of 'improving' the services they used, and also 'benefit' from the long term gains in health and wellbeing likely to result from improved quality of and access to services. As 'beneficiaries', Aboriginal people were 'obliged', in terms of mutual obligation discourse, to participate in KSIS processes. However, whilst some Aboriginal communities were able to take control of KSIS processes and saw it as an opportunity, others experienced the 'obligation to participate' as coercion. They feared being counted as 'non-viable' by the VDHS if they did not participate and consequently cut out of the service provision/funding loop (Interview, April 2000). Thirdly, the same level of obligation did not extend to mainstream service providers. Their participation was discretionary. Fourthly, the essential element of volunteering, that being choice, was removed under the rubric of mutual obligation.

Contractual coloniality

Warburton and McDonald assert that 'compulsory volunteering' links choice with contract in such a way as to render voluntary participation unrecognisable and incompatible with broader social policy goals, such as stimulating active citizenship and social responsibility (Warburton & McDonald, 2002:16). This discordant and

contradictory relationship between choice and contract echoes liberal philosophic problematics associated with the 'management' of individual and collective 'freedoms' and continues to arise as a polemic in Aboriginal governance. The 'forced bargains', where contractual relationships with welfare agencies are imposed on those who use these services, are manifoldly influenced in areas of Aboriginal governance by the many pre-existing unresolved issues associated with past colonial-settler 'impositions' on Aboriginal people, not least of which involves ethnocentricity and racism.

Paul McHugh, in his examination of contractualism in the context of Aboriginal/colonial-settler relationships notes:

> the idea of 'contract' itself is loaded with the values and epistemic properties of Anglo-settler society, ways of knowing the world which that society has evolved over time ... the textual enclosure of the contract is not the aboriginal's way of knowing the world and ordering political or personal relations (McHugh, 1997:198-200).

Whilst I reject the implied homogeneity in McHugh's reference to 'the Aboriginal way of knowing', his observation that the idea of contract is 'loaded' with Anglo-settler values and constructions is valid and important. McHugh sees the contract as a necessary medium of 'encounter'. He suggests that it should not be seen as a medium through which the discourse of the society from which it originates is allowed to dominate. Rather, it is a method of 'negotiated coexistence' or a means of 'formalised dialogue', not a tool of domination (op. cit.). Admittedly the circumstances in which McHugh is using 'contract' are more aligned with discursive constructions of treaty and are not immediately transferable to the context of human services. Nevertheless, he raises an issue that is of key importance in my examination of the nexus between the KSIS and power in Aboriginal/colonial-settler relationships. This is the contractual imposition of certain types of relationship.

The contract is a vehicle of power that has been used in concert with other neo-liberal governmental technologies and techniques in the field of Aboriginal governance. Foucault suggested that:

> power is not taken to be a phenomenon of one individual's

consolidated and homogenous domination over others, or that of one group or class over others ... Power must be analysed as something which circulates ... Power is employed and exercised through a net-like organisation. And not only do individuals circulate between its threads; they are always in the position of simultaneously undergoing or exercising this power. They are not only its inert or consenting targets; they are also the elements of its articulation. In other words, individuals are like vehicles of power, not its points of application (Foucault, 1980:98).

For Foucault, power presupposes rather than annuls people's capacity as agents (Gordon, 1991:5). Constructing power in this way is a necessary precursor to this investigation of the KSIS. Foucault's analysis shifts the tendency to polarise and dichotomise dynamics of power and powerlessness and the agency of those deemed powerful and those deemed powerless in relationships between colonisers and colonised. It permits me to proceed with an analysis that does not assign pre-determined or finite agency to Aboriginal or non-Aboriginal people who were and are associated with the diverse array of contracts touched on here. In these decentred terms of personal agency, contracts can be understood as contributing to the threads of net-like organisation through which power is employed and exercised. Having established this definitional basis of power and agency, I can proceed with an exploration of continuities between, on one hand, the governmental tool of 'contract', that was influential in the construction and implementation of the KSIS, and on the other, the ongoing and unresolved field of colonial relationships in Victoria.

Contracts are artefacts, vehicles for control, constraint, and management, which generate norms and structures that define the parameters of the possible. Their present usage suggests certain continuities with the bureaucratic practices associated with Victoria's colonial-settler past. In some respects the endeavour to examine these continuities overlaps with concerns expressed in 'postcolonial theory'. But I found postcolonial theory to be limited in its capacity to address the issues of Aboriginal agency and self-determination that emerged from this study of the KSIS.

Navigating amongst terms such as 'colonialism', 'postcolonialism', '(post)colonialism', and 'postcoloniality' is hazardous to say the least. In a manifestation of 'critical ethos', discussed at the beginning of this chapter with regard

to liberal problematics, the notion of colonialism has been criticised when used as a category through which history is made coherent in a bid to render it knowable. Colonialism, as a categorical mode of classification, has been challenged in its reduction of contingent and random diversity of past cultural encounters within relationships of coercion and retaliation (Gandhi, 1998:171-172). Leela Ghandi argues that articulation which focuses on movement between imperial subordination and anti-colonial resistance frequently fails to accommodate or speak to the opaque and contradictory processes that characterise the governmental relationships of the people involved (op. cit.).

Postcolonialism has been posited as a theory, which, in its reflective modality, addresses these problematics associated with colonialism and presents the possibility of thinking through the historical imbalances and cultural inequalities produced through colonial encounters (op. cit., p.176). There has been little consensus, however, regarding the proper scope and relevance of postcolonial studies. Gandhi suggests that disagreements arising from and methodology, reflected in what she describes as 'semantic quibbling' (op. cit., p.3), have resulted in different terminologies - 'post-colonialism', '(post)colonialism', and 'postcolonialism' - the actual condition being addressed via this array of theoretical terms being 'postcoloniality' (op. cit., p.6).

I am concerned to decipher the types of governmental possibilities made available through a strategy (the KSIS) that, in its 'imposition', has been found to have certain continuities with governmental practices commonly associated with colonial governance. I find the implied chronological separation between colonialism and its post war aftermath, conveyed through the use of the word 'post' to be proscriptive. But in rejecting 'post' colonialism as a theoretical framework I do not reject the existence of the actual condition addressed by the term, indeed I seek to explore it. For the purpose of identifying, rather than creating a 'theory' of, continuity between past colonial practices and present bureaucratic interventions, I use the term 'coloniality' in preference to 'colonialism', in conjunction with what is implicitly and explicitly conveyed by the notion and construction of 'contract' - 'contractual coloniality'. This is done, at the risk of 'semantic quibbling', for the purpose of conveying both a sense of the terrain being covered and the focus of this particular inquiry. It also acknowledges

debates regarding whether or not, in what ways, and according to whom, colonial-settler relationships are a thing of the past. For instance Rowse contends that:

> every time an organised Indigenous interest makes an agreement (about land use or about service delivery) with a non-indigenous interest (whether government or private), something small but important is added to a growing edifice of Indigenous self-determination (Rowse, 2002-2003:35).

Whilst I agree with Rowse's premise in principle, in practical terms it fails to acknowledge the frequent disparity in positions of power between those parties arriving at such agreements and the very imposition by non-Aboriginal interests in the framing of agreement processes and contracts. This disparity and imposition has contributed to many Aboriginal people living in Australia today strongly contesting the idea that we are now in a 'postcolonial' era, saying that the very term makes non-Aboriginal people too complacent regarding the ongoing effects of colonialism (Johnston, 2001:97). This analysis will examine such effects in the context of recent forms of policy development and strategic interventions, the KSIS in particular.

Racism and ongoing colonialism

> This continuing history of dispossession has resulted in the building of discrimination and racism into every institution that defines Aboriginal existence from education through to health, and so on, and results in unacceptable genocide that is part of a continuing colonialism (Johnston, 2001:100).

The VDHS is one such institution in which discrimination and racism have become systemically entrenched. The KSIS, as a VDHS intervention, employed a range of informal contractual relationships between Aboriginal and non-Aboriginal people in its goal of improving services used by Aboriginal people in Victoria. The ethical and moral worth of any contract resides in the strength of the amicable and efficacious relationship between parties involved. As has already been discussed, there is potential for contractual relationships between service providers and service users to be problematic in their inequality. In addition to this, the very character of the VDHS, can, by virtue of its institutional structure, exacerbate these difficulties in a number of ways.

Institutional structures can be problematic firstly, as a result of their production of racially defined inequality through operational processes. Secondly, in the irrelevance of ostensibly 'good' intentions on the part of personnel involved in attempting to bring about 'good' ends. Thirdly, they can perpetuate historically developed racial exclusion. Fourthly, there is a tendency for interrelationships between the VDHS and other institutions to result in the cumulative nature of inequality. These factors represent key emphases in what was first termed in 1967 by Carmichael and Hamilton 'institutional racism' (Williams, 1986:2-3).

Institutional racism refers to the ways in which racist beliefs or values have been built into the operations of social institutions in such a way as to discriminate against, control, or oppress various minority groups (McConnochie, Hollinsworth, & Pettman, 1993:32). It has also been suggested that institutional racism might be understood as another name for 'colonialism' (op. cit.). For the purpose of this analysis I do not intend that institutional racism and colonialism be understood as being synonymous, but I certainly espouse continuity between the two. The continuum between past and present racisms, as reflected in the relationship between colonialism and institutional racism, has compounded the problematics discussed previously in association with liberalism, freedom and power that have conditioned the type of governmental possibilities made available through strategic intervention.

Calling history to account

It could be argued that it is invalid to analyse racism in an historical context since terminologically the word was not used to convey its present meaning until the 1940s, (Goldberg, 1998:98; Marshall, 1994:199). Doubtless the Prime Minister, Mr Howard, would support such an argument. In his 1996 Sir Robert Menzies Lecture he said

> I have spoken tonight of the need to guard against the re-writing of
> Australian political history ... to ensure that our history as a nation
> is not written definitively by those who take the view that
> Australians should apologise for most of it. This 'black armband'
> view of our past reflects a belief that most Australian history since

1788 has been little more than a disgraceful story of imperialism, exploitation, racism, sexism and other forms of discrimination (Howard, 1996:9).[5]

This view comprises part of a larger debate around issues of Aboriginal governance that was given focus in a conference held by *Quadrant* in September 2000. This forum provided a platform for historians and commentators who dispute or reject constructions of the Aboriginal/colonial-settler relationships that include notions of 'frontier massacres', the 'stolen generation' and 'genocide'. Prominent amongst these people was Keith Windschuttle, whose revisionist account of frontier history rejected the position advocated by historians such as Henry Reynolds who, in his book *An indelible stain?* (2001), sought to document Aboriginal genocide. But this debate is not just about constructions of Aboriginal/colonial-settler history. More importantly in regards to Aboriginal governance it is about which constructions are endowed with 'truth' value, by whom, and what political ends are served by this. Robert Manne has asserted that:

for the past three years *Quadrant* has been conducting a sing-minded campaign, not without success, to convince the nation that the issue [of] the stolen generations is a hoax an expression, jointly of Aboriginal Australians exhibiting collective false memory syndrome and of the ideological fixations of the guilt-ridden Left (Manne, 2000:10).

In a bid to move beyond a politics of Left/Right reaction, I take the position that it is not simply in its naming that a condition such as racism comes into existence. I wish to talk about the history of Aboriginal/colonial-settler relationships, in which racism is a dimension, in terms of the present, and, in this continuity between history and present, the assertion that racism existed prior to its naming does not constitute a *post hoc* fallacy. Exploration of Aboriginal/colonial-settler relationships in terms of a genealogy of bureaucratic interventions, as this thesis will do, contributes to an understanding of past racist conditions. Significantly, in so doing, it also provides insight into present racisms by revealing continuities between past and present practices that perpetuate conditions of exclusion based on people's being deemed members of a different racial group (Goldberg, 1998:98). Rather than construct a revisionist history of

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[5] The full text of this lecture is available through the Australian Parliamentary Library database, viewed 13/02/02, <http://www.aph.gov.au>.

Aboriginal/colonial-settler relationships in Victoria, this genealogy aims to challenge present assumptions on the part of some non-Aboriginal people that racism is not current and pervasive. Gary Foley confirms this position stating that:

> often without realising it many non-Koories are patronising and paternalistic in their dealings with Koori people, and thereby present themselves to Koories as little different from those who oppose justice for Aboriginal Australian's (Foley, 1999:11).[6]

Racism as a dimension of Aboriginal/colonial-settler relationship

Racist expressions exist within and are generated by racist cultures. Included in this general notion of culture are ideas, attitudes, literary, linguistic and artistic expressions, architectural forms and media representations, practices and institutions, and norms and rules (Goldberg, 1998:8). Throughout many parts of Victoria racism, in multifarious forms, has collectively contributed to the formation of a longstanding and ongoing tradition. This tradition is characterised by negative attitudes towards and derogatory images of Aboriginal people in the form of jokes, literature and idiomatic expressions that have become embedded within the broader community. It is so entrenched that, as observed by Eve Fesl of the Gabi Gabi people (South Queensland), 'most Australians don't know when they are being racist' (Fesl, 1980:1).

Research into the development of racial prejudice in children has found that environmental factors within the social milieu of children, such as traditions of prejudiced attitudes and behaviours, contribute to the negative images and attitudes held by children regarding Aboriginal people (Gutman and Hickson, 1996:12). Although it is a truism to state that children grow into adults, in so far as racism is concerned, it is too often overlooked that children carry with them into adulthood attitudes of prejudice or learned negativity established in their formative years. An Aboriginal CEO of Horsham's Goolum Goolum Co-operative perceived this negativity in terms of the mainstream's conservatism and said that they, Aboriginal people, learn to live with it. Nevertheless, the capacity for individuals within the broader community to be active as agents of racism has had repercussions for Aboriginal people in terms of their refusal to access to human services.

In the context of the investigation to follow, Aboriginal people 'live with' racism at the cost of poor relationships with non-Aboriginal service delivery organisations. Goolum Goolum's CEO asserted that Aboriginal people should be treated with a respect that acknowledges their difference from non-Aboriginal people. But this requires greater sensitivity in communication than arguably is currently practiced by most non-Aboriginal people. For instance, one participant suggested in my interview with him that business-like curtness, which is often an accepted norm amongst non-Aboriginal service providers may convey a dismissive message to an Aboriginal person who interprets the behaviour as 'I don't really want to talk to you' (Interview, April 2000). Accessing human services in a climate of rejection, intentional rejection or not, requires a level of self-confidence and assertion that cannot be assumed across Aboriginal populations.

David Goldberg describes racism as involving the promotion of exclusion, or the actual exclusion, of people by virtue of their being deemed members of different racial groups, regardless of how these racial groups are taken to be constituted. The mark of racism then is whether the discriminatory racial exclusion reflects a persistent pattern or could reasonably be avoided. Racists are described as those who explicitly or implicitly ascribe behavioural characteristics that are biological or social in character which they purport to be different from their own and others like them. They assign racial preferences and/or attempt to explain racial differences as natural, inevitable and therefore unchangeable, or express desired, intended, or actual inclusions or exclusions, entitlements or restrictions (Goldberg, 1998:98).

Exclusion based on racial categorisation has been described as one of modernity's primary building blocks, as foundationally constitutive of modern self-consciousness (Burton, 1995:595). In this liberal philosophical sense, racial exclusion has historically emerged as inherently and systemically 'rational' (Goldberg, 1998:120). Progressively, the pervasiveness of 'rational' racism has been normalised. Through processions of liberal responses to racially defined problematics, the 'management' of 'race relations' has come to focus on individuals' behaviour and their individual 'irrational' prejudice. The socially endemic and systemic nature of various forms of

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[6] For full text of this paper see Gary Foley's website, viewed 21/06/00, <http://www.oliv.com.au>.

racism have been made invisible and overtly deniable - as in debates regarding frontier massacre - with the dynamic of racism increasingly being characterised as individual aberrance. Take for example Mr Howard and the previous Leader of the Opposition, Mr Beazley. Leaders of, respectively, the right and left of Australian politics, look to have disseminated the perception that Australia, apart from a few isolated individuals and fringe groups, is basically tolerant and egalitarian, as demonstrated by its capacity to peacefully absorb successive waves of immigrants (Millbank, 1997-98).[7] It is suggestive that, in such attempts to dispel notions of racism, it is immigrants rather than original owners who are cited as proof of evidence that Australia is tolerant and egalitarian. One does not have to stretch a long bow to conclude that this is because Aboriginal experiences suggest the contrary to be true.

The 'truth' of racism raises an important question. With whom does the burden of proof lie? Is it for those who perceive themselves to be excluded to prove their claim, or does the burden of proof lie with those who argue that racist effects are unavoidable, contingent and coincidental outcomes of otherwise permissible non-racist practices, aims, or institutional structures (Goldberg, 1998:99)? Goldberg suggests that it is for the agents of racism to prove that they are not racist, not those who are the objects of racism, in this case Aboriginal people, to prove that racism is their experience. This position challenges the viability of arguments that, based on empirical processes derived from scientific method, reject findings from research into Australian racism on the grounds that there is currently no widely accepted objective measure of racism (Millbank, 1997-98). Such arguments are circular and racist in themselves. Those who propound them attempt to dismiss the existence of racism on the basis that those who experience it cannot measure it in accordance with measures officially recognised in the very spheres, including some branches of science, that initially had a role in racism's perpetuation.

Speaking at the Centre for Aboriginal Economic Policy Research on the theme of Aboriginal autonomy, dependency, self-determination, and mutual obligation, the ATSIC Commissioner in Adelaide, Brian Butler, said:

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[7] Current Issues Brief 20, available through the Australian Parliamentary Library database, viewed 5/10/01, <http://www.aph.gov.au>.

we are faced with the evidence of the experience of dispossession and dislocation that have weakened or destroyed the economic bases of many Aboriginal and Torres Strait Islander societies. These experiences have left many without social context, relevant skills or opportunities to move beyond a reliance on welfare. One factor that has not got the same degree of attention is racism. No government has yet to fully consider this as a major issue to warrant changes in its policies to address racism in the delivery of essential services to Aboriginal and Torres Strait Islander clients. Despite legal sanctions against racism and discrimination, Aboriginal and Torres Strait Islander people still experience overt and tacit racism in this country. Each of you here today will be aware of the rarity of being serviced by Aboriginal and Torres Strait Islander shop assistants (Butler, 2000:3).

Changes in service delivery policy are unlikely to address racism if institutional racism continues to be invisible, 'rational' and normalised through focusing on the behaviour of individuals. Despite Goldberg's assertion that those who find themselves to be the object of racism should not have to defend their claims, the socially endemic and systemic nature of the dynamic of racism continue to be deniable. The use of governmental techniques, such as informal contractual relationships, exploits the individualising capacities of the contract, disguising systemic and institutional forms of racism. Where racially based inequities occur in the course of contractual relationships, Aboriginal people are often not well placed to challenge pre-existing disparities in Aboriginal/colonial-settler power relations. In its focus on the ensemble of technologies and techniques the governmentality approach is particularly useful in discerning how social and systemic practice work to control in such a way as perpetuates racism. Applied to the KSIS correlation between racism and technologies of power provides an opportunity to examine the subtleties of racist practices and behaviors, and thereby make them more visible and their effects less deniable.

Effects of exclusion

As will be discussed in the following chapter, views that maligned Aboriginality in the nineteenth century carried into the twentieth. In their ubiquitous devaluing of Aboriginal identity colonial-settler projections and representations have continued to contribute to the formation of popular opinion. Writing in response to the polemics associated with 'postcolonialism', Pam Johnston has asserted that the institutions and

discourses which support a 'post', as in past, construction of colonialism continue to render Aboriginal humanity as abstract. Not contextualising the very real demands of Aboriginal people for what Rowse differentiates as 'citizenship rights' (Rowse, 2002-2003:30.) - health, literacy, housing and employment - postcolonialism makes continuity between Aboriginal/colonial-settler past and present invisible and denies the voice of Aboriginal people (Johnston, 2001:102). Many of those who participated in this study made personal reference to racist exclusions. Descriptions of these are included at this point as a response to Johnston's concerns and for the depth and clarity they contribute to grounding the KSIS in a frequently overlooked aspect of Victoria's present service delivery environment. In one interview an Aboriginal mother said

I still remember my son when he was at school, you know, he had this best friend ... he played with this little boy around the street every night ... they were best friends ... anyway his birthday was coming up and this young boy had a birthday party and invited every ... all the kids in the class except my son and that hurt more than anything and I thought racism is such a horrible thing when it destroys children, and it destroys children's belief, you know, and you wonder why we're always, you know, angry when we see those sorts of [things] ... and you know, it got him to the stage where one time I came home and he was soaking in bleach ... he didn't want to be black any more, he wanted to be white ... yeh, so I mean if it's got you to the stage where you believe by giving ... forsaking your culture ... that being white is more ... society's got a lot to answer for ... you keep telling somebody they're a dirty black and lazy, you know, they blame themselves ... (Interview, March 2000:11-12).

Experiences of racism, as described by participants in the present analysis, extended from the very personal and individual exclusion of an Aboriginal child from a non-Aboriginal birthday party, to the awareness of more general surveillance and scrutiny. Aboriginal adolescents were described as being closely shadowed by non-Aboriginal shop assistants as they browsed in shops, the implication as understood by those adolescents being that Aboriginality was thought, by non-Aboriginal people, to be synonymous with shoplifting. One Aboriginal bureaucrat remarked that it's not easy working in the VDHS 'because you've gotta be twice as accountable as everyone else in the Department' (Interview, May 2000). Racism was described as being reflected in inadequate doctor/patient consultations, which result in incorrect or poor diagnosis and in the reticence of some Aboriginal people to approach or engage with the institutional bureaucracy of mainstream service providers such as the VDHS and Centre Link.

Racism was described in relation to the threat experienced by some non-Aboriginal bureaucrats in the face of challenges made by well-educated and articulate Aboriginal people. The effects of racism may also be seen in the disparity in formal educational outcomes with Aboriginal people being ten times less likely to have a degree than other Australians (Hunter and Schwab, 1998), a factor which has cumulative implications for labour market participation (Gray, Hunter & Schwab, 1998).

In Horsham an Aboriginal liaison worker described her position of providing a link between Horsham hospital and the Goolum Goolum Cooperative. Her experience of working with non-Aboriginal people in the hospital was that they were often patronising or discriminatory. 'Don't treat us like dumb blacks, we're not … we're just trying to be our own people and do things the best we can' she exclaimed in her interview in response to these types of interactions (Interview, April 2000). Her experience of discrimination was intensified by inadequate support. Situations where Aboriginal workers have no peer support in non-Aboriginal environments were described as isolating. Racism intensifies this isolation. When Aboriginal people are put in the position of working, often in areas of human services, without the supportive presence of their peers, the result can be personal withdrawal or leaving the job. This contributes to an already low representation of Aboriginal people working in service delivery areas, which in turn contributes to the alienation many Aboriginal people experience when accessing a mainstream service.

Positive relationships between non-Aboriginal and Aboriginal people do develop in the work place. However, problems were reported to arise at management levels. Non-Aboriginal workers might, as a result of good relationships with Aboriginal people, make recommendations for actions reflective of Aboriginal views and wishes. According to some of the interviewees, exclusions occurring at executive and management levels undermined the work of those Aboriginal and non-Aboriginal people who had succeeded in establishing productive working relationships, and closed off possibilities for Aboriginal people to be assertive. Racism at executive levels of non-Aboriginal organisations was also discussed in terms of role modelling, in that it permits the perpetuation of racism throughout the staff body by setting an example and a standard.

The undermining of Aboriginal and non-Aboriginal collaborative efforts by top levels of bureaucratic hierarchies was evident in processes of community consultation that a former AAV officer described as farcical. She said in her interview:

> I know what happens in community consultation ... you go out and yes you do all the right things and you sit down and talk to people and I used to actually write the notes about what the community were saying in different locations ... but what I used to see come out and then put into ministerials or into government programs ... quite often left behind exactly what the community was saying and saying what they [the government] needed, because what the government does is they've ... like I said before, they've already got their programs that they say will deliver these services and deliver them in an appropriate way ... (Interview, February 2000:3).

It became apparent during the interview process for the case study that for some Aboriginal people the experience of racist practices and exclusions were not confined to Aboriginal/non-Aboriginal encounters. The denial of Aboriginality described by Sally Morgan in *My Place* and her childhood experience of being told she was Indian because she was light skinned (Jordan & Weedon, 1995:533) speaks of a history of Aboriginality as 'liability'. It has led to present day factions and splits within Aboriginal communities. Resentment was expressed by some Aboriginal people towards others who, under what they perceived as the 'false pretences' of light skin, were seen to be able to take advantage of mainstream education and employment opportunities. This 'privileged' position was viewed as a 'double evil' by some. Firstly, because people who had not outwardly declared their Aboriginality were seen to have denied their culture, and, secondly, because the struggles of growing up 'black' were perceived to be inadequately understood by those who had denied their Aboriginality and ostensibly grew up white. These 'white' black fellers were not seen to have the necessary insights to make decisions appropriate to the well being of black fellers who grew up 'black' and suffered more extreme effects of racism as a result. They were also seen by some as being opportunistic, disclosing their Aboriginality only recently as shifts in political rationality saw the construction and facilitation of 'positive' discrimination.

A further consequence of racism was described by the CEO of Victorian Aboriginal Child Care Agency (VACCA) in her interview as a 'cycle of anger, violence, fear, substance abuse and institutionalism' (Interview, March 2000). VACCA

is a statewide organisation with objectives including 'the preservation, strengthening and protection of the cultural and spiritual identity of Indigenous children and to provide culturally appropriate and quality services which are responsive to the needs of the Indigenous community' (VACCA, 2001).[8] VACCA's CEO described the organisation as being in the position to break the cycle of family violence, drug addiction, alcoholism, and institutionalisation, in which she identified racism as playing an irrefutable role. She said of the racism that contributes to the cycle:

> there are times where being Aboriginal you just think you're so up against it every day ... you wake up and you gotta fight every day ... and like all we want to do is to be treated with some sort of respect ... this is our country, but we're not treated like it's our country ... we're treated worse than anyone else... (Interview, March 2000).

At the time of interview VACCA was funded to work with 250 children. Because the need is so overwhelming, it instead provided services to 700, spreading the funding nearly three times further, and inevitably more thinly, than was intended. This disproportionate relationship between need and funding raises questions about funding formulae and episodes of care, and debates regarding holistic approaches which will be the focus of chapter seven. It also raises the issue of who is best equipped to heal the damage wrought as a consequence of racism and other outworkings of poor Aboriginal/colonial-settler relationships, and how most suitably this should be done. According to VACCA's CEO, Aboriginal organisations, such as hers, are best able, and government funding and bureaucratic interventions should reflect this. At the very least, in the light of racist exclusions and the damages wrought by them, the question of Aboriginal choice in human service provision, as discussed earlier in this chapter, must be looked at as a practical imperative.

Experiences of racism, such as those described here had a significant bearing on the KSIS, its construction, its implementation, and what it could hope to achieve. As will be touched on in the following chapter's discussion of Victoria's recent past, racism has been and continues to be formative in shaping Aboriginal/colonial-settler relationships and constraining Aboriginal people in their endeavours. The view of a

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[8] See VACCA database, viewed 27/08/03, <http://www.vacca.org/about/index.html>

Yarra Yarra elder from Healesville was that visible diminution in these conditions will take from two to three generations to occur. She commented in her interview:

> we're not going to get rid of racist feelings until the [Aboriginal] kids are educated to use society ... not abuse it, but use it for their own betterment ... for their own identity and that's going to take a long time ... I won't see it in my life time (Interview, May 2000).

Aside from her observation that racism and its effects are hard to eradicate, this woman's allusion to agency – '*use* society' - is important. Within the constraints generated through successive efforts to resolve liberal tensions between autonomy and diversity, the state and the market, compulsory and voluntary, and domination and freedom, Aboriginal people continue to be agents of enterprise and ingenuity.

Conclusion

The tenet being advanced in this chapter is that, in the context of Aboriginal governance, tensions between liberal practice and philosophy are being resolved in such a way as to suggest continuity between past colonial practices and present features of Aboriginal/colonial-settler relationship. Liberalism 'uses' freedom, as constructed in racially differentiated ways, in processes of governance. The specific field of Aboriginal governance addressed in this analysis engages a tension wherein the exercise of freedom finds its focus in 'choice' as it attempts to respond to and resolve problematics of individual and collective autonomy and diversity.

Choice is a dimension of liberal autonomy and, in the context of Aboriginal governance, it finds application in the range of choices available to Aboriginal people regarding human services, their use of - as apposed simply to access to - being a determining factor in securing their individual and collective wellbeing. The viability of this choice is impacted on by issues of race-based hostility, funding formulae and the privileging of certain notions of freedom, which themselves have an historical dimension that favoured non-Aboriginal autonomy and continues to be systemically entrenched.

Resolution of tensions between liberal notions of individual autonomy and group diversity in practical terms must reflect the need for these dimensions of freedom to coexist rather than seek to sacrifice one in favour of the other. Given that the practical world is shaped by relationships between autonomy and diversity the field of Aboriginal governance requires that these notions not be thought of as mutually exclusive. Rather, choice for Aboriginal people requires the flourishing of this relationship.

In Victoria, liberalism's capacity to reshape itself in response to the problematization of tensions between practice and philosophy has seen Aboriginal governance shaped by an authoritarian governmentality that demonstrates continuity between past colonial and present governmental practices. Neo-liberal practices, for instance, were seen to discriminate in favour of non-Aboriginal market-driven freedoms in their use of governmental devices and techniques such as contractual agreements. Neo-liberal market-driven economic reforms and structural interventions have rendered state responsibility and accountability uniquely opaque. Contractualism, as in regards to Aboriginal governance, has seen Aboriginal agents become responsible for reform that they have disproportionately minimal power to implement. Its imposition of contractually framed agreements has exacerbated historical issues of imposition in Aboriginal/colonial-settler relations. Public choice theory, another theoretical framework used in the service of neo-liberal governance, skews the importance of choice as a practical outworking of Aboriginal self-determination and reshapes it into a framework of suspicion. Similarly, mutual obligation can undermine rather than affirm preceding voluntary Aboriginal participation. These neo-liberal techniques of governance are compounded by race-based 'truths' generated by organisations concerned to further their own agendas, agendas which are perceived in terms oppositional to the diversity of agendas pursued by Aboriginal individuals and organisations.

The governmentality approach proved useful in deciphering for whom and by whom liberal practices rendered power practicable. The Foucauldian construction of 'governmental rationality' is useful in deciphering the logics that inform governmental practices. However, it is less useful in differentiating between and accounting for differences in practices that are rendered operational in the service of the same logic. For instance, differences between practices that, on one hand, constrain Aboriginal

people and, on the other, ensure a remunerative safety net for non-Aboriginal people. As a theoretical framework, it was also less well placed to accommodate the subjectivities of those whose experience of the exercise of agency has not been powerful.

Racism as an aspect of power is enmeshed in liberal constructions of freedom and autonomy. For Aboriginal people in Victoria the effects of race-based exclusion require more than a governmentality approach to understanding how power comes to be made practical through strategic State intervention. It requires a genealogical investigation of the bureaucratic history that informs the present. This genealogy forms the basis of the following chapter.

PART TWO

Chapter 3

Aboriginal/colonial-settler narratives

> We are very far from a racism that would be, as traditionally, a simple disdain or hate of some races for others. We are also very far from a racism that would be a sort of ideological operation by which the State or a class would attempt to divert those hostilities towards a mythical adversary ... I think it is much more profound than an old tradition ... than a new ideology, it is something else. The specificity of modern racism ... is not tied to mentalities, ideologies, to the deceits of power. It is linked to the technology of power ... (Foucault, February 1991, in Stoler, 1995:86).

In the previous chapter I was concerned to locate the KSIS within a liberal philosophical tradition. As this is the political framework in which Australian governance is historically rooted, it is important to have outlined the significance of liberal philosophical debate in relation to Aboriginal governance. Racism featured as a factor in this, but, as Foucault further alerts us, racism is linked profoundly to specific 'technologies of power'. Simply put, this is the 'how' of power in which governing is accomplished through the use of mechanisms and instruments (such as contracts) in which moral and political conduct is shaped in accordance with particular rationalities.

I have discussed this 'how' question in relation to liberal practice, in particular tensions and discontinuities between liberal philosophical constructions of freedom and autonomy. I have also introduced the notion of Aboriginal 'choice' and its practical application in the arena of human services. I move now to refine the KSIS's broad location within liberalism and pursue the more specific line of argument that links the past and present of Aboriginal governance and identifies certain continuities. As a strategic State intervention, the KSIS was part of a larger history of bureaucratic practices that has shaped possibilities in Aboriginal governance.

The brief and by necessity, partial,[1] genealogical account that follows is structured in such a way as to answer questions of 'how historical processes and

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[1] I make note of the partial nature of my genealogical account in order to acknowledge geographical/time constraints of this study.

conditions of control have been implemented'. The point has not been to construct a definitive narrative or counter-narrative. Rather, I was concerned to draw on a range of archival sources and reports pertaining, in particular, to the histories of the Kulin nations (Maps 2&3: Appendix A) - Jaara (Djadja Wurrung); Taungurong (Daung Wurrung); Wurundjeri (Woi Wurrung); Wathaurung (Watha Wurrung); Bunurong (Boon Wurrung).[2] The authoritative work of Diane Barwick and Richard Broome, historians who have each conducted extensive investigation of Victoria's Aboriginal/colonial-settler past, also serves to inform my analysis. The construction of such a genealogy is necessary, as the circumstances of Aboriginal dispersal and relocation have cumulatively impacted on the implementation and Aboriginal experience of strategies employed in the course of Aboriginal governance. These circumstances have also contributed to the formation of a context that is crucial to note when examining the KSIS in terms of 'a technology of power'.

Beginning in the late 18th century Aboriginal peoples throughout Victoria experienced the impacts of what Barwick describes as 'European intruders' (Barwick, 1998:10). The use of the word 'intruder' instead of 'invader' is pertinent. It conveys the sense that invasion, whilst involving the overt frontier violence usually associated with invasion, also took the more pervasive and ongoing form of successive waves of intrusions driven by agenda's other than invasion itself (Broome, 1995:129). A combination of factors brought about Aboriginal dispossession and the genocidal consequence of clashes between what Broome describes as 'incompatible economic systems' - pastoralism/modernism versus traditional itinerant land use/hunter gatherer society (Broome, 1995:129). Though this combination included war between Aboriginal peoples, excessive use of alcohol, and punitive actions by police, it has been claimed that these factors were not the most devastating (Barwick, 1971:288). More ruinous was disease, including smallpox, tuberculosis, measles, syphilis and gonorrhea introduced with the earliest European contact (Barwick, 1984:109). The effects of post-contact

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[2] Justification for the Kulin focus is twofold. Firstly, Lieutenant Murray 'took possession' and claimed 'rights of first discovery' of what was New South Wales in the area of the Kulin cultural groups. The dispossession of the Kulin peoples marked, as I discuss shortly, a starting point for tracing the colonial dimensions of Victoria's bureaucratic past. Secondly, the swiftness of European expansion throughout this area, which came to be known as Melbourne, dramatically illustrates aspects of dispossession that I later argue had consequences for the outcomes of present state driven interventions in Aboriginal governance.

disease was compounded by theft of resources and destruction of indigenous economies brought about by sealing, whaling, grazing, and the acquisition of gold and penal space.

Against this history of invasion/intrusion, I start my genealogy of strategic interventions that feature in Victoria's Aboriginal/colonial-settler history with the following extract from the Log of the Lady Nelson:

> Monday, March 8th 1802
> First and Mid parts stiff gale at SW, latter more moderate with clear weather. Necessarily employed as we now intended sailing in a few days. I judged it consistent with His Majesty's instructions (a copy of which I was furnished with from the Governor and Commander-in Chief of New South Wales) to take possession of this port in the form and manner laid down by said instructions, and accordingly at 8 o'clock in the morning the United Colours of the Kingdoms of Great Britain and Ireland were hoisted on board and on Point Paterson, and at one o'clock under a discharge of 3 volleys of small arms and artillery the Port was taken possession of in the name of his Sacred Majesty George the Third of Great Britain and Ireland, King etc., etc. Served double allowance of grog. In the afternoon I went ashore attended with an armed party and passed the remainder of the day about and under the colours flying on shore, at sundown hauled down the colours on board and ashore (Lieutenant Murray, in Lee, 1915:147-148).

And so, accompanied by suitable bureaucratic aplomb and two serves of 'grog', the thirty or so different cultural-linguistic groups, of which the Kulin nation constituted five, were, in English law, dispossessed (Broome, 1995:123). In the tradition of colonial acquisitiveness, Lieutenant Murray's ceremony served to furnish England with what it understood to be the 'rights of first discovery' to the Port Phillip area (Barwick, 1998:18), after which the most rapid European usurpation in the colonial history of Australia took place (Broome, 1995:129).

In late 1834, thirty years after Murray's 'taking possession', the Henty family embarked on the first European private enterprise in Victoria with their settlement of the south-west coast. Arriving from England with a company of farm laborers, livestock and equipment, Thomas Henty and his seven sons were skilled farmers and graziers with interests including coastal shipping, trading and whaling. In short, the family was well placed with its breadth of resources to succeed in their endeavors. Regardless of

being refused official sanction, Henty & Co. proceeded to 'squat' on 20,000 acres (9,000 hectares) of Victoria's coast and inland plains. Over the sort space of eighteen months they had created a substantial settlement at Portland that grazed 850 sheep with many hectares under cultivation (Peel, 1996:1-8). Though this represented a significant colonial-settler impact, it was the 'purchase' of land - from the Bunurong (Boon Wurrung), Wurundjeri (Woi Wurung), and Wathaurung (Watha Wurrung) peoples of the Kulin nation - by John Batman in June 1835, the first recorded contractual relationship between Aboriginal peoples and Victorian colonists, that contributed most to the next link in the bureaucratic chain of colonial expansion and occupation.

Seeking to broaden their pastoral claims beyond Tasmania, a group of professional men, government officials, tradesmen and landowners, these being Tasmanian societies elite and calling themselves the Port Philip Association, sought to form a settlement on the pastoral lands of Port Phillip. Batman, the 'leading spirit' of the Association was to obtain a 'grant of land by treaty' that applied to an estimated area of 600,000 acres (250,000 hectares) 'extending from the Yarra all around the Western shore of Port Phillip to Queenscliff and stretching inland by as much as forty miles [65 kilometers]' (McPhee, 1911:72-75). The value given in exchange for the land consisted of a quantity of blankets, handkerchiefs, tomahawks, necklaces, sugar, mirrors and apples and an annual 'rent or tribute' to the value of 200 English pounds was to be paid in goods from then on (Broome, 1995:125). This method of conveyancing also included Aboriginal representatives handing to Batman some soil. This was symbolic of the change of ownership and a process of negotiated land transfer the validity of which was scoffed at by many of Batman's contemporaries (McPhee, 1911:79-84).

James Bonwick, in his discussion less than fifty years later of Batman's journal and report noted that, whilst Batman took the gift of soil as evidence of the transfer of land ownership, he 'took no pains to discover if this simple tribe, or portion of one, had really rights over so large a district as that he claimed, or whether the hunting-grounds of neighbours and probably tribal foes, were included within the area' (Bonwick, 1883:195). Following Bonwick's line of observation, Barwick suggests that it is more likely that Batman had secured formal permission from the Kulin clans involved in the 'treaty', for temporary and safe access to those clan territories, rather than purchase of land. Barwick described this type of transaction as the 'tanderrum ritual'. This ritual

required exchange of gifts and formal presentation of tokens based on the principle of reciprocity in land and resource management and symbolised the owner's hospitality in permitting the visitor temporary use of land (Barwick, 1984:106).

At one level Batman's efforts command a certain respect in that they represent the only recorded 'purchase' negotiated between Aboriginal owners and European intruders and, accordingly, accounts for the only formal acknowledgment of original Aboriginal land ownership (Broome, 1995:126). Nevertheless the action was primarily self-serving. It has been suggested the type of 'treaty' used by Batman was modeled on William Penn's historic 'treaty' with the Lenape people of the Delaware river region in Pennsylvania in 1682. If these accounts are accurate, Batman's efforts reveal ignorance of, and disinterest in, Aboriginal law which precluded transfer of land ownership and would have necessarily constituted grounds for rejection by the Kulin peoples of Batman's overtures.

Ironically the Governor, Sir Richard Bourke, also rejected Batman's transaction but under British law. This rejection was based on the overtly imperialist grounds that colonial rule would be undermined by Batman's efforts as his 'treaty' was negotiated on behalf of a commercial entity, the Port Phillip Association, rather than the crown. Bourke, whose New South Wales jurisdiction extended at that time from north to south along Australia's entire east coast, from the Cape York Peninsula to Wilson's Promontory proclaimed:

> that every such treaty, bargain, and contract with the Aboriginal Natives, as aforesaid, for the possession, title or claim to any lands lying and being within the limits of the Government of the Colony of New South Wales ... is void, as against the rights of the Crown; and that all persons who shall be found in possession of any such lands as aforesaid, without the licence or authority of His Majesty's Government for such purpose first had and obtained, will be considered as trespassers, and liable to be dealt with in like manner as other intruders upon the vacant Lands of the Crown within the said Colony (Proclamation of Governor Bourke, 26th August 1835, cited Bonwick, 1883:333-334).

Whether motivated by a financially driven determination to avoid the cost of protecting more unauthorised sheep runs, as has been suggested by Barwick (1998:23),

the effect of this proclamation had more profound consequences than to repudiate and denounce Batman's efforts on the part of the Port Philip Association. It also defined Aboriginal peoples as 'intruders' on their own lands. As a consequence of redefining themselves as owners within English law, European 'intruders' also redefined Aboriginal people. The Secretary of State in London, Lord Glenelg, agreed with Bourke's stance and in response to Bourke' proclamation said that:

> ... Although many circumstances have contributed to render me anxious that the aborigines should be placed under a zealous and effective protection, and that their rights should be studiously defended, I yet believe that we should consult very ill for the real welfare of that helpless and unfortunate race by recognising in them any right to alienate to private adventurers the land of the Colony. It is indeed enough to observe that such a concession would subvert the foundation on which all propriety rights in New South Wales at present rest, and defeat a large part of the most important regulations of the Local Government (Lord Glenelg 13th April 1836, cited Bonwick 1883:348).

Glenelg's refusal to recognise in the Kulin nation their 'right to alienate', that is, their right to transfer the ownership of property to another (Thorndike Dictionary, 1966), was underpinned by a governmental rationality of colonial expansion and demonstrated a race-based differentiation and privileging of what, and whose, rights were defensible. It is unlikely that preclusion of land transfer within Kulin law featured in Glenelg's reasoning. More compelling was his concern for the potential consequences of recognising Aboriginal rights for colonial acquisition. Aboriginal peoples' rights were, through documents such as Bourke's proclamation and Glenelg's response, rendered progressively inoperable, invisible, and deniable.

Within six years of Bourke's and Glenelg's official dispossession of the Kulin nation (1835/36), 12,000 Europeans had effected the physical dispossession of the Bunurong (Boonwurrung), Wurundjeri (Woiwurung) and Wathaurung (Wathawurrung) peoples and expropriated most of the Taungerong (Daungwurrung), Jaara (Djadjawurrung) and Ngurelban (Ngurai-illamwurrung) territories (Barwick, 1998:16).

In another ten years, in 1851, Victoria became a separate colony[3] and was occupied by some 77,345 Europeans, 391,000 cattle and 6,590,000 sheep (Barwick, 1998:16).

Pastoralists, known as squatters at this time because they paid the British Crown an annual fee of ten pounds (equivalent to $5,000 per annum today) effectively controlled the land's wealth[4] with wool exports from Victoria being worth 5 million pounds.[5] European settlers had engulfed most of the arable land by the time Victoria became a separate colony (Broome, 1995:129). Shortly after this, in the early 1850s, gold was discovered with the consequence that the 'land grab' extended beyond the arable to potentially gold yielding terrain. By 1861, a mere 27 years after the first significant settlement was made by the Henty's, a staggering 540,000 Europeans had claimed all of Victoria except for the mountain areas and the Mallee country of north-west Victoria which at that time were thought uninhabitable (Barwick, 1998:17).

Early estimates of Aboriginal populations at the time of the first wave of intrusion/invasion, in what came to be known as Victoria, vary from 5,000 to 15,000 (Barwick, 1971:288). These estimates must be read in the context of early colonial-settler records. The concerns of those, whose records form the basis for population estimates, extended to carefully tallying the loss of several thousand sheep and cattle and the 'murder' of fifty-nine Europeans in the Port Phillip District. It is less conceivable that their concerns included the accurate enumeration of those whose land they occupied (Barwick, 1984:108). Regardless of the accuracy of population estimates, eyewitness accounts describing 'wanton slaughter', starvation, and effects of European-introduced diseases drastically reduced this number (Barwick, 1984:109). Agreement across all historical sources suggests that by 1863, from the original 30 cultural-linguistic groups (Broome, 1995:123), less than 2,000 individuals had survived European invasion/intrusion (Barwick, 1971:288).

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[3] For a time-line of historical events in Victoria's past, including the discovery of gold, see the Museum of Victoria database, viewed 23/11/01, <http://immigration.museum.vic.gov.au/time1850.htm>
[4] Broome's History Series for LaTrobe University , viewed 22/11/01, <http://www.his.latrobe/history/vce/vcetitles/colexpext/colexpext1.htnl>
[5] For further details of Victoria's colonial-settler past see the Museum of Victoria database, viewed 23/11/01, <http://immigration.museum.vic.gov.au/time1840.htm>

The effect of colonial expansion on Aboriginal peoples did not go unnoticed by English humanitarians. A British House of Commons Select Committee claimed in 1837 that 'very little care has since been taken to protect them [Aboriginal people] from the violence or the contamination of the dregs of our countrymen' (Broome, 1995:130). The colonial bureaucratic response to this concern was the establishment in 1839 of the Port Phillip Protectorate consisting of five 'Protectors' (Barwick, 1998:27) who were mandated 'without coercion, to settle the Aborigines on reserves and teach them the virtues of a sedentary, Christian life' (Broome, 1995:130). By the time the Protectorate was discontinued ten years later, in 1849, thirteen mission stations and reserves had been created throughout Victoria (Koori Heritage Trust, 2000). Occasional rations were distributed as incentives for Aboriginal people to relocate to missions, and as disincentives for them to frequent their traditional lands, in what had become the bustling metropolis of Melbourne, where they were seen to be 'interfering with the white population'.[6] But most funding received by the Protectorate was dispersed in the form of salaries to those who staffed the reserves and missions, with little funding remaining for food, clothing and medicines to be distributed amongst those for whom the reserves and missions had been established (Barwick, 1971:288). As will be seen in later chapters this consumption by bureaucratic machinery and personnel of funding designated to address needs of Aboriginal people has become a feature of Aboriginal governance. The grief caused to Aboriginal people resulting from such funding practices has been well documented. In 1975 according to Charles Perkins, at the time a Department of Aboriginal Affairs Officer:

> ... if only the Labor Party knew how much the Public Service personnel in many areas deliberately undermined their policies and programs, they would not sleep at night (Perkins, in McConnochie, Hollinsworth & Pettman, 1993:143).

During the Labor term referred to by Perkins, management and misappropriation of funding, for which Aboriginal people had previously been blamed, were found later to have been a consequence of salary expenditure for non-Aboriginal public servants and consultants (op. cit., p.144).

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[6] Extract from the Victorian Parliamentary Debates, October 1858, cited Museum of Victoria, viewed 28/11/01, http://www.museum.vic.gov.au/ed-online/encounters/coranderrk/legislation/extract1.htm>

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The cost of expansion

The expansion of Melbourne had genocidal consequences. Assistant Protector William Thomas in 1844 recorded: 'I do not think that of the five tribes [Kulin] who visited Melbourne that there is in the whole of five districts enough food to feed one tribe' (cited Broome, 1995:129). A year later he noted that two groups of the Kulin peoples had no children under the age of five (Barwick, 1998:32). No reserves were established in the lands of the Wathaurung (Watha Wurrung) or Kurung peoples (Barwick, 1998:29). The colonial pressure to relocate from traditional lands had the consequence that the few remaining Wathaurung (Watha Wurrung) and Kurung people were compelled to live on the lands of other cultural-linguistic groups. This in turn affected rights to land use and marriage (Barwick, 1998:31).

With relocation to missions and reserves in the 1840s began the first assimilationist practices. That a colonial Committee of Inquiry in 1849 deemed the Port Phillip Protectorate an expensive failure and therefore discontinued it, did not stop the assimilationist/protectionist focus of policies generated in response to Aboriginal peoples (Broome, 1995:132). Rather, it marked the beginning of an oscillating pattern of State interventions, policies and funding decisions that have, in the main, continued to dispense with Aboriginal input when reaching final decisions as to amelioration of damage caused by invasion/intrusion. Although, at the turn of the 21st century, the KSIS sought to be more inclusive of Aboriginal voices, it paradoxically demonstrated that nineteenth century issues of power and control within Aboriginal/colonial-settler relationships were perceived by many Aboriginal participants in the present case study to have changed remarkably little.

Extracts from Victorian parliamentary debates in 1858 suggest that the injustices perpetrated on the Aboriginal peoples of Victoria were acknowledged by the State as just that, 'injustices'. McCombie, for instance, argued that:

> they [Aboriginal peoples] had too frequently been treated savagely
> and inhumanly by the white population of this colony, as the records
> of the courts will show; they had in fact been almost exterminated,
> and it was one of the darkest enigmas of the world that the progress
> of the civilised nations appeared always to eventuate in the

extermination of the inferior race. The Legislature, as well as private individuals, had a duty to perform towards the aborigines, and was bound to see that justice was done them (McCombie, October 1858).[7]

This spokesman did not deny the 'right of the higher race' to take possession of this land, but he maintained that at the same time such measures ought to be taken as would ensure Aboriginal people means of protection and support. The type of State responsibility deemed appropriate amounted, in hindsight, to a peculiar blend of Christian paternalism in which colonialist acquisitiveness was justified by Darwinian deterministic theories of evolution.

In 1858 the first of many Select Committees was appointed to inquire into the conditions of Aboriginal people in the Victorian colony. The Select Committee, consisting of settlers, found that some Aboriginal peoples were already extinct with few children being born since 1850. It recommended in its 1859 Report that the government reserve land for the various peoples remaining on their own traditional lands and provide funds for the regular distribution of food and clothing (Barwick, 1971:289). At the time some people supported the pursuance of the Select Committee's findings. Debating in the Victorian Parliament Mr McCombie, for instance, was recorded as commenting that:

> there were many gentlemen in that House who had made large fortunes in what had once been the property of these aborigines, and it was but right that these unfortunate should now look to them for help and assistance (McCombie, February 1859).[8]

Responding with arguments evocative of the same polarity present in current debates about contemporary issues of Aboriginal governance (see Manne 2000, 2001; Windschuttle 2000, 2001) views such as Mr McCombie's were offset by others, such as that of Mr Fawkner and Mr Strachan. Mr Fawkner was recorded as saying that 'he thought that House possessed no authority to call upon the Government to set apart any sum of money for the aborigines. It seemed a law of nature that the aborigines of the

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[7] Extract from the Victorian Parliamentary Debates, October 1858, cited Museum of Victoria, viewed 28/11/01, <http://www.museum.vic.gov.au/encounters/coranderrk/legislation/extract1.htm>
[8] Extract from the Victorian Parliamentary Debates, February 1859, cited Museum of Victoria, viewed 28/11/01, <http://www.museum.vic.gov.au/encounters/coranderrk/legislation/extract2.htm>

various colonies should fall before the whiteman' (Mr Fawkner, February 1859).[9] Mr Stachan advanced the argument that 'there was no question that the most powerful tribes had now dwindled away to very few and such establishments as there were proposed [reserves on traditional lands] would be thrown away upon them' (op. cit.).

It is of no small relevance that in the same year of the Select Committee's Report, 1859, Charles Darwin published his influential *The Origin of Species by means of Natural Selection, or the Preservation of Favoured Races in the Struggle for Life*. The eugenicist views of colonial-settler Victorians were products of their times. In Darwin's work, theories of natural selection were pursued. He stated 'we have already seen how it [natural selection] entails extinction; and how largely extinction has acted in the world's history' (Darwin, 1895:96-97).

The Aboriginal peoples of Victoria, as elsewhere, have had little for which to thank Darwin. Within a very short period the theory of natural selection came to occupy a position of great significance in the popular imagination, operating as a form of Foucault's *savoir*. The term *savoir*, connoting specific constructions and applications of knowledge, in this context describes the management of non-European populations through 'knowledge' of natural selection generated by specialists including doctors.

A thirteen-year old boy, my grandfather Victor Wallace, who was later to become a medical practitioner, living near Horsham wrote a story that was characteristic of its time, *Chronicles and Legends of Wonwondah East*. This was submitted to the Victorian State Schools Exhibition of 1906 fifty years after Europeans settled that area of Victoria. I include here a passage from that story as it is illustrative of how Aboriginal people in Victoria were popularly perceived at that time. Wallace wrote:

> we discussed the quaint religious beliefs and childlike superstitions of the blacks, and we conjured up a vision of 'the Corroboree warlike and grim' - though I fancy it was not particularly warlike only a sort of children's make-believe. It was just about a prototype of our fancy dress ball - only there were no dresses ... They were harmless and kindly and hospitable. That they were lazy and shiftless, we admit. Probably Adam before the fall was not much of a hustler at hard work. But underneath that

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[9] op. cit.

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outside casing of apathetic indolence I believe there were qualities substantially good. They could endure privation cheerfully. They had the stoicism under torture of the Red Indian, without the Indian's fiendish pleasure in inflicting it ... In tenderness, then, to our own complacency and self-esteem let us think and speak most tenderly and charitably of the vanished race (Wallace, 1906).

It is easy to attempt a separation from perceptions, such as those conveyed in this passage, by being complicit with the dominant view that the past and present are strangers. But such separation is artificial. Just as there are links that connect me to my grandfather, intergenerational transference of perceptions and beliefs, Foucault's *savoir* continues to be a potent dimension in narratives of Aboriginal/colonial-settler relations. As I am reminded of this continuity, I am also disturbed at how 'present' the past actually is in the Victorian context.

Darwin's thesis and that of his cousin, Francis Galton, who ascribed almost all similarity and difference amongst individuals to heredity, discounting environmental effects (Oldroyd, 1988:287), informed the race-based exclusionary, pro-slavery, white supremacist beliefs of the then British Anthropological Society (Desmond & Moore, 1992:521). Arthur Mee's *Children's Encyclopedia*, a publication first printed early in the 20th century and glorifying the British empire, had extensive readership throughout the colonies with sales in excess of 5 million by the 1950s (Hammerton, 1953:124). It was an influential source for the legitimation of eugenicist values. In answer to questions such as 'why are we like our parents?' the *Children's Encyclopedia* provided the following deterministic explanation. The genetic imprint, or as the *Encyclopedia* describes it, 'the life-germ or the germ-plasm' is responsible for reproducing race:

Sheltered within the body, it [the genetic imprint] is not exposed to any influences from the world outside, and remains unaltered to form the material for the next generation of men and women. The bodies of these men and women from generation to generation may differ, but the germ-plasm goes on. It is the life-power of the race. It *is* the race, it *is* the family, with all the family's changeful peculiarities and powers ... This is especially true in matters of the mind, and the late Sir Francis Galton, who founded what is called the Science of Eugenics - the science of human welfare - showed by collecting records of noteworthy families that intellectual genius is nearly always carried on (Mee, 1953, Vol 6:4130 [emphasis in original]).

This line of argument supported what David McCallum has described as the 'hard line' eugenicist position, which, in the context of population control and manipulation, validated such policies as the sterilisation of those deemed to be 'mental defectives' and 'moral imbeciles'. However, a more moderate 'soft' line was seen to prevail as the general consensus of Australian medical opinion (McCallum, 1982/83:18). Advocates of this 'softer' form of eugenics preferred the use of education and other environmental factors, including assimilationist practices, as 'correctives'.

Even as colonial-settler society during the 1950s was attempting to create its own uniquely Australian identity, resulting in the publication of its own *Australian Junior Encyclopaedia*, with contributions from State government departments and organisations, Aboriginal people continued to be maligned. They were homogenously described in Darwinian terms as being likened to living fossils. The following extract, taken from a section written by an anthropologist from the University of Melbourne, is characteristic:

> Long isolated in Australia, cut off from the competition of other races of mankind during what was probably its most intensive struggle for survival, the aborigine lagged behind in the march of progress, and so lingered in the Old Stone Age. When the first white men came to this country they were astonished at the primitive mode of life of the aborigines (Thomson, Australian Junior Encyclopaedia, Vol. 1,1954:70).

The portrayal of Aboriginal people as less intelligent has roots in the 'science' of the eugenics movement. McCallum makes connections between the State school education system in Victoria, eugenicist theories of inherited mental ability, and psychology (McCallum, 1982/83:24). In the State school system of Victoria, psychology's preoccupation with intelligence testing and its prerequisite construction of the 'bell shaped' notion of normalcy have done much to condition popular conceptions about Aboriginality and bio-deterministic 'victim blaming'.

The first of many Boards

After the 1858 Select Committee recommended that land be reserved for Aboriginal people and funding be provided, it established the 'Central Board Appointed to Watch

over the Interests of Aborigines', the first of its kind in Australia (National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families, hereafter abbreviated to the National Inquiry, 1997:57). The Board commissioned a report to ascertain the numbers and locations of Aboriginal people in order to budget for the distribution of supplies (Barwick, 1971:291). Continued throughout the bureaucratic history of Aboriginal governance in Victoria has been the ongoing production of reports that measure and describe the means by which inequities in Aboriginal needs may be addressed.

The Board was responsible for proclaiming Aboriginal reserves, and overseeing local protection committees and the distribution of funds. At this time, despite the Board's effort to 'coax' people onto the reserves, only a quarter of Aboriginal people in Victoria were estimated to be living on reserves (Broome, 1995:136). The Aboriginal Protection Act (Vic) of 1869 consequently reshaped the Central Board into the Board for the Protection of Aborigines. This was the first Act of any Australian colonial parliament to comprehensively regulate the lives of Aboriginal people. Whilst it contained few substantive provisions, the Act gave the Board extraordinary control over people's lives, including the power to regulate places of residence, employment, marriage, social life and other aspects of daily life (National Inquiry, 1997:58).

Regulations were bureaucratic in nature and did not attract the kind of parliamentary scrutiny and publicity normally associated with proposed Statutes. For instance, in making the Governor responsible for regulations associated with 'the care, custody and education of the children of aborigines'[10] the Act effectively legislated permission for the removal of Aboriginal children from their parents. Children were taken to industrial or reform schools, or reserves if they were deemed 'in need of care, protection and education' (Broom, 1995:135-136). Perhaps it is the mundane nature of bureaucratic processes, what Hannah Arendt described as the 'banality of evil' (Arendt, 1964:252), that permitted Aboriginal child removal to continue despite Article 2(e) of the United Nations 1948 Convention on the Prevention and Punishment of the Crime of Genocide. It is important to note that, although ratified by Australia, Australian parliamentarians in 1949 did not believe that the Convention's reference to 'forcibly

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[10] Article 2[V] Aboriginal protection Act [Vic] 1869, see footnote 2 in Chapter Two.

transferring children of the group to another group'[11] had relevance in Australia (Reynolds, 2001:33).

The Aboriginal Protection Act of 1869 also gave the Governor power to decide who was to be deemed Aboriginal. The Act states that:

> every aboriginal native of Australia and every aboriginal half-caste or child of a half-caste, such half-caste or child habitually associating and living with aboriginals, shall be deemed to be an aboriginal within the meaning of this Act; and at the hearing of any case the justice adjudicating may, in the absence of other sufficient evidence, decide on his own view and judgment whether any person with reference to whom any proceedings shall have been taken under this Act is or is not an aboriginal (Section 8, Aboriginal Protection Act (Vic) 1869).[12]

Speaking on Aboriginal history in the present (21st May 2003) Tony Birch, Aboriginal writer and historian described the existential horror with which the 1869 Act resonates in its power to have dictated the constitutive dimensions of Aboriginal identity.

Successive waves of dispossession

The Act of 1869 was amended in 1886 to define who, in the context of official regulation, was 'legally white' and thus ineligible to live on Aboriginal reserves or receive assistance (Barwick, 1998:3). This 1886 Amendment Act (Vic)[13] has come to be known as the 'half-caste' Act,[14] 'half-castes' being described as Aboriginal people who had some European ancestry (Barwick, 1998:3). The consequence of this Act was that reserves were to be retained only for 'full bloods', 'half-caste' men over 34, and 'half-caste' wives and children all of whom required licenses from the Board to reside in these locations. Though the Act of 1886 did not specifically authorise it, the Board also forbade marriages between 'full bloods' and 'half-castes' (Barwick, 1971:290), another bureaucratic regulation with genocidal impact. After being first removed and then relocated, people on Aboriginal stations and reserves formed ad hoc communities. In

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[11] For full text of the United Nations 1948 Convention on the Prevention and Punishment of the Crime of Genocide see Yale University database, viewed 4/12/01, <http://www.yale.edu>
[12] See footnote 8
[13] See footnote 3 in Chapter Two
[14] op. cit.

what has been described as a cost cutting exercise, the 1886 Act, by way of creating artificial categories of 'full bloods' and 'half-castes', legislated in such a way that the newly formed communities were robbed of their 'muscle power' and families further dislocated (Broome, 1995:139-140). It amounted to another wave of dispossession.

The 'unlicensed' people were not left untouched by the 1886 Act. Those who were pushed off the reserves were given a possible total of seven years in which to become self-supporting and self-reliant. They were not permitted back onto the reserves without a license, regardless of whatever family members remained there.[15] Illustrating a recurring patter of bureaucratic oversight that features in practical aspects of policy implementation, the Board did not actually start issuing the relevant licenses until 1893, seven years after the Act was passed. The maintenance of family contact between those who were separated was constructed by the Act during those seven years as a form of criminality. The decision to push Aboriginal people back into colonial-settler society not only further demonstrated the oscillation of bureaucratic regulations begun in 1849. It also demonstrated yet another pattern that has continued into the present. Policies, ostensibly pertaining to the well being of Aboriginal people, continue to be initiated regardless of findings generated by reports that suggest that the social climate necessary to support such initiatives has not been present. For instance, in the Royal Commission of 1877 it was noted that:

> a certain reluctance at present exists among colonists to associate freely with the natives ... They may be tolerated, perhaps even petted, as children, but no sooner do they reach adult age, than their society is shunned, and a project which might be otherwise successful is thus marred (Royal Commission, 1877:xii).

Aside from racist undertones in the language and perspective of this passage, the Commission's finding suggests that non-Aboriginal communities, into which the Act of 1886 was pushing Aboriginal adults, were not ready or willing participants in the pursuit of Aboriginal self-reliance. In order for those 'able bodied' people, who were refused access to the reserves, to become self-reliant, which was the expectation underlying the 1886 Act, they had to engage with the colonial-settler economy by way

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[15] op. cit.

of employment. According to the Commission it was at the time when Aboriginal people became 'able bodied' that they began to be 'shunned' by colonial-settlers. It would appear that the experience of being 'set up to fail', as was articulated by many interviewees in the course of my study of the KSIS, has a history dating back to the 1886 Act.

'Bureaucratic terra nullius'

Barwick's extensive analysis of Aboriginal populations in Victoria over a hundred years comprehensively describes a halving of the size of station/reserve communities as a result of the 1886 policy decision. This, coupled with pressure on the Board from land-hungry pasturalists to relinquish lands previously designated for reserves or stations, led to the Board amalgamating previously separate groups, thereby reducing the number of stations and also reducing its expenses (Barwick, 1971:290). The Aborigines Act of 1910 (Vic) extended the power of the Board, abandoning differentiation of Aboriginal people of partial European parentage (Section 2, Aborigines Act [Vic] 1910).[16]

But these legislative changes had little impact on Aboriginal/colonial-settler relationships. Although the Board had increased powers, its sphere of influence was reduced. By 1922 the Board had closed or sold most of its stations and reserves (Map 1: Appendix A). Lake Tyers in eastern Gippsland remained the only functioning reserve (McLean, 1957:5). Residents from other reserves were transferred to Lake Tyers, the Board using various means of persuasion such as withdrawal of rations, seizure of children and sometimes the forcible removal of adults under police escort acting in accordance with an Order-in-Council that prescribed their new place of residence (Barwick, 1971:291). The Board ceased submitting reports to Parliament (Broome, 1995:142), and what has been described as despotic management of the Lake Tyers community was hidden from public scrutiny.[17] For instance, the fact that as recently as 1968, Aboriginal people required permits to go onto the Lake Tyers reserve and were required to give two weeks notice, a year after they were supposedly given citizenship

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[16] For full text of this Act see the National Archives of Australia database, viewed 28/11/01, see footnote 2 in Chapter Two.
[17] For descriptions of the Lake Tyers Reserve noted in the *RCIADIC Report* see the Australasian Legal Information Institute database, viewed 13/11/01,
<http://www.austlii.edu.au/au/other/IndigLRes/rciadic/individual/brm_am/16html>).

rights in the 1967 Referendum, would not have been widely known amongst non-Aboriginal people at the time. The importance of this curtailment by the Board of what, in current debates, is understood as citizenship rights, continues to go largely unrecognized.

A further consequence, or 'unintended end' of the 1886 Act was that those who were expelled from reserves and stations created 'fringe camps' across Victoria. These were often situated quite close to reserves because of family members still living there, or in areas traditionally familiar. These tenuous communities lived outside the Aboriginal Acts, supporting themselves with seasonal work and living itinerant lives often concomitant with poor housing, health care and education (Broome, 1995:143). Despite this 'freedom' from the Board's interventions these people were not free from the prejudice, hostility or indifference of non-Aboriginal communities. Nineteenth century notions of genetic inferiority were thriving and the effects of race-based exclusions were later further exacerbated by the changing economic conditions of the 1930s Depression which closed off the few employment options available to Aboriginal people during the 1920s.[18]

After the seven years of diminishing support designed to 'aid transition', as legislated through the 1886 Act, the Board gave no assistance to those who were deemed to be 'half-castes'. Neither did the State extend support, as it did to non-Aboriginal people, in the forms of child endowment or pensions, because they were of Aboriginal descent. This legally sanctioned discrimination was philosophically underpinned by refusal within liberalism to acknowledge in Aboriginal people their capacity to engage as free citizens, as discussed in the previous chapter. The Commonwealth of Australia Constitution Act of 1900[19] excluded Aboriginal peoples from recognition within the law, public Acts and records, and judicial proceedings of the States (Section 51), including census collection. The Commonwealth Franchise Act electoral roles and, therefore, from voting. Aboriginal people as defined within the Act

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[18] For the effects of the 1930s Depression on Aboriginal people noted in the *RCIADIC Report* see the Australasian Legal Information Institute database, viewed 19/03/03,
<http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/rciadic/regional/nsw-vic-tas/180.html>
[19] For electronic reproduction of the Commonwealth of Australia Constitution Act of 1900 see the National Archives database, viewed 19/02/02, <http://www.foundingdocs.gov.au/places/cth/cth1.htm>
[20] For electronic reproduction of the Commonwealth Franchise Act of 1902 see the National Archives database, viewed 28/11/01, <http://www.foundingdocs.gov.au/places/cth/cth5i.htm>

of 1902 (Section 4)[20] disqualified Aboriginal people from placing their names on of 1886 were, in terms of Commonwealth and Victorian State bureaucracy, invisible - they occupied a 'bureaucratic terra nullius' within an unsupportive non-Aboriginal society.

Twentieth century exclusions

In many instances I have included extracts from documents, parliamentary debates and Victorian Acts in preference to brief summations. This is because, in terms of discourse analysis, it is through engaging with the very language and construction of these documents that we are compelled to realise how swift and complete was Aboriginal dispossession, and how pervasive the governmental rationalities that justified it. Eighty-four years had elapsed between Lieutenant Murray's taking 'ownership' of the Port Phillip area on behalf of the British Crown, and the removal of 'able-bodied' Aboriginal people from reserves. As Barwick points out, and most importantly for this study's location of the KSIS in a genealogy of Victoria's bureaucratic Aboriginal/colonial-settler relationships, the whole period of European occupation of Victoria has taken little more than two lifetimes (Barwick, 1971:296). This is a period so short that race-based, intergenerational 'truths' and assumptions can remain 'taken-for-granted', unquestioned, and, in that invisibility, continuingly salient.

Past exclusions from governmental and bureaucratic visibility have had present ramifications for relationships between Aboriginal people and colonial-settlers. This relationship between past and present is a contributing factor in my using the term 'colonial-settler' to describe the non-Aboriginal mainstream. Even though colonial and settler identities are usually associated with the eighteenth and nineteenth centuries of Australian history, in many subtle ways the nature of Aboriginal/colonial-settler relationships has changed little. But despite their often-problematic character it is, nevertheless, on the strength of these relationships that, as with the 1886 Act, initiatives such as the KSIS, rely in their attempts to bring about change.

The recognition that inequitable relationships between Aboriginal people and colonial-settlers have contributed to the ongoing difficulties experienced by many

Aboriginal people has a history almost as long as the relationships themselves. Charles McLean was appointed in 1957 to inquire into and report to the Victorian parliament on the operation of the Aborigines Act 1928, an Act which consolidated Board regulations established by preceding Acts (National Inquiry, 1997, Appendix 1.2). He asserted that 'factors ... which militate against the absorption of people of aboriginal blood into the general community' included those that 'arise from the attitudes of white citizens' (McLean, 1957:9). He continues this argument with the following:

> no clear line can be drawn between some of the factors peculiar to the aborigines themselves, and those arising from the attitude of white people, inasmuch as the causes and effects have a reciprocating tendency, creating a form of vicious circle. For example people of aboriginal blood, living in 'humpies', cannot be expected to maintain a proper standard of cleanliness and decent living, which militates against their gaining employment, as well as their social acceptance. But, while some may live in those conditions by choice, others possibly would not do so if they could obtain regular employment (McLean, 1957:9).

It is the impact of race-based exclusions and assumptions on Aboriginal choice that has particular bearing on the present analysis. McLean describes such exclusions as originating in 'racial and colour prejudice - the white man's notion of racial superiority - and in self-interest' (1957:9). In his view 'white people have their failings as employees, but in most quarters have more chance of being tested on their merits than has an aborigine' (1957:9). Instances of McLean's 'vicious circle' included employer exploitation and underpayment of Aboriginal people. 'When the latter, instead of complaining, leave for better remuneration, they are branded as 'unreliable'' (McLean's emphasis, p.9). In contrast, regions where Aboriginal labour was an important contribution to the area's economy, McLean described a situation where 'the only concern on the part of the townspeople in general ... seemed to be that they should be kept out of town, in the interest of "tidiness"' (McLean's emphasis, p.9).

McLean's 1957 Report was submitted to the Victorian Parliament only forty years before the KSIS was developed. Even though those who informed McLean's findings were not directly concerned with implementing the KSIS, their negative behaviour and attitudes continue to be represented in the environments in which the KSIS operated. The KSIS was developed and constructed in consultation with

Aboriginal people. In this it was more inclusive of Aboriginal people than the 1886 Act's pressure to become self-reliant. But any strategy that does not take into account varying propensities for racism amongst those who implement it, be they VDHS staff, service providers, or parts of the broader community in which the strategy operates, will fail in the same way that the 1886 Act failed. Aboriginal self-reliance, self-determination, and the power to control are dynamics that do not occur in a vacuum. They occur in the context of relationship, the Aboriginal/colonial-settler relationship.

Despite his recognition of racism in the Aboriginal/colonial-settler relationship McLean advocated a return to the assimilationist spirit of the 1886 Act that 'encouraged or forced' the able-bodied off reserves (Broome, 1995:149). In 1957, on the basis of McLean's recommendations, yet another Aborigines Act was passed. It repealed previous legislation and created a new Aborigines Welfare Board, the third Board in a period spanning a century, to replace the Board for the Protection of Aborigines. Until the 1957 Board's replacement by the Aboriginal Affairs Advisory Council in 1968, its sphere of influence extended to 'any person of Aboriginal descent whose moral intellectual and physical welfare the Board was to promote with a view to their assimilation into the general community' (Dodson, 1994).[21]

Resistance

Throughout the bureaucratic history of relationships between Aboriginal peoples and colonial-settlers in Victoria there has also been a concurrent history of Aboriginal resistance. Aboriginal people became increasingly articulate in the use of political language and techniques as they sought to resist the intrusions of strategic bureaucratic interventions. Barwick describes what she called 'a paper war', a rebellion conducted by the Aboriginal peoples relocated to the Coranderrk Station near Healesville (Map 1: Appendix A). Responding to Board interventions, the Coranderrk community used strikes, petitions and deputations in its fight for better working and living conditions (Barwick, 1998:1).

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[21] For full text of this paper see Dodson's website, viewed 6/12/01, <http://www.hreoc.gov.au>

William Cooper of the Cumeroogunga community (Map 1: Appendix A), who settled in the inner Melbourne suburb of Fitzroy, publicly criticised discrimination against Aboriginal people in employment. In 1933 he organised a petition to King George V which called for the Federal government to take control of Aboriginal affairs; an advisory council including an Aboriginal representative to oversee policy; and an Aboriginal member of Federal Parliament. A year later Cooper formed the Aborigines' Advancement League and in 1938 he conceived the idea of making the 150th anniversary of Australia a 'Day of Mourning' (Broome, 1995:147).

As John Chesterman and Brian Galligan (1997) have shown, many Aboriginal people across the generations have been as politically conscious and active as the people at Coranderk. Throughout the 1940s Aboriginal groups lobbied for the Commonwealth government to be given power to legislate for Aboriginal people, a movement that gathered increasing momentum to repeal section 127 of the Constitution (Chesterman & Galligan, 1997:182). Finally Section 51 of the Commonwealth of Australia Constitution Act 1900 that specifically excluded Aboriginal people was amended and Section 127 removed by the Constitution Alteration (Aboriginals) Act 1967.[22]

Post-referendum governance

It has been suggested that, despite the 1967 referendum and the subsequent constitutional alteration, the Commonwealth was slow to respond to its new capacity to legislate for Aboriginal people (Chesterman & Galligan, 1997:186-192). Though it contributed to the removal of legislation excluding Aboriginal people from citizenship (the 1967 Act) other legal instruments continued to shape the citizenship rights of Aboriginal people. The power to include or exclude remained in the hands of legislators and bureaucratic administrators with little change being brought to historical patterns of exclusion.

Perhaps of greater importance to Aboriginal people attempting to generate alternative possibilities was the International Convention on the Elimination of All

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[22] For a reproduction of the Constitution Alteration (Aboriginals) Act 1967 see the National Archives database, viewed 28/11/01,
<http://www.foundingdocs.gov.au/places/cth/cth1_ammend/cth1_p24_s127_1967.htm>

Forms of Racial Discrimination. Australia became a signatory to this Convention five months before Prime Minister Holt presented the Constitution Alteration (Aboriginals) Bill to parliament. Article 1(1) of the Convention states that:

> In this Convention, the term 'racial discrimination' shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect or nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life Article 1(1) International Convention on the Elimination of All Forms of Racial Discrimination, entered into force January 1969.[23]

Holt had argued against the inclusion of a constitutional guarantee against racial discrimination in the Constitution Alteration (Aboriginals) Act on the grounds that such a guarantee could provide a fertile source for attack on legislation that earlier might not have been considered discriminatory (Chesterman & Galligan, 1997:185). This rationale is reminiscent of Lord Glenelg's 1836 resistance to 'treaties' that might be construed as subverting colonial authority, and more recently, Mr Howard's refusal to sanction a national apology for what has come to be described as 'the stolen generation'. This echoes with the type of logic that refuses to redress issues of the past because this might disturb the present.

The international forum of Human Rights provided Aboriginal people with political recourse unavailable to them through Australian law. In 1975 the Commonwealth government passed the Racial Discrimination Act, a legislative response to Australia's ratification in that same year of the International Convention on the Elimination of All Forms of Racial Discrimination. Obligations defined within the Convention and the Racial Discrimination Act 1975 have informed the Royal Commission into Aboriginal Deaths in Custody (RCIADIC, Part F, Ch.28), the Native Title Act 1994[24] and the 1997 *Bringing Them Home Report*.[25]

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[23] For full text of the International Convention on the Elimination of All Forms of Racial Discrimination see the University of Minnesota database, viewed 1/01/97, <http://www1.umn.edu>

[24] For full text of the Native Title Act 1994 see the Australasian Legal Information Institute database, viewed 19/03/03,
<http://www.austlii.edu.au/au/special/resjprocect/rsjlibrary/hreoc/ntreport_1994/58.html>

[25] For full text of the *Bringing Them Home* Report see the Australasian Legal Information Institute database, viewed 19/03/03, <http://www.austlii.edu.au-bin/disp.pl/au/other/IndigLRes>

In Victoria, legislation passed after the 1967 referendum included the Aboriginal Affairs Act 1967, which established a Ministry of Aboriginal Affairs and an Aboriginal Affairs Advisory Council. This Ministry, like its predecessors, had broad powers. A reading of parts of Section 26 of this 1967 Act reveals a spirit of open-ended bureaucratic control. In this continuity with the previous succession of Acts and regulations, the 1967 Act (Vic) appears to have been informed very little by the political will to eliminate all forms of racial discrimination as expressed by the International Convention:

> Section 26
> (1) Subject to this Act the Minister shall take all such steps as he considers necessary or desirable for ensuring the preparation, administration and co-ordination of measures conducive to promoting the interests of aborigines and without limiting the generality of the foregoing may do anything that he considers necessary or desirable for or with respect to - [all clauses under section 26] (Victoria, Aboriginal Affairs Act, No 7574, 1967).

The extent of this Act's control reached into the previously covered areas of 'educational assistance, health and medical care, housing and accommodation, stock, implements and tools of trade, employment and training, rehabilitation, family welfare and legal aid and advice' (Section 26[1b]). It also extended to the 'co-ordination of voluntary organisations concerned with the welfare and interests of aborigines' (Section 26[1m]), 'the dissemination of information to the public on matters relating to aborigines' (Section 26[1o]), and 'the conduct and encouragement of research into matters relating to aborigines' (Section 26[1p]). The burgeoning growth of Aboriginal community controlled organisations, such as the Aborigines' Advancement League (established 1938), and the Victorian Aboriginal Health Service Co-operative Limited (established 1973) would have fallen within the jurisdiction of the Minister's 1967 consideration of what was thought 'necessary or desirable', and therefore 'worthy' of State support.

Aboriginal community-generated initiatives toward self-determination continue to be subject to funding decisions made by 'the Minister', whomever the Minister and

whatever the portfolio. Policy agreements made at international and national levels, which might in principle support Aboriginal self-determination and improvement in conditions where non-Aboriginal bureaucracies have previously failed, do not translate into practice at a local level. The history of liberal problematics, bureaucratic interventions and race-based exclusions outlined so far, suggest that the implementation of strategic State interventions, such as the KSIS, engage technologies of power that are at crossed-purposes with their stated aims.

Towards a *telos* of ethical reflection in Aboriginal governance

In reflecting on technologies of power it is necessary to raise ethical issues and questions. Robert Solomon, in his introductory text on philosophy, frames his discussion of ethics in terms of questions such as 'what acts should we praise and what acts should we reject? (Solomon, 1993:651). Jeffrey Minson (1998:48), in bringing questions of ethics to bear on the terrain of public service as an aspect of State governance, articulates the following questions: 'what, ethically speaking, are present-day bureaucrats variously required to do?' 'What kinds of personal manner does their status as unelected state officials and the contemporary administrative milieu require them to cultivate?' State Following Solomon and Minson, I introduce these questions to issues of Aboriginal governance and include the further component of accountability. The subjective relativity of responses to these questions of what is 'praiseworthy' and what warrants 'rejection' makes debating these questions in the context of Aboriginal governance a particularly fraught business. Adding further complexity is the fact that 'accountability' itself has no clear lines of demarcation.

Roderick Rhodes (1997) has made distinctions between political, managerial, and legal mechanisms and systems of accountability and identified directional movement: downward to clienteles, upward to ministers and parliament, and horizontal to peers and reference groups (p.21). He suggests that accountability in such a differentiated polity requires 'indeterminate domains, openness of communication and the evaluation of policy impact' as 'messy problems need messy solutions' (op. cit., p.21). The term 'messy problem' can certainly be said to describe many aspects of

Aboriginal governance that derive from unresolved tensions in Aboriginal/colonial-settler relations and I am concerned to answer Rhodes' call for 'evaluation of policy impact' and to do so from a position of ethical reflection.

Reflection on its own can amount to an exercise in introspective 'navel gazing', a term used by an informant who had been involved in development of the strategy to describe the purpose served by the KSIS (April 2003). But reflection that occurs in concert with ethical evaluation and the expectation that we are to be held accountable for what we find becomes more dynamic. If such a dynamic were to inform liberal debates regarding Aboriginal citizenship rights, the procession of reports, inquiries and parliamentary amendments, that - as the content of this chapter attests - has littered the field of Aboriginal governance since the beginning of the colonial-settler relationship in Victoria, may cease to reproduce the same failings.

In summary, this brief genealogy of Aboriginal/colonial-settler relationships in Victoria reveals a consistent pattern wherein the State has expected Aboriginal people to conduct themselves in a manner consistent with liberal norms of autonomy, yet simultaneously has employed techniques of governance that have impeded the practicability of that goal. The oscillating effect of 'over-correction' through State intervention has also reinforced the view that failures in Aboriginal governance are the fault of Aboriginal people themselves instead of euro-centric, colonial-settler techniques of control. In addition to this propensity for 'over-correction', I contend that the formulation of State interventions in Aboriginal governance fails at a more profound level. Therefore, in an attempt to engage in a dynamic form of ethical reflection, the next chapter will discuss some of the governmental decisions, practices and rationalities that have influenced the more recent climate of Aboriginal governance in Victoria and have in turn shaped the governmental possibilities regarding implementation of the KSIS as a strategic intervention for improving human services used by Aboriginal people.

CHAPTER 4

The 'Government Waltz'

> The history that I propose is motivated not by a historical concern
> to understand the past but by a critical concern to come to terms
> with the present. It is a genealogical account that aims to trace the
> forces that gave birth to our present-day practices and to identify
> the historical and social conditions upon which they depend
> (Garland, 2001:2).

David Garland, using a Foucauldian based genealogical approach, sought to construct

an 'analytic history' in order to arrive at an understanding of 'the historical conditions

of existence upon which contemporary practices depend' (Garland, 2001:2). I share that

'goal' my focus being to arrive at an understanding of the historical conditions that have

shaped present forms of Aboriginal governance in Victoria. In the previous chapter the

genealogy of pre-referendum Aboriginal/colonial-settler relationships broadly revealed

a perpetuation of non-Aboriginal control in the area of Aboriginal governance and the

paradox where certain techniques of power undermine the liberal aims of the strategies

themselves. I look now in detail at the decade preceding development of the Koori

Services Improvement Strategy (KSIS), the State initiative I am using as the focus of

this case study in order to glean some understanding of how and in what ways

governmental rationalities, practices and techniques are currently shaping Aboriginal

possibilities in Victoria.

Federal, State and local government policies and bureaucratic interventions are

implemented in keeping with particular governmental rationalities. In so far as the KSIS

was concerned, a rationality consistent with 'rational principles' related to 'improving'

service provision and delivery to Aboriginal people appeared to be in operation.

Initiatives generated at different levels of government and associated with this

rationality often operate simultaneously, but the concurrent nature of such efforts does

not in itself ensure that outcomes of one strategy are consistent with those of another.

Neither does continuity of the underlying rationality ensure consistency of outcome.

Instead of operating in conjunction with, or in support of each other, as their

often coordinated development might lead one to anticipate, strategic interventions in

Aboriginal affairs have often resulted in outcomes that, at best, have been uncoordinated or, at worst, conflicting and counterproductive. The simultaneous continuity between the underpinning rationalities, on one hand, and discontinuity of outcome in governmental processes, on the other, whilst confirming the notion of an in-built potential for bureaucratic dysfunction (as described in chapter one) makes shifts in the rationalities that underpin such processes difficult to track. My genealogical account, which has to this point provided a general historical background, now includes the specific foundational documents cited in the KSIS and some of the policy decisions that impacted on its implementation. The chronological order of these policies, decisions and initiatives is schematically conveyed in Figure 1.

In proposing this detailed and 'effective' genealogy of the KSIS I draw primarily on documents that shaped the terrain in which it was developed and implemented. This view is supported by personal accounts from people involved in KSIS processes and provides the basis for later analyses of Aboriginal governmental possibilities in the areas of self-determination and health.

Foundations of the KSIS

The KSIS was an Aboriginal Affairs Victoria (AAV) initiative launched by the Victorian Department of Human Services (VDHS) in August 1998. It was described as a joint initiative between the VDHS, which at the time incorporated AAV, and Aboriginal communities throughout Victoria. In the introduction of the KSIS policy document the KSIS was defined as being 'built on the principles and direction of the Koori Health Reform Agreement' (VDHS, 1998:5). The principles of this Agreement are outlined in the 1996 document *Achieving Improved Aboriginal Health Outcomes: An Approach to Reform*, hereafter abbreviated to *Achieving Health Outcomes* (VDHS & VACCHO, 1996), that was produced by the VDHS in partnership with the Victorian Aboriginal Community Controlled Health Organisations (VACCHO).

In addition to *Achieving Health Outcomes*, which will be discussed later in this chapter, the introductory section of the KSIS cites another two source documents that outlined principles to which the VDHS described itself as having made commitments.

1989
National Aboriginal Health Strategy (NAHS)

1991
RCIADIC National Report

1992
National Commitment to Improved Outcomes
in the Delivery of Programs and Services for
Aboriginal Peoples and Torres Strait Islanders

March 1996
State Liberal/National Coalition Policy
'Aboriginal Affairs - Looking to the Future'

May 1996
Federal Liberal/National Coalition budget decision
To cut ATSIC funding by $470 million

August 1996
'Achieving Improved Aboriginal Health Outcomes:
An Approach to Reform'
- a collaboration between the VDHS and VACCHO

November 1996
'Agreement on Aboriginal and Torres Strait Islander Health'
- between the Commonwealth, State, and VACCHO

January 1997
'Koori Services Reform Strategy'
-a VDHS and State Liberal/National Coalition Aboriginal Affairs
initiative

October 1997
'Improving Human Services for Victorian Koories:
The Koori Services Improvement Strategy - Final Draft'
- a VDHS initiative

August 1998
'Improving Human Services for Victorian Koories:
The Koori Services Improvement Strategy - Five Year Plan'
-the version of the KSIS that was finally launched

Figure 1.
Policies, decisions and initiatives that impacted on KSIS development and implementation.

These were the 1992 Federal Labor document, *National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal Peoples and Torres Strait Islanders* (hereafter abbreviated to the *National Commitment*), and a Liberal/National Coalition State Aboriginal Affairs policy document, *Looking to the Future* (Liberal/National Coalition, 1996). These two documents and their relationship

to the KSIS will be discussed shortly. But, before doing so it is necessary to describe some of the prevailing attitudes in the early to mid 1990s milieu of Aboriginal governance by way of providing a context both for the KSIS and this case study.

Development of the KSIS reflected a general recognition, at both State and Commonwealth levels of government, that coordinated and concerted efforts were necessary in all areas of human services. This 'whole of government approach' was required in order for Aboriginal and Torres Strait Islanders to experience improvement in these said services, improvement that might reflect positively on their health and social and economic well being. Such recognition was informed primarily by findings from the Royal Commission into Aboriginal Deaths in Custody (RCIADIC), established in October 1987. The RCIADIC report, subsequently referred to herein as the *National Report* (1991) includes regional reports from across Australia. Specifically relevant to this investigation of the KSIS as an example of Aboriginal governance in Victoria, the *National Report* included information prepared by the Victorian Aboriginal Issues Unit, which compiled its own *Victorian State Report* (1990/91).

The RCIADIC has been described by the Aboriginal commentator and activist Gary Foley, as a $50 million dollar waste of money that proved to be more of a 'bonanza' for the white legal profession than a measure effective in reducing Aboriginal incarceration rates (Foley, 1999:11).[1] Puggy Hunter, Chairperson of the National Aboriginal Community Controlled Health Organisation (NACCHO), also denounced such commissions claiming that they generated 'conscience' reports:

> this is what they do when they're feeling a bit sad - they always think 'oh those poor bastards' - we better do something. So they do, they write these great reports: Deaths in Custody, Social Justice Report, and Stolen Generation. What do they do with them? Jack up their bed, put them on cupboards so that it looks ok! (Hunter, 1999).[2]

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[1] For full text of this essay by Gary Foley see his Koori History website, viewed 21/06/00, http://www.oliv.com.au
[2] For full text of this Key Note Presentation at the 5th National Rural Health Conference see the Rural Health database, viewed 15/08/02, <http://www.ruralhealth.org.au>

Nevertheless, since the tabling of the *National Report*, findings from the RCIADIC have prompted the development of many government initiatives and agreements. Findings and recommendations described in the *National Report* provide a benchmark with which subsequent initiatives, including the KSIS, can be compared.

RCIADIC Recommendations

In the RCIADIC *Overview and Recommendations* Commissioner Johnston asserted that social, economic and cultural disadvantage and inequality were the most significant factors contributing to the deaths in custody, during the 1980s, of the ninety-nine Aboriginal people whose lives formed the subject of the Royal Commission (Johnston, 1991:15). The thrust of the *National Report's* findings was that 'the elimination of disadvantage requires an end to domination and an empowerment of Aboriginal people; that control of their lives, of their communities must be returned to Aboriginal hands' (op. cit.). Those whom I interviewed confirmed the ongoing significance of these factors in relation to Aboriginal wellbeing.

In his *Overview*, Johnston also described self-determination. He described self-determination as being 'about people having the right to make decisions concerning their own lives, their own communities, the right to retain their culture and to develop it' (Johnston, 1991:22). Self-determination encompassed both the expression and guarantee of this right (op. cit., p.20). Johnston uncritically links 'rights' with 'self-determination' and 'enmeshed' the notion of rights in the concept of self-determination. Rowse makes a compelling argument for differentiating between 'citizenship rights' and what he describes as 'indigenous rights' (Rowse, 2002-2003:32). He asserts that many of the rights encompassed broadly within the concept of self-determination, such as 'the rights not to be discriminated against' and 'the right to be involved in decision-making processes that impact on our lives', are more usefully understood in terms of 'citizenship rights' (op. cit.). That Johnston's blurring of the distinction between citizenship and indigenous rights continues to feature as a dimension of Aboriginal governance, as was apparent in participant interviews, is in part, because this distinction relies on what Rowse describes as 'a principled approach to "citizenship"' (2002-2003:31). In its ethical considerations this 'principled approach' shares some congruity with my concern to move towards a *'telos* of ethical reflection and accountability'.

In terms of the KSIS, as a strategy aimed at improving production and delivery of services used by Aboriginal people, Johnston's undifferentiated notions of 'rights' and 'self-determination' found their point of tension in the question of whether culturally appropriate quality services were available. In accordance with Johnston's recommendations this was to occur within an environment where governments and bureaucrats moved beyond the practice of 'consultation' with Aboriginal people to one of 'negotiation' (Flick & Nelson, 1994:5), a shift involving liberal problematics and power differentials. As this case study will demonstrate, this shift occurred only when a unique combination of practical and historical factors transpired.

Commissioner Johnston defined three factors as being pre-requisite for the 'empowerment' of Aboriginal individuals and communities. Firstly, 'the will to renewal ... the desire and capacity of Aboriginal people to put an end to their disadvantaged situation and to take control of their own lives' (Johnston, 1991:16). The second was assistance from the broader community, implicitly governments with the support rather than opposition of the electorate (op. cit., p.17). The third prerequisite was the establishment of methods or procedures whereby the broader society could supply assistance whilst simultaneously avoiding the establishment of a welfare-dependent position and maintaining the independent status of Aboriginal people (op. cit., p.19). In regards to the second prerequisite it is useful to reflect on the 1886 Act (Vic) discussed in the previous chapter. A consequence of that Act was to render Aboriginal self-reliance contingent on forced participation in non-Aboriginal society. That many non-Aboriginal communities were neither ready nor willing to participate in the project of 'free association' indicates that the electorate's capacity to support or oppose proposed measures was a not inconsequential factor in arriving at the 'improvement' which was to be availed through the KSIS.

These three pre-requisites shape the questions that, in the context of a governmentality approach, I ask in this study. What conditions facilitated or impeded what Johnson described as the 'will to renewal'? How, by whom, and in what ways was power mobilised through the KSIS? What types of governance were rendered practicable by the methods and procedures required by the KSIS? In what ways did the KSIS succeed or fail in terms of the thrust of the National Report's findings?

In relation to the first of Johnston's prerequisites, he highlighted the importance of Aboriginal community controlled organisations. He asserted that:

> strong organisations that have adequate resources play a tremendous part in raising the status of Aboriginal people in their own eyes and in the eyes of non-Aboriginal society. Such organisations are able to negotiate with the non-Aboriginal society from a position of some strength and recognised position, to command respect and attention (Johnston, 1991:23).

This reference to Aboriginal community controlled organisations and the importance of their role in rendering practicable self-determination, and generating possibilities for Aboriginal control highlights a focal point in this investigation of the KSIS. In one sense these organisations can be seen as having provided a source of partnership participation without which implementation of the KSIS was constrained. Another reading sees this manifestation of Aboriginal people's 'will to renewal' in the form of community organisations being appropriated by the VDHS as a vehicle for orchestrating 'improvement', a process wherein the VDHS maintained structural control.

In examining the relationships between Victorian State policy, bureaucracy, and Aboriginal governance questions arise regarding self-determination within the context of control. For instance, in what ways do Aboriginal organisations feature in governmental strategies such as the KSIS? How does the presence or absence of Aboriginal control in processes of service provision and delivery impact on Aboriginal governmental possibilities? This leads to the further question of what rationality of governance is at work in strategies that support and facilitate Aboriginal control, or conversely, in strategies that do not.

The *National Report* 'supports the continuation and extension of service provision through Aboriginal organisations in key areas and opposes the mainstreaming of those services' (Johnston, 1991:24), 'mainstreaming' referring to the privileged involvement and input of mainstream service providers. Bearing in mind that almost half those participating in this case study worked in Aboriginal organisations (Table 1, p.13) the majority of Aboriginal people I interviewed concurred with the *National Report's* recommendation. In its implementation the KSIS, however, was not seen by these participants to affirm or consolidate community control. Although the KSIS in

some regions was seen to involve some Aboriginal communities in service provision and delivery, through its foundation in VDHS management structures and processes it was more generally perceived by interviewees to represent a shift away from the affirmation and consolidation of Aboriginal control. *Prima facie* it can be inferred from these perceptions that the governmental rationality underpinning the KSIS ran counter to recommendations made in the *National Report*, despite VDHS claims to the contrary. Facilitation of Aboriginal control in areas of service provision and delivery appeared to have been inconsequential in the VDHS's development of what emerged to be a pragmatic rendering of a neo-liberal rationality.

The significance of the role of Aboriginal organisations in processes that facilitate Aboriginal control was linked to self-determination in the section of the *National Report* specifically related to New South Wales, Victoria, and Tasmania compiled by Commissioner Wootten. In terms that correspond with what Rowse described as 'citizenship rights' (2002-2003:32), Wootten described Aboriginal self-determination as:

> a demand not only to have the management of service delivery to Aboriginal communities, but to have the opportunity to make decisions about policies affecting Aboriginals so that Aboriginals may have some real control over what happens to them. It is a step beyond self-management ... the frontiers of self-determination should continue to expand, so that Aboriginals, and particularly young Aboriginals, can build self-esteem and see a future of dignity, independence and opportunity (Wootten, 1991:6).

An important differentiation is made here between two separate concepts that are often, though misleadingly, used synonymously: self-determination and self-management. Synonymous use of these terms belies different types of control that are constructed by, and rendered operational, within each term. Of the two, self-determination requires a deeper shift in recognised authority away from the 'rational-legal' authority of bureaucracy. In the triangular relationship between sovereignty, discipline and government (Foucault, 1979:19), Aboriginal peoples' pursuit of self-determination represents a greater challenge to established modalities of rule than does self-management. As Rowse suggests, self-determination as practice entails Aboriginal controlled structures of governance becoming:

entrenched in the machinery of Australian government – by recognising Indigenous regional authorities (and securing a share of public revenue for their use), and by negotiating some kind of framework agreement (covering land tenure, public revenue and other substantive issues) between Australian governments and representatives of the Indigenous Australians (Rowse, 2002:3).

Far from constituting this type of challenge to bureaucratic authority, self-management actually extends State bureaucratic control by using Aboriginal people themselves as 'managers', as agents of State controlled processes of governance.

According to Wootten, obstacles to Aboriginal people achieving self-determination take the form of official actions, opposition by non-Aboriginal people, and 'officials who are puzzled and disappointed that Aboriginals did not cooperate with their plans' (op. cit., p.8). He illustrated this by means of a proverb:

> The real situation often is that the white officials and white communities are trying to pluck the mote out of Aboriginal eyes without regard to the beam in their own. It makes a mockery of notions of self-management or self-determination if Aboriginals are always expected to conform to the norms of the dominant culture (Wootten, 1991:8).

Wootten also contextualised organisational conflicts that can arise between on the one hand Aboriginal community forms of organisation, and bureaucratic forms of organisation on the other. These conflicts, which correlate with tensions between Weber's 'rational-legal' and 'traditional' forms of authority, were described in terms of cultural difference and culturally determined organisational practices.[3] As will become evident, participants in this study voiced similar concerns associated with such conflicts and reiterated Wootton's assertions.

Organisational conflict begs the question of conflict resolution and highlights the notion that the operation of power in relationship is contingent on, and reflective of, the resolution of differences, in this instance, between largely non-Aboriginal bureaucratic processes and Aboriginal community processes. This point has particular gravity regarding the KSIS in that the KSIS employed a concept of 'Aboriginal

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[3] Please note that these tensions are not seemlesly manifested - Aboriginal community controlled organisations can use rational-legal practices to challenge, undermine or attack each other.

community' and a language of 'community consultation'. The 'involvement of Aboriginal communities' was pivotal, both as legitimation of and vehicle for the VDHS development and implementation of regional strategies. It was from an authority grounded in tacit community consent that the KSIS derived its legitimacy as a contractual technique of Aboriginal governance.

In the report to the RCIADIC prepared by the Victorian Aboriginal Issues Unit, governmental interventions were not described as having improved Aboriginal conditions. Nor were the efforts made by Aboriginal people to inform processes associated with the development of such interventions perceived by those who had made the effort to have been beneficial to them (1990-91:6). In part, this relates to the fact that State directed consultations with Aboriginal communities are most often constrained by, and contained within, the bureaucratic frameworks that initiate them. For example, consultations associated with forming the Aboriginal and Torres Strait Islander Commission (ATSIC), were described in the Victorian Aboriginal Issues Unit's report as having been a farce. Although communities had expressed objections, these views were seen to have been of no consequence to the final outcome, leading to a perception that the entire exercise (of constructing a State generated bureaucratic structure) was a 'fait accompli' (Victorian Aboriginal Issues Unit, 1990-91:8). This view also confirms the impression many Aboriginal people had formed regarding the community consultations conducted prior to the launch of the KSIS. A discussion of consultation processes and their bearing on processes of Aboriginal control will be discussed more fully later in this chapter.

Documents cited in the KSIS

In December 1992, a year after the RCIADIC released its report, Heads of Government reached a bilateral agreement in the form of the *National Commitment* (Council of Australian Governments, 1992). It was drafted in response to RCIADIC findings and recommendations and was cited in the KSIS. The KSIS was described in terms of a VDHS response, and by extension, the Victorian government's response, to the guiding principles outlined in the *National Commitment*.

The *National Commitment* was a policy document. It was concerned with the bilateral efforts of governments to improve the delivery of programs and services used by Aboriginal and Torres Strait Islander peoples. The first of its guiding principles was the commitment to 'empowerment, self-determination and self-management by Aboriginal peoples and Torres Strait Islanders' (1992:5). Although this document employed the language of concepts such as 'empowerment' and 'self-determination', it did so in the context of a rationality of governance based on maintaining rather than relinquishing State control. Barbara Cruikshank, in her treatise on 'empowerment' wherein empowerment becomes a vehicle for shaping the conduct of individuals living in poverty, alerts us to the governmental phenomenon of the 'will to empower'. Cruikshank suggests that:

> relations of empowerment are, in fact, akin to relations of government insofar as they both constitute and fundamentally transform the subject's capacity to act; rather than merely increase that capacity, empowerment alters it as well (Cruikshank, 1994:32).

In this contradictory dynamic the process of 'empowering' those who are deemed powerless by those who are powerful ironically becomes in itself an act of power imposed by the powerful on those who continue to be subject to it.

Slippage between empowerment rhetoric and the types of empowerment rendered possible through policy is demonstrated in the way responsibilities and roles of governments are described within the document. For instance, point 5.10 of the *National Commitment*, stated that 'the States and Territories will *facilitate* negotiation and *participation* by Aboriginal and Torres Strait Islanders in the *management* and delivery of programs and services' (emphasis added, 1992:7). In terms of discourse analysis and the transformations made possible in this example of Aboriginal governance, by appointing the State as 'facilitator' of 'participants' in processes of 'management', Wooten's 'demand for self-determination' and the *National Report's* connection of self-determination with strong Aboriginal community controlled organisation, was not in evidence. Conversely the 1992 'Commitment' saw power actually residing within State bureaucratic structures and process that oversee negotiation, coordination and participation.

In addition to the *National Commitment*, the KSIS cited the State Liberal/National Coalition Aboriginal Affairs policy document *Looking to the Future* (1996). This document outlined the projected policies of the Kennett Government designed to be pursued in its '96-'99 term. In the KSIS, reference was made to *Looking to the Future* as a document that delineated the Victorian Government's commitment to developing an approach to governance based on 'partnership', or as I have come to problematise this tool of governance, 'contract', between Aboriginal Victorians and government. 'Partnership' was a theme prevalent throughout *Looking to the Future*. Suggested mechanisms for rendering such partnership arrangements practicable included 'cultural tourism'.

The Liberal/National Coalition stated in *Looking to the Future* that it would continue to implement RCIADIC recommendations (1996:9). Admittedly *Looking to the Future* is a short policy document, but its choice of RCIADIC recommendations favoured for implementation appears, nevertheless, to have been particularly selective. It proposed 'partnership' as a governmental framework, without indicating whether such an arrangement would be approached in terms of 'equal' participation or articulating how such partnership would proceed. Nor did it address RCIADIC demonstrations of the existence of Aboriginal inequality and disadvantage in many aspects of social life and social situations (Johnston, 1991:15), factors which inevitably impact on the capacity of many Aboriginal individuals and communities to engage in partnership relations and other contractual arrangements.

The consequences of past inequities in Aboriginal/colonial-settler relationships, as illustrated in the previous two chapters, although alluded to in *Looking to the Future*, were effectively sidestepped in that particular example of governmental commitment to partnership. The notion of 'cultural tourism' is a not unproblematic case in point. In support of 'cultural tourism' the Kennett government proposed the promotion and funding of Aboriginal cultural heritage. Such government support is without doubt important and necessary in its own right. However, within an agenda of tourism, Aboriginal culture can be commodified, appropriated by the wider community in such a

way as benefits fail to reach Aboriginal communities.[4] The notion of 'cultural tourism' can be seen to have had self-serving properties in which the RCIADIC recommendation of Aboriginal control and self-determination was not a priority. A rationality of governance concerned primarily with procuring tourist dollars for the State was made operable through the *Looking to the Future* policy, and the active role of Aboriginal people in partnership arrangements was a secondary, perhaps even unintended, consequence.

This comparison of the documents cited as being formative in the KSIS is intended to illustrate points made at the opening of this chapter. Strategic State interventions in Aboriginal governance, whilst ostensibly constructed and implemented in accordance with a particular rationality, in this case 'improvement' of human services used by Aboriginal and Torres Strait Islanders discursively exhibit various types of 'slippages' and inconsistencies. I am concerned to identify these factors because of what they can say about the different types of governance made possible in this strategy. For instance the *National Report*, not being a policy or intervention, could only make recommendations, these recommendations representing considerable challenges to prevailing euro-centric colonial-settler responses to liberal problematics. Policy documents, such as the *National Commitment* and *Looking to the Future*, on the other hand, whilst declaring support for RCIADIC recommendations, employed rhetoric that permitted incremental shifts away from the governmental challenges these represented. As a technique of power these rhetorical shifts are rarely recognized in so far as the effect they have in the realm of Aboriginal governance on the efforts of Aboriginal people to change power differentials from those that historically and currently favour colonial-settlers.

Tracking the paper trail

The KSIS was developed and implemented within a particular socio/political environment. It was not conceived or made operable within a bureaucratic vacuum, rather, it was informed and affected by a history in which policies and decisions

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[4] For ATSIC's discussion of the commodification of Aboriginal cultural and intellectual property see the ATSIC database, viewed 11/02/03, <http://www.atsic.gov.au/issues/Indigenous_Rights/intellectual_property/Default.asp>

additional to those just described made a contribution to determining its limitations and possibilities. The Kennett government's structural and fiscal reforms, for instance, shaped the terrain of Aboriginal governance in accordance with a neo-liberal rationality that used competition and managerialism. At a federal level, the Liberal/National Coalition government announced in May 1996 its decision to cut ATSIC funding by $470 million dollars. Less than four years had passed since the Heads of Government agreed in the *National Commitment* to 'redress the underlying and fundamental causes of Aboriginal and Torres Strait Islander inequality and disadvantage including those identified by the Royal Commission into Aboriginal Deaths in Custody' (Council of Australian Governments, 1992, 2.2a). The 1996 ATSIC funding cuts rendered those commitments empty.

In an interview with Charles Perkins, published in the April/March 1996 edition of *Aboriginal and Islander Health Worker Journal* shortly before the budgetary cuts to ATSIC were announced, prophetic words were recorded. Perkins commented that:

> at the moment we have a false economy - there is no two ways about that. As soon as the government cuts off the money, thousands of Aboriginal people will be out of jobs, thousands of Aboriginal people will have to start all over again and all the Aboriginal organisations will wither on the vine and where will we be? We'll be back to where we started 40 years ago. We have to be very careful and start creating a new economic base now, because sooner or later some government along the line is going to maybe cut off the financial pipeline and we will be left stranded (Perkins, in Ellis, 1996:22)

The May 1996 decision to reduce the ATSIC budget bore out Perkins' concerns.

ATSIC was established in March 1990 and amalgamated regional and national levels of elected Aboriginal representatives (Smith, 1996:24) with the former Department of Aboriginal Affairs and Aboriginal Development Commission.[5] Initially all things relevant to Aboriginal people were included in the ATSIC portfolio, with organisational and associated costs being included in the budget. Infrastructure costs for Aboriginal organisations, for instance, were originally included within ATSIC funded

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[5] For an outline of ATSIC's role in Aboriginal governance see ATSIC's database, viewed 14/04/99, <http://www.atsic.gov.au/organis/whatsic.htm>

programs. But by 1996, three-quarters of ATSIC's budget was controlled directly by government. Only 27 per cent of the total ATSIC budget was controlled by ATSIC itself.[6] It was from this 27 per cent, the area where Aboriginal people retained a little control, that the ATSIC Board was required to make cuts of $470 million, effective over four years. At the same time government maintained control of ATSIC funding allocated to housing, Community Development Employment Projects (CDEP) and native title. These areas of funding were untouched. Following this budgetary decision, the ATSIC Board concluded that it would be forced to terminate the following:

> the Community Training program, which means that ATSIC will have no labour market program other than CDEP; the development of Industry Strategies, which had been an initiative of the Royal Commission into Aboriginal Deaths in Custody; the Movement to Award Wages program, which means that ATSIC will no longer be able to supplement those organisations moving their indigenous staff to award wages; the Community and Youth Support program [CYS], which will effectively remove from ATSIC responsibility for assisting indigenous organisations providing community and social services to Aboriginal people (Melham, 1996).[7]

The ATSIC Board asserted that, as a consequence of budget reductions, responsibility to provide needed community services and welfare to Aboriginal people resided with Commonwealth and State agencies. The Australia-wide cut to the CYS program component was projected to result in the loss of 1,000 jobs with 206 Aboriginal organisations facing closure and others having to downsize until alternative funding was found (Collins, 1996).[8] In Victoria the CYS component of ATSIC funding had been particularly important in that it 'funded core administrative positions for many organisations ... [and] as many as 20 Aboriginal organisations faced closure'.[9] In my interviews participants said that ATSIC's funding cuts resulted in reductions to staff, such as that experienced by the Aborigines' Advancement League with eighteen positions being dropped due to lack of funds (Interview, May 2000). Other Aboriginal

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[6] Excerpt from Senate Speech, Senator Bob Collins speaking on Australian history, reproduced from Hansard 29th October 1996:4701, by the Australian Parliamentary Library, viewed 27/06/02, <http://www.aph.gov.au>
[7] Excerpt from Speech in the House of Representatives, reproduced from Hansard 8th October 1996:4962, by the Australian Parliamentary Library, viewed 27/06/02, <http://www.aph.gov.au>
[8] See footnote 5
[9] For ATSIC's description of CYS funding cuts see ATSIC database, viewed 20/03/03, <http://www.atsic.gov.au/News_Room.ATSIC_News/May_1998/page16.asp>

organisations were described as having been transferred into the hands of non-Aboriginal administrators (Interview May 2000).

In Point 6.9(b) of the *National Commitment*, Heads of Government affirmed continuing support for ATSIC 'at real levels of funding' (1992:9). Aside from raising the rhetorical question of what 'real levels of funding' might mean, the act of cutting ATSIC funding also undermined point 6.15 of the *National Commitment*, which stated that Aboriginal and Torres Strait Islander organisations had a preferred role in the delivery of programs and services (1992:10).

Clearly there was 'slippage' of a contradictory nature between the intentions conveyed through the *National Commitment* and the consequences of the federal government's action to cut ATSIC funding. Such contradictions suggest a certain disjunction between the governmental rationality that underpinned the initial intention, and the rationality that underpinned the later action. The action of reducing the ATSIC budget posed the threat of potentially damaging outcomes for Aboriginal individuals and communities, and was clearly inconsistent with the governmental commitment made less than four years earlier. In the context of the present analysis, the cut to CYS funding is particularly noteworthy as it directly affected the capacity for mechanisms integral to the implementation of the KSIS - community involvement - to be effective. The reduced support for the infrastructure of Aboriginal organisations in Victoria diminished the capacity for many Aboriginal communities to implement the KSIS. The prerequisites for KSIS reference group participation and the formation of community service plans both needed a degree of Aboriginal infrastructure, which, as a result of the 1996 ATSIC cuts, many communities no longer had. As will be seen in the next chapter, mainstream organisations, well resourced and articulate in reference group environments, could dominate proceedings in accordance with their own agendas, particularly in the absence of Aboriginal community representatives. Mainstream agendas need not necessarily run counter to Aboriginal interests, but it cannot be assumed that they would be congruent. Also Aboriginal control has an ethical component in itself that cannot be replaced by mainstream representation.

In August 1996, three months after the ATSIC cuts were announced, *Achieving Health Outcomes*, a strategy devised on the basis of an Agreement reached between the

VDHS and the Victorian Aboriginal Community Controlled Health Organisation (VACCHO) was signed. Many Aboriginal people whom I interviewed during the course of this analysis spoke of the Agreement in enthusiastic terms, describing it as an instance of Aboriginal governance wherein the VDHS had not simply imposed a strategy, but instead had collaborated and negotiated with Aboriginal communities. The signatories to this strategy were the then Chairperson and Deputy Chairperson of VACCHO, the Secretary of the VDHS, and the Director of the Public Health Division of the VDHS. The Koori Health Unit, a branch of VDHS Public Health, was most involved in this joint undertaking between the VDHS and VACCHO.

The document, *Achieving Health Outcomes*, contained what it described as the 'Reform Strategy' and the 'Health Outcomes Agreement' (HOA), these being the 'plan' and the 'mechanism' via which health services used by Aboriginal people would be improved. The KSIS purported to have employed and extended this Reform Strategy framework in its application beyond areas of health services to include all services within the VDHS sphere of responsibility.

As in *Looking to the Future*, the notion of 'partnership' featured in *Achieving Health Outcomes*. But, in contrast to the policy mechanism described in *Looking to the Future*, the power differentials within the partnership arrangement outlined in the Reform Strategy specifically favoured Aboriginal control and funding of Aboriginal organisations. Principle 5(a) of *Achieving Health Outcomes* stated that 'improved health for Aboriginal people will only be achieved when Aboriginal people and their organisations are empowered to act on their own behalf and when adequate resources are available' (VDHS & VACCHO, 1996:1). Importantly for this analysis, the KSIS, which described itself as building on the approach outlined in *Achieving Health Outcomes*, reduced the original commitment to Aboriginal 'empowerment' to one of Aboriginal 'involvement'. For instance, the KSIS stated that 'the main principle of the agreement [in *Achieving Health Outcomes*] is that Koories are to be *involved* in all stages of planning services, from assessing the needs of their community through to monitoring targets and outcomes' (emphasis added, VDHS 1998:5).

Another incongruity between *Achieving Health Outcomes* and the KSIS occurred in the realm of decision-making. A 'bottom up' approach was presented in

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Achieving Health Outcomes, as opposed to the 'top down' approach taken in the KSIS. Principle 5(c) illustrated this 'bottom up' preference stating that 'improved health will primarily result from decisions about priorities and strategies developed and implemented at the local level and at a State level via VACCHO as a result of agreed community health plans' (VDHS & VACCHO, 1996:1). Conceptualised in terms of a pyramidal structure, the rationality of governance at work in a 'bottom up' approach finds the values and views of those at the base of the pyramid to be of primary importance. These are fed from the bottom of the structure to the top. The responsibilities of State and Commonwealth governments were to support local initiatives (op. cit.). This stood in stark contrast to a 'top down' approach in which government was seen to dictate to people at the local level the initiatives that, according to a bureaucratic or State generated rationality, they should pursue.

The assertion that the continuation and extension of service provision through Aboriginal organisations should be supported, and that the mainstreaming of those services should be opposed, as made by the RCIADIC (Johnston, 1991:24), appeared to have been upheld by the Reform Strategy. In Part B of *Achieving Health Outcomes* the goal of the Reform Strategy was described as being one of ensuring that:

> there is a statewide network of Aboriginal Health Services that
> have adequate resources, capacity and infrastructure to deliver
> services to and act as key elements of the health service system
> for Aboriginal people (VDHS & VACCHO, 1996:2).

The mechanism whereby the Reform Strategy was to be made operable was the 'Health Outcome Agreement' (HOA). Agreements between local Aboriginal health organisations and mainstream health service providers were to have been developed with the help of the Victorian Advisory Council on Koori Health. This advisory council, which included VACCHO, VDHS, ATSIC and Commonwealth Department of Health and Family Services representatives, was to contribute with Aboriginal people at a local level to the formulation of agreements in that their particular needs and health issues be addressed. What distinguishes this type of contractual arrangements, from others that can be seen to be aligned with ongoing coloniality, is the degree of Aboriginal control.

This mechanism of formulating agreements between Aboriginal and mainstream service providers was taken and applied in the KSIS by way of reference group structures and the compilation of community service plans. These were to incorporate Aboriginal community views as well as those of other parties involved in the provision and delivery of services. Prior to the implementation of the KSIS, the HOA process outlined in *Achieving Health Outcomes* was piloted in 3 regions: Loddon Mallee, Hume, and Northern Metropolitan. In the Loddon Mallee region this piloting process was described by a participant in this case study as having enabled the Reform Strategy reference group - later appropriated by the KSIS - to operate in such a way as to preserve community control. In other regions the HOA process was not seen as viable (KSIS Coordinators meeting, May 4th 2000) and this pattern of viability repeated itself in the KSIS. In so far as the KSIS was concerned community cohesion furthered Aboriginal control.

One of the major functions that emerged from the HOA strategy was its fulfilment of Victoria's commitment to the *National Aboriginal Health Strategy* (NAHS) that had resulted from the 1989 National Aboriginal Health Strategy Working Party report. The NAHS affirmed principles and processes for institutional reform that prefigured the RCIADIC recommendations and the development of *Achieving Health Outcomes* (Figure 1). These reforms reflected a perception that Aboriginal community controlled organisations had an increasingly important role to play, and that those organisations should be supported in this. The reforms also recognised the need for greater collaboration between State and Federal government agencies (Anderson & Stamp, 1997:30). According to Dr Wooldridge, the then minister for Health and Family Services, the NAHS proposed a 'coordinated approach between State and Federal governments to issues in Aboriginal Health.[10] In response to the NAHS report, the Commonwealth Government, in December 1990, made a $232 million dollar allocation to take action in accordance with the Working Party's findings, but this was contingent on the States and Territories making broadly matching commitments.[11] Having made

[10] Excerpt from House of Representatives, the speaker Dr Wooldgridge discussing the National Aboriginal Health Strategy, reproduced from Hansard 11th October 1990:2659, by the Australian Parliamentary Library, viewed 13/03/01, <http://www.aph.gov.au>
[11] For discussion of the National Aboriginal Health Strategy in the ATSIC Annual Report 1991-92 see the Australasian Legal Information Institute database, viewed 6/03/01,
<http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/atsic/ar1991-92/19.html>).

this contingent allocation it is unclear how much, when, and to which organisations this funding was actually distributed.

It was not until November 1996, six years later, that the Victorian State government honoured this commitment and signed its agreement to support the Working Party's findings. In the form of the *Agreement on Aboriginal and Torres Strait Islander Health* (hereafter abbreviated to the *Agreement*) this commitment to the NAHS was signed by the Victorian Minister for Health, the Commonwealth Minister of State for Health and Family Services, the Chairperson of ATSIC and the Chairperson of VACCHO. In a Commonwealth Department of Health and Family Services' media release Dr Wooldridge described the *Agreement* as having been 'designed to stop buck passing in Aboriginal and Torres Strait Islander health in Australia'.[12] The *Agreement* used 'cooperation and coordination' rhetoric to describe needs for increased clarity in roles and responsibilities of key stakeholders in the improvement of both mainstream and Aboriginal-and-Torres-Strait-Islander specific services (VDHS, Department of Health and Family Services, ATSIC & VACCHO, 1996:1). This extended to all spheres of government. In keeping with the principle of Aboriginal empowerment, as outlined in *Achieving Health Outcomes*, the *Agreement* listed the aim of facilitating joint planning processes to allow for 'full and formal Aboriginal and Torres Strait Islander participation in decision making and determination of priorities' (op. cit.).

Partnerships again featured in the language of this particular example of Aboriginal governance. The *Agreement* specified partnership arrangements between governments, VACCHO, NACCHO, and ATSIC. These arrangements involved neo-liberal market-driven processes, such as the development of 'outcome/output oriented service contracts', and improvement of available data relevant to the 'provision of mainstream services' and their utilisation by Aboriginal and Torres Strait Islander people. Towards the end of the document it was stated that 'this Agreement recognises local Aboriginal and Torres Strait Islander community control as the culturally valid process for delivering Aboriginal and Torres Strait Islander specific health and substance misuse services' (op. cit., p.8). But the overall content of the *Agreement* did little to generate outcomes consistent with such intentions.

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[12] Full text of Dr Wooldridge's statement see the Commonwealth Department of Health and Family Services, viewed 13/03/01, <http://www.health.gov.au/archive/mediarel/1996/mw6096.htm>

The *Agreement* asserted that both Commonwealth and State governments would give priority to issues of Aboriginal and Torres Strait Islander health in accordance with recommendations made in the RCIADIC *National Report*. But in contrast to this assertion, community controlled organisations, although acknowledged as 'culturally valid', were not given priority in the *Agreement* as preferred agents for delivery of services used by Aboriginal Victorians (op. cit.). Although the *Agreement* claimed that it would 'ensure the cultural sensitivity and the accessibility of mainstream health and health related services', this was framed within an agenda designed to 'enhance mainstream service delivery for Aboriginal and Torres Strait Islander peoples' (op. cit.). It is irrefutable that cultural sensitivity and improved accessibility of mainstream services are needed. But the generation of processes that enhance Aboriginal control and affirm the importance of community controlled organisations, as advocated in the RCIADIC report, appeared almost incidental to the *Agreement*'s predominantly mainstream focus, despite the use of language in support of such ends.

The *Agreement* represented Victoria's contribution and commitment to the NAHS and was described as complimenting the HOA mechanism being piloted at that time (op. cit., p.2). But, Victoria's ongoing commitment to the *Agreement* saw the replacement of the HOA model from *Achieving Health Outcomes* by the KSIS reference group and community services plan model two and a half years later. The KSIS became the new vehicle for the *Agreement*. This, taken in conjunction with ATSIC budget cuts announced six months prior to development of the KSIS, suggested that beyond the licensing of yet another bureaucratic intervention, Victoria's ongoing commitment was more rhetorical than practicable. The reduced capacity for Aboriginal communities and ATSIC representatives to participate in the decision-making processes required by the KSIS was not factored into its implementation. Worthy intentions were articulated in the policy documents and strategies that preceded the *Agreement*, but the capacity for these initiatives to render such intentions practicable was credible only in so far as they acknowledged and worked to assuage historical and systemic race-based inequity. The exponentially cumulative disempowerment experienced by Aboriginal people, as evidenced in this and the previous chapter, coupled with a State preference for mainstream control, have tilted the scales in favour of mainstream providers.

The *Koori Services Reform Strategy* (VDHS & AAV, 1997) the next in this genealogy of governmental initiatives, and not to be confused with the 'Reform Strategy' outlined in *Achieving Health Outcomes*, is one of the interim working papers associated with the construction of the KSIS. Developed by the VDHS and AAV in 1997, the *Koori Services Reform Strategy* represented a further incremental shift in priorities away from the recommendations of the RCIADIC, and towards increased mainstream control. It referred to most of the principles stated in *Achieving Health Outcomes*, and was prefaced by a recognition of: firstly, what were described as the 'high level commitments' contained in the *National Commitment*; secondly, the recommendations made in the NAHS; and thirdly, those made in the *National Report*.

The *Koori Services Reform Strategy* asserted that, despite the efforts represented by these previous commitments, Aboriginal people have continued to be the most disadvantaged group in Victoria. Aboriginal people were described in the *Koori Services Reform Strategy* as being 'over-represented as clients' of VDHS services, and as 'likely to be clients of multiple services (VDHS & AAV, 1997:1). In response to these descriptions, the *Koori Health Reform Strategy* stated that:

> the Department needs a consolidated statewide strategy to underpin its relationship with the Koori community and the proposed *Koori Services Reform Strategy* will build upon the Koori Health Reform Agreement [as described in *Achieving Health Outcomes*] and extend its approach to all services for which VDHS is responsible (op. cit., p.2).

This approach to improving the health and well being of Aboriginal Victorians across all VDHS portfolios, addressing environmental and primary health care policy and program arrangements simultaneously, appears to validate a 'holistic' approach to service delivery preferred by Aboriginal Victorians. In the Victorian Aboriginal Issues Unit report prepared for the RCIADIC the desire was expressed that services to Aboriginal people should take full account of the interrelatedness of disadvantages experienced by Aboriginal Victorians in the areas of health, housing, education and employment (Victorian Aboriginal Issues Unit, 1990-91:17). The NAHS confirmed this complex relationship of factors in its definition of health that referred 'not just the physical well being of the individual but the social, emotional and cultural well being of the whole community. This is a whole-of-life view and it also includes the cyclical

concept of life-death-life' (cited as a definition of health in Attachment 1 of the *Agreement*, 1996:10, and discussed more fully in chapter eight).

Health, defined in this holistic way, involves all areas of VDHS service provision. In the light of this, the question arises as to why the VDHS deemed it necessary to stall the process of implementing the Reform Strategy and HOA as described in *Achieving Improved Outcomes*, and proceed instead with the KSIS, a strategy modelled along similar lines. The governmental mechanisms outlined in *Achieving Improved Outcomes*, which could have been just as effectively extended to all VDHS portfolios within these holistic parameters of health, were developed during the course of a unique collaboration between Aboriginal communities and the VDHS. More weight was given to Aboriginal control in decisions regarding the provision and delivery of services, a feature increasingly absent in strategies primarily devised by the VDHS on its own, as was the KSIS. It is not difficult to infer from this that the VDHS was operating in accordance with a governmental rationality concerned with the maintenance of control by predominantly non-Aboriginal forces.

In defence of the decision to replace a strategy that facilitated Aboriginal 'control' with one that merely 'involved' Aboriginal communities, it could be argued that the pattern of viability that emerged during the piloting of HOA processes was reason enough for replacing it as a mechanism. But in its construction, the KSIS did not address and therefore replicated the problems of implementation encountered by the HOA processes, in which cohesive Aboriginal communities were seen to be able to exercise control whilst more fragmented communities found that mainstream service providers dominated proceedings. Unreliable viability of the HOA process in and of itself does not constitute a logical argument for having exchanged one method of governance for another. The same is true of the decision to adhere to a limited 'primary health care' definition, using that as a basis for rejecting *Achieving Improved Outcomes*. Implementation of the KSIS was informed by an underlying governmental rationality concerned with the precedence and retention of non-Aboriginal control.

Remembering that the *Koori Services Reform Strategy* was an initiative developed by the VDHS and AAV without Aboriginal community support, its declared intention to build on the Reform Strategy described in *Achieving Health Outcomes*

needs to be examined. The stated principles in both the *Koori Services Reform Strategy* and *Achieving Health Outcomes* were ostensibly similar, but subtle discursive differences in their construction suggest that different rationalities of governance were pursued in each. For instance, the partnership arrived at between VACCHO and the VDHS and deemed highly important by those Aboriginal communities that contributed to the development of *Achieving Health Outcomes*, was removed. VACCHO was not identified as the main State-level conduit for Aboriginal decision making in the *Koori Services Reform Strategy*. Nor did the *Koori Services Reform Strategy* attract or pursue the same support from Aboriginal communities, as did *Achieving Health Outcomes*.

Community consultation: information gathering as legitimation

Different community consultation processes were involved in developing the two strategies - *Koori Services Reform Strategy* and *Achieving Improved Outcomes*. Differences also extended to perceptions of those who participated in consultations, most importantly the degree to which these consultations were perceived to have been effective to the construction of the two initiatives and the degree to which Aboriginal control was seen to have been validated. In the *Koori Services Reform Strategy* the following process of community consultation was proposed:

> AAV and VDHS officers will be meeting with representatives
> from Koori organisations over the coming weeks to discuss and
> receive comment on the proposed strategy, principles and
> objectives. While consultations outside of metropolitan
> Melbourne will be on a regional basis, there will be a single
> meeting for metropolitan organisations (VDHS & AAV, 1997:4).

This 'top down' process was further reflected in the scheduling of community meetings. Doubtless it was for fiscal reasons that only one date and time were allocated to each region (VDHS & AAV, Attachment A, 1997).

The senior AAV policy officer responsible for developing the KSIS said that consultation processes were left in the hands of Aboriginal organisations as they were deemed the most appropriate parties to handle such matters. He commented that the two rounds of consultation conducted across the State yielded good representation. But the rigidity and constraint in times allotted, coupled with the preference for representatives

from Aboriginal organisations, rather than open community meetings, rendered consultation processes, and principles such as being 'empowered to act on their own behalf' (op. cit., p.3), less than meaningful. As with consultations conducted in relation to the development of ATSIC (Victorian Aboriginal Issues Unit, 1990/91:8), participants in this case study expressed similar concerns that KSIS consultations had been a farce and bureaucratic objectives a 'fait accompli'.

I encouraged case-study participants to discuss what they thought constituted 'community consultation', as consultative processes are in themselves sites where, governance is practiced through a variety of often very subtle techniques. These practices become more visible through examining the experiences of 'the governed' in these unique circumstances. Tables 2, 3 and 4 summarise themes in participants' responses to questions associated with 'community consultation' (these correspond to questions 8, 9, and 10 on the interview schedule reproduced in Appendix B).

In conducting analyses of people's descriptions of 'community consultation' it was necessary to differentiate between what they said 'should' occur, and what they said actually did occur. For example, nine people claimed 'community consultation' required talking with a range of Aboriginal people, but only six participants stated this actually occurred. More often it was perceived that only representatives from Aboriginal organisations were consulted. The distinction between 'should' and 'does' is, therefore, employed to convey participants' differentiation between something that was described as not presently occurring, but which was identified by those participants as something that ideally should occur. It is also used to convey the distinction between what was seen to occur, but ideally should not. The 'does' category simply affirms that something does occur. Unless specifically stated by the participant, no additional nuance of whether something should or should not ideally occur is inferred. Consultations were seen, in the main, as following agendas generated by bureaucracy, although without exception, this was described as something that ideally should not happen.

Table 2.
Ideas associated with 'community consultation'

Community consultation ...	Should	Does	Totals
requires talking with a range of Aboriginal people	9 (including one person who advocated that the process be informed by advice from Aboriginal organisations)	6	15
requires talking only with representatives from Aboriginal organisations	-	7 (including one who said it should not)	7
follows an agenda generated by Aboriginal communities	1	1 (at VACCHO)	2
follows an agenda generated by bureaucracy	-	8 (including 4 who said it should not)	8
uses Aboriginal community meetings as a forum	5	-	5
gets affected by Aboriginal community politics	-	3	3
gets best results when issues are debated/discussed	-	3	3
encounters difficulty in ensuring a representative cross-section of Aboriginal community views	-	3	3

No consensus emerged as to 'how' or 'with whom' community consultation should occur, but two overall distribution patterns did emerge. Firstly, all but one person advocating community meetings came from an Aboriginal organisation. This suggests a bias linking community meetings to forms of community control preferred by Aboriginal organisations. Secondly, the three people who identified difficulties in ensuring representative cross-sections of Aboriginal community views worked at AAV

or VDHS. This second point suggests that bureaucratic procedures employed by AAV and the VDHS in the pursuit of community consultation were not conducive to eliciting a broad range of Aboriginal views. At a general level, consensus was demonstrated over the point that community consultation should precede and inform program development in order to tailor programs to meet community need, rather than being a motion gone through in the bureaucratic course of executing a 'fait accompli'.

Only those participants who had had contact with the development and/or implementation of the KSIS discussed the relationship between past community consultation and the KSIS (Table 3).

Table 3
Past community consultation concerning the KSIS

	Did Occur	Did Not Occur
Community consultation did or did not occur in the past in relation to the KSIS	9 (including three with disclaimers)	3
	Has Been	Has Not Been
Community consultation in the past has or has not been extensive/adequate	2	9
	Did Have	Did Not Have
Community consultation did or did not have a meaningful bearing on the KSIS	-	4

NB. Five participants did not feel confident to answer the question as they did not have contact with the consultation process or the KSIS during its early stages.

Participants generally described initial KSIS consultations as inadequate or insufficiently extensive. There were, nevertheless, two people, one having been the then AAV Senior Policy Development Officer for the KSIS and conceivably predisposed to think well of the Strategy, who asserted that consultation processes had been adequate. Four people conveyed the impression that they did not think the consultative process had had a meaningful bearing on the development of the KSIS.

The categories used to describe responses to the issue of past KSIS community consultations were, in the main, mutually exclusive. However, the responses of four people did fall into two categories. In two cases this appeared to be a way of amplifying a cynical perception of the consultation process. The other two cases appeared to affirm the adequacy of the process: one of these responses was again from the then AAV Senior Policy Development Officer and the significance of this in terms of possible bias in favour of the Strategy has already been noted.

Participants interviewed also discussed the ongoing nature of community consultation as part of KSIS processes. Outlined in Table 4 are the themes that emerged.

Table 4
Community consultation as an ongoing process for the KSIS

Community consultation is necessary	4
Community consultation is happening	10 (7 cite reference groups as the vehicle)
Community consultation is not happening	7
Reference groups are adequate vehicles for community consultation.	-
Reference groups are inadequate vehicles for community consultation.	2
Question the overall 'community consultation' process.	3
Don't know	3 (not directly involved with the KSIS process)

People who described community consultation as ongoing tended to also define reference groups as the main vehicle for KSIS consultations. Many other participants, however, said community consultation was not happening at the time of interview and two people asserted that reference groups were inadequate vehicles for community consultation.

The diversity of perceptions related to reference groups pertained as much to differences between reference groups themselves as to differences in perceptions of what constitutes 'community' and 'community consultation'. One participant, for instance, who attended the Western Metropolitan Regional (WMR) reference group, said that that group was resisting VDHS pressure to 'hurry up', as they - the Aboriginal people in that group - were anxious that their 'community consultation' be a genuine process. She suggested that the pressures of VDHS expectations might lead some reference groups to cut corners. The WMR did not have a community controlled co-operative, and those Aboriginal people who attended the reference group were predominantly staff in the VDHS, Victoria University of Technology, or from other Government bodies. They found it difficult to locate those whom the Strategy was most likely to affect in the WMR, but did not wish to compromise Aboriginal people in the area by assuming they could speak on their behalf. The consultative process in this region, therefore, took much longer than in other regions, due to the importance placed on locating and conferring with people, and the difficulties inherent in this. They were refusing to comply with bureaucratic demands for expediency.

This resistance can be read as an act of control on the part of those Aboriginal people in the WMR reference group who preferred to have the input of Aboriginal people scattered throughout that region. It indicated an attempt by Aboriginal people to withstand bureaucratic pressure in order to give priority to a time consuming process. This illustrates a point that will be explored in greater depth in chapter eight's discussion of the governance of health wherein resistance can, at one and the same time, be the deployment of power. In the case of the WMR reference group, VDHS power to impose the KSIS was countered by Aboriginal resistance to using the vehicle of governance stipulated within the Strategy, except on terms acceptable to those who were both subjected to and objects of that form of VDHS attention. This and other reference group experiences will be discussed in greater detail in chapter six.

Issues related to a questioning of the 'community consultation' process itself emerged in a variety of forms. One person proposed that the word 'negotiation' be used instead of 'consultation', and that the process of 'negotiation' rather than consultation be, in fact, the process that was made ongoing. Another person suggested, within the context of ongoing community consultation, that the KSIS as a tool of governance

should have been reassessed according to whether communities actually wanted it and if so in what form.

Two non-Aboriginal VDHS KSIS project workers drew different attention to the conceivable boundaries of consultation processes. The first, a non-Aboriginal VDHS representative, conveyed a sense of 'boundlessness'. He perceived that community consultations could extend beyond Aboriginal people to include 'the wider community of interest', that being service providers and local government. This observation stood in stark contrast with the concern described earlier wherein the focus was on Aboriginal community views and resistance to the pressure to 'hurry up'. This disparity of perceptual boundaries raises the question - who was the KSIS implemented for, and how are Aboriginal communities situated within the broader community of interests?

The second KSIS project worker who was disturbed about boundaries of the consultation process described, in her terms, 'disenfranchised' members of Aboriginal communities. These people, because of community politics or more personal reasons, were not connected to Aboriginal organisations, nor did they access mainstream organisations. She was concerned that KSIS processes of community consultation were not inclusive of these people's views.

The control of the consultation process was a recurring issue. Two people linked the success of reference group processes to simple things, such as informing Aboriginal people in good time and in a personable way about issues for discussion in upcoming meetings. It was described as insufficient and inadequate to do a 'mail out' one week before the meeting, which was the practice of some VDHS KSIS coordinators, and expect any meaningful kind of community attendance or discussion. It was noted that reference group processes were more fruitful if Aboriginal people not only knew in advance when meetings would be, but could also determine or contribute to the construction of the agenda. In that way other community members were encouraged to attend or have their views represented, and time became available to deal with pragmatic issues such as transportation problems, a seemingly small, but fundamental issue often over looked in bureaucratic 'top down' processes of governance.

Having completed what the VDHS considered to be sufficiently inclusive consultations with Aboriginal communities throughout Victoria, a new title emerged in the VDHS development of an '"umbrella" framework within which both existing and future Victorian Department of Human Services policies for Koori services [would] sit' (VDHS, 1997:6). This document, *Improving Human Services for Victorian Koories: The Koori Services Improvement Strategy - Final Draft* (hereafter abbreviated to the *Final Draft*), was completed 10 months before the actual launch of the KSIS's *Five Year Strategic Plan*. The *Final Draft* differed from its predecessor, the *Koori Services Reform Strategy*, in three important ways. Firstly, it further played down yet further the issue of Aboriginal control; secondly, it redefined the notion of 'partnership'; and, thirdly, it omitted the previously stated recognition that additional expenditure be made to address needs in recognition that improved outcomes are contingent on the availability of adequate resources.

The first principle stated in *Achieving Health Outcomes*, the document said to form a basis for the *Koori Services Reform Strategy* and later the KSIS, was:

> Improved *health* for Aboriginal people will only be achieved when Aboriginal people and their organisations are empowered to act on their own behalf and when adequate resources are available (emphasis added, VDHS & VACCHO, 1996:1).

The *Koori Services Reform Strategy* took this principle of 'empowerment', but modified it by exchanging the word 'outcomes' for the word 'health'. In the *Final Draft* of the KSIS, the next and final incremental change to the intervention, this principle was barely recognisable. The only reference made to 'empowerment' in the *Final Draft* occurred in the fourth principle's resolution to 'Call upon and empower Koori communities to *collaborate as partners*' (emphasis added, VDHS, 1997:12). No reference was made to the 'Landmark Agreement' of 14 months previously between VACCHO and the VDHS in the *Achieving Health Outcomes* document, wherein improvement, be it referred to in terms of 'health', or in terms of 'outcome', was understood to be contingent on Aboriginal control and provision of adequate resources.

VACCHO is the peak Statewide body representing Aboriginal community controlled health services across Victoria. This organisation, along with others, such as

the Aborigines Advancement League, the Victorian Aboriginal Community Services Association Ltd (VACSAL), the Victorian Aboriginal Child Care Agency (VACCA), and the Aboriginal Community Elders Services (ACES), represent points of coordination and communication for local Aboriginal community controlled organisations throughout Victoria. These organisations constitute at State level strong Aboriginal voices able to represent collectives of smaller groups, which would in most cases otherwise be less powerful and less able to represent themselves in forums of State government decision making, as represented by the VDHS. It is significant that VACCHO and other Statewide Aboriginal organisations had their relevance in the *Final Draft* of the KSIS confined to their participation in the Statewide reference group. The minimal nature of this involvement will be discussed more fully in the next chapter's elaboration of the KSIS's *Five Year Strategic Plan*, the implementation of which is the focus of this case study. The VDHS appeared to have situated itself as the body with which individual Aboriginal communities had to communicate and negotiate, effectively cutting peak Aboriginal bodies out of the loop. For many participants interviewed who worked in these organisations, this amounted to disempowerment through the principle of 'divide and conquer'. Established and essential conduits for Aboriginal communication and support were ruptured.

Conclusion

This chapter has highlighted instances of a contradictory dynamic that appears as a consistent theme throughout the field of Aboriginal governance. Using the notion of 'community consultation' as an example, participants conveyed in their interviews great ambivalence as to perceived 'slippages' between practicability and rhetoric, incongruity between what can collectively be understood in terms of 'best practice' models of consultation, and the practices that have actually occurred. The rhetoric served a legitimating purpose, the KSIS proceeding ostensibly with the active participation of Aboriginal communities. The experience of consultation processes, however, did not support rhetorical claims. These variations reflect patterns of discontinuity that have been apparent in interventions in Aboriginal governance throughout the course of Aboriginal/colonial-settler relationships. Moreover, in an adherence to a governmental rationality concerned to maintain non-Aboriginal State power the link between the colonial past and present is reinforced.

Examination of the language of the documents studied in this chapter suggests how the sliding between rhetorical forms permits shifts and gaps in the articulation of governmental possibilities. The shift in power differentials that occurs when seemingly insignificant terms are substituted, community 'involvement' instead of community 'control' for instance, in the context of a governmentality framework, represents a technique of power, State power being used to construct discourses that reinforce State control.

Underlying the *Final Draft* of the KSIS was a rationality of governance made visible through its statement of intent: 'the Department *will* ... empower Koori Communities' (emphasis added, VDHS 1997). Aboriginal people remained the subject of VDHS controls, in this case through 'empowerment'. The use of 'empowerment' in this way constitutes an example of what was discussed in chapter one in terms of liberal ways of governing that attempt to operate 'through' the freedom or capacities of the governed (Dean, 1999:15). The following chapter will provide a detailed account of the types of Aboriginal 'freedoms' and 'capacities' that the KSIS, as a tool of 'empowerment' encountered, required, manufactured and delimited in regional reference groups.

CHAPTER 5

A Five Year Strategic Plan

Improving Human Services for Victorian Koories: Five Year Strategic Plan (KSIS) was the culmination of all the drafts and documents discussed in the previous chapter. The Plan was launched by the VDHS in August 1998. Predictably this version of the strategy and its predecessor, the *Final Draft* developed nine months earlier, are very similar. Nevertheless, there are still some subtle shifts in the way relationships between Aboriginal Victorians and the VDHS were constructed in these two documents. These shifts give further weight to my argument that the discursive construction of these documents and the spaces of governmental possibilities created by them facilitated the perpetuation of a certain kind of State control.

In this chapter I will explore some of these rhetorical shifts and the individual experiences of the strategy as conveyed by interviewees who attended regional KSIS reference groups. My argument here is that the socio/historical context of Aboriginal governance in Victoria continued to shape the freedoms and capacities of Aboriginal people in a variety of ways. This in turn impacted on how the KSIS was received and implemented with the further consequence that Aboriginal control of KSIS processes also varied. Certain Aboriginal individuals and communities used the KSIS in such a way as to generate spaces of contestation within which they determined the degree of non-Aboriginal involvement. Conversely, others lacked the degree of community cohesion and capabilities necessary to withstand State and mainstream pressure.

The *Final Draft* made reference to the 1996 ATSIC cuts discussed in the previous chapter and acknowledged the effect of these in diminishing the capacity of Aboriginal community controlled organisations to participate in policy, program and service development. Under the provisions of the *Final Draft*, the VDHS accepted responsibility in this environment of diminished capacity to ensure Aboriginal people could 'sustain increased involvement in the planning, development, delivery and evaluation of all policies, programs and services' (VDHS, 1997:7). The KSIS, in its 'cost-neutral' approach, on the other hand, made no such acknowledgment of the ATSIC funding cuts or their effects. Brief mention was made of an intention to identify

what 'resources and support that Koori organisations and/or communities need to be effective partners' (VDHS, 1998:14). But no VDHS commitment was made to redress damage done to the infrastructure of many Aboriginal organisations by the previous ATSIC budget cuts. It was, therefore, unclear how Aboriginal communities, without the support of their own organisations or auxiliary VDHS resources, were to engage in processes of 'planning, developing, delivering and evaluating all policies, programs and services' (op. cit., p.8) required by the KSIS.

The ambivalent relationship between intention and consequence outlined in the previous chapter regarding the policies and decisions that preceded the KSIS, was replicated in the KSIS itself. The KSIS was implemented on the basis of intended Aboriginal community involvement. But this intention was to be realised within an environment of increased Aboriginal community incapacity, by engaging strategies that were directed from the 'top down', and in a policy vacuum unmindful of the influence of previous initiatives and decisions.

The reference group mechanism

Implementation of the KSIS was based on four strategies, with the key mechanism for involving Aboriginal people being the reference group. Established in each of the nine VDHS regions, reference groups were comprised of Aboriginal community and organisation members, VDHS regional management, ATSIC regional councillors, local government, and mainstream service providers. In most regional reference groups, consistent representation of all these stakeholders did not occur and the process was modified to cater to the varying agendas presented by the different attending bodies.

The primary role of reference groups was to firstly, assist regions to develop Aboriginal community service plans. These plans were to contain assessment of community needs, identify available services, identify strategic priorities for improved and reformed service delivery, and devise implementation strategies and performance measures and targets for monitoring outcomes and effectiveness. Secondly, reference groups were to provide a source of feedback to the regional VDHS offices on the impact, suitability and cultural appropriateness of programs and services in local communities. Thirdly, they were to provide a forum so that effective relationships and

networks could be developed between Aboriginal organisations, regions and mainstream service providers (VDHS, 1998:21).

A Statewide reference group was also formed in order to monitor implementation of the Strategy and provide advice on Victorian planning, policies, and program/service issues. This group was comprised of local and peak Aboriginal organisations, and regional and divisional VDHS management staff. Regional and Statewide reference groups were to develop 'Koori community service plans' and a 'Statewide Koori Service Plan'. But, as will be discussed later in this chapter, strengths and needs differed between Aboriginal communities. Consequently reference groups approached the development of community service plans in ways that departed from the generic lines outlined in the document. Similarly, the role of the Statewide reference group did not proceed along projected lines.

The Four Strategies in the KSIS

State accountability regarding Aboriginal affairs requires that the VDHS report to parliament on what are defined as 'National Aboriginal and Torres Strait Islander Health Performance Indicators'. The KSIS represented the VDHS response to two of these indicators (VDHS, Koori Health Unit, 1998-1999:42 & 82). Indicator 3.6, 'the development of community capacity' was defined according to the extent of Aboriginal community participation in health services. Indicator 8.2, 'co-operative community planning' was aligned with implementation of regional planning processes.

In order to generate activity in keeping with these indicators the KSIS constructed a scheme comprised of four strategies (VDHS, 1998:13). Strategy One was to 'involve' Aboriginal communities in developing, delivering and evaluating policies, programs and services. Strategy Two was concerned with identifying and responding to the needs of Aboriginal communities by developing and delivering programs and services that are relevant and culturally appropriate. Strategy Three, the improvement of planning and coordination of human services for Aboriginal communities between communities, service providers and funding agencies and at all levels of government. And finally, Strategy Four referred to the improvement of the management, monitoring and evaluation of programs and services.

During their interviews, I presented participants with questions framed to directly correspond with these four strategies. Their responses fell into four general groups – positive; positive with some form of reservation or qualification; negative; and did not know. The frequencies of these responses are conveyed in Table 5.

Table 5
Responses to strategies 1-4 as outlined in statement of 'Aim'

Strategies	Yes	Yes, but	No	Don't Know
1. Aboriginal communities are being involved in 'developing, delivering and evaluating policies, programs and services'.	4	7	11	4
2. 'Relevant and culturally appropriate ... programs and services [are being] developed and delivered' to the Koori Community.	4	11	9	2
3. 'Planning and co-ordination of human services for the Koori community between communities, service providers and funding agencies and at all levels of government' is being improved.	1	12	10	3
4. 'The management, monitoring and evaluation of programs and services' is being improved.	3	8	8	6
The KSIS is succeeding in its aims.	3	5	10	7

NB These are mutually exclusive response categories derived from responses to Interview Schedule Questions 15-18, Appendix B. Inverted commas indicate direct quotations from the KSIS document.

Distributions of responses to questions derived from the four strategies and their overall effect showed that the strongest trend was negative with 4 people expressing a negative response to all questions. One of these, a mental health worker and co-author of a 1999 Discussion Paper on Aboriginal mental health policy said:

when you're talking about developing policies and programs and looking at delivering of services and things like that, the Koori community should have been involved from the start, and it should have been a bottom up approach not top down ... they should have had local Koori people involved in that process ... I think for anything to work in Aboriginal communities it has to have a grass roots approach and from the bottom up ... not involving decision makers because ... you can't have people who wear suits coming in and telling communities how to make decisions about their own health (Interview, January 2000).

In the main people working in four peak Aboriginal Statewide organisations conveyed negative perceptions regarding the KSIS's aims. These organisations included VACCHO, the Victorian Aboriginal Health Service, and the Victorian Aboriginal Child Care Agency (VACCA). It could be argued that these people were actively involved in furthering Aboriginal control and self-determination via these organisations and were therefore, critical of governance through State controlled bureaucratic policy and practice. An equally plausible argument could be advanced wherein these negative responses to the KSIS emerged in response to direct experiences of working within the Aboriginal service delivery environment. I cannot definitively ascertain the strengths of these arguments, but based on the frequency of these and other participants' negative responses to the four strategies outlined in the KSIS, I have concluded that the KSIS did not appear to have succeeded in matching intention with practice.

Further analysis of the themes that emerged from participants' responses provided insight into the relationship between the intentions expressed in the KSIS and their actual implementation. Responses that conditionally affirmed the success of the KSIS in bringing about involvement by Aboriginal communities in 'developing, delivering and evaluating policies, programs and services', (that is, Strategy One) made the following types of qualifications. Involvement of communities occurred as a result of ongoing efforts made on the part of both Aboriginal organisations and some mainstream organisations. These relationships, however, had often been established prior to the emergence of the KSIS. Some participants conveyed that they perceived KSIS reference groups as having effected a small degree of involvement, but this process was seen to have yielded uneven success. It had not occurred in all regions and had been subject to problems, such as inadequate notice of VDHS agenda items being conveyed to community members prior to meetings.

The involvement of Aboriginal people appeared to have been related to a communities' general capacity to be involved, such as the presence of relevant skills and to an actual interest in being involved. Therefore, some communities were involved and others were not. Although the KSIS provided a conduit for VDHS support, Aboriginal communities' involvement (or absence of involvement) in Strategy One suggested more about community capability, than about the KSIS itself. Reference groups were effective because of the skills already present in communities, not because of anything inherent in reference group processes. Some VDHS regions functioned more effectively in implementing the KSIS than did others. I found this to be a reflection of skilled Aboriginal communities working effectively with KSIS project workers, rather than anything intrinsic to the KSIS. Those who did not identify Aboriginal communities as having been involved in 'developing, delivering and evaluating policies, programs and services', as enumerated in Table 5, expressed the following concerns - the KSIS employed a bureaucratic 'top down' approach; many Aboriginal people hold an historically based mistrust of the VDHS; VDHS funding practices are rigid; and employment of Aboriginal workers was often felt to be tokenistic.

In reference to the development and delivery of relevant and culturally appropriate programs and services to Aboriginal communities - Strategy Two - the affirmative responses suggested the importance of raising cross-cultural awareness. A non-Aboriginal staff member from the Ballarat office of Child and Family Services, a mainstream service provider, made the following comment that her agency was:

> very committed to providing culturally sensitive services and programs, but I don't think we're quite there yet. I think it just takes a long time to make a large number of staff truly culturally aware and truly aware of a lot of the issues they might need to know about (Interview, April 2000).

This need for cross-cultural training for non-Aboriginal people in mainstream organisations speaks of the racist component of Aboriginal/colonial-settler relationships that has come to acquire the status of 'rational' behaviour. Difficulties associated with challenging these 'taken for granted notions' was raised by Aboriginal interviewees who noted the effectiveness of 'service expos'. These were forums where mainstream

service providers facilitated relationship building and information sharing between Aboriginal and non-Aboriginal people by setting up promotional stalls in a non-threatening and socially interactive environment, not unlike a fair.

Affirmative responses in which reservations were expressed included many concerns common to those voiced in relation to Strategy One. One participant suggested that organisations such as VAHS were delivering culturally appropriate services, but questioned whether these organisations had sufficient competency regarding the level and diversity of skills required. Doubtless peak bodies, such as the Victorian Aboriginal Health Service, would hotly contest this contention, but it did raise the question of whether culturally appropriate services have sometimes been delivered at the expense of competency. An Aboriginal employee of the Westernport Drug and Alcohol Service was harshly critical of Aboriginal service providers such as VACCHO, saying that even though they profess to be adopting a 'holistic' approach to health needs and looking after the 'whole person' they do so in a 'mainstream manner', using language that is 'simplistic', where 'causation isn't totally understood', and where the ramifications of being untreated also are not understood. He said:

> it's more of a bandaid treatment ... and these bandaids have wonderful Koori art on them ... it's nice to look at, but when you peel it off the festering sore is still there (Interview, February 2000).

He advocated the employment of skilled non-Aboriginal people in Aboriginal organisations and transference of skills. His analogous use of 'festering sore' described both his concern for competent services and his awareness that within Aboriginal governance there is much conflict over issues of control. The position he advocated runs counter to that expressed by others who asserted the pre-eminent role of Aboriginal organisations in developing and delivering culturally relevant and appropriate programs and services, and who rejected the whole premise of programs and services being 'delivered *to*' Aboriginal people by State bureaucracy. The semantics of such language was held to echo the same nuance of meaning as that present in 'will empower' (namely, that Aboriginal people would be recipients rather than instigators of change), and was perceived as being paternalistic.

This issue of agency raises the further question of who decides what constitutes 'cultural relevancy' and 'cultural appropriateness'. In Tim Rowse's examination of the KSIS as a governmental technique that contributed to the shaping of institutional modes of Aboriginal governance, he noted a distinction between what he described as *'being Koori'* and *'knowing Koori'* (Rowse, 2000 [b]:14, emphasis in original). The former described social identity, the latter defined an 'accredited skill capacity, possession of which makes one a "culturally appropriate" provider and a competitor in the market' (op. cit.). Implicit in most participants' discussions of cultural appropriateness was the notion that non-Aboriginal people needed to learn 'cultural sensitivity', a phenomenon distinct from cultural 'skill'. The power to define cultural appropriateness was seen to reside necessarily within the preserves of Aboriginal people themselves. This, in itself, did not constitute a bar to non-Aboriginal people being able to determine whether they were behaving in culturally appropriate ways. But this self-reflection in relation to culture is dynamically and ethically different from Aboriginal culture being perceived in terms of 'commodity' as in Kennett's 'cultural tourism' discussed in the previous chapter. Culture as a subject of tourism is open to negotiation in contexts where Aboriginal agency is peripheral to institutional vehicles of governance and can detract from Aboriginal people having control.

Strategy Three's 'planning and co-ordination of human services for the Koori community between communities, service providers and funding agencies and at all levels of government' was not thought to have improved. Reasons for this included effects of regionalisation and subsequent competition between Aboriginal organisations for diminished funding. Relationships between Aboriginal organisations and the VDHS were not seen as being conducive to supporting developmental processes. Also poor communication between the three tiers of government was noted as a contributing factor. A KSIS coordinator at AAV put it this way:

> I think that for us to be able to plan and coordinate these services that we're talking about, I think government, both at the state, commonwealth and the local level need to communicate more effectively ... I see, or feel that ... they're all going off doing their own thing, but there's no coordination ... there's no communication ... therefore we're playing one against the other and the unfortunate thing is that the Koori community gets caught in the crossfire (Interview, May 2000).

Improvements were described in reference to only a couple of regions and were dependent on the working relationships of those concerned, that is the VDHS Koori project officer, mainstream service provider representatives, and representatives of the Aboriginal communities participating in the reference group process. It was at the level of local government that improvements, if any, were thought likely to have been made. A degree of improvement promulgated by Aboriginal organisations together with mainstream service providers prior to and independent of the KSIS was indicated, but the magnitude of this improvement was unclear.

Improvement in the 'management, monitoring and evaluation of programs and services', namely Strategy Four, was seen to be minimal or absent, again for reasons previously identified in relation to strategies One, Two and Three. An additional theme did emerge, however, wherein participants refused to acknowledge the very legitimacy of an imposed bureaucratic framework, and therefore rejected the very notion of improvement as a KSIS mediated possibility.

The following discussion of the KSIS focuses on individual reference groups and draws on interview data in conjunction with available minutes from reference group meetings, Community Service Plans, and ancillary documents. For reasons of comprehensive accuracy, only those reference groups for which this combination of information was available are included in this analysis.

Northern Metropolitan Region (NMR)

An Internal VDHS Brief to the then Director of Aboriginal Affairs, Tony Cahir, prepared by the Northern Metropolitan Region (NMR) KSIS Liaison Officer, stated that the KSIS had been launched in that region on 25th November 1998 (VDHS [a], 1999). The NMR reference group was established nine months prior to the November launch, in February 1998, and was initially inaugurated as part of the scheme to pilot *Achieving Health Outcomes* (VDHS, Koori Health Unit, 1998/99:85).

In the Brief it was stated that the NMR reference group met seven times over the fifteen-month period between February '98 and April '99 and expected to continue meeting at four weekly intervals. In terms of developing their community services plan,

the group had, after twelve months, mapped the services provided by Aboriginal organisations and their links with mainstream services in that region, including VDHS services. At the time the Brief was written, the reference group was in the process of mapping all VDHS funded services provided by mainstream agencies in the NMR and was also embarking on a process of consultation with Aboriginal people and agencies in that region.

Five months after this Brief was prepared, the Victorian State elections in September 1999 saw a Labor Government come to power. This change of government resulted in AAV, the department responsible at the time for overseeing the KSIS, going temporarily into 'caretaker' mode. Changes to internal VDHS structures and policies were made during this period, including revoking contestability and tendering mechanisms from the KSIS. At this point the NMR KSIS reference group ceased to meet and did not reconvene.

At the same time as this reference group had been engaged in mapping existing services, the initial piloting of the *Achieving Health Outcomes* in the NMR had gathered momentum with Aboriginal organisations supporting the Health Outcomes Agreement (HOA) mechanism. *Achieving Health Outcomes* was an initiative that not only preceded the KSIS, but, as was discussed in the previous chapter, also differed from it in that it was developed collaboratively with VACCHO and had Aboriginal community support and signatories. Confusion and resistance resulted when the HOA mechanism was dropped by the VDHS and the KSIS implemented in its stead. People involved in the pilot had invested time and energy into a mechanism that the KSIS replaced. The CEO of the Victorian Aboriginal Health Service, located in the NMR, described for instance a ten month period of collaboration between itself, VDHS and the Office of Aboriginal and Torres Strait Islander Health Services (OATSIHS) during which their mental health program was reviewed and a funding and service agreement based on the HOA process arrived at. He saw no need to involve the Victorian Aboriginal Health Service in yet another bureaucratic initiative, namely the KSIS, particularly as he saw the new strategy undermining Aboriginal autonomy (Interview, February 2000).

The shift from HOA processes to the KSIS also caused a deal of confusion for organisations such as VACCHO. Representing some twenty-five Aboriginal

organisations throughout Victoria, VACCHO had supported the HOA mechanism, but rejected the KSIS. As late as the end of 2000 confusion over the status of the HOA in relation to the KSIS remained unresolved, even within the VDHS. Some VDHS departments saw the KSIS process as having primary authority over the HOA, whilst others saw the two as separate ongoing strategies. Still others perceived the KSIS as an extension and an enhancement of the HOA, accepting the argument that the KSIS broadened the health focus of *Achieving Health Outcomes*. Regardless of these various interpretations, the point at issue for community organisations and this analysis of governmental possibilities was that many of these organisations had lent support to HOA, and actively rejected the KSIS. Yet, via Statewide implementation of the KSIS, the VDHS appeared to have assumed authority, regardless of organisations' opposition.

To return discussion to that of individual reference groups, two representatives from peak Aboriginal organisations, in contrast to the position taken by the CEO of Victorian Aboriginal Health Service, did attend the NMR reference group. These were the CEO of VACCA, and the Program Manager from the Aborigines' Advancement League (AAL). Both these Aboriginal organisations are state-wide bodies and had had representatives present at both Statewide and regional reference groups.

The CEO from VACCA asserted that, initially, Statewide Aboriginal organisations were led to believe they would have a major role to play in regional reference groups. As Chair of the Board of VACCA, she requested that other Board members attend the KSIS reference group meetings in order to ensure that Aboriginal children's issues were catered for in the regional community plan. Her experience of the NMR reference group contradicted the VDHS's initial assertions that her organisation would, indeed, have a significant role to play. She said that the meetings were chaired and minuted by VDHS staff. She asserted that the minutes did not seem to her to have reflected what the Aboriginal people present at the meetings had said. Relating this to issues of self-determination VACCA's CEO said of the Statewide reference group that she attended:

> how can that be around self-determination ... how can that be
> about Aboriginal people actually saying, because we didn't
> report anything ... we didn't even see the proposals going to the
> Statewide forum and they were presented by DHS ... they

directed the whole thing ... as I said, the whole thing was patronising (Interview, March 2000).

Southern Metropolitan Region (SMR)

Prior to the development of the KSIS, Aboriginal people in the Southern Metropolitan Region (SMR) in conjunction with 7 local governments from that region, established in December 1996 the 'Inter-Council Aboriginal Consultative Committee (ICACC). This was an initiative of the Municipal Association of Victoria designed to facilitate communication between Aboriginal people and mainstream service providers, including the Council of Adult Education and the Breakeven Southern Gambling Support Service. In April 1998 the SMR office of the VDHS was also made welcome at the ICACC meetings (ICACC, 1998 [a]).

By October 1998 the ICACC group had defined its Terms of Reference. These were to provide an Aboriginal perspective on the operation of local government and other Agencies, identifying issues and areas where cooperation could be improved between local government bodies and Aboriginal communities. It also wanted to develop a strategic plan for local government and regional agencies to address those issues. Enhancement and promotion of understanding regarding Aboriginal culture, society and heritage were deemed necessary. Finally, ICACC saw its role in terms of making recommendations to Councils, Aboriginal Communities and non-government organisations in relation to issues that affected the Aboriginal communities within the region.

ICACC meetings were convened with the intention of providing Aboriginal people from the Southern region - for instance those from the Dandenong and District Aborigines Cooperative, 'Bunerong' - a forum for expressing their views. Despite this, minutes from ICACC meetings reflect a high attendance by non-Aboriginal bureaucrats and representatives of mainstream service providers, and few Aboriginal people. Apart from the Chairperson, the Aboriginal people who regularly attended the meetings appeared to have been attending in their capacity as employees of non-Aboriginal bureaucracies. It appeared that, at the time when I was researching this case study, ICACC was a forum infrequently and irregularly attended by local Aboriginal

Community members. Nevertheless, ICACC does represent an attempt made at the level of local government to address concerns raised in the RCIADIC. Findings in the Self Inquiry and the Miller Report, both cited in the RCIADIC's *National Report*, charged local government authorities with not providing adequate or equitable levels of services to their Aboriginal residents (RCIADIC, 1991, Vol II, Ch.20:28).

At the time when ICACC began meeting, and prior to the implementation of the KSIS, the SMR VDHS office was composing the final draft of its *Koori Health Plan for the Southern Metropolitan Region* (1997) (hereafter abbreviated to the *Koori Health Plan*). Of the four Victorian metropolitan regions, the SMR was described at that time as having the largest proportion of Aboriginal people. In response to this, the SMR VDHS office devised its own plan for addressing the specific health needs of Aboriginal people living in the region. This plan was developed through a process of consultation with Aboriginal community members and service providers, and non-Aboriginal service providers. The *Koori Health Plan* initiative was stated as being undertaken in response to the *National Aboriginal Health Strategy*, the *National Report*, and *Achieving Health Outcomes* (see Figure 1, p.101). According to an Aboriginal project worker involved with the consultations, the *Koori Health Plan* was a project independently initiated by the SMR

In mid 1998 the SMR approached the ICACC group to act as an ongoing reference group for its *Koori Health Plan* (ICACC, 1998 [b] & [c]). In June 1998 the Chairperson of ICACC was minuted as saying that, in relation to the *Koori Health Plan* 'ICACC was a forum for linking with the Department of Human Services'. This link was later extended to include the KSIS. In May 1999 the ICACC forum was confirmed as the SMR Reference Group for the KSIS. So, in addition to its original Terms of Reference, those who attended ICACC meetings were also, in effect, reference group members for the SMR's own *Koori Health Plan* and for the KSIS. The centrality of this group structure was said by the Chairperson of ICACC to provide for effective communication across areas of shared interest (Interview, January 2000). But, with the involvement of so many stakeholders with varying agendas, it is difficult to disentangle how effective ICACC was in specific regard to the KSIS.

In its report to the 1999 Statewide meeting of the KSIS, the SMR stated that ICACC had the potential to be a good reference group. But it also said that it was 'important that it attracts local community members to its meetings and is not dominated by non-Aboriginal and service provider interests' (VDHS [b], 1999). In May 2000 the ICACC Chairperson voiced his concerns regarding the absence of other Aboriginal community members and inattention to their needs and aspirations in that forum. In the interview I conducted with him he said of the SMR's efforts to implement the KSIS that:

> they need to reach out more into the community themselves and not be so reliant on ICACC ... they need to network with people to get them to come to the meetings because of the lack of attendances ... I've tried, but unfortunately there's factions in every community and some of them are negative and they are the ones who should be going to these meetings (Interview, January 2000).

Following confirmation of ICACC's role as the SMR's KSIS reference group, specific mention of the KSIS in the ICACC minutes was conspicuous by its absence, other than interest expressed in the $20,000 later made available by the VDHS to contribute to the costs of implementing the KSIS. This is not to say that priorities shared by the KSIS, the *Koori Health Plan*, and ICACC's terms of reference such as cross-cultural training, were not being addressed. Indeed, in the VDHS report on health performance indicators, ICACC is cited as performing the role of KSIS reference group for the SMR, and monitoring and advising on the KSIS (VDHS, Koori Health Unit, 1998/99:46&85). But the direct role of the KSIS as a structure of governance was unclear. Minutes tabled for the March 2001 meeting suggested that the $20,000 received from the VDHS would fund an ICACC Administration Officer's position, implementation of the KSIS being one amongst many other responsibilities. In terms of gaining insight into how Aboriginal governance is proceeding in Victoria, what became clear through this cursory observation of the SMR was that this region was already very active in creating its own structural responses to perceived Aboriginal needs. Aboriginal participation, if not control, was being advocated. State intervention in the form of the KSIS appeared to have been superfluous.

During the course of observing ICACC/KSIS reference group meetings I met two people, other than the Chairperson, who agreed to be interviewed. These were an Aboriginal woman who at the time worked at the Bunerong Medical Service, which is part of the Dandenong and District Aboriginal Cooperative, and the Aboriginal KSIS project worker who was also the Koori Health Officer for the SMR office of VDHS. The Bunerong worker made a few points about access to the ICACC meetings and the difficulties that she perceived Aboriginal people had in giving input at that forum. She described the times that meetings were convened as being difficult. ICACC meetings are almost without exception convened during office hours. This poses problems for Aboriginal people who work outside the 'Aboriginal services industry' and cannot be released from their places of employment in order to attend. She was also critical of some of those who represented Aboriginal community presence at ICACC meetings. She said they 'are the wrong ones to represent our community' because they come from other communities outside the Southern region, or they are employees of the VDHS the inference being that they would ultimately be biased in favour of the VDHS.

Questions of 'Aboriginality' and community membership added further complexity to reference group functioning. Aboriginal representation, whether or not perceived by community members themselves as being legitimate and/or representative, was necessary for the credibility and legitimacy of reference groups as a bureaucratic structure. But factors, such as internal community politics and friction over what constituted 'genuine' Aboriginality, dissuaded some Aboriginal people from attending meetings, and also put additional strain on those who did attend. The Chairperson of the ICACC was a case in point. Although he chaired ICACC meetings, he actually lived in the Eastern region and, therefore, the KSIS reference group he attended in the capacity of community member was in the Eastern region. This provoked antagonism in the worker from Bunerong towards both the Chairperson and the reference group. For her, he represented Aboriginal community in only a broad sense, and she did not see him as a legitimate representative of views unique to those who actually live in the region where he was Chairperson.

The Chairperson, on the other hand, was concerned that the ICACC group, which initially had had community participation, lacked sufficiently consistent or substantial community input and that negative community factionalism was at work in

the region. He asserted that a forum separate to ICACC was needed once or twice a year to encourage community members to discuss issues that were specific to them and to the KSIS. They could then bring the fruits of those consultations to the ICACC meetings.

Despite his advocacy of this separate twice-yearly forum, the Chairperson of ICACC was convinced that a centralised model, such as ICACC, was more effective than a model where community members may attend many disconnected groups addressing similar issues. He asserted that only a few Aboriginal people were interested and able to participate in these types of governmental processes and he was concerned that, with the same Aboriginal people attending all the various meetings in their region, those people burn themselves out. He was also of the opinion that 'networking' amongst many mainstream service providers, as occurred in the context of ICACC meetings, was the best way to have Aboriginal needs met. When he raised this issue of centralisation at the Eastern region's KSIS reference group, Aboriginal people in that region did not share his conviction. The centralisation of groups, which met separately in the Eastern region, was not seen as necessarily a good thing, facilitating instead the potential for domination by mainstream providers of the KSIS group process. In the SMR this dominance did appear to prevail, confirming the concerns of those in the Eastern region.

The SMR Aboriginal KSIS project worker who attended ICACC meetings was the third person from that region I interviewed. She saw, probably accurately, that the KSIS was duplicating work that had already been done in relation to the *Koori Health Plan* (VDHS, SMR, 1997). The inference was that no new work specific to implementing the KSIS was necessary. A conflict of interest was apparent here, with the KSIS project worker having perceived her role as being other than to implement the KSIS. In addition to this, the ICACC Chairperson was concerned that, like himself, the Aboriginal community in the Dandenong and district area did not accept her as a community member. As a result, he did not see community views being represented at the ICACC meetings. So, in addition to being structurally superfluous in the SMR, the KSIS faced a twofold obstacle in a project worker who was not motivated to implement the KSIS and community people who, for their own reasons, did not wish to participate. The 'government waltz', performed through the KSIS, has many intricacies specific to individual regions in Victoria.

Western Metropolitan Region (WMR)

An Internal VDHS Brief from the Western Metropolitan Region (WMR) to the Director of AAV in April 1999 outlined difficulties specific to that region's capacity to implement the KSIS. It stated that 'historically there has been a lack of investment in Koori specific services and program initiatives within the region. As a result the WMR has a paucity of regional Koori organisations' (VDHS [c], 1999). At the time of my investigation there were no Aboriginal Co-operatives operating in the Western region. According to the WMR Brief, lack of such organisations limited the type of organisational partnering that was integral to KSIS implementation. This deficit was also said to limit the region's ability 'to establish consumer representation from the local Koori community'.

These limitations, coupled with the historical absence of community development processes for engaging Aboriginal communities in that region and Aboriginal skepticism regarding VDHS commitment to Aboriginal communities and service development, rendered the KSIS a difficult strategy to implement in this region. This is not to say that individual initiatives specifically directed at dealing with Aboriginal needs have not been implemented there, but as stated in the Brief, these have been limited in their capacity to provide a basis for the broader work required by the KSIS. At the time the Brief was written, the WMR in partnership with that region's reference group, was in the process of renegotiating the Key Performance Indicators required by the KSIS.

I interviewed three people, involved with the WMR KSIS reference group. These included the VDHS project officer and two Aboriginal community members, one of whom was an ATSIC Regional Councillor who was also the Koori Health Representative in the Koori Health Unit (a unit within the VDHS). The VDHS project worker's views reflected those stated in the WMR Brief. In his interview he expanded on the fact that there were no Aboriginal-specific services in the region. Concerns expressed by the reference group were, he said, more focused on the actual provision of appropriate and relevant services than on ownership or control of services. Participants were not concerned about whether the spread of services was delivered through

mainstream providers or provided by Aboriginal organisations from other regions that set up programs attached to mainstream agencies in the WMR.

The ATSIC Regional Councillor/Koori Health Representative confirmed that the actual provision of culturally sensitive services was more important than expending those resources on creating a separate Aboriginal organisation in the Western region. He was of the opinion that the internal politics of Aboriginal community controlled organisations potentially impeded the delivery of services to some Aboriginal people. Of greater concern to him was the issue of community consultation. He saw consultation processes drawing often on elected representatives in community-controlled organisations, rather than on whole communities. He commented that as a result of this process:

> the majority of the community miss out, in fact the Western suburbs miss out a lot ... we're saying to these groups now that are using the term community consultation 'well that's not alright, you haven't consulted with us' (Interview, May 2000).

The question of ongoing consultation in the WMR's KSIS reference group was also identified as an issue by the third person interviewed. She was a founding member of the 'Koori Working Group', that apparently grew spontaneously out of a need to improve services for Aboriginal people in the WMR and attracted a membership of forty. At the outset this group had good community representation, with half the total group of participants being Aboriginal people, but this level of Aboriginal community involvement dwindled. Later, when the WMR was seeking to recruit participants for the KSIS reference group, it looked to those who had originally participated in the 'Koori Working Group'.

During the course of her interview this 'Koori Working Group' member and later KSIS reference group participant saw difficulties in locating community people in the WMR, other than those who attended either the Aboriginal organisation in Werribee, or that in Broadmeadows. She said many Aboriginal people are dispersed throughout the Western suburbs, living in Sunshine, Deer Park, St Albans, Footscray and Newport/Altona, without necessarily congregating in overt community groups. Consultation was difficult and it was unclear which services Aboriginal people in the

Western region most used and required, and whether they found them satisfactory. As a result the WMR reference group had, as was touched on in the previous chapter, resisted VDHS pressure to formulate community service plans until the specific needs of Aboriginal people in the Western region became known. With the purpose being to improve the delivery of services to Aboriginal people, inadequate data in the Western region proved to have been an impediment that the KSIS was ill equipped to ameliorate.

Eastern Metropolitan Region (EMR)

Prior to the launch of the KSIS in August 1998, a group calling itself the 'Interim Aboriginal reference group' had been meeting for 12 months in the Eastern Metropolitan Region (EMR). The same person who chaired the ICACC meetings in the Southern Metropolitan region initially chaired these meetings. In minutes from this group the VDHS was described as asserting that the group's focus was very broad, that Aboriginal representation was inconsistent, and that a more structured group should be formed comprising membership from specific organisations only, thereby prefiguring the KSIS (Interim Aboriginal Reference Group, 7th October 1998). This proposal was met with concern from those already participating in the Interim Aboriginal Reference Group. A structure such as that proposed by the VDHS was not seen as being able to represent Aboriginal community views, or attract their support. As the existing group was described by those in the Interim Aboriginal Reference Group as the most stable in the area, it was proposed that, rather than constructing a new group in keeping with KSIS implementation guidelines, the present group should serve as the reference group for the KSIS. By early 1999 this group had renamed itself 'Jenna Boort'.

The name 'Jenna Boort' comes from the Wurundjeri (Woi Wurrung) language, the Aboriginal language of that area (see Maps 2&3: Appendix A) and refers to a smoking ceremony of welcome. This was the only KSIS reference group to have given itself its own name, an act that reflects a 'bottom up' approach to taking ownership of decision-making processes. In the context of Foucauldian analysis 'discourse transmits and produces power; it reinforces it but also undermines and exposes it, renders it fragile and makes it possible to thwart' (Foucault, in Young, 1981:51). As an example of discursively constructed self-transformation and independence, the choice of such a name indicates a level of Aboriginal community cohesion, not just in relation to the

KSIS, but also in regards to other relationships between Aboriginal people and mainstream structures and organisations in the EMR. It represents an instance where naming became a space of contestation and Aboriginal people asserted control. At the time when I was conducting interviews there were four community committees in the EMR, Jenna Boort being one. The others were Coranderk Koori Co-operative (which has since closed down due to community factionalism), Worawa Aboriginal College, and the Indigenous Health Steering Committee for the Yarra Ranges Health Services.

As with its predecessor, the Interim Aboriginal Reference Group, Aboriginal community representation at Jenna Boort meetings continued to be inconsistent. There was, nevertheless, a demonstrable tenacity with which some community people, particularly female elders such as the Chairperson and Deputy Chairperson, pursued community control and ownership of 'Jenna Boort' despite strong mainstream involvement. An example of how these women maintained Aboriginal ownership of proceedings was the calling of 'adjournments' during the course of reference group meetings. If the Chair of Jenna Boort required confidential Aboriginal community discussion of an agenda item, non-Aboriginal reference group participants were directed to leave the meeting temporarily and return when the private discussions were concluded. Ownership of the process was also facilitated by adherence to a flexible rather than rigid definition of 'community controlled service delivery'. Delivery of Aboriginal specific services in the outer areas of the EMR was done through the Yarra Valley Community Health Service, a mainstream agency, which was informed and guided by recommendations made by the Indigenous Health Steering Committee.

An Internal Brief written from the EMR Regional Director to AAV stated that, for Jenna Boort, importance lay in the Aboriginal community identifying need and determining priorities (VDHS [d], 1999). This was described as a prerequisite for successful KSIS implementation. After this process of identification, appropriate mainstream agencies could then be brought in to assist in the development and implementation of strategies to address those priorities. Pursuit of this line of action was reported in the *Health Performance Indicators Report 1998/99* in relation to indicators 3.6 and 8.2. Jenna Boort was described as providing a feedback mechanism whereby Aboriginal community members could 'express concerns and issues relating to Aboriginal health and welfare service provision to VDHS (VDHS, Koori Health Unit,

1998/99:45). Jenna Boort was also cited as developing a community services plan, which, after lengthy community consultations, was completed in November 2000 (Jenna Boort, 2000). The Jenna Boort approach to reference group function contrasted with the SMR reference group (ICACC) that appeared to be a forum for mainstream and local government agencies, where Aboriginal community people were encouraged to 'attend' rather than 'control'.

Three Aboriginal people from Jenna Boort were interviewed in the course of the present inquiry. Of these, one was the Chairperson, and another was a Health Worker from the Indigenous Health Steering Committee. The third was the Chairperson of the ICACC group, which, as previously discussed, functioned as the KSIS reference group in the Southern region. Jenna Boort was the only KSIS reference group for the whole Eastern Metropolitan area and was most frequently convened at the Oonah (meaning platypus) Learning Centre in Healesville. The location had the result that the most consistent participation came from Aboriginal people who lived in the Outer East, primarily in Healesville. This area had been the site of the Coranderrk station that was established in 1863 and discontinued as a staffed operation in 1924. Clan groups from the Kulin nation – Wurundjeri (Woi Wurrung), Taungurong (Daung Wurrung), and Bunurong (Boon Wurrung)[1] – established the station as a working enterprise and, after sixty years, had consolidated themselves to form an Aboriginal community.[1]

Although a large Aboriginal community continues to live in Healesville, that choice of location as the ongoing site for most reference group activities was described as problematic. It was asserted by the Chairperson of ICACC that two-thirds of Aboriginal people in the EMR live outside Healesville, with 315 Aboriginal and Torres Strait Islanders living in the City of Knox (1996 ABS statistics stated by interviewee). Because of the location and distance involved in travelling across an expansive region that includes a substantial proportion of Metropolitan Melbourne (see Map 4: Appendix A), it was argued that, despite invaluable participation by the Healesville community, many other Aboriginal people in the EMR were not having their views represented. In

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[1] For further details of Coranderrk's history see the Museum of Victoria's database, viewed 9/06/03, http://www.museum.vic.gov.au/ed-online/encounters/coranderrk/establishment/index.htm and the Victorian Aboriginal Education Association in collaboration with the Australian Bureau of Statistics website, viewed 9/06/03, <http://www.vaeai.org.au/timeline/index.html>

response to these criticisms some Jenna Boort meetings were conducted in Lilydale, a twenty-minute drive closer to Melbourne. But whether this was effective in encouraging the attendance of people other than those who would have attended anyway was unknown. Jenna Boort meeting minutes reflected an awareness of the difficulties posed by distance between the inner and outer parts of the EMR and, in December 2000, plans were made to facilitate discussions between Aboriginal people in the Inner East and Jenna Boort regarding the Community Services Plan.

Grampians Region

The Grampians region includes a very large area of Western Victoria extending to the border of South Australia (see Map 4: Appendix A). At the time when I conducted interviews there was one KSIS reference group for this region. This was located in Ballarat in the region's east. Five people from the Grampians region participated in my investigation including three Aboriginal people from Horsham (situated near the Victoria/South Australia border).

Initially Horsham established its own KSIS reference group. Although many community people in Horsham were suspicious of what they perceived as a hidden agenda aimed at taking control away from Goolum Goolum (the Aboriginal community controlled organisation in Horsham) they, nevertheless, participated with mainstream service providers in meetings aimed at improving services used by Aboriginal people in Horsham. I interviewed the Aboriginal hospital liaison officer who had attended Horsham's KSIS reference group. In her view:

> it was going fine and we had great attendance ... and I think that because of clash of dates and times with other events it left some key people not being able to attend ... well others didn't come, and you get some that are really confident in going to meetings and others that will go along if they've got others there ... so I think when [I was] busy some of the others didn't come ... didn't sort of keep their continuity with the reference group there, so it sort of dwindled out (Interview, April 2000).

Less open meetings were subsequently arranged, attended by only the KSIS project worker based in Ballarat and people from the Horsham Aboriginal community,

in particular Goolum Goolum. These were found to be more effective. It was thought that until Aboriginal community members became more confident in themselves and clearer in expressing what they wanted from the KSIS reference group, it was better to exclude mainstream providers. Even though these restricted meetings were more efficacious, they also ceased. In the *Health Performance Indicators Report 1998/99* Goolum Goolum Co-operative was described as maintaining limited involvement with the KSIS, with formal reference group approaches being less successful and out of keeping with that particular community's wishes (VDHS, Koori Health Unit, 1998/99:83).

The Ballarat VDHS Koori Liaison Officer, who was also the KSIS Project Officer for the Grampians region, believed that distance worked against the process, it being a two and a half-hour drive from Ballarat to Horsham. The CEO at Goolum Goolum also referred to this issue describing what he called the 'tyranny of distance':

> we sort of traditionally miss out on a lot of stuff here because
> Ballarat is seen as probably the main organisation in the region
> and we're sort of too far away, down the track, so, 'cause we're
> the last community organisation on the highway before you get to
> South Australia it seems ... its always like we've been forgotten
> about a little bit (Interview, April 2000).

Because of this distance factor the KSIS project officer suggested to the VDHS that a liaison position be established in Horsham. She asserted that if a relationship were to be developed between the Aboriginal community in Horsham and a trusted local person this individual could potentially achieve more with regard to implementing the KSIS than a long-distance relationship and infrequent contact with someone based in Ballarat. But no such position had eventuated by the time I had concluded my interviews. Though interest in the KSIS from the Aboriginal community in Horsham was renewed when tendering and competition - aspects that had previously caused many Aboriginal people concern - were removed with the change of State government in 1999, the VDHS did not pursue Aboriginal involvement from Horsham.

The Ballarat KSIS reference group was formed late in 1997. According to an Internal Brief, sent in 1999 from the Regional Director of the Grampians to the Director of AAV (VDHS [e], 1999), the group had had a varied membership. Within this

variation there had been consistent representation by staff from the Ballarat and District Cooperative and six mainstream service providers. Two non-Aboriginal people from the Ballarat KSIS reference group participated in this case study, one being the regional KSIS Project Officer, and the other a representative from the Child and Family Services agency in Ballarat.

It became evident from the interviews and the reference group meetings I attended that a uniquely successful combination of dynamics had come together in the formation of the Ballarat KSIS reference group. The Ballarat and District Co-operative, an Aboriginal community controlled organisation, and non-Aboriginal service providers were making effective use of the KSIS as a structure for improving service delivery to Aboriginal people in Ballarat. The Aboriginal CEO of the Cooperative had previously worked in government bureaucracies and he and other staff from the Cooperative appeared confident and assertive in their use of the reference group forum. It is important to note that, on the insistence of the Aboriginal people involved, the initial meetings of the reference group were conducted at the Co-operative in a non-threatening environment that many community members in Ballarat were already accustomed to frequenting. Again, an instance of Aboriginal people generating spaces where they directed processes of governance. The use of mainstream venues did not take place until a core level of Aboriginal participation, relationship and familiarity had been established. The non-Aboriginal VDHS Koori Liaison Officer was committed and active in her role as KSIS Project Officer and supportive of actions proposed by the Co-operative. The actions of mainstream providers involved with the KSIS in Ballarat also revealed good will. This combination of good will and Aboriginal community strength facilitated the implementation of the KSIS in ways that appeared to be acceptable to all those concerned in the process.

Stage One of the Ballarat and District Community Service Plan was launched in October 1998. In July 1999 the Ballarat KSIS reference group did something none of the other groups in this case study had ventured to do. It initiated an independent evaluation of its Community Service Plan that was carried out by Aboriginal and non-Aboriginal students of the University of Ballarat. The *Evaluation of the Ballarat and District Koori Community Service Plan - Stage One* (Lowe & Hyman, 1999) found that cross-cultural awareness continued to be of overarching importance. In this context

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'cross-cultural' extended from mainstream providers becoming more sensitive in their dealings with Aboriginal people, to Aboriginal people becoming more aware of the options available to them through mainstream agencies. The evaluation recommended the development of collaborative approaches, and the promotion of culturally appropriate mainstream services. Interaction and the establishment of strong connections between Aboriginal and non-Aboriginal service providers were advocated.

The Ballarat KSIS reference group appeared to have provided a forum wherein these recommendations could be acted upon, at least in Ballarat if not in the rest of the Grampian region. Even within this apparently positive scenario attention was drawn in the Brief (VDHS [e], 1999) to the weight of responsibility for implementing the KSIS that rested on a small core of people in Aboriginal Cooperatives with questionably adequate resources. In an internal briefing document the following concerns were noted:

> The success of the KSIS relies on long-term sustainability of strategies such as maintaining links with providers and provider networks, promoting culturally appropriate practices, educating services about the need for indigenous identification etc. These tasks require adequate resourcing if they are to be effective and long term and perceived as such by mainstream services and more importantly, Cooperatives themselves (VDHS [e], 1999).

The KSIS Project Officer who was the VDHS representative in the Grampians reference group prepared the document from which this quotation is extracted. It is likely that the KSIS being implemented in Ballarat in ways that were perceived to be positive was a reflection of this Project Officer's recognition and acknowledgment of existing impediments to the KSIS. This was reflected in her readiness for the Aboriginal people to exert control and her recognition of the skills base already present.

Loddon Mallee Region (LMR)

I did not observe reference group meetings in the Loddon Mallee Region (LMR), but its inclusion in this case study was made possible due to an interview with the then CEO of VACCHO who had, prior to taking up that position, been the CEO at Njernda in the LMR. Njernda is an Aboriginal community controlled organisation in Echuca (See Map 4: Appendix A). Echuca was one of six communities, including Bendigo, Robinvale,

Swan Hill, Mildura and Kerang, involved in the Loddon Mallee Koori Health Reform Strategy Group (LMKHRSG). This Loddon Mallee group was one of the three, including the NMR that piloted the Health Outcomes Agreement (HOA) strategy outlined in *Achieving Health Outcomes*, and later functioned as the regional KSIS reference group.

A history based on the HOA strategy grounded the Loddon Mallee group in principles of Aboriginal community support and control. This did not alter when it accepted the additional role of KSIS reference group. According to the previous CEO of Njernda, support for the KSIS in the LMR was conditional on Aboriginal control of services, whether these services were provided by mainstream or Aboriginal organisations. The Aboriginal populations from communities at Echuca, Robinvale, Swan Hill, and Mildura had, at the time of writing, combined to number an estimated total of more than half that of Aboriginal people residing in the total LMR (VDHS, Loddon Mallee, 1998:53). The combined strength of these communities and others in the region appeared to have put the Loddon Mallee group in a strong negotiating position relative to the VDHS. If the KSIS was to be implemented in that region it would be on terms defined by the Loddon Mallee group.

The Loddon Mallee group met every six weeks in different areas within the region. In this, it overcame the difficulties of distance, access and representation encountered by the EMR and Grampians reference groups. Small-scale local KSIS reference groups were formed in most communities with Aboriginal needs in those communities being identified and put in order of priority (VDHS [f], 1999). Initially these meetings consisted of two representatives, usually the CEO and health worker, from each community controlled organisation. In this way, it was asserted, community politics associated with Co-operatives was left behind and the work of the reference group could focus on provision and delivery of services needed by Aboriginal people. Disputes between members of the six co-operatives were reported on occasion, but, according to my informant, these were resolved in order to focus on services for those who attend the Co-operatives. The immensity and value of the task appeared to have outweighed personal or community differences.

VDHS representatives were not invited for the duration of these meetings. Similar to Jenna Boort's periodic restriction of reference group proceedings to Aboriginal people, the Loddon Mallee group structured their meetings so that community people could attend in the morning and VDHS staff could attend in the afternoon. In this way community members had time to arrive at a united position before entering into discussion with the VDHS or other mainstream providers. Involvement by certain VDHS staff was spoken of highly by the former CEO of Njernda. She described low staff turn over and cultural awareness training for incoming VDHS staff as factors that contributed to effective working relationships between the VDHS and Aboriginal organisations. Two VDHS workers had been involved from the outset of the Loddon Mallee group, thereby providing continuity and avoiding the situation where, according to the Chairperson of ICACC in the SMR, 'the wheel continues to be reinvented' (Interview, January 2000).

In December 1998 the group agreed to adopt the KSIS and run it parallel with the HOA pilot (VDHS [f], 1999). Four months later issues of note included the following. There were inadequate resources available to support members of Aboriginal communities, other than those representing funded Aboriginal organisations, in their ongoing attendance at reference group meetings. This was compounded by inadequate understanding, and sometimes resistance, from mainstream agencies regarding prioritising access for Aboriginal communities and allocating mainstream funding which was not identified as Koori specific funding. Aboriginal communities continued to be suspicious that the KSIS would favour mainstream agencies at the expense of Aboriginal organisations. Substantive funding was required in order for Aboriginal organisations to be effective participants in KSIS processes. Senior level intervention and coordination was needed to address systemic barriers, such as those constituted by differences between Commonwealth and State funded services. Recognition was required that 'face to face' involvement, although resource intensive and perhaps incongruent with governmental preference for service purchasing, had produced the most effective working relationships and outcomes regarding Aboriginal communities (VDHS [f], 1999).

Points outlined in this Brief from the LMR expand on points similarly raised by the Grampians KSIS Project Officer in her Brief to AAV. These concerns and

observations, as they impact on Aboriginal service provision and delivery, will be discussed in terms of their implications for the governance of Aboriginal health in chapter eight.

Statewide reference group

As was described earlier, implementation of the KSIS's four strategies required reference group activity at both regional and State levels. The role of the Statewide reference group was to monitor implementation and provide advice on state-wide planning, policies, and program/service issues. It was to have been comprised of local and Statewide Aboriginal organisations and regional and divisional VDHS management staff. Bimonthly meetings of the Statewide KSIS reference group were scheduled, but as far as I could ascertain only one meeting transpired.

This Inaugural meeting of the Statewide reference group took place at AAV in April 1999. Its Terms of Reference were to provide advice on: firstly, the 'Statewide Koori Service Plan'; secondly, implementation of the KSIS; thirdly, the outcomes and effectiveness of the KSIS; fourthly, improvement of access, use and delivery of Statewide services; and fifthly, the handling of emerging issues and priorities.

Focus for discussion at this meeting included the KSIS Community Capacity Building Project, and the Indigenous Training and Recruitment Initiatives (INTRAIN) Program (AAV, 1999). Both these initiatives were important State-level aspects of the KSIS's implementation. The Community Capacity Building Project was reflective of 'governance through information gathering', a recurrent process in Aboriginal affairs that finds its earliest manifestation in the 1849 Committee of Inquiry. It aimed to determine, through 'consultation with Aboriginal organisations', their capacity to undertake the requirements of the KSIS and identify what provisions they might require in order to provide adequate services to their communities. This project was suspended in late 2000, reopened by the VDHS for consultation in July 2001 (VDHS, Policy and Strategic Projects Division, July 2001:13), and then apparently subsumed by yet another Federal Inquiry into capacity building in Aboriginal communities.[2]

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[2] The Australian Parliamentary Library database has the full draft of this Federal Inquiry, viewed 30/03/03, <http://www.aph.gov.au/house/committee/atsia/indigenouscommunities/inqinde.htm>

The INTRAIN initiative was designed to increase the number of Aboriginal professionals employed in human service provision to Aboriginal communities, particularly in the areas of health, welfare and juvenile justice. In 1999 it initiated the provision of eleven full time and two part-time scholarships to Victorian Aboriginal people undertaking undergraduate or postgraduate studies. A further intake of scholarship applicants was planned for June 2000[3], but the change of State government in September 1999 saw an interdepartmental reshuffle. AAV, which had been pivotal in the development of the KSIS, was relocated to the Department of Natural Resources. Responsibility for any ongoing strategic State initiatives in Aboriginal governance, such as the KSIS, was transferred to the Policy and Strategic Projects Division of the VDHS. During the course of these transfers, the INTRAIN initiative was either discontinued, or incorporated into another strategy. At the time of writing, the future of the INTRAIN was as unclear as the Community Capacity Building Project. The 'government waltz' can be seen to have gradually transformed to become the 'dance macabre' for the KSIS and its reference groups.

The demise of the KSIS

In September 2000 the Policy Development and Planning Division of the VDHS drafted a report to brief relevant Ministers in the new Bracks State Labor Government on the status of the KSIS, which, at that time, had been in the process of implementation for two years. In this report regional Community Service Plans were described as guides to improving access and delivery of services to Aboriginal people. When the report was compiled most regions had either completed or developed drafts of their Community Service Plans. Key issues identified in this *Draft Report* included the 'intensive nature of working with Aboriginal communities in the context of partnership' (VDHS, Policy Development and Planning Division, September 2000). Relationships based on trust between VDHS staff and Aboriginal organisations were determinants of the success of the KSIS. Reference groups were stated as having provided an entry point to Aboriginal organisations and communities for mainstream service providers, but the original 'cost-neutral' nature of the KSIS was said to have failed. As demonstrated by the interviews, collaboration and interaction with mainstream agencies had occurred in many instances

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[3] The Victorian Department of Human Services database has further details of this initiative, viewed 13/02/03, http://.hna.ffh.vic.gov.au/peoplefocus/apr20/award.htm>

at the expense of direct service delivery from Aboriginal organisations and thus provided a disincentive for Aboriginal organisations to participate fully in the Strategy. Partnerships developed through KSIS processes were described as highlighting structural barriers including the need for funding reform and the need to increase the capacity of Aboriginal communities to provide programs.

In short, the *Draft Report* confirmed the conclusions and concerns expressed by many whom I interviewed, and appears to have gone full circle in its return to many of the recommendations expressed in the RCIADIC *National Report*. Ten months after State government ministers were briefed with the *Draft Report*, the VDHS, following the pattern of past bureaucratic responses to Aboriginal need, released another consultation document in which it outlined its plans for further development and implementation of policy and programs relevant to Aboriginal people. In this instance of 'governance through information gathering', the KSIS was referred to in the past tense, indicating that the KSIS was, in fact defunct, although no official statement had been released to that effect. Significantly, the new document *Towards an Aboriginal Services Plan - A Statement of Intent* (VDHS, Policy and Strategic Projects Division, July, 2001) differed from the KSIS in that commitments to budgetary allocations aimed at resourcing and building up infrastructure were made.

Conclusion

Broadly speaking the KSIS differed little from those strategic State interventions that preceded it. The rhetoric of intent was foremost and served to furnish the VDHS with apparent legitimacy. This detailed account of the experiences of those involved in implementing the KSIS in different Victorian regions indicates that Statewide interventions requiring generic responses from Aboriginal communities overlook and, therefore, neglect to incorporate the unique strengths of different communities and regions. Nor are the weaknesses within specific regions addressed. They also fail to differentiate the specific needs of Aboriginal people dispersed throughout the larger community. In its Statewide imposition, areas that had already initiated, often successfully, their own responses to Aboriginal needs were required to either dissipate their energies to meet additional structural dictates, or to frame their activities in such a

way as to be seen to be aligned with State requirements. In this way they justified their receipt of the $20,000 made available to each region to further KSIS implementation.

Each of the reference groups discussed in this chapter provide illustrations of how State generated techniques of Aboriginal governance engage rationalities concerned with securing the well-being of Aboriginal people. KSIS structures determined that this wellbeing be controlled largely by the State and non-Aboriginal service providers. There were, however, instances where Aboriginal agency generated sites of contestation, as in the naming and organising of group practices, thereby offsetting the pattern of non-Aboriginal control. Having laid down an experiential foundation of individual reference groups, I will, in the next chapter, examine the reference group itself as a mechanism of Aboriginal governance and explore how and for whom control was facilitated through implementation of the KSIS.

Chapter 6

Reference Groups as mechanisms of governance and control

> The divisions between 'government of self', the 'selves that govern', and 'self-government' is increasingly blurred as governmental techniques seek to fashion enterprising selves in communities that formulate, coordinate and deploy strategies and programs in a market driven regulatory environment (Pavlich, 1999:119).

The KSIS as a tool of governance was implemented in diverse ways throughout Victoria and generated a variety of responses. The purpose of outlining different Aboriginal people's experiences of the KSIS, as was the focus of the previous chapter, has not been to attempt to identify some bounded 'truth' about how Aboriginal people were governed through the KSIS. Rather it has been to contribute to an exploration of how and in what ways this governing occurred. Some Aboriginal communities were able to make use of the KSIS in such a way as to generate spaces of contestation and within these spaces further the ends of self-determination, a concept to be explored in the following chapter. In some cases, non-Aboriginal service providers were directed by Aboriginal agencies in the provision and delivery of services. The reasons for this ability to use the strategy are as manifold as the reasons why other Aboriginal people could not use the KSIS in a similar fashion. In this chapter I will examine the KSIS reference group as a mechanism of governance, and explore other aspects of Aboriginal governance rendered accessible to further investigation through this examination.

When launched in August 1998 the KSIS employed tendering, a process wherein competition determined how, along what lines, and within what parameters services used by Aboriginal people were to be provided and distributed. Both Aboriginal and non-Aboriginal organisations were to compete with each other for funding dollars. In hindsight, this process seems to have been more than a little ironic. Aboriginal people are, in the main, the only consumers of services provided by Aboriginal community controlled organisations and many prefer these services to mainstream alternatives. It is, in a sense, a 'closed shop'. This, therefore, renders the mechanism of 'consumer choice', as a device that ensures quality in a market of competing service providers, an oxymoron. Aboriginal community controlled

organisations provide services specific to the needs of Aboriginal people in a way that mainstream providers do not. Yet, because of a governmental rationality committed to the use of compulsory competitive tendering (CCT) in the service arena, Aboriginal organisations were compelled to compete for funding with non-Aboriginal service providers. Incongruously, if these mainstream providers won a contract to provide a service, they would be reliant on referrals from Aboriginal organisations, contract alone being no guarantee of a client base. Refusal on the part of Aboriginal communities to compete on these terms posed the likelihood that Aboriginal organisations would conceivably lose much of their state based funding.

The governmental rationality underpinning the KSIS and its adherence to CCT techniques shifted a year after the KSIS's implementation had commenced. The change from Liberal to Labor State government saw the removal of CCT from the KSIS.[1] This was welcomed by Aboriginal communities in the light of previous fears that engaging in competition would consume scarce resources and risk losing tenders due to lack of experience in tendering processes. But, despite the removal of CCT, management of freedoms in the service delivery arena continued.

KSIS reference groups.

The reference group, as the primary mechanism through which the KSIS was made operable, was simultaneously a tool of governance and a forum for self-government. It provided an environment wherein the rhetoric of Aboriginal self-determination was rendered possible, whilst at the same time confining self-determining activities to those sanctioned within the apparatus that constructed the strategy in the first place, namely the VDHS. It proved to be an instrument of 'governing at a distance' in which the State, seeking to act upon the parties involved, refrained from intervening directly in the improvement of services provision and delivery to Aboriginal people (Miller & Rose, 1990:173). Attempting to balance its obligation to provide welfare with respect for the autonomy of the different actors and agencies, the VDHS incorporated the reference group model as a vehicle for micro-level 'independent' decisions. In this way it could

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[1] The Australian Parliamentary Library web site makes available media statements including that which conveyed the Labor Governments resolve to remove the use of CCT. This media statement made by Kevin Thomson, 1/08/00, was viewed 20/03/03, <http://www.aph.gov.au>

facilitate reform at a macro-level consistent with policy makers' preferences (O'Malley, 1994:136-141). This is not to deny the legitimacy of certain functions that KSIS reference groups performed, or their potential to engage Aboriginal people in decisions regarding the provision and delivery of the services they used. It was this very legitimacy that at one and the same time enfranchised and debilitated, enfranchised through the promise of 'empowerment', debilitated through the constraints of 'top-down' processes and the VDHS's final say.

Noel Pearson has asserted that proponents of 'bottom-up', 'grass roots' initiatives over-simplify the processes required to achieve change, for example the legislative changes required in securing land rights (Pearson, 2000:80). Nevertheless, at least in the context of Victorian communities experiences there is still the sense that 'top down' bureaucratic processes must undergo reform of a nature that is inclusive of 'grass-roots', 'bottom-up' generated perceptions and solutions. In this way Aboriginal self-determination may inform techniques of governance of the kind that were embodied in the KSIS. For some communities, such as those in the Loddon Mallee region, the KSIS proved to be a vehicle whereby 'top-down' and 'bottom-up' agendas were effectively reconciled. In these instances it was expedient for the VDHS and other mainstream agencies to support the demands made by Aboriginal communities. However, other reference groups experienced diminished Aboriginal community capacity to co-ordinate responses to issues problematised by non-Aboriginal agencies. Non-Aboriginal reference group participants defined the constructs of 'problem', 'solution' and 'failure' in line with the authority of prevailing political rationalities, the constraints of which they too, as human-service bureaucrats, were also subject.

The observation that some Aboriginal communities were able to exert strength whilst others were less ably equipped, and that some non-Aboriginal agencies, through familiarity with bureaucratic processes or localised characteristics, dominated KSIS processes, can seem self-evident. These observations alone do not advance ethical reflection on 'how' power and governance was made operable through the KSIS. As a precursor to engaging in an analysis of what forms of governance KSIS reference groups mobilised, it is pertinent, at this point, to identify some aspects of 'group work' - in both positive and negative ways as extrapolated from group-work theory - that can be seen to have influenced KSIS processes.

Exploring the 'group' in reference group

Groups, such as KSIS reference groups, entail dynamics that amount to more than the sum of the individuals in them, dynamics that can work against what the group is trying to achieve (Wass, 1994:165). Disagreement, controversy, and creativity are important factors in the life of a group. These can be stifled and result in poor decisions. This can happen when a group has an overly strong and directive leader; when criticisms generated from within the group go unheard, and when opportunities for criticism from outside the group are removed - these scenarios typically result in uncritical acceptance of the leader's opinions. Symptoms of these group processes included self-censorship, the illusion of unanimity, direct pressure on dissenters, particular members taking on the role of discouraging objections' and stereotyping (op. cit., p.173). Conflict of interest can also be destructive to group function. This can occur, for instance, when a group leader is in a group because of his or her agency's responsibilities, and not because of personal commitment. As a factor impacting on reference group dynamics, conflict of interest appeared to be present in many representatives from the VDHS and other mainstream agencies participating primarily as a requirement of their job.

Another feature of importance to effective group functioning is the number of participants in ratios representing the various interested parties. Simple logistical factors also came into play, for instance, the location of group meetings. Andrea Wass notes that it is important that group members feel comfortable in the venue (1994:176). If people feel threatened or intimidated they are unlikely to attend group meetings. In its simplicity, this factor can be overlooked. Hospitals and VDHS offices are unlikely to be acceptable or comfortable venues for Aboriginal people whose experiences of these environments have often been negative. These locations are also characterised by an atmosphere of authority alienating to people who have often experienced their control to be overridden or diminished. It can be difficult to break down these pre-existing associations. Consequently, places where participants feel safe are more likely to bring about active participation. This was demonstrated in the Loddon Mallee region, Ballarat and Healesville where Aboriginal communities directed that meetings be held in community-controlled venues.

The 'self-help' model is one that has attributes in common with the KSIS reference group approach. Douglas Biklen has described self-help groups as being, by their nature spontaneous, developed and controlled by those affected, by consumers and by victims and, thus, committed to self-determination (Biklen, 1983:185). Suspending for a moment the contrast between 'spontaneous' and 'imposed' group development, the KSIS can be seen to have embraced the notion that, as consumers, Aboriginal people know best how to improve the human services they require, ergo they should participate in reference group processes.

Participants in self-help groups can be put in a position where they assume a greater share of the burden of responsibility than they are able to carry. Governments, particularly in a political climate of mutual obligation, devolution and economic restructuring, where they are faced with balancing direct intervention with respect for autonomy, can exploit the voluntary labours of group participants. In so far as the KSIS was concerned, the demarcation of responsibility for and participation in bringing about improvements in services was not clearly articulated.

To return to 'imposed' groups, these structures are initiated, not by a collectively spontaneous response to inadequate services, as was the 'Koori Working Group' in the Western Metropolitan Region and the group processes outlined in *Achieving Health Outcomes*, but by agencies that perceive need to exist. In this sense the self-help model was appropriated by the VDHS, the KSIS being a contrived group response to the need for improvement in services used by Aboriginal people. Aboriginal community strengths and familiarity with working collectively and voluntarily were made use of, perhaps even opportunistically if one accepts the 'governing at a distance'. However, Wass observes, attempts to impose self-help groups, are likely to be unsuccessful (1994:178). The regions where KSIS reference groups were most active were those where groups had already spontaneously emerged, such as the Southern Metropolitan Region, wherein the KSIS insinuated itself. Reference groups constructed without any spontaneous underpinning had difficultly generating and maintaining momentum.

Initiating agencies, such as VDHS regional offices can exacerbate the likelihood of failure if they support the 'idea' of self-help groups, but intrusively mediate or discourage 'action' advocated by those whose participation they have enlisted. In this

scenario, 'supporting' group activity becomes a form of control, group members being expected to expend energy in achieving tasks determined from outside the group, such as 'community action plans' (Figure 2.), and not necessarily supported in the pursuit of goals determined from within the group. It is conceivable that, in regions where no spontaneous group pre-existed, 'unmediated' VDHS support may have facilitated formation of a foundation which, albeit not arrived at spontaneously, may have provided a more efficacious basis, than that arrived at through imposition.

Access Local Community Needs

Map Current Availability and Utilisation

Identify Strategic Priorities for Improving Service Responsiveness

DEVELOP KOORI COMMUNITY SERVICE PLANS

Implement Service Plans

Monitor Outcomes and Service Effectiveness

LOCAL REFERENCE GROUP
Representatives from:
- Koori communities
- Regional management
- Local government
- Mainstream providers
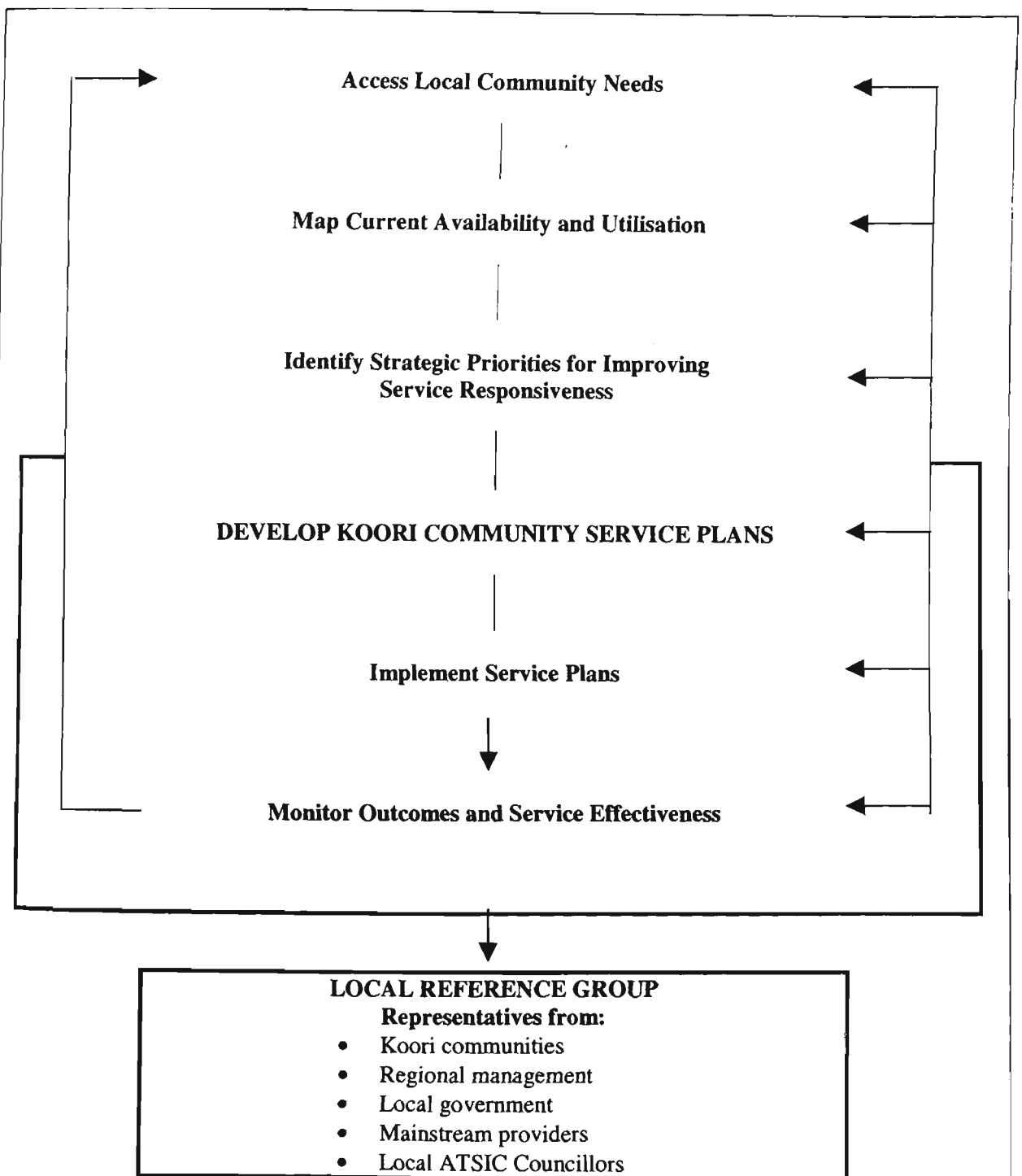- Local ATSIC Councillors

Figure 2.
Steps for arriving at local/regional KSIS community service plans (VDHS, 1998:23).

KSIS reference groups were designed and implemented by the VDHS as components of local/regional plans that were to inform a centralised plan. Comprised of participants from Aboriginal communities, VDHS regional management, local government, mainstream service providers, and local ATSIC representatives, they represented the vehicle by which Aboriginal needs and preferred methods for having these needs met were conveyed to the VDHS. VDHS regions were to arrive at an understanding of Aboriginal community and individual needs and the roles played by local service providers in meeting these needs, by implementing a six step planning process (Figure 2). The reference group forum and the processes employed within it were, as the previous chapter indicated, perceived by many who were interviewed in relation to the KSIS, to be subject to a variety of limitations.

Taking the characteristics of effective and ineffective group functioning outlined by Wass, effective KSIS reference group functioning can be seen to have been reliant on the consistent attendance of people - Aboriginal and non-Aboriginal, service providers and community members - who together were deemed able to arrive at an efficacious working relationship. It has been argued that, due to VDHS staff turnover and changes in attendance of Aboriginal community members at reference group meetings, 'the wheel was continually being reinvented'. Staff hand-overs were perceived as inadequate with new Departmental KSIS project workers frequently being insufficiently briefed about the progress of reference groups. Both Aboriginal and non-Aboriginal people described inconsistent attendance by Aboriginal community members as also being problematic.

Aboriginal community workers suggested that encouraging Aboriginal people to attend reference group meetings had been fraught with difficulty. Because of conflicting time and family commitments it was not always possible to ensure that the same Aboriginal people attended each meeting. This, therefore, rendered decision-making processes, such as that of formulating a community plan, subject to delays and inconsistency. Factors exacerbating these difficulties included infrequent or irregular meetings and inadequate dissemination of information with too little forewarning of meeting times and agenda items given by VDHS KSIS project workers.

The time, location and conduct of meetings were also seen to be problematic. Many Aboriginal people judged likely to have important things to contribute to the reference group meetings were employed in work outside the human services areas. They were not in a position to leave their places of employment in order to attend reference group meetings. Consequently meetings did not have the quality or breadth of input they would otherwise have had if such meetings were scheduled outside 9-5 working hours. Compounding this question of input was the presence of non-Aboriginal people who, by virtue of their employment within human service agencies were, in effect, paid to be present at meetings where their very presence potentially constituted a conflict of interest. Personal commitment to the process, as described by Wass, was less of a motivating factor for these people than it was for those who were not paid to attend meetings. In the regions observed during the course of this case study, meetings were most often convened in VDHS offices. In accordance with Wass's point regarding institutional environments, these offices were described as intimidating to people unused to bureaucratic surroundings. Consequently, input by some Aboriginal people was further constrained.

One Aboriginal community elder noted that Aboriginal people need time to talk amongst themselves about upcoming agenda items, to arrange transport, to encourage those who might otherwise be reticent to attend. Reference group meetings were meaningful to the community people who attended them when they felt comfortable with their knowledge of the issues, were not alienated by the language used by VDHS and other mainstream service providers present at the meeting, and had sufficient community support present. In many reference group meetings these conditions appeared to have been the exception, rather than the norm. As has been described previously, in a pro-active response to these difficulties, some Aboriginal communities convened their own meetings or partitioned periods of KSIS reference group meetings to encourage Aboriginal communication unmediated by non-Aboriginal input.

Control as a feature of group process

Aside from the practical functioning of the reference group, the point was also raised as to control of the process. At least four people interviewed, who either worked in Aboriginal organisations or were employed as Aboriginal workers within mainstream

organisations, voiced concerns regarding conflicts between 'top down' and 'bottom up' decision-making processes. The holistic approach to health care adopted by many Aboriginal Community Controlled Health Services, to be expanded upon in chapter eight, provides for a 'bottom up' approach. The peak State Aboriginal Health Service in Fitzroy prides itself on it's 'grass roots' beginnings and its twenty-five year history of resisting government pressure to design services in order to meet bureaucratic guidelines (Interview, February, 2000). Control of decision-making processes by Aboriginal communities, which in the main appears to have translated to a 'bottom up' approach, illustrates the practice of a mode of governance atypical of non-Aboriginal service delivery practices.

'Grass roots' methods of decision making, which according to Aboriginal community based organisations is the preferred model, differ from the perceived 'top down' processes used by governmental bureaucracies. The main differences that concerned participants, between 'top down' and 'bottom up' processes in relation to the KSIS and the reference group mechanism, pertained to the power differentials at work. The reference group was designed to provide Aboriginal people with a way of having input into service provision and delivery, but the 'top down' imposition of a strategy that espoused an 'upward' movement of collaboration struck many Aboriginal people as a contradiction in terms.

This discrepancy also led to suspicion of the initial consultation processes, which, in the *Final Draft* of the policy, conveyed a sense of Aboriginal Community support. A few of the people whom I interviewed believed that, despite consultation, bureaucracy had already decided what strategic changes it wanted to make. They saw lip service being paid to 'bottom up' processes, with bureaucracy's 'top down' agenda being that which was actually implemented. Those who perceived the KSIS in these terms did not support the Strategy.

Many Aboriginal reference group participants were identified as not being the people most likely to access the affected services. They were, by contrast, identified as 'workers', that is Aboriginal people who work in either Aboriginal or mainstream service provision and delivery organisations, a theme that will be revisited in the following chapter. These people are articulate in their perceptions of Aboriginal

community needs, but are often not the members of Aboriginal communities likely to come within the regional jurisdiction of the reference group they attend. This was identified as problematic in that those most likely to be affected by a region's community service plan were, it was argued, those who should have attended meetings. Most often this was not the case. It was also suggested that those for whom the Strategy had been most important, were those who were the most disenfranchised in Aboriginal communities. Yet these people appear to have been the least likely to attend meetings. Their views were interpolated by Aboriginal and non-Aboriginal 'workers' and not directly conveyed in the reference group forum.

Problems regarding reference group functioning that were seen to have originated with the VDHS included over-directedness by mainstream-agency representatives. Aboriginal people experienced being overridden by dominant non-Aboriginal voices representing mainstream agencies and interests. As Wass describes it, the over-directedness of participants contributed to the 'stifling' of group creativity. One Aboriginal elder, in describing what she perceived as bureaucratic domination of processes involving Aboriginal people, voiced her concerns regarding group functioning. She said that even though Aboriginal people were supposed to have some ownership of the KSIS reference group process, this did not occur when the non-Aboriginal people who were involved took charge of that process and did not listen to the Aboriginal people who were also involved. In these instances an underlying assumption seemed to have been made by some non-Aboriginal people who were used to working within bureaucratic environments, that theirs was the only way. There appeared to be a certain arrogance that made possible the perception that Aboriginal unfamiliarity with bureaucratic practices was a failing or inadequacy on the part of those Aboriginal people and therefore a license to step in and take charge. Such action reflects the type of euro-centric worldview and 'rational' historically evolved colonial-settler 'taken-for-granted' assumptions discussed in chapters two and three. To remedy the condition an Aboriginal elder prescribed a 'cultural awareness grill session' (Interview, May 2000).

Despite perhaps good intentions, the tendency for some mainstream agency representatives to become dominant in reference group processes compounded another issue. A necessary level of Aboriginal self-confidence, and the strength, skills and

resources of their organisations was not always in evidence at reference group meetings. In fact, the converse appeared to have been true. The KSIS project worker in the Grampians region, who attempted to facilitate two reference groups in her region, saw one reference group thrive and the other fail. She identified as vital 'a certain minimum level of [necessary] empowerment before they [Aboriginal people] could actively participate in the KSIS and see it as an empowering strategy rather than a threat' (Interview, May, 2000). She was concerned that those Aboriginal people who embodied this minimum level could express themselves and were educated in the skills of bureaucratic negotiation, received the full weight of community need and expectation, finding themselves in the position of being 'everything to everybody'. This raises two immediate issues, the first of burn out and the second being the consequences for Aboriginal governance of control resting with only a few individuals, albeit Aboriginal individuals. This second point is linked to factionalism and nepotism, dynamics that, although largely peripheral to this case study's focus on state intervention, are nevertheless an active component in Aboriginal governance.

Working at the Western Drug and Alcohol Service another interviewee offered a contrasting insight, in this case of the self-presentation of those who are not skilled and confident. When faced with a situation where they can't articulate their position, some Aboriginal people - in order to save face - 'cover themselves by saying "well this is the Koori way"' (Interview, February 2000). This 'Koori way' links Aboriginal culture to what Pearson has described as 'anti-intellectualism and apathy' (Pearson, 2000:63). Despite the degree of falsification involved, some non-Aboriginal bureaucrats unquestioningly accept 'the Koori way' as a 'safe option' and a course of least resistance in the politically volatile terrain of Aboriginal governance. It was claimed that decisions emanating from outspoken Aboriginal commentators have not been sufficiently scrutinised as they have been thought to derive from 'the Koori way'. In the view of some Aboriginal people who participated in this case study, this 'Koori way' should be challenged and subjected to closer examination.

Another perceived failing of the KSIS's group processes referred to regionalisation and the general (though not universal) VDHS expectation that all Aboriginal communities in a given region should have their needs met through one regional reference group. Although there were a few instances where regions had more

than one reference group, most regions had only the one, which had to reconcile the often heterogeneous needs of the communities and community organisations in that region (see Map 4: Appendix A).

The KSIS, as a technique of governing service provision and delivery, required knowledge of Aboriginal people that was not commonly available to most non-Aboriginal agencies. Rose describes such knowledge as a governmental requirement. He suggests that:

> to govern a population one needs to isolate it as a sector of reality, to identify certain characteristics and processes proper to it, to make its features notable, speakable, writable, to account for them according to certain explanatory schemes. Government thus depends upon the production, circulation, organisation and authorisation of truths that incarnate what is to be governed, which make it thinkable, calculable, and practicable (Rose, 1989:6).

To a certain degree, having Aboriginal people participate in reference group processes provided a way of eliciting information deemed necessary in the arena of human services. But the gathering of information in order to govern raises points of difficulty for non-Aboriginal governance of Aboriginal people, particularly when, as a consequence of historical Aboriginal/colonial-settler relationships, some Aboriginal people resist being rendered knowable or calculable.

As mentioned by a non-Aboriginal employee of Child and Family Services in Ballarat - a region in which many Aboriginal children were relocated to orphanages during the first half of the twentieth century - identifying Aboriginality is itself an unresolved issue. She said:

> statistically one of the issues for us is in identifying how many services we do provide to Koori families and in order to do that it needs to be a culturally appropriate question each time you have contact with someone coming into the service ... and we don't do it very well yet ... we've got the resources on our computer system to do it, but we're not always very good at asking the question, so it's difficult for us to separate out and identify how many Koori families are actually accessing our service as apposed to other culturally diverse groups (Interview, April 2000).

The work of implementing KSIS objectives was conceivably hampered by inadequate data, data pertaining to details that not all Aboriginal people were comfortable with disclosing publicly. This would have been less of a problem had Aboriginal people been more fully and consistently represented at reference groups, but as one Co-operative CEO indicated it's 'hard to involve Koori communities when they don't really want to be involved'. In part, this resistance is reflective of the initial imposition of the KSIS reference groups: Aboriginal people did not spontaneously generate them. In response to inadequate services, they initiate other ways of bringing about improvement and making themselves knowable, an example of which will be discussed in chapter eight.

As noted in the previous chapter, a State level reference group was a structural component of the KSIS and provided a forum for regional reference groups to share information. This group convened once and was criticised by Aboriginal interviewees for being a forum for each region to push its own agenda. The size of the State reference group was also criticised. It was argued that attendance by 30 people rendered ineffective the process of discussion and information sharing for which the reference group was initially intended. In the absence of regular State level reference groups, the need for collaboration and information sharing was spontaneously met by KSIS project workers themselves who initiated their own 'coordinators' meeting' forum. In its spontaneity and generation by those participating in it, this group represented a 'self-help' group as described by Bilken. For the period of the KSIS's implementation those meetings occurred regularly, but the only Aboriginal people present were those who were VDHS staff.

Bureaucratic governance

Governance was described by those whom I interviewed in ways that revealed general concerns about the disparity of power perceived to be operating between Aboriginal people and mainstream bureaucracies. The KSIS, as a bureaucratic tool used to govern Aboriginal people, was described in terms of constraint by eight of the thirteen people who discussed issues in terms of governance. The degree of constraint was described in a range of ways, some of which related it to self-determination. For people who held to the view that Aboriginal people should control their organisations, and that Aboriginal

communities are the most appropriate mediators of Aboriginal needs, the KSIS was seen as a mechanism that undermined Aboriginal self-determination. A KSIS coordinator at AAV asserted that whilst self-determination was a term many people were fond of using and a goal towards which many people were supposedly working, the KSIS had not represented a 'light at the end of the tunnel' (Interview, May 2000). This view was amplified by Goolum Goolum's CEO who said 'I felt we were being forced into meetings with different organisations around our area ... mainstream service providers ... and we didn't have a choice about it' (Interview, April 2000).

Despite VDHS's claims to the contrary, ownership of the KSIS process was seen by the majority of Aboriginal reference group participants to be exercised by the VDHS. This was understood to be as much a consequence of VDHS and State government management structures (Interview, January 2000) as the result of individuals' action or inaction. Ownership by the VDHS of information dissemination processes was another point raised in terms of governance through the KSIS. Information on programs and services was distributed on what was described as a 'need to know' basis in which the VDHS was seen as deciding what it thought communities needed to know. The CEO of the Aboriginal Community Elders Services (ACES) described this as 'they're still spoon feeding us' (Interview, April 2000).

Governance of Aboriginal organisations was not always referred to in terms of non-Aboriginal bureaucratic power. It was also discussed in terms of dominance and power held by some Aboriginal community members and reflected a consequence of the concerns raised earlier in relation to the relatively few Aboriginal people who have a 'necessary' level of bureaucratic skill and confidence. In this context the words 'self-determination' and 'autonomy' were seen to be used as rhetorical tools employed by certain Aboriginal people to maintain the personal power of select individuals within a community, rather than to promote the collective power of the community itself.

Governance by Aboriginal people was also described in historical and traditional terms. As needs arose, skills were shown and taught by elders within communities. People were traditionally valued within communities for their particular aptitudes, and, as the life of the community utilised many varied skills, each person was valued according to what they could contribute. This image of 'inclusivity', of 'caring and

sharing' communities was juxtaposed against the pressures of modernity, for instance, the present education system's preoccupation with literacy, numeracy and a different kind of survival based on skills acquisition, which is seemingly heedless of specific and pre-existing individual aptitudes. Reference groups themselves were sites that privileged a narrow range of skills and not all community members perceived themselves as having something to contribute.

The local focus of community-controlled organisations and the role of Statewide Aboriginal organisations were discussed in terms of a discontinuity between these two levels of Aboriginal governance wrought by bureaucratic regionalism. Aboriginal Statewide agencies were described in terms of providing support, direction and assistance to local Aboriginal organisations when and as needed. They were also said to provide a communication link between local groups, thereby, facilitating cohesion and coordination across distances and between communities. As perceived by the Executive Officer of the Statewide body, the Victorian Aboriginal Community Services Association (VACSAL), non-Aboriginal regionally based centres have undermined this role. Regionalisation processes are seen to ignore the boundaries of communities. Regional VDHS departments have been perceived as attempting to usurp the control of Statewide Aboriginal organisations by trying to offer similar support, assistance and direction and thereby bypassing them. As a result communities have become isolated from each other. Despite anxiety regarding cohesion on the part of these organisations, advocates for Aboriginal Statewide organisations assert that attempts to 'divide and conquer' have failed because their role in promoting and protecting community communication and Aboriginal cohesion across Australia is indispensable and irreplaceable

Government bureaucracies and their foibles have given rise to concern in Aboriginal or non-Aboriginal organisations that rely on government funding. Serving as instruments of governance, such bureaucracies represent a two-fold basis for concern to Aboriginal organisations. Bureaucratic problematics, as perceived by Aboriginal people in the context of governance, not only reflect a sense of the intransigence of bureaucratic functioning itself. They also impact on, and sometimes are seen to flout, the aspirations shared by many Aboriginal people to be collectively self-determining. Bureaucracy will be discussed at this juncture in terms of ways in which mainstream

organisations, including government departments, deal with Aboriginal people, and problems inherent in bureaucratic processes as perceived by those interviewed.

Eighteen of the twenty-seven people who participated referred to bureaucratic process in the course of their discussions. Two of these people, one Aboriginal and the other non-Aboriginal, both being VDHS employees at the time I interviewed them, made observational references to bureaucratic processes as they related to the KSIS. The Aboriginal VDHS employee said that the relationship between Aboriginal people and the VDHS had improved over the past couple of decades. This was evidenced by senior bureaucrats and Aboriginal people now 'sitting at the table together' when ten years ago, it was observed, they would not have remained in the same room let alone sat down.

The non-Aboriginal KSIS project worker who made reference to bureaucratic process did so in relation to the Department's preoccupation with measuring 'outcomes'. She described the recording of service provision in terms of measures such as numbers of episodes of care, which supposedly provide the VDHS with evidence of how State funds are being dispersed. Particular program areas were said to develop their own performance measures. But, despite efforts made by the VDHS to tailor such measures to the express parameters of given program areas, Anderson and Brady have asserted that, in regards to measuring Aboriginal health outcomes, these have been inappropriate. Dr Ian Anderson is Associate Professor and Director of the VicHealth Koori Research and Development Unit at the University of Melbourne. Writing for the *National Health Strategy Evaluation Report* he and Maggie Brady of the Victorian Aboriginal Health Service asserted performance indicators really measure the performance of the State. Instead, they suggested that the construction of performance indicators should require consensus from all key stakeholders, that the feasibility of data collection be taken into account, and that local mechanisms of evaluation, which draw on peer evaluation, supplement the indicators (ATSIC, 1994, Appendix C:11).

Key Performance Indicators (KPIs) define what the VDHS expects to be achieved with the funds that it provides. The reporting methods for conveying performance have been described by an AAV employee as problematic in their limited scope. Although, at the time of writing, the measurement units were being changed,

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initially they were colour coded. A system of 'red, yellow, green' was said to have been used to convey KSIS performance on KPIs (AAV, 29/09/98). This three-category-value-interpretation approach to appraisal was ill equipped to convey the complexities inherent in implementing the KSIS in the different VDHS regions. Pearson adds a further criticism of the concept of performance indicators in that he sees them as being largely 'silent on the question of outcomes' (Pearson 2000:77).

The question of outcomes-driven service purchasing, another bureaucratic technique for controlling funding distribution, raised responses in those Aboriginal people interviewed ranging from consternation to anger. It was generally agreed that non-Aboriginal people who were removed from and/or unaware of the specific needs of individual communities decided the desirability of specific 'outcomes'. The then CEO of the Victorian Aboriginal Child Care Agency (VACCA) illustrated this point and gave the example of funding provided for Aboriginal housing. She suggested that the provision of housing was not simply about putting roofs over Aboriginal heads and collecting data in an effort to document how effectively the funding dollars had been spent. She asserted that the provision and assessment of housing for Aboriginal people needed to take into account the lived experiences of people in those houses, which included such diverse variables as school retention rates of the children of those families receiving housing support (Interview, January 2000). As a result of bureaucratic refusal to take these apparently extraneous factors into account, said an Aboriginal policy worker at AAV, Aboriginal people were being 'set up to fail'.

This position resonates with Anderson's concern that what is often characterised as 'poor motivation' on the part of Aboriginal people who require health care but do not act on the medical advice given, is an oversimplification and a compartmentalisation of the other factors impacting on health (Anderson 1993:39). He gives the example of a diabetic Aboriginal 'Aunty'. As the primary care giver for many children, all of whom live in one house, the stress of maintaining a diabetic diet was, for her, just one among many other stresses that seemed more pressing. Anderson suggested that, instead of berating this woman for not following medical advice 'finding better housing for Aunty might achieve better control of her diabetes. With a few less mouths to feed in the one household it would be easier for her to negotiate her diet' (Anderson, 1993:42). Anderson qualifies this assertion saying he is not trying to sustain an argument based on

the logic that poor housing causes diabetes to be unmanageable (op. cit., p.41). Rather, he suggests that the failure of strategies based on persistently telling someone to improve their eating habits indicates the importance of developing more holistic strategies regarding Aboriginal people that extend the policy focus beyond the individual to include families and communities (op. cit., p.43).

Holistic approaches to health, which attempt to deal with problems in their complexity, do not readily reduce to the quantitative and generic units stipulated within the bureaucratic technique of 'outcomes driven service purchasing' (not to be confused with outcomes themselves). The CEO of the Victorian Aboriginal Health Service, an organisation that pursues a holistic approach to health, echoed the view held by the CEO of VACCA. He said that 'outcomes driven service purchasing' was forcing his organisation 'into doing things that mainstream does'. His concern was that such imposed methods were fraught with limitations that had in the past rendered the services thus provided less effective than services constructed and directed by Aboriginal people (Interview, February 2000).

The systemic rigidity of generic expectations, in particular the reporting methods required by the VDHS, was described in terms of an imperative for change. It was asserted by many of those who contributed to this case study that human-services bureaucrats needed to be aware of the lived experiences both of those subject to, and those responsible for, implementing bureaucratic interventions. Existing methods of reporting and processes of funding submission were seen as an unnecessary and an ineffective administrative burden on Aboriginal organisations, many of which already struggle with diminished administrative infrastructure due, amongst other things, to the 1996 ATSIC funding cuts. Funding submission processes, between bureaucrats and Aboriginal service providers, were criticised for being opaque and based on an unequal relationship in which funding bodies were suspected of not disclosing how much funding was available in a bid to provide the minimum amount.

Another perceived flaw in the bureaucratic processes of service delivery that impacted on Aboriginal governance was dependence by the VDHS on what were described as incorrect Australian Bureau of Statistics (ABS) data. When ABS statistics underestimated, vastly underestimated in some areas, the numbers of Aboriginal people,

the question emerges as to how Aboriginal needs are going to be met. In contrast to present ABS methods, an Aboriginal mental health worker suggested (Interview, January 2000) that Aboriginal people should be responsible for their own data collection within parameters which they, rather than government bodies, could determine, deciding what information was important and how best to gather and disseminate it. He described ABS control of data collection and processes as an example of 'top down' governance and stated that 'you gotta use Koories to do that', to gather information about Aboriginal people in a 'bottom up' process. This 'top down' form of governance is made operable through bureaucratic structures, such as the VDHS, demanding information, demands that are rationalised on the basis of funding provision.

Misinformation and its perpetuation were described in another context relating to the feedback of results from community consultations via ministerial briefs, as touched on in chapter four. An ex-employee of AAV, who was often responsible for writing up the notes of what was said during the course of community consultations, asserted that the meanings inherent in her notes were not conveyed through ministerial briefs and appeared not to inform government programs. She thought this was because governments already had programs that they had decided would deliver services and deliver them in an appropriate way to Aboriginal people, making findings from community consultations superfluous. What was of concern to her was that being listened to and having one's views recognised and validated through program development and policy formation was the stuff of self-determination, and that such recognition had not been her experience. This discontinuity between results of community consultation and program provision and delivery was due, in part, she suggested, to the unwieldy size of the VDHS and what she described as 'programs within programs within programs' (Interview, February, 2000). The degree to which these issues pertain to management structures, inadequate communication and cooperation between State and Commonwealth governments, the agendas of government, or even attempts made by the VDHS to prove its capacity to deliver on the performance indicators as required by the State, is unclear.

In his interview Alf Bamblett, at that time the Executive Officer of VACSAL described discrepancies between community need, policy, and program delivery in the

cynical terms of the 'government waltz'. The tune is perceived to change as soon as Aboriginal people understand the dance, or the rules of the game are changed just as soon as Aboriginal people learn them. There is a sense in which Aboriginal people see themselves as 'subjected' to bureaucratic power as implemented through the very changes in policy and programs that are said to aim at increasing Aboriginal wellbeing. Such changes are not seen to be within the power of Aboriginal people to control or influence, nor are bureaucracy or government seen to be compelled to change and 'dance' to tunes composed and conducted by Aboriginal people.

The shifts appear capricious, arbitrary, non-sequential and inconsistent. At the philosophical level they can be understood as renderings of different political rationalities within liberal governmental traditions. But at the coalface, where protagonists in Aboriginal governance grapple with the practical rendering of political rationalities, the 'government waltz' has implications of its own, not least of which involves bureaucrats themselves. The role and power of individual bureaucrats in the 'government waltz' have been described in some cases as quite limited. Often bound by contracts of specified duration, bureaucrats can have their end of year bonuses denied or their employment terminated by the Minister within whose portfolio their department resides. Public servants in this context are bound to provide their Ministers with information consistent with Ministers' agendas. Thus the failure of findings from community consultations to appear in Ministerial briefs is logical, if not ethical, when such findings run counter the policy directives of the relevant Minister.

Not all bureaucrats were described in terms of being overbearing. Previously note was made of submission to what was termed 'the Koori way' and that this acquiescence was not in the best interest of Aboriginal communities concerned. To remedy this an interviewee advocated that more Aboriginal people should be trained in policy development. He asserted that untrained Aboriginal people are sometimes placed in positions of authority by virtue solely of their Aboriginality and community skills. When this occurs they may be ill-equipped to give direction, resulting in a non-Aboriginal person being called in to make their decisions for them, thereby subverting what might otherwise have been a position of Aboriginal autonomy (Interview, May 2000). A similar concern regarding training was voiced by an Aboriginal person working in a mainstream agency, who observed some of his peers working in

Aboriginal organisations being unable to, as he put it, 'access' bureaucracies. He said 'we're becoming fringe dwellers in our own agencies and we're outside looking in and not knowing how to access the bureaucracy ... [we're] being advocated for' (Interview, February 2000).

Concern was raised about non-Aboriginal people working as chief executive officers in Aboriginal organisations and the length of time they have held these positions. Contrary to my initial assumption, the term 'community controlled organisations' does not always mean that Aboriginal communities have administrative control of their organisations. Non-Aboriginal administrators have in the past been appointed by the State when Aboriginal organisations were defined as being in difficulty. Concern was voiced that these administrators have not always facilitated the return of control and have thereby restricted the growth of the Aboriginal community concerned.

In a contrasting situation, Aboriginal 'workers' who were trained and employed by mainstream service providers, were discussed. In one context they were described as being intimidating to some non-Aboriginal bureaucrats in their ability to challenge existing systems. In a second, more personal scenario a social worker spoke of her experience of being an Aboriginal person working in a mainstream organisation. Her greatest fear was 'to become co-opted ... to become assimilated and not even realise it'. She commented that:

> if you work in bureaucracy or a mainstream organisation ...
> you begin to become indoctrinated in the belief of the majority,
> because if you're a Koori the opportunities to debrief or to
> discuss things with another Koori are ... not as likely when
> you're surrounded by non-Koori people ... you can take on sort
> of mainstream beliefs (Interview, May, 2000).

Issues of isolation and support for Aboriginal people working in mainstream agencies are factors that impact on the delivery of services used by Aboriginal people, and will be discussed more fully in chapter eight in terms of their impact on Aboriginal health. What is most pertinent at this point to note is that most of the Aboriginal people interviewed generally referred to mainstream bureaucracies with disdain, as necessary evils, or as imposed structures antithetical to Aboriginal self-determination.

Tokenism in Aboriginal governance

Five Aboriginal people amongst those interviewed were alert to tokenism in the way some mainstream organisations and government departments dealt with Aboriginal people. It was seen to be a dynamic at work in decisions regarding minimal, rather than productive, funding of some Aboriginal organisations. One Aboriginal ex-employee of AAV perceived self-determination to be, in fact, subverted by some funding practices. She asserted that, using a rationale based on 'leaving Aboriginal organisations to fend for themselves' funding levels fell to the point of being inadequate, and remained in that condition regardless of organisations' floundering. 'Real commitment', she implied, would be reflected in a commitment to ensuring that Aboriginal organisations were able to work effectively, instead of, as she saw it, using token funding as a way of avoiding the needs of Aboriginal people (Interview, January 2000).

Token Aboriginal input in the formation of government policy was seen as a similar bureaucratic contrivance that avoided dealing in meaningful ways with Aboriginal people. Instead of superficial commitment to input from Aboriginal people it was generally agreed that Aboriginal people working in mainstream organisations could provide invaluable links between communities and bureaucracies. If taken seriously, the involvement of Aboriginal people at local and State levels of governance was posited as having the potential to facilitate the needs of Aboriginal people being met in a manner more satisfactory to all parties concerned than present interventions have proved to be.

Government training programs, essential to increasing the Aboriginal capacities in the realm of policy formation, were identified as generating grandiose rhetoric related to training Aboriginal people, when, in fact, the experience of many of these people was of menial work and limited job opportunities. Similar criticisms were levelled at the Indigenous Training and Recruitment Initiatives Program (INTRAIN) generated by the KSIS. Whilst the INTRAIN program emerged from an acknowledgment that training is central to increasing Aboriginal employment and providing culturally relevant alternatives within mainstream service provision, the number of scholarships offered over the duration of the KSIS was limited. The Minister responsible for Aboriginal Affairs in April 1999 boasted thirteen tertiary positions from an applicant group of

thirty-one (AAV, 1999).[2] Although further applicant intake was promised and the importance of the original thirteen must not be undermined, that number constituted a very small drop in an otherwise large bucket.

'Real' or 'genuine' commitment was often the dynamic that tokenism was contrasted with, particularly in employment. For instance, the employment of Aboriginal people was described by many participants in terms of a 'self-seeking agenda' that 'pacifies' non-Aboriginal liberal welfare concerns related to equal opportunity and racism within the mainstream. The perception that Aboriginal people were employed in order to project the 'image' that an agency was 'culturally aware' was commonly shared. But rather than demonstrating cultural awareness this employment practice saw agencies overlooking Aboriginal individuals from the local communities with which agencies primarily dealt, and employing instead people from different Aboriginal communities. This can partly be attributed to factors such as possible disparities in educational opportunities for Aboriginal people in rural and metropolitan areas. Nevertheless, it would be a mistake to overlook the sensitivity and suspicion with which some Aboriginal people view what is often interpreted as 'preferential' treatment of those from other communities and a culturally-based disregard of their own.

The quality of commitment was also perceived to be in the balance with the employment of a 'black' person being used to represent and convey a fallacious impression of universal commitment to Aboriginal people. 'Genuine' commitment to making service delivery relevant and appropriate to Aboriginal people was described as requiring more than the token employment of one Aboriginal person in a non-Aboriginal organisation. This scenario was understood as having the sole purpose of drawing Aboriginal people in to use a service which, without the presence of that employed person, they would not have otherwise accessed. Such motivation was seen as exploitation of a 'black face' and as a perpetuation of insensitive and culturally inappropriate provision of services to Aboriginal people. Nor was the employment of one Aboriginal person held to be enough to change the culture of an organisation. Indeed, when taken in the context of isolation experienced by lone representatives of

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[2] See also the VDHS database, viewed 13/02/03,
<http://www.hna.ffh.vic.gov.au/peoplefocus/apr20/award.htm>

Aboriginal community, such employment practices can be said to have deleterious effects.

Alternatively, if looked at from the perspective of a rationality of governance that attempts to govern 'at least possible cost', to govern at a distance from the objects/subjects of governance, the 'exploitation' of a black face makes rational political sense. Governance of populations, in this case Aboriginal populations, requires some degree of their participation. If the employment of one person encourages the presence of many, this action may be described as a technique of governance wherein the conduct of individuals is being shaped in a particular way. The Foucauldian governmentality framework proved useful here in identifying how bureaucratic practices and techniques of control, additional to reference groups, function as mechanisms of governance. Ethical reflection on these practices and techniques suggest incongruity between, in so far as the experiences of many Aboriginal people in this case study suggest, the types of control and cultural respect actually afforded through bureaucratic practices and the rhetorical and state generated discursive commitments to these.

Conclusion

The previous chapter engaged with the experiences of individuals in regional and Statewide reference groups. In contrast the focus of the present chapter has been the mechanism of the reference group itself and how it operated as a site of governance. The governmentality approach proved to be an effective tool in identifying aspects reference group function that knitted together procedural structures, modes of calculation, and models of possible action. During the course of this particular aspect of the investigation, further issues emerged pertinent to Aboriginal governance and experiences of being governed, in particular bureaucratic practices and structures. Questions of 'how power was operationalised' and 'what types of power were yielded through these processes to the protagonists concerned' gave rise to the following conclusions.

As an imposed structure, the reference group became a vehicle for VDHS appropriation of community group energies. It privileged, as a site of governance, a narrow range of skills wherein not all community members perceived themselves as

having something to contribute. Those who were able to engage with the generic rigidity of requirements such as KPIs, were so few as to constitute a further governmental dynamic. This, at one and the same time, favoured the involvement of a small group of individuals who had a 'necessary' level of bureaucratic literacy, and alienated a large proportion of others for whom the structure was ostensibly contrived.

Each reference group engaged processes that were influenced by factors including group dynamics and practical issues of accessibility. These factors were, in turn, influenced by a variety of other factors, not least of which involved euro-centric, socio/historical assumptions, as discussed in chapter three, which underpinned a propensity for some mainstream representatives to dominate proceedings. Responding to the diversity of variables that impacted on the KSIS and other sites of Aboriginal governance, Aboriginal participants in this case study proffered a variety of alternative actions. These included addressing issues of Aboriginal isolation in the work place, increasing Aboriginal training, and 'meaningful' as opposed to 'tokenistic' levels of Aboriginal employment in mainstream organisations. These alternative lines of action are indicative of a call for increased Aboriginal control and self-determination, a desire to 'change the tune', as it were, to one composed and conducted by Aboriginal people. The following chapter will explore what this case study can contribute in terms of furthering understanding of what Aboriginal self-determination can entail.

PART THREE

Chapter 7

Changing the Tune: Aboriginal Self- determination

> Relations of empowerment generally include the following four features: (1) they are established by expertise, although this is constantly contested. Practitioners in the field routinely consult, document, and dispute not only the expertise of the 'experts', but also that of the poor, the 'real' experts on poverty; (2) they entail a democratically unaccountable exercise of power in that the relationship is typically initiated by one party seeking to empower another; (3) they depend upon knowledge of those to be empowered, typically found in social scientific models of power or powerlessness, and often gained through the self-description and self-disclosure of the subject to be empowered; (4) finally, they involve both a voluntary *and* coercive exercise of power upon the subjectivity of the empowered (emphasis in original, Cruikshank, 1994:35)

During the mid 1990s, Barbara Cruikshank investigated relationships between techniques of 'empowerment' and the governance of individuals living in poverty. She examined what she described as the use of 'technologies of citizenship' - discourses, programs and other tactics aimed at making individuals politically active and capable of self-government - in attempts to eliminate poverty (Cruikshank, 1999:1). Following Cruikshank, the KSIS can be seen to have 'empowered' through 'encouraging' Aboriginal 'participation' in a strategy designed to facilitate improvement in, and increased Aboriginal usage of, predominantly mainstream human services.

In Part Two, I investigated governmental practices and techniques that shaped the conduct of Aboriginal people who were to benefit from the strategically 'empowering' capacity of the KSIS. This chapter introduces Part Three, focusing critical attention on the broader ramifications of specific factors so far identified. I begin by differentiating between 'empowerment' understood as a governmental rationality implemented by sources of sovereign power such as the VDHS, and Aboriginal people's experiences of their own power and control that constitute implicit components of self-determination.

The last three of Cruikshank's four features of 'relations of empowerment' noted in the above quotation have parallels in the VDHS's use of the 'self-help' model of

group work, its attention to the gathering of information, and the degree to which participants, such as those from the Goolum Goolum Cooperative in Horsham, felt themselves to have been forced into relationships with mainstream service providers. The first point she makes regarding 'expertise' provides a point of entry to discuss the relationship between 'empowerment', self-determination and the KSIS.

The 'expertise' that underpinned the KSIS, as manifest in the reports cited within it as having been formative in its development, linked Aboriginal 'empowerment' and 'self-determination'. These dynamics were affirmed as preconditions for improvement in Aboriginal wellbeing, and hence as essential components in policy development. Aboriginal perceptions and experiences of power, control and self-determination, as conveyed through interviewees' discussion, permits the work of the previous two chapters - discussions of individual reference groups, and the governmental possibilities made available through the reference group mechanism - to be seen in the light of experts' recommendations. In this way areas of continuity and incongruity between, on one hand, the KSIS as a State driven implementation of empowerment and self-determination rhetoric and, on the other, Aboriginal experiences of being powerful and self-determining, may be identified.

Expressions of Aboriginal self-determination

Self-determination expressed within the context of a policy rubric is not synonymous with Aboriginal experiences of policies enacted as a means of rendering that rubric practicable. For example, a variety of views regarding self-determination were put forward at the 1993 International Year for the World's Indigenous People conference (Fletcher, 1994). It was argued that self-determination provides a framework for debating matters of reconciliation, administration, constitutionalism, international law, Aboriginal law, self-government, sovereignty, self-management, regional government, community autonomy, local government, and economic development (Fletcher, 1994:xi). Mick Dodson, has described Aboriginal self-determination in more compelling and experiential terms:

> Self-determination, the right to 'freely determine ... political status
> and freely pursue economic, social and cultural development' is

held to be the most fundamental of our rights as peoples; the pillar on which all other rights rest; a right of such a profound nature that the integrity of all other rights depends on its observance. To capture the profound significance of self-determination for all indigenous peoples, one must go beyond an analytic understanding and to the actual lives of indigenous people (Dodson, 1994:68).

Dodson runs the risk here of confusing or, as discussed in Chapter Four, 'enmeshing' the notion of rights in the concept of self-determination (Rowse, 2002-2003:32). Conceivably, if one adopts a 'principled approach to "citizenship"' (op. cit., p.32), or moves towards a '*telos* of ethical reflection and accountability', the rights Dodson refers to can be understood as citizenship rights. But, aside from analysing Dodson's use of 'rights', what this quotation unequivocally enjoins us to do is to explore self-determination as 'lived experience'. It is through engaging with these experiences that constructions of and relationships between 'empowerment', 'self-determination', and the KSIS as a technique of Aboriginal governance become more transparent.

Themes emerged in participants' interviews as to how they understood self-determination (Table 6). Of the participants who described Aboriginal self-determination, many did so in terms of services used by Aboriginal people. Aligned with this focus on services was the notion of 'worker', as has been noted in the previous chapter. 'Workers' were differentiated from those who are 'supported *by* workers'. 'Workers' were described as Aboriginal people who work with people from Aboriginal communities in a supportive capacity, whether in mainstream agencies or community controlled organisations. It was this group - those who were identified as needing support - for whom self-determination was perceived as a pressing issue. Indeed, many who participated in interviews referred to self-determination as applied to 'them', referring to self-determination for 'them', rather than for 'us' or for 'me'. When asked about the semantics of this usage, it emerged that many of these people, most of whom worked in some capacity in the field of human services, perceived themselves as being self-determining. They regarded self-determination as an issue for those who were marginalised or solely reliant on Aboriginal organisations, in the light of the previous chapter, the least likely to be involved with the KSIS.

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Table 6.
Descriptions of Aboriginal self-determination

Self-determination described:	Numbers of responses		
in general terms and/or services	General 7	Services 7	Both 2
in terms of control of and/or input into service provision and delivery.	Control 2	Input 5	Both 2
as an individual and/or collective concern.	Individual -	Collective 11	Both 8
in terms of Aboriginal control, responsibility or motivation.	Control 12	Responsibility 8	Motivation 2
as something abstract which is yet to transpire, and/or an ongoing process.	Abstract 12	Ongoing 7	Both 2
'empty government rhetoric'	4		
linked to community control	3		
NB Response categories are not mutually exclusive			

This trend in participants' perceptions may be reflective of the initial distribution pattern of interviewee selection, in that a large proportion of participants in this case study consisted of 'workers'. But this trend could, with similar validity, suggest a characteristic peculiar to the bureaucratic structure of service organisations. Within the operations of such structures there appears to exist a tendency to dichotomise power relationships, wherein the relationship between power and powerlessness can be seen to equate with 'worker' and 'recipient of worker support'. This is not to suggest that such differentiation is definitive or finite, indeed the boundaries of 'worker' and 'support recipient' are quite fluid and subject to changes in context and relationship.

The specific focus on service provision did not constrain participants from making observations regarding self-determination as a general or abstract concept. For instance, it became apparent that pursuit of self-determination at an individual level was thought to be inseparable from self-determination as a collective endeavour. Although important to Aboriginal people as individuals, self-determination was not, in the main, discussed as a singular or individualistic enterprise.

In his extensive contributions to debates regarding Aboriginal governance, Rowse has noted a policy-based continuity between Aboriginal self-determination as a collective endeavour and the creation of statutorily-defined locally-based councils and associations (Rowse, 2000[b]:6). In 1976, the Fraser Liberal/Coalition government introduced the Aboriginal Councils and Associations Act as a means to 'harness, rather than undermine Aboriginal community capacities' in a bid to solicit social change (op. cit., p.5). At the time, the then Minister for Aboriginal Affairs, Mr Viner said of the Act that it would 'enable Aboriginal communities to develop legally recognisable bodies which reflect their own culture' (Viner, in Rowse, 2000[b]:6).

Rowse describes incorporation, as defined in the 1976 Act, as 'arguably the most significant act of indigenous political enfranchisement ever accomplished by Australian government. This cautiously worded statement points both to possibilities of Aboriginal power and serious limitations on the same. In one sense, under provisions of the Act Aboriginal communities are encouraged to create organisations along lines consistent with liberal norms of representation and public accountability and have been able to appropriate these structures to further their own ends. Nevertheless, the structures themselves are constituted as 'thoroughly modern and "western" modes of collective action' (Rowse, 1999:7). Indeed the Act's reliance on what have been described as the Anglo-Australian legal model of governance - wherein directors have fiduciary duties and duties of care, and members have control through general meetings - has been put forward by critics, including Christos Mantziaria, as the most powerful argument for rejecting the model. This rejection is based on the assertion that the legal relationships required and generated through the Act reflect behavioural norms and cultural understandings that 'may be foreign to Australian indigenous cultures' (Mantziaris, 1997:8).

In another sense, as Rowse points out, the Act created the political technology through which to give practical expression to the idea that Aboriginal people have a distinct set of rights - most importantly, rights to land and self-government (Rowse, 2000[b]:6). Aboriginal organisations were seen to be central to self-determination (op. cit.). Rowse noted there were over five thousand Aboriginal incorporated bodies across Australia and that these had become the main conduits through which Australian governments had come to deal with Aboriginal constituencies. Perhaps this accounts for

consultation processes discussed in this case study having focused on Aboriginal organisations rather than having sought out a broad range of Aboriginal interests.

Interviewees conveyed their perceptions of the primarily collective nature of self-determination. This, taken in conjunction with the creation at government level of an imperative for Aboriginal people to act collectively, can be seen as an example of the mutually constitutive feature of power. Aboriginal community strengths, thought to be 'reflective of their own culture', were, in keeping with Cruikshank's observations of 'empowerment', harnessed by the State in a manner of governance that secured the voluntary compliance of citizens, whilst simultaneously circumscribing their autonomy, interests and will (Cruikshank, 1999:4). Those same community strengths, as harnessed by the State, simultaneously give sustenance to Aboriginal people using State structures, such as those created within the Aboriginal Councils and Associations Act, but to further their own projects of self-determination. Taking the KSIS as a case in point, Aboriginal people and the State were engaged in the same goal of improving services used by Aboriginal people, but, in so far as the ventures of 'self-determination' and 'empowerment' were concerned, the loci of control were different.

Interestingly, impacting on Aboriginal loci of control were predispositions for both action and passivity. For the purpose of this analysis, 'action' refers to the characteristic of assertiveness, 'passivity' to that of non-assertiveness (Table 7.). The semantics and tone used by participants in their responses to questions that related specifically to self-determination conveyed two different perceptual dynamics (see Questions 11&12 on the interview schedule: Appendix B). For some, self-determination was viewed as a condition to be claimed and acted on, regardless of external constraints. This assertive, pro-active configuration conveyed Aboriginal people as active protagonists in struggles toward self-determination. People who described self-determination in this fashion were also distinctive in the way they talked about Aboriginality. They talked with strength about claiming Aboriginal rights (it was unclear whether 'rights' in these discussions pertained to 'citizenship rights', or as Rowse [2002-2003:32] differentiates them, 'Indigenous rights'). This dynamic is suggestive of a locus of control different from those less pro-active descriptions which, though inclusive of the language of rights, asserted that Aboriginal self-determination was contingent on government either doing or not doing something (Table 7). Rights in

that sense, rather than being claimed, were configured as being reliant on government actions, such as the honouring of previous governmental commitments to increase funding and training.

Table 7.
Action and passivity in processes of Aboriginal self-determination:

	Participant responses	Proportion of all participants
1. Self-determination should be *claimed* by Aboriginal people as individuals and/or as collectives (implication being that this should occur regardless of government policy or mainstream attitudes or interventions. In this Aboriginal people are perceived as active and assertive protagonists).	11	41%
2. Self-determination requires the active recognition and validation of government and/or mainstream (implication being that without such affirmation Aboriginal people cannot effect self-determination. Although Aboriginal people may be influential in policy development, in this scenario they are perceived as less pro-active). Governmental/mainstream recognition, validation or affirmation may take the form of: - (a) Government support in policy and/or training and/or funding.	8	30%
- (b) Government relinquishing control.	6	22%

The assertive approach envisaged a less passive type of self-transformation than that in which the capacity to act was made contingent on other factors. Different perceptions of power and rights appear to have been related to individuals' differing senses of personal power, that is, to their experiences of being (in)effectual. In turn these different standpoints regarding control and self-determination had implications for how people saw the KSIS.

A vehicle for self-determination?

Aboriginal people, individually and collectively, in both personal and broader socio/historical contexts, have experienced diverse levels and types of power and control. These experiences have shaped their capacity for action and passivity, which in turn have influenced how they conceive self-determination and, in the context of this analysis, how the KSIS was perceived. For instance, the KSIS, viewed from a pro-active position, was less likely to be perceived as an obstacle to self-determination than if viewed from a more passive position. It must also be noted that no value judgment attaches to 'assertive' or 'non-assertive' and that states of assertiveness and non-assertiveness, action and passivity are neither static nor mutually exclusive. Framing the KSIS in this way avoids the polarising of power into notions such as subjectivity/subjection or resistance/oppression. Participants often fluctuated between identifying action as the preferred course in one situation, and asserting that action in another set of circumstances was contingent on factors outside Aboriginal control. Perceptions of how the KSIS may or may not have supported Aboriginal self-determination, as conveyed in Table 8, reflected this variation.

Although individual responses were very different, common themes emerged in the category that attracted the most responses, wherein participants indicated that they did not see the KSIS as having supported processes of self-determination. Over half the participants who came from Aboriginal organisations stated unequivocally that this was the case. Their views accounted for seventy percent of those who attested to this position and were reflective of the stance maintained by these organisations - that the KSIS was an imposition of State control and undermining of Aboriginal control.

Table 8
Does the KSIS support self-determination?

Yes	No	Potentially	In theory, but not in practice	Ambivalent	Total
5 (2 with reservations)	10	3	3	3	24

NB These are mutually exclusive categories

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In terms of what bearing the KSIS had on Aboriginal self-determination, most of the negative perceptions of the KSIS described perceived failings in and/or mistrust of the KSIS. Responses conveyed the following concerns, some of which have been discussed in the previous two chapters. Being regionally based the KSIS was perceived by many to have ignored traditional boundaries and, therefore, been culturally inappropriate. Being 'culturally appropriate' in this instance was indicated as a measure of support for Aboriginal self-determination, its absence reflecting failure to embrace community control. The VDHS was reputedly too unwieldy and committed to already established programs for self-determination to be possible. The KSIS was perceived to have a hidden agenda of 'getting rid' of community controlled organisations, these being identified as sites of, and vehicles for, self-determination - ergo the KSIS did not support self-determination. Finally, the fear that the VDHS would identify some community controlled organisations as 'non-viable' if they refused to be part of the KSIS process was experienced as a threat. Being disavowed was seen as the antithesis of actual empowerment and self-determination, particularly in the light of discursive State support for the creation of such organisation.

'Powerful' community

State encouragement of community-based structures, as a means by which to shape Aboriginal conduct, employed particular constructions of 'community' that were based on their assumed composition and what forms of governance they represented. Notions of community, as employed by governments in the shaping of cultural practices through legislative intervention, such as the Aboriginal councils and Associations Act 1976, are not transparent. Nor are the modes of governance rendered practicable through Aboriginal communities and organisations straightforward to articulate. Therefore, the notion, the rhetoric, and the strategic deployment of 'community' within discourses associated with self-determination, as constructed by both Aboriginal and non-Aboriginal agency, require investigation.

In the 2001 House of Representatives Standing Committee's inquiry into the needs of urban dwelling Aboriginal and Torres Strait Islanders, *We can do it!* (2001), the language of community was used to convey federal level awareness of the

importance of community focus in the context of a governmental rationality committed to devolution and decentralisation of State responsibility.

> Communities and individuals should be encouraged to develop services to meet the needs of their community. They are generally better able to do this than governments. Communities are also more likely than governments to find the best solutions to local problems and challenges. Government programs need to be developed with this understanding.[1]

The construction of the KSIS was consistent with this position, describing Aboriginal community as one of the cornerstones of Aboriginal society (VDHS, 1998:7). As was discussed in chapter four, the KSIS employed the language of 'community' in its problematic validation of its consultation processes. In these processes Aboriginal community was reduced to a 'community of interest' in which a few 'representatives' were consulted. In its rhetoric the KSIS included or 'appropriated' a notion of Aboriginal 'community' that, in its translation, was implicitly generic, elucidating none of the complexity inherent in the notion. In so doing it overlooked cultural and socio/historical boundaries. The difficulties that arose, as a result of inferring that one community is conterminous with another, were graphically demonstrated during the implementation of another State intervention, the Cultural Officers Program.

This program was initiated by AAV. Initially one Cultural Officer per Aboriginal organisation was funded to undertake the protection of cultural heritage.[2] But, as a result of funding reforms undertaken by the VDHS, the program was regionalised, with the result that Aboriginal Cultural Officers from one community were compelled to enter other communities and be involved, perhaps inappropriately, in the cultural practices of that community. One participant referred to this as being 'morally wrong' (Interview, January 2000). She asserted that disparate communities should not be delimited according to VDHS region, or have their needs defined and met according to those parameters. The generic approach to the notion of community could result in

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[1] For full text of this report see the House of Representatives database, viewed 19/09/02 <http://www.aph.gov.au/house/committee/atsia/urbandwelling/inquiryreport.htm>
[2] Derived from Eades' discussion of the Cultural Officers Program in the context of the Joint Committee on Native Title and The Aboriginal and Torres Strait Islander Land Fund: Aboriginal and Torres Strait Islander Heritage Protection Bill 1998, available from the Australian Parliamentary Library database, viewed 27/02/03, <http://www.aph.gov.au>

creating hostility between Aboriginal people. Difficulties of this type emerged regarding the KSIS. Working relationships in one particular reference group became intractable due to historical clan backgrounds and associated community politics.

A similar instance of mainstream failure to recognise the importance and relevance of cultural difference as a factor impacting on the success or failure of governmental initiatives was described in the context of promoting 'cultural awareness'. The VDHS in a particular region was said to have initiated, funded and structured a 'cultural awareness day' designed to reduce cultural ignorance and break down barriers between Aboriginal and non-Aboriginal people. The initial concept was described by the Aboriginal participant making this observation as 'terrific', but she indicated that issues of 'how' the cultural awareness training was delivered, and 'by whom', were not adequately or appropriately addressed. The VDHS invited representatives from mainstream service agencies to participate, the venue for the event being an Aboriginal community controlled organisation. The Aboriginal people invited by the VDHS to deliver the day's itinerary were not, however, from the community in which the organisation was situated. One participant, alert to the irony, said 'why run a cultural awareness day on Koori issues that are relevant to the Jaadwa (Jardwadjali) peoples of the Wimmera region (where she worked) and have it run by people that come from the Western District' (GunditjmaraDhauwurd Wurrung]) (see Map 2: Appendix A). She said 'it defeated the whole purpose'. This regrettable oversight not only illustrated the need for appropriately organised cultural awareness programs, but also an ongoing and pervasive assumption of Aboriginal homogeneity.

The discursive use of rhetoric, that attempted to wed a language of 'community' and 'cooperation' with a rationality that privileged competition, constituted a key tool of governance. Since Aboriginal organisations had been cast in the role of representing Aboriginal constituencies, Aboriginal communities became sites where the State insinuated its agendas, and set up definitions in ways consistent with expediently furthering those ends. Governments also continue to seek what they term 'community support', an expression used to convey the notion of Aboriginal consensual support, for their policies and legitimate changes on the basis of this support (Martin, 2000:). 'Community' as source of legitimation presents yet another dimension to State constructions of the notion. Implementation of the KSIS, for instance, claimed a source

of legitimation in processes of community consultations that, as has already been discussed, were found by most participants in this investigation to have been, in some way, problematic.

At the beginning of this chapter I differentiated relations of 'empowerment' wherein - as defined by Cruikshank - sources of sovereign power 'empower' and subjectify, from the notion of self-determination wherein Aboriginal people experience themselves as having or generating control and power. It is necessary to articulate this difference as all constructions within Aboriginal governance entail the interplay of complex and often confusing power differentials. Just as the experience of being self-determining is not necessarily congruent with the experience of sovereignty, the notion of 'community' embodies similar incongruities.

The word 'community' pertains to a physical and temporal place. Aboriginal communities are highly complex and internally differentiated in terms of factors that continue to inform Aboriginal political, social and economic relations - primarily, connections with ancestral lands and language, personal and group histories, and - bearing on all of these - family and other local group affiliations (Martin, 2000:6). Communities are sites of Aboriginal power and identity formation. Ian Anderson, an Aboriginal medical practitioner, academic and commentator, has suggested that ideas of community and Aboriginal nation are two key notions that continue to have some currency within contemporary Aboriginal life:

> Community signifies the local - 'your mob' and your experience. Aboriginal community is understood to exist outside of, but in relation to the 'mainstream' ... Notions of nationhood, on the other hand, imply an imagined community of people connected by a common experience of colonialism (Anderson, 1995[a]:68).

Participants confirmed the relevance of these two notions. When I asked questions about what Aboriginal community entailed and how 'community' impacted on Aboriginal provision and delivery of services (in particular Question 7: Appendix B), the following characteristics were described (Table 9).

Table 9
Characteristics used to describe 'Aboriginal community or communities'

Characteristics	Number of characteristics included in participants' description				
	1	2	3	4	Total
Communities are centred around Aboriginal Co-operatives, Health Services or other association	2	3	3	1	9
Aboriginal communities are comprised of the people living in a particular location/region	4	3	6	1	14
The Aboriginal community comprises all Aboriginal people, throughout Australia, and includes individuals, families and kinship relationships.	6	3	3	1	13
Questions of Aboriginal community include issues of self-identification, community recognition, or identification by the wider community.	2	2	4	1	9
Notions of Aboriginal community have a political dimension	-	1	2	-	3
Totals	14	12	18	4	48

Most participants used multiple characteristics to describe their perceptions of Aboriginal community. For instance, despite the tendency to identify nationally as a group that shares experiences of colonisation, community identities at a local level were described as having developed in the context of different missions/reserves. These include Framlingham and Lake Condah in the Western Districts of Victoria, Coranderk outside Healesville, and Lake Tyres in Eastern Victoria (Map 1: Appendix A).

Different historical and geographical factors have contributed to the shaping of individual Aboriginal communities. Similarly, characteristics of VDHS regions have been shaped by exposure to different types of local and State policies and practices. These differences have implications for statewide interventions. For instance, a KSIS project worker in the Northern Metropolitan Region noted that, despite regions having different histories, be they related to white settlement or historic patterns of inadequate/adequate government funding, all regions are expected to address the same generic set of requirements. Regardless of disparities between regions, they are all accountable to the VDHS executive in the same way. This project worker was

concerned that generic expectations rendered KSIS processes susceptible to being perceived as inadequately implemented in regions where, for reasons grounded in differing histories, Aboriginal involvement was less than enthusiastic. Failure in this context can result in blame shifting. Aboriginal people can be held responsible for 'failures' that are not of their making. This 'blame the victim' scenario contributes to false and inequitable representations of Aboriginal people. These, in turn, contribute to self-defeating cycles of mistrust that, as was described in chapter three, have recurred between and amongst Aboriginal and non-Aboriginal people.

The inflexibility of generic constructions and expectations in the mainstream and the negative influence this has had on Aboriginal wellbeing has seen, what in the context of this analysis can be understood as 'active' and 'assertive', Aboriginal communities initiate programs of their own. Utilising the framework of the Aboriginal Councils and Associations Act 1976 a variety of Aboriginal community controlled organisations, similar to those focused on by Peter Khoury in his New South Wales analysis (1996), have been established in Victoria. These organisations emerged in direct response to the unique and specific needs of the Aboriginal communities that use them. Within these organisations Aboriginal leaders acquire political experience, mediating between the demands of their communities and the requirements of the government agencies whose programs they help to implement (Rowse, 2000[a], p.1516). They provide sites of Aboriginal control wherein discourses and definitions that are distinct from those which prevail in mainstream arenas of governance, can gain ascendancy. For instance, they operate from a perspective that propounds a holistic model of health in which the role of health practitioners is to generate 'wellness' in the broader context of Aboriginal community, as much as to treat individual illness. The relationship between the KSIS, self-determination and health will be explored in the next chapter.

At the time of writing, there were ninety Aboriginal organisations in Victoria (ATSIC, 2002; VACCHO, 2002). They function within a paradigm of managerialism and the market model of service provision (Taylor, Dollard, Weetra & Wilkinson, 2001:125). Managers of these organisations are under constant pressure to balance power differentials of: government regulation and control of community-controlled services; Western technical expertise and Aboriginal authority; non-Aboriginal and

Aboriginal management; management and managed (Hill, Wakerman, Matthews & Gibson, 2001:467).

This very difficult and complex task is in part, a reflection of the fact that Aboriginal organisations are not just service providers. They also have political dimensions and serve as focal points for many people in Aboriginal communities, including small family oriented communities. A political dimension appeared to be inherent in the responses of Aboriginal participants in this case study. For many of those working in or affiliated with Aboriginal organisations, self-determination and community control were inseparable. Some participants made sweeping statements, such as Aboriginal people 'never' use mainstream services, or 'the majority' of Aboriginal people use Aboriginal organisations. This is perhaps reflective of a political commitment to the ideals underpinning community-controlled organisations. It is also descriptive of perceptions that Aboriginal people prefer services run by their own communities, and that a situation of being forced to use mainstream services without peer support was a scenario feared by some participants, it being equated by them with assimilationist practices. This perception may seem extreme. But in mainstream environments many Aboriginal people, particularly those who during the course of participants' discussions were described as having trouble communicating their needs, were said to feel intimidated and uncomfortable. In addition to this, mainstream processes and procedures were not always effectively explained by non-Aboriginal organisations who were, in the main perceived to be providing services directed towards the needs of 'middle-class-white' Australians. Both these aspects of faulty communication have compounded many Aboriginal people's discomfort and historically based distrust of mainstream organisations.

Seventeen participants made contributions to discussions regarding whether Aboriginal people do or do not prefer to use Aboriginal Co-operatives and Health services. This resulted in conflicting descriptions of those who access Aboriginal organisations and varying reasons for this being the case. One person suggested that thirty percent of Aboriginal people in the Dandenong area access Bunerong, the Dandenong Co-operative. Another person working in the Koori Health Unit of VDHS suggested that there are 30,000/35,000 Aboriginal people in Victoria (these figures being higher than the 2001 Census count of 27,928 as reported by the ABS [2001]). Of

this group he said 15,000 would see themselves as 'community people' and probably advocate for community controlled services. Another community was described by a Co-op Director as having negligible political allegiance to its Co-operative, which was described as just another place to go for handouts and food vouchers.

Many of the reasons suggested regarding the preference of Aboriginal people for Aboriginal services related to the comfort of familiarity and trust based on previous experiences of their needs having been met. The notion of 'comfort' has subtle contours. In one sense it can be understood in terms of what is 'culturally appropriate', but during the course of conducting interviews it became clear to me that in a deeper way this 'comfort' is linked to 'intimacy'. It was described in relation to the freedom with which Aboriginal people felt they could express themselves, not just in articulating their needs, but in making friends, meeting friends or being treated like a friend in the environments of Co-operatives. An example that conveys the gulf between the type of 'intimacy' typically associated with mainstream service delivery agencies and that of Aboriginal organisations was a sign I saw on the back veranda of a Co-operative. It said 'No Gossiping'. A staff member explained that gossiping could have negative consequences for community cohesion, hence the sign prohibiting it. To me, the fact that gossiping in fact occurred, even to the point where it had to be guarded against, bespoke a quality of relationship antithetical to the impersonal interactions of particularly large mainstream agencies, such as regional public hospitals.

Another more dynamic example was described where an older Aboriginal woman had been particularly abusive in the Bunerong Co-operative in Dandenong. In a mainstream environment this behaviour would have resulted in police intervention. At Bunerong, workers were able to disentangle the issues. They finally identified that legitimate grievances on the part of the woman concerned were at the root of her distress. Although her anger and aggression were not preferred modes of expression, this woman was not rejected on account of them. There was investment in relationship amongst those involved in the altercation that served to facilitate constructive resolution of the problem.

The intimacy inherent in the interactions just described serves as a motivating factor for many Aboriginal people to seek out what they identify as the security and

comfort of Aboriginal organisations. This case study serves to clarify issues of Aboriginal aversion to mainstream services, a reaction which participants noted resulted in some Aboriginal people preferring to suffer, rather than approach a mainstream organisation. Reluctance to present at hospital before a condition has become critical has the further consequence of compounding existing problems. This confirms a point that has been made repeatedly in government generated reports such as the RCIADIC *National Report* (1991) and acknowledged in VDHS driven documents such as the *Koori Health Plan for the Southern Metropolitan Region* (VDHS, SMR, 1997). The KSIS represented VDHS efforts to bring Aboriginal and non-Aboriginal parties involved in service provision and delivery together in order that mainstream services might address the ways in which they alienate those Aboriginal people who most require their services. Whilst it is certainly necessary that this type of reform take place in mainstream service provision/delivery, it is not synonymous with, nor does it take the place of promoting Aboriginal controlled services. Self-determination requires the availability of choice between Aboriginal and mainstream services. If one is to be free to pursue economic, social and cultural development, as described previously by Dodson as a right of self-determination, then organisational options must be available in a real sense. This is not to imply that Aboriginal organisations need replicate all services currently provided by mainstream organisations, indeed this would not be viable. But Aboriginal organisations have an indispensable role to play in how services are delivered and rendered accessible to Aboriginal people. They provide many forms of support for those who need to access mainstream services. This support may take the form of providing transport, or it might include being accompanied by an Aboriginal 'transitions worker' who can explain procedures and remain present during consultations or interviews. In this way autonomous choice is promoted and better outcomes facilitated in an environment of diversity.

The relationship between Aboriginal self-determination and choice requires that culturally appropriate, quality services be available within the mainstream. As was noted by one participant, the emergence of Aboriginal organisations saw a shift in mainstream perceptions to a position that providing services to Aboriginal people was 'not their job'. Co-operatives during the 1970s were stronger organisations and had more resources at their disposal. They provided a conduit for government to receive information, which in turn informed policy development. Some interviewees conveyed

their sense that community controlled organisations continued to be perceived by many Aboriginal and non-Aboriginal people as being more comprehensively able to meet the needs of Aboriginal people than the present status of many of these organisations would justify. Funding cuts have progressively whittled away the infrastructure of many Aboriginal organisations to the point where they are no longer able to fulfill the leadership and service delivery role that they once did. It was suggested to me that mainstream agencies have yet to see the needs of Aboriginal people as a specific part of their job and as one requiring delivery of culturally appropriate services.

Inclusion, exclusion and nepotism

I am not seeking to construct a sentimentalised picture of Aboriginal organisations here. Focusing purely on the strengths of community cohesion and intimacy, for example, can see the need for such things as confidentiality being overlooked. This was advanced during the case study as a reason for Aboriginal people choosing not to use Aboriginal organisations. On the 'Koori grapevine' nothing remains private for very long. Individuals wanting to keep their personal issues private were said to prefer mainstream services where confidentiality is an acknowledged and enacted policy.

Community politics is another dynamic that impacts on Aboriginal governance in these organisations, influencing whether certain people are welcome or not. When families are in conflict they either stay away from organisations such as their local Co-operative, or they attend at times when offending family members are absent. It often transpires that some families are more powerful in an organisation than others. This, in turn, can influence who does and who does not access the services of that organisation. Some people might be excluded altogether because they are not associated with the group of people in power at the Co-operative at the time. A consequence of this potential for inclusion and exclusion appears to be that some Aboriginal people can become doubly marginalised. They do not feel able to use mainstream agencies at the same time as felling unable to use Aboriginal organisations. It may not necessarily be community politics that cause marginalised people to feel unwelcome in an Aboriginal organisation. The Ballarat KSIS project worker suggested transience or negligible connections with the community that uses an Aboriginal agency as reasons for some individuals not accessing Aboriginal organisations. The KSIS, as a governmental

approach to meeting the needs of Aboriginal people would, with its regional focus and reliance on Aboriginal organisations, have failed to address the needs of people on the fringes of communities unless reference group participants raised and pursued this as an issue.

Community politics can be influenced by a variety of factors including nepotism. Claims of nepotism have been made most recently in relation to discussions of the government's proposed reforms to ATSIC funding (Rintoul & Schubert, 2003; Koch, 2003). It has been discussed as negative/destructive by some and by others an inherent part of community life. The AAV policy development team leader responsible for having formulated the KSIS discussed nepotism as a dynamic that affected the KSIS in particular and service delivery in general. He presented an argument that described the relative nature of nepotism. If services are being delivered to all members in a community, and not just the few families that might have control of the Co-op, then, he said, nepotism is not a problem. Nepotism can, however, be destructive in situations requiring community representation, such as Aboriginal organisations' Annual General Meetings. If numbers are skewed in favour of one family, resulting in members of that family being elected to positions of power within that organisation, this situation can be problematic, especially if that power is abused and/or other families feel unable to use the Co-op. When this occurs, nepotism is a destructive dynamic and he said the KSIS couldn't work in such an environment.

The experiences of other participants heighten the importance of recognising nepotism and community politics in any attempt to understanding the complex dynamics involved in delivery of services used by Aboriginal people. The Administrator of Horsham's Goolum Goolum Co-operative described the vulnerability of his position. In giving an example of housing he illustrated a dilemma inherent in his responsibilities, both as custodian of Co-operative assets, and an assessor of the relative needs of community members for housing support. He suggested that he could provide a Co-operative owned house to a family on the basis that, although they were not next in line, they were more likely to look after the property. Alternatively, he claimed he could allocate such a house to another family who might be more likely to damage it, but who was next in line. In the first scenario, he is at risk of coming under fire from community elders. In the second, he is at risk of failing in his responsibility to maintain a Co-

operative asset by subjecting it to the increased likelihood of damage. During his interview, this particular Aboriginal administrator expressed a sense of stress and fatigue as a result of juggling these priorities. At the time of writing he had left the Co-operative. Incorporation, as promoted under the Aboriginal Councils and Associations Act's development of legally recognisable bodies designed to reflect Aboriginal 'culture', does not take into account these dimensions of community tension.

Community politics and nepotism are powerful determinants in Aboriginal governance. The Administrator at Goolum Goolum said that, for reasons associated with both community and bureaucratic function, some families could miss out on resources while others could receive a disproportionate amount. His position could be made untenable if the pressure of community politics forced him to make decisions that jeopardised the very survival of the Co-operative. Such a situation arose in Healesville where the local Co-operative was forced to close down.

Another problematic dimension of nepotism was described in relation to the quality of services provided to Aboriginal people. It was suggested that favouritism rather than qualifications dictates who is employed in Co-operatives, and that this results in less adequate service provision and reduced accountability - accountability to Aboriginal communities themselves as well as to governments. These circumstances demonstrate the type of abuse of power within which, according to AAV policy development team leader, the KSIS could not operate. But these problems were not insurmountable. The six Aboriginal Community Controlled organisations that combined to implement the KSIS in the Loddon Mallee region were apparently able to overcome negative aspects of community politics and nepotism. By including two staff from each organisation and focusing on the task at hand, they were described as having been able to function at a level that surmounted family or clan based allegiances.

The approach adopted by the Aboriginal organisations in Loddon Mallee did not deny divisions within or between their communities, or the importance of family based relationships. Instead, through acknowledging characteristics unique to their different organisations whilst simultaneously meeting bureaucratic requirements that required different types of relationships, they were able to create in the context of the KSIS reference group what were described as good working relationships. In terms of the

relationship between bureaucratic politics and community politics, Goolum Goolum's Administrators said that if the dynamics of nepotism and community relationships were better understood, instead of being focused on as a point of condemnation, relations between government and Aboriginal people would be considerably better.

These examples demonstrate the added expertise required by those involved at sites of Aboriginal governance. The vast scope of the task of balancing the requirements of market driven models of service provision and delivery with the goal of rendering Aboriginal self-determination practicable is clear. But the task is not simply and unproblematically involved with the practice of putting structural practices in place. To take just one example, nepotism has been cast as an evil by hierarchically structured bureaucracies, being, as it is, antithetical to liberal norms of representation and accountability. Yet it is a structure of governance that has some consistency with Aboriginal cultural norms.

Anderson drew attention to the negativity attached by *The Age* to what was described as 'Koori Inc - the Bamblett Dynasty' in 1994 (Anderson, 1995[a]:69-71). The Bamblett family, in particular Alf Bamblett, who, prior to being appointed as an ATSIC commissioner was Executive Officer of the Victorian Aboriginal Community Services Association, was described in terms of fronting an 'empire' that had 'ruled unchallenged over the business of funnelling State and Federal funds' (Hughes, 1994, p.1). In the context of nepotism, Mr Bamblett was implicated in charges of alleged misconduct and potential conflict of interest, behaviour that was reported as being in breach of the ATSIC Act and, *prima facie*, in breach of the Commonwealth Crimes Act (Anderson, 1995[a]:70).

According to Mr Bamblett these allegations were unsubstantiated[3] and it is not within the scope of this thesis to comment on this. What is relevant in terms of the present discussion of Aboriginal control is the power of the media. Media constructions, such as those found in *the Age*, reinforce the kind of negative perceptions of Aboriginal

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[3] Bamblett was interviewed on the 15th of November 1998 by the Australian Broadcasting Commission (ABC) for the program *Background Briefing* in regards to discussions of problems with ATSIC. The transcript of this interview is available from the ABC web site, viewed 5/10/02 <http://www.abc.net.au/rn/talks/bbing/storiers/s14398.htm>

people described by Noel Pearson: 'Black fellas and money, you know, in the white Australians' eyes should never come together'.[4]

Bamblett acknowledged that 'nepotism is abuse of position' and that:

> in some ways there are some places where that may be the case. But if I want something done ... I'm going to get those people who I know will be there when the whips get cracking. You've probably got more chance of saying to a family member 'this has to be done' or 'that has to be done' and they need to do it (Bamblett, cited Hughes, 1994:1).

This way of 'getting things done' has been criticised in the context of legal structures, such as the amended Aboriginal Council and Associations Act 1974, (1992). In response to concerns about the accountability of Aboriginal organisations, the Amendment Act 1992 created a more complex, specific and tight regime of reporting and audit requirements, making the requirements more onerous than those imposed on incorporated associations under State and Territory legislation (Nettheim, 1999:12).

Two points are at issue here regarding nepotism. Firstly, the concept of accountability is itself, as was discussed in chapter three, not well defined and its processes are poorly understood (Nettheim, 1999:22). In the context of Aboriginal community based organisations, accountability is a multi-dimensional concept that involves the following concepts: (i) internal accountability to the group's membership; and (ii) external accountability: to the wider constituency intended to benefit from the service, and to the funding agency (Nettheim, 1999:17). Aboriginal groups and communities across Australia have been described as being typically small and local (op. cit.), as was borne out by findings in this case study. Nepotism must be understood in terms of this specific historical and social context (Anderson, 1995[a]:71). It is for communities themselves to determine whether internal accountability, that is to the group membership (Nettheim, 1999:17), is being contravened or, alternatively, being addressed in ways appropriate to their social, political and financial composition (Mantziaris, 1997:12).

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[4] See the previous footnote to access Pearson's view.

This issue of appropriate measures of accountability leads to the second point at issue in this discussion of nepotism. It has been suggested that for governments to have used Aboriginal organisations in the first place, as the primary vehicle through which to disburse funds, was to assume that structuring these organisations as legal entities would provide sufficient and transparent accountability for such financial operations. As Anderson points out, these legal structures presume clear demarcation between public and private realms, the public sphere being 'untainted by the reciprocal obligations that characterise kinship relations (Anderson, 1995[a]:71). These kinship relations provide the foundation for 'getting things done' in ways consistent with nepotism. If one accepts the contingent nature of nepotism, one can suggest that it can be both 'positive' and 'negative'. Positive nepotism can be conceived as an outworking of internal accountability. If such is the case, then to insist that nepotism is invariably a violation of accountability measures is to deny cultural resilience and an aspect of socially and historically appropriate self-determination, requiring in its stead an assimilationist adherence to non-Aboriginal social forms and values. The question of whether Aboriginal people may determine what are appropriate forms and practices for internal accountability is reflective of larger questions of self-determination. It is yet another site where the State continues to implement control according to non-Aboriginal norms and assumptions.

Personalities in the conduct of conduct

Analysis of functional aspects of Aboriginal governance can overlook indeterminate, pervasive factors, such as dynamics of relationship and personality. Aboriginal personalities have emerged as a potent force, particularly in Victoria. As communities are generally small, specialised realms of leadership and Aboriginal service provision are inhabited by a relative few, most of whom know each other, either directly or indirectly. In the context of the KSIS, personalities have played a powerful, if not always recognised role. From the initial consultations to the regional activity required to make the KSIS effective, the personalities of those involved have had a formative and definitive impact.

Certainly personalities affect any governmental process, not just those pertaining to Aboriginal people. But the relative size of the group involved and the highly

specialised nature of Aboriginal affairs influences how governance occurs. Victoria's Aboriginal population is small and the group of bureaucratically literate, confident and willing participants, even smaller, so small in fact that it is often the same people in the forefront of governmental activity at a State or regional level. Processes of Aboriginal governance are shaped by the personalities of those few, therein constructing a small base from which to articulate and generate governmental possibilities, not all of which meet with wider Aboriginal support.

For instance, the AAV policy developer who oversaw initial KSIS consultations described himself as a Yorta Yorta man. His father had been a welfare officer in the Victorian Ministry of Aboriginal Affairs.[5] During the course of our discussions and in meetings with KSIS regional coordinators, he revealed himself as being of an assertive, perhaps even confrontationist disposition. These dimensions of personality coupled with a family history of public service allegiance, when brought to the arena of community consultation, policy formation, and strategy implementation, were met with considerable community hostility and scepticism in some quarters.

The senior policy and planning officer at VACCHO at the time described the relationship between AAV and VACCHO as changing dramatically after this man left AAV. She suggested that the two organisations related better after his departure. At the time when he had been engaged in consultation with VACCHO, the then CEO of VACCHO was very antagonistic towards the KSIS, arguing that it undermined community control. The relationship between the AAV policy developer and VACCHO's CEO was powerfully schismatic during the initial formation and implementation of the KSIS. As VACCHO represented some twenty-five Aboriginal health organisations throughout Victoria the animosity of the organisation's CEO influenced how the KSIS was perceived amongst community members who, within the KSIS, were envisaged as forming a major part of the plan. By the time the KSIS had been in operation for two years neither of these people occupied those same positions, yet the effect of the schism remained.

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[5] Alick Jackamos (the father) was interviewed by the Australian Broadcasting Commission on the 11th of February 1996 for *Background Briefing* in regards to the 'Stolen Generations' Inquiry and availability of case files dealing with Aboriginal people dating back to the 1940s. Full text of this interview is available from the ABC web site, viewed 8/10/02, <http://www.abc.net.au/rn/talks/bbing/stories/s10776.htm>

The succeeding CEO of VACCHO (as of May 2000) was not antagonistic towards the KSIS, having come from a background in the Loddon Mallee region where Community Controlled Organisations played an assertive role in the way the KSIS took shape in their region. She saw the strategy as having potential to facilitate improvement in services, but this had little impact on many organisations' initial responses. Personalities and the experiences people brought with them to positions related to the KSIS affected whether the KSIS was seen as a positive or negative tool of governance for Aboriginal people. They also affected the type of changes and empowerment possibilities that were brought about through implementation of the KSIS, and will continue to be a factor impacting on Aboriginal governance in the future.

The situation at VACCHO serves to illustrate a dynamic that affects most Aboriginal organisations. The outlooks of organisations' CEOs influence the ways in which organisations operate and engage with non-Aboriginal agencies and government departments. In addition, Aboriginal organisations are each subject to their own community rules and power groups, which sometimes preclude their conferring with or supporting each other. In such circumstances, the practice of governance can become intractable, but as people in positions of power and responsibility take up different employment options, previous political conflict and tension can shift, sometimes rendering working relationships more efficacious. This potential for conflict resolution through changes in personnel and concomitant shifts in personality dynamics cannot be calibrated, regulated or manipulated by State imposed structures. Strategies, such as the KSIS, cannot adhere to a rigidity that precludes these types of non-specific forms of community governance and simultaneously expect to facilitate positive outcomes.

As a result of the Aboriginal Councils and Associations Act 1976 and its Model Rules that are largely based on representative democracy and majority rule, Aboriginal organisations are required to have elected boards (Nettheim, 1999:21). Although elections are supposed to provide for democratic representation of community wants and needs, the upshot is that on election day, personality and family power often affect who is elected. Part of the role of an organisation's board is to define its direction. Board membership is often unpaid, being reliant on voluntary efforts and personal commitment. Often the only paid full time position is that of the CEO, unless there is also a full time Chairperson. Pursuing Bamblett's comment that 'family members get

things done' it is not unreasonable to speculate that these 'democratic' organisational requirements added to the paucity of organisations' financial resources results in 'non-representation' despite the contrary intention.

General meetings of organisations' memberships were not described as being effective forums for informed decision making and policy formulation. Organisations' power was seen to be largely executed by the board (op. cit.). Depending on the views, personalities and relationships amongst those elected to the board, interactions between Aboriginal organisations, non-Aboriginal agencies and State bureaucracies can fluctuate along a continuum from antagonism to partnership and negotiation. One Community Elder, who chaired the Jenna Boort reference group in the Eastern Metropolitan region, said she had no trouble accessing the bureaucrats she needed to see. She added that, conversely, those who had acquired 'bad' reputations, such as that of being a 'trouble maker', were less likely to find doors open to them.

Implementation of the KSIS was influenced, albeit, to a lesser extent, by personal dynamics in non-Aboriginal mainstream agencies as well as Aboriginal organisations. Some bureaucrats were criticised by participants in this investigation for being too controlling, and oppressing discussion in KSIS reference group processes. On the other hand, others were said to 'try really hard', to have 'developed close working relationships with community people', and to have contributed to the provision of good services. Still others were criticised for being unduly passive and acquiescent, indiscriminately accepting decisions made by community groups that were to the overall detriment of those communities. Coupled with this was the criticism made by an Aboriginal person, that 'no black fella will dob another black fella in' (Interview, February, 2000). Accountability is clearly multi-directional.

One final point highlighted the effect of dominant personalities on the KSIS, in this instance amongst non-Aboriginal people who have VDHS seniority. The combined effect of seniority and dominant personality was not always seen as conducive to effective KSIS reference group outcomes. Those who had less VDHS seniority and correspondingly less decision-making power were said to be less dominating and controlling and their presence more conducive to furthering reference groups as sites of Aboriginal self-determination. One VDHS KSIS project worker was said to exhibit the

'three 'Ls' in that she 'looked, listened and learnt' (Interview, January, 2000). Paradoxically, this facilitation prowess was coupled with inadequate VDHS authority to follow through on the fruits born of good facilitation. Those who were in a position of power appeared not to have had the reciprocal political will to support a governmental rationality concerned with generating Aboriginal self-determined possibilities.

Qualitative perceptions of the KSIS

My discussion, to date, has drawn on detailed illustrations of power and control as demonstrated through this case study of the KSIS. Participants also assessed the Strategy in qualitative terms. Themes emerged from their descriptions in which participants conveyed assessments of the KSIS that were defined as positive, negative or pragmatic (Table 10). These assessments were informed by the more specific perceptions of what constitutes notions of self-determination, community, and the roles of individuals, communities and community organisations in Aboriginal governance. Four people described the KSIS unequivocally in positive terms, three of these describing it as 'needed'. The need met by the KSIS was defined as one of 'bringing together', of facilitating communication and cultural awareness between mainstream agencies and Aboriginal organisations, with the intention of improving services used by Aboriginal people. People working in mainstream agencies and in Aboriginal community controlled organisations were said to have welcomed this opportunity.

One Aboriginal participant who expressed this positive view came from the Loddon Mallee Region where, as has been discussed, six Aboriginal organisations joined together and took control of KSIS processes. She said that the KSIS was good because mainstream agencies were directed to operate their services from the Aboriginal organisations. An example was cited where, in response to a need for mental health workers identified by Aboriginal communities in that region, a psychiatrist came to one of the organisations one day a week and ran a psychiatric clinic. In this way Aboriginal organisations maintained control of a service that was being delivered by a mainstream agency.

Table 10

The KSIS valued in positive, negative or pragmatic terms by participant groups

Participant group	Value	Details of KSIS involvement	Total
Aboriginal people working in an AO	1 Positive	Early stage	8
	5 Negative	4 at early stage	
	1 Pragmatic	Intermittent	
	1 Don't Know	Indirect	
Aboriginal people working in an AO who regularly attended a RG	1 Positive 1 Reservedly Positive 1 Negative 1 Reservedly Negative		4
Aboriginal people who regularly attended a RG	1 Positive		3
	1 Reservedly Positive	Attends 2 RGs	
	1 Negative		
Aboriginal people at AAV or VDHS who regularly attended a RG	1 Positive 1 Pragmatic		2
Aboriginal people at AAV/VDHS	1 Pragmatic		1
Aboriginal people in mainstream	3 Positive	1 Formative in development 1Occasional at RG	5
	1 Reservedly Negative	Regular at RG	
	1 Don't Know	Indirect	
Non-Aboriginal people at AAV or VDHS who regularly attended a RG	1 Positive		1
Non-Aboriginal in mainstream who regularly attended a RG	1 Positive		1
Non-Aboriginal working in an AO	1 Negative		1

Totals: 11 Positive (7 reservedly); 10 Negative (1 reservedly); 4 Pragmatic; 2 Don't know

Abbreviations: Aboriginal Organisation (AO); Reference Group (RG)

Aboriginal control, in this instance, stood in direct contrast to many other examples encountered during the course of this case study wherein the KSIS was predominantly seen as a strategy for encouraging Aboriginal people to go to mainstream agencies. It was only infrequently described as a strategy that facilitated Aboriginal control over the services they required. The Loddon Mallee example is also reflective of the number of Aboriginal organisations that had remained functional in that region. In other regions, where there are few, or no, such Aboriginal organisations, this type of collaboration was not possible. This gave rise to concerns from people who, in other respects, described the KSIS in positive terms. They saw difficulties in rendering practicable ideas which, in essence, they thought were good.

Thirty-seven percent of participants described the KSIS in clearly negative terms. Importantly, this negativity was not shaped by reference group exposure, as might have been concluded from the previous chapter's discussion of reference group processes in the various regions. On closer examination, the high proportion of negative descriptions revealed some common trends less related to reference groups than to other factors. All but two of the nine negative assessments came from people working, predominantly at an executive level, in Aboriginal community controlled organisations. As with their concerns regarding the relationship between the KSIS and Aboriginal self-determination, they were concerned with dynamics of control and perceived the Strategy as antithetical to their own agenda.

The time frame of their exposure to the KSIS was also significant. It was truncated and occurred during the early stages of KSIS implementation, during the time when two conflicting personalities with competing agendas were in leadership positions in the two organisations, AAV and VACCHO. This time frame also corresponded with the period when Compulsory Competitive Tendering (CCT) was still a component of the strategy. The Labor Party's resolve that NCP would not require the use of CCT, as noted in the previous chapter, did not result in the document being redrafted and news of the withdrawal of CCT travelled ineffectively by word or mouth. Conceivably much of the negativity generated by the initial inclusion of CCT policy could have been assuaged and could, therefore, have resulted in less resistance, had accurate and up-to-date information been disseminated.

Poor communication, hostility and mistrust related to the inclusion of CCT and the VDHS's later failure to adequately inform Aboriginal organisations of its removal undoubtedly had a bearing on the views held by many of the participants in this investigation. It would be a mistake, however, to limit the scope of their criticisms to the initial inclusion or the later, and inadequately communicated, removal of CCT. Community control and grass roots, bottom-up processes were held by many participants to be in opposition to government control and top-down approaches. The KSIS did not proceed with the support of Aboriginal communities and was a bureaucratic initiative signed off solely with ministerial support. This governmentally top-down rationality was seen as dictatorial, and hence, as constituting a serious failing. It was the most prevalent reason for participants' negative descriptions of the KSIS, and a theme that has continued to emerge throughout this analysis as constituting one of the major barriers to Aboriginal self-determination as generated through non-Aboriginal agency.

Of all those who described the KSIS in negative terms, only one participant did so reservedly. A member of the Northern Metropolitan region's reference group who was herself a senior staff person at the Aborigines' Advancement League said in her interview that she had initially hoped the KSIS would mean an end to Aboriginal organisations 'being at one another's necks' for resources. Fighting over funding emerged as a characteristic of Aboriginal governance in the early 1980s with community controlled organisations and the State and Territory departments competing for Commonwealth money (Bartlett & Legge, 1994:10). Despite her original hopes, this participant disappointedly concluded that, even though 'it's got a nice bit of icing over the top of it', the KSIS was primarily about networking out, encouraging or coercing Aboriginal people to use resources in the wider community.

Finally, I used the descriptor 'pragmatic' in Table 10. This was to convey that certain participants assessed the Strategy in purely functional and unimpassioned, that is to say pragmatic, terms. As much as a 'value neutral' description is possible, those that were identified as 'pragmatic' conveyed neither positive nor negative responses. Interestingly, this group was predominantly composed of VDHS staff. Of the four whose responses were defined as pragmatic, two were regional KSIS project workers and one was the AAV coordinator of KSIS regional workers. The pragmatism of

bureaucracy, as demonstrated in these participants' views, and reflected in the full spectrum of perceptions of the KSIS, is indicative of perceptions of power, of position relative to power, and alertness as to how this dynamic is strategically implemented. These are not static or definitive conditions. The power of State bureaucratic bodies, of Aboriginal communities, and of agents operating within and between these arenas shifts according to the interplay of relationships.

Conclusion

In chapter two I discussed Foucauldian notion of power. Viewing power as a decentred, non-polarised or non-dichotomised dynamic has laid the foundation for investigating the 'contract' as a vehicle for control. In this chapter the focus on power includes 'relationships'. The 'government waltz' can be viewed as 'action'. Accepting this premise 'changing the tune' in Aboriginal governance can be understood in the Foucauldian sense of 'a set of actions upon other actions' (Foucault, 1983:220), and a shift towards Aboriginal self-determination may be said to engage specific relationships of power.

What the case study of the KSIS indicates in this chapter is that, in addition to there being incongruities between the KSIS as a strategic state intervention of 'empowerment' and resulting Aboriginal experiences of 'power', there were other more complex variables involved in relationships of power. These included relationships between Aboriginal people, between Aboriginal and non-Aboriginal people, and between non-Aboriginal people with each other, indeed a myriad interactions between all the individuals and structures concerned.

This diversity was reflected in the variety of descriptions used to convey the notion of self-determination. It involved questions of for whom self-determination was of paramount importance, the personal and community attributes and capacities required to render self-determination practicable, the very quality and allegiances of relationships themselves. The investigation of power relationships engaged in through implementation of the KSIS suggests that self-determination be best articulated as a function of relationships, not simply as a condition to be secured through structures or practices.

Chapter 8

The governance of 'wellness'

In previous chapters I have examined the KSIS in detail to highlight the contradictions, slippages, limitations and power differentials generated in this particular implementation of neo-liberal rationalities of governance. I will use this framework as a platform from which to explore alternative models in Aboriginal governance, particularly in the area of health.

I make only cursory reference to Aboriginal health statistics and descriptions of historically chronicled deterioration in the health and wellbeing of Aboriginal peoples in Victoria. These have been comprehensively reported and discussed in a large and continually emerging variety of texts that focus specifically on Aboriginal health. The breadth of this literature includes reports such as *Ways Forward: National Consultancy Report on Aboriginal and Torres Strait Islander Mental Health* (Swan & Raphael, 1995), and *Promoting the Health of Indigenous Australians* commissioned by the National Health and Medical Research Council (NHMRC) (1996). It also encompasses the work of non-Aboriginal commentators such as Janice Reid and Peggy Trompf (*The Health of Aboriginal Australia*, 1991), and the work of Aboriginal researchers engaged in areas of health and community development. This latter group includes such people as Ian Anderson, Shaun Coade (*'Purro Birik'*, 1999), and Angela Clarke (*Lookin' After Our Own*, 1999). Rather than replicate health-outcomes data it is my aim to reflect on and further articulate a framework within which to consider the KSIS. Attention will be given to some of the complex processes intrinsic to the governance of health, including funding practices, linking these to relationships of power as were described in the previous chapter's discussion of self-determination.

Constructing data - creating policy

Historically, relationships between governments and Aboriginal communities have been established within a wider policy agenda, wherein the Commonwealth was more responsive to the needs of Aboriginal people than other levels of government. This

had implications for Aboriginal people across Australia (Zimran & Fletcher, 1996:43-44). Federation of the colonies left some states financially off worse than others. In 1933 this resulted in the establishment of an equalising mechanism, the Commonwealth Grants Commission. This Commission provided advice specifically to the Commonwealth on how best to distribute general and specific purpose grants in a process of 'fiscal equalisation' amongst the States and Territories (op. cit., p.48). This addressed the condition of 'vertical fiscal imbalance' that arises from States having responsibility for the provision of more services than they can afford to deliver and the Commonwealth having access to more revenue than it has the responsibility to spend (op. cit.). Implementation of this process of 'equalisation' poses problems regarding the passage of grant funds across the complex compartmentalisation of authority that occurs between governments at different levels in a Federal system, that is between Commonwealth, State/Territory and local governments (op. cit., p.42).

Federal level funding formulae are based on generalised distributions of Aboriginal and Torres Strait Islander populations in which relatively even distributions have been calculated across metropolitan (36.3%), rural (34%), and remote (29.7%) areas of Australia.[1] Victoria has the highest percentage of Aboriginal people living in urban areas. In an attempt to quantify Aboriginal needs unique to urban environments the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, established in 1973, initiated over the past decade two inquiries. The first was reported on in 1992 and the second tabled in September 2001. The first Inquiry's findings were released in the report *Mainly Urban* (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, 1992). In this, urban-rural distribution was identified as having an influence on socio-economic status, with states that had the higher proportions of urban populations, such as Victoria, Tasmania and the Australian Capital Territory, having higher Aboriginal socio-economic status (op. cit., p.17). Adduced from this assessment was the policy directive that government funds should be directed towards areas of 'lower socio-economic status'. Implicit in this is the conclusion that needs of urban Aboriginal

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[1] The nationwide Aboriginal organisation (NACCHO) has a website via which it is able to disseminate information relevant to its policies and activities. The percentages referred to above are noted on p.4 of NACCHO's submission to the Commonwealth Grants Inquiry, the full text of which is available on its website, viewed 20/03/03, <http://www.naccho.org.au/Reports.html>

populations are less likely to attract the attention of funding bodies. The second Standing Committee's report, *We can do it*, specifically stated:

> The needs of Indigenous people in urban areas are expected to be met by access to appropriate mainstream services on the basis that the service infrastructure is already available' (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, 2001:20).

This claim was made despite the findings of comparable reports that 'it is clear from all available evidence that mainstream services do not meet the needs of Indigenous people to the same extent as they meet the needs of non-Indigenous people' (Commonwealth Grants Committee, 2001:xv).

Findings in the 2001 Standing Committee Report were often generalised, but the Inquiry did attempt to acknowledge that urban populations faced some difficulties uniquely different from rural or remote populations. It stated that Aboriginal communities in remote areas are relatively easy to identify spatially, socially and for the purposes of service delivery. It can be harder to identify more dispersed groups in urban areas, particularly, as is the case in Victoria, when these groups constitute a small proportion of the total population, (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, 2001:18). The KSIS reference group in the Western Metropolitan Region in particular experienced this difficulty, illustrating that the dispersed character of urban Aboriginal populations can have immediate consequences for Aboriginal and non-Aboriginal governance of Aboriginal health.

Not least of these consequences is the emergence of assumptions associated with the notion of the 'urban'. In the early 1980s Marcia Langton drew attention to a model she termed the 'urban-rural-tribal triangle' wherein Aboriginal people living in urban environments are characterised as 'detribalised', supposedly assimilating into the European population and adopting 'white' lifestyles (Langton, 1981:16-17). For Aboriginal people in Victoria their largely urban demographic has been informed by policy founded on the assumption of Aboriginal acceptance of mainstream practices which is, in fact, unsound and experienced by Aboriginal people as being 'foisted' on them by successive pieces of legislation (op. cit.).

The 'urban demographic' is itself a phenomenon that requires examination. The most recent history of Aboriginal peoples in Victoria has led to their current demographic profile being defined as predominantly 'urban'. In the Census 'major urban area' described urban centres with a population of 100,000 and over, whilst 'urban area' referred to centres with a population of 1,000 - 99,999 (ABS, 1998). Of Aboriginal people in Victoria 86.6%, as reported in the 1996 census, live in 'major' or 'other' urban centres (op. cit.). This constitutes the highest proportion per state of urban distributions of Aboriginal people across all Australian States and the Northern Territory (op. cit.). In Victoria the proportion of Aboriginal people described as living somewhere other than major urban and urban areas was 13.4%. These people were defined as living in rural localities. With the exception of the Australian Capital Territory, this constituted the lowest state based rural distribution across Australia (op. cit.). The ABS acknowledges a phenomenon they define as 'undercount' wherein some people are missed each census and some are counted more than once (ABS, 2001). Even allowing for this variation, the population distribution for Aboriginal people in Victoria remains not only predominantly urban in itself, but also the highest urban distribution across Australia, coupled with the lowest rural distribution.

'Shortfalls' of information have been attributed to a combination of factors, not least being a historical reluctance for people to identify their Aboriginal or Torres Strait Islander status. Information has been documented, in reports including that submitted by the RCIADIC, as having been used by the state against Aboriginal people and their organisations. Some Aboriginal people have consequently chosen to protect themselves from potential misuse of information by resisting demands for information pertaining to self-disclosure, thus resisting being made the subject of surveillance and resisting being categorised. Such resistance, or 'non-compliance', carries with it the price of diminished resources and services, which in turn can have an inadvertently negative impact on health. There has also been a parallel reluctance by clinical and administrative staff, due to assumptions based on local knowledge or the appearance of presenting clients, to seek out such information (Australian Institute of Health and Welfare, 1997:xii). As a non-Aboriginal employee at the Ballarat Office of Child and Family Services said of her agency 'we're not always very good at asking that question' (Interview, April 2000).

Aboriginal statistics in Victoria are also impacted on by nationally derived Aboriginal statistics which are extrapolated from data collected in only two or three States, these being Western Australia, the Northern Territory and South Australia (House of Representatives, 2001:17). These States have much higher percentages of rural and remote distributions of Aboriginal people than Victoria, with the Northern Territory's proportion dwelling in major urban areas being so small as to be reported as 'n.a.' (ABS, 1998). Extrapolation from such figures can have the result that Federal decisions made on the basis of nationally constructed demographic profiles do not address needs which are unique to those people who have been excluded from statistical representation.

Analysis of the intricacies of funding arrangements is outside the scope of this analysis. Nevertheless, what has emerged in terms of the governance of Aboriginal wellbeing is the problematic nature of processes that define and construct Aboriginal 'need'. Assumptions of higher Aboriginal socio-economic status translate to the popular assumption that less Aboriginal specific funding is required. This results in Victorian Aboriginal people having access to a proportionally smaller slice of the Aboriginal-specific federal funding pie. The Commonwealth Grants Commission, for instance, employs funding formulae that weights its dispersal of Commonwealth general purpose revenue to the States according to indices of need which are calculated according to 'horizontal fiscal equalisation'.[2] The end result of this form of tabulation is that Aboriginal people in the Northern Territory, where, in 2001, 60-70% of Aboriginal people were described as remote rural residents and consequently having greater need. They receive substantially more of the Grant Commission's budget per capita than their counterparts in Victoria (Commonwealth Grants Commission, 2001:49). Without wishing to diminish the importance of Aboriginal specific funding in the Northern Territory, Aboriginal people in Victoria can find themselves being inadequately funded and with inadequate services.

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[2] Discussion of the 2001 Standing Committee's Report on the needs of Aboriginal and Torres Strait Islander peoples is recorded by Hansard and available through the Australian Parliamentary Library database. This particular point draws on responses by Mr Beadman, 2001, viewed 19/09/02, <http://www.aph.gov.au>

Similar to the potentially negative effect of Commonwealth Grant Commission allocations, the impact at State level of nationally implemented Federal funding policies can also be overlooked. Housing policy is a case in point. Commonwealth and State governments have, over recent years, abrogated their responsibility to provide affordable rental housing for disadvantaged people.[3] Of the estimated $100 million of individual Australian States' mainstream housing budgets that are redirected to address specifically Aboriginal needs, a disproportionately small $3 - $4 million over two years was accounted for by Victoria.[4] Arguably, this is because Victoria is reported as being second only to Tasmania in having a high percentage of Aboriginal home ownership (42% as opposed to 32% nationally).[5] But, taken in the context of the percentage of non-Aboriginal home ownership (71% nationally), the amount redirected by the Victorian government remains disproportionately small. The reduced role played by Commonwealth and State governments, the increased cost of living and housing, and presence of racism in the rental property market, all contribute to overcrowding and homelessness amongst urban dwelling Aboriginal people.[6] Housing is a factor that inevitably, though less visibly, impacts on health outcomes and overall wellbeing.

The cut in 1996 to the ATSIC budget provides another example, illustrating the effect at State level of Commonwealth decisions regarding Aboriginal specific expenditure. As was discussed in chapter four, these cuts had a particularly marked impact in Victoria because the use of those funds was directed at supporting organisational infrastructure, such as core administrative positions.[7] The remaining bulk of the ATSIC budget, allocated by the Federal government to specific programs, such as housing, native title, and Community Development Employment Projects (CDEP) has had greater application in other States. The expenditure by ATSIC to 270 Aboriginal organisations that are engaged in the CDEP scheme across Australia is

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[3] See the Australian Parliamentary Library database for the full text of this Research Note 24 1999-2000, 'The Changing Face of Public Housing', prepared by Greg McIntosh from data provided by the Department of Family and Community Services, (15th February 2000), viewed 19/09/2002, <http://www.aph.gov.au/library/pubs/rn/1999-2000/2000rn24.htm>
[4] See footnote 3, refer to discussion by Mr Taylor.
[5] For Details of rates of Aboriginal home ownership in Victoria see the ATSIC website, viewed 28/02/03 <http://www.atsic.gov.au/News_Room/media_releases/Default.asp?=2431>
[6] See footnote 3
[7] For ATSIC's description of CYS funding cuts see ATSIC website, viewed 20/03/03, <http://www.atsic.gov.au/News_Room.ATSIC_News/May_1998/page16.asp>

particularly illustrative. In September 2002 ATSIC reported that it had refitted these organisations with top-quality computers and printers at the cost of $700,000.[8] This budgetary allocation of resources was irrefutably necessary, and contributes to the degree of autonomy CDEP schemes can exercise (Rowse, 2001:3). But the national-level budgetary distribution formula saw few funds filtering through to Victoria. Of the ninety Aboriginal organisations in Victoria, twenty-three of which are directly involved in health services (VACCHO, 2002; ATSIC, 2002), only nine of those associated with implementing the CDEP scheme benefited from this funding allocation. Located at Lakes Entrance, Bairnsdale, Shepparton, Thornbury, Horsham, Sale, Robinvale, Healesville, and Warrnambool, these nine organisations shared funding for approximately 1,000 CDEP participants, which equates to roughly 3.3% of the total $700,000.[9] The remaining eighty-one Aboriginal organisations in Victoria did not benefit directly from this distribution of not insubstantial ATSIC funds.

The effect of ATSIC funding practices and the distribution of state housing budgets illustrate claims made by the National Aboriginal Community Controlled Health Organisation (NACCHO) in its response to the Commonwealth Grants Commission, and the 2001 Inquiry into the needs of urban Aboriginal peoples. NACCHO asserted that evidence showed a range of financial, cultural and other barriers to Aboriginal people in all areas of accessing mainstream services.[10] The intractability of these barriers is contributed to by the following factors: lack of Aboriginal control of information gathering processes presently in place; conclusions drawn at both State and Federal level from available data; and difficulties experienced by urban mainstream organisations in ascertaining whether Aboriginal needs are being met (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, 2001:18). In Victoria particularly, overly simplified and inaccurate definitions of needs and assumptions about how such needs should be met fail to position Aboriginal socio-economic status within the broader context of the Australian population in general. Similarly they do not reveal the historical and

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[8] For further details regarding this allocation see the ATSIC website, viewed 20/03/03, <http://www.atsic.gov.au/News_Room/Media_releases/Default.asp?id=2436>
[9] Details confirmed in personal correspondence with ATSIC's Media Officer, Martin Freckmann, viewed 25/09/02, <Martin.Freckmann@atsic.gov.au>
[10] The full text of NACCHO's response to the Commonwealth Grants Inquiry, viewed 20/03/03, <http://www.weftweb.net/naccho/printpara.cfm?paraID=50>

cultural subtleties of circumstances faced by urban dwelling Aboriginal people (Commonwealth Grants Commission, 2001:xv).

These factors suggest that, ideally, Aboriginal people should themselves be in control of Aboriginal information gathering, in assessing the data derived from such processes, and in the construction of strategies designed to address needs identified in and constructed through that data. Further, it is my contention that political and historical conditions seen from an 'emic' point of view, that is one which acknowledges 'how urbanised Aboriginal people see these conditions and how they live with them' (Langton, 1981:17), must inform the construction of governmental 'truths' and subsequent policy responses.

Aboriginal funding from an 'emic' point of view

During the course of their interviews many participants in this case study discussed difficulties with funding formulae. In the context of Aboriginal organisations this was often expressed in terms of comparisons between old and new funding practices. Funding allocation has historically allowed a certain degree of flexibility which community controlled organisations could use to address community needs that did not readily translate into small grant projects or specific policy allocations. Funerals were described as an area such of expenditure.

Aboriginal funerals are an aspect of social complexity (Langton, 1981:17) and an all too frequent occurrence. Considerable importance is attached to attending them but this causes, amongst other things, transport problems for many Aboriginal community members. These problems might pertain to interstate travel, petrol cost or other expenses associated with distance. In the past, problems associated with attending funerals were met or partly met by Aboriginal Co-operatives. Although no specific funding was officially available to financially support community members in their attendance of funerals, coordinators of organisations found, prior to the economic reforms of the late 1990s, budgetary 'loop holes' which they could adapt to meet these type of community needs. Use of funds in this way is problematic for a variety of reasons. For instance, while an Aboriginal administrator might see it as a responsibility to pay for the petrol so an 'aunty' or 'uncle' can attend a distant funeral,

such action places the organisation in breach of grant conditions (Anderson & Brady, 1999:192). Unless the conditions of the grant specifically allow for this type of expenditure, the organisation can find ongoing grant provision jeopardised. Also the issue of accountability, as discussed in the previous chapter arises. To whom is the distributor of funds accountable, the funding body, or the people whose needs prompt the funding allocation, or a complicated combination of both? In this context, the question of how 'need' is constructed and defined is again apparent. For many participants in this analysis the rigidity of funding and accountability practices were attributed to what they described as bureaucratic 'deafness' to articulations made by Aboriginal communities regarding their needs and their preferred ways of having those needs met. A KSIS project worker said of the 'top down' nature of rigid funding practices that it was 'difficult to reverse the loop' and have the VDHS executive fund positions that accorded with community feedback. These dilemmas have consequences for Aboriginal governance and place Aboriginal organisations in a difficult position. Community members still look to them for support in times of crisis, particularly in the face of something as culturally important as attendance at funerals, but these organisations are not often in a position to provide such support.

The rigidity of funding formulae and grant conditions was represented as a problem in itself. A scenario was described wherein a position in an Aboriginal organisation received government funding. The job description required travel, so the provision of a car was also included. But what did not receive funding was the petrol and servicing costs to run and maintain the vehicle. Inadequately comprehensive funding-practices compromised the viability of an initially funded position. The CEO of Goolum Goolum raised another issue related to infrastructure, that being the dynamic of administrative support. He said that, without adequate supervision, the energies of an organisation couldn't be properly coordinated. The mere funding of a position, the example he gave being that of a substance-abuse worker, does not automatically amount to an effective service for Aboriginal people. If a person employed to provide a service receives no guidance from the local Aboriginal organisation, guidance that can only occur through adequate administrative supervision that must likewise be funded, the service will necessarily be inadequate.

The multi-functional dimension of Aboriginal organisations, which was more viable within historical methods of funding that favoured 'inputs' as a priority, is less practicable in 'outputs' based funding models. Output based funding practices do not permit Aboriginal organisations in general to deliver the breadth of services to their communities that they once did. And Aboriginal organisations have yet to establish methods that subvert funding practices to meet their needs on their own terms as they did with 'input' based funding practices. Whether or not one accepts 'subversion' as a legitimate mode of governance, its absence is presently resulting in a service delivery vacuum for those Aboriginal people who still look exclusively to their local organisations for service provision. The reasons for this vacuum are twofold. On the one hand, many Aboriginal people are, for socio/historical/cultural reasons uncomfortable in approaching mainstream agencies, and on the other, mainstream service providers have assumed that they have little or no responsibility to provide services to Aboriginal people (VDHS, 1998:8).

One Aboriginal participant said that for largely financial reasons, the role of community controlled organisations had become reduced to 'taxi service', ferrying people to and from their appointments at mainstream agencies. However, at the time of interview not every Aboriginal organisation appears to be in this position. The Senior Policy and Planning Officer at the Victorian Aboriginal Community Controlled Health Organisation (VACCHO) said that perhaps two or three Aboriginal organisations in Victoria involved in providing and/or delivering health services had adequate resources. But, as was noted earlier, there were twenty-three similarly involved organisations in Victoria. She said that most communities operate on an emergency day-to-day basis with no time for strategic service provision planning that would facilitate their receipt of 'output' based funding (Interview, May 2000).

The inadequacy of organisations' resources was also discussed in the specific context of implementing the KSIS. An AAV employee responsible for supporting VDHS KSIS project officers said that many Aboriginal organisations found it difficult to survive financially, let alone meet the expectations of the VDHS in relation to the KSIS. The workers at Horsham's 'Goolum Goolum' Co-operative confirmed this view. There was concern that the level of involvement and accountability expected from Aboriginal organisations was unrealistic when, as a result of funding cuts, these

organisations no longer had the infrastructure to employ administrators, book-keepers or receptionists who could collectively ensure accountability. Although volunteer support has enabled many Co-operatives to continue operating, they are not to be relied on overmuch. As one worker said, 'people are committed when they get a pay'. The role of the volunteer should be that of an auxiliary resource, not a 'compulsory' mainstay, that, as chapter two's discussion of participation noted, can be exploited by the state with the result that organisations collapse. The role of Aboriginal organisations as sites for generating individual and collective governmental possibilities cannot be underestimated. To compromise the existence of these organisations through the State's over reliance on voluntary commitment and resources is to undermine self-determining governance and reduce effectiveness in addressing Aboriginal health issues.

Funding problems as faced by the VDHS, one of the main conduits responsible for dispersing State funds to Aboriginal people, were also described during the course of participant interviews. These included a reticence by many Aboriginal Victorians to have their needs defined and calculated through structures like the KSIS. A VDHS KSIS project worker, who is herself an Aboriginal person, was frustrated by the resistance of local Aboriginal community people in the Southern Metropolitan region where she worked, to use the KSIS reference group forum as a vehicle for making their needs known to the VDHS. It is likely that community politics and factionalism combined in that area to have an inhibiting effect on regionally based reference group participation.

Problems of trust between Aboriginal people and the VDHS were apparently allayed to a large degree in the Loddon Mallee region. One of the VDHS offices in that region was described as showing commitment to its involvement with the KSIS by, breaking with the 'cost neutral' status of the Strategy, providing funds out of its own budget. After almost three years of inconsistently effective KSIS implementation, the executive level decision was made that the VDHS provide $20,000 to each region in Victoria for the specific purpose of supporting the administrative dimension of the KSIS's. But before this occurred, the Bendigo office in the Loddon Mallee region had already allocated sufficient funds from its own budget to employ a project worker. This worker provided the coordination and

administration of the six Aboriginal community organisations involved with the KSIS in that region. This financial commitment from the Bendigo office was seen as 'sending a good message' to Aboriginal communities in the Loddon Mallee region and encouraging their participation. In providing the necessary infrastructure, the VDHS in that region facilitated the practice of Aboriginal self-determination as it pertained to health and the control of service provision and delivery.

State and Commonwealth formulae for directing funding to Aboriginal organisations, and to programs provided by Aboriginal people that are delivered through mainstream structures, were reported as entailing processes that many Aboriginal people found to be problematic. An example can be seen in the State's response to Aboriginal people's propensity to present later and stay longer than non-Aboriginal people at hospitals during the course of an illness. In an attempt to fund the increase in services necessary for the care of Aboriginal people in hospital, the funding and service agreements between the VDHS and hospitals include an additional weighting, but it has been argued that these loadings are inadequate.[11] It has also been posited that funding directed in this fashion, though necessary, does little to address the initial aversion that many Aboriginal people have for non-Aboriginal service providers, an ongoing factor that contributes to their presenting at hospitals only when their illness or condition becomes critical.

This aversion constitutes one of the 'barriers' of which the State and Commonwealth are aware. Rather than concentrating on 'the costs of overcoming these barriers', as advocated in the Commonwealth Grants Commission Report, NACCHO views these barriers as lending support to calls for alternative, culturally appropriate forms of services.[12] The disparity between these positions, between focus on finding solutions to problems of access through mainstream bodies and using options generated by Aboriginal people, illustrates different governmental rationalities. In the first instance this pertains to maintenance of State control, and in the second, preference for Aboriginal control. Funding is an arena of contestation in which money is a vehicle of governance that conditions possibilities.

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[11] See previous footnote.
[12] op. cit.

As with the weighting for higher costs associated with providing hospital care, many Aboriginal interviewees saw the funding of Aboriginal liaison workers as similarly inadequate and problematic. Whilst Aboriginal liaison workers were deemed important and necessary in addressing cross-cultural needs and facilitating service access by Aboriginal people, a certain degree of scepticism was expressed in relation to the use of such workers by mainstream service providers. Some perceived the role of liaison worker as one of 'helping non-Aboriginal people cope with Aboriginal people'. This was seen by advocates of Aboriginal community controlled organisations as waste of money when similar funding provided to Aboriginal organisations would be more productive, effective and validating.

Other concerns associated with Aboriginal liaison workers related to the acquisition of Aboriginal-specific funding by mainstream agencies. The employment of Aboriginal workers was seen as a technique that legitimated redirection of funds to mainstream organisations and entailed a simultaneous attempt to attract Aboriginal people away from community controlled organisations. It was perceived as a mainstream response to market driven funding formulae. Within the fiscal parameters of competition, mainstream services can 'compete' for Aboriginal specific funding on the basis that they are 'seen' to be addressing Aboriginal need. Competition in this context sees the commodification of episodes of care - the number of episodes equates with the portion of funding allocated for that service.

Outcome based funding practices calculated in terms of units such as episodes of care were criticised for reasons related to methods of defining, measuring, and assessing preferred outcomes. A scenario was described wherein the 'customer driven' perspective was seen to be affecting Aboriginal organisations. At the time of interview the CEO of the peak organisation, Aboriginal Community Elders Services (ACES), described diminution in the quality of care they were providing which was directly related to preoccupations with 'outcomes'. She said the administration of their Day Care Program began to be thought of in terms of the amount of money each episode of care represented, rather than what ACES could do for those for whom they were caring (Interview, April 2000). Within this framework there were additional problems of funding constraints that did not allow for specific costs such as those associated with transporting Aboriginal people across the metropolitan area to use the

service. The cost of petrol and other associated transportation costs have been a recurrent theme in discussing funding shortfalls. Such costs, although a simple and non-negotiable necessity, appear to be frequently overlooked. Doubtless, this oversight does not constitute a State conspiracy to render Aboriginal people immobile, nevertheless it does have that consequence. Perhaps it is a reflection of bureaucratic assumptions that urban populations are necessarily mobile and that 'urbanised' Aboriginal people can all afford petrol/gas. This disregards the fact that those in receipt of unemployment, sickness or disability benefits, or the newly emerging 'working poor', be they Aboriginal or non-Aboriginal people, frequently encounter 'between-fortnight' insolvency.

Modern government has been described as having organised its funding practices around discrete functions - health, education, and transport, for example - rather than people and places. In response to these discrete functions the public sector has been laid out like a series of silos. Each 'silo' runs programs, but with little coordination with the rest of government (Latham, 2001 [b]:127). Alf Bamblett, the Executive Officer of the Victorian Aboriginal Community Services Association (VACSAL), described 'silo feed lines' as the place where organisations line up to receive funding. Aboriginal organisations, he said, attempt to work against the 'silo' approach and endeavour to develop holistic programs that meet the needs of Aboriginal families' health, housing and education without compartmentalising these different aspects of Aboriginal peoples' lives (Interview, March 2000). But they continue to find themselves in positions where, as noted previously, having succeeded in negotiating to fund an employee and provide them with a vehicle, they see these efforts rendered impotent by the oversight of such simple provisions as fuel costs.

Difficulties arising from program based inflexibility were seen to be exacerbated by inadequate dissemination of funding-related information to Aboriginal organisations. Participants struggling to find funding for their organisations shared a pervasive sense that, although other sources of VDHS funding were available, only VDHS staff knew what and where these were, and that these people weren't sharing the pertinent information as readily as they might. This type of suspicion was mirrored in a concern raised by an ex-AAV employee. She suspected that token financial support to Aboriginal organisations was a way for governments, in a manner

superficially consistent with the notion of Aboriginal self-determination, to relinquish any further role, and simultaneously lay blame for any organisational failure wholly at the feet of the associated Aboriginal community (Interview, January 2000). Implicit in this was the sense that government has a hidden assimilationist agenda to facilitate the demise of Aboriginal community controlled organisations. This is consistent with an argument advanced by John May in his discussion of competing agendas that impact on community services provision. He suggests that 'empowering' people without ensuring the availability of necessary resources, skills and supports that facilitate the identification of issues and problems, and then construct and implement solutions is, in fact, setting them up to fail (May, 1997:63). These words, being 'set up to fail', featured directly in three participants' discussions of funding practices and illustrate how issues of funding can take on very personal dimensions, reflective of fear, loss, and continuing imputed State denial. A worker from the Koori Health Unit in the VDHS conveyed his perception that exercises in cost saving targeted the budgetary areas of 'minority groups who have no voice'.

In addition to funding practices, services used by Aboriginal people are also affected by management structures in mainstream organisations. At the time of writing, the Yarra Valley Health Service (YVHS) received money from the Commonwealth funding body, the Office of Aboriginal and Torres Strait Islander Health Service (OATSIHS), to run its Indigenous Health Team program. In this way the infrastructure and management skills of a mainstream organisation supported the employment of local Aboriginal people in order to provide a service to Aboriginal people in the area. Whilst this sounds good in theory, at least four factors were unclear. Firstly, by whom and how were decisions about dispersal of funds received from OATSIHS made? Secondly, did dominant personalities within the YVHS constrain the capacity for the Indigenous Health Team to work autonomously in response to needs as defined by their community? Thirdly, did the agenda of the YVHS prevail, and fourthly what was the degree of consensus amongst all parties concerned regarding objectives?

Issues around Aboriginal funding are irreducible simply to questions of whether money is made available. These issues engage forums wherein power and techniques of control come into play. Control of funds, control of information, control

of programs and program development, and histories of colonial-settler power, all shape governmental possibilities and impact on Aboriginal health and well-being. Assertions, for instance, that urban dwelling Aboriginal people in Victoria have 'higher socio-economic status', have led to constructions of Aboriginal health in which higher levels of access to human services, such as those controlled by the VDHS portfolio, are assumed.

The link between socio-economic advantage and 'health status' has been recognised formally for most of the period covering Australia's colonial history. The inverse association between socio-economic level and risk of disease has been described as one of the most pervasive and enduring observations in public health (National Heath and Medical Research Council, 1996:4). But, in the context of Aboriginal Victoria, slavish adherence to statistics-based constructions and deductions can contribute to popular misconceptions. These include the notion that 'Aboriginal people in urban areas do not suffer a similar level of health problems, or a similar lack of access to health care services, as Aboriginal people in remote areas'.[13] Governmental rationalities which, in and through their discourses, privilege ways of knowing based solely on quantitative calculation, render invisible the specific needs, in this case with reference to Victoria, of people whose unique situations are shaped by their Aboriginality and their particular experiences of colonisation and alienation. In itself the availability of mainstream services in urban areas does not equate with these services being either appropriate for or accessible to Aboriginal people.

Constructions, discourses and language

At this point I am concerned to move beyond the problematic aspect of State generated constructions of Aboriginal health, namely demographically based funding policy and assumptions regarding provision and access to services. In order to engage in greater depth with the governance of Aboriginal health, it is now necessary to acknowledge that the primacy of certain definitions, such as those derived from statistics, while obstructive are certainly not random or capricious.

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[13] See p.8 in footnote 1 in this chapter.

Governmental rationalities underpin choices of definition, interpretation, and application in all arenas of governance including Aboriginal health. The definitions themselves become vehicles for rendering governmental rationalities practicable. These rationalities, these internal logics are reflections of political will. They have congruity with what Foucault referred to as 'the will to knowledge'. In this formulation, knowledge is 'not a natural faculty, but a series of struggles, a weapon in the universal war of domination and submission' (Foucault, 1997:xiv). Discursive practices, such as the construction of definitions, are characterised by the 'demarcation of a field of objects, by the definition of a legitimate perspective for a subject of knowledge, [and] by the setting of norms for elaborating concepts and theories' (op. cit., p.11).

The deciphering of discursive practices and their implications for Aboriginal power and control is facilitated by the application of Foucault's 'governmentality' approach, but, as these forms of governance are also uniquely informed by socio/political/historical factors, the work of Aboriginal commentators such as Anderson is also indispensable. For reasons, which I will elaborate on shortly, Anderson contests the applicability of Foucauldian based discourse analysis in regards to the governance of Aboriginal health.

Governmental rationalities operating in fields of Aboriginal health can be rendered transparent by examining and contextualising particular discursive practices. The KSIS provides a site for exploring methods and practices of governance that have contributed to situations wherein particular discourses gain ascendancy and are made practicable. It is through these methods and practices that the terrain of Aboriginal health in Victoria has been shaped and possibilities framed. The investigation to follow explores both Aboriginal and non-Aboriginal programatic objectives regarding health, wellness and disease. This is pursued in order to grasp how these objectives have been transformed into action, and what that action can reveal about the objectives and the governmental rationalities of which they constitute an outworking.

In previous chapters my concern has been to establish a genealogy of Aboriginal governance in Victoria, governance being conceived in terms of the programs and strategies that define 'the conduct of conduct' (Rose, 1996:134). KSIS

reference-group processes, for instance, shaped the conduct of and described the parameters of control possible for those who participated. Governmental rationality, in this context, pertains most broadly to ways of thinking about the nature of the practice of government (who can govern; what governing is; what or who is governed). It also pertains to the ways in which mentalities of rule are capable of making forms of that activity thinkable and practicable, both to its practitioners and to those upon whom it is practised (Gordon, 1991:3). In terms of this definition, the KSIS constituted a body of specific administrative techniques. It was informed in its construction and implementation by rationalities and forms of calculation, which derive their authority from sources as diverse and disparate as the State on the one hand, and Aboriginal communities on the other. The concept of 'governmentality', used here as a framework within which to examine the KSIS as an example of governance, is itself part of a larger theoretical investigation in which Foucault described 'technologies of self' (Foucault, 1997:223-251).

'Technologies of self' include ways in which individuals experience, understand, judge and conduct themselves (Rose, 1996:135). In other words, these technologies constitute processes whereby people 'effect by their own means, or with the help of others, a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being' (Foucault, 1997:225). These processes are linked to the inculcation of certain regimes of the body and are contingent on social construction. The previous discussion of the term 'urban' and its application to Aboriginal populations can be understood as a non-Aboriginal 'social construction' that had implications for how Aboriginal need was experienced, understood, judged and responded to. Using 'urbanised Aboriginal' as an example, theorising that characterises people and their actions in terms of social constructs influences how (in the context of this case study) the governance of Aboriginal health and the bearing the KSIS had on this, can be understood.

The notion of techniques of self and the social construction of health raise immediate and practical issues. Anderson rejects the conception of 'techniques of self' in which the conduct of conduct is deemed to be socially constructed. He argues that 'the form discourse gives to the construction of disease is inseparable from its organic basis' (1995 [b]:79). By way of example, he suggests that:

although the gangrenous limb in a diabetic body ... is a clinical entity constructed within a particular set of social relations ... it is also, more straightforwardly, an experience of vision, smell and pain (op. cit., p.68).

Anderson also questions the premise that the medical gaze necessarily creates beings of docility and utility. He asserts that the Foucauldian emphasis on social construction poorly conceives the role of the subject's power and overlooks the 'emancipatory' potential of medical practice, particularly in the context of the emergence of the Aboriginal health movement during the 1970s in response to prevailing socio/historical conditions (op. cit., p.72). The agency and authorship of Aboriginal people in the initiation of their community controlled health services run counter to the passive subjectivity which Anderson associates with Foucauldian preoccupations with the medical gaze. He suggests that endowing subjects of the medical gaze with a more active role in the construction of their own experiences gives them the potential actually to subvert medical power (Anderson, 1995[b]:76).

In the previous chapter the Aboriginal Councils and Associations Act (1976) was discussed. Rowse has asserted that this Act is significant in its creation of a 'political technology through which to give practical expression to the idea that indigenous people have a distinct set of rights' (Rowse, 2000[b]:6). Notwithstanding the validity of Rowse's position, this reference to 'political technology' also bespeaks certain continuity with Foucault's 'technologies of self', and in particular his 'technologies of power'. These technologies 'determine the conduct of individuals and submit them to certain ends or domination, an objectivizing of the subject' (Foucault, 1997:225). This permits a reading of the 1976 Act in which Aboriginal people are cast as subjects of State choreographed actions, rather than as agents of subversion or independent action. However, three years prior to that Act, the Victorian Aboriginal Health Service (VAHS) was inaugurated, being founded in 1973 on 'the will and determination of the people to change their health status'.[14] This suggests a precedent for Anderson's argument for 'emancipatory' potential.

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[14] Information derived from the VAHS Annual Report, 1999-2000, reproduced on the VASHS website, viewed 15/08/02, <http://www.kooriweb.org/vahs/agm2000.html>

It is the corporeality of the body that is of prime concern to Anderson. This is partly because of the physical nature of illness, and the physicality of people's role in their recovery, but also because of what he describes as the 'juridico-political mechanisms' of power which shape patterns of interaction within health systems (Anderson, 1995[b]:70). He argues that disease is mutually constructed, being confirmed through social interactions with people including medical practitioners, and experienced by individuals through a matrix of modalities in which pain, touch, and location within space and time are equally important (op. cit., p.77). Disease and pain produce their own bodily truths, which, through sufferers' search for relief, link biomedical and/or traditional Aboriginal models of treatment to the condition of being unwell. These truths are more than simply social constructions.

Anderson argues that the construction of disease is inseparable from its organic basis and that deferential adherence to the power of discursive analysis does not make things knowable. However, I would argue that mutually exclusive attention to discourse and to corporeality must not be overlooked. It is in this way that we attend to the issue raised by Foucault of 'how we might formulate a general conception of the relations between the constitution of a knowledge *(savoir)* and the exercise of a power' (Foucault, 1991:150). The ABS for example, as I have illustrated, is an institution that constitutes statistical knowledge in a particular way. Governments and bureaucratic organisations contribute in determining how this is done and use that knowledge in ways that are consistent with their objectives. These objectives may or may not be consistent with those maintained by the people, in this case Aboriginal Victorians, who are subject to their implementation.

Drawing on a combination of Anderson's arguments, the 'governmentality' approach, and discourse analysis, I have proceeded from a position that acknowledges both the physical and social construction of bodies, individual and collective. But, given the differences between discourses which have emerged from and are employed within the non-mutually-exclusive terrains of 'the physical' and 'the social', tensions between physical and social constructions occur. When Aboriginal community controlled health services and organisations are sufficiently well resourced, for example, they are in a position to construct Aboriginal health care in such a way as to facilitate Aboriginal wellbeing and self-determination on their terms. They do this by

providing a viable, culturally appropriate service provision/delivery option, and a forum for community cohesion and political action.

The relationship between knowledge and power at work in the constructive capacity of discourse, be it in Aboriginal people constructing themselves as self-determining beings, or in the VDHS constituting strategies that preserve State control, is influenced by physical factors such as money. The very provision or withholding of funds is in itself an act of governance in which the parameters of the possible are defined by other, often competing discourses, such as 'horizontal fiscal equalisation', that shape funding formulae. In the interconnected arenas of resource distribution and knowledge generation, governance of finance that privileges State-controlled methods of data collection and analysis has impact on Aboriginal health in Victoria. In forums of mainstream service provision and delivery, ways of knowing which inform constructs of wellbeing are largely controlled by non-Aboriginal structures and processes.

Analysis of discourse is an effective tool for understanding and explicating rationalities that operate in the governance of Aboriginal health. By this means, further stringency may be brought to the understanding of questions of Aboriginal health, wellbeing and self-determination, which are frequently posed and infrequently resolved. This can be done by refining critical attention to concentrate on discursive continuities and discontinuities or spaces of contestation which are manifest in such debates as engage the contentious relationship between Aboriginal health and self-determination. In particular, it is necessary to identify differences between, on one hand, discourses that prevail in the mainstream, and on the other, those that have currency outside mainstream parameters.

An example that demonstrates the importance of identifying (dis)continuity amongst the variety of discourses associated with Aboriginal governance is the link made between land rights and health. For some people land is the crux of Aboriginal health and wellbeing (Jackson & Ward, 1999:439; Flick & Nelson, 1994:3)). As a result of this emphasis on land (which is not addressed in any depth in this thesis), notions of Aboriginal health become inextricably linked to a politics of land ownership, compensation, reconciliation, and Aboriginal identity. The National

Aboriginal Community Controlled Health Organisation (NACCHO), however, discusses health in slightly different terms. Part of NACCHO's brief is to provide direction and advice regarding the ongoing development of policies, programs and strategies related to Aboriginal health issues. NACCHO also has a liaison role with government departments and organisations within both Aboriginal and non-Aboriginal communities. The notion of health subscribed to by NACCHO is couched in terms of the recognition that:

> Prior to colonisation Aboriginal people were sovereign, independent and healthy. Colonisation resulted in the loss of independence and subjection to subservient and marginalised life, inflicted [sic] with poverty and ill-health.[15]

This framework is not specifically land-based. It reflects NACCHO's view that the destructive consequences of colonial rule require Australian governments to ensure that Aboriginal community controlled health services are funded at a level necessary to achieve a state of wellbeing at least equal to that which existed prior to colonisation.[16] Whilst this rationality is not inconsistent with land rights, it does not, at all points, coincide with them.

Continuities and discontinuities between mentalities of rule associated with land ownership and with primary-health-care focus can indicate differences in political 'bias' and organisational predilection. But this interpretation limits the potential for difference itself to illuminate how governance of Aboriginal people is made operable in its various and often conflicting ways by both Aboriginal and non-Aboriginal individuals, collectives, organisations and bureaucracies. These mentalities of rule share a common objective, namely improving health outcomes in Aboriginal populations. But a governance of Aboriginal health that is informed by a rationality based on land ownership will employ some methods and practices that are different from those used in the context of a rationality founded on primary health care. Examination of these practices gives indications as to the governmental rationality being rendered practicable through them. The conditions that foster a particular

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[15] The full text of NACCHO's Manifesto is available from their website, viewed 6/08/03, <http://www.weftweb.net/naccho/printpara.cfm?paraID=22>.
[16] op. cit.

rationality at a given time in a given location will be informed by factors including population distribution, Aboriginal need, and access to services as they are variously constructed. Governmental rationalities and practices are in this sense, mutually constitutive and each can inform us about the other.

Nuance and control

Much of the literature addressing Aboriginal health commences with an introductory statement derived from comparative statistical analysis relating to a variety of health outcome measures. Invariably these statements shock and, in shocking, constitute a technique for attracting attention. The relationship between Aboriginal health, history and reconciliation discussed in the *Australian and New Zealand Journal of Public Health*, for example, produced the following characterisation:

> Australia has presided over what is arguably one of the biggest public health failures in the developing world in terms of our lack of progress in improving the health of the Aboriginal and Torres Strait Islander population (Ring & Elston, 1999:228).

The above example is typical of statements used to preface discussion of Aboriginal health issues. Despite their validity, they have been used as justification by successive governments for adding to the existing plethora of policies generated at both State and Federal levels of Aboriginal affairs. The phraseology of such statements has become so commonplace that those who are removed from the gravity of the social conditions that they describe become desensitised. The very notions themselves become meaningless. For instance to what does 'health' refer in the quotation above? Is it the presence or absence of morbidity due to 'obesity, hypertension, diabetes, renal failure, coronary heart disease, cancer, arthritis or other diseases endemic in Aboriginal People today' (Jackson & Ward, 1999:437)? Do attempts at 'improving' what apparently constitutes 'one of the biggest public health failures' refer to paternalistic and/or welfare modes of governance? Or do such failed attempts point to a subtle, and perhaps inadvertent, suggestion of blame levelled at those Aboriginal people who have supposedly failed to allow their social and physical wellbeing to be improved? Or, yet again, is there any implication of a failure on the

part of Aboriginal people to take responsibility for themselves? How these questions are answered affects which governmental initiatives are implemented and by whom.

In his discussion of the trivialisation of state intrusion into Aboriginal people's lives, Ernest Hunter suggests that attempts to address problems of resource accessibility 'predictably fail' (Hunter, 1996:19). Responsibility for the failure and the lack of demonstrable improvements in outcomes can be attributed, he asserts, to the actions of Aboriginal people, rather than to their state of disadvantage (op. cit.), or, indeed, to bureaucratic governance itself. A mode of reasoning that identifies failure as 'predictable' can represent measures aimed at addressing financial aspects of social justice and designed to offset disadvantage as foredoomed and, therefore, as a waste of time and money. This line of reasoning is reminiscent of arguments advanced in the parliamentary debates of 1859 wherein State expenditure used to establish reserves on traditional lands was construed as a waste because such funds 'would be thrown away on them [Aboriginal people]'.[17] These readings of state intervention in Aboriginal governance, both presently and historically, are founded on the privileging of certain constructions of 'outcome' and 'objective'. The preferred line of state action is to remain steadfastly committed to these constructions, rather than to question the role these very constructions might have in the perpetuation of conditions that state interventions are implemented to address.

Nuance of meaning is a component in discursive constructions. Terms such as 'burden of illness' in the statement 'statistics also indicate a greater burden of illness in Indigenous people' (Jackson & Ward, 1999:437) carry a determinist intonation to constructions of illness and an inference of a 'statistics of burden'. They raise such questions as whose 'burden' illness is. Does 'ownership' of the burden reside with those Aboriginal people who are in need of care, the families of these people, or those who are identified by non-Aboriginal society (and many Aboriginal people) as having a duty of care, such as professionals associated with bio-medical models of illness?

The wish to suggest that phrases, such as 'burden of illness' be used as 'raw material for a psychological inquisition' (Foucault, 1978:24) forms no part of my

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[17] See footnote 7 in chapter three.

intention. It is, nevertheless, important to recognise that, as with derogatory terms such as 'welfare industry' or 'Aboriginal industry', discourses that generate these phrases operate in arenas where public opinion is formed, political decisions justified, and status-quos perpetuated. The self-determination of Aboriginal people is a polemical dynamic that leaves very few Australian cultures unchallenged. It is important, therefore, to recognise the power relationships at work within related discourses and to decipher the implications of language usage. It is all the more imperative with regard to Aboriginal health discourses because, as countless commentators and researchers assert: 'Indigenous Australians die at younger ages than do non-Indigenous Australians, and this is true for almost every type of disease and condition for which information is available' (ABS, 1997).

The discursive construction of the KSIS affected many of those who participated in this case study. A phrase in the KSIS document, '*to* the Koori community' (emphasis added), was singled out by one participant from the Koori Health Research and Community Development Unit. She inferred from the statement a sense of something being done 'to' Aboriginal people:

> I mean just 'to the Koori community' ... that lets you know, I mean it's ... it's people imposing their own values and thinking around what's right and what's not right ... if it's ... if we're talking again about the self-determination and community control ... it wouldn't be worded like that would it? (Interview, May 2000)

A discontinuity is apparent here between the experience of KSIS discourse and the VDHS objectives being attempted through its implementation. This suggests that, in this instance, the Strategy was consistent with a governmental rationality other than that aimed at promoting self-determination.

During the course of their interviews many other people also noted the importance of language. This was with respect to how language was used in the KSIS document itself, in reference group meetings, by Aboriginal people in documents that they themselves generate, or by Aboriginal people to refer to other Aboriginal people. In general those who made reference to the language in the KSIS document described it as rhetoric or VDHS jargon that was meaningful to bureaucrats, but not necessarily

to those Aboriginal people who were to implement it. The point was raised - specifically with regard to Aboriginal communities which were small, isolated or struggling - that these communities might experience difficulty in translating a document like the KSIS into terms meaningful for their own people. Their capacity to render the Strategy practicable in their own terms was constrained because of their reliance on the intervention of another party to mediate and translate. In this sense the strategy was 'disempowering' for Aboriginal people who were unable, unaided, to translate the strategy into practices that were viable for them.

'Public service speak' was another descriptive term used by interviewees to describe the language of the strategy. One person suggested that the document reflected impersonal detachment. Those who drafted the KSIS were described as '9.00-5.00' workers, distant from the experiences likely to result as a consequence of their work. In contrast, documents drafted by Aboriginal people were posited as being 'rich' and 'written from the heart', using accessible rather than alienating language. Aboriginal people were posited as not writing from a '9.00-5.00' perspective and that bureaucratic detachment is foreign to the formulation of strategies which attempt to deal with issues within which they may be entrenched. The VACCHO safe sex program and the language used in its information brochures provides a good example:

Safe Doori (sex) For You and Your Partner:
Havin' a doori is a normal part of anyone's life whether you are a man or a woman, young or old, gay or straight.

Don't forget though - you should never feel obliged to have a doori with anyone - it's your decision.

Why does everyone talk about safe sex? In order for a doori to be a safe activity and to prevent the spread of infections, there are some very simple things that you should know.

Condoms
Firstly you have to go and buy them. Everybody does it so you don't have to feel embarrassed. You can buy them in supermarkets, chemists, petrol stations, hotel vending machines, nightclubs etc. It's good to shop around to find a brand that fits. Make sure it's a good quality condom - some party ones aren't, and make sure it hasn't passed the expiry date.
Practising first ...
Try putting them on when you're on your own first, and maybe try it in the dark so you get used to it (VACCHO, date unknown).

This discourse conveys few *a priori* assumptions regarding people's level of confidence, knowledge, or life styles and it is friendly, direct and uncomplicated in the way the information is conveyed. In terms of governing the conduct of conduct, the language used is more facilitative of personal responsibility than that used in mainstream equivalents. The *Keep It Simple [Stupid] - KISSS Guide to Safe Sex* (Walsh, 1998) available through the Melbourne Sexual Health Clinic, for instance, is more indirect and concerned to convey a breadth of information. It also assumes a considerable level of literacy and motivation. In terms of the governance of Aboriginal wellness, the notion that discursive constructions generated by Aboriginal people are more likely to be effective in meeting their objectives than those generated through mainstream is supported by a comparison of these two publications.

Returning to the KSIS, attention was drawn by participants to processes of information distillation and meanings that were lost therein. Extensive networking and consultations in the form of community meetings regarding the development of the KSIS were said to have taken place across Victoria. But, as was described in the chapter four in relation to community consultation processes and outcomes, the findings from these meetings were not reflected in the final draft. When it was launched, the Strategy had been condensed to a tenth of the size of some of the preliminary drafts. The observation was made that it had been written in such a way as to be 'politically correct' and reflect the prevailing government's adherence to National Competition Policy (NCP) and Compulsory Competitive Tendering (CCT) (Interview, June 2000). With regard to identifying which governmental rationalities predominated in the KSIS, this observation indicated that, despite being couched in rhetoric of Aboriginal 'empowerment', this strategy rendered practicable a neo-liberal rationality that was concerned with the power of the 'market'.

At the time the KSIS was being developed, both Commonwealth and State levels of government were engaged in a human services reform agenda driven by a commitment to the NCP. Discourses that favoured a 'community model', as opposed to the 'market model', were congruent with Aboriginal community control. Within this community focus, government's roles were, in part, defined in terms of the provision of core funding to community agencies which acknowledged the importance of community development, management and participation. These

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governmental parameters were challenged by discourses that advocated a 'market model' (Fitzgerald, 1997:9). Market focused discourses favoured economic competition and contestability as the primary vehicles of governance. Within these parameters, the VDHS could engage in the 'preferred-provider' model for some services, and fixed-price tender, or market-price tender in its contractual arrangements regarding service provision and delivery (Patterson, 1997:67). The subsequent move by mainstream providers to employ Aboriginal Liaison Officers gave rise, as has been noted, to cynicism in some case-study participants as they saw this as a bid to be identified as the 'preferred provider' and, therefore, attract funding.

The discourses that prevailed in this atmosphere of market competition defined 'need', funding and service provision in terms of outputs, these being the goods and services produced, provided or acquired for external 'consumers', 'clients' or 'customers'. The language used in these definitions is markedly different from that used in Aboriginal community discourses. This contributed to their being alienating for most of those Aboriginal people who were put in the position of having to implement market driven strategies, such as those advocated in the initial Liberal/National Coalition version of the KSIS. In response to market based rationalities, NACCHO has asserted that any model based on costing inputs and outputs of primary care needs to be based on a model of the core functions of Aboriginal primary health care services, developed and endorsed by the sector itself.[18]

Implementation of market driven strategies requires the gathering of information. Performance is measured on the basis of this information. Key discursive terms in performance measurement are:

(1) 'quantity' [how much, or how many of a product or service are produced]

(2) 'quality' [success measured in terms of the achievements of a program and often externally driven]

(3) 'time lines' [outputs measured by frequency and promptness]

(4) 'cost' [expressed as a percentage of a set standard, or an absolute figure] (May, 1997:59).

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[18] See footnote 10.

Performance or output measures have been rendered practicable through the construction of Key Performance Indicators (KPI). The VDHS identified nine KPI categories in relation to Aboriginal and Torres Strait Islander peoples:

(1) life expectancy and mortality;   (6) risk factors;
(2) morbidity;   (7) inter-sectorial issues;
(3) access to health services;   (8) community involvement;
(4) health service impacts;   (9) quality of service provision.
(5) work-force development;

(VDHS, Koori Health Unit, 1998-99:2).

As was touched on in chapter six's discussion, the KSIS represented the VDHS response to KPIs (3) and (8): access to health services; and community involvement.

Participants in this case study generally conveyed a sense that Aboriginal people have very little say as to how 'performance' is defined. Indicators such as outcomes, time lines and guidelines have been criticised by Aboriginal workers because such parameters are 'white', bureaucratically imposed, and adhere to a range of expectations that Aboriginal organisations do not necessarily wish to pursue. Efforts have been made to improve the quality of data that informs the defining of performance indicators, as they pertain to Aboriginal people. These efforts include reports such as *The Aboriginal and Torres Strait Islander Health Information Plan: This Time Let's Make It Happen,* compiled by the VDHS's Koori Health Unit in collaboration with the ABS and the Institute of Health and Welfare. Generic approaches, however, still prevail in the definition of quantitative performance indicators and continue to be perceived by Aboriginal people working in Aboriginal organisations as inadequately serving the needs of Aboriginal people. They also fail to include variations of population distributions, movements between urban and rural centres, and availability and access to services (Anderson & Brady, 1999:205).

It was not only the written language of performance in the KSIS document that was criticised by participants. They claimed that the spoken word of VDHS operatives was often as inadequate as the document itself in conveying to Aboriginal community members what the KSIS was and how it aimed to achieve its goals. This 'public service speak' was also present in discussions at a number of the reference

group meetings I attended. Interviewees complained that this particular use of language had not been conducive to enhancing the understanding of those present at the said meetings. It was stated that, rather than speak up and say that someone's meaning was unclear, many Aboriginal people would rather wait until they could talk amongst themselves about the meaning of what had just transpired.

The use of alienating language was, in such instances, intimidating. Intimidation and alienation can be understood in terms of the exercise of power, as ways of acting on subjects, as a feature of governance through discourse. Reference groups were ostensibly the vehicle for facilitating Aboriginal control in the improvement of services. Given this role, alienation and intimidation were aspects of discourse that the developers of the Strategy should have addressed if they were to claim continuity and consistency within a self-determination policy rubric, or, indeed, bring about changes consistent with an 'improvement' agenda. Similarly, when Aboriginal and non-Aboriginal people are collaborating in a project, these efforts will only prove effective in enabling all parties involved in the process if the capacity for specific discourses to generate alienation and intimidation is acknowledged and curbed, with steps being actively taken to avoid its effects.

One particular Aboriginal man made reference to language in a different context. He had been subject to derogatory terms used by some Aboriginal people about other Aboriginal people such as 'Mainstream Black' and 'Professional Black'. These echo other terms used by some Aboriginal people to undermine their peers, including 'nine-to-five-black' and 'coconut - black on the outside and white inside', (Hughes, 1994:1). These terms and the dynamics of tension and conflict conveyed through their use illustrate the presence of many different sub-cultures within already diverse Aboriginal cultures. The presence of these sub-cultures and their potential for factionalism constitute factors that, if not acknowledged and included in the construction of government 'truths', impede the implementation of strategies such as the KSIS, which are framed within the context of culturally generic expectations.

The use of particular language is a technique of governance that impacts on people's experiences and their capacities to act as powerful agents. Such experiences, although not to be privileged above other sources, provide an indispensable point of

reference for the exploration of the subject/object relationships in Aboriginal governance in general, and the present case study in particular. It is people's experience of the KSIS, affected by so elemental an aspect of relationship as language, which links the physical with the social in the governance of Aboriginal Victorians. Discourse and language are constructed within social environments, are informed by various forms of knowledge, and are powerfully instrumental in the shaping of physical conduct. The use of 'public service speak', for instance, had the power to close some people's mouths in reference group meetings, thereby ironically silencing them in the very forum ostensibly constructed to give them voice.

Constructing self-determined health

The *National Aboriginal Health Strategy* (NAHS Working Party, 1989), which provided the framework for Victoria's 1996 State/Commonwealth *Agreement* on issues regarding Aboriginal health, constructed a definition of health that has since been deferred to consistently by both Aboriginal and non-Aboriginal commentators. It puts Aboriginal health within a context of history, with links to land, disenfranchisement, sense of loss, and present-day marginalisation (Jackson & Ward, 1999:439). Health, as defined by the NAHS Working Party, is:

> not just the physical well-being of the individual but the social, emotional, and cultural well-being of the whole community. This is a whole-of-life view and it also includes the cyclical concept of life-death-life (National Aboriginal Health Strategy Working Party, 1989:x).

The Victorian Aboriginal Issues Unit, in its report to the RCIADIC, expanded the Working Party's definition of health. It included the further development that:

> health care services should strive to achieve the state where every individual is able to achieve their full potential as a human being and thus bring about the total well being of their community. This is an evolving definition (Victorian Aboriginal Issues Unit, 1990/91:35).

These holistic definitions represent the views of NACCHO and its Victorian counterpart the Victorian Aboriginal Community Controlled Health Organisation (VACCHO). They have since been adopted by studies including *'Ways Forward, the*

National Consultancy Report on Aboriginal and Torres Strait Islander Mental Health (Swan & Raphael, 1995). This report served to lay the foundations for the mental health focused paper *Purro Birik* (Coade & O'Leary, 1999), which was the outcome of collaboration between VACCHO and the Victorian Mental Health Branch. Other works, such as the *National Indigenous Australians' Sexual Health Strategy* (cited Tan, 1998) and the *Aboriginal and Torres Strait Islander Health Information Plan* (Australian Institute of Health and Welfare, 1997) have also adopted or acknowledged 'whole-of-life' definitions of health. Whilst these holistic definitions have currency within discourses associated with Aboriginal self-determination, it has been argued that they have 'not widely translated at a practical level' (Tan, 1998:4).

Arguably the 'practical level' of health policy implementation has relied on mechanisms that were less congruent with holistic models of health than with bio-medical models. This pattern mirrors the incongruity noted earlier regarding discontinuity between the 'market model' and the 'community model' of Aboriginal organisations. Importantly, it appears from ABS statistics, derived from data collection carried out by health authorities and others involved with calculating health measures and population demographics that biomedical definitions have been equally difficult to 'translate' beyond the level of providing a framework.

Profound and institutionally systemic differences between prevailing bio-medical frameworks of 'health' and Aboriginal-preferred holistic constructions of wellbeing exacerbate problematics associated with funding models and constructions of Aboriginal need that characterise this area of Aboriginal governance. The word 'health' conveys meanings relative to the discourses in which it operates. These meanings describe the parameters of the concept. They are neither definitive nor static and are variously employed and contested in debates associated with a variety of Aboriginal issues. As with the allocation of funding in one area as opposed to another, the employment of one particular definition of health in preference to another is itself a technique of governance. And no definition of health can be separated from the actual bearing that physical, emotion and spiritual 'wellness' has on one's sense of having personal power to act. Anderson asserts that 'well being implies the act "to be": if I am to be healthy I must actively engage with my world, make choices, and act on them' (1994:36). By extension, if one is unwell, one is exponentially less able.

This relationship between health and power renders analysis of the governance of Aboriginal health of vital importance, particularly in investigating how the KSIS, as a State intervention in Aboriginal governance aimed broadly at factors associated with health, impacted on Aboriginal self-determination. In Anderson's words:

> Racist and paternalistic attitudes ... have been a key issue driving the Aboriginal health movement. Moral values and resource allocation cannot be isolated from the social interactions through which these are realised. In this sense, bigotry alone is not the only disadvantage Aboriginal people encounter. There are other characteristics of the clinical process that are potential barriers to equity of access to health resources ... it is important to clarify the nature of those barriers which may be embedded within allocation processes. This should provide a basis for the development of strategies that ensure that Aboriginal values or needs are accounted for in the formulations of distributive principles, through a decision-making process that is in itself empowering to Aboriginal people (Anderson, 1997:192-93).

Anderson's comments, which identify some of the factors impacting on service provision and its relationship to Aboriginal wellbeing, are used here to signal the breadth of terrain that characterises Aboriginal governance in general, and impacts on Aboriginal health in particular. So far this thesis has been concerned to explore governmental factors such as physical dispossession, past and present racisms, and bureaucratic interventions, structures and processes. It now turns attention to equity in health, that is, equal access to equal care that is appropriate to need (Anderson & Brady, 1999:194), and relationships between equity in health, governance, self-determination and wellbeing.

The link between Aboriginal health and self-determination is not uncontentious. Bartlett and Legge (1994) have asserted that contemporary Aboriginal health disadvantage is characterised by two main dynamics. Firstly, the long-term and ongoing effects of the processes of colonisation, which have in the past and continue in the present to manifest at personal, family and community levels. Secondly, contemporary failures in policy, research and administration (op. cit., p.8). In support of the first dynamic, addictive behaviours exhibited by some Aboriginal people have been interpreted as being primarily due to their status as colonised and dispossessed people by many commentators (Brady, 1995:1494). Conversely, it has .

been claimed that such a position eschews all other etiological theories of addiction (op. cit.). Despite this controversy, the bearing of socio/politico/historical disempowerment on Aboriginal health has had ramifications for recovery. This is borne out by arguments that assert the importance of self-efficacy in the recovery from illness. It has also been suggested that the very participation in meaningful decision making is in itself a factor that not only assists in recovery from illness, but can promote the capacity of individuals to actually resist disease in the first place (Anderson, 1994:36). I have proceeded, therefore, from the premise that increased Aboriginal self-determination will result in improved Aboriginal wellbeing outcomes. Where disempowerment prevails there will be, similarly, reciprocal diminution in of health and wellbeing outcomes.

Possibilities

The relationship between power and wellness, in conjunction with assertions that ongoing effects of colonialism are connected to Aboriginal health disadvantage, lays the foundation for this stage of my analysis. It is shaped by the convergence, and sometimes collision, of disparate discourses related to primary health care, environmental health, community development, and holistic and biomedical definitions of health. The dynamics at work within and between these discourses, and the various definitions of health and wellbeing privileged within them, have exacerbated the political opacity and intransigence already associated with processes emerging in response to Aboriginal self-determination. It is the purpose here to attempt to disentangle some of these discourses and identify the differing types of governance made possible within them.

During the late 1980s Anderson contrasted what he described as traditional Aboriginal concepts of illness with ideas central to scientific medicine. Western biomedical models are not static and, subject to research findings, change over time. Similarly, traditional notions, as described by Anderson, may or may not be subscribed to currently by all Aboriginal people. However, a preference for holistic approaches in human service provision and delivery, as presently advocated by Aboriginal organisations and many participants in this case study, is reflected in Anderson's description of 'the Koori approach'. Similarly 'the biomedical approach'

illustrates the science based underpinning of prevailing mainstream service provision and delivery (Table 11). As such it is worth reproducing in its entirety.

Table 11
Discourses in Aboriginal health

Koori Approach	Biomedical Approach
Causation	
Serious disease is a result of what is often labelled as magic-supernatural influences or breaking of food and social taboos.	The body is seen as a machine that may malfunction. Reductionist approach, in which microbes and risk factors are central to understanding disease processes
Context of the sick individual	
Always public, the individual is seen in the context of their social and spiritual world.	Diagnosis and therapy centre on the individual. Role of social/physical environment seen to be outside the practitioner's sphere.
Therapy	
Bush medicines used unless illness is serious or chronic which then involves intervention of a social or spiritual nature.	Mechanical intervention (either surgical or medical) continually refined with technological advances.
Context of beliefs	
A part of a wider set of ideas from which it is very difficult to separate.	Medicine is a branch of western knowledge with its own language and culture.
Control	
Minimal degree of special knowledge, hence accessible to all. One or two individuals in a community have special understanding of spiritual/ social factors in illness.	Doctor centred and controlled. Professional hierarchies with refined knowledge and power at higher levels.
	(Anderson, 1988:10)

Anderson asserts that non-Aboriginal people often view Aboriginal understandings of disease causation as some form of irrational primitive mysticism, forgetting that just over one hundred years ago their own educated elite was arguing over 'miasmas', 'vapours' and 'spontaneous generation' (Anderson, 1988:11). Other

Aboriginal commentators have levelled criticisms at the effects of bodily 'dislocation', as generated by biomedical approaches, on service provision and access:

> Funding is always structured through body parts. The holistic framework that NACCHO works under doesn't fit within the body parts. But we're expected to, so how do you link the body part funding and the body part departments to a holistic framework of fixing the health problem ... you have the dollars for the ears, the dollars for the eyes, dollars for the heart, the kidney ... so you are constantly dealing with different policies, let alone the States and Territories policies. You've got policies that run across all these different parts of us (Puggy Hunter,1999).[19]

In their strict and differentiated forms of reductionist and mechanical calculation, biomedical frameworks of health can exacerbate problems associated with funding models based on episodes of care, and exclude approaches to care that attempt to treat the 'whole person'. For instance, health practitioners working within the context of the holistic model may, during the course of one consultation, engage with an individual's physical, emotion and familial wellbeing. They may have only three such consultations that together span the entire working day. This approach does not readily collapse into categories defined within the parameters of KPIs, biomedical constructions of causality and intervention, or professional treatment hierarchies.

It is not my purpose to argue the legitimacy *per se* of different theoretical frameworks, be they holistic or 'body part'. Rather, I am concerned to identify what the (dis)continuities between different discourses can suggest about 'how power is operationalised' in the governance of Aboriginal health and 'to what end'.

Dulap Bininang Meeting Place

If the KSIS is seen as a governmental structure that did little to shift existing power

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[19] For full text of this Key Note Presentation at the 5th National Rural Health Conference see the Rural Health database, viewed 15/08/02, <http://www.ruralhealth.org.au/fifthconf/hunterpaper.htm>

differentials or generate new possibilities for improving Aboriginal health and wellbeing outcomes, how can an alternative be best articulated? The Dulap Bininang Meeting Place illustrates an instance wherein different discourses and discursive processes gain ascendancy and new possibilities become visible.

From January 1996 to January 1999 a study of the health and wellbeing of young Aboriginal people in Melbourne was carried out by the Health Promotion and Research Unit of the Victorian Aboriginal Health Service and reported on in *The Strengths of Young Kooris* (VAHS, 2000). Participants in focus group discussions, peer-conducted interviews and questionnaires ranged in age from twelve to twenty-six years and included people who were at school or TAFE, homeless, employed and unemployed, living with parents and living independently, or were themselves young parents. The focus of the study was to identify and explore young Aboriginal people's protective factors, problems, and strengths. Strengths that were described by young people and community members included the following: strong family links, extended family; friends; connection with the Aboriginal community and culture; sense of identity; aspirations; responsibility; and sports and creative activities (VAHS, 2000:4).

Not all participants were found to share the strengths and protective factors identified in the study. But the fact that many young people did have a range of strengths was found to be important in that these people were seen to be in a strong position to help the many others who struggle with problems and loss. Programs and services were identified as being in a position to help, but the most important factors identified in helping young people to live happily were changes in Aboriginal community attitudes and willingness to listen and talk (op. cit., p.6).

With regard to health and wellbeing the study found that many young people did not want to use the VAHS as they felt self-conscious and worried that their 'aunties' or 'uncles' or other family members might see them and wonder why they were there. They were also worried about confidentiality, not in relation to health workers disclosing information, but simply that they would be seen coming into the health service seeking medical attention. Other concerns included the worry that the VAHS doctors and older health workers might not understand or relate to their

problems. This point confirms what participants in this case study of the KSIS conveyed: that simply because an organisation is controlled by an Aboriginal community, this does not automatically translate into access for all people in that community. This has further implications for non-Aboriginal organisations. An environment which is not culturally alienating or intimidating, such as the VAHS, can still engender barriers, subtle in nature, which must be addressed to enhance the health of Aboriginal youth. This lends further weight to the argument that mainstream environments reported in this investigation of the KSIS as being in some way alienating and intimidating, must commit themselves to major attitudinal and systemic changes, and support rather than compete with Aboriginal organisations for control of services used by Aboriginal people.

The *Strengths of Young Kooris* study found that young Aboriginal people wanted a clinical service separate from the health services provided for their parents and elders with health workers to whom they could relate. The logistics of setting up such a clinic posed many difficulties. But rather than dismiss these difficulties as insurmountable, the idea was developed of an after-hours clinic service at the VAHS specifically for young Aboriginal people aged twelve to twenty-five years (Garrow & Van der Sterren, 2001:7). This was the beginning of the Dulap Bininang Meeting Place, Dulap Bininang meaning 'proud cousin' in Wurundjeri (Woi Wurrung) language (see Maps 2&3: Appendix A).

The objectives of Dulap Bininang reflect a preventative approach that addresses the findings of the young people's health and wellbeing study. In addition to a primary health care focus, the wellbeing of Aboriginal young people is addressed at Dulap Bininang through activities that aim to develop cultural awareness and self-identity, thereby strengthening psychological wellbeing and self esteem. Family relationships and connection with community are strengthened. Young people are assisted in continuing to attend and make progress at school and their skills are developed to enhance employment opportunities. They are also encouraged in the adoption of healthier life styles (op. cit., p.10).

These complex and demanding objectives have been addressed through programs and activities conducted one evening each week, and the popularity of these

amongst young Aboriginal people has continued to increase. An Aboriginal Health Worker and doctor have provided medical care. A homework centre has provided tutors and special education teachers for maths and literacy. Activities to develop life skills have included first aid training. Creative activities have included painting, jewellery making and beading. Guest speakers from both within and outside the VAHS have spoken on legal issues for youth, pregnancy, and HIV/STIs. Recreational activities have included quiz nights, team sports and board games. Monthly outings have been to the movies, swimming and bowling. Periodic dental nights have offered dental services. Occasional availability of other specialist health professionals has enabled counsellors, drug and alcohol workers and adolescent health workers to also participate in programs.

It is evident from its breadth of program focus that Dulap Bininang is concerned with rendering practicable a rationality of holistic health care. But what is also evident in the construction of its programs is acknowledgment of need as identified by those in need - that is, the needs identified by young Aboriginal people in the *Strengths of Young Kooris* study. Dulap Bininang also presents quite simple solutions. For instance, as most young people come directly from school, a healthy meal is provided, which for some people is their only meal for the day. In its composition this meal not only promotes healthy eating habits, but is also a social experience.

Just as social interaction is a technique for building relationship amongst Aboriginal people it is also a technique for demystifying the process of seeing doctors. Doctors and health workers have been encouraged to mingle in an informal way, this 'mingling' being important to young people in building up trusting relationship with them (Garrow & Van der Sterren, 2001:39). Consultations with doctors need not be constrained by one-to-one contact, but can involve groups or pairs, which also helps to dissolve barriers often perceived in formal consultations. Doctors have reported to the VAHS that some young people have had long-term serious health problems that had not been dealt with prior to Dulap Bininang. They have also found that Dulap Bininang has led to increased use of the health service at other times.

The governance of Aboriginal health through Dulap Bininang programs and activities facilitated Aboriginal young people's perceptions of being powerful and experiencing themselves as having control in their lives in positive ways. They were involved in program's inauguration and have continued to be involved in its ongoing organisational processes. They created the rules of acceptable behaviour, such as no smoking, swearing, teasing, fighting or property damage, and have established sanctions associated with breaking these rules (op. cit., p.14), thereby creating an environment where they feel safe and welcome. The skills learnt in this environment have currency beyond a youth-focused once-weekly forum. They facilitate ownership of healthy conduct and support the transition from adult-initiated to self-initiated health consultations.

At the time when the VAHS conducted a review of Dulap Bininang the program was not a core project. This constrained the level of funding the VAHS could make available. Attempts to locate other sources of funding were also problematic due to the range of factors previously outlined and the preventative focus, which does not sit comfortably within any one funding area (Garrow & Van der Sterren, 2001:45). Repeating the pattern that emerged in reference group participation, responsibility for Dulap Bininang coordination rested largely with one person, who was already over-committed within the VAHS. The weekly program also relied on other overworked staff to incorporate it into their existing duties, and sympathetic managers who allowed them to take on the additional work. The absence of a funded coordinator contributed to a lack of clarity about who was ultimately responsibility for Dulap Bininang's continuation. Dulap Bininang has, nevertheless, been found to be a very successful program (op. cit., p.45). The very thing, however, that has contributed to its success, that is its holistic focus and application, could see it being discontinued due to funding models which give priority to market driven calculations of output and bio-medical models that focus on treatment rather than prevention.

Conclusion

This chapter develops the following three propositions. Firstly, that for Aboriginal wellbeing, and in particular health, to improve, the importance of holistic notions of health and health care (inclusive of Aboriginal culture, housing, employment,

education and economic standing) must be not only acknowledged but also incorporated into, and made operable in, policy. Secondly, that the language of self-determination in policy amounts to empty rhetoric unless holistic notions of Aboriginal health/care are incorporated into policy, and provision is made for adequate resourcing of Aboriginal organisations so that viable health care options and choices become available to all Aboriginal people. Thirdly, that self-determination, as Aboriginal people variously describe it, is in itself a variable affecting Aboriginal health outcomes. Community controlled organisations provide sites where Aboriginal people experience and generate their own governmental possibilities, where discourses and definitions that are different from those which prevail in mainstream arenas of governance can gain ascendancy. The role of health practitioners in these organisations is as much to generate 'wellness' in the broader context of community as it is to treat individual illness.

Further, it has been asserted that information-gathering techniques, the data collected, and the construction of strategies designed to address Aboriginal need are more likely to result in fruitful outcomes if those in need are also in control of generating solutions. The needs observed and defined by young Aboriginal people in Melbourne are a case in point as demonstrated in a successful preventative health program, the Dulap Bininang Meeting Place.

In contrast to state-driven strategic interventions, Dulap Bininang represents an illustration of power being operationalised and mediated by those in need to meet their ends as they defined them. By contrast, strategies, such as the KSIS are constructed with rigid funding formulae and mentalities of rule that valorise individualism and competition. Ironically, these mentalities are profoundly incongruent with the type of improvements the KSIS was engineered to produce.

Conclusion

> Inequality, poverty and racism [are] not personal, but the product of power relations, and the outcome of strategies and technologies developed to create everything from autonomy to participatory democratic citizenship (Cruikshank, 1996:248).

The preceding analysis of power relations in Aboriginal governance makes cogent connections between issues of equity, racism and outcomes of strategic state interventions. The thesis proposes that present policy initiatives, formulated in the area of Aboriginal governance within the political rubric of neo-liberalism, demonstrate continuities with colonial-settler governmental rationalities. Racist attitudes and practices normalised within liberalism and inherent in socio/historically developed Aboriginal/colonial-settler relations continue to link past and present practices in Aboriginal governance. Acknowledgment of these links is indispensable to the formulation of a politics of Aboriginal self-determination.

Few detailed studies exist which analyse state interventions like the Koori Services Improvement Strategy. Over the period of roughly a decade, which preceded the Victorian Department of Human Services' (VDHS) development and implementation of this Strategy, a perceptible shift in governmental rationality occurred. At the beginning of the 1990s Aboriginal organisations and communities were described, in debates associated with institutional reform, as the most significant contributors to improving Aboriginal health and wellbeing, and it was asserted that the state should support them in this. Articulations of 'welfare provision' identified Aboriginal self-determination as the preferred direction for policy. At the beginning of the twenty-first century in Victoria, a shift can be observed to have taken place wherein neo-liberal preoccupations with economy and devolution of state responsibility saw construction of the KSIS as a strategy that 'said one thing and did another'. The KSIS stated that its foundations were consistent with 1990s recommendations. But, by employing informal contractual arrangements consistent with the notion of mutual obligation in human services, this strategy promoted Aboriginal responsibility for wellbeing in such a way as to reduce Aboriginal control of services. 'Responsibility' was couched in terms that persuaded Aboriginal people to use available, largely mainstream services, the qualifier being that these services were to undergo

'improvement' as to their appropriateness and accessibility. These processes of 'improvement' tended to reproduce relations of power that were, in part, responsible for the existing human services failure. By leaving unexamined the assumptions that had underpinned previous policy formation, the KSIS could not help but replicate the same outcomes.

Discussions with people active in the reference groups, the primary sites for initiating improvement, concluded that processes of Aboriginal governance were held to entail the power to name, define, and assert on what and whose terms groups would function. The KSIS document inadequately articulated the parameters of this power. The practical realms of possibility in power and control were not prescribed. Instead the types and quality of relationships between parties involved at local, regional and State levels defined what was possible.

Using a governmentality approach to analyse the relationships at a local, regional and state level served to highlight the strengths and weaknesses in the approach itself. This thesis demonstrates that the governmentality approach can effectively articulate how control is exercised and power rendered practicable. In the field of Aboriginal governance this approach can promote transparency regarding conditions and practices, such as race-based exclusions founded in Victoria's colonial/settler past, which continue to impact on relations of power. By identifying how these relations operate, the opportunity to change relationships between objects and subjects of power is facilitated. Namely, those who find themselves subject to the powerful impositions of others - whether they be individuals, organisations or the state - can, through an understanding of how this power is made operational, be better positioned to seek alternatives.

In its decentred approach, the governmentality framework is also effective in facilitating an analysis of Aboriginal governance which is neither bipartisan nor unilateral. The agency of Aboriginal and non-Aboriginal communities, groups and individuals are acknowledged in their connections to sovereign, disciplinary and governmental forms of power (Foucault, 1991:102). By decentring power in this way, the case study does not assume homogeneity across or within groups. It proceeds from the premise that groups and relationships of association must all be understood as

having power, albeit different types of power at different socio/temporal junctures, in order to decipher how power operates within Aboriginal governance.

In terms of governmentality literature, power is understood as practice, interaction and consequence. These are dynamics that do not occur in a vacuum. For instance, the 1957 McLean Report revealed that the climate of acceptance of Aboriginal people by non-Aboriginal people dwindled at the very point when assimilationist policy most relied on good relations to further its agenda. A strategy advocating a return to the assimilationist spirit of 1886 proceeded heedless of the factors required to ensure its success. Similarly, as this study suggests, state-wide reliance on Aboriginal communities to act as vehicles for state orchestrated initiatives does a disservice both to those communities that have diminished resources and cohesion, and to the VDHS, in succeeding to fulfil its stated mandate to improve services used by Aboriginal people. The 'government waltz', referred to by Alf Bamblett in the opening of this thesis, can be seen, in part, as a consequence of this type of discontinuity between rationalities of governance and their practical outworking.

However, governmentality was less effective in providing for an analysis of the subjective experiences of people within relations of power, as in Aboriginal/colonial-settler relationships. Whilst it remains legitimate to argue that all people have agency, for many Aboriginal people who were encountered during the course of this investigation, the evidence of their experiences was that their personal agency had frequently been overridden, undermined or subverted. For them the governmentality framework lends little comfort. Certainly it is helpful to have a clearer understanding of how these circumstances have come to occur, and it is important to draw attention to the aspects of agency of those who, often unwittingly, contribute through a 'top down' model of power to the diminution of Aboriginal agency. But knowledge alone does little to set in motion relevant systemic reform.

Nor can knowledge exclusively answer such calls as have been made by ATSIC's Chairman and Deputy Chairman, Geoff Clark and Ray Robinson respectively,

that 'it's time they got their collective foot off our neck'.[1] Governmentality-based frameworks, wherein agency is decentred through the 'art of governing', do not provide a theoretical framework in which the imperative for offsetting prevailing power differentials is made dynamic. They do not articulate how those who perceive themselves to be less than powerful can change this. The effects of race-based exclusion and institutionally and systemically normalised racist practices indicate the imperative for reform at a practical level.

Bringing about reform in practices associated with mentalities of rule that continue to have links with colonial rationalities requires a compelling framework that both acknowledges and facilitates the negotiation of new interactions of power in Aboriginal/colonial-settler relations. This represents a challenge to liberal governance in a range of applications, be they state or personal. This challenge turns on a notion of 'accountability' in which the role of ethical reflection is fundamental. Ethical reflection, properly mobilised, can become a dynamic of improvement in governance as defined and measured by Aboriginal people.

Unsettling though this challenge is in a political climate where economic factors monopolise attention, a *telos* of ethical reflection need not be entirely disturbing or provocative. Taking the KSIS as a case in point, after reflecting ethically on the processes associated with rendering practicable the governmental rationalities that underpinned the initiative, as this study has done, future VDHS strategic interventions might conceivably work more collaboratively with Aboriginal organisations, lending support on terms defined by those organisations. For example the VDHS could contribute to ensuring that spontaneous and effective projects, like the Dulap Bininang Meeting Place, continue and are valued beyond their immediate community sphere of application. In this way future VDHS accountability for improving services used by Aboriginal people can be addressed in ways more likely to further this end.

Ethical reflection on 'outcomes' differs from a neo-liberal 'outcomes-driven' approach. In the latter, outcomes are defined in terms of intended policy ends. In the

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[1] This statement was made in response to media representations of ATSIC being responsibly for failures in Departmental portfolios that ATSIC has little, if any, jurisdiction or indeed direct involvement, viewed 02/04/03, <http://www.atsic.gov.au/News_Room/Media_Releases/Default.asp?id=2639>

former the converse is true, outcomes serving as points for reflection and policy formation being a response to this reflection. Thus, ethics becomes a basis of further action. It could be argued that the process of reflecting on policy and strategy outcomes is prohibitive given its lengthy *post hoc* nature. Likewise, that the findings of such processes reveal a range of subjective views, the privileging of some above others being an exercise of power in itself. I argue, however, that the history of Aboriginal governance, particularly in regards to issues of health and wellbeing, reveals certain themes. In their very consistency these themes have, in hindsight, been revealed as having negative outcomes and warrant reflection on the basis of which alternative action can be initiated.

In compiling Foucault's work on ethics, Paul Rabinow states that 'norms are active; error is a condition of truth' (in Foucault, 1997:XL). This observation serves to amplify the need for a mode of governance that can respond to not only the shortcomings evident in recurrent negative outcomes or 'errors', but also to the need for an ethical dimension in proposed alternatives from which new norms can become active. Most importantly, as this detailed case study of the KSIS indicates, ethical reflection contributes to an understanding of how best *not* to proceed in the future.

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Appendix A

Introduction to maps and boundaries

Political and socio/historical boundaries contribute to defining fields of governmental possibilities. Relationships within and between these fields are conditioned by complex power differentials. Indeed, the very definition and displacement of boundaries engenders the validation of some power relations to the exclusion of others. My initial concerns regarding questions of validation, exclusion, and the ethical responsibility I felt in investigating issues of Aboriginal governance in general, and the KSIS in particular, shaped the direction of my research.

To introduce the question of how possibilities in Aboriginal governance have been configured in Victoria, the history of translation, from traditional Aboriginal languages into English, provides an illustrative point of entry. First attempts to record Aboriginal languages were made by colonial-settlers who usually lacked the training to hear the unfamiliar sounds of Aboriginal languages. Limited by resources of an English alphabet and vocabulary, these people were ill equipped to record particular consonants and vowels. As they were often unclear as to what words actually referred to, those who attempted to translate and record Aboriginal languages were also unclear as to the differing relationships between topography and language.[1] Confusion was added to by different words being used on occasion to describe the same locations in areas of Victoria, by Aboriginal people who shared language groups. Differences between boundary definitions have occurred not only because of the linguistic limitations and impositions of colonial-settlers. They have also emerged as a result of historical changes in Aboriginal/colonial-settler relations, for instance the emergence of Aboriginal communities in response to the imposition of reserves and missions by the state and religious orders (Reproduced as Map 1). In some instances geographical/cultural

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[1] Libraries, universities and museums are recreating constructions of Victoria's colonial-settler past. These are not without political bias or agenda. They have, nonetheless, contributed to the formation of electronic sources and databases wherein archival material, ordinarily limited in its availability, can now be accessed. For information related to the translation and recording of Aboriginal languages in Victoria refer to the Monash University data base, viewed 3/09/03, <http://www.arts.monash.edu.au/cais/ekulin/clan clan.htm>

boundaries remain unresolved sites of contestation for reasons attributable to Aboriginal peoples themselves, such as disputes over boundaries between Bunurong (Boonwurrung) and Wurundjeri (Woiwurung) lands.

Norman B. Tindale's map, published in 1974, is frequently cited as a definitive reference for Aboriginal group boundaries in Victoria (Reproduced as Map 2). It represents an enterprise spanning fifty years of research, beginning during the 1920s when the prevailing view was that Aboriginal groups roamed across the landscape, having no fixed territories. This view conditioned Tindale's interpretation.[2] Since then, information relating to Aboriginal language group distribution and definition has undergone critical revision resulting in maps compiled by Ian Clark (Reproduced as Map 3) and Dianne Barwick (Reproduced as Map 1). Tindale's, Clark's and Barwick's maps of Aboriginal language and community areas in Victoria are included as references in this study in an attempt to address historical and geographical contention and confusion arising from the variety of language and community names linked to geographic areas. Lands identified by one name on Tindale's map, where disputed, are, in the text, followed in brackets by Clark's identification. I include both colonial-settler and present academic efforts at clarity in order to illustrate that processes of naming and identity formation are important aspects of Aboriginal/colonial-settler power relations. Control of these processes by non-Aboriginal people characterises what constitutes an early form of bias and signals what will later be discussed in terms of 'institutional' racism. As Michael Dodson stated, in his 1994 Wentworth Lecture, the 'right to control one's own identity is part of the broader right to self-determination' (Dodson, 1994).[3] Control as practice and as effect form focal points throughout this analysis.

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[2] For a construction of how socio/historical time frame informed Tindale's interpretation see Museum of South Australia data base, viewed 17/12/01,
<http://www.samuseum.sa.gov.au/tindale/boundaries_intro.htm>
[3] For text of this lecture see Dodson Online source, viewed 13/02/02,
<http://www.hreoc.gov.au/speeches_justice/end_in_the_beginning.html>).
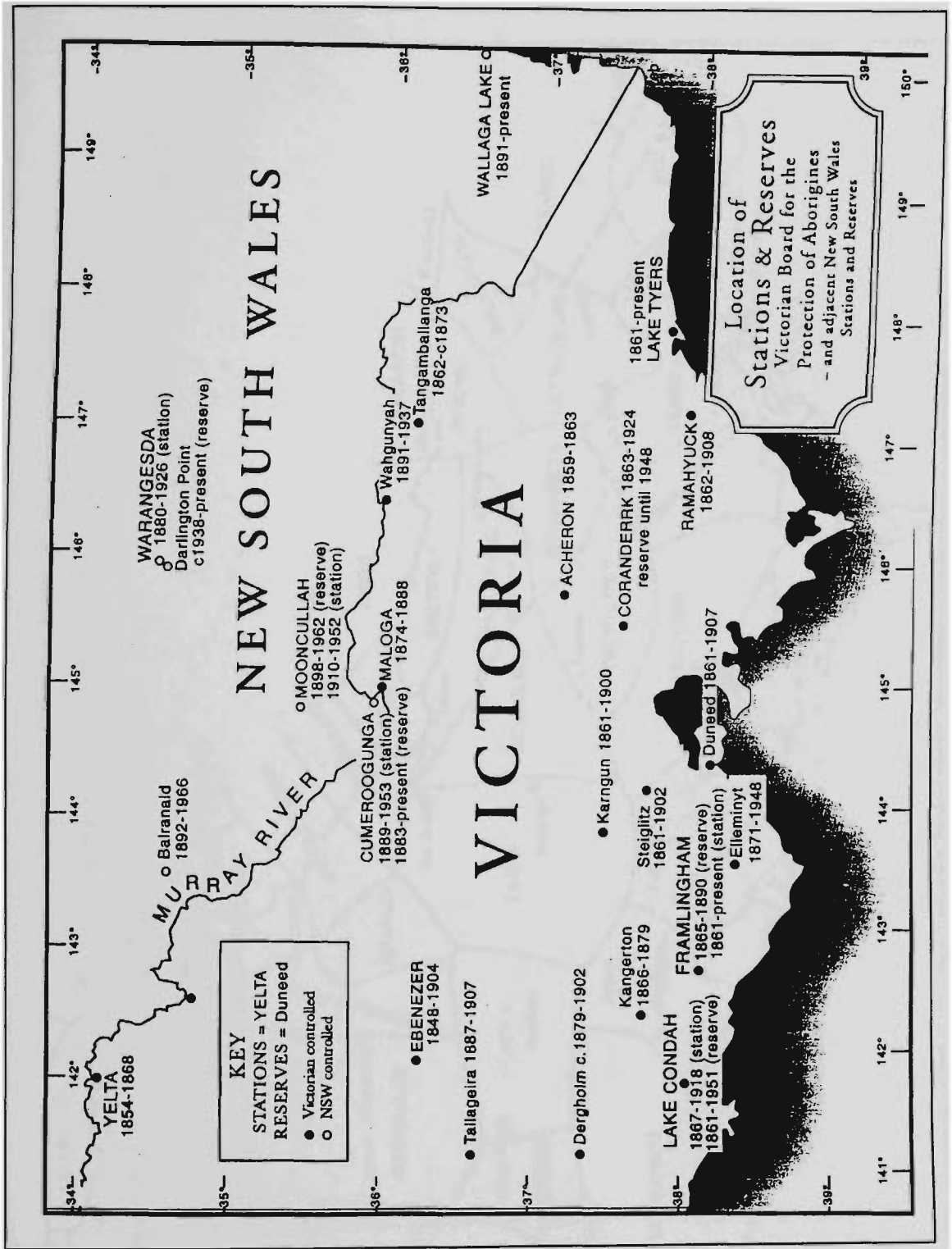
Map 1. Barwick's 1998 construction of locations of stations and reserves established by the Victorian Board for the Protection of Aborigines (Barwick, 1998, p25).
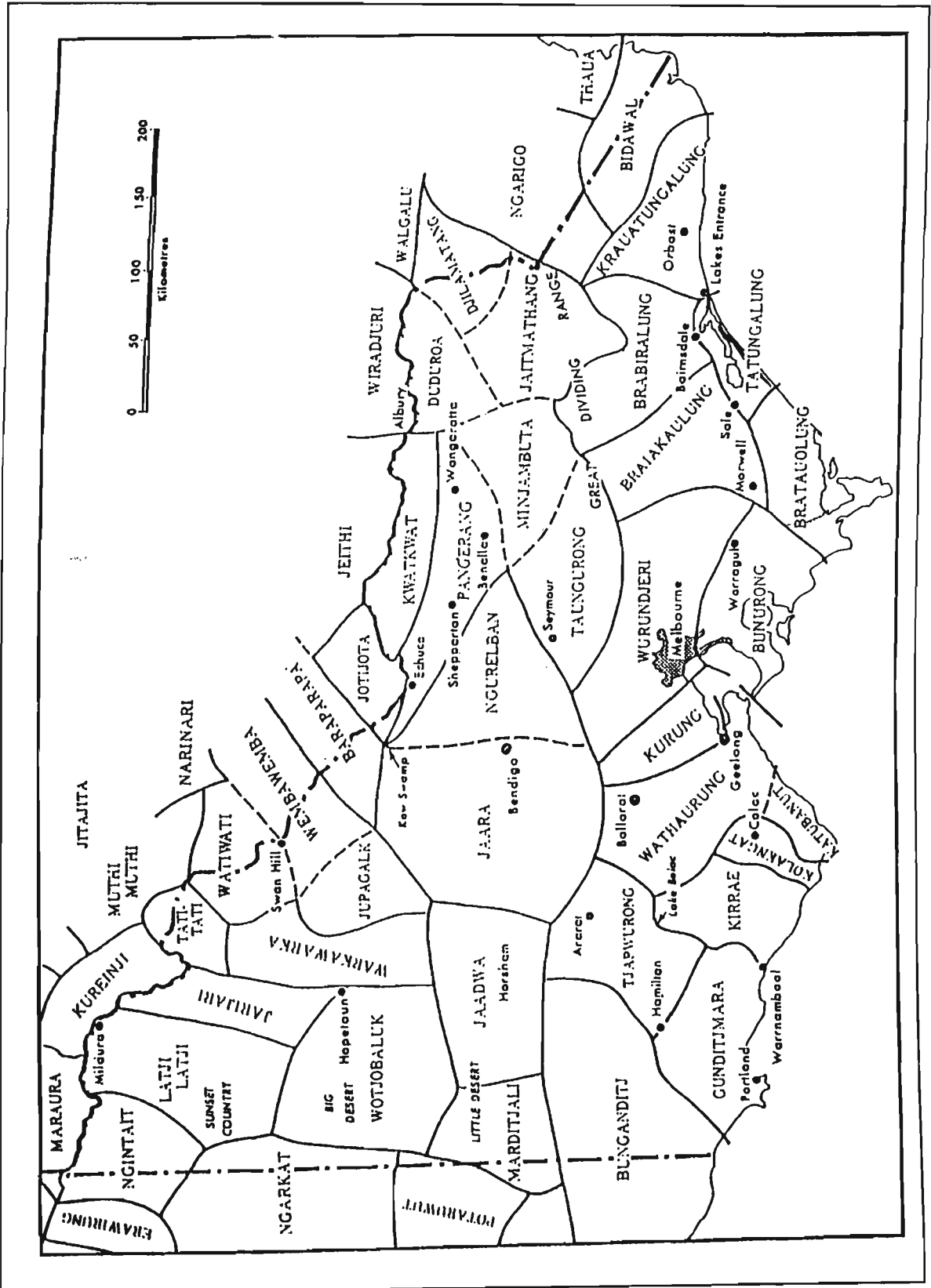
Map 2. Tribal boundaries in Aboriginal Victoria based on Norman B. Tindale's Map *Geographic II* provided by the Koori Heritage Trust.
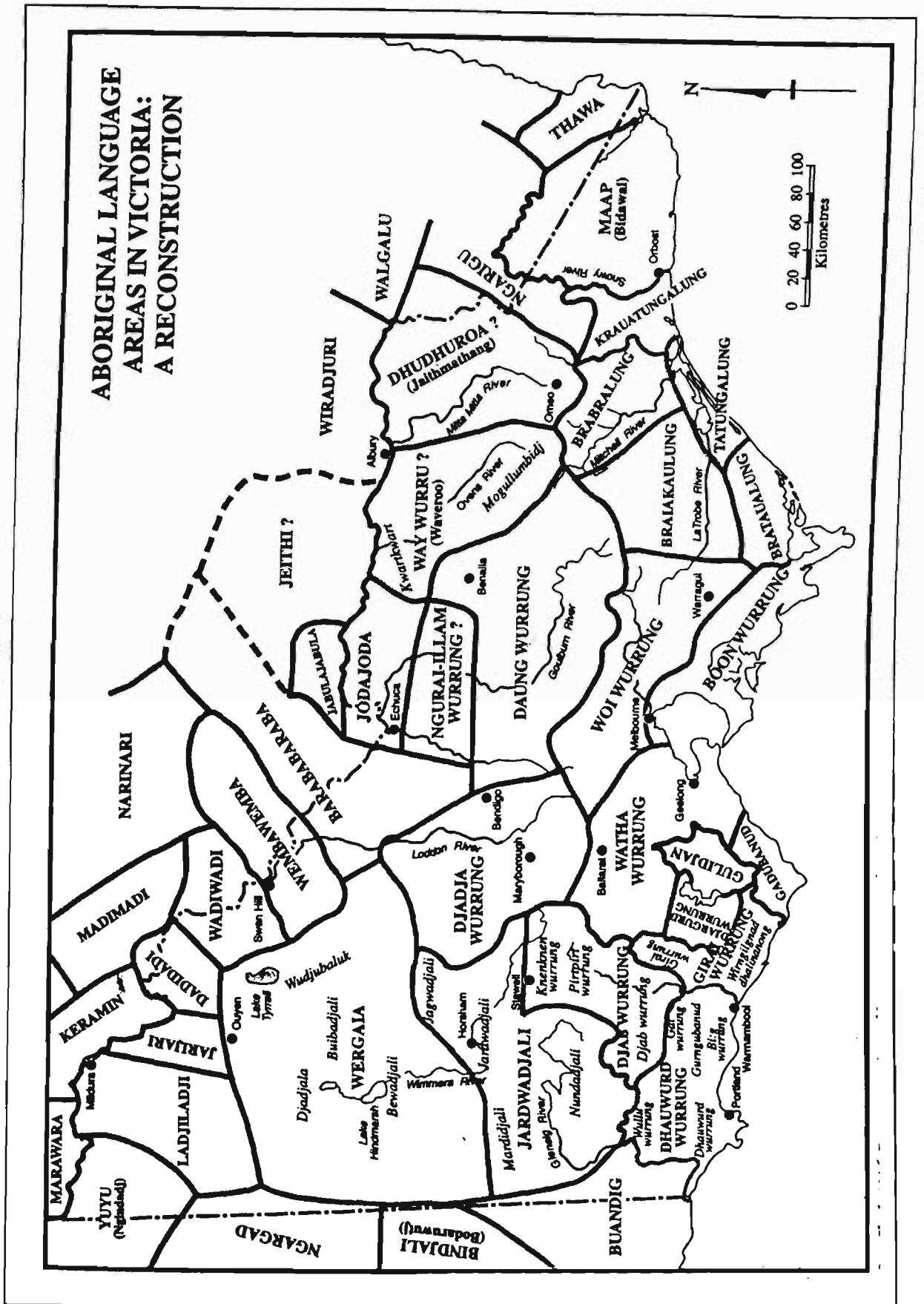
Map 3. Ian Clark's 1996 reconstruction of language areas (reproduced with his permission)

INDEX TO LOCAL ABORIGINAL COMMUNITY ORGANISATIONS

BD Ballarat and District Aboriginal Co-operative Ltd
BI Brambuk Incorporated
BW Bendigo DJA Dja Wrung Aboriginal Association Incorporated
CG Central Gippsland Aboriginal Health and Housing Co-operative Ltd
CJ Camp Jungai Co-operative Ltd
CK Corandenrk Koori Co-operative Ltd
FA Framlingham Aboriginal Trust
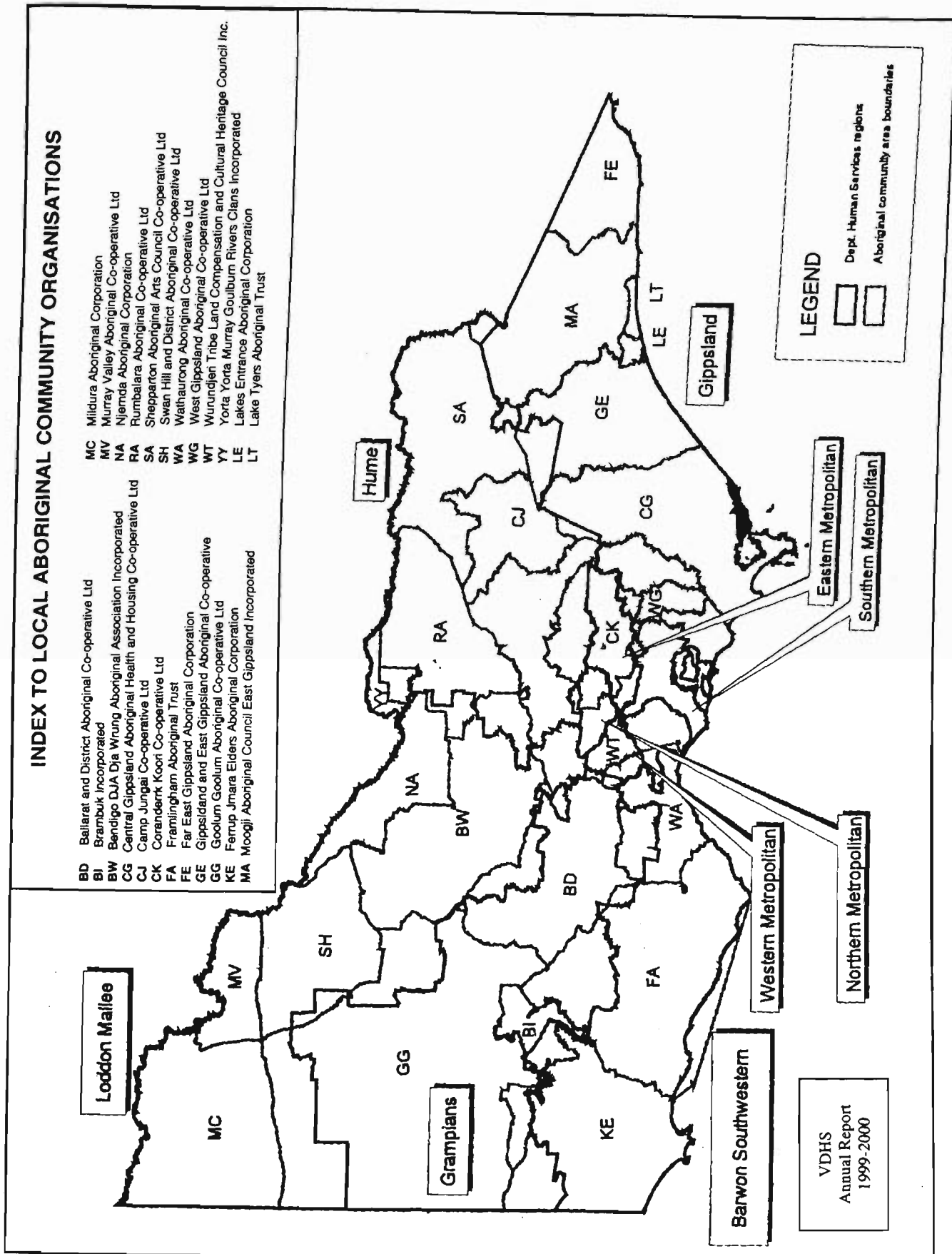FE Far East Gippsland Aboriginal Corporation
GE Gippsland and East Gippsland Aboriginal Co-operative
GG Goolum Goolum Aboriginal Co-operative Ltd
KE Ferrup Jmara Elders Aboriginal Corporation
MA Moogji Aboriginal Council East Gippsland Incorporated

MC Mildura Aboriginal Corporation
MV Murray Valley Aboriginal Co-operative Ltd
NA Njernda Aboriginal Corporation
RA Rumbalara Aboriginal Co-operative Ltd
SA Shepparton Aboriginal Arts Council Co-operative Ltd
SH Swan Hill and District Aboriginal Co-operative Ltd
WA Wathaurong Aboriginal Co-operative Ltd
WG West Gippsland Aboriginal Co-operative Ltd
WT Wurundjeri Tribe Land Compensation and Cultural Heritage Council Inc.
YY Yorta Yorta Murray Goulburn Rivers Clans Incorporated
LE Lakes Entrance Aboriginal Corporation
LT Lake Tyers Aboriginal Trust

LEGEND
☐ Dept. Human Services regions
☐ Aboriginal community area boundaries

Loddon Mallee
Hume
Gippsland
Eastern Metropolitan
Southern Metropolitan
Western Metropolitan
Northern Metropolitan
Grampians
Barwon Southwestern

VDHS
Annual Report
1999-2000

Map 4. Victorian Department of Human Service Regions and approximate Aboriginal Community area boundaries (addapted from VDHS 1999-2000 Annual Report, p.68).

Appendix B

Interview Schedule

Questions relating to Personal Details:

1. Are you male or female?

2. Are you aged between 20-30, 31-40, 41-50, 51-60, or 61-70 years?

3. Do you describe yourself as an Indigenous or non-indigenous person?

4. A contact name and address and/or phone number is necessary in order to send a copy of your interview to you when it is typed.

Questions related to the KSIS in general.

5. How are you involved with the KSIS?

6. How would you describe the Koori Services Improvement Strategy (KSIS)?

7. The KSIS uses the terms "community" and "community consultation". What do you understand the word "community" to mean?

8. What do you understand by the words "community consultation"?

9. Do you think "community consultation" has occurred in the past in relation to the KSIS?

10. Do you think "community consultation" is an ongoing process for the KSIS?

11. What do you understand Aboriginal Self-determination to mean?

12. Do you think the KSIS supports Aboriginal Self-determination?

13. On what do you base your knowledge of the KSIS?

14. Do you think the KSIS is succeeding in its aims?

Questions relating to statements in the Koori Services Improvement Strategy:
'Aims'

15. Do you think the Koori Community is being involved in "developing, delivering and evaluating policies, programs and services"?

16. Do you think "relevant and culturally appropriate ... programs and services [are being] developed and delivered" to the Koori Community?

17. Do you think the "planning and co-ordination of human services for the Koori Community between communities, service providers and funding agencies and at all levels of government" is being improved?

18. Do you think "the management, monitoring and evaluation of programs and services" is being improved?

'Challenges'

19. Do you think the Koori Community doubts the Department of Human Service's (VDHS) commitment to the strategy and to empowering the Koori Community?

20. Do you think Koori organisations are ready and able to adapt to the change from historical funding to "outcomes-driven service purchasing"?

21. Do you think that the Koori Community recognises that mainstream providers are able to respond to the needs of Koories?

22. Do you think Koori Organisations have enough resources to participate in community service planning processes and develop a competitive skills base?

23. Do you think mainstream service providers are happy to be involved in local/regional reference groups and are committed to the process?

24. Do you think there is sufficient commitment of VDHS staff in all Regions and Divisions?

Questions Specific to Reference Groups: 'Implementation milestones'

25. Have Koori employment targets in VDHS Regions and Divisions been identified?

26. Have the necessary resource requirements for Koori organisations been identified?

27. Have local/regional and statewide Koori community service plans been developed?

28. Have Koori organisations received comprehensive information on programs and services?

29. Have Koori organisations identified training and development needs?

30. Have clearly defined service specifications, outputs, performance indicators and purchasing models in line with the strategy been developed for Koori-specific services or services which have a significant impact?

31. Have key performance indicators and targets been developed?

32. Are there any things about the KSIS that you think are important which we have not discussed yet?