

The failure of the Howard Government's 'practical' reconciliation policy

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Introduction

In 1991, the Australian Commonwealth Parliament unanimously passed the *Council for Aboriginal Reconciliation Act (Cth) 1991* (hereafter the CAR Act). The CAR Act instituted a process that aimed to reconcile Indigenous and non-Indigenous people by the end of 2000, in time for the Centenary of the Federation of Australia. This ten-year process had three primary goals: to educate the wider Australian community about reconciliation and Indigenous issues; to foster an ongoing national commitment to address Indigenous socio-economic disadvantage; and to investigate the desirability of developing some form of document of reconciliation, and if it was considered desirable, to provide advice concerning the content of such a document.

The election of the Howard Liberal/National Coalition Government in 1996, halfway through the reconciliation decade, saw a significant shift in the Commonwealth Government's approach to both reconciliation and, more broadly, Indigenous Affairs. The new Howard Government largely rejected the previous Hawke and Keating Labor Governments' policies of advocating a limited notion of Indigenous rights (such as self-determination and native title, but not a treaty or national land rights) and symbolic reconciliation (such as formally recognising the Aboriginal flag). The Howard Government also largely ignored the three primary goals of the reconciliation process - education, socio-economic disadvantage and a document of reconciliation - which had been bipartisan policy when the CAR Act was unanimously passed by the Commonwealth Parliament just five years earlier. Instead, the Howard Government implemented a new policy of 'practical' reconciliation. This policy advocated that the Government priorities should be primarily to address the substantial socio-economic disadvantage experienced by many Indigenous people in health, education, housing and employment.

In this paper, I analyse the Howard Government's policy of 'practical' reconciliation over the past eleven years. I argue that the policy has been a substantial failure on three main levels. First, the policy ignored the importance of symbolic reconciliation in providing some justice to Indigenous people. Second, the policy did not recognise the fundamental nexus between Indigenous rights,

such as self-determination and land rights, and Indigenous socio-economic disadvantage. Third, the policy did not actually succeed in alleviating Indigenous socio-economic disadvantage.

'Practical' reconciliation

Following their election victory in 1996, the Howard Commonwealth Government abandoned the approach of the previous Hawke and Keating Labor Governments on both Indigenous Affairs and reconciliation. The new Prime Minister was determined to reject any notion of Indigenous separateness, even of a symbolic nature. One of his Government's first acts was to dramatically reduce the budget of the Aboriginal and Torres Strait Islander Commission (see Gunstone 2006). Indigenous leaders criticised this change. Geoff Clark (1998: 5) stated "from the outset, the Coalition Government has systematically attacked Indigenous rights". Instead, the Howard Government focussed on 'practical' reconciliation rather than on issues of symbolism and Indigenous rights. The policy of 'practical' reconciliation argued that the Government's main focus in Indigenous Affairs should be to address Indigenous socio-economic disadvantage, particularly in health, education, housing and employment. Thus, of the three broad goals outlined at the beginning of the reconciliation process in 1991 - education, Indigenous socio-economic disadvantage and a document of reconciliation - the Howard Government stated that just one - Indigenous socio-economic disadvantage - would be their primary focus in Indigenous Affairs. The Prime Minister justified the new policy of 'practical' reconciliation in an article written in 2000:

It is right that we address in a practical and effective way the ongoing consequences of these aspects of our history. Reconciliation is about attitudes and acceptance just as it is about policies and programs ... it calls for practical policy-making that effectively addresses current indigenous disadvantage particularly in areas such as employment, health, education and housing ... the cornerstone of the reconciliation process should be a renewed national focus on the substantive causes of Aboriginal and Torres Strait Islander disadvantage. Through practical measures to which I will return, the government has focussed its efforts on the areas of indigenous health, education, housing and employment (Howard 2000: 88-90).

Howard's attempt to redefine reconciliation as that concerned primarily with improving Indigenous socio-economic disadvantage rather than either the three broad reconciliation goals or symbolic acts of reconciliation, such as apologising to the stolen generations, was most famously articulated during his speech to the 1997 Australian Reconciliation Convention, a speech that resulted in many in the audience turning their backs on him:

Reconciliation will not work if it puts a higher value on symbolic gestures and overblown promises rather than on the practical needs of Aboriginal and Torres Strait Islander people in areas like health, housing, education and employment ... This practical, on-the-ground approach will remain a primary focus of our policy making (Howard 1997).

This refocusing of Commonwealth Government priorities onto 'practical' rather than symbolic forms of reconciliation initiated a fierce debate in the wider Australian community concerning the emphasis that the Howard Government should place on either or both of these forms of reconciliation. Several conservative commentators agreed with Howard that 'practical' reconciliation, rather than any symbolism, was required to address Indigenous socio-economic disadvantage. For instance, McGuinness (2000: 239) argued, "the dreadful hopelessness and mounting suicides in Aboriginal communities ... do not require a peace treaty or a formal statement of reconciliation. What is needed is some real effort at overcoming actual problems by practical means" (see also Hughes 2003: 11; Albrechtsen 2002: 39).

However, there were numerous critics of the Howard Government's prioritising of 'practical' over symbolic reconciliation. Although recognising the urgent need to address Indigenous socio-economic disadvantage, these critics attacked the Howard Government and the Prime Minister's stance as reducing the meaning of reconciliation to merely one of assimilation. Reynolds (2000: 53-54), for example, argued, "the prime minister, Mr Howard, has resolutely resisted any discussion of a treaty and appears to see reconciliation as being about improving service delivery. It is a narrow, unimaginative and essentially assimilationist view" (see also Clark 2000: 229; Pearson 2000: 166; Rigby 2000: 9).

Howard was also accused of failing to comprehend the importance and connectivity of both symbolic and 'practical' acts of reconciliation to the overall success of the reconciliation process. The former conservative Prime Minister, Malcolm Fraser argued "there will never be reconciliation with Aboriginal people and other Australians unless we understand that there are both material and spiritual issues involved" (Fraser, cited in Burney 2000: 69; see also Naidoo 1998: 142).

Some Indigenous commentators, such as Mick Dodson, former Aboriginal and Torres Strait Islander Social Justice Commissioner for the Human Rights and Equal Opportunity Commission, and co-author of the *Bringing them Home* Report, argued that 'practical' reconciliation is really just about the citizenship rights of Indigenous people to access quality education, health and housing services (M. Dodson 2000; see also Clark 2000: 229; Anderson 1999: 232). These commentators asserted that reconciliation should be defined as involving both symbolism and Indigenous rights, such as land rights and sovereignty, but not as a process involving simply citizenship rights. Recent experiences in South

Africa have highlighted the importance of recognising the citizenship rights of all groups and not confusing the recognition of these rights as having achieved reconciliation. Rather, other actions, including symbolic acts, are needed in order for reconciliation to succeed (see Hamber 2000: 224).

Howard was also criticised for using this focus on 'practical' reconciliation for his own political purposes. When he rejected the Council for Aboriginal Reconciliation's *Document towards Reconciliation (2000)* due to "his rigid refusal to recognise Indigenous societies as pre-existing entities with rights and entitlements", he resorted to "the spurious grounds that only 'practical reconciliation' can ameliorate the 'problems of the Aborigines'" (Langton 2000: 28). The Howard Government's emphasis on 'practical' reconciliation was also seen by commentators as an attempt to avoid any discussion and debate about the need for structural, institutional changes in Australian society (see Clark 2000: 229).

Further, Howard was accused of emphasising his government's support for 'practical' reconciliation to avoid being accused of not actually doing enough to address Indigenous socio-economic disadvantage. "John Howard's empty rhetoric professing commitment to indigenous health, education and employment (reported without any serious analysis by the media) is in stark contrast to the lack of effective government programs in these areas" (Tickner 2001: 47; see also Tatz 2000: 75; Behrendt 2003: 10). Despite the Howard Government's public commitment to 'practical' reconciliation, it predominantly failed to develop effective programs and policies to address this commitment to address Indigenous socio-economic disadvantage (Tickner 2001: 47; Pearson 2002).

This failure can be illustrated by several examples of the Howard Government implementing, or failing to implement, certain Indigenous Affairs policies, the effects of which were detrimental to Indigenous socio-economic conditions. One such example was the refusal of the Howard Government to overturn the Northern Territory's mandatory sentencing legislation, instead merely removing juvenile offenders from the legislation's jurisdiction (Loff 2000: 2071). This was despite both the Royal Commission into Aboriginal Deaths in Custody's key recommendations to divert Indigenous offenders away from the prison system and the evidence of the increased incarceration rate of Indigenous people in the Northern Territory following the introduction of the mandatory sentencing legislation (Loff 2000: 2071; NAALAS 2000: 11).

Another example was the Howard Government's changes to Abstudy, an important and long-standing scheme designed to support and encourage Indigenous people accessing all levels of the education system. These changes, which ensured the mainstreaming of Abstudy, saw a significant reduction of over 10 percent in the number of Indigenous people accessing both University and TAFE sectors in a single year, from 1998/99 to 1999/2000 (Brabham et al. 2002: 12).

Yet another example was the lack of resources spent on Indigenous health. Indigenous health is about three times worse than overall Australian health, yet, in 2002, on a per capita basis, the Howard Government spent, in the health programs that it directly controls, only 74 cents on Indigenous people for every \$1 spent for the wider Australian population (Ring and Elston 1999: 228; Ring and Brown 2002: 629). In terms of funding from all sources, in 1998-99, for every one dollar spent on overall Australian health, only \$1.22 was spent on Indigenous health, despite the significant health disadvantage suffered by Indigenous people (AIHW 2001: 2). Further, in the two main Commonwealth-funded health programs - Medicare and the Pharmaceutical Benefits Scheme - the level of expenditure for each Indigenous person was just 37 percent of the level of expenditure for each non-Indigenous person and overall the two health programs only contributed 7.3 percent of the total amount spent on Indigenous health, compared to 23.9 percent of the total amount spent on non-Indigenous health (AIHW 2001: xiv). Finally, from 1995-96 to 1998-99, the proportion of funding spent on Indigenous health from the overall health funding area, (including Commonwealth, State, Territory and Local Governments, private health insurance and out-of-pocket expenses), only increased from 2.2 percent to 2.6 percent (AIHW 2001: 16; AIHW 2002: 211). As Ring and Elston (1999: 231) argued, "the current situation [in funding for Indigenous health], where the Commonwealth is spending perhaps a fifth of what it should be spending on a needs basis, is a major impediment to effective reconciliation".

These and many other examples suggest that the new approach to Indigenous Affairs policy adopted by the Howard Government was based less on an attempt to improve policy and more on being seen to reject the previous Keating Government's policies. Further, this approach by the Howard Government was also driven by opinion polls and populist policies.

Altman and Hunter (2003) have also questioned the effectiveness of the Howard Government's emphasis on 'practical' reconciliation. They examined socio-economic outcomes for Indigenous people throughout the decade of the reconciliation process and compared these socio-economic outcomes for Indigenous people in the Hawke and Keating era and the Howard era. They concluded that, "while practical reconciliation forms the rhetorical basis for Indigenous policy development since 1996, there is no evidence that the Howard governments have delivered better outcomes for Indigenous Australians than their predecessors" (Altman and Hunter 2003: v; see also Hunter and Schwab 2003: 94-96; Ross 2001: 155; Wyatt 2001: 181-182; Gunstone 2007).

Another significant concern with the promotion of 'practical' reconciliation by the Howard Government and its ideological allies was that the widespread debates that occurred in the broader Australian community following the development of this policy were concerned predominantly with 'practical' versus symbolic reconciliation. However, while non-Indigenous people mostly focussed on the

various advantages and disadvantages of 'practical' and symbolic reconciliation, many Indigenous people, including political leaders Pat Dodson, Geoff Clark and Gatjil Djerrkura, advocated the need for substantive reconciliation (see P. Dodson 2000: 270-272; Clark 2000: 233; Djerrkura 1999). Indigenous people who articulated this approach included those who worked within the reconciliation process as well as those who were marginalised by the process (Pratt, Elder and Ellis 2001: 145). They argued that substantive reconciliation would address those issues, such as Indigenous rights - including sovereignty, land rights, a treaty and self-determination - and the transformation of existing power relationships, which had been largely ignored by both symbolic and 'practical' reconciliation (see Gale 2001: 131).

However, the arguments for substantive reconciliation were largely ignored by Governments, the Opposition parties and the wider non-Indigenous community due to the fierce debates, outlined above, concerning whether symbolic or 'practical' reconciliation was the most appropriate approach. Thus, these debates not only contributed to the confusion concerning the meaning of reconciliation, they also assisted in preventing any widespread discussion of substantive reconciliation.

Finally, in recent years, it seems that the Howard Government might be winning this battle over 'practical' and symbolic reconciliation. Shanahan (2003: 11) argued that Howard's focus over many years in advocating 'practical' reconciliation "has worn down and worn out the public arguments" and has ensured that he has "won the rhetorical war" on this issue. Thus, some Indigenous leaders have now adopted elements of Howard's language on 'practical' reconciliation. Richie Ah Mat has praised the Howard Government's approach to reconciliation and dismissed "progressivist platitudes about symbolic reconciliation and walking bridges" and both Ah Mat and Noel Pearson have argued that symbolic reconciliation can be an "impediment" to alleviating issues such as welfare dependence and domestic violence (Scott 2003: 6; Hughes 2003: 11). Some Labor politicians have also utilised the rhetoric of the Howard Government. In 2003, Judy Spence, then Minister for Aboriginal and Torres Strait Islander Affairs in the Labor Queensland Government, argued that there are "more important issues" than a stolen wages campaign by Indigenous people, and that Indigenous protesters should "have the same focus" on 'practical' reconciliation as does the Queensland Government (ABC 2003). However, a number of Indigenous leaders have heavily criticised this new emphasis on 'practical' reconciliation, including Pat Dodson, who described it as a "virulent form of assimilation" (Rintoul 2003: 3; see also Huggins 2003: 11; Ridgeway 2002: 6; Dodson 2007).

Conclusion

The Howard Government's policy of 'practical' reconciliation has been a dismal failure. In implementing the policy, the Howard Government argued that previous governments had not focussed enough on Indigenous socio-economic disadvantage. Yet, eleven years after the announcement of this 'practical' reconciliation policy, Indigenous socio-economic disadvantage remains, in general, at appalling low levels, both in absolute terms and in relation to non-Indigenous socio-economic conditions.

The Howard Government's almost exclusive focus on 'practical' reconciliation and refusal to consider symbolic issues shows this Government to be one that has failed to embrace the importance of symbolism in bringing some form of justice to Indigenous peoples. Also, by refusing to recognise Indigenous rights, such as enacting a treaty, recognising Indigenous sovereignty and respecting Indigenous land rights, the Howard Government has failed to understand the fundamental links between Indigenous socio-economic disadvantages and Indigenous rights.

Further, it appears that the Howard Government has learnt little over the past eleven years of policy failure in Indigenous Affairs. In June 2007, the Government announced that it would dramatically intervene in the management of Northern Territory Indigenous communities. After a decade and more of largely ignoring Indigenous socio-economic disadvantage in the Northern Territory, including predominantly ignoring the Northern Territory mandatory sentencing regime, the Howard Government suddenly decided to become involved in these communities. Yet, how did this involvement occur? The Commonwealth Government passed legislation that involved temporarily suspending the *Racial Discrimination Act (Cth) 1975*, withheld government benefits from Indigenous people but not non-Indigenous people, dismantled many key aspects of the Northern Territory land rights regime and largely refused to engage with Indigenous leaders about the Commonwealth legislation and its implementation (see Altman and Hinkson (2007), particularly Behrendt (2007) and Mansell (2007) for more information and perspectives on the Commonwealth Government Northern Territory intervention). This involvement illustrates that the Howard Government continues to completely fail to understand the critical connections between Indigenous rights, (including self-determination and land rights), symbolism and 'practical' reconciliation. The involvement also shows that the policy of 'practical' reconciliation, as a stand alone Indigenous Affairs policy, is essentially one of assimilation in that it claims to aim purely for 'formal' rather than 'substantial' equality.

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