The Howard Government's Northern Territory Intervention: Are Neo-Paternalism and Indigenous Development Compatible?

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History will look back at the federal 'national emergency' intervention of 21 June 2007 and see it for what it is: a bizarre moment in Indigenous policy making without precedent since 1967; certainly without precedent in the 30 years I have been involved with Indigenous policy; and hopefully an event that will never recur.

The reference to 'neo-paternalism' in my title refers to the return of an approach from an earlier era discarded as policy some 40 years ago: the era of assimilation that was a failure for both Indigenous Australians and the nation. Perhaps the images from a card currently being distributed by Centrelink throughout prescribed communities (as remote area welfare exemptions are progressively removed) capture some of what is going on in the Northern Territory (Fig. 1).

How this national emergency came about will, with time, have many interpretations. There is already a growing literature on this issue; what I present today is my interpretation.[1] The *Little Children are Sacred* report by Pat Anderson and Rex Wild was completed at the end of April 2007 and released in mid June: this report, the most recent of many in the past 18 years, provides a horrific and very moving account of cases of child sexual abuse in many Northern Territory communities.[2] It acted as one catalyst for the announcement of the intervention (the 'Northern Territory Emergency Response', henceforth NTER). It is notable that the decision was taken at the level of the leadership, by the Prime Minister and his Minister, not by the government of the day or the executive.

There have been a number of rationales provided for why the decision to intervene was made at this time. They include the following:

- Frustration that the Northern Territory Government had not moved quickly enough in implementing the Anderson/Wild report;

- A desire by Mal Brough, an ambitious and passionate Indigenous Affairs Minister, to cut through political and bureaucratic inertia;

- Electoral and political opportunism based around 'wedging' the federal Opposition (that is, using the divisive and controversial nature of the issue to split apart or create a 'wedge' in the support base of the Australian Labor Party);

- The need to be seen as taking an initiative in the run up to an election, using the concerted and often sensationalised media focus on Indigenous negatives as a populist aid; and

- The existence of federal 'territory powers' that provide the constitutional rationale for such interventions.

NTER:
Northern Territory
Emergency
Response

In the recently published *No, Prime Minister,* political scientists James Walter and Paul Strangio suggest that the NTER is an example of John Howard's frenzied instinct to control as he contemplates power slipping away.[3] There is also a suggestion that Howard was genuinely moved by a radio interview that Noel Pearson gave on Monday 18 June, advocating for Cape York reform.

In the 138 days [to 7 November 2007] since the intervention was declared—with its mobilisation of the armed forces, unprecedented powers for civilians and police, and recruitment of volunteer aid workers—there has been a frenzied level of media attention in Indigenous affairs (even during the federal election campaign), and frenetic bursts of policy-making on the run. Blind faith defence of the intervention by politicians and their agents has usually been based on a seeming unassailable call to 'save the children', a moral imperative that hides unstated, untested, but very evident ideological motivations far removed from concerns of child welfare.

There is a view that the NT intervention was concocted in a few days, mainly by Howard, Brough and two very senior bureaucrats. However, it did not have a virgin birth: in fact it is the result of a considerable policy history that accords with the Prime Minister's long-held ideological preconceptions around 'normalisation' for Indigenous Australians. This goes back a long way, and was certainly evident in Howard's very sceptical response to the existing policy framework on his election in 1996. Reconstituting Indigenous affairs was a core ideological issue for the first Howard Government, and was primarily expressed through a litany of negatives: anti ATSIC (the Aboriginal and Torres Strait Islander Commission), anti native title, anti reconciliation, anti the rights agenda, anti apologizing to the Stolen Generation, anti land rights and anti the diverse intercultural institutions of Indigenous Australia that Tim Rowse has termed 'the Indigenous sector'.[4] Howard, so dominant in the past decade, was and remains a sceptic about cultural difference.

ATSIC:
Aboriginal
and Torres
Strait Islander
Commission

The Prime Minister tried to dilute and demolish many Indigenous institutions but was largely unsuccessful (bar the *Native Title Act* amendments of 1998) because of a hostile Senate. Walter and Strangio contend however, that on core ideological issues neither evidence nor public opinion will dissuade Howard, he has the patience to bide his time and await more favourable political circumstances.

These more favourable circumstances came in 2004, first when—owing to accidental bipartisanship between Labor's Mark Latham and the Prime Minister—ATSIC was abolished. Then came the Coalition Senate majority from 1 July 2005, which delivered an unexpected bonus. For the first time since 1996, the Howard Government was unfettered in Indigenous affairs (and in other policy areas).

With the abolition of ATSIC, the central concepts of Indigenous policy were changed from a paradigm loosely termed 'self determination' to a cluster of terms centred on 'mutual obligation', 'shared responsibility', 'mainstreaming' and 'normalisation'—a language borrowed from international social policy developments in other neoliberal states.[5]

At the same time, the nature of public expenditures in Indigenous affairs were changed: Indigenous-specific programs were moved to mainstream agencies and Indigenous specific allocations were shifted gradually from more settled to more remote regions, as noted just yesterday [6 November 2007], by Morris Iemma, the Premier of NSW.[6]

Indeed, policy and popular discourse focused increasingly on two remote regions: Cape York and the Northern Territory. In the former such focus was invited, in the latter it was uninvited. An escalating and increasingly ideological conservative rhetoric highlighted real and imagined past failure in policy; much,

Fig. 1. A Centrelink pamphlet distributed in prescribed communities during the Northern Territory Emergency Response.

Table 1. Comparison of key variables: Northern Territory Indigenous versus Australia Indigenous, 2006.

Variable	Northern Territory – Indigenous	Australia– Indigenous	Ratio
Unemployment rate (% labour force)	14.4	15.6	0.9
Labour force participation rate (% adults)	38.9	51.2	0.8
Employment to population ratio (% adults)	33.3	43.2	0.8
Private-sector employment (% adults)	19.2	32.8	0.6
Median income, Individual ($)	215	278	0.8
Median income, Household ($)	837	791	1.1
Home owner or purchasing (% households)	20.0	35.9	0.6
Average number of persons per bedroom (persons)	1.8	1.3	1.4
Household size (persons)	4.5	3.4	1.3
Never attended school (% adults)	8.5	2.5	3.5
Completed Year 10 or higher (% adults)	40.2	66.4	0.6
Completed Year 12 (% adults)	10.1	22.2	0.5
Post-school qualification (% adults)	13.1	23.8	0.6
Degree or higher (% adults)	1.8	4.4	0.4
Population aged over 55 years (% population)	7.7	8.2	0.9

Source: 2006 ABS Census of Population and Housing.

like land rights and the Community Development Employment Projects (CDEP) programme, developed prior to 1996. However, this nascent public discourse generally ignored the accountability of the Howard Government since its election in 1996.

In Indigenous affairs, the Howard Government has set what I have previously termed the NT 'trap' or 'pincer' into which it is easy to fall.[7] On one hand the policy focus is increasingly on only 66,000 out of 517,000 Indigenous people, some 13% of the total Indigenous population.[8] The Australian Government's public views are increasingly defined in terms of the remotest dwelling Aboriginal people.

On the other hand, this focus is justified by a fiction that these locales are where things are *really bad*, especially on emotive issues like child abuse. This is simply untrue, as Ian Anderson and Peter Botsman have pointed out using Australian Institute of Health and Welfare sex abuse notification data published earlier this year.[9]

Things in the NT *are* bad though, when compared to Australia-wide Indigenous standards, as the latest 2006 Census data reveal (Table 1). This is because a high proportion of the NT population, 32%, is Indigenous, compared to the national proportion of 2.5%; and a high proportion (greater than 80%) are living in remote regions. It is also because the Australian Government has done little to address these issues, either before self-government in 1978 when it administered the NT, or since 1978 as it has continued to deliver major initiatives such as the CDEP programme and Community Housing and Infrastructure Program (CHIP) to remote communities.

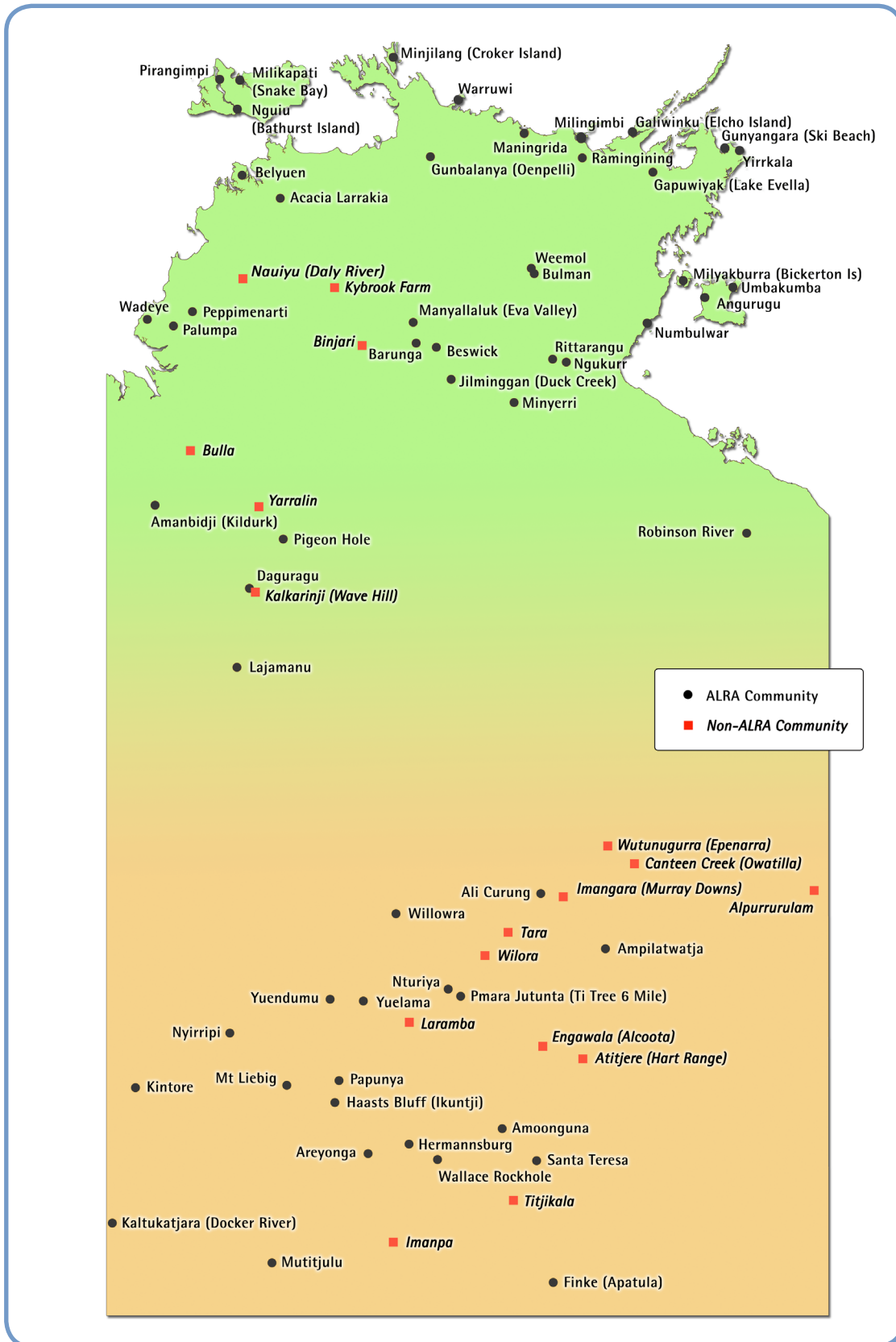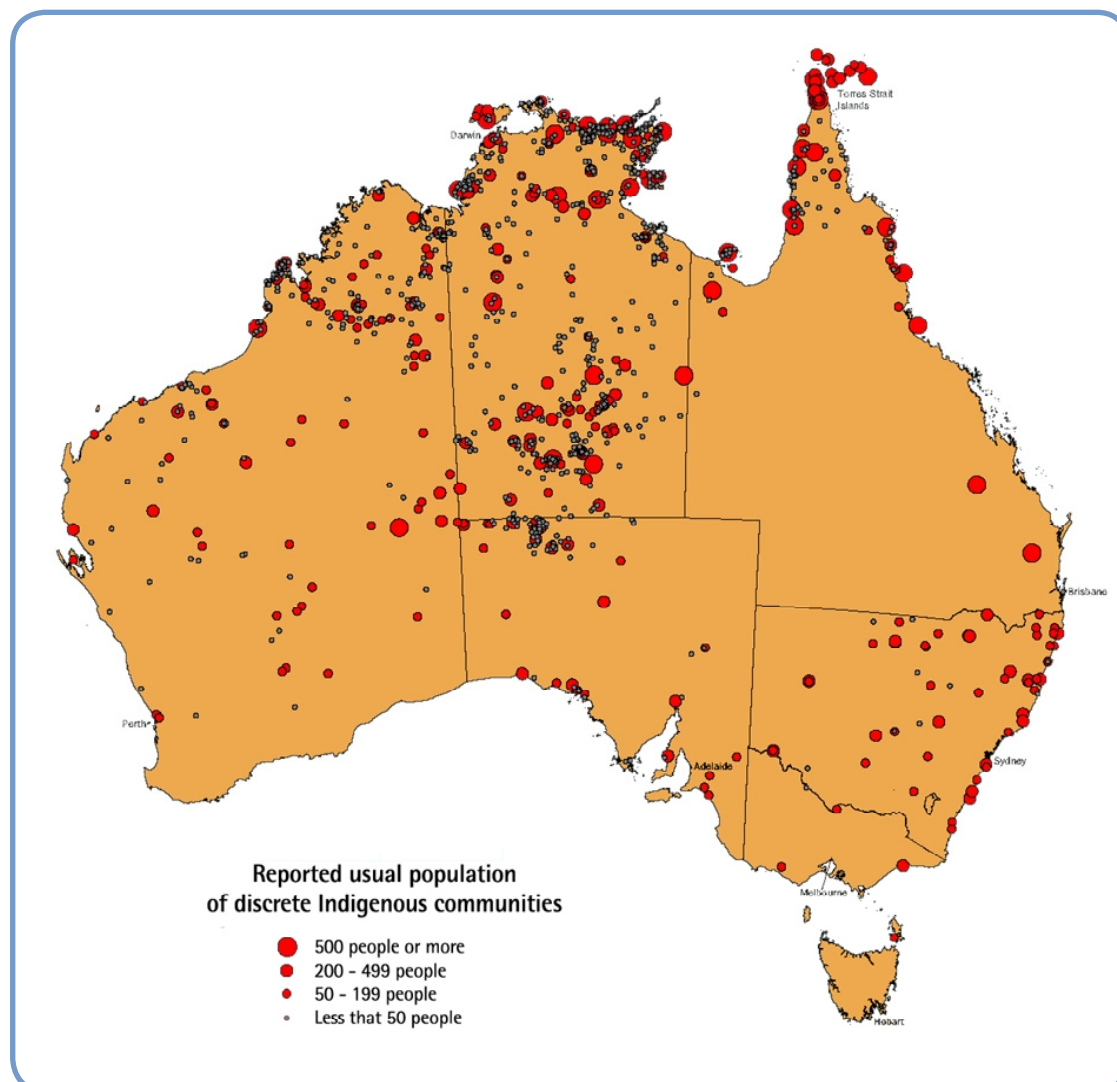## Fig. 2. Prescribed communities, Northern Territory Emergency Response.

Fig. 3. Discrete Indigenous communities, ABS, 2006.

Source: ABS.

The core neoliberal ideology of assimilation also gained momentum in the post-2004, post-ATSIC period. Right-wing think tanks enhanced their attacks on Indigenous difference, sometimes because remote communities were deemed to have too much custom that was incompatible with neoliberalism; sometimes because this custom was deemed to be broken, and consequently producing unacceptable lawlessness, a potential threat to the state and capital and Indigenous people themselves in remote regions. The Australian Government was very comfortable with such attacks.

Such attacks were clearest in the complex and iconic debate over land rights, where the Howard Government had taken a terrible policy hiding in 1999, when the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs rejected the expensive and expansive Reeves report in its entirety.[10] While conservative think tanks like the Centre for Independent Studies (CIS) and the Bennelong Society had chipped away at land rights before 2005, there is no doubt that their campaigns accelerated and gained boldness following the abolition of ATSIC. Their views were supported by conservative voices on the government-appointed National Indigenous Council (NIC) and by a compliant and influential Murdoch media.

CIS:
Centre for Independent Studies

NIC:
National Indigenous Council

● Altman

Fig. 4. Indigenous land interests greater than 1,000 ha as at 31 December 2006.
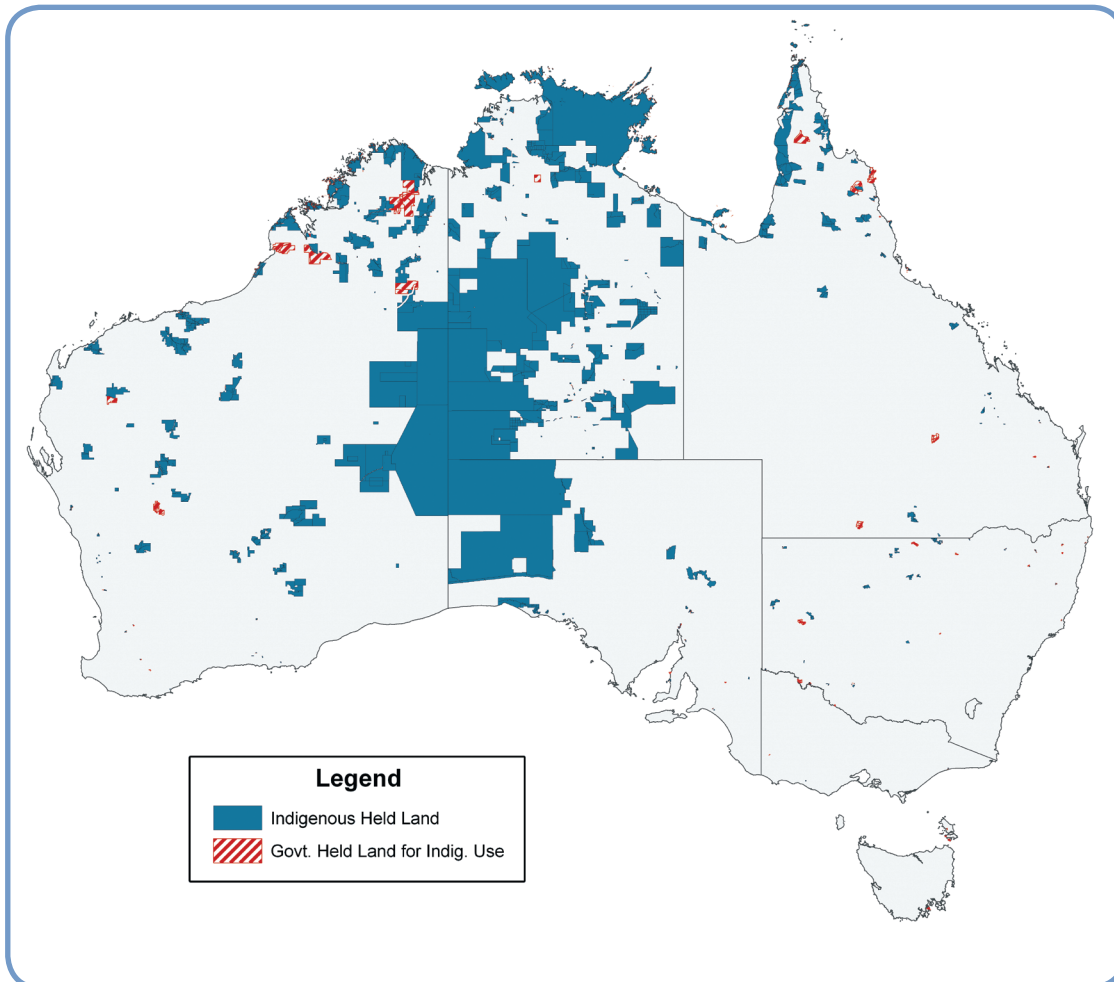
Source: Indigenous Land Corporation.

David Scrimgeour, in a speech to the Public Health Association of Australia made in September, analyses proposals in Helen Hughes' CIS-published book *Lands of Shame* (the title ironically juxtaposed to H.C. 'Nugget' Coombs' *Land of Promises*[11]) and notes the similarity between her recommendations and the NTER measures.[12] What Scrimgeour did not know is that while the book was published in May 2007 (to provocatively coincide with the 40th anniversary of the 1967 referendum), it was made available as a manuscript to the upper echelons of the Office of Indigenous Policy Coordination in February 2007, to ensure that it accorded with Minister Brough's vision for remote Australia.[13]

At the same time we have witnessed the abandonment of consultation with Indigenous people, diminishing use of available statistical and research evidence and increased marginalisation of the experts—especially if their views diverge from national leadership. These same leaders are increasingly thinking very narrowly about very difficult policy problems and consequently are making poor policy decisions.[14] This is something that I will now show to be the case in the NT intervention.

THE NT INTERVENTION

The NT intervention started with a very unclear focus, but settled eventually on 73 prescribed communities with populations of over 200 (Fig. 2: communities marked by a circle are on Aboriginal-owned land; those by marked by a square are on non-Aboriginal land). It is unclear how these communities mesh with the 640 discrete Indigenous communities in the NT (Fig. 3) or with Aboriginal owned land that covers 600,000 sq kms of the NT (Fig. 4).

The intervention announced on 21 June consisted of 11 broad measures, with a 12th, the abolition of the CDEP scheme—without doubt the most destructive—being added a month later on 23 July.[15]

Much of the ensuing public and policy debate has focused on the fact that despite the suspension of critical thinking owing to the invocation of a 'national emergency' crisis, a number of the measures appear to have no link to the issue of child sex abuse. Some are *indirectly* linked (maybe) and some *directly* linked (maybe). The measures do not have any coherent logic or consistency, but can be clustered into the following three groupings:

1. Those that seek to discipline Indigenous subjects/labour/future labour

With non-discretionary quarantining of welfare incomes, supposed total grog bans, supposed total bans on pornography, (including, apparently, late night SBS movies), requirements for people to work for the dole (not CDEP) on community cleanups, and controlled tenancy arrangements that restrict modes of living, much of this can only be understood as aiming to 'neoliberalise' Indigenous labour.

2. Those that seek to dilute land rights or expand their potential for commercial development

These are the most contentious measures, because the process of abolishing permits was clearly underway prior to the intervention announcement, and the compulsory acquisition of township leases will dispossess traditional owners of their land. There is considerable scope for viewing these measures as what Pat Turner and Nichole Watson (2007) have termed a 'trojan horse' to further dispossess Aboriginal land owners.[16]

3. Those that seek to depoliticize democratic Indigenous organisations and to impose external control over townships

These measures include stripping CDEP organisations of their assets and abolishing CDEP, appointing government business managers with legal rights to attend the meeting of any democratically-elected organisation and with absolute powers in townships that probably exceed those of the settlement superintendent of earlier policy eras.

On 16 August, these measures were enshrined in Australian legislation that overrode the *Racial Discrimination Act* and violated human rights: the NTER suite of acts, totalling over 500 pages, were rammed through parliament in a week with scrutiny by a Senate Committee that was convened for just one day (and which received 154 submissions in the available 48 hours).[17] This was a return to the negative bipartisanship that saw the abolition of ATSIC. It is unclear if Labor acquiesced because of their fear of being 'wedged' on the emotive issue of child sex abuse or whether they were duped by 'national emergency' protocols. Only two minor parties challenged this suspension of due parliamentary process.

WHAT ARE THE OVERARCHING POLICY GOALS OF THE NT INTERVENTION?

The glib phrase 'Stabilise, normalize, exit' coined by Minister Brough on 21 June 2007 capture well both the militaristic humanitarianism embodied in the emergency intervention and Brough's own army background. It is a phrase that Melinda Hinkson and I used as the subtitle to our book *Coercive Reconciliation* because we believe it indicates a radical shift in Indigenous affairs.[18]

But what does it actually mean—bearing in mind that the NTER is purportedly about child sex abuse—and over what time frame is the intervention to occur? It soon became apparent that the 'stabilisation' phase was for 12 months; and normalisation (undefined, but let's assume it means practical reconciliation or statistical equality) is to occur in the following four years; to then be followed by 'exit', a term that hardly seems appropriate given that it is largely state failure that has generated the present social dysfunction crisis.

When proclaimed on 21 June the 'national emergency' was about child sex abuse, but very quickly—in July and into August—it came to focus on the issue of dysfunction. Then on 29 August, in his first visit to the 'national emergency jurisdiction', the Prime Minister indicated that the intervention was actually about mainstreaming or normalizing remote living Indigenous Australians. He tellingly told residents of Hermannsburg that 'whilst respecting the special place of indigenous people in the history and life of this country, their future can only be as part of the mainstream of the Australian community'.[19]

The Prime Minister's Hermannsburg statement raises three issues:

1. Does the externally defined aim of normalization accord with Indigenous aspirations across the 73 prescribed communities, or put another way, do non-mainstream, culturally-different Australians want to be like 'the rest of us'? (John Daly, Chairman of the Northern Land Council, put this question to the NTER Senate Committee hearing on 10 August).[20]

2. Is normalization by 2012 achievable, bearing in mind the snail's pace of progress in achieving 'practical reconciliation' between 1996 and 2007?

3. Even if desirable and achievable, will the latest policy framework, as now established, get us there? Will it deliver?

Let's examine each of these questions in turn.

What are Indigenous aspirations?

The first question can be answered briefly and in two ways. First, on theoretical grounds alone, top-down, imposed universalistic policies cannot take into account the diversity of Indigenous community perspectives or circumstances. Second, how would we know? There are no Indigenous representative organisations at the regional level to inform us, except perhaps for land councils, and those at the community level are being destroyed. All we have is the perspectives of conservative think tanks, the NIC, and Noel Pearson's influential Cape York Institute promoting particular views about Indigenous aspirations.

Is 'normalization' or 'mainstreaming' achievable?

These two terms are used interchangeably but rarely defined. They are highly contested notions and have a number of potential interpretations. At one end of the spectrum is the interpretation that Indigenous people should have access to the same range of programs and services available to other Australians. Few would argue with that. At the other end of the spectrum is the notion of normalization with which the Prime Minister is comfortable: that Indigenous citizens should take on the economic and social norms

Table 2. Comparison of key variables: Northern Territory Indigenous versus Northern Territory non Indigenous, 2006.

Variable	Northern Territory – Indigenous	Northern Territory – Non Indigenous	Ratio
Unemployment rate (% labour force)	14.4	2.6	5.5
Labour force participation rate (% adults)	38.9	78.7	0.5
Employment to population ratio (% adults)	33.3	76.6	0.4
Private-sector employment (% adults)	19.2	32.8	0.6
Median income in $ (Individual)	215	712	0.3
Median income in $ (Household)	837	1,324	0.6
Home owner or purchasing (% households)	20.0	56.4	0.4
Average number of persons per bedroom	1.8	1.1	1.6
Household size (persons)	4.5	2.5	1.8
Never attended school (% adults)	8.5	0.7	13.0
Completed Year 10 or higher (% adults)	40.2	88.7	0.5
Completed Year 12 (% adults)	10.1	48.4	0.2
Post-school qualification (% adults)	13.1	52.2	0.3
Degree or higher (% adults)	1.8	19.1	0.1
Population aged over 55 years (% population)	7.7	16.1	0.5

Source: 2006 ABS Census of Population and Housing.

of 'mainstream Australia'. The big picture answer to this second interpretation is that equality of socio-economic status will not occur if people continue to live on their land in remote Australia, if they retain distinct cultural practices and priorities and if they resist or do not desire to move up the settlement hierarchy to towns and cities (even though official statistics tell us equality in these locales is far from assured).

The enormity of the socio-economic gap is evident in Table 2, derived from the 2006 Census, that compares Indigenous and non-Indigenous Territorians. There is a new political correctness and neo-liberal arrogance that we can all be well-off, but in reality there are 2 million Australians living in poverty with too many Indigenous Australians among them.[21]

Will the current policy framework deliver?

Again, how would we know? A recent Australian National Audit Office report is ever-so-politely critical of the overwhelming evidence it presents that there is no implementation plan and no means to monitor progress following the establishment of the new arrangements in Indigenous affairs in 2004.[22] Similarly a report by the government-selected consultants Morgan Disney & Associates indicates that in 80 Shared Responsibility Agreements (SRAs) with Indigenous communities to date, it is government that is not meeting its commitments.[23]

SRA:
Shared Responsibility Agreement

I am willing to predict that moving people from work to welfare, instituting quarantining regimes that will be expensive and ineffective according to international evidence, compulsorily acquiring people's land, removing permits, providing more education and training without development projects for employment,

Table 3. Responses of five communities to fifteen intervention questions, October 2007.

Community	Central 1	Central 2	Central 3	Top End 1	Top End 2
Has the alcohol management regime changed?	Yes	Yes	No	No	No
Has alcohol consumption changed?	No less – but people moved	No less – but people moved	Yes – less, as more policing	Yes – more, as people moved	No
Have voluntary health checks been/being conducted?	Yes	Yes	Yes	Yes	Yes
Was coverage complete?	Yes	No	Unclear	No	No
Is income quarantined at 1 November 2007?	Yes	No	No	No	No
Has there been a change in school attendance?	Yes (linked to SRA)	Yes	No	Yes (linked to school lunches)	No
Is there a greater police presence?	No	Yes	Yes	No	No
Has the permit system been abolished?	No	No	Yes	No	No
Have new houses for Aboriginal residents been built?	No	No	Yes	No	No
Have new houses for intervention staff been built?	Yes	Yes	Yes	Yes	Yes
Has a government business manager been appointed?	Yes	Yes	Yes	Yes	Yes
Is he/she residing on site?	No	Yes	Yes	Soon	Soon
Has CDEP been abolished as at 1 November 2007?	Yes	No	No	No	No
Are computers being audited yet for pornography?	No	No	No	No	No
Have there been any sexual abuse referrals?	No	No/Not sure	No	No	No

Note: SRA = Shared Responsibility Agreement

banning grog in mainly dry communities … the list goes on, is not a 'viable policy framework' for sustainable outcomes. This of course is counter to the official line that focuses on the positives, provided mainly by the Minister and the intervention Task Force and regularly reported in compliant media like *The Australian*.

In an attempt to see how things are travelling four months on, I recently collaborated in some informal consultations with colleagues in five prescribed communities, three in central Australia and two in the Top End. While all these communities are happy to be identified, I have decided not to do so in case of possible retribution. I summarise my findings in Table 3. I note that Matthew Carney's recent *Four Corners* investigative documentary provides remarkably similar evidence.[24]

This is rich data: I will only make a few observations about what it indicates to me:

1. If this is really a 'national emergency' there are far too many cells with 'no' in them—can you imagine finding so many in a non-Indigenous 'emergency' jurisdiction?

2. The one significant full 'yes' row is for health checks, but coverage seems incomplete. In most cases there has been no follow up, it seems likely that there have been no referrals for sexual abuse, and local health centres and staff have been by-passed by intervention teams.

3. The other two full 'yes' rows are for the appointment of government business managers (although we know that overall coverage is less than 50%) and for housing intervention staff, generally without using local organisations or labour. As one community noted, the Task Force is shipping in mobile housing that can be shipped out again.

4. The very patchiness of this matrix, which would probably get more patchy if it was extended to 73 communities, suggests that the 'national emergency' rhetoric might not be matched by a 'national emergency' response.

Four months on, it seems to me that the intervention is proving unsuccessful in meeting its own, much less Indigenous, goals for two main reasons.

First, the intervention is *unrealistic* in terms of the extent of the backlogs and resourcing. On 21 June the Prime Minister declared that the intervention would cost tens of millions of dollars, a view vigorously defended by the Minister for Finance Nick Minchin. By August this had grown to hundreds of millions of dollars, and by September it had reached $1,400 million. My own estimate of the cost of meeting the backlogs—normalization in a services delivery sense—is $4 billion over 5 years.[25] This is conservative, and does not take into account the extremely worrying evidence that much of the expenditure to date is focused on intervention administration rather than delivery of additional or new services to Aboriginal people such as bricks and mortar housing or schools. I also note that this morning's election spendometer in *The Australian* (7 November 2007) exceeded $53 billion, mainly in the form of tax cuts to those relatively well off.

Second, the intervention is *unworkable* because it is unplanned (as distinct from untimetabled) in terms of the Commonwealth's capacity to deliver—bearing in mind that the Commonwealth has been delivering programs to remote NT for decades—and in terms of assessing and differentiating the needs of the 73 prescribed communities. It is also unworkable because it will be dependent on local on-the-ground personnel and expertise and organisations to implement, yet these are the very organisations that have been financially neglected, demeaned as failures and that are now being alienated, dismantled and depoliticised.

The Commonwealth is starting to realise both these problems as it is forced beyond simplistic mantras and passionate rhetoric and crunches up against hard reality. We are already seeing early evidence of attempts to walk away from responsibility for implementing the intervention.

In August, the Prime Minister criticised the Martin Government and Minister Brough continues to do so. At the same time the Commonwealth has provided substantial new resources ($600 million) to the NT Government and is delegating delivery responsibility—including to new areas like outstations that historically have been a Commonwealth responsibility.[26] The Territory will now look to cascade program delivery down to local, community-based organisations. The problem is that without CDEP organisations it seems unlikely there will be community capacity to deliver.

Despite the existence of a bilateral agreement between the Commonwealth and the NT signed in 2005, the two levels of government seem to be working against each other; for instance with different approaches to implementing the *Little Children are Sacred* report. Indigenous people are the inevitable victims of such inter-governmental bickering and program delivery buck passing.

Also, on theoretical and comparative historical, national and international grounds the overall approach seems a recipe for disaster. It is neo-paternalist, imposed without consultation, top-down, racist, non-discretionary, disempowering and nowhere implemented in its totality. While some Indigenous people want to cherry pick sensible aspects of the intervention, such as access to adequate housing, schooling and police, the totality of the package is probably far worse than its individual parts.

If I can stand here before you and make such dire predictions, doesn't the Australian Government also realize this? If it does, why did it embark on this policy adventure? I reiterate that:

- The intervention was implemented for political reasons, seizing a political opportunity. Part of the reason I can say this with confidence is that the 2007–08 election year Budget, announced just a month or so before the 'national emergency', failed to address seriously Indigenous backlogs—it was a budget of disappointment.[27]

- The Commonwealth had reached a policy tipping point built of frustration with the NT Government, mainly about land rights reform, and exercised its ability to intervene because of the 'territory powers' available under the Constitution.

- The Howard Government also saw an opportunity to appease influential conservative interests with some old scores to settle. The ideological authority came from a deep-seated belief in the market and its ability to deliver to Indigenous Australians, even in situations where the market is largely absent.

- The moral authority or moral cover came from the emotive issue of child abuse and supporting Indigenous voices—including Noel Pearson, Warren Mundine and Sue Gordon—mainly from outside the NT, people who political scientist Paul t'Hart has termed 'moral entrepreneurs'.[28] It was only in September 2007 when an Memorandum Of Understanding was signed with Galarrwuy Yunupingu for land reform in NE Arnhem Land that approval for the intervention was won from an influential NT Indigenous leader.[29]

- The political authority was derived from a Senate majority and from ALP bipartisanship or acquiescence. This can be explained in part by what Paul t'Hart has described as 'crisis exploitation' that suspends 'politics as usual' for the duration of an emergency.[30]

The government's rhetoric is powerful: those who oppose intervention measures are naysayers—at best they have nothing better to offer and at worst are aiders and abettors of child abuse. Yet despite the extremist framing of the debate and associated attempts to discredit any contestation of the intervention's approach and measures, there have been criticisms and dissident voices from the outset.

What do affected communities themselves think about the intervention? I asked the five communities reported above to highlight the three best and three worst aspects of the intervention, and elicited the responses recorded at Table 4. It is interesting that some saw positives in the intervention, but overall,

Table 4. Indigenous responses to the Northern Territory Intervention, October 2006.

Best things	Worst things
Opportunity for change	Loss of control
New dialogues within and between communities/unification of Aboriginal people	Pressure to be like whites
Some proper jobs	External micro management/government thinking they know what is best for us
No recalcitrants or work avoiders	Confusion
All employees work for community	Avoiding local leaders and elders
Kava ban (in a community without a kava licencing scheme in place)	Waste of productive time/additional meetings/ 'snowing white'/time invested in fighting the intervention
Government neglect revealed	Racist measures/overriding *Racial Discrimination Act*
Strengthened connection to country	Bipartisan political support (Commonwealth)
Increased school attendance	Disregard of Indigenous perspectives
Increased Aboriginal political awareness	Disempowerment and renewed distrust/ powerlessness
	Negative stereotyping/damaging the image and reputation of Aboriginal people/use of anecdote rather than objective data
	Disruption to CDEP/loss of pride in CDEP ventures
	Sewing seeds of conflict between Aboriginal people
	Undermining land rights and permit system

the negatives outweigh the positives, bearing in mind that in some communities many of the measures have not yet been implemented. One sentiment that has come across very strongly in my discussions with communities is that a big negative is 'humbugging': not from kin as Major General Dave Chalmers suggests, but from the intervention task force, volunteers and bureaucrats.[31] As one collaborator commented, 'it is snowing white', an interesting metaphor for the Top End.

I too have been challenged to outline if I have found any positives in the intervention, and at the risk of being accused of 'me-too-ism', I do see some big picture positives that can be compared to community perspectives:

• There is an unprecedented national focus on Indigenous affairs, unfortunately mainly in the NT and mainly negative.

• There is a growing funding realism about the extent of the historic backlogs and what it will cost the nation to meet them.

• There is an emerging repoliticisation of the Indigenous sector after the turmoil that followed the abolition of ATSIC.

- There is a slowly growing awareness of Indigenous diversity, both in terms of livelihoods and cultures, but also in terms of perspectives about approaches to development. Arguably, while one set of mainstreaming views have been privileged to date, alternative, challenging views are increasingly being heard, especially from the Combined Aboriginal Organisations of the Northern Territory. It remains to be seen whether, as a nation, we will learn to problematise naive universalism because one size *will not* fit all, especially in remote Indigenous Australia.

- There is evidence of emerging alliances between social justice legal practitioners and Aboriginal land owners and organisations, evident in the High Court case challenging the constitutional validity of key aspects of the intervention.[32] The legal system might provide one means to 'reclaim politics from leaders, who are poorly advised and carry personal ideological agendas' (to paraphrase Walter & Strangio, 2007).

ARE NEO-PATERNALISM AND INDIGENOUS DEVELOPMENT COMPATIBLE?

Let me turn now to answer the question posed by my title, are neo-paternalism and Indigenous development compatible? This question may appear oxymoronic, but clearly for some 'neoliberalisation' may result from what Rebecca Stringer has recently termed 'a nightmare of the neocolonial kind'.[33] One has to remain open to the possibility that mainstreaming might be the preference for some, or many.

For sustainable Indigenous development, in all its diversity, to occur, I have consistently tried to highlight the following five requirements for progress. They are not based on rocket science or some extremist ideology, but on basic notions of bottom-up participatory development:

1. At the broadest level, it is imperative to *recognise Indigenous diversity and difference*, preferably as a positive that benefits the Australian nation, rather than as something just to be tolerated. The current neoliberal hegemony that privileges both individualism and mainstream Australian social norms needs to be challenged.

2. There is a need for *partnerships with communities* and the establishment of appropriate elected or nominated channels to formally hear Indigenous aspirations. Not just Mal Brough's all-too-often cited 'private dissenting voice lost at the back of the crowd, except to the minister's perceptive ear';[34] or just those—like Noel Pearson or Warren Mundine or the NIC or now Galarrwuy Yunupingu—who advocate for policy change that echoes the Howard Government's ideology and approach.

3   There is a need for *realistic local and regional investments* to catch up and close the gaps. It must enable local opportunity and take advantage of the richness of the environmentally-intact and biodiversity-rich land holdings owned by many living in remote situations. This enablement will require abandoning periodic loose and degrading talk about closing down unviable black communities, an argument using a culturally-constructed and selectively-applied notion of 'viability' while privileging some non-viable sections of the broader community.[35]

4   There is a need to *build local intercultural organisations and institutions and capabilities*, investing in making imperfect organisations better rather than perfect, but ensuring 'good enough governance' for local control. The appointment of government business managers and the closing down of CDEP organisations is very counter to this approach.

5   There is a need to *plan at the local and regional levels for sustainable outcomes* at realistic levels that are clear about livelihood possibilities; to undertake some rigorous needs-based analysis; and put some negotiated evaluation frameworks in place.

TO CONCLUDE

I want to return to the theme of this conference: 'Forty Years On: Political transformation and sustainability since the Referendum and into the future'. I note that a paternalistic state project of assimilation has been tried before, some 40 years ago, and it failed. Now it is being tried again under a different paradigm of neoliberalism and it will fail again. There are already early signs during the 'stabilisation' phase that existing development gains are being jeopardized by the machinery of intervention. Some talk of 'policy failure' or 'failed states' in remote Indigenous Australia; I just ask what have we learnt as a nation in the last forty years that makes us so blind as to revisit past failure? The 'national emergency' will peter out, if it has not already, but there are inherent dangers for Aboriginal people and the nation if it fails. We risk a loss of national goodwill, a waste of hundreds of millions of dollars, and the dismantling of some robust and important development institutions built up over the past 40 years.

Ultimately, as a nation, we face deeply-rooted, difficult, and arguably intractable Indigenous development problems, in the NT and beyond. A few days of political opportunism following a decade of policy-making laziness will not magically solve these problems. In 2007 we saw political bipartisanship in embracing the 'national emergency': I suspect that in 2008 we will see renewed bipartisanship in abandoning this expensive and misguided policy adventure. Perhaps in 2008 we might finally see the collaborations and the creative hard thinking and the financial commitments that will all be needed to address the most difficult issue that we face as a nation; that of Indigenous disadvantage. I sincerely hope that the 2007 fiasco has not jeopardized our chances.

NOTES

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