

assist in establishing a pattern of activity by an individual or group that alerts law-enforcement officials to the possibility of a terrorist attack. That fact, however, does not provide a complete justification for access to every Australian's data.

Individual privacy is important. It forms a component part of what it is to live in a free and democratic society. We dismiss its significance at great peril. So, there needs to be a balance. By all means require ISPs to retain individuals' metadata for two years. But do not allow law-enforcement agencies or other agencies of state to access it without prior, independent judicial review. A judge should not agree to the provision of access to an individual's private internet or telephone activity unless it can be demonstrated that there is a reasonable suspicion that the targeted person may engage in criminal or terrorism-related activity.

It is unlikely that the examination of metadata would have netted Man Haron Monis prior to his siege. As he was a

lone wolf, not even his girlfriend may have been aware of his terrible plan. And he wasn't on a watch list, when patently he should have been. In the end, however, more terror laws aren't going to cut it. Radicalisation must be tackled from its outset. One place to start is at school.

Every school, primary and secondary, private and state, should be required to teach civics in the context of democracy, political plurality and cultural diversity. The communication of hatred, intolerance and discrimination in schools on racial, religious or ethnic grounds should be prohibited. The study of comparative religions, including non-belief in religion, should be strongly encouraged. The exposure of children to a wide and balanced diversity of political, social and cultural opinion should form an imperative part of every school's curriculum.

This won't stop the spread of terrorism now. But it could make us safer and more respectful of each other in the foreseeable future. **a**

Indigenous Policy 'Reform'

Jon Altman

Reviving the settler-colonial project in remote Indigenous Australia

It is becoming increasingly common for the Australian governments to announce unpopular policy reform late on a Friday or early on a Saturday with a judicious 'exclusive' pre-release to *The Australian* newspaper. And so it was on 6 December 2014 when proposals to radically reform the Remote Jobs and Communities Program (RJCP) from 1 July 2015 were announced: 'Remote dole rules [to be] twice as tough' screamed the page 1 headline, picking up the key element: a tough new paternalistic regime. The media release by Nigel Scullion, Minister for Indigenous Affairs, was more benignly titled, 'More opportunities for job seekers in remote communities'.

The ministerial release predictably critiqued Labor's RJCP that had been launched with much fanfare in 2013: it targeted 30,000 unemployed people, almost all Indigenous, in sixty remote regions, for training and employment. RJCP was a belated attempt by the Gillard government to produce something workable from its policies that saw the destruction of the Community Development Employment Program (CDEP) in remote Australia and the inadequate marketisation of job services provision. RJCP proposed a complex system to reward monopolistic community-based providers for 'exiting' the unemployed into job outcomes or training completions and to financially punish 'dysfunctional' individuals who failed to participate in some activity for their welfare payments.

Scullion asserts that RJCP:

failed local communities because it wasn't geared to the unique social and labour market conditions of remote Australia. Labor simply put the urban model of employment services into remote Australia. The result was widespread disconnection and a return to passive welfare. *The Forrest Review—Creating Parity*, highlighted that idleness is again entrenched in many remote communities, significantly contributing to the erosion of social norms.

Scullion's diagnosis is partially correct: the absence of jobs makes sustainable exit difficult, the absence of meaningful activity makes participation haphazard, enforcing compliance is difficult, and the appeal of training for non-existent jobs is limited. Putting the urban, or any capitalist, model of employment services into remote Australia will not work unless remote Indigenous Australia is urbanised or magically embraces, and is embraced by, market capitalism. So what is being proposed instead? And what is the logic of the Abbott government's reform?

Scullion proposes two new approaches, according to a fact sheet released by his department, alongside two other revealing documents, 'Defensive Q&As' and 'Handling Strategy for Talking with Communities and Job Seekers', which circulated intentionally or accidentally.

First, job seekers who are formally unemployed and aged eighteen to forty-nine years will be required to engage continuously in Work for the Dole activities five hours a day, five days a week, fifty-two weeks a year. The terminology deployed states that this will be 'an opportunity' ... 'just like a

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Indigenous Policy
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real job'. Elsewhere it is suggested that there will be 'more immediate consequences' for those who fail to meet their compulsory Work for the Dole obligations—code for their welfare entitlements being reduced or even terminated.

Second, it is proposed that the unemployed be trained either for a 'real job' or else for Work for the Dole 'work-like' activities. Where jobs are absent, remote Work for the Dole activities might include cleaning, community services, market gardens and ground maintenance, but apparently not land management; there is no mention of dealing with invasive species wreaking environmental havoc everywhere. Or else grants, totalling up to \$25 million per annum, will be provided to underwrite the establishment of small businesses—hair salons, clothes shops, butchers and bakers are mentioned—to stimulate labour markets and boost local economies. Such projects will apparently provide on-the-job experience 'within an environment that is more work-like', '100 per cent work-like experiences', than in non-remote Work for the Dole.

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We need to be very clear on what is proposed here. First and foremost the unemployed will be required to work twenty-five hours a week, fifty-two weeks a year in remote Work for the Dole for their income-managed Newstart entitlements. Working hours will be higher than for those in non-remote regions, where the unemployed are only required to work up to twenty hours a week for up to six months in the year. And there is no proposed sunset clause on these work requirements, so that those on the proposed remote Work for the Dole could work year in, year out in often pointless activities for less than \$10 per hour—far below award rates. Such regular work requirements will also severely limit opportunities to engage in other productive activity like hunting or fishing and living at homelands.

The new regime is proposing to replace demeaned 'training for training's sake' with demeaning 'work for work's sake'. Surprisingly, these draconian proposals have not attracted critique either from the Indigenous Advisory Council or from those advocating for constitutional recognition.

The below-award element of these proposals looks to combine aspects of the discriminatory treatment of black workers in the pastoral industry prior to the 1965 equal wages decision with the Training Allowance Scheme introduced

by the Gorton conservative government in 1969 and terminated by the Whitlam government in 1973.

Significantly, the motivations for the introduction of the Training Allowance Scheme speak directly to current debates about income management and behavioural change. When first introduced in 1969, training allowances were envisaged as overcoming the paternalism that had seen Aboriginal workers on government settlements and missions only paid in kind. Second, it was hoped that paying individuals a money wage would engender a greater sense of responsibility and financial resource management skills. Third it was hoped that the payment of cash wages would provide an incentive for 'advancement', a conversion to a Western work ethic.

The contemporary logic for RJCP reform comes from diverse directions. Senator Scullion explains the tougher Work for the Dole requirements—more hours a week, more weeks per year—as deliberate because 'there are a lot less available jobs in remote communities'. And so, in the absence of jobs—his flawed logic suggests—people need to be engaged in activities that reflect real 'work-like tasks': ground maintenance, cleaning, market gardens. But remunerations will be limited to income-managed Newstart, which provides no incentive or mechanism to work more and earn more. Influenced by Nyunggai Warren Mundine, executive chairman of the Australian Indigenous Chamber of Commerce and principal adviser to the government, Scullion also promotes subsidised small business. But there is little attention given to whether hair salons, bakeries and butcheries already exist in communities or are commercially viable.

The proposed reforms are referred to as the first response to the Forrest Review of Indigenous employment and training programs, but there are no specific recommendations for below-award work among the nearly 200 in the deeply flawed *Forrest Review—Creating Parity*. This, though, has not stopped Andrew Forrest extolling the virtue of these proposed changes in *The Australian*, 'as a first step towards Creating Parity', although clearly not in wage rates. Both Forrest and his close advisor Marcia Langton want to see training for guaranteed jobs, articulating a view that there are plenty of jobs in remote areas although clearly not enough for employment parity, and so where necessary people should, according to their proposals, migrate for jobs.

Parliamentary secretary Alan Tudge—co-reviewer with Forrest, former employee of Noel Pearson's Cape York Institute and current colleague of Scullion—sees these proposed changes as a means to combat what he describes as 'community passivity and associated dysfunction' by providing meaningful activity every day. His assumption is that if the state disciplines Indigenous labour then work and real prospects will magically flow to remote Indigenous communities. And if people do not turn up for work they will be punished by a strictly enforced 'no show, no pay' rule. Tudge follows Pearson in believing that behavioral change is the road to mainstream participation: 'reform will bring work and real prospects to remote areas' he argues, again in *The Australian*, like

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Pearson with little specific consideration of what work and what prospects or what risks of enhanced poverty.

The Abbott government in 2013 was elected with Indigenous policy aspirations to boost employment for Indigenous Australians and a greater focus on remote Australia, reflected in its Indigenous Advancement Strategy, and broader regional aspirations to the development of northern Australia.

Having failed to deliver anything concrete, the government is now looking to reignite the settler-colonial project to eliminate native societies so vividly described by Patrick Wolfe. With physical elimination through civil war not possible in the present, a more insidious strategy has become evident in the wider arena of Indigenous affairs: governmental action seeking to reclaim control over land held under Aboriginal title. Such action seeks to empty the land of people by refusing to deliver services on the basis of spurious federal–state imbroglis about fiscal responsibility, using income management to control expenditure patterns and wielding welfare payments as a stick to force people into below-award make-work.

Such colonial tactics have been deployed in the past; none have succeeded in their ultimate goal of elimination, although some individuals have sought the sanctuary afforded by the mainstream society contingent on willingness to adopt Western individualistic norms.

What is missing in the government’s conception of the Indigenous ‘problem’ is any attempt to recognise forms of local economy that operate beyond market capitalism. If Indigenous welfare is truly a serious concern, then what is needed is realistic assessment of what kind of meaningful activity is both sought by, and available to, Indigenous people in remote Australia. How might livelihoods be improved in accord with local prerogatives in all their diversity?

There was a program not that long ago, CDEP, that in its heyday allowed communities to innovatively combine employment creation, income support and viable social and commercial enterprises according to local priorities. It was not faultless and it was meagrely supported. But its relative merits were greatly superior to the RJCP and the deeply flawed proposals currently promulgated.

We might hope that the draconian and unproductive reforms mooted to start on 1 July this year will never be implemented; they should attract opprobrium both domestically and internationally. The dismantling of CDEP by the Howard government from 2004 was a damaging policy mistake that requires urgent reversal. Rather than flex its unquestionable fiscal muscle unproductively, the Australian government should encourage economic plurality in remote Australia. And in accord with the neoliberal principles it espouses, both resources and authority should be devolved to those best positioned to deliver: community-based organisations.

There are some in remote Australia who aspire to mainstream forms of full-time work and they should be assisted to meet such aspirations. There are many others who prefer the benefits of CDEP and this option must also be on the table, a midpoint between welfare and full-time employment, a third way that allows flexible work and supports productive engagement in the diverse activities so important to many Aboriginal people who live in remote Australia. Such economic plurality should be a basic human right in today’s deeply uncertain late-capitalist world. **a**

University **Deregulation**

Nick Riemer

Public higher education needs defenders made of sterner stuff

Another parliamentary term, another broadside against the shaky foundations of the Australian welfare state. Following its humiliations over Medicare and the travesty of the Philip knighthood, there would seem to be few other measures left for the government to stake its credibility on than its plans to deregulate universities. Having previously declared his readiness to do ‘whatever needs to be done to ensure that our universities are the best they can be’, education minister Christopher Pyne is now insisting that there are limits: he will not permit the basic deregulation principle to be ‘adulterated’ by cross-bench demands, and he will allow the package to lapse rather than compromise its vision. Such chest-beating is artfully ambiguous: on the one hand, it is designed to reassure ghoulish cross-benchers David Leyonhjelm and Bob Day, who have threatened to withdraw their support if the package’s market-fundamentalism is weakened even an iota, while, on

the other, it serves as a face-saving indication that, caught between the Leyonhjelm–Day and Greens–Labor positions, the government does not intend to keep the issue in play for ever.

That is not to say that Pyne won’t go to almighty lengths to secure the passage of a deregulation bill—a reform that Abbott has placed ‘front and centre’ of the government’s legislative plans. There is no doubt that it would be a correspondingly major victory, for students and for society as a whole, if deregulation were defeated. But even if the government’s plan collapses—in the words of Marx, ‘like a balloon pricked by a needle’—it’s clearer than ever that the crisis for universities will not be over.

In recent weeks Pyne has succeeded in rallying a dismaying clutch of minor Labor celebrities to the deregulation cause. Seeing John Dawkins or Maxine McKew—now a lobbyist for Melbourne University—wheeled out to hawk deregulation serves as the umpteenth soul-destroying confirmation of the accuracy of the famous adage from