



Australian Government
Department of the
Prime Minister and Cabinet

Commonwealth Machinery of Government in Aboriginal and Torres Strait Islander Affairs

*50 years of Commonwealth Public Administration
in Aboriginal and Torres Strait Islander Affairs,
IAG Discussion Paper: No 1*

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PREFACE

This paper is the first in a forthcoming series canvassing issues of importance to the practice of public administration in Commonwealth Aboriginal and Torres Strait Islander Affairs and is concerned with the structure and function of Indigenous Affairs. Future papers will concentrate on issues including policy and practice and justice, leadership and ethics. The series is intended to promote discussion and contribute to long term thinking among Aboriginal and Torres Strait Islander and non-Indigenous thinkers engaged in the administration of Australian Indigenous affairs.

The series acknowledges 2017 as the 50th year since the Commonwealth gained responsibilities for the administration of Indigenous affairs, following the 1967 Referendum. This important milestone calls for the development of a canon of knowledge about the role and practice of public administration in achieving better outcomes for the communities we serve. Focusing on administrative theory and practice is critical to understanding where public servants can and should exercise leadership in their advice to governments, how public servants should go about shaping policy and its implementation and, importantly, the ethical underpinnings of their practice.¹

Indigenous affairs knowledge and capability have not transferred well from one generation of public servants to the next, and public service generations within Indigenous affairs can be short. In the 50th year of the Commonwealth's administration of Indigenous affairs, it is time this knowledge and practice gap was addressed by the public service. The burden of knowledge transfer should not rest with Aboriginal and Torres Strait Islander communities and leaders, as it has often done in the past. This is public service work and it is for public servants to resolve. Accordingly, this series is dedicated to the many public servants who take interest in the critical issues that frame, shape, and delimit their administrative practice, and who seek to improve that practice.

Throughout this paper, reference to historical thinking and events quotes some past terminology that would not meet contemporary expectations. This terminology should be understood in the context of its time.

¹ HEIFETZ, R. A. & LINSKY, M. 2002. *Leadership on the line*, Boston, MA, Harvard Business School Press. Heifetz posits that leadership is an action rather than a position description: Formal leadership is the practice of leadership where authority is formally accorded to the person, through position or hierarchy for example. Whereas informal leadership is where leadership is exercised without having formal positioning or power. See also WINSTON, K. 2008. What makes ethical practical. Kennedy School of Government Harvard University. WINSTON, K. 2012. *Educating for Moral Competence (for Philip Selznick)*, Cambridge MA, Harvard.

INTRODUCTION

We had high hopes on those exciting days. The referendum of May 1967, in which, of course, voting was compulsory, had resulted in an unprecedented 90.77% of formal votes cast being in favour of two changes in the Constitution, one of them in effect giving the Federal Parliament the power to legislate for Aborigines in the States. It seemed to us that this massive expression of public opinion would not only allow the government to feel confident in tackling the 'Aboriginal problem' resolutely, but would also persuade it, if such persuasion were needed, that resolute action was politically needed.

– *Barrie Dexter*²

This paper has been prepared in the context of the 50th year of Commonwealth public administration in Aboriginal and Torres Strait Islander Affairs, flowing from the 1967 referendum. The purpose of the paper is to contribute to decision making about any next set of administrative arrangements in Aboriginal and Torres Strait Islander affairs. Fifty years ago as now, the Commonwealth's administration of Aboriginal and Torres Strait Islander affairs has been the subject of substantial controversy and a substantial number of machinery of government changes, involving ten different structures and 21 different Ministers.³ Key issues confronting the government across the 50 years have remained remarkably similar, yet Aboriginal and Torres Strait Islander Affairs is continually re-invented, without much of a backward glance.

This paper canvasses two constant underlying problems for the administration of Aboriginal and Torres Strait Islander Affairs:

1. Whether and if so how to achieve the representation of Aboriginal and Torres Strait Islander people; and
2. How best to organise the machinery of government to maximize positive results.

The Australian Public Service (APS) is an important part of the puzzle. The Commonwealth government, largely within a contested paradigm of Westminsterism, established the APS⁴. Widely characterised as 'serving the government of the day' (arguably with overtones of instrumentalism), it is nonetheless also an actor in its own right, a site of power and resistance, leadership and followership, and creative and not so creative ideas. Yet, analytical work about the structure, role and effectiveness of the APS is largely absent in decision making about the shape of Australian Indigenous affairs. A compelling reason for examining the APS in this context is that it has been the primary interface in all this time between the Australian government and Aboriginal and Torres Strait Islander Australians. The advice it provides to government and its' response to changes in administrative arrangements are central to decision making.

² DEXTER, B. G., FOLEY, G. & HOWELL, E. 2015. *Pandora's box : the Council for Aboriginal Affairs 1967-1976*.

³ See details at Appendix A.

⁴ The definition of 'Westminster' has been deployed and redefined by a variety of political actors, arguably to bolster political and administrative positions. RHODES, R. A. W., WANNA, J. & WELLER, P. 2008. Reinventing Westminster: how public executives reframe their world. *Policy & Politics*, 36, 461-479. And see for example a recent APS version in MORAN, T. 2010. *Ahead of the game blueprint for the reform of Australian Government administration*. [Capital Hill, A.C.T.], [Dept. of the Prime Minister and Cabinet]. For discussion of tensions & ethical issues and which version of the public we serve? see KAKABADSE, A., KORAC-KAKABADSE, N. & KOUZMIN, A. 2003. Ethics, values and behaviours: comparison of three case studies examining the paucity of leadership in government. *Public Administration*, 81, 477-508.

How well the APS transitions from one administration to the next; how well it carries over the lessons of past practice and how well it exercises leadership in its own domain are serious practical and ethical questions. It is curious then, that contemporary focus on 'failure' in Aboriginal and Torres Strait Islander policy and practice is often framed as a failure in the efforts of Aboriginal and Torres Strait Islander communities rather than as a failure of public service efforts.⁵ We need a better understanding about the role and effectiveness of the APS in Australian Indigenous affairs.

Historical perspectives

Commonwealth-wide responsibility for Aboriginal and Torres Strait Islander affairs in 1967 followed 150 years of colonial and state and territory administration. The overwhelmingly favourable referendum vote surprised the then Prime Minister Harold Holt, moving him to the view that a strong call to action was required for him to keep faith with the Australian people: one that would be driven out of the Prime Minister's office as a matter of national importance. Holt understood this was uncharted territory that would require significant effort, new thinking and new approaches. He turned to two of the nation's most senior and well-respected public servants of the time, Nugget Coombs and Barry Dexter, pressing them to the cause. Coombs would leave his role as Chairman of the Reserve Bank to take up his appointment as Chair of the first Commonwealth advisory body, the Council for Aboriginal Affairs (CAA). Dexter, also a member of the CAA, would move from his ambassadorial position in Laos into the Prime Ministers department to lead the fledgling Office of Aboriginal Affairs (OAA). Holt's reasoning for choosing these two individuals had to do with their significant past development experience, Coombs in leading extensive post war reconstruction and Dexter in international aid. Coombs and Dexter's deep understanding and ability to advise government and navigate the bureaucracy was considered absolutely necessary. The renowned anthropologist, Professor William Stanner, who brought knowledge of and long-term relationships and experience with Aboriginal and Torres Strait Islander Australians, joined them.

Dr Coombs and I were very conscious that we were new in the field of Aboriginal Affairs, and that others had battled before us. The three of us remembered the efforts made for the holding of the Referendum by such Parliamentarians as Messrs W.C. Wentworth and Gordon Bryant, as well as by such organisations as the Victorian Aborigines Advancement League and the Federal Council for aboriginal Advancement (later Federal Council for the Advancement of Aborigines and Torres Strait Islanders – FCAATSI). We remembered some missionaries and administrators and private individuals who had for decades been seeking a better deal for Aborigines themselves both as individuals and through such organizations as FCAATSI, as well as their actions such as the abortive bark petition by the Yirrkala Aborigines to the Commonwealth Parliament concerning the Commonwealth's agreement with Nabalco for bauxite mining on the Gove Peninsula, and the strike by Aboriginal stockmen on Wave Hill Station. On the other hand, we believed that our work would be different to theirs. They had battled from outside the administration, whereas we would be working from within it, and in relatively defined areas defined by the Prime Minister. ⁶

⁵ For an introductory discussion see., HUNT, J. 2008. *Contested governance : culture, power and institutions in indigenous Australia*, Canberra, A.C.T., Centre for Aboriginal Economic Policy Research, ANU E Press. Dillon and Westbury recently argued that gov'ts have failed because they have not developed a cohesive response., SANDERS, W. 2008. In the name of failure: A generational revolution in Indigenous Affairs. In: WETTENHALL, A. (ed.), *Howard's Fourth Government*: UNSW Press.

⁶ DEXTER, B. G., FOLEY, G. & HOWELL, E. 2015. *Pandora's box : the Council for Aboriginal Affairs 1967-1976*

Holt's questions to Coombs were as fundamental as they were basic. What to do? How to do it? The questions remain salient today.

When we talked it became clear that Holt had little knowledge of Aborigines and was puzzled to know how the Government should go about creating an appropriate administrative agency to deal with the problems associated with them. The normal government department or statutory authority has usually a functional role affecting the members of the community generally. Here was a problem that seemed to call for an agency concerned with all the functions that might need to be performed for a section of the community only. I agreed to think about the problems and to submit some ideas. I saw the issues with which he was concerned as being about the appropriate machinery of government rather than about the content of policy towards an Aboriginal and Torres Strait Islander majority. Accordingly, I suggested that the Prime Minister as an interim solution should establish a small Council backed by a small but powerful research staff to identify the major problems to establish communication with Aboriginal groups and then to submit some possible bases for the Commonwealth approach to policy and plans for a continuing organisation.⁷

Coombs, Dexter and Stanner were under no illusion about the significance and complexity of their challenge, and sought assurances the PM was 'dinkum' before agreeing to come on board.⁸ Coombs and Dexter were keenly aware that decisions about where and how to situate effort within the Commonwealth machinery of government would be critical to its effectiveness and that they would rely on the PM to garner support. They were also aware that Aboriginal and Torres Strait Islander voices were of paramount importance, but were absent from government.⁹

These were the earliest iterations of the two underlying problems in the machinery of Aboriginal and Torres Strait Islander Affairs: whether and if so how to achieve the representation of Aboriginal and Torres Strait Islander people in the decision making processes, and how best to organise the machinery of government to maximize positive results.

Let's take each question in turn.

⁷ COOMBS, H. C. 1981. *Trial balance*, Melbourne, Macmillan.

⁸ DEXTER, B. G., FOLEY, G. & HOWELL, E. 2015. *Pandora's box: the Council for Aboriginal Affairs 1967-1976*, p21-22

⁹ *Ibid*, p21

1. WHETHER, AND IF SO, HOW TO ACHIEVE THE REPRESENTATION OF ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE IN THE DECISION MAKING PROCESS

The question as to whether the lack of Aboriginal and Torres Strait Islander voices in the government executive and administration should be structurally and formally addressed, and if so how this should be addressed, remains unsettled. The problem has arguably become a proxy for unresolved issues of settlement in the ongoing project of Australian nation-building. Philosophical critiques range from those that argue there is a structural injustice in western democracy that requires a structural remedy¹⁰ through to those that argue western liberal democracies can fairly and justly accommodate colonised peoples¹¹. In this unsettled and contested domain, any position taken by government and the public service in the practice of western representative democracy cannot be neutral or apolitical. Whether the problem of representation is explicitly addressed or not, a policy position is signaled.

The problem of representation raises practical, ethical and political questions and these include:

- What is the imperative to represent minority interests?
- To what extent is representation necessary to policy success?
- Do First Nations peoples have a right to self-determination and the continuance of separate systems of culture and knowledge?

¹⁰ 'Structural injustice exists when social processes put large groups of persons under systematic threat of domination or deprivation of the means to develop and exercise their capacities, at the same time that these processes enable others to dominate or to have a wide range of opportunities for developing and exercising capacities available to them. Structural injustice is a kind of moral wrong distinct from the action of an individual agent or the repressive policies of a state. Structural injustice occurs as a consequence of many individuals and institutions acting to pursue their particular goals and interests for the most part within the limits of accepted rules and norms.' See for example: TULLY, J. 2002. The Unfreedom of the Moderns in Comparison to Their Ideals of Constitutional Democracy, *The Modern Law Review*, 65, 204-228, TULLY, J. 2008. Public Philosophy in a New Key 1: Democracy and Civic freedom, Cambridge, Cambridge University Press.

¹¹ KYMLICKA, W. 2007. The new debate on minority rights (and postscript), *In*: LADEN, A. S. & OWEN, D. (eds.) *Multiculturalism and political theory*, Cambridge, UK: Cambridge University Press.

What is the imperative to represent minority interests?

Policy cycling and 'policy failure'¹² can indicate deeper, systemic problems in the democratic system. Cook suggests that Aboriginal and Torres Strait Islander policy failure tells us something about Australia's system of government and our practice of democracy, such as a lack of Aboriginal and Torres Strait Islander representation, inconsistent policy between and across jurisdictions and the physical and cultural gap between policy makers and Aboriginal and Torres Strait Islander people.¹³

Two widely agreed normative assumptions about western liberal democracy are that it should promote justice, and that its decisions are only democratic by the degree and nature of the inclusion of those affected by them. It is also widely accepted that liberal democracies should deliver equality and protect the freedoms of their citizens.¹⁴

At around three percent of the total population, Aboriginal and Torres Strait Islander Australians are a minority group within the Australian polity. This means they are unlikely ever to form an electoral majority nationally, in a democratic system that responds primarily to the imperative of electoral majorities. Added to this, the focus on marginal electorates in Australian politics is also unlikely to work in favour of Aboriginal and Torres Strait Islander peoples.¹⁵ This means that their views can quite easily be overridden 'without undermining the view that Australians live in a fair and just democracy'.¹⁶ The tightrope that many Aboriginal and Torres Strait Islander and non-Indigenous leaders must negotiate goes to the tension between not disturbing mainstream Australia's view of itself as honest and fair, while at the same time attempting to change structures and improve outcomes.¹⁷

A counter position is that so long as the minority group achieves proportionate numbers in the parliament (i.e. at this point in time, approximately three percent), this constitutes fair representation. A decade ago, the idea of achieving proportionate seats in parliament seemed almost impossible; however, recent positive movement makes this goal seem achievable in the next 10 – 20 years. Multicultural theorists often note that migrant groups experience similar democratic deficit and representational problems to those experienced by Aboriginal and Torres Strait Islander people. The western liberalist 'social contract' is the point of difference here, in that migrants opt into Australian society and the 'social contract', whereas this was not a choice for peoples displaced by colonisation. Without rehearsing alternative views on the social contract from Locke through Rawls and more recent critiques, we can say that Aboriginal and Torres Strait Islander peoples, as distinct polities, were not constituted within a western tradition of the social contract.¹⁸ Nor were they invited in, without duress.

¹² Notwithstanding this particular line of argument, care should be taken to not accept that the label 'policy failure' is always neutral. In what amounts to rapid policy cycling, Aboriginal and Torres Strait Islander policies are often (re)produced and (re)presented as something new, and they are also swept away and labeled as failures. Sanders observes that there have been two generational revolutions within the last 20 years, 'both of which, in the name of failure, have similarly disparaged and discarded the work of a previous generation of participants.' SANDERS, W. 2008. In the name of failure: A generational revolution in Indigenous Affairs. In: WETTENHALL, A. (ed.), *Howard's Fourth Government*: UNSW Press.

¹³ COOK, I. 2004. *Government and Democracy in Australia*, South Melbourne, Oxford University Press.

¹⁴ YOUNG, I. M. 2000b. *Inclusion and Democracy*, Oxford, Oxford : Oxford University Press.

¹⁵ COOK, I. 2004. *Government and Democracy in Australia*, South Melbourne, Oxford University Press.

¹⁶ Ibid.

¹⁷ Cook IBID, also suggests that neither a majority of voters in marginal seats or in all levels of elections in Australia are concerned with Aboriginal policy failure. Therefore the opportunity for people to seek redress to their policy concerns relies on and has meant reliance on, as Behrendt writes...'the wavering sympathies of the Australian community in order to have their basic rights recognized and protected'. BEHRENDT, L. 2003. *Achieving Social Justice. Indigenous rights and Australia's future*, Annandale, Federation Press.

¹⁸ See for example, RAWLS, J. 1971. *A theory of justice*, Cambridge, MA, Belknap Press of Harvard University Press. ARNESON, R. J. 2006. Justice after Rawls. In: DRYZEK, J. S., HONIG, B. & PHILLIPS, A. (eds.) *The Oxford handbook of political theory*, Oxford; New York: Oxford University Press.

Still further, Tully and others argue that since the basic structure of our society was not developed with the consent of our First Nation's peoples, imposition on them is a continuing form of harmful and illegitimate colonization; and that unless a nation's constitution has been developed (or amended) to include First Nations peoples on terms to which they are agreeable, it remains illegitimate.¹⁹

Notwithstanding our representative democratic system and where and what forms of Indigenous representation have been included, do public servants have an ethical responsibility to find ways to address or alleviate representative problems in their practice and in their advice to government?

To what extent is representation necessary to policy success?

Coombs argued that representative structures within the machinery of government were a precondition for policy success. The Coombs' report on the Royal Commission on Australian Government Administration in 1976 took the view that policy would fail if it was not developed and agreed by the people it was designed to cover:

An important source of difficulty is the claim by Aboriginals [sic] to authority and power in decisions about their affairs. No political party accepts the view that Aboriginal affairs should or can be the concern of Aboriginals alone. The realities of power mean that ultimate decisions about them and the allocation of resources to them will finally be made, in present circumstances, by white decision makers. The Commission is satisfied, however, that unless these decision makers act in accordance with procedures which give Aboriginals a substantive and conscious participation in the processes of decision and, within broad limits, in the decisions themselves, programs will continue to fall short of their objectives, and resistance, hostility and rejection of responsibility will continue to mark Aboriginal attitudes.²⁰

In the partnership approaches favoured in more recent times, public servants and communities are expected to collaborate with government on relevant policy issues. Further discussion of the relative merits of this approach to policy success is for a future paper, however it is worth noting that calls for structural representation have not abated in the 'working together' era. The overall picture presented in the 2017 Closing the Gap Report suggests that despite some areas of improvement, policies and practices are not meeting set goals.

Taylor and Honneth argue that self-worth comes from recognition given by others and that withholding recognition, or misrecognition, can be psychologically and socially damaging. Taylor argues that if one is forced through non-recognition or misrecognition to adopt a deprecatory image of oneself, then even when some of the objective obstacles to advancement fall away, their internalised image may render them incapable of moving forward.²¹

¹⁹ TULLY, J. 2007. *Strange multiplicity, Constitutionalism in an age of diversity*, New York, Cambridge University Press. Constitutionalism in an age of diversity. </style>New York, Cambridge University Press.</DisplayText><record><rec-number>27</rec-number><foreign-keys><key app="EN" db-id="etpdtzd2iw2rxmextw4xw5zs9pdxp95az5dz" timestamp="1279258061">27</key></foreign-keys><ref-type name="Book">6</ref-type><contributors><authors><author>James Tully</author></authors></contributors><titles><title>Strange multiplicity, Constitutionalism in an age of diversity</title></titles><pages>253</pages><edition>1st</edition><reprint-edition>eight</reprint-edition><dates><year>2007</year></dates><pub-location>New York</pub-location><publisher>Cambridge University Press</publisher><orig-pub>1995</orig-pub><isbn>978521476942</isbn><urls></urls><research-notes>9

²⁰ COOMBS, H. C. 1976. *Royal Commission on Australian Government Administration*, Canberra, Australian Govt. Pub. Service.

²¹ TAYLOR, C. 1994. *Multiculturalism: Examining the Politics of Recognition*, Princeton, Princeton University Press. and see for example Young's discussion of being rendered deviant in .. and, HONNETH, A. 2001. Recognition or Redistribution? *Theory, Culture & Society*, 18, 43-55.

Do First Nations peoples have a right to self-determination and the continuance of separate systems of culture and knowledge?

The CAA realized that the differences between Aboriginal and Torres Strait Islander worldviews and western liberal thinking and practice were such that any new structure should enable Aboriginal and Torres Strait Islander Peoples to represent themselves *and be heard on their own terms*.²² The *UN Declaration on the Rights of Indigenous peoples*²³, which Australia supported in 2009 (although it has not yet been translated into law) provides:

Article 3 – Indigenous peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4 - Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 5 - Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their rights to participate fully, if they so choose, in the political, economic, social and cultural life of the State.²⁴

From the beginning, CAA also recognised the diversity of Australian Aboriginal and Torres Strait Islander cultures, finding it important that representative structures were able to reflect such diversity. The kind of administrative structure and practice envisaged by the CAA, and I would assert by Holt, would have met the expectations the articles in the Declaration. The CAA's administrative practice was intended to value and develop respectful and knowledgeable approaches to engagement. We should ask ourselves in the public service today why we consider it appropriate and desirable for DFAT officials to have language and cultural expertise when engaging with international nations, when we do not have a similar expectation for APS officials when engaging with Aboriginal and Torres Strait Islander peoples?

When pursuing structural solutions to the problem of representation, governments have been pushed to defend these ideas against the criticism that Aboriginal and Torres Strait Islander structures are divisive. John Howard's comments during the ATSIC Bill debates of 1989 articulated this position:

I take the opportunity of saying again that if the Government wants to divide Australian against Australian, if it wants to create a black nation within the Australian nation, it should go ahead with its Aboriginal and Torres Strait Islander Commission (ATSIC). In the process it will be doing a monumental disservice to the Australian community. If there is one thing, above everything else, that we in this Parliament should regard as our sacred and absolute duty, it is the preservation of the unity of the Australian people... In the name of righting the wrongs done against Aboriginal people, the legislation adopts the misguided notion of believing that if one creates a parliament within the Australian community for Aboriginal people, one will solve and meet all of those problems.
- John Howard 1989

²² Both epistemologically and ontologically.

²³ <https://www.humanrights.gov.au/publications/un-declaration-rights-indigenous-peoples>

²⁴ Gillian Triggs' comments on the role of the public servant when International Treaties that have been signed up to but have not been instituted into Australian law are interesting here. She argues that public servants should be aware of International obligations in their practice February 2017 http://www.themandarin.com.au/75343-triggs-public-servants-know-human-rights-obligations/?utm_source=The+Juice+-+combined+list&utm_campaign=25380e3127-EMAIL_CAMPAIGN_2017_02_15&utm_medium=email&utm_term=0_d98f7edac0-25380e3127-261403877

On the other hand, where governments have decided against a structural solution in favour of centralized Ministerial decision-making, they have faced criticisms of racism, assimilation and paternalism.

From 1967 through to the abolition of ATSIC in 2004, coinciding with policies that moved from assimilation through to integration and ultimately self-determination, governments put in place a range of representative structures.²⁵ The National Aboriginal Advisory Council (NAAC) (1973-77) was a representative body of Aboriginal and Torres Strait Islander Australians and the first national body elected by adult Aboriginal and Torres Strait Islander franchise, to act in an *advisory and consultative* capacity to the Minister and the Department. This was soon followed by the National Aboriginal Conference (NAC) (1977- 85). The NAC was also an elected body. Its job was to serve as a *channel of communication*, and to *provide* advice to the Minister.²⁶

Notwithstanding their radical break with the past, both the NAAC and the NAC were widely judged as 'unsuccessful attempts by government to create a function and relevant organisations to address Aboriginal and Torres Strait Islander Affairs'.²⁷

The Aboriginal and Torres Strait Islander Commission (ATSIC) (1990-2004) was to follow. The ATSIC Bill was introduced to Parliament in 1987 after extensive consultation with Aboriginal and Torres Strait Islander people. Lowitja O'Donoghue had been commissioned by Aboriginal Affairs Minister Clyde Holding to consult and report on a representative body to replace the NAC. Like Coombs, O'Donoghue had favoured a regionalized, decentralized structure for any national Aboriginal and Torres Strait Islander representative model.²⁸ Minister Holding's successor, Gerry Hand, proposed the final model, which focused on national level rather than community based representation.

ATSIC combined the previous roles of the Aboriginal Development Commission (ADC) and the Department of Aboriginal Affairs (DAA). ATSIC's functions were to advise governments at all levels on Aboriginal and Torres Strait Islander issues; advocate the recognition of Aboriginal and Torres Strait Islander rights on behalf of Aboriginal and Torres Strait Islander peoples regionally, nationally and internationally; and deliver and monitor some of the Commonwealth government's Aboriginal and Torres Strait Islander programs and services. The ADC was a statutory authority run by a board of 10 part-time government appointed Aboriginal and Torres Strait Islander members. It managed a range of development-oriented programs, including loans and grants that were transferred to ATSIC.

Notwithstanding the consultation processes that had taken place, Charles Perkins critiqued ATSIC:

It should be recognised at the outset that ATSIC is a creation of white politicians and bureaucrats. It is not an initiative of the Aboriginal people.²⁹

²⁵ Sanders dubs this period as governments' attempt to understand and allow for difference in the approach to Aboriginal and Torres Strait Islander Australia. [http://caepr.anu.edu.au/sites/default/files/Publications/DP/Discussion%20Paper%20291-01-\(9Jan2015\).pdf](http://caepr.anu.edu.au/sites/default/files/Publications/DP/Discussion%20Paper%20291-01-(9Jan2015).pdf)

²⁶ For a discussion on the problems faced by these two representative forms, see for example ROWSE, T. 2001. 'Democratic Systems are an Alien Thing to the Aboriginal Culture...'. In: SAWER, M. & ZAPPALA, G. (eds.) *Speaking for the People: Representation in Australian Politics*. Carlton South: Melbourne University Press. And for a wonderful day by day commentary on these years see DEXTER, B. G., FOLEY, G. & HOWELL, E. 2015. Pandora's box : *the Council for Aboriginal Affairs 1967-1976*.

²⁷ Coombs HC, and Robinson, CJ. 'Remembering the Roots, lessons for ATSIC', in Sullivan P., *Shooting the Banker*, 1996, North Australian Research Unit, ANU.

²⁸ ROWSE, T. 2001. 'Democratic Systems are an Alien Thing to the Aboriginal Culture...'. In: SAWER, M. & ZAPPALA, G. (eds.) *Speaking for the People: Representation in Australian Politics*. Carlton South: Melbourne University Press.

²⁹ PERKINS, C. 1992. Aboriginal Australia and Public Administration. *Australian Journal of Public Administration*, 51, 223-233.

As Rowse diagnosed the representative problem some time later:

Institutionalising an effective articulation of the 'national' with the 'local', via some procedure for recruiting the 'regional' representative, has been the primary problem in the politics of Aboriginal representation...³⁰

In 2004, with bi-lateral party support and despite the results of an extensive national review, the parliament took the view that this particular experiment in Aboriginal and Torres Strait Islander specific representation had failed. ATSIC was abolished and its funds and functions dispersed to mainstream agencies.³¹

With the abolition of ATSIC, successive governments moved away from structural solutions to the problem of how to achieve Aboriginal and Torres Strait Islander representation. Executive decision and policy-making was re-centralised in the Minister(s) for Aboriginal and Torres Strait Islander Affairs, and supplemented in the Howard/Vanstone/Brough years by the government-appointed National Indigenous Council, and in the Abbot/Turnbull and Scullion years by the government-appointed Prime Minister's Aboriginal and Torres Strait Islander Advisory Council.

³⁰ ROWSE, T. 2001. 'Democratic Systems are an Alien Thing to the Aboriginal Culture...'. In: SAWER, M. & ZAPPALA, G. (eds.) *Speaking for the People: Representation in Australian Politics*. Carlton South: Melbourne University Press.

³¹ For relevant discussion see for example: PRATT, A. 2003. Make or Break? A Background to the ATSIC Changes and the ATSIC Review. *Information and Research Services Current Issues Brief* [Online], 29. Available: <http://www.aph.gov.au/library/pubs/CIB/2002-03/03cib29.pdf> [Accessed 7/2/11]. PALMER, K. 2004. *ATSIC : origins and issues for the future : a critical review of public domain research and other materials*. Canberra, Research Program, Australian Institute of Aboriginal and Torres Strait Islander Studies. SULLIVAN, P. 1996. *Shooting the banker : essays on ATSIC and self-determination*. Darwin, North Australia Research Unit, Australian National University. For information on where the programs were dispersed to see PRATT, A. 2003. Make or Break? A Background to the ATSIC Changes and the ATSIC Review. *Information and Research Services Current Issues Brief* [Online], 29. Available: <http://www.aph.gov.au/library/pubs/CIB/2002-03/03cib29.pdf> [Accessed 7/2/11].

2. HOW BEST TO ORGANIZE THE MACHINERY OF GOVERNMENT?

The institutions of government arranged around the administration of Aboriginal and Torres Strait Islander Affairs have changed many times over the past 50 years, including through abrupt policy swings such as those we have seen with the abolition of ATSIC. There have been ten different formations and 21 Ministers over this time (see *Attachment A*). Adding to the 'problem' of Aboriginal and Torres Strait Islander representation is the problem of 'mainstream' versus 'Indigenous specific'. These labels have been employed without a great deal of precision, with elements of both evident in the policies of both sides of Australian politics. The differences between mainstreaming or Aboriginal and Torres Strait Islander-specific approaches are often more about politics and rhetoric than administration, but the administrative decisions that have flowed from the different approaches have had far-reaching effects.

To this, the varying path of federalism and responsibilities taken or denied across the Commonwealth, states and territories adds still further complexity. Again, rhetoric more so than the reality of who holds the resources can occupy the main stage. In the early post 1967 period, the majority of states and territories interpreted the Commonwealth's new powers as being gap powers, supplementary to the primary exercise of the powers of sovereign states. Holt would appear to have taken a very different view. And over time, the exercise of commonwealth powers in matters that had nation-wide effect such as land rights and the growth of incorporated Indigenous service organisations shifted at least the appearance of which government was taking on primary responsibility.

Mainstream vs Indigenous-specific?

The arguments for mainstreaming approaches are that they preserve and harness the superior expertise of mainstream agencies in particular fields, hold mainstream agencies to their responsibility to deliver to all citizens and advocate policies of 'normalising' rather than create separate Aboriginal and Torres Strait Islander bureaucracies.

The CAA reasoned strongly that mainstream agencies would have greater expertise in their areas of responsibility than would a generalist Aboriginal and Torres Strait Islander agency. Along with Holt, the CAA reasoned that responsible mainstream agencies should be serving Aboriginal and Torres Strait Islander peoples as citizens deserving equal treatment along with all other Australian citizens. And in their view, mainstream agencies would need to provide additional support because of the high level of Aboriginal and Torres Strait Islander disadvantage. The idea of a catch-up effort, which is akin to what we now call closing the gap, was integral to Holt and the CAA's position.

To support mainstreaming, CAA articulated the need for a powerful central Aboriginal and Torres Strait Islander policy body that would engage with Aboriginal and Torres Strait Islander peoples at all levels: robustly research, incubate and evaluate policy and innovation; work with mainstream agencies to find special solutions; and coordinate across the Commonwealth and with states and territories. It was proposed this body should remain in the PM's department until the need for special measures no longer existed. It was also expected that this group would include a rapid increase in number of Indigenous public servants. While this was essentially a model to boost mainstream effectiveness, the direction of funds towards this and subsequent bodies became known as Aboriginal and Torres Strait Islander-specific funding.

The move from expecting mainstream agencies to do their job, to a focus on Aboriginal and Torres Strait Islander-specific expenditure travelled alongside the increasing demand of Indigenous Australians for self-determination. Until the Howard administration of 2004, all governments had supported self-determination, with some minor differences. With the establishment of ATSIC, much was made of the combination of elected representatives also having control over administered funds, i.e. delivering Aboriginal and Torres Strait Islander control of policy and administration of resources.³² The high spirits and political rhetoric accompanying the birth of ATSIC, heralding a new era of Aboriginal and Torres Strait Islander control over Aboriginal and Torres Strait Islander futures, resulted in the widely held perception that ATSIC had responsibility for most issues affecting Aboriginal and Torres Strait Islander Australia. However, ATSIC had limited responsibility or control over Commonwealth funds directed to Aboriginal and Torres Strait Islander issues, and limited control over a range of policy areas. As then CEO of ATSIC, Peter Shergold, noted:

There is a profound lack of understanding of what ATSIC undertakes and what other agencies undertake... have got to be supplementary to equitable access to mainstream programs. We cannot be the provider of all the housing, the infrastructure and the health services that are required by Australia's most disadvantaged group.³³

And as Charles Perkins had earlier pointed out these dangers:

As can be seen, the problems of Aboriginal administration at the federal level are not all the fault of ATSIC. The fault mainly lies in the administrative arrangements now in place, where all these commonwealth departments dabble in Aboriginal affairs complemented by a myriad of state, local and Aboriginal organisations. This five-level policy and administration of Aboriginal affairs is confusing to Aboriginal people, not cost-effective and actual service delivery to Aboriginal clientele is not adequate. Furthermore, the commission has little influence in all these vital areas of Aboriginal affairs.³⁴

When ATSIC was abolished, much was made of the anticipated benefits of the 'new mainstreaming' of ATSIC's programs. There was an expectation that mainstream policies and programs, such as for legal aid, job readiness and unemployment, should also apply. This led to the abolition of CDEP and the closure of many Aboriginal and Torres Strait Islander specific service bodies where it was argued a mainstream theory and practice would be sufficient. Nine years on, government has reversed much of the rhetoric of 'new mainstreaming', pulling discretionary grants programs back into a centralist Aboriginal and Torres Strait Islander specific approach driven from PMC. This change was again framed within a failure paradigm, and led to the introduction of yet another new generation of public servants committed to the work but often without historical knowledge or a readily accessible canon of administrative knowledge. And like ATSIC, the Indigenous Affairs Group of PMC shoulders public expectations around control of Indigenous expenditure while only having a fraction of the budget levers available to other Commonwealth and state and territory agencies.

³² SANDERS, W. 1994. Reconciling public accountability and Aboriginal self-determination/self-management: Is ATSIC succeeding? *Australian Journal of Public Administration*, 53, 475-488.

³³ SHERGOLD, P.1998, in ATSIC, as a matter of fact. Answering the myths and misconceptions about Aboriginal and Torres Strait Islander Australians. ATSIC. Canberra. p 25.

³⁴ PERKINS, C. 1992. Aboriginal Australia and Public Administration. *Australian Journal of Public Administration*, 51, 223-233.

Emerging Aboriginal and Torres Strait Islander bodies – another approach to representation

As well as advocating for formal representative structures, the CAA and others argued for the growth of Aboriginal and Torres Strait Islander led organisations as the providers of services in their communities. These organisations were sources of engagement and advice to government and administrators. Aboriginal and Torres Strait Islander led corporations took on service and advocacy roles in communities and regions, for example, Aboriginal Housing Associations, Land Councils and peak services bodies for Aboriginal and Torres Strait Islander legal rights and health.

The CAA and the DAA understood that funding such bodies would be a rocky path while they developed organizational and governance expertise. Supporting and funding Aboriginal and Torres Strait Islander enterprises in delivering Aboriginal and Torres Strait Islander specific services is a prominent current policy, which has extended to government prioritizing contracts with Aboriginal and Torres Strait Islander suppliers. At other times, and in more of a 'mainstream' environment, less focus and favour of Aboriginal and Torres Strait Islander organisations often featured.

The degree to which government and the bureaucracy has valued the role and contribution of Aboriginal and Torres Strait Islander organisations has more often reflected personal views and politics than robust policy positions. Government and the bureaucracy's relationship with the Aboriginal and Torres Strait Islander providers has been as variable as it has been with Aboriginal and Torres Strait Islander representative bodies.

Why worry about frequent changes of machinery of government?

There is no suggestion that governments do not have the right to change administrative and institutional arrangements as they judge fit, or that past changes have not delivered on their intent. There should be, however, an evidence base about such changes and their outcomes and effects. There is currently little evidence available about the transactional, productivity or effectiveness costs resulting from changes to Commonwealth machinery of government and where such evidence has been put on the table it has usually confined to 'proving' the cost effectiveness of the measure.³⁵ Recent commentary about the frequency of Commonwealth changes in the machinery of government has noted that in other 'Westminster' style democracies such as Canada, changes to the machinery are far less common, with changes to policy priorities being dealt with in other ways such as through cross cutting ministerial committees.³⁶ In the USA, for example, the federal Bureau of Indian Affairs has been in existence since 1849.

I have previously noted that the past 50 years there have been 21 different ministers and ten different organisational structures. In fact nine of the ten organizational structural changes occurred within the past 30 years. Each change in administrative arrangements requires the redirection of effort towards internal realignment and bureaucratic work. Significant intra-Administrative Arrangements Order policy changes, such as the NT Intervention, have created intensive internal focus on further change of bureaucratic arrangements to support 'new' policy. During such change, focus on the external client has suffered.

³⁵ See for example 17/11/16 <http://www.themandarin.com.au/69679-audit-office-accepts-recent-mog-changes-saved-more-than-they-cost/retrieved>

³⁶ The Mandarin, 30/11/16 <http://www.themandarin.com.au/70311-machinery-government-changes-better-way/retrieved>

Changes in administrative orders and the machinery of government create complex problems in Indigenous affairs. Relationships of trust and good faith can take many years to build across cultures and are often centered on the commitment of a particular community and particular public servants. Such relationships are considered essential to 'working with' Aboriginal and Torres Strait Islander Australians. When these relationships suffer during machinery of government overhauls, not only do problematic gaps open in service delivery, but also widespread skepticism often emerges. Yet, the creative solutions that are needed for any policy in this arena can only be forged through strong trusting relationships that enable give and take on both sides. Where machinery changes introduce uncertainty, effectiveness suffers in the short term and potentially into the longer term as well. Overcoming skepticism becomes a critical first task of the 'new administration'...and so it goes.

New policy requires a long trail of internal alignment from the government through the bureaucracy and on to staff engaged with Aboriginal and Torres Strait Islander communities. Explaining constant changes in ways that maintain confidence takes great skill. It takes time for officials to reconfigure narratives and to develop an approach that will keep faith with community while also delivering for government. Such work needs to be both deft and savvy, and such work is usually hidden from any calculation of the transaction costs.

It is plain from Barrie Dexter's account of the first 20 years of Aboriginal and Torres Strait Islander Affairs that he viewed the greatest impediments to designing programs and policies to aid the advancement of Aboriginal and Torres Strait Islander Australian's were those that came from *within government and the bureaucracy*. The early policy advisers soon learnt that even the promises and mandate of a Prime Minister would not be enough to ensure the acceptance of a new direction or new imperative across government and the bureaucracy. Much hard slog goes into developing productive working relationships and cross cutting mechanisms, and these are also risked when changes are too frequent.

Changes in the machinery and arrangements can lead to extensive loss of corporate memory, resulting in old ideas being circulated again and again without the knowledge or evaluation of their previous incarnation. This recycling has led to a deep sense of 'here we go again' and cynicism among many Aboriginal and Torres Strait Islander Australians and public servants who have stayed engaged for more than a few cycles. It is not good enough that we are unable to provide government with a longitudinal and well-evaluated map and view of the history of institutions, thought and policies in this important field. Such a commitment to knowing where we have come from and keeping this knowledge is critically important to improving our practice in Indigenous Affairs, and yet, our commitment to knowledge development, and debate is widely lacking. Relevantly Anderson and Davis comment:

Intellectual history is the study of thinking across generations—how ideas emerge, develop and change over time. Such analysis relies on the words of key thinkers as they work through shared problems. It traces a conversation as people grapple with the same questions years or decades apart, trying to learn from the past and face the future.³⁷

The CAA argued that the work of Aboriginal and Torres Strait Islander affairs would require highly experienced officers in development work, akin to the DFAT/Ausaid model, and highly sophisticated skills in navigating the bureaucracy, since much of the work involved harnessing the work of antagonistic parties. Through changes in government we have forgotten this fact, and perhaps in marking the first 50 years are open to re-learning this now. Imagine if a strong curriculum for teaching public servants development theory and practice had been put in place and maintained over the past 50 years. We would now have 50 years of experience and long-term evaluation. Instead, the habit of throwing the baby out with the bath water has led to a brand new suite of APS officers entering the terrain often with little or no knowledge of what has gone before, notwithstanding most are deeply committed to this work. This needs to change.

37 ANDERSON, I. & DAVIS, G. 2016. The hard conversation: Indigenous voices on public policy. *Meanjin*, 75, 68-82.

Summation

This has been a brief look at two unresolved issues that underscore the history of Commonwealth administrative arrangements in the public administration of Aboriginal and Torres Strait Islander Affairs post 1967. In so doing, many complex practical, political and philosophical issues have been given short shrift in an effort to focus thought and discussion. The key points are that there has been an unusually high number of changes to the machinery of government and administrative arrangements for Aboriginal and Torres Strait Islander Affairs over the past 50 years, and within that still further to policy frames, while the two fundamental issues named by Coombs, Dexter and Holt remain unanswered. Indeed, the original problem and the suggested solutions have been obfuscated and have lost precision over time. We are no closer to a settlement of the structural representational issue, or of the best administrative arrangement to serve our purposes, than we were in 1967.

The paper has noted that frequent changes to policy and machinery of government changes result in transaction costs that are not well articulated or understood. These lead to inefficiencies and are often counter productive and harmful. To engage with Indigenous Australians, government and the administrative structures of the APS need to articulate clear positions on the structural issue of representation and related decisions around machinery of government and administrative arrangements and need to be able to preserve trust and working relationships across administrative generations.

The establishment of a critical stream and canon of knowledge focused on public administration in Aboriginal and Torres Strait Islander Affairs is urgently required. We have not looked hard enough at the road we have travelled and its impact on the community we serve, yet the continued and severe disadvantage experienced by many in Aboriginal and Torres Strait Islander Australia demands that the next path we take be more deliberate, and more self-conscious, and more open to transparent evaluation along the way.

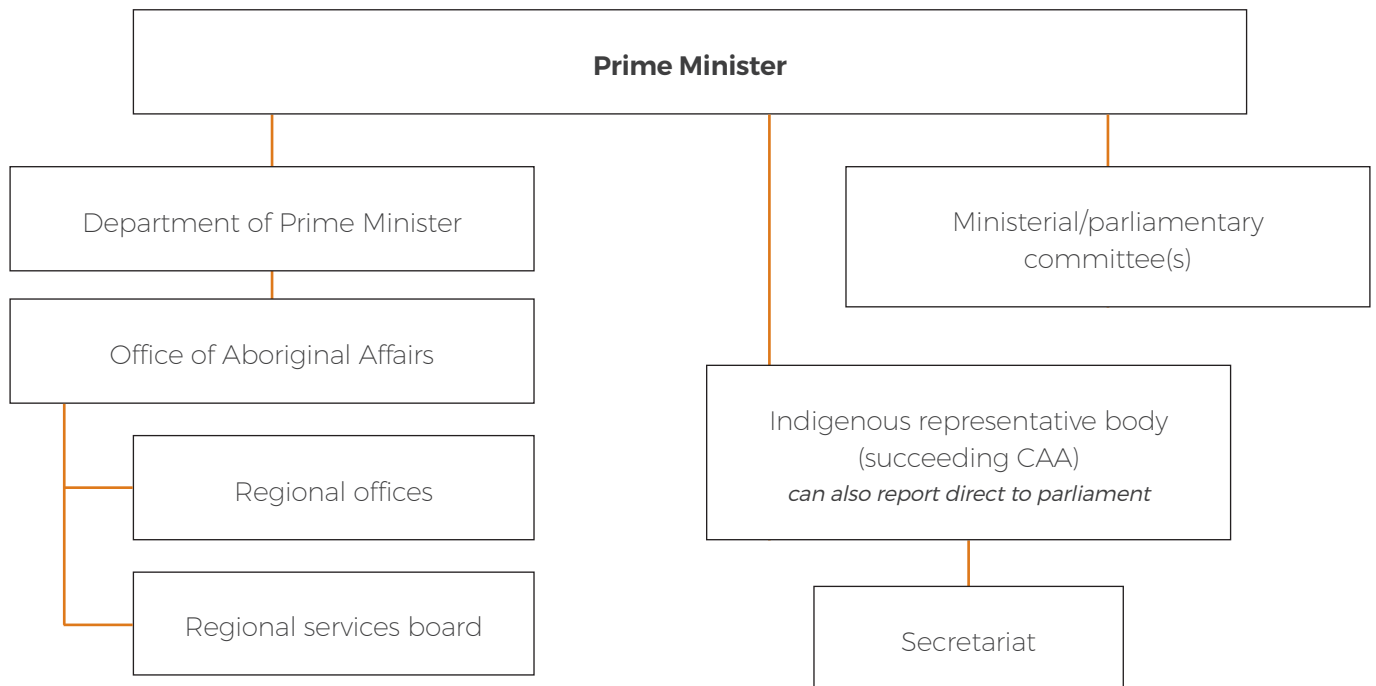
It is the role of the Australian Public Service to provide the Commonwealth government with the best possible advice on these matters. Such advice must be robust and must learn from past mistakes as well as successes. How do we get there?

Attachment A. 21 Ministers

Item	Minister	Prime Minister	Ministerial title	Year	Department
1	Harold Holt	Holt	Prime Minister	May 1967	Office of Aboriginal Affairs (OAA)
2	Bill Wentworth	Gorton/ McMahon	Minister in charge of Aboriginal Affairs under the Prime Minister	28 Feb 1968	
3	Peter Howson	McMahon	Minister for the Environment, Aborigines and the Arts	31 May 1971	
4	Gough Whitlam	Whitlam	Prime Minister	5 Dec 1972	OAA/DEA
5	Gordon Bryant		Minister for Aboriginal Affairs	19 Dec 1972	Dept of Aboriginal Affairs (DAA)
6	Jim Cavanagh			6 Oct 1973	
7	Les Johnson			6 Jun 1975	
8	Tom Drake-Brockman	Fraser		11 Nov 1975	
9	Ian Viner			22 Dec 1975	
10	Fred Chaney			5 Dec 1978	
11	Peter Baume			3 Nov 1980	
12	Ian Wilson			7 May 1982	
13	Clyde Holding	Hawke		11 Mar 1983	
14	Gerry Hand			24 July 1987	
15	Robert Tickner	Keating	Minister for Aboriginal and Torres Strait Islander Affairs	19 Dec 1991	ATSIS & OATSIA
16	John Herron	Howard		11 Mar 1996	
17	Philip Ruddock		Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs,	26 Nov 2001	ATSIC ATSIS OATSIA COAG Trials
18	Amanda Vanstone		Minister for Immigration & Multicultural & Indigenous Affairs. Minister for Families, Community Services & Indigenous Affairs	7 Oct 2003 27 Jan 2006	Office Indigenous Policy Coordination (OIPC) in IMMI
19	Mal Brough				
20	Jenny Macklin	Rudd Gillard Rudd		3 Dec 2007	OIPC - Fahcsia
21	Nigel Scullion	Abbot Turnbull	Minister for Indigenous Affairs (In PMs portfolio)	18 Sep 2013	Indigenous Affairs Group, PMC

Attachment B. MOGs in Aboriginal and Torres Strait Islander Affairs

Fig 1: CAAs proposed model (never implemented but informed their policy advice)



Political level

Led and championed by the PM as an issue of national importance.

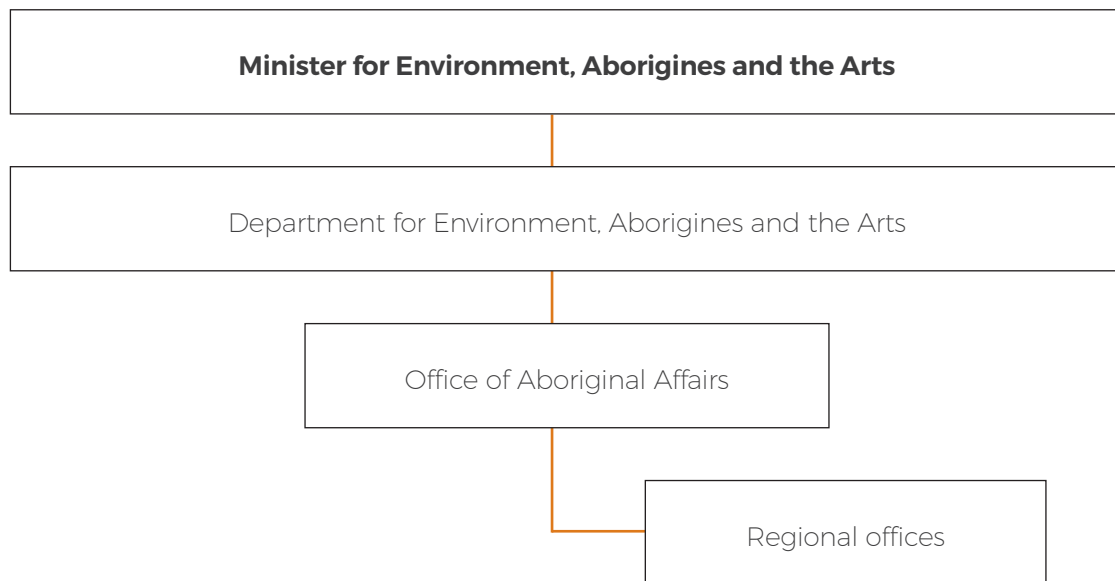
Aboriginal and Torres Strait Islander Representation

CAA supported growth of Aboriginal and Torres Strait Islander organisations to represent themselves and intended a suitable Aboriginal and Torres Strait Islander elected body that would also be able to report to parliament should replace it.

Bureaucracy

A reasonably sized central budget to coordinate and incubate new approaches and to support lead agencies to take over. It was very much about Aboriginal and Torres Strait Islander engagement, robust evaluation, building partnerships, and high expectations responsible agencies, Commonwealth and state and territory, would meet the task. CAA also recommended a 'services board' be established that would be responsible for the management of grants on the ground, working with Aboriginal and Torres Strait Islander organisations to build their capacity for self-management and ground-up policy input. This was in addition to the role of regional officers who, it was expected would be connected to every Aboriginal and Torres Strait Islander community in the country.

Fig 2: DEAA (May 1971- Dec 1972)



Political level

Led by Minister.

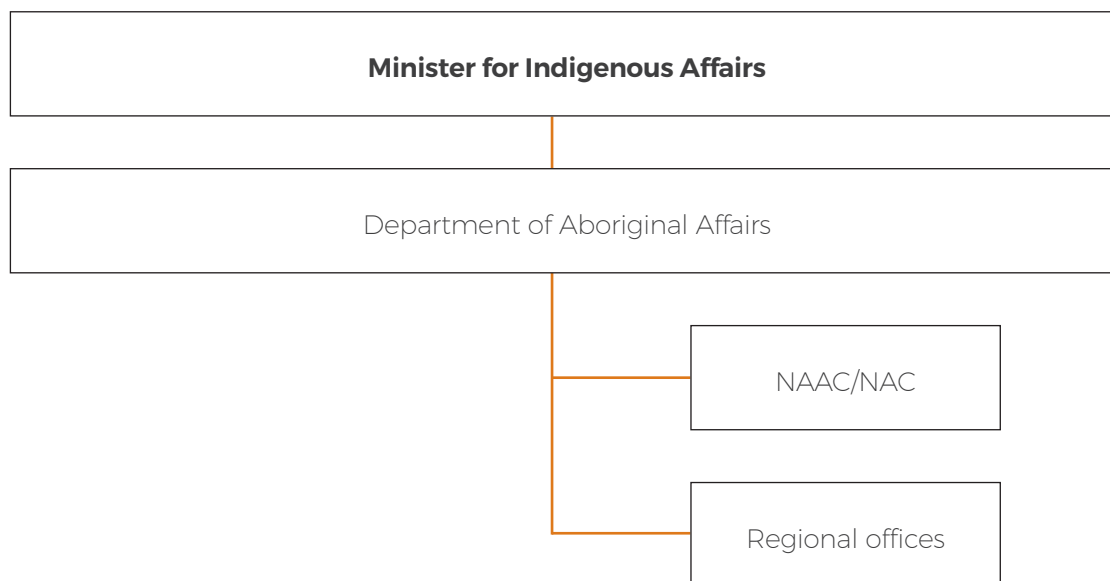
Aboriginal and Torres Strait Islander Representation

ad hoc

Bureaucracy

Main source of advice on Aboriginal and Torres Strait Islander Affairs to government, however, competing advice from central agency officials not uncommon.

Fig 3: Basic DAA model (Dec 1972-March 1990)



Political level

Led by Minister

Aboriginal and Torres Strait Islander Representation

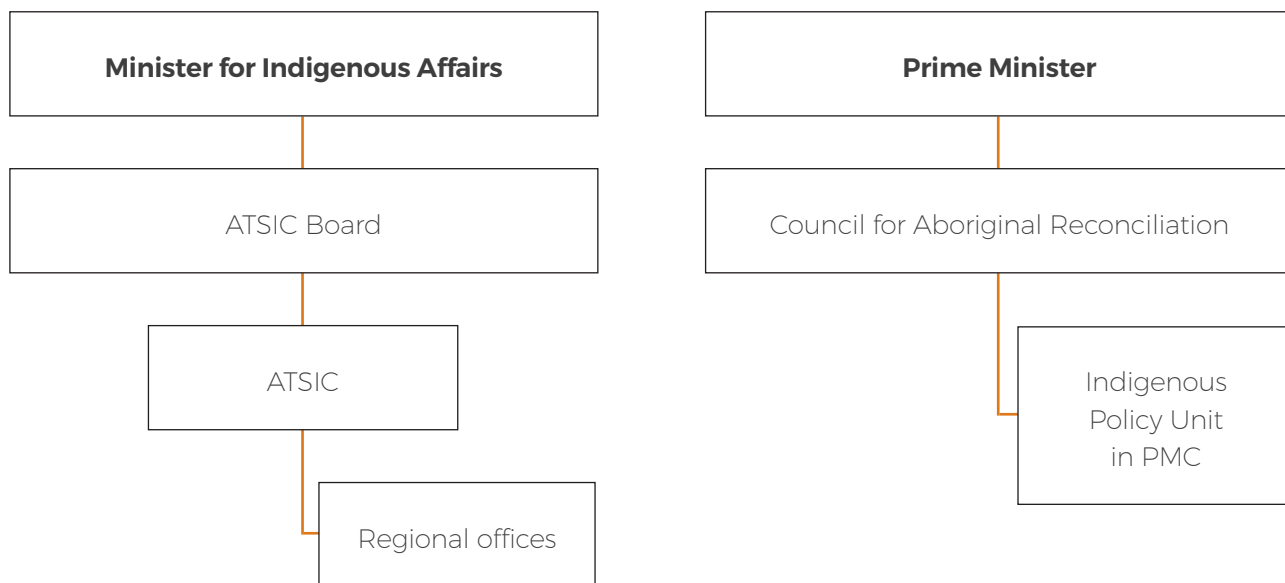
- The National Aboriginal Advisory Council (1973-77) - The first representative body of Aboriginal and Torres Strait Islander Australians and the first national body elected by adult Aboriginal and Torres Strait Islander franchise, to act in an *advisory and consultative* capacity to the Minister and the Department.
- The National Aboriginal Conference (1977- 85) - An elected body to serve as a channel of communication, and to provide advice to the Minister.

Bureaucracy

The longest-lived Aboriginal and Torres Strait Islander Affairs bureaucratic structure

DAA technically provided government with main source of Aboriginal and Torres Strait Islander policy advice, however, they often struggled against competing advice given privately to PM and Cabinet from central agencies.

Fig 4: First ATSIC model (1990-2001)



Political level

Led by Minister

Aboriginal and Torres Strait Islander Representation

ATSIC Board

Bureaucracy

ATSIC BOARD is technically government’s primary source of Aboriginal and Torres Strait Islander policy advice. However, a competing source of advice established first within DPMC (and later as a fleeting department in its own right (DORATSIA) before being moved to DIMIA.

Fig 5: ATSIC plus DORATSIA (Jan 2001 – November 2001)



Political level

Led by Minister

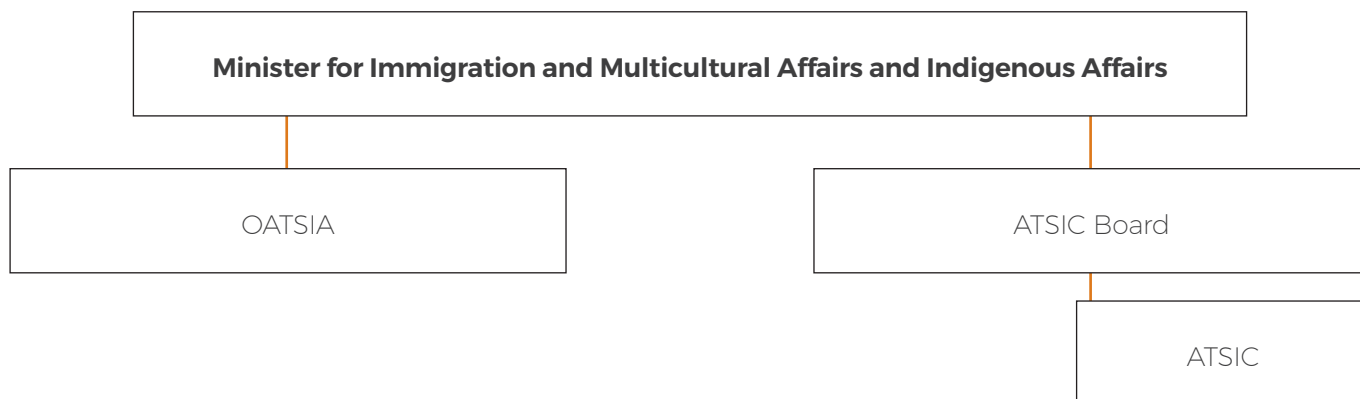
Aboriginal and Torres Strait Islander Representation

ATSIC Board

Bureaucracy

ATSIC BOARD technically government’s primary source of Aboriginal and Torres Strait Islander policy advice. However, a competing source of advice established within DORATSIA.

Fig 6: ATSIIC plus IMMI (Nov 2001)



Political level

Led by Minister

Aboriginal and Torres Strait Islander Representation

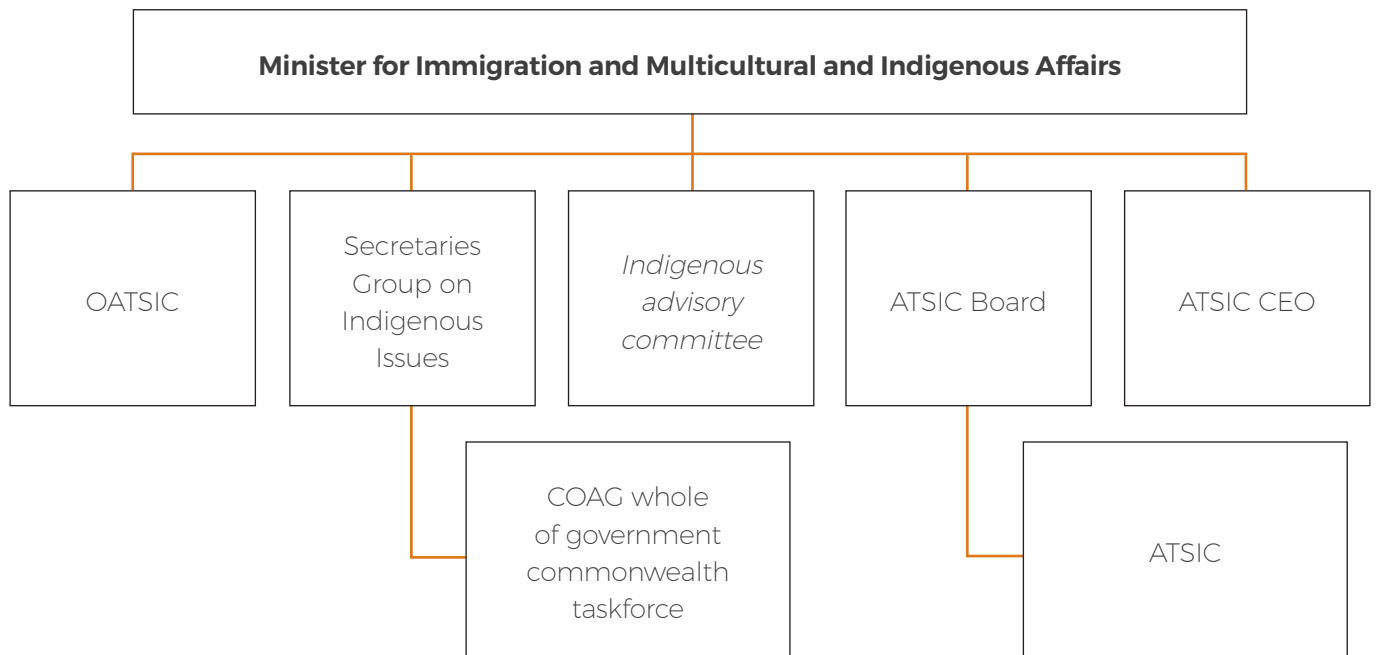
ATSIIC Board

Bureaucracy

ATSIIC BOARD technically government's primary source of Aboriginal and Torres Strait Islander policy advice. However, a competing source of advice came from OATSIA - they provided direct and sometimes contradictory advice to the Minister and onto the government.

It is widely believed that ATSIIC had responsibility for all aspects of Aboriginal and Torres Strait Islander Affairs, however, ATSIIC's formal program responsibility is primarily around housing and CDEP. They had limited discretionary funds. Mainstream agencies, in particular health and education have significant responsibilities.

Fig 7: ATSIC – ATSIIS split (July 2003- July 2004)



Political level

Led by Minister

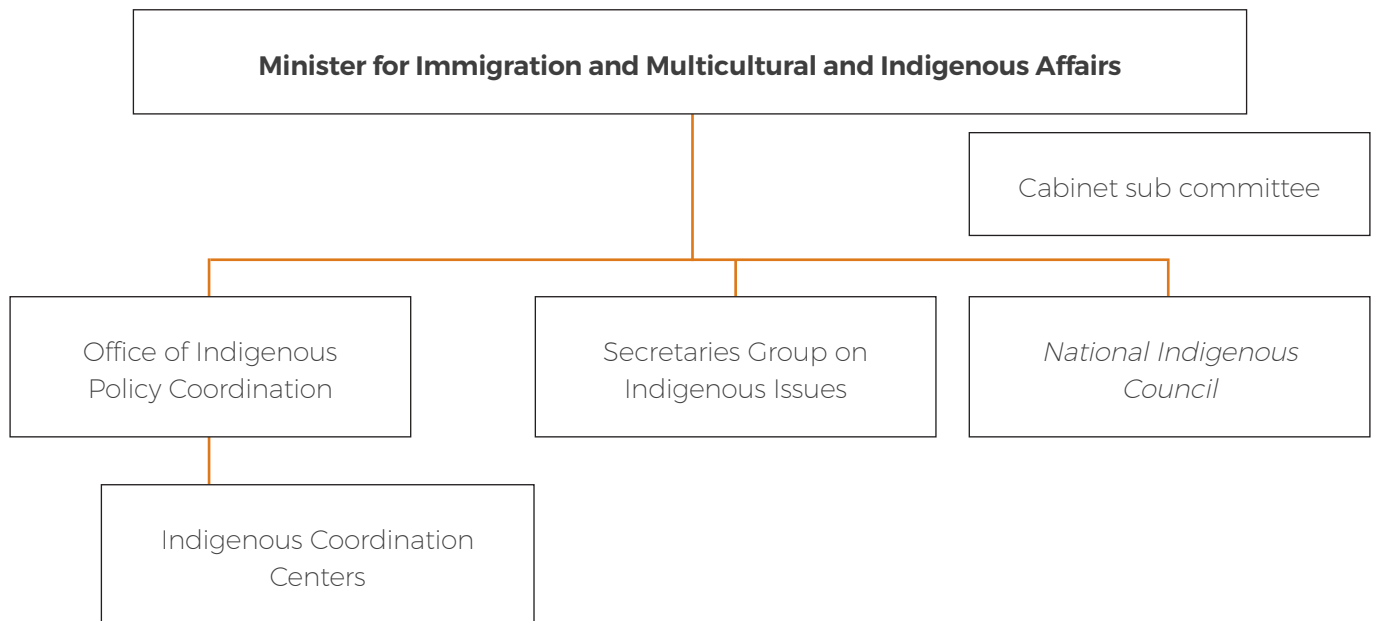
Aboriginal and Torres Strait Islander Representation

ATSIC Board

Bureaucracy

ATSIC BOARD technically government’s primary source of Aboriginal and Torres Strait Islander policy advice. However, more than one competing source of advice to the PM emerging as a result of the COAG agreements, Whole of Government Trials and Secretaries’ Group (headed by DIMIA Secretary).

Fig 8: Office of Aboriginal and Torres Strait Islander Policy Coordination, DIMIA July 2004



Political level

Led by Minister

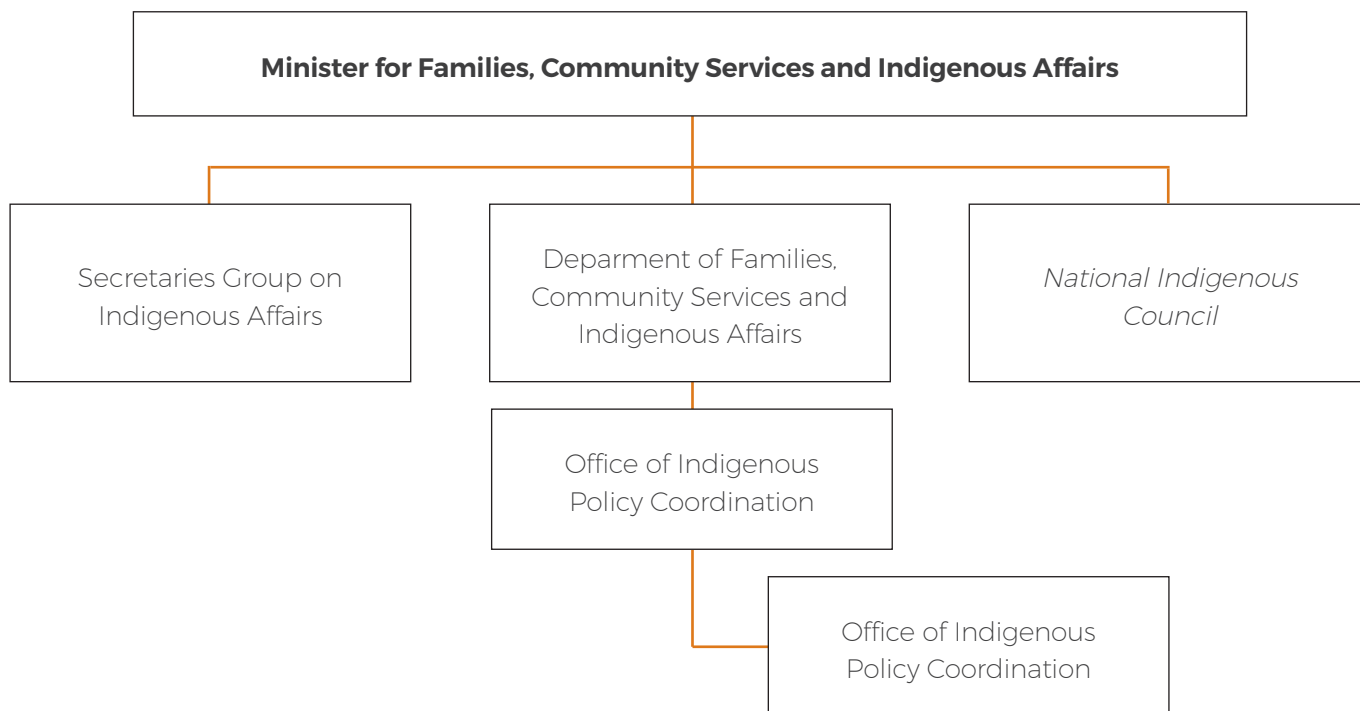
Aboriginal and Torres Strait Islander Representation

Nil elected. Government appointed Aboriginal and Torres Strait Islander advisory group

Bureaucracy

OIPC was technically government’s primary source of bureaucratic advice, supplemented by National Aboriginal and Torres Strait Islander Council. PM retained small policy unit in DPMC as his primary source of advice. Moreover, the Secretary of DPMC was the head of the Secretaries’ Group on Aboriginal and Torres Strait Islander Affairs.

Fig 9: Office of Indigenous Policy Coordination, FACs, 2006



Political level

Led by Minister

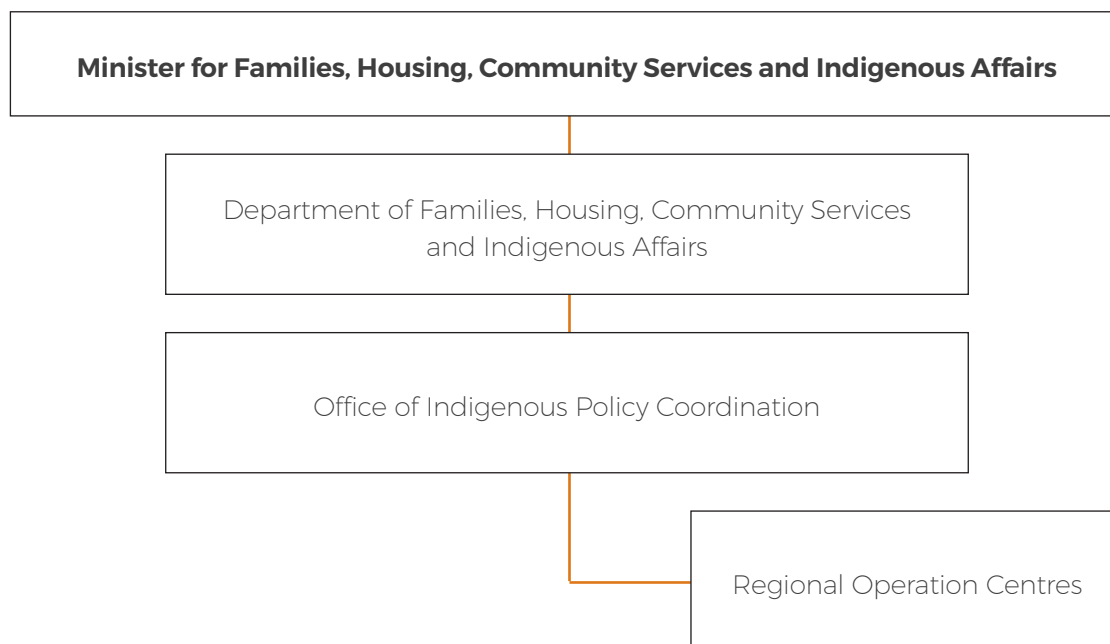
Aboriginal and Torres Strait Islander Representation

Nil elected

Bureaucracy

OIPC was technically government's primary source of bureaucratic advice, supplemented by National Aboriginal and Torres Strait Islander Council. PM retained small policy unit in DPMC as primary source of advice.

Fig 10: Office of Indigenous Policy Coordination, FaHCSIA 2007



Political level

Led by Minister

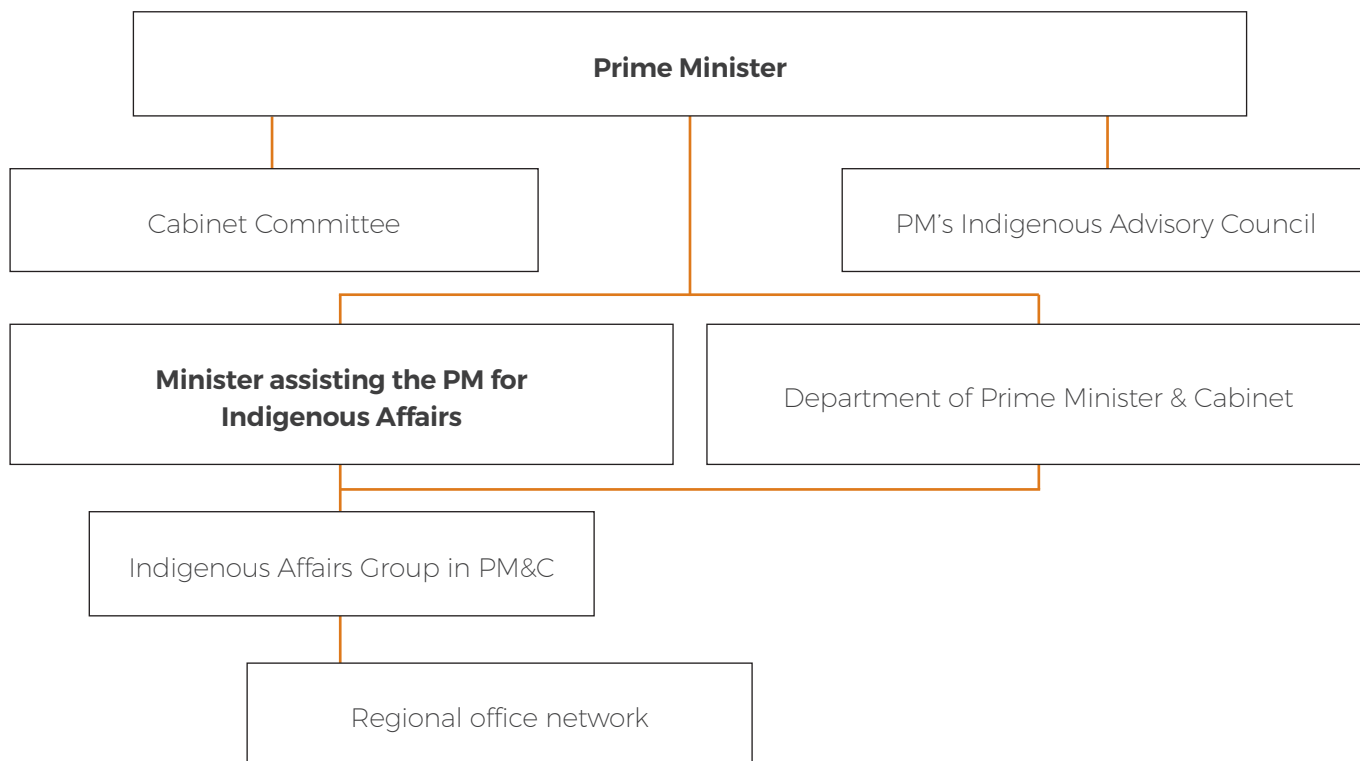
Aboriginal and Torres Strait Islander Representation

Nil elected

Bureaucracy

OIPC was technically government's primary source of bureaucratic advice, supplemented by National Aboriginal and Torres Strait Islander Council. PM retained small policy unit in DPMC as primary source of advice. Moreover, the Secretary of DPMC was the head of the Secretaries' Group on Aboriginal and Torres Strait Islander Affairs.

Fig 11: Contemporary, Aboriginal and Torres Strait Islander Affairs Group in DPMC (2013-



Political level

Led by Minister assisting the Prime Minister

Aboriginal and Torres Strait Islander Representation

Nil elected. PM appointed National Indigenous Advisory Council

Bureaucracy

Re-located to PM&C, with policy, evaluation and coordination responsibilities.

REFERENCES (Rowse, 2002, Young, 2000a, Pearson, 2003, Pearson and Sanders, 1995, Young, 2006, Young, 2007, Young, 1990, O'Donoghue, 1992, Arabena, 2005, Fraser, 2010, O'Donoghue, 1997, Cornell and Kalt, 2010, Forst, 2011, Wallis and Dollery, 1997, United Nations, 2007)

Bibliography

- ANDERSON, I. & DAVIS, G. 2016. The hard conversation: Indigenous voices on public policy. *Meanjin*, 75, 68-82.
- ARABENA, K. 2005. Not fit for modern Australian society: Aboriginal and Torres Strait Islander people and the new arrangements for the administration of Indigenous affairs. *AIATSIS research discussion paper*. Canberra: Australian Institute of Aboriginal and Torres Strait Islander Studies
- ARNESON, R. J. 2006. Justice after Rawls. In: DRYZEK, J. S., HONIG, B. & PHILLIPS, A. (eds.) *The Oxford handbook of political theory*. Oxford; New York: Oxford University Press.
- BEHRENDT, L. 2003. *Achieving Social Justice. Indigenous rights and Australia's future*, Annandale, Federation Press.
- COOK, I. 2004. *Government and Democracy in Australia*, South Melbourne, Oxford University Press.
- COOMBS, H. C. 1976. *Royal Commission on Australian Government Administration*, Canberra, Australian Govt. Pub. Service.
- COOMBS, H. C. 1981. *Trial balance*, Melbourne, Macmillan.
- CORNELL, S. & KALT, J. P. 2010. American Indian Self- Determination: The Political Economy of a Policy that Works. *Faculty Research Working Paper Series* [Online], RWP10-043. [Accessed 25/01/11].
- DEXTER, B. G., FOLEY, G. & HOWELL, E. 2015. *Pandora's box : the Council for Aboriginal Affairs 1967-1976*.
- FORST, R. 2011. The Power of Critique. *Political Theory*, 39, 118-123.
- FRASER, N. 2010. *Scales of Justice*, Cambridge UK, Polity Press.
- HEIFETZ, R. A. & LINSKY, M. 2002. *Leadership on the line*, Boston, MA, Harvard Business School Press.
- HONNETH, A. 2001. Recognition or Redistribution? *Theory, Culture & Society*, 18, 43-55.
- HUNT, J. 2008. *Contested governance : culture, power and institutions in indigenous Australia*, Canberra, A.C.T., Centre for Aboriginal Economic Policy Research, ANU E Press.
- KAKABADSE, A., KORAC-KAKABADSE, N. & KOUZMIN, A. 2003. Ethics, values and behaviours: comparison of three case studies examining the paucity of leadership in government. *Public Administration*, 81, 477-508.
- KYMLICKA, W. 2007. The new debate on minority rights (and postscript). In: LADEN, A. S. & OWEN, D. (eds.) *Multiculturalism and political theory*. Cambridge, UK: Cambridge University Press.
- MORAN, T. 2010. *Ahead of the game blueprint for the reform of Australian Government administration*, [Capital Hill, A.C.T.], [Dept. of the Prime Minister and Cabinet].
- O'DONOGHUE, L. 1992. Ending the despair. *Australian Journal of Public Administration*, 51, 214-222.

- O'DONOGHUE, L. 1997. In *Indigenous Affairs Nothing is New, Just Forgotten*. *Australian Journal of Public Administration*, 56, 5-10.
- PALMER, K. 2004. *ATSIC : origins and issues for the future : a critical review of public domain research and other materials*, Canberra, Research Program, Australian Institute of Aboriginal and Torres Strait Islander Studies.
- PEARSON, N. 2003. *Our right to take responsibility*, Melbourne, Institute of Public Administration Australia (Victoria).
- PEARSON, N. & SANDERS, W. 1995. *Indigenous peoples and reshaping Australian institutions : two perspectives*, Canberra, A.C.T., Australian National University, Centre for Aboriginal Economic Policy Research.
- PERKINS, C. 1992. Aboriginal Australia and Public Administration. *Australian Journal of Public Administration*, 51, 223-233.
- PRATT, A. 2003. Make or Break? A Background to the ATSIC Changes and the ATSIC Review. *Information and Research Services Current Issues Brief* [Online], 29. Available: <http://www.aph.gov.au/library/pubs/CIB/2002-03/03cib29.pdf> [Accessed 7/2/11].
- RAWLS, J. 1971. *A theory of justice*, Cambridge, MA, Belknap Press of Harvard University Press.
- RHODES, R. A. W., WANNA, J. & WELLER, P. 2008. Reinventing Westminster: how public executives reframe their world. *Policy & Politics*, 36, 461-479.
- ROWSE, T. 2001. 'Democratic Systems are an Alien Thing to the Aboriginal Culture...'. In: SAWER, M. & ZAPPALA, G. (eds.) *Speaking for the People: Representation in Australian Politics*. Carlton South: Melbourne University Press.
- ROWSE, T. 2002. 'The Responsive Public Servant': Coombs the Man, Coombs the Report. *Australian Journal of Public Administration*, 61, 99-102.
- SANDERS, W. 1994. Reconciling public accountability and Aboriginal self-determination/self-management: Is ATSIC succeeding? *Australian Journal of Public Administration*, 53, 475-488.
- SANDERS, W. 2008. In the name of failure: A generational revolution in Indigenous Affairs. In: WETTENHALL, A. (ed.). *Howard's Fourth Government*: UNSW Press.
- SULLIVAN, P. 1996. *Shooting the banker : essays on ATSIC and self-determination*, Darwin, North Australia Research Unit, Australian National University.
- TAYLOR, C. 1994. *Multiculturalism: Examining the Politics of Recognition*, Princeton, Princeton University Press.
- TULLY, J. 2002. The Unfreedom of the Moderns in Comparison to Their Ideals of Constitutional Democracy. *The Modern Law Review*, 65, 204-228.
- TULLY, J. 2007. *Strange multiplicity, Constitutionalism in an age of diversity*, New York, Cambridge University Press.
- TULLY, J. 2008. *Public Philosophy in a New Key 1: Democracy and Civic freedom*, Cambridge, Cambridge University Press.

- UNITED NATIONS 2007. United Nations Declaration on the Rights of Indigenous Peoples. *In: UN (ed.) A/61/L.67*. Geneva: UN.
- WALLIS, J. & DOLLERY, B. 1997. An Evaluation of Leadership as a Response to Agency Failure in the Public Sector. *Public Administration*, 75, 247-265.
- WINSTON, K. 2008. What makes ethical practical. Kennedy School of Government Harvard University.
- WINSTON, K. 2012. *Educating for Moral Competence (for Philip Selznick)*, Cambridge MA, Harvard.
- YOUNG, I. M. 1990. *Justice and the politics of difference*, Princeton, Princeton University Press.
- YOUNG, I. M. 2000a. Hybrid democracy: Iriquois federalism and the postcolonial project. *In: IVISON, D., PATTON, P. & SANDERS, W. (eds.) Political Theory and the Rights of Indigenous Peoples*. Cambridge UK: Cambridge University Press.
- YOUNG, I. M. 2000b. *Inclusion and Democracy*, Oxford, Oxford : Oxford University Press.
- YOUNG, I. M. 2006. Taking the basic structure seriously. *perspectives in politics*, 4/no1, 91-97.
- YOUNG, I. M. 2007. Structural injustice and the politics of difference. *In: LADEN, A. S. & OWEN, D. (eds.) Multiculturalism and political theory*. Cambridge, UK; New York: Cambridge University Press.