
#LifestyleChoice, education & informed citizenry: a wake up call

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Prime Minister Tony Abbott recently shocked and dismayed Indigenous communities and leaders with his “lifestyle choice” comments supporting the closure of up to 150 remote Indigenous communities in Western Australia – and galvanised the #SOSBlakAustralia protests on Twitter, Facebook and real life.

Legal academic Kate Galloway says his comments should also serve as a wake up call to universities and for academics in all disciplines, and particularly lawyers who are at the frontline of justice and law making.

Kate Galloway writes:

The Western Australian government has proposed closing over 100 remote Aboriginal communities because they are ‘unviable’. In support of this proposal, the Prime Minister recently claimed that it was not the role of government to ‘endlessly subsidise lifestyle choices if those lifestyle choices are not conducive to the kind of full participation in Australian society that everyone should have.’

The PM’s comments continue to reverberate, particularly amongst Aboriginal and Torres Strait Islander communities. That is because these communities know two things. First, living on country is not a ‘lifestyle choice’. Secondly, dictating the kind of participation people ‘should’ have embodies assimilationist policies long discredited. The Native Welfare Conference of government ministers in 1961 defined assimilation as meaning:

that all Aborigines and part-Aborigines are expected to attain the same manner of living as other Australians and to live as members of a single Australian community, enjoying the same rights and privileges, accepting the same customs and influenced by the same beliefs as other Australians.

Aboriginal and Torres Strait Islander Australians continue to feel the effects of assimilationist policy, despite an ostensible (but contested) shift towards self-determination as the dominant policy framework. The PM’s comments make it clear that assimilation is never far away despite being contrary to international human rights.

It is concerning not only that such a statement would be made by a powerful figure– who continues to stand by it – but that it would be made by a highly educated person, trained in the law no less. Indigenous Australians are part of the fabric of the Australian community with an enduring ancient cultural heritage and ongoing connection to country and community. The Anglo-Australian legal

system has dispossessed so many and continues to do so. As a result Aboriginal and Torres Strait Islander Australians suffer disadvantage within Australian society. Now that Indigenous peoples are – finally – invested with rights articulated at international law, State and Commonwealth government continues to function in a mid-20th century mindset.

To the extent that politicians and their advisors are likely to have emerged from Australian universities, it is timely therefore to revisit the purpose and role of higher education in promoting an educated citizenry: one that has a better appreciation of the culture and experiences of Aboriginal and Torres Strait Islander Australians than that demonstrated by the PM's comments.

This knowledge is a crucial prerequisite for development of just law and effective policy. It is also a vital part of creating a community sufficiently educated to hold government to account in the way it exercises its power.

Teaching Indigenous perspectives

There is a longstanding imperative in Australian school education to include what have been described as '[Indigenous perspectives](#)' in the curriculum. To the extent that education serves the purpose of framing and exploring national identity, it must engage our students with the perspectives and experiences of Aboriginal and Torres Strait Islander Australians. Education in Indigenous perspectives includes grasping foundation concepts of connection to land and community, of wholeness and identity. And it includes engaging with the historical and contemporary effects of waves of repressive and assimilationist government laws and policies.

The need for such education does not stop at the end of school and there are good reasons to see education in Indigenous perspectives as a footing for all higher education.

Australian university graduates are expected to achieve competencies relevant to their institution ('graduate attributes') and their discipline. These will generally include communication skills and awareness of cultural diversity, and often extend to '[knowledge of Indigenous Australia](#)' or [Indigenous cultural competency](#).

The [Behrendt Review](#) of Higher Education Access and Outcomes for Aboriginal and Torres Strait Islander People built on the earlier [Bradley Review](#), which recommended the broader accessibility of higher education. The Behrendt Review makes a number of recommendations that reflect its purpose to create better pathways for Aboriginal and Torres Strait Islander people to gain higher education. But there are also clear recommendations that call on universities to think about our educational purpose and how we go about this. Not only is it recommended that university education incorporate and recognise Aboriginal and Torres Strait Islander knowledges, but Behrendt finds that universities must educate graduates who are *equipped to provide services for Aboriginal and Torres Strait Islander Australians*.

The WA proposals and the framing of the PM's comments make it difficult to see how both levels of government and their leaders are equipped to provide such services.

The discipline of law

The law is deeply implicated in the dispossession and disenfranchisement of Aboriginal and Torres Strait Islander Australians. This is known to make the study of law intrinsically alienating for Indigenous Australian students. But the injustice is compounded so long as law graduates have no insight into the ways in which the law has brought about Indigenous dispossession and disenfranchisement, and how it has been experienced by Aboriginal and Torres Strait Islander Australians. Service delivery – by lawyers, judges and government – will fail Indigenous Australians so long as its practitioners are culturally incompetent and ignorant of their clients' contexts.

The Commonwealth government has allocated over \$18 million for 'nationally significant projects addressing the Behrendt Review' over the period 2013-2017, following from other funded projects improving teaching and learning practices in Australian Indigenous tertiary studies.

Specific to the discipline of law, there are presently two Office of Teaching and Learning funded projects that deal with Indigenous perspectives in legal education. One, led by Marcelle Burns, aims to 'build Indigenous cultural competency in legal academics.' Another, led by Mary Heath,^[1] is aimed at sessional law teachers. The project will develop 'teaching development modules, integrating strategic themes of crucial importance to the administration of justice...' These themes include Indigenous perspectives in the curriculum.

Along with health professions and education, law is a discipline in the frontline of essential service delivery for Aboriginal and Torres Strait Islander people. Additionally its graduates, including the PM, inform the development of the law itself and therefore have the capacity to drive reform for the advancement of Aboriginal and Torres Strait Islander Australians.

Our university graduates are the decision-makers of the future. They need to be capable of meeting the challenges of 'maintaining our high standard of living, underpinned by a robust democracy and a civil and just society'. It is impossible to do this without a foundation understanding of Indigenous cultures and how the lives of Aboriginal and Torres Strait Islander people and communities have been *and continue to be* affected by colonisation and government policy.

The PM's comments are therefore a wake-up call for universities and for academics in all disciplines to consider how they are building on funded projects, and how they are themselves contributing to an informed citizenry able to serve the best interests of all Australians. This is a call for cultural competency as much as it is a call for justice.

^[1] I am a team member of this project.

Kate Galloway is a senior lecturer in law at James Cook University. She teaches & researches in land law and has a particular interest in property law as it affects Indigenous Australians and women. She blogs at <http://katgallow.blogspot.com.au/?m=1> and tweets at @katgallow

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