

POLICY BRIEF

Portfolio of Rural and Indigenous Policy

'OUT OF THE SHADOWS'

REGARDING THE RESERVATION OF SEATS FOR INDIGENOUS AUSTRALIANS WITHIN THE FEDERAL
PARLIAMENTARY SYSTEM OF AUSTRALIA

'A significant factor in Australia's inability to
improve Indigenous welfare is the lack of
Indigenous representatives within the Federal
Parliamentary System'

OUT OF THE SHADOWS

Once upon a time, amongst the greenery of Redfern Park, an Australian Prime Minister, Paul Keating, spoke eloquently of the need to strive for success and reconciliation in 'the test which, so far, we have always failed.' Today, the fairy tale is over. Representative democracy has proved disastrous for Aboriginal Australia and, two hundred long years after Federation, Indigenous Affairs remains a minefield strewn with the stark remains of grand gestures and the broken remnants of policy debacles. For centuries, Indigenous Australians, denied the power to control their future, have had little say in their own destiny. It is time for Aboriginal Australians to begin again to help determine the direction of this nation. It is time for the annals of our history to be turned to a fresh page. It is time for Indigenous Australians to be given a voice that cannot be ignored; guaranteed representation in the halls of our Parliaments.

It is tragically evident that democracy and the principle of electoral majorities have failed utterly to protect the most disadvantaged and vulnerable members of our society. Statistically, there should be two Indigenous politicians serving in the Senate and four in the House of Representatives. Currently, there are none. A poignant symbol of inclusion and self-determination, reserved seats would provide a presence in the halls of power for a people who, for too long, have been denied legislative influence. In a nation based on the principle of representative government, surely it is vital that the original inhabitants, and most disadvantaged members of our society, are represented. Today, a juvenile with Indigenous heritage is twenty three times more likely to be imprisoned than a non-Indigenous youth and Indigenous life expectancy remains the lowest of any first-world nation. The tragedy of Indigenous Australia will never be resolved by a Parliament devoid of Indigenous representation. Dedicating parliamentary seats to a minority may well seem 'undemocratic', but democracy has failed Aboriginal Australia too many times. In the words of Keating, it is time 'to bring the dispossessed out of the shadows, [and] to recognise that they are part of us.'

**'The average life expectancy at birth for an
Indigenous Australian is less than that of a child born
in Bangladesh'**

Source: World Health Organisation

The Current State of Indigenous Welfare

A HARSH REALITY: THE CURRENT STATE OF INDIGENOUS WELFARE

The 592,700 Indigenous Australians who reside in Australian territory comprise 2.4% of the Australian population. 90% of those Australians who identify as Indigenous identify as Aboriginal, 6% as Torres Strait Islander and the remaining 4% as an amalgamation of the two former categories. Although New Zealand is home to 526,281 Indigenous citizens, the proportionate figure in terms of population is much greater, at 14.5%. The Aboriginal population of Canada, recorded at 976,305 persons, comprises 3.3% of the total Canadian population while figures show that the Indigenous community within the United States of America, although representing less than 1.5% of the total population, is approximately 3,000,000 persons.¹

Although a relatively small proportion of the Australian population, the Indigenous peoples of this nation have long registered socio-economic data more typical of third-world nations than a modern and prosperous democracy. Indeed, although it is well known that Indigenous life expectancy remains seventeen years below the national average, key indicators such as literacy rates, educational attendance, employment and health figures also reveal a significant discrepancy between Indigenous society and mainstream Australia.

'Aboriginal and Torres Strait Islander people have a lower life expectancy than any other first-world Indigenous population'

SOURCE: 2007 Overcoming Indigenous Disadvantage Key Indicators Report

A LEGACY OF SHAME: THE INABILITY OF THE FEDERAL PARLIAMENTARY SYSTEM TO EFFECT SIGNIFICANT CHANGE IN INDIGENOUS WELFARE

*Unless otherwise specified, the following statistics are taken from the 2007 Overcoming Indigenous Disadvantage Key Indicators Report, pp 3-4

Despite increased governmental and popular awareness, many of the issues confronting Indigenous Australia remain unsolved and, in some cases, the situation is deteriorating. Indeed, a policy analysis produced by Onemda VicHealth Koori Health Unit

¹ Jane Freemantle, et al. Australian Indigenous Health- Within an International Context, Cooperative Research Centre for Aboriginal Health, Australia, 2007, p. 6.

argued, in 2005, that 'there has been little or no progress in Indigenous health over the past decade or more.'² Such claims are reinforced by a tragic litany of statistical evidence. In the period between 2002 and 2006, the imprisonment rate for Indigenous women increased by 34% and the detention rate for Indigenous men rose by 20%. The incidence of kidney disease, within the Indigenous population, doubled between 2001 and 2005, reaching a figure ten times higher than the non-Indigenous rate. Furthermore, there has been no change in the prevalence of hearing disorders amongst Indigenous children. Over the ten years between 1995 and 2005, there was almost no change in the rate of high risk alcohol consumption amongst Indigenous men and the reported rate increased for Indigenous women. The proportion of Indigenous Australians engaging in moderate to high levels of exercise decreased over the same time period and the reported level of smoking remained constant. Similarly, there has been no significant change recorded in the rate of housing overcrowding and a substantial increase in the reported number of long-term health problems has been recorded.

It is evident that our parliamentary system has failed the very people most in need of protection. Indeed, testifying to a Parliamentary Inquiry in 1998, the then Director General of the NSW Department of Aboriginal Affairs noted that 'existing politicians do not or cannot...adequately' represent Aboriginal people.³ The ineffectiveness of Federal Parliament is evidenced by the failure of the ten year formal reconciliation process, implemented by the Hawke government in 1991, and the tragic inability of successive governments to effect significant improvements in the area of indigenous health. Whilst many first-world nations have recognised Indigenous peoples within various legislative frameworks, and experienced corresponding increases in Indigenous welfare, the Australian Parliamentary system has effectively precluded any form of Indigenous representation. As a consequence, Parliament must confront perhaps the greatest injustice of our generation without a single Indigenous representative. Albert Camus famously noted that 'democracy is not the law of the majority, but the protection of the minority.' How can we expect to protect the most vulnerable when we refuse to allow them a legislative voice?

This is not to detract from the improvements that have been made and the painstaking progress that has, little by little, begun to close the gap between Indigenous Australians and mainstream Australian society. However, it would be misleading to characterise the disparity between Aboriginal and 'white' Australia as anything other than a chasm of immense proportions. Indeed, the most telling evidence of such a divide is the

² Katrina Alford, Discussion Paper No. 13: Comparing Australian with Canadian and New Zealand Primary Care Health Systems in Relation to Indigenous Populations: Literature Review and Analysis, Onemda VicHealth Koori Health Unit, Vic, 2005, p. 1.

³ 'Chapter Six: The Arguments For and Against Dedicated Seats', in Enhancing Aboriginal Political Representation: Inquiry into Dedicated Seats in the New South Wales Parliament, Standing Committee On Social Issues (Legislative Council), November, 1998, p. 45.

harsh reality that, despite decades of legislative effort, an Indigenous Australian will still die seventeen years earlier than the national average. In contrast New Zealand, Canada and the United States of America have dramatically reduced the Indigenous life expectancy gap to within three to seven years. The great difference between Australia and the remainder of the Western world is that other modern democracies with significant Indigenous populations have found a way to bridge the socio-economic chasm that divides such societies. The bridge is as simple as it is effective: Indigenous representation within the legislative system.

POLICY RECOMMENDATIONS

After consideration of the issue, Left Right Think-Tank advocates the implementation of the following options;

- A wide and pervasive public debate about Indigenous welfare is needed. The onus is on both voluntary Non-Governmental Organisations (NGO's) and civil society to make the status of Indigenous Australians an issue of public policy.
- Ignorance of the true state of Indigenous Affairs, especially among young people, is a problem that needs to be addressed. The promotion and teaching of Indigenous culture and history must urgently be removed from the context of the 'history wars' and examined in an unbiased manner by all parties.
- Given the disbandment of ATSIC, Indigenous Australians are without any representative body at a Federal level. It is in the interests of the Federal Government to act decisively to ensure an alternative body, whether associated with Indigenous political participation or not, is established.
- Although some research into reserved seats has been carried out at state level, there is an urgent need for such studies at a Federal level. This paper recommends the establishment of a Royal Commission to explore the feasibility of dedicated seats and, also, to consider other means of involving Indigenous Australians within the Federal parliamentary process.
- The major parties should make immediate efforts to preselect Indigenous candidates for winnable seats, in order to facilitate Indigenous representation