

Symbolism is not enough: Pearson

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CONSTITUTIONAL recognition of Aboriginal Australians should go beyond symbolism and drive a new approach to indigenous policy that is capable of transforming lives, according to the Cape York Institute led by Noel Pearson .

The institute argues that constitutional change should be backed by new laws to set up an Equal Rights and Responsibilities Commission to ensure that taxpayers' money is not wasted on programs that do not work and to protect indigenous languages.

A new paradigm on closing the gap between indigenous and non-indigenous Australians, based on equality of all Australians before the law and the preservation of Aboriginal culture, underpins a 50-page submission from the institute.

The paper is among hundreds of submissions to an expert panel that will advise the Gillard government by December on a referendum to be conducted at or before the next federal election.

"We firmly believe that the proposed reforms would be of immense benefit to the wellbeing of indigenous Australians and to the entire nation," says the institute's submission.

Reflecting the thinking of Mr Pearson, who has championed welfare reform in indigenous communities for more than a decade, the submission rejects the notion that equality before the law is incompatible with a recognition of distinct indigenous identity.

While welfare reform has been successful in taking "small steps" towards championing indigenous responsibility, the submission says that it arguably has not done enough to prevent cultural loss and the extinction of indigenous languages.

"We contend that cultural recognition and equality are wholly compatible. Indeed, we contend that they are two sides of the same coin, tied together just as rights are tied to responsibilities," the submission says.

It argues that the removal of racially discriminatory provisions of the constitution is far more important than the recognition of the first Australians in a new preamble to the constitution. "This is much more than a question of symbolism, though symbols are important," it says.

"This is an opportunity to change Australia's approach to indigenous policy and law. It is also an opportunity to resolve and define the position of indigenous peoples within Australia and to become what we have been trying to be: 'A reconciled indivisible nation'."

The institute argues that the present "race-based" approach to indigenous policy development is flawed, asserting it was born from a colonial system, and has perpetuated colonial myths of indigenous Australian inferiority, dependency and incapability.

"If we are serious about substantive equality and equal life outcomes for indigenous Australians, we must be serious about equal treatment before the law," the submission says.

"Likewise, indigenous Australian cultures and languages must finally be celebrated as an indispensable part of Australian identity. They must be supported to prosper and to be enjoyed by the entire nation."

Cross-party support for the referendum will be crucial, given the dismal track record of proposals for constitutional reform. But Liberal leader Tony Abbott has signalled a willingness to go beyond considering a new preamble and has described Mr Pearson as "a true visionary and a very significant leader in contemporary Australia".

The submission argues that closing the gap must start with an expectation of more, not less, from indigenous Australians. "We must start by admitting the errors we have made in our history," it says.

"There has been too much adverse discrimination against indigenous Australians. More recently, there has been too much 'positive' discrimination with adverse results, driven by white guilt and perpetuating indigenous Australian victimhood. The 'soft bigotry of low expectations' lingers on.

"We contend that Australia must be done once and for all with feelings of guilt and national shame over past discriminatory policies and current inadequate outcomes."