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Explaining Social exclusion: Towards Social Inclusion for Indigenous Australians

Boyd Hunter and Kirrily Jordan

Abstract

Current policy often focuses on 'Overcoming Indigenous Disadvantage' by simultaneously addressing multiple deficits that many Indigenous people experience relative to other Australians. International literature often frames such issues in terms of the contested concepts of social exclusion and social inclusion. This paper attempts to analyse what Indigenous social inclusion might look like in a plural society such as Australia. In addition to contextualising Australian policy in broader debates, this paper also briefly introduces several relevant theories of justice, diversity and Indigenous rights to provide a theoretical framework for conceptualising social inclusion. The article concludes with some reflections on some practical suggestions to move the debate forward. In principle, enhancing Indigenous social and political participation in policy design should both increase inclusion and reduce disadvantage by enhancing the effectiveness of programs that have a substantial Indigenous client base.

Keywords: Social inclusion, indigenous rights and participation, disadvantage

From social exclusion to social inclusion: contested concepts

The summary measure of deprivation used in most public debates is the percentage of population classified as poor (as estimated using some poverty line and measured in either absolute or relative terms). In recent decades, many commentators have become disaffected with the rather dry debates about poverty that have focused on the lack of income, consumption or expenditure at a particular point in time. While such measures have provided clear technical definitions of who was poor (and the extent, depth and distribution of poverty), the assumptions made in these poverty studies have been highly contestable. One reason is that the poor not only experience income deficits, but their social and political experiences are heterogeneous – this pluralism needs to be accounted for in any policy response to these disadvantaged groups.

The problems for conventional poverty measurement have been particularly pronounced in relation to Indigenous Australians. Their circumstances are sometimes so different from those of other Australians that it may not be meaningful to measure Indigenous poverty using the same metric as that used for other Australian poverty (Hunter et al. 2003; Hunter et al. 2004). For example, Indigenous people are more likely to reside in areas with different costs of living to the average urban Australian resident. Indigenous households also tend to be exceptionally large in size and often involve extended kinship networks that have no direct analogy with the nuclear family used in most poverty studies (Morphy 2006). Such complications are compounded by the fact that the parenting and related child-care arrangements in Indigenous households are equally complex. In view of the intrinsic inadequacies of standard measures of Indigenous poverty, it should not really be surprising that several studies have identified widespread multiple disadvantages among both relatively well off Indigenous people and those conventionally defined as poor (Hunter 1999; Hunter 2006).

In the international literature, the concept of social exclusion was popularised in the 1970s and 1980s because of dissatisfaction with the concept of poverty. It emerged out of at least two distinct concerns. The first related to debates about particular types of disadvantage that were not captured by measures of income poverty (such as mental illness, physical disability and long-term unemployment), and the inadequacy of the welfare state in dealing with such challenges (often associated with the French literature, see Silver 1994; Levitas 2006). The second concern¹ related to the adequacy of standard measures of poverty for capturing the multi-faceted nature of the disadvantage experienced by the less well-off. This latter concern grew from the work of British sociologist Peter Townsend who argued that poverty was not only about subsistence but also about the ability of individuals to participate in the normal activities enjoyed by the majority of society. For example, Townsend suggested that:

¹ Peter Saunders (Saunders 2008: 10) characterises these two concerns respectively as a 'social exclusion approach' and a 'deprivation approach', but the latter concern continues to inform much of the literature on social exclusion.

Individuals, families and groups can be said to be in poverty when...their resources are so seriously below those commanded by the average individual or family that they are, in effect, excluded from ordinary living patterns, customs and activities (Townsend in Levitas 2006: 124–25).

In addition, poverty was seen as too static a measure of disadvantage as it ignored the evolution of disadvantage over time. That is, it abstracted from the processes that reinforce disadvantage that make it particularly difficult to improve the circumstances of some historically marginalised groups (such as many Indigenous peoples).

As a concept of multi-dimensional poverty – the sense in which it is used in this paper – ‘social exclusion’ is commonly understood to refer to multiple and often intersecting disadvantages (including disparities in economic as well as socio-political resources) and as accommodating processes over time.² While poverty research tends to focus on individuals and households, social exclusion can also be understood as capturing the relationships between individuals and society and hence, the roots of disadvantage (Berger-Schmitt and Noll 2000). As Rodgers (1995: 43) has suggested, the notion of social exclusion can describe ‘not just a situation but a process that excludes’.

Many definitions of social exclusion highlight its multidimensionality, suggesting that it includes at least social, economic and political dimensions (see Berger-Schmitt and Noll 2000). Some definitions are particularly broad, referring to rights, livelihoods and intangible aspects of ‘wellbeing’ such as individuals’ self-esteem (European Commission in Rodgers 1995: 43). Some make a clear distinction between structural and cultural factors in the causation of social exclusion: the former including inequalities in power and the normal functionings of the housing and labour markets; and the latter including individual choice and socialisation (see Somerville 2000 chapter 4).

The increasing emphasis placed on social exclusion in public debate has led to growing attention among policy makers (both in Australia and overseas) and corresponding attempts to develop appropriate indicators that can ‘measure’ social exclusion and track changes over time. Levitas (1999) has noted the difficulties in developing indicators of social phenomena, reflecting the two related problems of definition and measurement. With no universally agreed definition of social exclusion, the indicators chosen tend to reflect decision-makers’ (often implicit) views of the nature and causes of social exclusion as well as the factors for which there are available sources of data (Levitas 2006).

A key issue in the context of this paper concerns the values underlying particular conceptualisations of social exclusion. One of the most prominent frameworks for measuring social exclusion has been developed by the European Union (EU). In 2001, following the seminal summit held in Nice, the EU adopted ten primary indicators for addressing social exclusion. These were low income rate

² Including processes of cumulative causation and disadvantages that continue inter-generationally (see Hayes and Gray 2008; Saunders 2008).

after transfers; income distribution; persistence of low income over time; median low income gap; regional cohesion (measured by variation in employment rates); long-term unemployment rate; persons living in jobless households; early school leavers not in training or education; life expectancy at birth; and self-defined health status by income level (Levitas 2006: 131).

Two critiques of these indicators can immediately be made. Firstly, aside from life expectancy and health status, they reduce the complex notion of social exclusion to relatively standard indicators of participation in the market economy.³ Readers could be forgiven if they had trouble reconciling the rather abstract theory of social exclusion with the indicators the EU developed allegedly to measure it. In particular, Levitas (1999, 2006) has argued that the priority given to employment participation:

reflects a moral value placed on paid work, which stigmatises those outside it and ignores the high proportion of socially necessary labour that takes place outside the labour market (Levitas 2006: 130).

While Levitas illustrates how social exclusion overlooks valuable unpaid work in the household, a similar argument can be made about other forms of non-market activities that remain unvalued in conventional measures of economic activity such as Gross Domestic Product. Rodgers (1995: 45) has suggested that social exclusion can involve exclusion from diverse forms of livelihood, reflecting not only exclusion from labour market opportunities but also exclusion from land (1995: 45). He argues that the latter concern 'has been effectively absent from the industrialized country literature on exclusion', except in the context of housing provision (1995: 47). This may be particularly relevant for many Indigenous peoples. For example, the impact of some market-based 'development' programs on lands that Indigenous people rely on for their livelihoods, and the displacement of Indigenous communities from their ancestral lands, have been key issues of concern to the United Nations Permanent Forum on Indigenous Issues (Tebtebba Foundation 2008: 38).

The second critique of the EU indicators is that they make no real attempt to grapple with the complex social and political *processes* that reinforce disadvantage over time. In the context of Indigenous Australia, a similar criticism could be made of the Overcoming Indigenous Disadvantage (OID) framework – developed by the Steering Committee for the Review of Government Service Provision (hereafter the SCRGSP⁴) (Hunter 2009). This framework has adopted indicators that measure social exclusion in some sense,

³ It should be noted there is a set of secondary indicators which include additional measures of income distribution, long-term unemployment and low educational attainment. Member nations are expected to develop additional tertiary indicators to reflect their particular circumstances (Levitas 2006: 131).

⁴ The SCRGSP comprises 20 senior representatives from state, territory and federal government departments and agencies. It operates under the auspices of the Council of Australian Governments (COAG) and its secretariat is the Productivity Commission.

but the explicit OID model of the nature and causes of this disadvantage is, to be charitable, under-developed (Hunter 2009; SCRGSP 2009). This theme will be explored further in the latter half of the paper.

Public discourse in the last decade has shifted towards talking about 'social inclusion', which perhaps sounds 'nicer' than the rather harsh term 'social exclusion'. This change is best embodied in the EU's commitment in 2000 to promote social inclusion as a central goal (Levitas 2006: 124). Upon election the Rudd Government also gave extra prominence to the term, assigning the then Deputy Prime Minister Julia Gillard to a new portfolio as the Minister for Social Inclusion. The move to a discourse based on social inclusion rather than social exclusion was not entirely cynical. The failure to incorporate important forms of economic, social and political participation into extant measurement frameworks had led to considerable dissatisfaction with the term social exclusion (see Tony Fitzpatrick quoted in Hunter 2009). For many researchers and practitioners – such as those at the Australian research and advocacy organisation the Brotherhood of St Lawrence (BSL) – the changing discourse represented an opportunity to re-assert the initial rationale of social exclusion. For example, the BSL held a symposium called Social Inclusion Down Under on 26 June 2009 that re-focussed the debate on to the processes that reinforce the lack of access to resources (see <http://www.bsl.org.au>).

The terminology of social inclusion begs the question of what are people being included in? A similar point can be made for social exclusion – that is, what are people being excluded from? However, this issue is arguably more acute for social inclusion as the word 'inclusion' necessarily implies an active process of including people in something – whereas 'exclusion' can be rather passive with some disadvantaged groups simply being left behind the rest of the society in question. Both terms bring questions of cultural pluralism to the fore.

Exclusion and inclusion in plural societies: What is Indigenous social inclusion and is it different to the 'mainstream'?

One of the authors of this paper argued in the journal *Family Matters* that social inclusion should not just be understood as the obverse of social exclusion, especially in the Indigenous context (Hunter 2009). Social exclusion implies that one is being excluded from something, presumably mainstream society. However, the focus on inclusion allows policy-makers to acknowledge the pluralistic nature of modern societies that have a range of social and economic practices that people could choose to be included in.

The issue can be illustrated by the observation that it is not possible to assume that Indigenous people always care about participating in mainstream employment. Even though there is evidence that many Indigenous people want to work in the mainstream labour market as much other Australians, it is not possible to discount the possibility that one reason for their low labour force engagement is that Indigenous notions of work are sometimes different from

those held by other Australians (Hunter and Gray 2001).⁵ The importance of this observation is that an argument can be made to acknowledge the cultural differences between groups who may have real differences in their preferences, incentives and opportunities to engage in the mainstream labour market. The resulting pluralism in the nature of engagement in the economic system needs to be explicitly recognised in policy. For example, Altman (2009) contends that paradigms that focus solely on deficits in engagement with the mainstream economy are inadequate because in remote Australia Indigenous people have made strategic choices to pursue alternative livelihood options. These may involve not only market engagement but also customary economic activities (like hunting and fishing) as well as state support. Altman's argument, which revolves around his notion of the hybrid economy, resonates with Levitas' discussion of how extant measures of social exclusion ignore non-market activities. However, there is considerable diversity in customary activities and hence any acknowledgement of the need for a culturally nuanced version of social inclusion would have to allow for the possibility that there may be many social and economic forms that individuals may want to be included in.

Some commentators argue that governments should ignore these alternative economic, social and cultural models. For example, Johns (2008) has argued for a policy of 'economic integration' on the grounds that the maintenance of some aspects of Indigenous cultures is necessarily inconsistent with the 'modernisation project'.⁶ It is possible to argue that maintaining a cultural identity that is distinct from mainstream Australian norms might foreclose some employment and education options if, for example, it is associated with very remote living. In the end, though, the existence and extent of such a trade-off is an empirical question. There is some evidence that indicates that such fears can be overstated – Hunter (2007b) showed that youth who speak an Indigenous language are actually more likely to attend school.

Even from a mainstream perspective, if the value of non-market activities and customary practices is large enough, then even the existence of some trade-off between culture and mainstream economic activity will not negate the need to take into account the other social and economic forms. Consequently, by seriously considering the true economic value of social and cultural activities of various groups experiencing chronic disadvantage, one is implicitly endorsing a pluralistic notion of social inclusion.

In the next section of this paper, we introduce several prominent theories of justice, some of which have the potential to acknowledge the pluralistic nature of modern society and hence can be used to evaluate the possibility of Indigenous-specific rights. The importance of this rather abstract discussion will become clear in the following section which identifies that understanding

⁵ Alternative explanations of low levels of Indigenous participation include location-specific factors and the low demand for indigenous labour (e.g. mismatch of worker endowments and the characteristics demanded by employers).

⁶ The 'modernisation project' is not a formally constituted project, but rather refers to efforts to enhance the capacity of those engaged in customary Indigenous society to actively interact with the 'modern' economy.

Indigenous preferences and behaviour is a crucial starting point for a meaningful dialogue about Indigenous social inclusion. Two recent 'policy' frameworks are used to highlight relevant issues for Indigenous Australians: the OID introduced above and the so-called 'Closing the Gap' targets that were adopted by the Council of Australian Governments (COAG) in 2008 (Commonwealth of Australia 2009). The final section of the paper then attempts to move from an abstract discussion to a more grounded examination of how one might enact social inclusion policies. We argue that policies that involve citizen-centred design are most likely to enhance social and economic participation of groups at the margin. One economic case for such policies is that they are likely to both maximise the effectiveness of interventions (as they increase the completions of programs designed to help such groups) and entail a relatively small outlay.

Theories of justice, diversity and Indigenous rights

Theories of justice⁷ are useful in a discussion of Indigenous social inclusion because they deal with questions of cultural pluralism and group-specific rights. As Okin (1987: 42) has suggested, 'theories of justice are centrally concerned with whether, how, and why persons should be treated differently from each other.'

Like some notions of social inclusion, some theories of justice have overlooked the complexities of cultural difference and conceptualised the subjects of the theory in a fairly limited way that roughly correlates to western ideas of 'rational' individuals. For example, in his classic work *A Theory of Justice*, Rawls (1999) suggests a process by which difference in liberal democracies can be accommodated in determining appropriate principles of justice through what he calls the 'original position.' In the original position, the principles of justice are decided upon by free and equal citizens who do not know their own social status, class position, psychological tendencies, endowments of natural abilities or even their own beliefs about what is good. As Rawls' explains:

In the original position, the parties are not allowed to know the social positions of the particular comprehensive doctrines of the persons they represent. They also do not know persons' race and ethnic group, sex, or various native endowments such as strength and intelligence. We express these limits on information figuratively by saying the parties are behind a veil of ignorance (Rawls 2001: 15).

Behind this veil of ignorance, Rawls (1999: 11) argues, the process of determination will be fair since 'no one is able to design principles to favor his particular condition.' Once the principles of justice are so determined, they can be enshrined in constitutions and laws.⁸

⁷ Justice, as it is used in this paper, refers to distributive justice, or the 'justness' of the distribution of rights, responsibilities, opportunities or other 'primary goods' (including income and wealth but also more intrinsic goods such as self-respect and self-esteem) in a given society (Rawls 1999; see also Okin 1987; Walzer 1983).

⁸ For Rawls, this is 'justice as fairness' since the principles of justice were determined in a fair process. A 'just' society is one in which the principles of justice are those that would have been determined in such a hypothetical situation (Rawls 1999: 11).

Rawls argues that in the original position the principles of justice would maintain that social and economic inequalities are only justified where they benefit everybody (Rawls 1999: see especially §13). As such, his theory presents a critique of classical utilitarianism in that the latter conceives of a just society as one in which there is the greatest good for the greatest number of people (that is, the disadvantage or dissatisfaction of one person is outweighed by the advantage or satisfaction of another). Nonetheless, Rawls' position has been criticised for reinforcing western liberal notions of individualism and rationality (and reinforcing a gender bias). For example, his 'primary goods' of income, wealth, rights, liberties, opportunities and self-respect – that is, the things that the principles of justice will determine the distributions of – are defined as 'things that every rational man is presumed to want' (Rawls 1999: 54).

Importantly, Okin (1987) has argued that Rawls' insistence that just principles are those determined in the original position fails to recognise the intractability of peoples' own cultural preconceptions. Indeed, she suggests that Rawls demonstrates his own inability to extricate himself from existing inequalities in power by assuming that those in the original position (and hence making decisions about just distributions) 'are (male) heads of (fairly traditional) families' (Okin 1987: 50). This not only leads him to make the assumption that 'all the parties in the original position expect to be, once the veil of ignorance is removed, participants in the paid labour market' (Okin 1987: 50), but, drawing on the argument earlier in this paper, demonstrates an incompatibility with Indigenous family and kinship structures that often differ significantly from the nuclear family.

Moreover, Rawls' reliance on *universal* principles of justice fails to acknowledge the differences in values, aspirations and worldviews among different groups within a given society. Just as it fails to adequately account for the gender system, Rawls' solution of the original position relies on the arguably impossible task of imagining oneself outside of ones' own ethno-cultural experience and worldview.

At the other end of the spectrum, it could be argued, is Walzer's (1983) theory of 'spheres of justice.' For Walzer, liberals have been too concerned with the rights of individuals and the protection of these individuals from external interferences. He argues against this view, seeing society not as made up of atomised individuals, but of individuals who are embedded in particular social and institutional settings. Significantly, while he recognises there may be inequalities within these settings, Walzer (1984: 321) argues that 'we will have little reason to worry about these' if they reflect the 'shared understandings' of those within that setting. Walzer is considered by many as a leading proponent of the 'Communitarian' position in political theory. In highlighting that principles of justice are dependent on social values, his theory is also an argument for group-specific (rather than universal) rights.

While Walzer's argument is useful in identifying that ideas about what constitutes a 'good' society are culturally contingent, his views have been seen as legitimising too much separation between spheres of justice and failing to

suggest any minimum cross-cultural standards. Kelly (2001: 76), for example, has argued that Walzer's conception of spheres runs the risk of presenting cultures as static, homogenous and mutually exclusive. In the context of this paper, the crucial point is that a conceptualisation of society as a set of separate and self-determining spheres, each with its own principles of justice and formulation of rights, leaves little possibility for any notion of social inclusion across cultural difference.

In between the arguments for universal rights and separate spheres are many liberal theorists who suggest that group rights and universal rights can coexist. Kymlicka (2001), for example, has argued that group-specific rights are compatible with liberalism because individuals can have the choice of whether to claim only individual rights or to claim special rights by virtue of their membership of a group. Moreover, in arguing for a liberal pluralism that can accommodate difference, Kymlicka has suggested that this process of accommodation must be 'a two-way street,' in which the 'burden of integration' falls not only on minorities (in whom he includes immigrant minorities and Indigenous peoples) but also on the state and other institutions that must adapt to include the identities, practices and aspirations of minority groups (see Kymlicka 2001: 22).

Kymlicka's arguments are reflected in contemporary debates about identity politics that move beyond notions of static ethnic and cultural difference and emphasise cultural hybridity (see for example Ang 2003; Skrbiš et al. 2007). They have direct relevance for suggestions that Indigenous peoples need to move away from 'traditional' lifestyles and livelihoods in order to participate in the 'modern' economy by highlighting both the interculturality of many Indigenous peoples (see Hinkson and Smith 2005) and the potential for equally reflexive change among those in the 'mainstream'. In Ang's (2003: 150) words, there is potential to:

[destabilise] established cultural power relations between white and black, coloniser and colonised...not through a mere inversion of these hierarchical dualisms, but by throwing into question these very binaries through a process of boundary-blurring transculturation.

The arguments canvassed above suggest that a central concern about social inclusion is the *terms* of that inclusion; not only the question of what people are to be included in but also the processes by which that occurs. These points will be taken up again in the final section. The next section addresses the federal government's current approach to the social inclusion of Indigenous peoples, particularly through the OID framework and Closing the Gap.

Overcoming Indigenous Disadvantage

Overcoming Indigenous Disadvantage is a reporting framework ostensibly designed 'to inform Australian governments about whether policy programs and interventions are achieving positive outcomes for Indigenous people' (Productivity Commission 2009). Like the EU's reporting framework for social

inclusion, OID has two sets of indicators, in this case 'headline indicators' and 'strategic change indicators.' Since 2009 the OID framework has also included the six COAG targets for 'Closing the Gap' on Indigenous disadvantage. The OID headline indicators are represented in Table 1. The Closing the Gap targets are discussed later in this section.

Table 1. Overcoming Indigenous Disadvantage framework: Headline indicators

Headline indicators

- Post secondary education – participation and attainment
- Disability and chronic disease
- Household and individual income
- Substantiated child abuse and neglect
- Family and community violence
- Imprisonment and juvenile detention

Source: SCRGSP (2009).

The OID indicators are intended to measure progress towards three 'priority outcomes' for Indigenous Australians:

- Safe, healthy and supportive family environments with strong communities and cultural identity;
- Positive child development and prevention of violence, crime and self-harm; and
- Improved wealth creation and economic sustainability for individuals, families and communities.

The first point to note is that the ways in which the factors identified in Table 1 are supposed to lead to the priority outcomes is not clear. In addition, there is little recognition of the debates outlined above that suggest possible tensions between the priority outcomes. For example, if 'improved wealth creation and economic sustainability' is taken to mean participation in the mainstream labour market or the prevalence of home-ownership, alternative forms of Indigenous economic activity are overlooked. As noted earlier, whether there is a trade-off between the maintenance of some aspects of culture and participation in the mainstream market is not yet clear, but the OID framework is notable for its lack of attention to this issue.

A related point is that while the priority outcomes identify the importance of cultural identity, there is no reference to culture in any of the headline indicators. Since they address concerns additional to direct resource deficits and financial stress these indicators do assist in capturing the multi-dimensional nature of disadvantage, and some of them are associated with the *processes* that reinforce these disadvantages over time. However, in that they ignore culture and any associated cultural preferences and needs, none of the headline indicators recognise the specific nature of Indigenous disadvantage. In effect, this means that they are largely about exclusion from some mainstream norm.

It should be noted that following consultations with Indigenous stakeholders after earlier OID reports (that have been released biennially since 2003), the framework has been amended to reflect culture in several 'strategic change indicators'⁹ (SCRGSP 2003, 2009). In the most recent OID report, 'culture' is included in five areas as summarised in Table 2:

Table 2: Representations of culture in OID 2009

| Cultural indicators | Examples of specific measures |
|---|---|
| Indigenous cultural studies | <ul style="list-style-type: none"> ■ Number of students enrolled in an Indigenous language program ■ Number of Indigenous teachers and education workers in schools |
| Participation in Indigenous cultural activities | <ul style="list-style-type: none"> ■ Proportion of Indigenous people participating in organised sport, recreation and fitness activities; or Indigenous festivals, creative art activities or ceremonies |
| Land ¹ | <ul style="list-style-type: none"> ■ Proportion of Indigenous people who recognise an area as their homelands, live on their homelands, or are allowed to visit their homelands ■ Proportion of land that is Indigenous owned or controlled |
| Governance and culture | <ul style="list-style-type: none"> ■ Indigenous participation in leadership, finance or management training |
| Engagement with service delivery | <ul style="list-style-type: none"> ■ Perceived treatment when seeking health care ■ Reported difficulty communicating with service providers |

Source: SCRGSP 2009.

Note: 1. Land is seen both as a cultural indicator and an economic indicator. The SCRGSP (2009) notes that Torres Strait Islanders involved in consultations have expressed that they attach a greater cultural importance to sea than to land.

The attempts to include cultural indicators in the OID framework move it some way to accommodating differences in livelihoods, aspirations and needs. For example, a connection to country is increasingly cited as a factor in improving Indigenous health and well being (see for example Burgess et al. 2005) and is commonly identified by Indigenous peoples as important (see Greiner et al. 2005). Hence, indicators of access to and control of land may be useful in gauging whether government programs and policies have positive outcomes for Indigenous Australians. However, taking just this example, one can question whether access to or control of land fully captures the complex notion of connection to country that Indigenous people often refer to, and as an economic indicator it tells us little of the capacity to utilise land for wealth creation.¹⁰ In

⁹ The OID headline indicators are intended to measure progress towards 'significant, high level outcomes'. Since it is likely that change in these areas will be slow, the 'strategic change indicators' are intended to measure short-term progress in areas that are more sensitive to immediate action (SCRGSP 2009: 2.3).

¹⁰ It is interesting here to note the longer list of indicators relating to land that have been developed through the United Nations Permanent Forum on Indigenous Issues (UNPFII). These include: Legal protection of rights to own, manage and use territories, lands and natural resources; Control or ownership of lands and territories by indigenous peoples; The application of the principle of free, prior, informed consent; Respect for indigenous peoples' rights to manage and use natural resources; Fairness of distribution of benefits generated from indigenous peoples' territories, lands and natural resources; Condition of territories, lands and natural resources controlled by indigenous peoples; and Inclusion of hunting and gathering practices in modern economic systems (Tebtebba Foundation 2008).

addition, although there is limited research on this issue, at least one study has suggested (perhaps not unsurprisingly) that access to land may be less important for some Indigenous people in urban areas (see Grieves 2006).

The 2009 OID report (SCRGSP 2009) rightly identifies the challenges of creating indicators of Indigenous culture. These challenges reflect the difficulty of determining cultural indicators that are able to accommodate the diversity of Indigenous cultures and meet the requirements of data availability and responsiveness to policy action. Nonetheless, while the report does raise the prospect of including more cultural indicators in the future, to date the representation of culture in the OID clearly remains very limited.

Sitting alongside the OID headline indicators are the six COAG targets for Closing the Gap. These are especially relevant to the present discussion because the federal government has explicitly identified them as framing its Indigenous social inclusion agenda. The Closing the Gap targets are to:

1. close the life expectancy gap within a generation;
2. halve the gap in mortality rates for Indigenous children under five within a decade;
3. ensure access to early childhood education for all Indigenous four years olds in remote communities within five years;
4. halve the gap in reading, writing and numeracy achievements for children within a decade;
5. halve the gap for Indigenous students in year 12 attainment or equivalent attainment rates by 2020; and
6. halve the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade (Commonwealth of Australia 2009).

These targets can be criticised on the same grounds as the headline indicators of OID. That is, they are very limited in their ability to accommodate cultural difference and a diversity of livelihoods and aspirations (see Altman 2009). The issue is arguably more pronounced for the Closing the Gap targets because they directly compare Indigenous circumstances to a 'mainstream' norm. It is perhaps instructive to note that in New Zealand – where an advisory body of Māori scholars and leaders¹¹ has begun developing a statistical framework to assist Māori organisations in their own planning – the body has explicitly rejected the use of 'Māori/non-Māori comparisons to measure Māori development', suggesting that this would be at odds with a pluralistic perspective on what constitutes the 'good life' (see Statistics New Zealand 2002: 5). As Māori scholar Mason Durie (2003: 202) has argued, the tendency to compare Māori with non-Māori (Pākehā) outcomes 'presupposes Māori are aiming to be as good as Pākehā when they might well aspire to be better, or different, or even markedly superior'. So, while he sees Māori/Pākehā disparities as unacceptable, he suggests that it is:

¹¹ The Māori Statistics Forum that has advised the New Zealand Government Statistician.

misleading to use crude comparisons with non-Māori as a type of shorthand for best outcomes, or to assume that Māori-non-Māori comparisons always provide useful information about Māori progress (Durie 2003: 202).

In addition, there is no explicit recognition in the Closing the Gap targets of the importance of Indigenous people 'owning' the policies that affect their lives, or a recognition of the role of Indigenous-specific factors that drive wellbeing. While emerging research on Indigenous health and wellbeing does tend to highlight socio-economic concerns about income, wealth and education that are evident in the COAG targets, it also tends to include additional concerns about discrimination, self-determination and rights¹² (see for example Anderson et al. 2004). This section has demonstrated that existing policy frameworks do not adequately take into account these Indigenous perspectives. The next section motivates why Indigenous involvement in policy development should be sought and how it can be enhanced.

The way forward: Enhancing Indigenous social and political participation in policy design

It is relatively easy to build an *a priori* case that governments need to recognise Indigenous-specific factors in both the data collected to measure social inclusion and the political and administrative processes that govern Indigenous people. Real choice implies recognising the legitimacy of cultural difference. That is, one must have the freedom to make cultural and social choices that others might not choose.¹³ However, freedom is not a homogenous concept, with some commentators suggesting that the term can be used in a positive or negative sense. Positive freedom is where individuals have the resources and capacity to make a choice (i.e. 'freedom to' choose). Negative freedom is where individuals have a freedom from arbitrary constraints on their choices from others (i.e. 'freedom from' constraints). This distinction has its origins in a lecture titled the 'Two Concepts of Liberty' delivered by Isaiah Berlin in 1958 (Berlin 1958). Berlin distinguished between two forms or concepts of liberty – negative liberty and positive liberty – and argued that the latter concept has often been used to cover up abuse, leading to the curtailment of people's negative liberties 'for their own good'. Berlin believed that positive liberty had nearly always given rise to the abuse of power: when leaders believe that they hold the philosophical key to a better future, this sublime end can be used to justify drastic and brutal means. The suspension of the Racial Discrimination Act in the context of the Northern

¹² Humpage (2006: 230) has noted that the 'Closing the Gaps' strategy for social inclusion that was introduced in New Zealand in 1999 (that focused in particular on the 'inclusion' of Māori) was initially framed as including Māori-specific rights, such as rights to self-determination and 'strategic exclusion'. The strategy sparked a backlash from conservative politicians and the focus of the government's approach was soon limited to more individualised notions like 'opportunity' and 'potential.' The Treaty of Waitangi means that rights discourses in New Zealand are somewhat different to those in Australia, but this example nonetheless highlights the need for social inclusion to be a two-way process in which difference is accommodated by all parties – as well as the real challenges to political will and process that this may entail.

¹³ Note that some choices are not possible for social reasons. However, in some sense, that is the point being made here.

Territory Emergency Response (NTER) could be interpreted as one such drastic application of a 'positive liberty' (i.e. defined without reference to the values of the Indigenous people who have been the subjects of the policy).

In the context of debate about social inclusion, given its partial origin in the French literature, it is noteworthy that Berlin describes positive liberty as the 'French model' (Berlin 1969).¹⁴ While the concepts of positive and negative freedoms are not inherently contradictory, one suspects that Berlin would not entirely approve of the implicit emphasis on positive liberty in the arguments underlying social exclusion and social inclusion as it risks drastic interventions justified on the basis of what is 'good' for the socially excluded.

Berlin was a pluralist in that he believed that there is no one ideal form of humanity. That is, history was not teleological as there was no one end that humanity is progressing towards. Values played an important role in Berlin's non-teleological philosophy as they are the creations of 'mankind', rather than being products of nature waiting to be discovered (Berlin 1969) – consequently values will vary in different social and cultural contexts. When values clash, it may not be that one value is more important than the other. Certain values may conflict with the pursuit of truth; liberty may clash with social justice etc. Moral conflicts are 'an intrinsic, irremovable element in human life' (Berlin 1969).

The question is how much one should take into account existing cultural diversity when formulating policy about social and economic forms. Notwithstanding his outstanding contribution to ethics, pluralism and the debate about the nature of liberty and free choice, Berlin did not have any (direct) positive statements about what policies are desirable in a pluralist society. It would not be inconsistent with Berlin's arguments to suggest that policies and institutional design should accommodate historical practices including cultural differences.

Goodin (1996: 28) argues that the myth of an intentional designer is to be avoided in the theory of institutional design. The neo-classical economics discipline would heartily agree with this sentiment, but would place excessive emphasis on the market mechanism and the 'invisible hand' in institutional design. In a pluralistic society, it is particularly important for economists and other social scientists to model institutions in order to take into account the fact that institutions *evolve* in response to both social (cultural) and economic context and that these institutions substantially condition individual behaviour (Institutional economics had its origins in the writings of Veblen 1898; 1902).

Amartya Sen highlighted the importance of social context:

[R]ational maximization that fails to take due account of those sorts of values model the behaviour not of 'rational agents' as such but merely of 'rational fools' (Sen 1977).

¹⁴ Since the French Revolution of the late 18 century, liberty, equality and solidarity (fraternity) are often linked explicitly. The lineage of these ideas has a strong resonance in social inclusionary policies discussed above.

Unless the past leaves a residue in the present, it is incapable of influencing the present or the future (Elster 1983 quoted in Goodin 1996: 10). The remainder of this paper considers how previous social and cultural conditions might be included in the design of current institutional structures and specific policies and programs.

In order to take into account Indigenous-specific cultural and social factors, additional institutions, new infrastructure and extra policy instruments may be required. While such initiatives have obvious cost implications, policy cost savings are possible as centralised policy delivery is often expensive. In contrast, local involvement involves fewer flights from Canberra and potentially reduces other transaction costs, which may be quite substantial when administering programs in remote Australia. Policy effectiveness could also be enhanced by local knowledge. Another possibility is that the engagement of marginalised groups is enhanced by local involvement. The latter is particularly important if behavioural changes are required. A related concern is to ask about the utility of the extant policy from the perspective of the user (e.g. the socially excluded).

Effectiveness of policy means that all related government processes and programs are built around the true needs of the user – who may either be a citizen or a socially excluded ‘client’. Good design achieves a balance between what the government wants to achieve and what users want. Another important actor whose incentives should not be ignored is the bureaucracy enacting the policy or program.

The returns on investments to user-centred design are difficult to quantify, but Marcus (2002: 2) identified several categories:

- Increased user productivity (decreased user errors);
- Decreased training costs and user or customer supports;
- Savings from making changes early in the design cycle; and
- Reduced costs from litigation.

In the context of public policy, increased user productivity entails greater engagement with the program in question. Decreased training costs are likely to result from increased job satisfaction and the consequent reductions in job turnover among staff of the organisation providing the service. These are both very important points that we will return to later.

In general these returns are equally applicable to citizens (clients of publicly-funded programs who may be considered socially excluded), and consumers of a commercial product. Perhaps one difference between user-centred design and citizen-centred design is that the last return to investment should be phrased in terms of savings in administrative appeal costs rather than litigation costs.

The ‘dynamic’ savings from making changes early in the design cycle could be even larger than the other cost savings listed above, which are relatively ‘static’ in nature as they tend to be concentrated for the current period. Gilb (1988) claims that once a system is developed, correcting a problem can cost ten times

as much as fixing the same problem in design. A similar point can be made in using policy research to establish an evidence base. Policy and programs that ignore the existing evidence base can themselves cause problems which are likely to be extremely costly to remedy in the long-run. A related issue is that the failure to embed an evaluation process when enacting complex policy proposals is likely to be problematic (Hunter 2007a). Some researchers argue that the NTER is likely to reveal the high costs of ignoring the perspectives of the people for whom the policy was nominally designed (Altman and Hinkson 2007).

Martin and Boaz (2000: 47) argue that there is an important distinction between approaches which seek to promote community planning and user-focused services, and those that envisage a much more active role for local government in designing and delivering local services (Martin and Boaz 2000: 47). They quote an interview with a service provider which highlights one reason for this distinction: 'We wish the Government would cut out the guessing and tell us what it wants'. Consultation may be an unnecessary cost where a policy is implementing, without substantial public controversy, what a Government legitimately wants and has a mandate for.

The Institute for Citizen-Centred Service (2007) has claimed that, over the past decade, governments have been gradually moving from an 'inside-out' approach – basing service delivery on what the Government saw as important – to an 'outside-in' approach, basing service delivery on citizens' needs and expectations. At first sight, decentralised policy and service design is a scary thought for many involved in public policy. However, this paper argues that it may not be as costly as one imagines – indeed, the cost of not doing it may be very large.

While there may be some analogies between policy-design process and research, there are also some crucial differences. Burden of proof tends to be higher in scientific research – this is dictated by need for replicability and substantial sample sizes required in quantitative studies. Policy design can be based on a smaller scale sometimes used in qualitative studies. For example, systematic variations in preferences and behaviour can be established with a relatively small number of case studies.¹⁵ The main point is that program design can be informed by a less costly evidence base to that considered necessary by many researchers involved in the social sciences. The importance of such distinctions for policy design is that smaller studies allow programs to differentiate between a greater diversity of cultural and social practices.

The costs of policy development would be prohibitive if one insisted on 'scientific' proof for programs designed for each sub-population or even groups of Indigenous people. However, information from small groups of relevant citizens would probably be enough to design local or culturally-specific aspects of programs. Large-scale research is only required to validate that the approach is suitable in principle.

¹⁵ In grounded theory analysis, some studies allegedly reach theoretical saturation with as few as two subjects (Glaser 1992). Some proponents of grounded theory claim that 'saturation is reached with as few as one subject – although we find it difficult to conceive how the theory could be corroborated with a single observation' (Amin et al. 2006).

The user-centred design of programs can yield greater 'bang' for each policy 'buck'. Hunter, Gray and Chapman (2000) show that Indigenous-specific programs have relatively high rates of completion and hence Indigenous users of the programs receive the full benefit that the policy maker believes is required. Furthermore, labour market programs with higher completion rates have delivered substantially better outcomes for Indigenous jobseekers (e.g., the wage subsidy program). This demonstrates that, in some sense, taking into account Indigenous cultural and social circumstances can deliver better outcomes for the Indigenous population and hence may assist in 'closing the gap'.

Hunter, Gray and Chapman (2000) also report a qualitative assessment of how case management was experienced by respondents to a longitudinal study, the Indigenous Job Seeker Survey (IJSS).¹⁶ They found that program effectiveness was enhanced by a greater Indigenous involvement in service delivery. Another relevant observation is that Indigenous participants were more likely to complete short training courses than long training courses. A likely explanation for this is that shorter commitments allow Indigenous people to meet higher levels of social obligations entailed with kinship networks and, as noted above, there is a tendency for Indigenous households to have more complex living arrangements than the rest of the population.

As indicated earlier, one of the putative benefits of user-centred design of policy is that it can reduce job turnover of the service providers. It has become reasonably common in recent years to attempt to employ Indigenous people in jobs that deal with Indigenous Australians. Given the public service has had considerable trouble employing Indigenous people and, when employed, retaining Indigenous staff (Commonwealth of Australia 2007a), user-centred designs may be particularly useful in Indigenous-oriented sections of the public sector.

One way that user-centred design of policy may particularly enhance the engagement of Indigenous staff is that the implementation of such policy is likely to be seen as constituting a *prima facie* benefit to Indigenous people given that the programs are defined in part by them. Another study which used the IJSS highlighted the importance to many Indigenous job-seekers of having work that helps other Indigenous people (Gray and Hunter 2000). Over two-thirds of respondents said that it was 'very important' to have work which helps Indigenous people. In addition, to many Indigenous job-seekers almost one-quarter answered that it was 'important' to have work which helps Indigenous people. Note that the preference for that sort of work is equally prominent among the employed and unemployed job seekers, and hence Indigenous-centred design is likely to enhance both hiring and job retention of Indigenous staff.

If user-centred design of policy leads to greater clusters of Indigenous staff in various service providers, there is likely to be a second-order or flow-on effect that enhances retention of Indigenous staff. To the extent that such clusters

¹⁶ Case management was an important feature of labour market interventions in the Working Nation period during the mid 1990s where individual jobseekers with a long history of unemployment were assigned a 'manager'.

could be said to constitute an Indigenous organisation, more Indigenous staff are likely to be attracted to work in the public service provider. Around two-thirds of IJSS respondents said they would like to work in an Aboriginal organisation (Gray and Hunter 2000).¹⁷ It could be argued that this second-order effect on hiring and job retention of Indigenous staff will be driven by the structure of some public services as being specifically 'Indigenous-focused' rather than being related to the Indigenous-centred design. However, it is our contention that these aspects of provision of public services are likely to be mutually reinforcing. Improvement of local services may not be an end in themselves but the means by which local government can win the trust of local people (Martin and Boaz 2000: 52). State-citizen encounters are best understood as journeys that demand a lot from citizens rather than one-off encounters at the ballot box. Socioeconomic disadvantage must be addressed, but Indigenous people must be involved in social, political and policy processes. As the head of the federal Treasury pointed out, Indigenous Australians must 'own' both the problem and solution if behavioural change is to be achieved (Henry 2007).

Intractable and complex policy problems where important stakeholders have differing perspectives are not unique to Indigenous affairs (Conklin 2003; Commonwealth of Australia 2007b; Hunter 2007a). Consequently, processes of citizen-centred design are likely to be useful for other areas of public policy – not least of which might include policies designed to redress disadvantage experienced by other 'socially excluded' Australians.

The cost-benefit aspect of citizen-centred design is conceptually distinct from the political value of enhancing citizen involvement. The political participation of socially excluded people like some Indigenous Australians is intrinsically worthwhile, but the relative emphasis on participation versus other policy outcomes is an ongoing matter for debate (see various authors in Altman and Hinkson 2007).

Conclusion

The concept of social exclusion has extended the analysis of poverty and inequality by drawing attention to multiple disadvantages and the evolution of disadvantage over time. Social *inclusion* has, in a sense, re-focused debate on the processes that reinforce the lack of access to resources. Attempting to 'define' social inclusion raises a number of significant conceptual challenges, not least in reference to Indigenous Australia. In particular, as we have argued in this paper, the term social inclusion begs the question of what people are to be included in? While the Overcoming Indigenous Disadvantage framework has highlighted the multiple disadvantages of many Indigenous Australians, it has been very limited in its recognition of differences in Indigenous cultures and aspirations. The same point can be made even more forcefully of the federal government's social inclusion agenda that centres on the COAG Closing the Gap targets.

¹⁷ Only 10 per cent responded that they would NOT like to work in an Aboriginal organisation.

Theories of justice and rights suggest that this approach is inadequate if the goal is to accommodate both improved Indigenous wellbeing and a commitment to Indigenous peoples' freedom of choice.

Following on from the insights of Kymlicka's (2001) theoretical analysis, one solution is for social inclusion to be seen as a two-way process, in which the state adapts its processes for policy development and implementation to better accommodate Indigenous cultural needs and preferences. It is important that a shift towards inclusive policy and government processes is more than a re-branding of current government practices and actively involves Indigenous citizens. Indigenous-centred design is crucial for effective policy implementation. Furthermore, such initiatives cannot be discounted on the grounds that they entail excessive expense as there are considerable potential cost-savings from enacting truly citizen-centred policies for Indigenous Australians.

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