



International Journal of Critical Indigenous Studies

Volume 2, Number 2, 2009

The discursive nature of citizenship: Indigenous sovereign rights, racism and welfare reform

Aileen Moreton-Robinson

Abstract

Citizenship is more than a status associated with a bundle of rights; it is also the formal contract by which the sovereignty of a nation is extended to the individual in exchange for being governed. Who can and who cannot contract into this status and what rights are able to be exercised is also shaped by who possesses the nation. In this article it is argued that citizenship operates discursively to contain Indigenous people's engagement with the economy through social rights. This containment precludes consideration of Indigenous sovereign rights to our lands and resources, to enable Indigenous economic development within a capitalist market economy.

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or other-wise used or acquired.
2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.
(Article 26, United Nations Declaration on the Rights of Indigenous Peoples 2007:10)

The Declaration on the Rights of Indigenous Peoples was adopted by the United Nations General Assembly at its 107th plenary meeting on the 13th of September 2007. Four countries refused to sign it: the USA, New Zealand, Canada and Australia though the latter agreed to sign off on the declaration in 2009. This change in recognition is not surprising, as the declaration has no formal legal status within each of these respective nation states. Over the past two decades Indigenous people have witnessed a change in the anti Indigenous rights discourse which has been shaped by a neo liberal agenda that privileges the rights of individuals over collective rights. Within Australia Indigenous people's claims have been predominantly addressed through citizenship rights, which most Australians think were granted through the 1967 referendum. In that year the majority of white Australians voted in favour of a referendum that did not give Indigenous people citizenship rights. The outcome of the referendum was that two sections within the constitution changed: section 51 (xxvi) and section 127. Section 51 was amended to enable the commonwealth to make laws on behalf of any race and section 127 was removed to allow Aborigines to be counted in the Census. These two amendments provided no formal recognition of citizenship rights.

What the 1967 referendum invoked was the social recognition of Indigenous people as citizens of Australia. Some of the formal rights associated with citizenship were granted to Indigenous people prior to the 1967 referendum, due to a number of factors, including the campaigns led by FCAATSI and non Indigenous activists (Horner 1998). Indigenous activists such as Uncle Chicka Dixon, Auntie Pearl Gibbs, Auntie Faith Bandler, Uncle Joe McGuinness, Auntie Oodgeroo Noonuccal and many others spent days on the road away from families, struggling to find money to travel and attend meetings, staying up late at night writing letters and making phone calls, going without food, sleep and a bed during their campaign for citizenship rights. All of this occurred during a period when Australia was experiencing economic prosperity under a white Australia policy. The campaign led by these activists required their hard work, determination and courage.

They used the politics of embarrassment with the sharpness of a well honed spear utilising the media to expose Australia's racism. Our abject poverty was beamed into the living rooms of white Australia; the nation's virtue was tarnished for it was obvious that egalitarianism and a fair go was not on offer for all. The disparity between white privilege and Indigenous poverty could no longer be denied.

Historians argue that the commemoration and celebration of the referendum, in subsequent decades, is due to its significance as a 'moment of reconciliation' in Australia's history. They explain

For conservatives in search of an event to remember, in what has been described as "the field of desolation that is the history of Aboriginal-white relations", [106] the referendum is undoubtedly an attractive one. Since it can be held up as a 'massive' vote for Aborigines by the Australian people, it can readily be made to stand for the beginning of the much vaunted 'reconciliation' between Aboriginal and settler Australians, and is all the more valuable in the continuing absence of a 'compact'. It is also reassuring because it seemingly represents 'Australian' principles such as equality before the law as well as the ideal of 'one people, one nation', rather than the concept of special rights for Aborigines qua Aborigines and a vision of a pluralistic future (Attwood & Markus 1998:8).

White Australia's imagining that the referendum was reconciliatory and inclusive serves two functions: it reinscribes the nation as being egalitarian while negating our dispossession and our sovereign rights. In this way citizenship operates discursively to contain Indigenous people within a framework of rights that signify the nation is a white possession.

Citizenship

So what is this thing called citizenship? T. H. Marshall argued that citizenship is an equal status conferred on people who are full members of a community and that it entails certain rights and duties (Marshall 1964:77). The development of citizenship rights began in western capitalist society through civil rights, which emerged in the eighteenth century and assisted in changing the nature of the feudal system to one of capitalism. Civil rights are composed of those necessary 'for individual freedom - liberty of person, freedom of speech, thought and faith, the right to own property and conclude valid contracts and the right to justice' (Marshall 1964:78). Political rights developed in the nineteenth century composed of the right to vote and participate in the political process. Marshall also acknowledges that industrial rights were won in the nineteenth century but argues that these rights are an extension of civil rights. In this sense he refers to industrial rights as a secondary right of citizenship. Social rights are the third component of citizenship, which emerged in the twentieth century and entail the right to 'a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilised being according to the standards prevailing in the society' (Marshall 1963:78). Marshall's thesis was that rights of citizenship modify the class system in democratic capitalist societies.

Marshall's theory of citizenship has received a number of critiques. Jack Barbalet argues that industrial rights are not defacto civil rights but are rights constitutive of citizenship because they are universal in nature in that 'they do not require that everyone be an employee but offer some protection against commodification to all those who find themselves in the employment of another' (Barbalet 1988:11). He also refutes the notion that social rights are a part of the composition of citizenship instead they are a means through which people participate as citizens, they therefore *facilitate* citizenship not constitute it. Social rights are only meaningful when they are substantive, as such they are not universal; and they are tenuous because they depend upon the condition of the fiscal basis of the State (Barbalet 1988:27).

Citizenship for Barbalet is constituted by political, industrial and civil rights and these rights provide people with capacities or opportunities for action which are a consequence of their status (Barbalet 1988:20). Rights are created by being exercised; it is this process which also generates capacities associated with them. The authenticity of the status of citizenship is subject to people's normative expectations of that status. In some cases the claim to a right can give people certain capacities 'in the generation and expression of a status' (Barbalet 1988:21). However, the exercising or claim to rights are not merely achieved through struggle, they must also be publicly recognised as legitimate. 'Rights therefore define for those who accept them the essential limits of social order, an ultimate boundary beyond which social existence itself is under threat' (Barbalet 1988:21). They are not determinants of action so much as resources upon which actors might draw, 'they tend to be associated with the facilitation of social action in various ways' (Barbalet 1995:36).

Different rights provide people with different capacities (Barbalet 1988:22). Civil rights may provide a capacity for people to acquire property, but not the right to possess it. Having equal capacities to acquire property has little impact on its distribution. In contrast the shaping of material conditions is more likely to be affected by the capacities entailed in the right to vote or strike through the facilitation of opportunities. "Such rights may serve as a means to the social acquisition of material conditions, which might not otherwise be available" (Barbalet 1988:23). For those without power, rights can be an alternative route to attaining social resources and material conditions but this does not mean that their impact modifies the class system. Instead Barbalet argues that 'the equalisation of persons as citizens might affect the social perception of social differences but it cannot modify the material relations between classes' (Barbalet 1988:73-75).

Thus the class structure which is based on the unequal distribution of power and wealth is unhindered by the equality of status, the basis of citizenship and 'in the absence of education and economic resources required to exercise civil or legal and political rights citizenship remains empty for all practical purposes' (Barbalet 1988:90).

What we can discern from Marshall and Barbalet is that citizenship operates discursively as a universal that formally confers equal status within a given society. However one's class position shapes one's capacity to exercise rights. What Barbalet and Marshall fail to consider is how race, gender and sexuality are ontologically embedded within 'citizenship' and they shape how rights can or cannot be exercised. Citizenship is more than a status associated with a bundle of rights; it is also the formal contract by which the sovereignty of a nation is extended to the individual in exchange for being governed. Who can and who cannot contract into this status and what rights are able to be exercised is also shaped by who possesses the nation. Historically it was white heterosexual men who contracted into the political order through the social contract. Women and Indigenous people who did not consent to this order are required to agree to it (Pateman 1989). Thus inequality is built into the very premise of the 'social contract' which in modernity takes the form of citizenship. In this article I build on this argument by demonstrating that citizenship operates discursively to contain Indigenous people's engagement with the economy through social rights. The political focus on the receipt of welfare being tied to behavioural outcomes precludes consideration of Indigenous sovereign rights to our lands and resources, which would enable Indigenous economic development within a capitalist market economy.

In Australia white possession became solidified in the form of a racial contract between the state and its citizens whereby race became the organizing principle operating politically, morally and epistemologically (Mills 1997). Citizenship as a racial contract stipulates who can count as full moral and political persons setting the boundaries for those who can and cannot 'contract' in to the freedom and equality that it promises. The predominantly white male colonisers who arrived in Australia were British subjects and with the formation of state governments they and their descendants were deemed citizens of those states (Chesterman & Galligan 1997:2). White men designed and established the legal, economic and political institutions that control and maintain the social structure under which Australians now live. In 1901, at the time of Federation, citizenship was not defined in Australia's constitution but rather the rights associated with it were housed within state legislation and subsequent commonwealth legislation. At the beginning of the twentieth century substantive citizenship within the new Australian nation state was racially defined by the white Australia policy; as a general rule white men and women who lived in Australia were considered citizens and only white people were encouraged to migrate to become citizens of the new nation thereby encouraging them to invest in the nation as a white possession.

The Australian Citizenship Act 1948 formalised citizenship but only to the degree that people who were born in Australia are Australian citizens; the rights of citizenship are not stipulated within this Act. Instead 'Australian citizenship came by way of separate Commonwealth and State statutes and administrative practices' (Chesterman and Galligan 1997:2) Legally Indigenous people were 'citizens' but due to a range of racially discriminatory commonwealth and state legislation and administrative regimes they did not have the right 'to vote, to speak freely, to choose one's religion, to move freely, to be equally protected by the law, to enjoy free basic health care and to receive a minimum wage, a minimum level of social security and a basic level of education' (ibid 1997:4). It was not until the 1960s that Indigenous people gained formal rights of citizenship through the repealing of racially discriminatory commonwealth and state legislation. Clearly a racial contract was in place excluding Indigenous people from the social, political and economic institutions of the nation. In the 1970s, new commonwealth funded Indigenous programs were developed followed by state programs opening up employment opportunities in the public sector, which remains the primary labour market for Indigenous people (ABS 2001).

Welfare reform

In the first decade of the twenty-first century Indigenous people within Australia continue to remain at the bottom of the socio-economic ladder. This pattern has remained consistent for over two centuries irrespective of the state of the economy. The lack of improvement in our socio-economic position has been attributed, by the Howard government and Indigenous lawyer Noel Pearson, to passive welfare. Pearson argues that government policy of the last two decades has had the effect of making Indigenous people welfare dependent and irresponsible. Support for Pearson's position has come from the media, who have represented Indigenous people as being dysfunction. The lack of improvement on every social indicator such as health, education, housing and employment functions discursively as evidence of Indigenous people's 'bad' behaviour. The discourse of citizenship contributes to this pathologising because it is assumed that we receive the same entitlements as white citizens and have the same access to and participation in the nation's political and economic institutions. These assumptions enable the claim that Australia is not a racist country; we no longer have the white Australia policy and all racially discriminatory legislation has been repealed. Racial discrimination may have played a part in the past but Indigenous people are now considered to be equal citizens by white Australia.

The media's current promotion of Indigenous welfare dependency is not new, since the 1970s Indigenous rights have been subjected to negative and sensational representation (Meadows 2001). However, the media's anti Indigenous rights campaign is now enabled and supported by Noel Pearson who states:

The problem of passive welfare in Western welfare states today is more than unequal distribution of opportunity. It is the lack of individual and family responsibility, for you need responsibility to convert opportunity into capability....I allege that half of the poverty problem in a rich country such as Australia is behavioral, and it is passivity and addiction that underpin the poverty-inducing and poverty-prolonging behaviour. I further allege that the other half of poverty ...is the existence of a welfare nomenclature whose job it is to convince everyone – and particularly those languishing in poverty – that poverty has nothing to do with behaviour, choice or addiction. The poverty stricken may not have chosen their condition, and larger structural economic factors may have led to their poverty, but this does not render their present behaviour irrelevant, particularly the choices they make under the influence of the addictions that enthrall [sic] them. (Pearson 2007a, Weekend Australian 28-29 page 28).

And after the election of Barack Obama, as the new President of the United States of America, Pearson had this to say to black Americans

For blacks to take responsibility they must wake up to the fact that racism does not prevent the kind of barriers to full citizenship that it once represented and that it is not a catch-all explanation for all of their problems. And critically – problems of race – however real they may be – must not justify a psychology and politics of victimhood (Weekend Australian November 8-9, 2008:21)

Clearly Pearson is heavily invested in citizenship rights and responsibilities. While he recognizes that racism exists, for him it does not pose the same barriers to citizenship for Indigenous people that it once did. Pearson's focus on individual responsibility is consistent with a neo liberal agenda that promotes an ethos of individualism whereby one's behavior and choices will ensure success within a capitalist society because the market is race, gender and sexually blind. If we follow Pearson's logic then the solution to

Indigenous people's current social and economic predicament lie in large part in changing addictive behaviour. Indigenous people have to behave responsibly and become good citizens. According to Pearson economic factors and history only play a small role in creating poverty. This assertion is not borne out by the evidence, which shows Indigenous people in Canada, the USA, New Zealand and Australia are all at the bottom of the socio-economic ladder. The normalcy of our shared socio-economic position, by each nation's Indigenous population, despite our different cultures within and across borders, means there has to be some shared conditions we have experienced in common over time to produce these outcomes. Ironically, Pearson's argument recognises that poverty is not innate because he believes Indigenous people can make choices. The problem according to Pearson's welfare reform agenda is that we tend to make the wrong choices under conditions that are conducive to our employment and economic development. Since the census has recorded our employment patterns we are disproportionately represented in the public sector as opposed to the private sector within the economy. This pattern of labour market activity indicates that Indigenous employment rests with the state despite government employment and recruitment funding being provided to the private sector to employ Indigenous people. Current statistics show that Indigenous people's representation within the private sector has increased though this is based on classifying those who work for the dole (Community Development Employment Projects) as being in the private sector despite the program being funded by the Commonwealth government (SCRGSP 2009: 8.13)

Pearson's (2007b) welfare reforms have been implemented by Commonwealth and State governments through the Northern Territory intervention and the Family Responsibilities Commission in Queensland. Indigenous people are the only citizens to be forced to participate in these reforms and the Racial Discrimination Act of 1975 was suspended to allow the NT intervention to proceed because it was racially discriminatory under the law. Indigenous people's rights as citizens played no part in preventing the state from entering their lands and taking control of their communities as well as quarantining their social security payments and tying them to behavioural outcomes on the pretext of rampant sexual abuse of children. No other citizens have been placed in this predicament nor treated in this manner. Pearson's welfare reforms include banning alcohol and drugs to ensure that Indigenous parents stop their substance abuse to make sure that their children are well fed and are healthy, attend school to obtain a good education to secure a job and eventually purchase a home. These aspirations are not without merit but they are being pursued within a welfare framework. Pearson's welfare reform agenda is predominately financed by the Federal and Queensland governments thus Indigenous people's engagement with the 'real economy' continues to be dependent on the fiscal basis of the state. Capitalism benefits from the existence of the welfare state but it is not generated by it. State subsidized Indigenous labour for non-Indigenous capitalist enterprises has been the consistent pattern of government policies over the past century. Governments subsidized capital by providing rations to employers for Indigenous workers and approved their receipt of under award wages. In Queensland the government required that Indigenous workers wages be banked and the funds were used to support the reserve system and finance other government projects (Kidd 1997).

For the past fifteen years the Australian economy has continued to expand and white Australians are reaping the rewards in terms of income, wealth and living standards. Unemployment is at its lowest levels in three decades (BCA Budget Submission 2007-08:23).

Between 2001 and 2006:

unemployment decreased for both Indigenous people (from 20.0 per cent to 15.6 per cent) and for non-Indigenous people (from 7.3 per cent to 5.1 per cent).

Overall, the gap narrowed from 12.7 percentage points to 10.5 percentage points (figure 4.6.6)

unemployment decreased for Indigenous women (from 17.6 per cent to 15.4 per cent) and for non-Indigenous women (from 6.5 per cent to 5.2 per cent) (tables 4A.6.21 and 4A.6.22)

unemployment decreased for Indigenous men (from 21.9 per cent to 15.8 per cent) and for non-Indigenous men (from 7.9 per cent to 5.1 per cent) (tables 4A.6.21 and 4A.6.22). (SCRGSP 2009: 8.13)

On the surface the above table from the last census represents an improvement in Indigenous unemployment. However, if we add the 10.2% of Indigenous people who are on CDEP to the above 15.6% unemployment rate then the current rate is actually 25.8% (SCRGSP 2009: 4.70). Similarly placing employment in Indigenous service provision organisations, which are funded by Commonwealth and State governments, in the private sector hides the degree to which public funds are used to support Indigenous employment. The current socio-economic position of Indigenous people relies heavily on the fiscal basis of the state. In order to change this dependency and allow Indigenous people to participate within the real economy the state has to forego some of its sovereign rights. Currently Federal and State governments are using welfare monies to bring about economic reform within localised welfare economies focusing on individual behaviour rather than providing Indigenous sovereign rights and land ownership that includes the resources on and below it, which the Crown currently owns.

Fundamentally the nation state continues to possess Indigenous lands, resources and peoples. Current native title and land rights regimes preclude using the land as equity to borrow from banks because of the nature of the land tenure developed by the a succession of governments. The current land rights and native title regimes do 'not come with commercially significant and legally recognised resource rights' (Altman 2002:67) in this sense they are a welfare model. In their current form the right to negotiate and the right to consent and receive royalties is insufficient to generate wealth. The right to negotiate under native title and the right to consent under land rights regimes must be tied to more than the right to a process; it must be tied to substantive financial results. A legal shift in ownership status through the acquiring of sovereign resource rights would enable Indigenous people, if we choose, to engage with capitalism not as consumers of welfare but as self determining property owners. For example if we want to mine then we can, if we want to sell the timber then we can, if want to carbon trade we can, if we want to establish a casino then we can, if we want to establish an eco tourist resort we can, if we want to partner in other economic development schemes we have choices. That is why it is an imperative to pursue our sovereign rights to facilitate the exercising of our economic rights because rights become substantive and productive when you have ownership and control of the resources to exercise them. Ownership of our land and resources and the generation of wealth that this brings within a capitalist economy means we can then train and employ our people providing the necessary incentives for our youth to complete their education because they will all have something that they own and can invest in for the future of their people.

Our socio-economic position is the result of government policies and the theft of our lands and resources. It is therefore government responsibility to change their addictive behaviour to Indigenous welfare and make the right choices for the necessary legislative and economic reforms to improve the Indigenous poverty it has created since 1788. The kind of legal and economic reforms that are within the government's power to make laws on behalf of any race as given under the 1967 referendum are:

1. The commonwealth government can legislate to transfer its resources rights to Indigenous people within current land rights and native title regimes including sea rights prioritizing Indigenous interests over private or state interests on Indigenous land.
2. A major improvement in federal-state relations and the establishment of new policy infrastructure that provides the capacity for governments to anticipate and respond to current and future challenges of Indigenous economic development including the provision of critical infrastructure to ensure our competitiveness and productivity to enable our prosperity.
3. Governments could develop policy and legislation for tax reform to provide incentives for the establishment of non-Indigenous and Indigenous businesses on Indigenous land. This could include all business activities on Indigenous land being GST free, tax exempt interest on loans to Indigenous organizations. A reduction in company income tax with tax offsets for expenditure such as Indigenous employment and training (Stanley 2002:7-12). There is plethora of examples where such strategies have been employed by governments in order to promote and foster non-Indigenous economic development and employment: The Australian film industry and wine industry for many years enjoyed 150% tax deduction for investment. The Australian government established agencies to purchase all wool and wheat at higher than world prices to ensure the viability and continuity of those industries.

Tax payers have for many years subsidized the Australian sugar industry otherwise it would be unable to compete on world markets and become non-existent. Similarly government subsidizes electricity production and distribution to industry such as the aluminum industry producers. If it were not for government footing the bill for rail, road and port infrastructures many resource industries simply could not exist because the costs to private industry associated with creating such infrastructure would be prohibitive to economic development. Recently, the Federal and Northern Territory Governments paved the way over environmental and Indigenous objections for the Macarthur River to be diverted from its natural course that otherwise posed a threat to the continued viability of a uranium mine which would not have been economically sustainable from the outset but for massive government subsidization.

4. As the majority of Indigenous people are unable to claim back their lands because the Crown has alienated them to private interests, most Indigenous people can only obtain land through purchasing it on the open market. In our current socio-economic predicament this is beyond the means of many Indigenous people. Compensation for the theft and alienation of our lands is required to 'provide a means to trade significant compensation dollars for property rights in commercially valuable resources' if people wish to do so (Altman 2002:69).

These economic and legal reforms should not come at the expense of substitution funding or cost shifting by governments to reduce our rights and entitlements as citizens because they have been and already are diminished. The social rights which we have exercised since the 1960s enabled our limited participation as citizens but our civil, political and industrial rights have lacked real substance impeding capacities and opportunities for generating wealth. The racialised and gendered nature of citizenship precludes our participation within Australian society.

Conclusion

It is clear that the prosperity Australia has experienced in the past fifteen years has not benefited the majority of Indigenous people despite our status as 'citizens'. If racism is not an impediment to Indigenous peoples engagement in the real economy then why do Indigenous people continue to be excluded from the wealth of the nation on the basis of our race and the denial of our sovereign resource rights? The 1967 referendum gave the Commonwealth government the constitutional power to make laws on behalf of any race and it has made many laws on behalf of Indigenous people but they have not been in our economic interests.

Commonwealth and state government failure to implement the necessary structural legal and economic reforms for Indigenous social and economic development means the cycle of Indigenous dependency will continue. The Commonwealth and state governments can change their behaviour and give up their addiction to peddling Indigenous welfare dependency by relinquishing their resource rights on Indigenous lands. This would be consistent with the United Nations Declaration on the Rights of Indigenous peoples which recognizes our sovereign rights to own, control and develop our lands and resources on and below the surface. Social rights may be a way of Indigenous people attaining some resources and improving material conditions via the State but they alone cannot change welfare dependency. Citizenship functions discursively in the interests of the nation as a white possession enabling the denial of Indigenous sovereignty while it reaps the benefits from our dispossession.

References

- Altman, J. 2002. The Political Economy of a Treaty: Opportunities and Challenges for Enhancing Economic Development for Indigenous Australians, *The Drawing Board: An Australian Review of Public Affairs*, Vol. 3 No.2, pp 65-81
- Altman, J. 2005. A Historical Perspective on Indigenous Socio-economic outcomes in Australia, 1971-2001, *Australian Economic History Review*, Vol.45 No. 3, pp 273-295
- Attwood, B. & Markus, A. 1997. *The 1967 Referendum, or when Aborigines didn't get the vote*, Aboriginal Studies Press, Canberra.

Australian Bureau of Statistics, Indigenous statistics

<http://www.abs.gov.au/websitedbs/d3310116.nsf/home/Employment%20-%20Introduction%20new%2093> Accessed 12 November 2008

SCRGSP (Steering Committee for the Review of Government Service Provision) 2009, *Overcoming Indigenous Disadvantage: Key Indicators 2009*, Productivity Commission, Canberra. http://www.pc.gov.au/_data/assets/pdf_file/0003/90129/key-indicators-2009.pdf Accessed 26th March 2010

Australian Productivity Commission. 2009 *Overcoming Indigenous Disadvantage: Key Indicators 2009*

Barbalet, J. 1988. *Citizenship: Rights, Struggle and Class Inequality*, Open University Press, London.

Business Council of Australia Budget Submission 2008-09: Budgeting for Prosperity

<http://www.bca.com.au/DisplayFile.aspx?FileID=315> Accessed 14 November 2008

Chesterman, J. & Galligan, B. 1999 Indigenous People and Citizenship, paper presented to the Australian Citizenship Conference, University of Melbourne 21-23 July

www.law.unimelb.edu.au/events/citizen/chesterman.pdf Accessed 14 November 2008

Family Responsibilities Commission Act 2008 No.9

http://www.austlii.edu.au/au/legis/qld/num_act/frca2008n9411/ accessed 12 November 2008

Horner, J. 1998. The 1967 Referendum, or when Aborigines didn't get the vote, *Journal of Australian Aboriginal Studies* Vol. 1

Kidd, R. 1997. *The Way We Civilise*, University of Queensland Press, St Lucia.

Marshall, T. H. 1964. *Class, Citizenship and Social Development*, Double Day Press, New York.

Meadows, M. 2001. *Voices in the Wilderness: Images of Aboriginal People in the Australian Media*, Greenwood Press, Westport.

Mills, C. W. 1997. *The Racial Contract*, Cornell University Press, Ithaca, New York.

Moreton-Robinson, A. 2001. *A Possessive Investment in Patriarchal Whiteness: Nullifying Native Title*, in Nursery-Bray, Paul and Lee Bacchi, Carol, Eds. *Left Directions: Is there a third way?* University of Western Australia Press, Perth.

Pearson, N. 2008. Man with his work cut out, *Weekend Australian* November 8-9, p21

Pearson, N. 2007a Choice is not Enough, *Weekend Australian*, April 28-9

<http://www.cyi.org.au/articles2007.aspx> Accessed 14 November 2008

Pearson, N. 2007b. From Hand Out to Hand Up, Cape York Welfare Reform Report, May

http://www.cyi.org.au/WEBSITE%20uploads/Welfare%20Reform%20Attachments/From%20Hand%20Out%20to%20Hand%20Up_Welfare%20Reform%20Report.pdf Accessed 14 November

Pearson, N. 2005. Viewpoint: The Cape York Agenda, address to the national press club Canberra, November http://www.cyi.org.au/WEBSITE%20uploads/Speeches_Articles%20Folder/Speeches/4%20The%20Cape%20York%20Agenda_National%20Press%20Club.pdf?article=P72E16K2471BN33Z1PIN) Accessed 12 November 2008.

Stanley, O. 2002. The Potential Use of Tax Incentives for Indigenous Businesses on Indigenous land, CAEPR Working paper No.17 <http://www.online.anu.edu.au/caepr/> Accessed 10 October 2008

United Nations declaration on the rights of Indigenous people

http://www.hreoc.gov.au/social_justice/declaration/assembly.html Accessed 12 November 2008