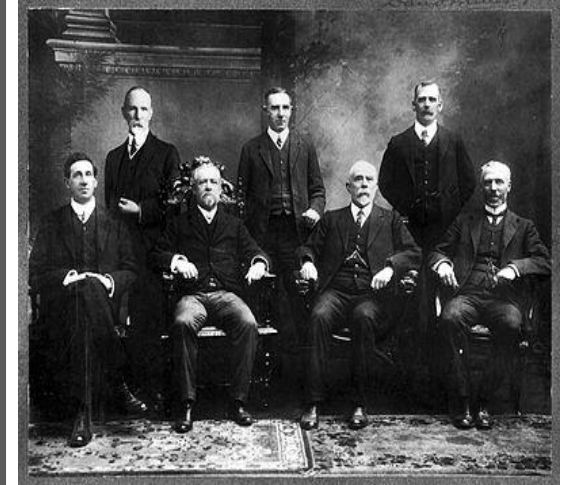




Australian Government



Racial Contract as Methodology: Experiences of 'Indigenous Employees' in the Australian Public Service.

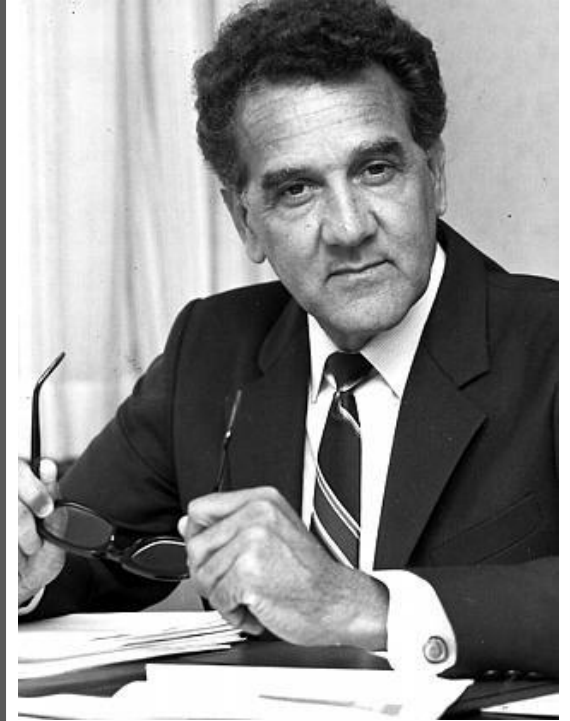
Whither Reconciliation?

One of the things I've always grappled with in the public service was that it was never clear to me why Aboriginal and Torres Strait Islander people were important in the first place. (P#3)





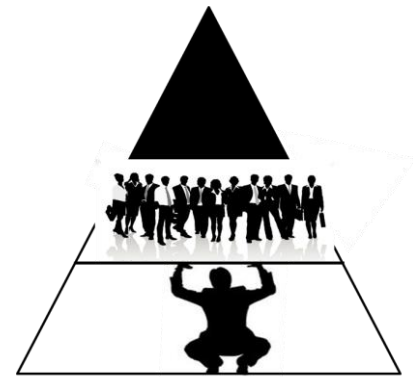
Us Bargallie Mob



Charles Nelson Perkins
(1936-2000)

Overview of APS and Indigenous Employment

- APS came into fruition at Federation on 1 January 1901
- First piece of legislation passed in the new Federal Parliament was the Immigration Restriction Act (1901), the “White Australia Policy”
- One of the country’s largest employers (152,095)
Indigenous = 4,821 at 2017
- Guiding principle of “merit”
- Indigenous employees are under-represented within the APS
- Racial division of labour (Larkin, 2014). Indigenous employees over-represented at the lower APS classification levels (glass ceiling)
- APS Values and Code of Conduct

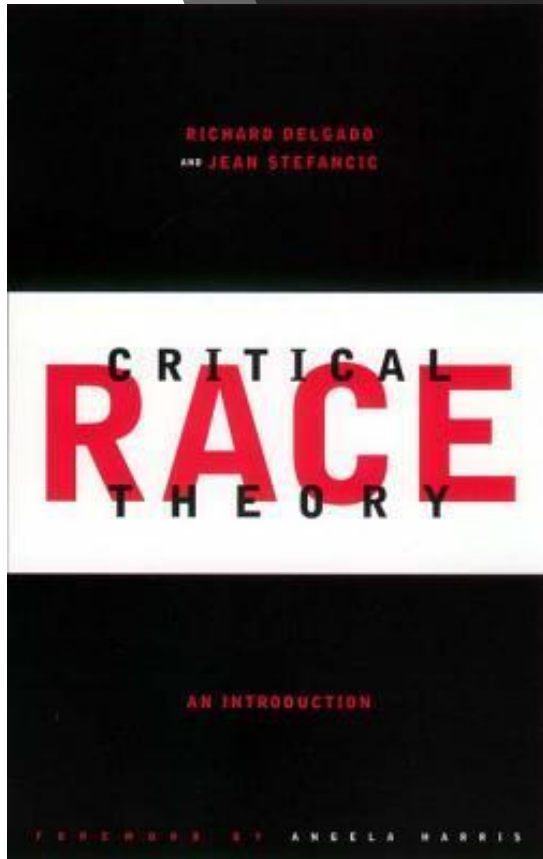


Research on APS Indigenous employment



- **Larkin, S.R.** (2014). *Race matters: Indigenous employment in the Australian public service*. (Unpublished doctoral dissertation). Queensland University of Technology, Brisbane, Queensland.
- **Biddle, N. & Lahn, J.** (2016). Understanding Aboriginal and Torres Strait Islander employee decisions to exit the Australian Public Service. CAEPR working paper 110/2016. Canberra: Centre for Aboriginal Economic Policy Research.
- **Ganter, E.** (2010a). An ambivalent hospitality: Aboriginal senior public servants and the representation of others in Australia's self-governing Northern Territory. (Unpublished PhD thesis). Australian National University, Canberra.
- **Ganter, E.** (2011). Representatives in orbit: livelihood options for Aboriginal people in the administration of the Australian desert. *The Rangeland Journal*, 33 (4).
- **Ganter, E.** (2016). *Reluctant representatives: Blackfella bureaucrats speak in Australia's north*. Canberra: ANU Press.

Critical Race Theory: CRT tenets intersecting within an Indigenist Australian research framework



Racism is
endemic

Social
construction
of race

White
supremacy

Critique of
liberalism

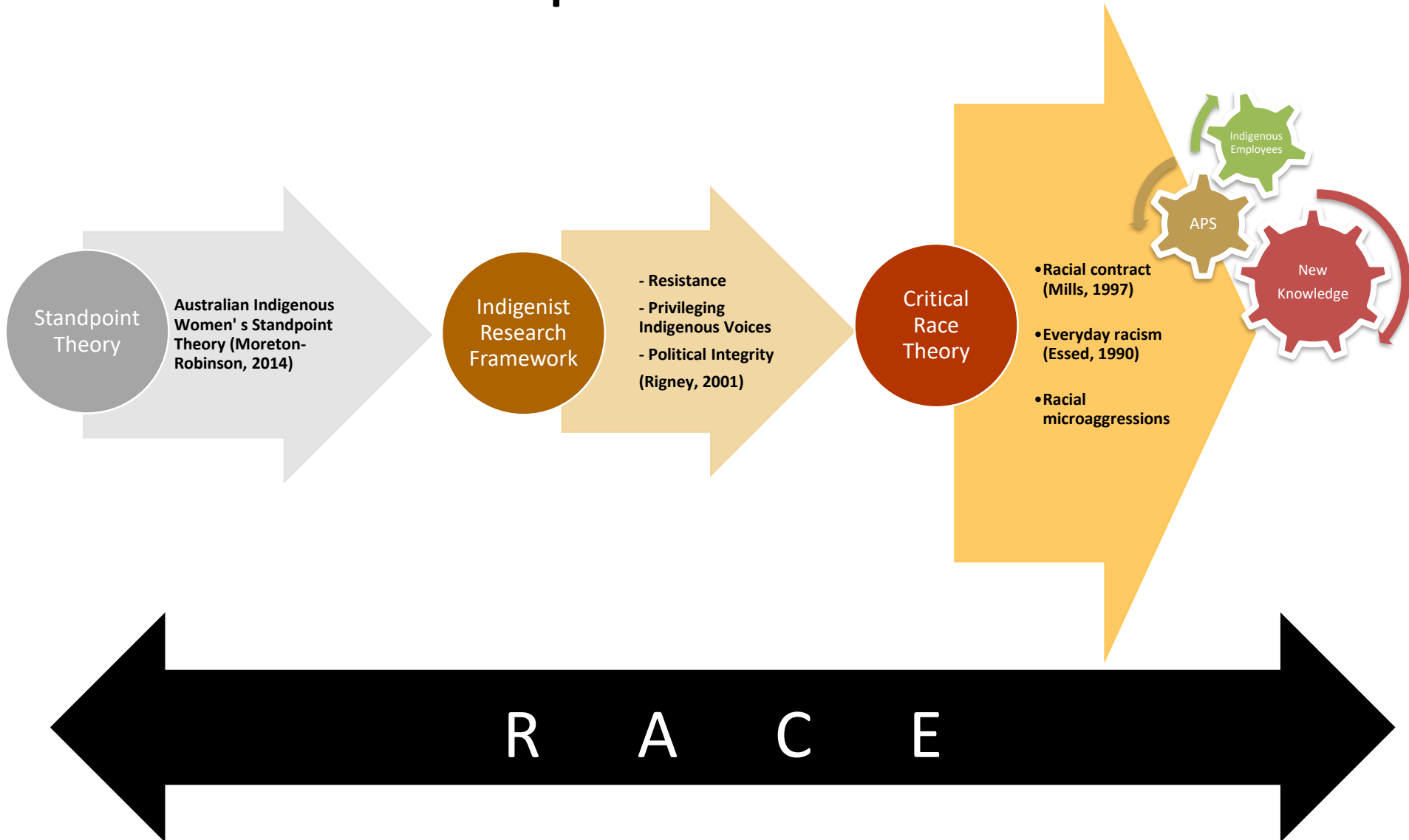
Interest
convergence

Unique voice
of colour

Critical Race Theories & Concepts

The Racial Contract (Charles W. Mills)	Everyday Racism (Philomena Essed)	Racial Microaggression (Chester Pierce, Derald Sue et al, Perez Huber & Solorzano, Solorzano et al).
<ul style="list-style-type: none"> • Society we live in is a continuing white supremacist state • The political, moral and epistemological structure of contemporary society is determined by the Racial Contract • Establishes a racial polity, a racial state, and a racial juridical system – status of whites and non-whites is clearly demarcated • Maintains and reproduce racial order, securing privileges and advantages for whites and maintaining subordination of non-whites. • Conceptual/Abstract thinking 	<ul style="list-style-type: none"> • Connects structural forces of racism with routine situations in everyday life • The lived experience of racial oppression • Defies the logic of racism as an individual problem • Concerned with systematic, recurrent and normalised existence of racism as infused into familiar practices such as talk (jokes) and behaviour • Such manifestations of racism constitute everyday life in a white-dominated society which involves a continual battle against denial of racism. 	<ul style="list-style-type: none"> • “Brief and commonplace daily, verbal, behavioural or environmental indignities, intentional or unintentional, that communicate hostile, derogatory or negative racial slights and insults to target person or group” (Sue et al., 2007, p. 273) • “Subtle, stunning, often automatic, and non-verbal exchanges which are ‘put-downs’ of blacks by offenders” (cited in Solorzano et al., 2001) • “Racial microaggressions are a form of systemic, everyday racism used to keep those at the racial margins in their place: (Perez Huber & Solorzano, 2015, p.298). • Navigating racial microaggressions are the “unspoken rules of engagement in the workplace” (Rollock, 2010)

Indigenist Australian Critical Race Theory Conceptual Framework



Indigenous representation as deficit

- “You go to meetings and the conversations was always whenever they talk about Aboriginal and Torres Strait Islander people, it’s always from the most negative perspective. Deficit – it was never about anything positive”. (P#3)
- “We’re just sitting there like dummies at the moment. All the challenging work that’s interesting goes to the white fellas’ we are just left with shit cos they just don’t think that we good enough. It’s like I’m not here.” (P#6)
- “At first, I felt really vulnerable. I was losing my confidence. I just always felt like I’m just second class or I’m not gonna get nowhere. You know like I’m gonna be a shit-kicker and these white fellas always gonna be my boss sort of thing.” (P#18)
- “There’s a heightened expectation that you can’t cut the mustard. I know plenty of young ones that I’ve mentored that have had that feedback from their managers, “Oh, you can’t write.” (P#16)
- “It’s absolutely gut-wrenching when you sit back and you watch non-Indigenous people get rated as ‘highly suitable’ and, they’ve got no indication of the garbage they’re actually writing”. (P#15)
- “We are always training them up for the jobs that we are never considered good enough to get. It’s like we are always the bridesmaid and never the bride” (P#20)

Racial silencing and pigeon-holing

- “The (non-Indigenous) person sitting in the office right next to me writes (Indigenous) policy when I’m regarded as an expert not just within the APS but by peak Indigenous bodies and they will not come in and talk to me which results then in the development of material which I call out as being offensive and it wasn’t just me that called that out. There was a non-Indigenous staff member who was very culturally competent who were absolutely shocked at what was written.” (P#15).
- “Recruitment policies, identified positions policies, we’d be asked to look at this and provide feedback but then our feedback will be ignored or disregarded. And I remember at one point, there was a few of us senior people went to visit one of the deputy secretaries who was responsible for HR management to talk about our concerns and we literally had the face in the hand to stop talking because she didn’t wanna hear it”. (P#8)
- “We’re not paid as cultural advisors, like we do our jobs, we’re expected to do all these other things relating to Aboriginal and Torres Strait Islander people on top of our roles and you don’t get any recognition for that sort of thing.” (P#17)
- “You know I been asked to go to meetings with supervisors and warned before we get there that I’m only there as onlooker and told – just sit there – don’t say a thing. What’s that shit all about?” (P#20)
- “You just want me to be there as the black face” (P#11)

Supervision or hyper-surveillance?

- “That was a horrible experience really for all of ATSIC employees because all ATSIC employees were just tarnished with, “you’re not good enough, you come from ATSIC, you’re not good enough”. So, we had to work double as hard to maintain your credibility and respect with peers and superiors.” (P#9)
- “She made life really really hell. One day at a meeting, she just threw across the table a voluntary redundancy and classification. ‘You got to be kidding, I’ve been in HR long enough, you just can’t do that. You need to have a process in place to do that, this is highly unnecessary and insulting.’ That was my worst time... to the point when I walked out of the office purposely one Friday to walk in front of a bus. I was going to do it and I sat down and said, ‘Nah, I can’t. This is not right. Something’s got to be done’...Long story short, I took a week off, got my head clear, then got another placement.” (P#9)
- “There’s no cultural integrity in their (performance level) standards. I don’t think the workplace values that or see it as important. I was being underperformed (performance managed) because I wasn’t at work, because he (supervisor) couldn’t assess my work. Now, if you’re saying your employer of choice, you want Aboriginal mob to come here and work, but I haven’t been here because I lost my brother, not because I just didn’t wanna fucking come to work. Why are you underperforming me? How can you do that? When I take days off, I’m not taking them off ‘cause I don’t wanna be here. I’ve my fucking son wanting to kill himself. I’ve got my brother dead. I’m coping with my mother with a chronic illness. I’ve got my other kids with their issues. Don’t fucking think – don’t think I’m not here because I couldn’t give a shit, I say, because I’ve got more important stuff happening outside of work and I have to have that time off. Geez it hurt. It did hurt because I’ve never been performance managed at any fucking level.” (P#12)
- “So did I do anything good over the last 12 months? And they had nothing” (P#14).

The myth of meritocracy

- “All agencies talk about they wanna be the agency of choice, but it’s all rhetoric. It’s only what’s written on the paper. But as soon as you’re part of the system, all that disappears and there’s a lot of well-educated Aboriginal people, Torres Strait Islander people, who are equal to anybody else, but for some reason never get the opportunities”. (P#3)
- “Giving everything equal – a white person will always get a job or an opportunity over an Aboriginal person. I think it’s just a mentality of non-Indigenous people. They still perceive themselves of being the dominant race. They still think that they’re still more intelligent than anybody else.” (P#3)
- “I think the theory (merit) is fantastic and it all makes sense. What happens in practice are two different things.” (P#2)
- “I often see panels where experienced Aboriginal staff at EL1s are rated ‘not suitable - needing development’. And this is EL - Aboriginal Torres Strait Islander EL1s that have worked across multiple agencies and been at level for ten, 15 years at times and yet, people will climb over each other to try and actually get the latest young non-Indigenous person that’s escalated from APS 6 to an EL1 rather than pick the EL1 that’s an Aboriginal person with a proven track record. Merit comes down to value. I’m sorry – if you don’t value the skills sets and you don’t value that experience, you can have a merit selection principle which is consistent with the guidelines but it’s not measuring the right thing.” (P#15)

Subjection to racisms: Norming and racing of spaces

- “It exists – it exists in all its forms. There are people in there where people are quite open about how they feel about Aboriginal people, Torres Strait Islander people.” (P#3)
- “Their behaviours and mannerisms and not only the stuff they’re saying, but you know that other stuff that you can’t put your finger on, but you know, like it may be a look or a snarl or a, you know, something that goes, as a black person, you know when you’re feeling that stuff whether it’s in the workplace or you walk into a shop, it’s there.” (P#11).
- “Because Aboriginal and Torres Strait Islander people are such a small minority, we get overlooked all the time. And so, people don’t see it as being racist to us when they say, ‘Now, all the black fellas sit over there. That’s their part of the floor over there or now the black fellas have all gone to lunch.’ (P#10)
- “The reality of the situation is that when you walk the floors in our agencies, particularly when you start walking along the offices and you look on the inside of the offices, what’s the basic demographic that you’ve got? They’re largely people who’ve migrated through from Caucasian-based backgrounds, educated, university-educated, growing up with the public service.” (P#15)

Race Talk - The vernacular of APS

A clash of racial realities: 'white talk versus back talk'

- “It’s because we’re all drunk, unemployed, wife-beaters. I mean I think it’s a lack of understanding, you know, that whole thing – ‘why don’t they get jobs?’ Have they been to see some of our communities” I mean seriously, what job do they think there is?” (P#1)
- “I went to a session with the Australian Healing Foundation a couple of weeks ago and they were talking about healing as an approach to intergenerational trauma and comment was made by an SES, ‘Are we still healing? I thought the healing was done.’” (P#14).
- “I’ll get approached by Indigenous staff to talk to their supervisors who have actually refused their NAIDOC leave. Even recently had an EL2 say, ‘Oh well, you know, I don’t think it’s right that only Indigenous staff can take NAIDOC leave.’ And it’s like, ‘Well, actually have you read the Enterprise Agreement because it’s for all staff?’” (P#5)
- “There’s always a perception around Indigenous anything – black fellas always get handouts. You get the little snickers like, you know, it’s easier to get Abstudy than what it is to get Austudy,” and stuff like that. You’ve must be on a wicket cos you work full-time and your kids get Abstudy. My kids don’t even know what it’s called – they’re not entitled to it.” (P10)

A culture of denial of racism

Talking culture but not talking race – ‘Cultural Awareness Training’

- “I know someone who went to a departmental cultural appreciation training yesterday. And the recipient kind of said it really was just talking about government’s mandate and priorities about getting adults into work, children to school and safer communities. It was delivered by an Indigenous person and I thought – I actually wonder if the program, because it’s delivered in Capability Branch, is censored by the department.”(P#13)
- “There’s still consultants out there running cultural awareness training that still say to the participants ‘Whatever you do when you’re talking to an Aboriginal or Torre Strait Islander person, do not look them in the eye.’ “(P#2)
- “Various departments and our department runs a cultural appreciation program which tries to actually inform and shape people’s thought process in terms of the history and the impact of the past policies and a way forward. But some senior managers want to cut down on a day, or half – a day to half a day because they think there’s no value in history and going through the impact, the past impact. Now, if you can’t address that – if you can’t have that conversation, you can never migrate to a conversation about, ‘Okay, how do we work together?’” (P#15)

The Denial of Racism :

- “I think the [APS] workplace is in denial that racism exists.” (P#14).
- “Yes it (the APS) is in denial. I wrote a letter to the HR – a big two-page let on how offended I was and it was unacceptable for her to talk like that to me. The outcome was ‘Please don’t talk like that. They’ve just put it (racist comments) down to her opening her mouth and saying the wrong thing. ‘Don’t talk like that and it’s all done’. Yes. But besides that, for your bad behaviour, we’ll move you into another position. It’s a higher pay. I was angry. Very angry. I was unsatisfied.” (P#4)
- “Yesterday alone, it was reported to me by a new trainee that a non-Indigenous manager said, ‘Look, just let the discriminative comments go by and you’ll get used to it’. And that’s the attitude. (P#15)

Self-racialisation as solidarity and resistance

Responding to racism

- “It’s almost like you have to make a choice whether you speak up [about racism] and kind of get the finger pointed at you, just having like, ‘Oh. Don’t be so sensitive.’” (P#12)
- “Some of those comments that are made that you just think as an Aboriginal person, you gotta pick your fight cos some days, you wanna fight, and some days, you don’t. And some fights are worth it and some are not. That’s the strength and resilience of us as Aboriginal people.”(P#11)
- “It again comes back to what the repercussions will be on them later. They’ll be ostracised from within their section and all that type of stuff...I think they think of repercussions that come down on them. They can get tarred with the similar brush.” (P# 17)
- “Because, we’re a minority. Nobody wants to ruffle feathers. Nobody wants to put their heads up because if you put your head up, then you’re performance managed.” “If you put your head up, you’ll lose what little access we’ve got to developmental opportunities. If you put your head up, you’ll lose the support that you actually got or what support we have.”(P#15)
- “It gets swept under the carpet.” (P#2)

Sticking together in the workplace – “It’s solidarity”

- “We do it all the time. I go to conferences or meetings or whatever. If I see a black person across the table, I’ll make a point of going over there ‘Where you from? This is where I’m from, and all that.’ It’s also part of that welcoming sort of process as well. You’re not here in this meeting alone and we can fight together on whatever we have to. It’s solidarity. It’s a different conversation with the non-Indigenous person in a sense where you have to be a bit more formal.” (P#17)
- “All the mob tend to hang around each other – because you feel safe, ‘cause we’re able to engage with each other. We can talk with each other. We know what each other’s thinking. We know how we feel about things. “White fellas don’t come over to talk to us, but we often go over and engage with the white people as well.” (P#3).
- “We’re all very close and we all try to support each other as much as we can and we all catch up and have a coffee. If someone’s having a bad day or whatever, you know, we’ll go and have a yarn.” “All the time we get little comments, like if we go for coffee, “Where are you going now? What are you doing? What’s so important that you need to be out of the office? You don’t work in this team, Why are you taking my team member away?’ As an Aboriginal or Torres Strait person, if they need my support, I’m gonna support them.” (P#10)
- “You know, three black fellas get together it’s an illegal protest, isn’t it?” (P#2)

Taxonomy of racial microaggressions in the APS workplace

Pathologising cultural values

Racial silencing and pigeonholing

Supervision as hyper-surveillance

Indigenous as deficit

Myth of meritocracy

Denial of racism

Denial of Indigeneity

The 'real' Aborigine

'Race talk' as APS vernacular

'What about me'ism'

Self-racialisation as solidarity and resistance

White backlash

The APS can be constituted as a site of racial microaggressions;

Absent presence of racisms in the APS; racism is absent through the denial of its existence at the same time as being present and real to Indigenous employees subjected to it.

'Indigenous employees' are necessarily racialised in order to maintain white race advantage advantage as prescribed by the conditions of the Racial Contract.

Enunciation of Indigenous identity beyond 'appearing' to be Indigenous results in processes of negative racialisation;

Race talk as APS vernacular in operationalizing the Racial State;

'Indigenous employees' enact self racialization as solidarity and resistance in response to everyday racisms and thus disrupt the Racial Contract;

All APS employees are working within a Racial Contract for which they may or may not be aware of – “where not all white people are signatories but all white people benefit” (Mills, 1997).

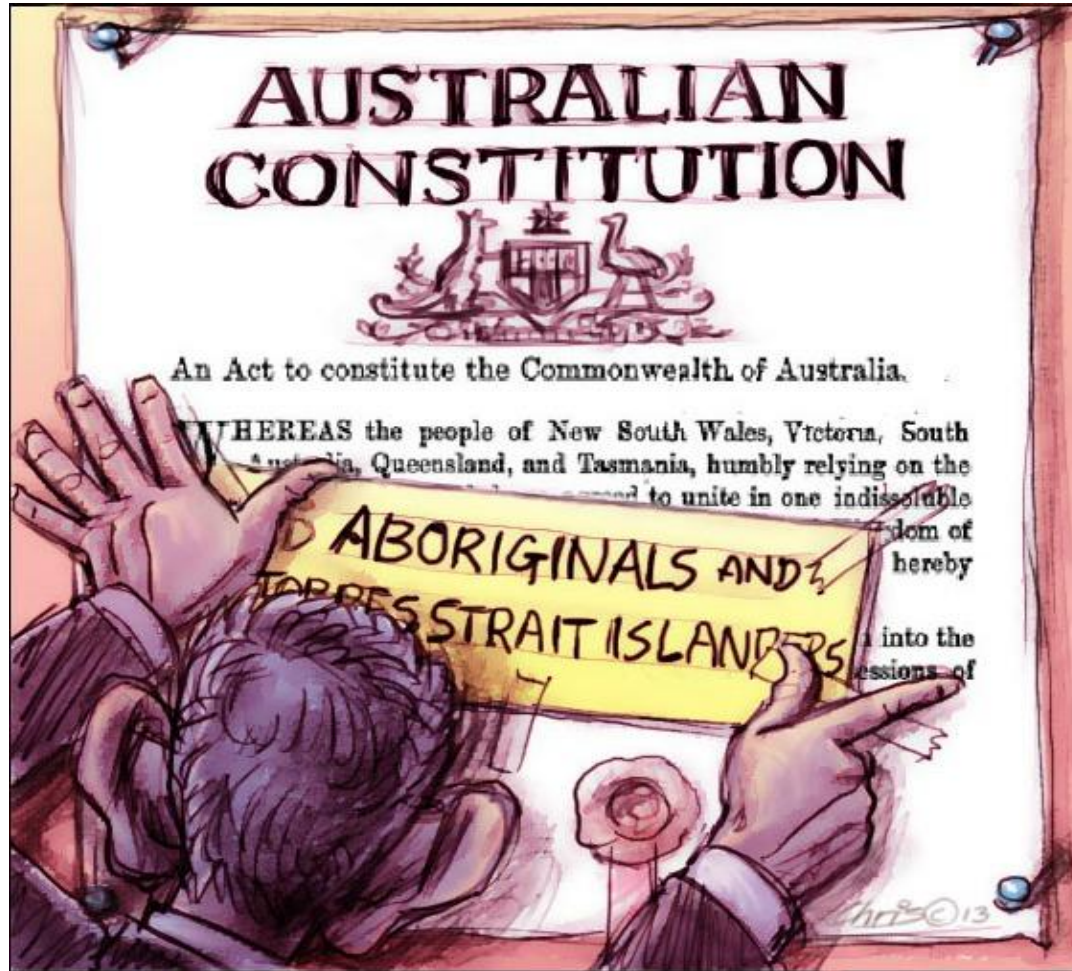
Overall Arguments

On APS Reconciliation Action Plans

- They've got no teeth. Realistically, they have no teeth. Realistically, if it is a government policy, why isn't it a part of the work performance plan? What are we doing to hold managers accountable? (P.13)
- I think the APS has failed miserably (P.7)
- Waste of bloody time. If you look at the crux of information in the RAP, most is about doing their job. That's what they're paid to do. There is nothing in there that sort of talks about how or what – as a white bureaucracy, how they're actually going to treat Aboriginal people as human beings. (P. 3)
- I don't reckon they work myself (P.18)
- They can be tokenistic – I haven't seen that RAPs have actually advanced the stand of Aboriginal and Torres Strait Islander people or for their betterment within the workplace (P. 14)
- Sometimes I think they're not worth the paper that they're written on (P.13)
- Sometimes I think it's a cop out for organisations (P.11)
- It's just another book on the shelf that's a tick and flick exercise. When it gets reported to Reconciliation Australia, there was so many more greens (lights) on there that were not true (P.17)



Conclusion



“The Racial Contract - still unbroken after all these years” (Mills, 2015)

**Thank
You!**