POLICY AND INDIGENOUS LANGUAGES IN AUSTRALIA

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The use of Indigenous languages has been declining over the period of non-Aboriginal settlement in Australia as a result of repressive policies, both explicit and implicit. The National Policy on Languages (Lo Bianco, 1987) was the high point of language policy in Australia, given its national scope and status and its attempt to encompass all aspects of language use. Indigenous languages received significant recognition as an important social and cultural resource in this policy, but subsequent national policy developments moved via a focus on economic utility to an almost exclusive emphasis on English, exacerbated by a focus on national literacy standards. This is exemplified in the Northern Territory's treatment of Indigenous bilingual education programs. Over recent years there have been hopeful signs in various states of policy developments supportive of Indigenous languages and in 2009 the Commonwealth Government introduced a new National Indigenous Languages Policy and a plan for a national curriculum in languages. Support for Indigenous languages remains fragmentary, however, and very much subservient to the dominant rhetoric about the need for English skills, while at the same time ignoring research that shows the importance of Indigenous and minority languages for social well-being and for developing English language skills.

INDIGENOUS LANGUAGES IN AUSTRALIA

There were approximately 250 Indigenous languages spoken in Australia at the time of non-Aboriginal settlement of the country, many of these with multiple separate dialects. The generally repressive history of language contact (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, 1992, p. 75) has led to the demise of at least half of these languages, with about 100 of the remaining languages at a very advanced stage of endangerment and only about 20 languages being strong in terms of having speakers across all generations (NILS, 2005, p. 1). The 2006 Australian census shows that only 11.42% of Australia's total Indigenous population of 455,028 speak an Indigenous language at home, while 81.75% speak only English (Australian Bureau of Statistics [ABS], 2008). Not unexpectedly, the speakers of Indigenous languages reside mainly in the more isolated regions of Australia, especially the north and centre. Furthermore, what is not always officially recognised is that a significant number of those Indigenous people claiming to

speak 'English only' would be speakers of a distinctively Aboriginal variety of English that, according to Malcolm and Grote (2007, p. 153), 'differs markedly from Standard English at all levels of linguistic description', usually known as *Aboriginal English*.

In reality the situation of Indigenous languages varies considerably around the country, ranging from communities where one or more traditional languages are the main means of daily communication and children learn one of these languages as their first language, through to communities where no-one speaks an Indigenous language, though there may be some records of the language or some residual memories of it amongst the older people. For this reason it is important to adopt some clear 'Language maintenance' terminology and to bear these different situations in mind, since the applicability of different programs will vary according to the type of situation. The terminology adopted here (Figure 1) was originally developed for the *Australian Indigenous Languages Framework* (AILF, 1993), adapted by McKay for his national report *The land still speaks* (McKay, 1996, p. 19), and subsequently adopted by the *National Indigenous languages survey 2005* (Department of Communications, Information Technology and the Arts, 2005, p. 25). Unfortunately many of the language policy documents are unclear in terms of the different types of programs that are appropriate for different situations.

Australian Indigenous Language Framework (AILF) Categories		**Defining Characteristics**
Language Maintenance (First Language Maintenance)		*all generations full speakers*
Language Revival (3 sub-categories—all involve children learning the language of their OWN heritage)**:**	**Language Revitalization**	*generation of (older) speakers left—children likely good passive knowledge*
	Language Renewal	*oral tradition but no full speakers—children likely little or no passive knowledge*
	Language Reclamation	*no speakers or partial speakers—relying on historical sources to provide knowledge of the language*

Language Awareness	*non-speakers learning about the languages where it is not possible to learn and use the language—vestiges only, documentation poor*
Language Learning (Second Language Learning)	*non-speakers learning as L_2*

Figure 1
Language Maintenance Terminology after AILF

THE SIGNIFICANCE OF INDIGENOUS LANGUAGES

Not surprisingly, Indigenous languages are very significant to their speakers as their means of day to day communication within their families and communities. The importance of these languages goes further than this, however, since they form a significant part of the culture and identity even of those who do not themselves speak an Indigenous language. For one thing there is an inherent relationship between language and land in Aboriginal societies that has no parallel in non-Aboriginal thinking (Rumsey, 1993) and Indigenous people see themselves as owners of their traditional languages, even when these are no longer spoken (Walsh, 2002). Indeed, Indigenous linguist Jeannie Bell from south-east Queensland writes:

> The fact that we may not speak the languages fluently anymore, or use them as our main means of communication is not really an issue. It is more about language being a marker of who we are in relation and connection to our land and our ancestors (Walsh, 2002, p. 49).

Furthermore there is a link between loss of Indigenous languages and the disadvantage and lack of wellbeing experienced by Indigenous people around the country. The Steering Committee for Government Service Provision (2009, p. 2.17) notes that it had been working since the 2007 report on a number of issues, including:

> development of an Indigenous language indicator—language is regarded as significant to the wellbeing of many Indigenous Australians but it is difficult to define a specific indicator.

The committee went on to elaborate:

> An indicator of 'Indigenous language' attracted widespread support during consultations. Indigenous language is closely linked with Indigenous culture and law, and all three are linked with Indigenous wellbeing…
>
> … Although at present there is not a large amount of empirical evidence, there is a clear relationship between the loss of Indigenous languages and speakers and 'disadvantage' — the focus of this report. Language and disadvantage can be linked broadly in two main ways, building upon the role that language plays in the continuation of culture and promotion of resilient communities…

At the same time they acknowledge that 'a lack of proficiency in English can also create barriers for Indigenous people in education, employment and in access to services' (Steering Committee for Government Service Provision, 2009, p. A3.4), arguing in connection with access to service provision that 'engagement with Indigenous communities is essential to achieve measurable improvements in economic, health, and social indicators' and that taking time and developing effective communication were essential to success here. (Steering Committee for Government Service Provision, 2009, p. 11.30–11.31)

The authors of the *Western Australian Aboriginal Child Health Survey* note (for Western Australia) that 'the use of traditional Aboriginal languages is one marker of cultural preservation' (Zubrick et al., 2004, p. 288).

They go on to argue:

> Data from the WA Aboriginal Child Health Survey show marked variations in the preservation of cultural heritage – particularly when measured by traditional language preservation. There is an almost total cessation of the use of traditional Aboriginal languages in all but the more isolated areas. … If traditional language use is considered as a measure of cultural integrity, and if cultural integrity is a critical component of the stocks of social capital available to Aboriginal people, then there is an urgent need to reverse this loss, and to restore and preserve Aboriginal cultural heritage through language (Zubrick et al. 2004, p. 297).

Finally, a recent study by the Australian Bureau of Statistics shows that young Aboriginal and Torres Strait Islander people (15–24 years) who speak an Indigenous language are less likely to consume alcohol at risky levels, to report they had used illicit substances in the past 12 months or to have been the victim of physical or threatened violence (ABS, 2011).

LANGUAGE POLICY AND ABORIGINAL LANGUAGES—THE NATIONAL LEVEL

The first two centuries of European settlement in Australia were marked by repressive attitudes towards Indigenous languages and their speakers (Johnston, 1991, pp. 7–11; McKay, 2007, p. 101). Indeed, Schmidt describes the period up to the 1970s as 'the "crunch" period of harsh assimilatory pressure in which Aboriginal language and identity were largely ignored' (Schmidt, 1990, p. 37). With the *National Policy on Languages* (Lo Bianco, 1987) began a period of recognition for community languages and Indigenous languages, including creoles and Aboriginal English.

This ground-breaking policy, adopted by the Hawke government, took a comprehensive view of language in the life of the community and covered three major areas:

- Status of languages
- Teaching and learning of languages
- Language services.

Each of these policy areas was addressed in terms of three language groupings:

- English (and Aboriginal English)
- Aboriginal and Torres Strait Islander languages (including creoles)
- Other languages (including AUSLAN, the Australian sign language)

While this policy remained in force for only four years it marked the high point of language policy at the national level in Australia, given its comprehensiveness in terms of the languages and aspects of language use covered. Over the next few years there was a gradual shift in emphasis from viewing a wide range of languages as a community resource, to focusing on a small number of internationally and economically important languages, to the present emphasis on the importance of English for economic purposes and nationalistic uniformity, while viewing the speaking of other languages as a problem for the acquisition of English and English literacy (cf. Leitner, 2004, pp. 219–220; Lo Bianco, 2001, p. 18; McKay, 2007, p. 101, 2009a; Moore, 1996).

While Indigenous languages have never gone back to the previous era of complete neglect and repression, support of them has been variable and much relevant policy has moved to individual states, to education programs, and to specific funding programs that tend to support languages on a short-term project basis rather than a language needs or strategic basis, thus giving little certainty or continuity to language programs.

Arising out of the *National Policy on Languages* (Lo Bianco, 1987) regional Aboriginal language centres were established throughout the country and these centres have continued to provide the local core of language activities outside of schools, their strength usually being local control and grassroots involvement. In their State of the Environment report *State of Indigenous Languages in Australia 2001* McConvell and Thieberger (2001) claim:

> Particularly significant and productive has been the establishment of Regional Aboriginal Language Centres and language management committees under Indigenous control from the mid-1980s onwards; there are few parallels to this development elsewhere in the world. (McConvell & Thieberger, 2001, §2.2)

Continuing funding of activities in the maintenance of Indigenous languages is provided through the Schools Languages Other Than English (LOTE) program and the Maintenance of Indigenous Languages and Records (MILR) program.

The objectives of the MILR program are to:

- support the maintenance of Indigenous languages (Aboriginal and Torres Strait Islander languages only)
- increase the use of Indigenous languages in a range of fields and media, including greater Indigenous community engagement
- increase public appreciation of Indigenous languages, and
- support the sustainable development of organisations working to support Indigenous languages (Office of the Arts, 2011b, p. 4)

For the period 2010–2011 there were 130 applications seeking over $22.3 million, and 63 projects across all states and territories were actually supported with an allocation of $7.9 million. Six applicants were granted triennial funding. Project titles indicate that all objectives except perhaps the third are being addressed by at least some projects. It is noteworthy, however, that this total amount granted for 2010–2011 is below the $8.8 million granted in each of the two previous funding periods, 2008–2009 and 2009–2010, though it does include three times as many grants that extend beyond one year (Office of the Arts, 2010a).

On 30 April 2009 the Australian Minister for Indigenous Affairs, Jenny Macklin (2009b), announced Australia's support for the United Nations Declaration on the Rights of Indigenous Peoples (adopted, against opposition from Australia at the time, by General Assembly Resolution 61/295 on 13 September 2007) as 'an aspirational rather than binding document'. This declaration provides the following support for Indigenous people to use and be educated in their own languages:

Article 13

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 14

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language. (United Nations, 2007)

A further major step at national level in the recognition of Indigenous languages also took place in 2009 with the August announcement of the National Indigenous Languages Policy by the Minister for Indigenous Affairs, Jenny Macklin and the Minister for the Arts, Peter Garrett (Macklin, 2009a). The objectives listed in the policy are as follows:

- National Attention: To bring national attention to Indigenous languages—the oldest surviving languages in the world; and the pressures they face.
- Critically Endangered Languages: Reinforce use of critically endangered Indigenous languages that are being only partly spoken to help prevent decline in use and to maintain or extend their common, everyday use as much as possible.
- Working with Languages to Close the Gap: In areas where Indigenous languages are being spoken fully and passed on, making sure that government recognises and works with these languages in its agenda to Close the Gap.

- Strengthening Pride in Identity and Culture: To restore the use of rarely spoken or unspoken Indigenous languages to the extent that the current language environment allows.
- Supporting Indigenous Language Programs in Schools: To support and maintain the teaching and learning of Indigenous languages in Australian schools (Office of the Arts, 2010b).

Among the significant activities being supported to implement this policy are (Office for the Arts, 2010b):

- Investigating the feasibility of a National Indigenous Languages centre, as recommended by the NILS Report (Department of Communications, Information Technology and the Arts, 2005, p. 116) as well as further development of the regional language centres
- Continuing support for the MILR program and increasing use of new technology in Indigenous language maintenance efforts
- Better targeting of support for Indigenous languages as part of a broader national focus on culture as important for the well-being of Indigenous communities
- Provision of significant funding for interpreting services through the Council of Australian Governments (COAG)
- Provision of significant funding for languages education in schools via the national Education Agreement. These funds can be used at state discretion for Indigenous languages programs.

The website detailing these activities goes on to state:

- The Government is committed to languages education and recognises the important role that Indigenous language learning plays in some schools, particularly bilingual schools.
- The learning of English is also a fundamental skill that all Australians, including Indigenous Australians, must have in order to maximise their learning opportunities and life chances.
- All Australian governments through the Council of Australian Governments (COAG) processes have committed to halving the gap in the reading, writing and numeracy achievements between Indigenous and non-Indigenous students within a decade.

- The Government is providing $56.4 million over four years to provide extra assistance to schools to enable them to expand intensive literacy and numeracy approaches that have been successful with Aboriginal and Torres Strait Islander students and provide professional development support to assist teachers to prepare Individual Learning Plans for Indigenous students (Office for the Arts, 2010b).

Starting with the recognition of the role of Indigenous languages and of bilingual education, this short excerpt moves rapidly to a focus on English literacy, the very focus that has undermined so much potential support for Indigenous languages over recent decades. This focus on English literacy would seem to have little place in a statement on a national approach to Indigenous languages, but its inclusion here may suggest where the government's main emphasis lies. The Closing the Gap targets also clarify the Council of Australian Governments' (COAGs') main focus, with the relevant target being once again focused on [English] literacy and not even mentioning the role that Indigenous languages could play in meeting any of the targets (Department of Families, Housing, Community Services and Indigenous Affairs 2009, 2011). At the same time the much greater recognition and support for Indigenous languages that have been emerging over recent years in various policy documents must be acknowledged.

What is unfortunate is that policy and implementation in the main seem to operate on the false understanding that Indigenous language development and English literacy skills are in competition with one another rather than being mutually supportive, as the research on bilingual education would generally suggest. This will be touched on below, using the Northern Territory as an example. Furthermore research has shown that Indigenous people across Australia are keen for their children to master English, but not at the expense of their own languages (Collins, 1999, pp. 117, 120; Department of Communications, Information Technology and the Arts, 2005, p. 19; House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, 1992, p. 34; McKay, 1996, p. 83).

LANGUAGE POLICY AND INDIGENOUS LANGUAGES—THE STATE LEVEL

New South Wales is the only state in Australia to have an *Aboriginal Languages Policy* (NSW Department of Aboriginal Affairs 2004) and this is backed up by a strategic plan to implement the policy, *NSW Aboriginal Languages Policy Strategic Plan 2006–2010* (NSW Department of Aboriginal Affairs, nd) as well as a K–10 language syllabus (NSW Board of Studies, 2003). This policy has four "focus areas" (NSW Department of Aboriginal Affairs, 2004, pp. 5–6):

- Language programs in Aboriginal communities
- Language programs in the educational system [all levels]
- Language programs in gaols and detention centres
- Aboriginal languages in the broader community.

The policy describes itself as 'a cross-agency Policy, and as such, making progress towards these goals is the responsibility of all State Government agencies', though the primary responsibility is held by the NSW Department of Aboriginal Affairs, The NSW Office of the Board of Studies, the NSW Department of Education and Training and the NSW Department of Corrective Services (NSW Department of Aboriginal Affairs, 2004, p. 6). The policy focuses exclusively on Indigenous languages in a state where less than 1% of the population speaks an Aboriginal language at home and this means that the focus is primarily on Language Renewal, Language Reclamation, Language Awareness and Language Learning (L2) rather than Language Maintenance or Revitalization (see terminology in Figure 1 above).

Victoria announced the process to develop a state Aboriginal languages policy in March 2007, following a workshop run by the Victorian Aboriginal Corporation for Languages (VACL) and sponsored by the Victorian government and the Federation of Aboriginal and Torres Strait Islander Languages (FATSIL) (Jennings, 2007). So far this policy has not been released and no information has been obtainable about the current stage of its development.

Western Australia also commenced work on a state Aboriginal Languages policy. A discussion paper was commissioned (McKay, 2008) and a consultation was held in June 2008 involving a range of experts, Aboriginal people and representatives of various agencies. The consultation substantially endorsed the thrust of the discussion paper and the WA Department of Indigenous Affairs undertook the task of drafting the policy document.

The discussion paper (McKay, 2008) and the deliberations of those at the consultation in June 2008 took a broader view of Aboriginal languages policy than that taken in New South Wales since it recognised two important areas of concern:

- maintenance and revival of traditional Aboriginal languages as part of Indigenous people's cultural heritage and identity, and
- day to day communication needs of Aboriginal people, using Aboriginal languages or, in a majority of cases, using Aboriginal varieties of English.

Western Australia has done a lot of work within the Department of Education and Training in terms of recognising Aboriginal English and offering professional development for teachers who have Aboriginal English speaking children in their classes (cf. Malcolm et al. 1999;

Malcolm & Königsberg, 2007, pp. 278–279). This aspect of the policy is also discussed in a subsequent paper (McKay, 2009b).

To date it is unclear whether and when a WA Aboriginal Languages policy will be released and what such a policy will contain—in particular it is not clear whether the broad emphasis encompassing traditional Aboriginal languages and Aboriginal English in daily life will be retained. As in Victoria, a change of government has occurred since the original consultation considered the discussion paper. In addition it should be noted that recent federal government priorities have given a high profile to English literacy standards and interpreting in Aboriginal languages and it is possible that these priorities will influence state thinking, as they seem to have done in the Northern Territory (see below).

In a number of states, including Victoria and Western Australia, Aboriginal language policy matters have progressed further in the area of education than in other areas of government. In particular the Victorian Curriculum and Assessment Authority has developed the VCE Year 11&12 study 'Aboriginal Languages of Victoria: Revival and Reclamation' with a small stream of students completing this (Victorian Curriculum and Assessment Authority, 2010), as well as developing a P–10 syllabus (Heather Bowe, personal communication). In Western Australia Aboriginal languages have for some years been available within the Languages Other Than English (LOTE) program in a number of schools and the WA Curriculum Council has developed an Aboriginal Languages of WA curriculum (WA Curriculum Council, 2010) for senior secondary schooling, with one school successfully offering this to date (Aileen Hawkes, personal communication, May 3 2011). Western Australia also has a Language Services Policy, which 'supports State Government agencies in developing effective communication between staff and clients to improve service delivery to all Western Australians' and which 'sets out the Government's principles and minimum standards for engaging interpreting and translating services in the delivery of Government services and programs' (Office of Multicultural Interests, 2008, pp. 1, 4). This document usefully recognises not only Indigenous languages but also Aboriginal English, Pidgin, Kriol and Learner English as the languages of many Indigenous people in Western Australia. It goes on to note:

> Although there are some common lexical features between these languages and Standard Australian English, they differ markedly from each other in sounds or accent, grammar, vocabulary, meaning, use and style. For example, while many Indigenous people may be able to answer simple questions about their background and family, ask for items at the shop and hold short conversations about everyday occurrences, they would struggle to respond to complex questions with formal terminology as in the

> areas of health and the law. However, there is a perception among service providers that Indigenous people are more fluent in English than many of them actually are. As a result, the development of interpreting services in Aboriginal languages and the use of interpreters for Indigenous people have lagged behind the development of these services and their use [in] the delivery of services to migrants (Office of Multicultural Interests, 2008, p. 7).

A useful summary of relevant policies nationally and in the various states and territories is contained in Table 3.1 of the Social Justice Report 2009 (Aboriginal and Torres Strait Islander Social Justice Commissioner, 2009, pp. 80–83), as part of a chapter entitled 'The perilous state of Indigenous languages in Australia'. This report notes:

> Indigenous language policies at the state and territory level are usually embedded in education or arts policies, and relevant only to those portfolios. … When Indigenous languages policies are compared across jurisdictions it is clear that there are some contradictions between Commonwealth and state and territory policy positions. There is also considerable variation between the states and territories in their commitment to Indigenous languages. (Aboriginal and Torres Strait Islander Social Justice Commissioner, 2009, p. 80)

POLICY AND INDIGENOUS LANGUAGES—EDUCATION

As noted above, much state based policy in the Indigenous languages area is in the field of education. We do not have time to cover this in any detail here, but a summary can be found in the Social Justice Report 2009 (Aboriginal and Torres Strait Islander Social Justice Commissioner, 2009, pp. 80–83).

At the national level much policy in this area is strongly federal, emerging as it does from the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA) (from 1993) and (from 2009) its successor, the Ministerial Council for Education, Early Childhood Development and Youth Affairs (MCEECDYA), since these councils include the relevant state, territory and commonwealth ministers.

A useful outline of education policy as it affects Indigenous languages at both commonwealth and state levels up to about 2007 is provided by Purdie et al. (2008, pp. 25–53) and we do not propose to cover this in detail here. See also the discussion by Malcolm and Königsberg (2007).

The translation of policy into functioning programs is, however, not as strong as the policy would seem to suggest. This was picked up already in the 2002 review of the Commonwealth LOTE program (Erebus Consulting Partners, 2002), which noted:

> Although many recommendations have been drafted in support of Indigenous languages, it can be argued that the follow-through on these proposals has been less than rigorous. Aboriginal people feel that insufficient priority has been given to publicly stated goals …
>
> While the guidelines for the allocation of Commonwealth LOTE funding included Indigenous language programmes, the implementation of this has received limited attention in most States, both by the Federal agency distributing the funds, and by the State departments that have set their own priorities for the use of the LOTE budget.
>
> The overwhelming priority set by the States has been given to support for Asian and European languages, with little attempts made to even inform Aboriginal and Torres Strait Islander communities of the availability of such funds. The proportion of Indigenous language programmes funded through LOTE even in the more proactive States of Western Australia and South Australia is therefore a matter that requires urgent attention. (Erebus Consulting Partners 2002, pp. 127–128).

This continues to be the case in large measure. While the 2009 announcement of the *National Indigenous Languages Policy* (Macklin, 2009a) could be seen as one form of appropriate response to the recommendation of this review 'that the new National Languages Policy Statement explicitly recognise a role and responsibility of the Commonwealth for the protection, maintenance and promotion of the Indigenous Languages of this country' (Erebus Consulting Partners, 2002, p. 129), it remains to be seen whether the follow-through in terms of funding and program development will be adequate. Already the *Social Justice Report 2009* noted that the *National Indigenous Languages Policy* announcement earlier that year 'is not accompanied by an increase in funding and therefore can do little more than is currently being done to prevent the language decline' (Aboriginal and Torres Strait Islander Social Justice Commissioner, 2009, p. 69).

Similarly the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA) suggests that 'Indigenous education has come to be seen as peripheral rather than integral to core business' (MCEETYA, 2006, p. 16). It goes on to note the importance of accepting the very different language background of Indigenous students:

> The home language, whether an Indigenous language or a contact language like Aboriginal English, not only carries the culture of Indigenous students but also

> encapsulates their identity. For schools to put standard Australian English in an oppositional relationship to the home language, for example, by making it the only recognised vehicle of oral communication in schools, will be to invite resistance, whether active or passive, on the part of Indigenous students. (MCEETYA, 2006, p. 17)

But when setting out its own specific recommendations the only one (2.2) that explicitly mentions Indigenous languages (including Aboriginal English) is the following at the early childhood level (for children 0–5 years):

> Ministers commit to make progress towards:
>
> Developing and fully implementing by 2012 educational programs for Indigenous children that respect and value Indigenous cultures, languages (including Aboriginal English) and contexts, explicitly teach standard Australian English and prepare children for schooling. (MCEETYA, 2006, p. 20)

This recommends only respect for, not teaching of, these languages—in other words theoretical or symbolic rather than substantive practical respect—with Standard Australian English the only language fully recognised.

More recently the *Melbourne Declaration on Educational Goals for Young Australians* (MCEETYA, 2008) announced a commitment that

> all Australian governments and all school sectors must: …
>
> - provide all students with access to high-quality schooling that is free from discrimination based on gender, language, sexual orientation, pregnancy, culture, ethnicity, religion, health or disability, socioeconomic background or geographic location
> - ensure that schools build on local cultural knowledge and experience of Indigenous students as a foundation for learning, and work in partnership with local communities on all aspects of the schooling process, including to promote high expectations for the learning outcomes of Indigenous students
> - ensure that the learning outcomes of Indigenous students improve to match those of other students (MCEETYA, 2008, p. 7)

The declaration goes on to touch on the importance of a child's early years, recognising that these may be culturally different (MCEETYA, 2008, p. 11) and it focuses on the poor educational outcomes of Indigenous students in areas such as participation and literacy, noting the need to 'engage Indigenous students, their families and communities in all aspects of schooling' (MCEETYA, 2008, p. 15). The focus on equality is high-sounding but

dangerous when applied to the imposition of common standards across students of different language backgrounds, as has been happening recently (cf. Truscott & Malcolm, 2010). A United States judge once noted that 'It was a wise man who said [that] there is no greater inequality than equal treatment of unequals.' (Quoted by McKay, 1996, p. 183.)

The implementation of the Melbourne Declaration in the *MCEETYA four-year plan 2009–2012* (MCEETYA, 2009, p. 9) mentions the use of 'local social, cultural linguistic capital' and 'fostering resilience and connectedness to family and community' for young children in early childhood education. These could be read as hopeful signs of recognition for the importance of Indigenous languages and Indigenous varieties of English where these are spoken, but they are general enough to allow the various state bodies to take the children's home language background with varying degrees of seriousness. Perhaps the true thrust of the declaration comes out when we look at the outcomes for Indigenous youth, where the emphasis is on 'closing the gap' and where the only explicit attention to language is the provision of enhanced English as a second language teaching (MCEETYA, 2009, p. 16). In other words the real language agenda of this four-year plan, despite the apparent openness to Indigenous languages, may well be English literacy.

With the current work on establishing the National Curriculum in Languages it is encouraging to see that, following the introduction of the National Indigenous Languages Policy, the curriculum shaping document includes explicit recognition of Indigenous languages in this curriculum area, with specific paragraphs devoted to these languages (ACARA, 2011, pp. 7, 10, 18, 19–20, 29), though curriculum development for these languages will apparently be left to the states (p. 35). Important points recognised in this document are the following (pointed out to me by Adriano Truscott):

- Learning a second language does not require one to forsake one's first language, but develops skills in two languages and cultures. (§37 p. 16)
- Literacy is important for Indigenous children and recognised as such by the parents of these children. (§44 p. 18)
- Literacy in English is founded on first establishing literacy in the first language of the children. (§44 p. 18)
- Strengthening bilingual literacy is important to improving overall academic success. (§44 p. 18)

Once again it is necessary to see how this policy document will be implemented in practice and whether non-Indigenous languages will be given precedence in the way that frequently seems to happen.

POLICY AND PRACTICE—BILINGUAL EDUCATION IN NORTHERN TERRITORY SCHOOLS

The history of bilingual education in Northern Territory remote Aboriginal community schools is an example of the complex and ambivalent interplay between policy, politics and practice in relation to Indigenous languages. We can only briefly touch on this example here but fuller information and discussion is provided in two papers presented to the AIATSIS research symposium *Bilingual Education in the Northern Territory: Principles, policy and practice* (http://www.aiatsis.gov.au/research/symposia.html) held in June 2009: one by Brian Devlin (2009) and another by Jane Simspon, Jo Caffery and Patrick McConvell (2009); see also Devlin this issue.

Bilingual programs were introduced into Northern Territory schools by the Commonwealth Government (the Whitlam government) from 1973 to establish literacy and initial learning in a child's first language and to build on that with English as a second language. Once the Northern Territory Government took over these programs the aims were re-ordered to prioritise the learning of English (McKay, 2007, pp. 110–111; McKay, 2009a, pp. 292–293). Though the government, as funding provider, put transfer to English at the top of its priorities, these programs in fact provided a significant means of first language maintenance for the children and communities who were involved in them. One of the major outcomes of bilingual programs was a stronger relationship between school and community where bilingual education was implemented and a much more significant development of Aboriginal people as teachers (cf. Gale, 1990, pp. 54–59; McKay, 1996, pp. 113–117). In addition the Collins Report indicates that evaluation data on outcomes in English in bilingual schools 'clearly show positive outcomes compared with benchmark non-bilingual schools' (Collins, 1999, p. 122). Devlin (2009, p. 8) also concludes from the available Northern Territory studies that 'students in bilingual programs were generally attaining better literacy and numeracy scores than their peers in non-bilingual schools'. Devlin (2009, p. 9) also quotes Cummins as saying, on the basis of widespread international research, that, in 'well-implemented bilingual programs', 'students do not lose out in their development of academic skills in the majority language despite spending a considerable amount of instructional time in the minority language'.

In 1998 an attempt was made by the Northern Territory Government to transfer funding support away from bilingual education on the pretext of better resourcing English language programs. The reasons given included claims of Aboriginal people's concern about these programs and the lower performance of bilingual students. Devlin shows (2009, p. 6) that these reasons proved spurious and the Collins review (Collins, 1999) was set up instead and, as a result, bilingual education continued under the name "two way learning". In 2005 the

then Minister for Education, Syd Stirling, announced reinstatement of bilingual education and this was built into the strategic planning for 2006–2009.

In 2008 a subsequent Minister for Education, Marion Scrymgour, announced, without consultation with the affected communities, that henceforth the first four hours of every day would be taught in English in the light of the poor performance of remote Northern Territory students in national testing that year, particularly those in bilingual schools (Devlin, 2009, p. 3). The restriction to English medium for the first four hours each day effectively eliminated bilingual education and demoted it to a 'structured language and culture program' (Devlin, 2009, p. 7). Aboriginal communities have shown that they value bilingual education by their sustained opposition to this change (Devlin, 2009, pp. 7–8). Devlin (2009) goes on to show in detail that the evidence finally tabled to support the decision was severely compromised and that 'the document was incomplete, and it withheld crucial information in order to create a misleading impression' and that 'in this case, the tabled evidence is unsound and lacks credibility' (Devlin, 2009, p. 13).

Devlin's remaining argument includes the following points

- the problem with performance in 'remote schools' was blamed on 'bilingual schools' when these only constitute less than 20% of the enrolments in remote schools
- the NT Government refused to accept any positive evidence on bilingual education even from its own published reports
- the 2008 policy change was based on hunch or dogma rather than on evidence.

Simpson et al. (2009, pp. 16–18) add to these points the cumulative effect of a series of other policy changes over decades that have all tended to undermine the effectiveness of bilingual education, including:

- the reduction in availability of appropriate training for Indigenous teachers for bilingual schools with the Batchelor Institute's move towards being a university
- a gradual decline in support for bilingual schools perhaps partly due to envy on the part of principals of non-bilingual schools because of the additional resources provided for bilingual schools to handle the Indigenous language components of their programs that needed to be developed on-site
- lack of adequate training in teaching Standard Australian English to speakers of other languages.

What this brief example shows is how an educational approach that is well-warranted according to the results of relevant research in Australia and overseas appears to be at the mercy of political decision making that panders to misunderstanding or ignorance, provides knee-jerk responses to national policy on testing, seeks to cut costs at the expense of remote students from different language backgrounds, and is prepared to fudge the evidence to achieve its ends.

FINAL REMARKS

We have already noted the increase in policy specifically targeting Indigenous languages, both at state and national levels in Australia over the past couple of decades. None of this policy development is as well integrated or comprehensive as the *National Policy on Languages* (Lo Bianco, 1987). What is also apparent is that actual implementation does not often live up to the promise of the policies that have been drawn up and is potentially the victim of political pressure, ignorance and expedience.

An even more serious issue is the fact that the 'invisible language policy' favouring Standard Australian English is everywhere in evidence in Australia, undermining many of the policy statements favouring Indigenous languages, as cogently argued by Truscott and Malcolm (2010).

There needs to be flexibility with regard to different types of programs for different language situations and, most importantly all Indigenous language programs need to be owned by and involve the local Indigenous leaders and community (cf. Walsh, 2010).

We will finish by quoting the key principles to come out of the review of Indigenous language programs in schools across Australia carried out by the Australian Council for Educational Research (Purdie et al., 2008), which should have a place in any policy:

1. The Aboriginal and Torres Strait Islander peoples are the first people of this country and their languages are unique to it. The capacity to learn these languages and support their reclamation and long term maintenance as strong and viable languages is of great significance to both Aboriginal and non Aboriginal Australians.
2. Ownership of each Indigenous language belongs to a group of people who are its custodians; their language should only be taught in schools with their agreement.

3. School languages programs are not sustainable unless they are developed and presented in partnership between the school and the owners of the language being taught.
4. Learning an Indigenous language and becoming proficient in the English language are complementary rather than mutually exclusive activities.
5. The primary responsibility for maintaining, revitalizing, or rebuilding Indigenous languages does not rest with schools, although schools may have an important role to play.
6. The most successful school language programs will flow from a collaborative approach involving Indigenous communities, Indigenous Language Centres, linguists, schools and teachers. (Purdie et al., 2008, pp. xiv–xv, 189–190)

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