Chapter 10

A Long Unfinished Struggle: Literacy and Indigenous Cultural and Language Rights

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What counts as bilingual education for Australian Aboriginal people in the Northern Territory (NT) has varied significantly depending on geographical location and temporal context, Indigenous community involvement and the prevailing political environment. This chapter discusses NT bilingual education in relation to national and international cultural ethics, legislative acts and public policies and proclamations and declarations, alongside the effects of value differences and ideologies. It emerges that Indigenous social agents have mostly enhanced literacy education in communities and have been instrumental in the evolution of culturally informed pedagogy and team-teaching practices over the last 40 years. The chapter discusses the educational effects (assessed outcomes and school persistence rates) among Indigenous children through bilingual/biliteracy programming and exposes the recurring failure of bilingual and culturally appropriate pedagogies to attract mainstream legitimacy or consistent funding. Finally, the chapter discusses human rights questions entailed in this pervasive and continuous neglect of Indigenous languages in Australian education.

Introduction

The first volume-length analysis of the turbulent history of bilingual education in the NT (Devlin et al. 2017) identifies the multiple origins of educational responses to the distinctive language and cultural needs of Indigenous Australian students. A

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major policy breakthrough was achieved under the direct political intervention of the federal labour government of Prime Minister Whitlam, between 1972 and 1975. Yet such political events were belated responses to years of advocacy, research, conceptual innovation and organisational demands at grassroots levels. Much of this agitation was led by Indigenous communities, often in alliance with language professionals, both linguists and educators (e.g. Gale 1990; Lo Bianco and Slaughter 2016). Further momentum for change came from international agencies which supplied the terminology of language and cultural rights and documented instances of international practices that could be emulated (UNESCO 2003).

This chapter examines key points of history and policy implementation in terms of *ideological and implementational spaces* (Hornberger 2005). It aims to account for the persistence and survival of some bilingual programs and Indigenous pedagogies in the face of considerable obstacles and frequent hostility. The chapter explores the forces – intellectual, cultural and political – that have conditioned the politicised, long, unfinished struggle for Indigenous cultural and linguistic rights.

The Research Basis for Bilingual Education in the Northern Territory

Early education for Indigenous people was characterised by colonial hierarchy and conditioned by prevailing ideologies of racial dominance. When combined with largely uncontested social-Darwinist thinking, the result was limited schooling, essentially as preparation for menial or unpaid labour (McKay 2017). Most education for Indigenous people failed to impart control over Western academic knowledge and skills while also excluding their distinctive cultures and languages, thereby entrenching intergenerational inequality and, in remote areas, abject poverty (McKay 2017). The few instances of bilingual education, and isolated attempts at culturally responsive pedagogies, typically relied on benevolent and enlightened individuals (e.g. the late 1800s Hermannsburg school).

By contrast, the education of Indigenous children has long been the subject of international interest, including curriculum reform and program innovation exploring multicultural pedagogies based on incorporation of cultural and linguistic differences. A watershed development were new research protocols from the mid-1960s that dramatically overturned flawed bilingual research which had concluded bilingualism was an educational handicap. By failing to control for variable levels of mother tongue (MT) proficiency among minority populations, early research had found either negative or no correlation between bilingualism and cognitive functioning. More rigorous research designs controlling for proficiency and socioeconomic status have since repeatedly identified a significant independent contribution of MT proficiency on second-language learning and general cognitive performance (Baker 2008; Cummins 2000) producing a long stream of consistently positive research studies on bilingualism.

Bilingual education research often addresses three broad themes, whether bilingualism in education fosters maintenance of the first language, enhances learning of the second and improves general academic performance. Most research endorses strong or robust bilingual models, involving sustained instructional roles for MTs (Baker 2011), in preference to transitional or temporary interventions. Many replicated studies show improved general literacy, better overall academic results and stronger acquisition of official/dominant languages (Bialystok et al. 2014). A strong bilingual model involves active MT instruction for between 3 and 5 years, ideally for substantially longer (Cummins 2000). While full bilingual learning occasionally produces a "lag effect" in which parity with age-appropriate cohorts is briefly delayed, minority language children, whether immigrant or Indigenous, typically achieve what Cummins (2000) has termed *basic interpersonal communication skills* quickly and full *cognitive and academic proficiency* (Cummins 2000) more rapidly than comparable learners taught only in the socially dominant second language. Failure to ensure a strong MT proficiency, or limiting MT roles to cognitively unchallenging superficial tasks (such as rote learning), puts students at risk of never developing the academic language and reasoning abilities for more demanding decontextualised and literacy-saturated upper levels of schooling.[1]

Cummins (2000) noted, and more recent research in India (Nakamura 2015) confirms, the likely presence of "threshold attainments" in MT literacy to facilitate socially dominant literacy acquisition. Such thresholds typically occur in additive language learning conditions, where the first language and culture are treated as a learning resource and continue to be developed in academically substantive classroom activity. Additive multilingual education ensures children *add* extra language skills, rather than replace their home-acquired linguistic repertoire with socially dominant languages, a condition called *subtractive* bilingualism whereby the child's ultimate language ability is confined only to the replacing language.

The classroom is not immune from the language and socio-economic hierarchies prevalent in wider social environments. School practices which do not contest external subtractive pressures and treat children's MTs as a hindrance to learning collude in social marginalisation, foster poor identity formation, undermine academic language development and create the conditions for long-term social exclusion, resistance to learning and cultural conflict (Cummins 1996, 2000; Oldfield 2016). Alternatively, when learners' MTs are strategically and extensively integrated into well-planned bilingual/bicultural programs, the available styles of learning, stocks of knowledge and resources of information are expanded for all learners (Cummins 2000; Oldfield 2016).

The general neglect of MT development in the mostly monolingual NT education system denies Indigenous children the opportunity to cultivate deeper knowledge of ancestral languages, and compounds social pressures that relegate Australian languages to diglossic inferiority in relation to English, impeding more effective second-language acquisition and provoking extensive code or language mixing.[2] Language mixes can develop into creoles (new forms using largely English vocabulary with Indigenous grammar and syntax) and new languages (such as Light Warlpiri composed of creole, Warlpiri and English; O'Shannessy 2005) or lead to language shift from standard varieties in traditional languages and failure to acquire standard English.

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[1] High first-language development is believed to strengthen processing centres in the brain that are used for all languages and hence can allow the transfer of literacy skills and metalinguistic knowledge to other languages (Baker 2011; Cummins 2000).

Ethical International Interest and National Change

International interest in Indigenous education also evolved as a result of ethical as well as scholarly change. Critical was the 1953 publication of a 150-page expert report: *The Use of Vernacular Languages in Education* (UNESCO 1953). This watershed document was intended to help post-colonial African and Asian countries design national education systems. Most newly independent nations continued education practices of the pre-colonial era, including exclusive use of colonial languages for school and university instruction. The report injected new understandings of "vernacular" languages into discussions of educational success and anticipated the emergence of ethically principled language rights. The document contains a famous MT declaration: "We take it as axiomatic that every child of school age should attend school….We take it as axiomatic, too, that the best medium for teaching is the mother tongue of the pupil*"* (UNESCO 1953).

Since the 1953 declaration, UNESCO has maintained a steady output of research literature supporting the primacy of the MT in immigrant and Indigenous initial education. This has been reinforced with human rights covenants such as the (1966) *International Covenant on Civil and Political Rights* (ICCPR), whose Article 27 (UN 1966) declares that linguistic minorities "*shall not be denied* the right… to enjoy their own culture, to profess and practise their own religion, or *to use their own language*". This was further strengthened with the 1992 *United Nations Declaration on the Rights of Persons Belonging to National or Ethnic or Religious Minorities*, Article 2.1 (UN and OHCHR 1992), which similarly supported the right to "enjoyment" of culture and use of language and stipulated this right should be available in both private and public spheres and without interference or discrimination. This has been further sustained by the 2007 *United Nations Declaration on the Rights of Indigenous Peoples* whose Article 14 (UNDRIP 2008) reaffirmed Indigenous people's "right to establish and control education systems … in their own language…in their own culture".

These examples of the evolution of more explicit language rights in international law shift from conceptions of language rights as freedom to private use of unique cultural practices to more robust affirmation of cultural and linguistic identities in public settings. Similarly, legal instruments now address educational practices in an effort to support language rights, removing discrimination against minority-language-speaking communities and, more widely, fostering positive appreciation of the benefits of the world's heritage of linguistic diversity (Skutnabb-Kangas and Phillipson 2017).

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[2] Teachers who extensively developed the oral first language of their students in bilingual oral and monolingual English literacy programs, however, achieved a higher level of success.

Increased attention to Indigenous education also resulted from the *Constitution Alteration (Aboriginals) 1967 Referendum* (voted 27 May but enshrined in law in August) which was endorsed by a large majority and universally regarded as groundbreaking in the political history of Australia's Indigenous people. The changes permitted the federal government to legislate in Indigenous affairs and included Aborigines within the formal record of population, facilitating deeper cultural shifts and permitting policy and resourcing transformation of the position of Indigenous people.[3] While the focus of the referendum was administrative and juridical, its success reflected growing dissatisfaction with prevailing ideologies and assumptions about the long term fate of Indigenous Australians and a sense that the Australian state should centrally engage with their welfare. Thus, the referendum made possible broad cultural acknowledgement of the role of advocacy and led to various forms of federal policy intervention and contestation of assimilation ideology, processes which flowed into the later imaginings of new kinds of Indigenous rights and representation.[4] In the NT, this ferment took the form of advocacy and provision of bilingual/biliteracy education for Indigenous learners (Devlin 2017; Harris 1997; Lo Bianco and Slaughter 2016).

Wider changes in the political landscape extended to removal of race and national origin criteria for immigrant selection as part of a major expansion of the national population. The rapid increase in the non-indigenous but non-British components of the population generated through the recruited immigration scheme launched in the aftermath of World War II radically altered Australian society ethnically and linguistically, fuelling a wider interest in questions of language. During the 1970s, while acknowledging historic primacy of Indigenous people, immigrant and Indigenous interests converged within a new sense of "national reconstruction" (Lo Bianco and Slaughter 2016: 348) around advocacy for attention to issues of "language and culture". As these notions proceeded in debate over the next two decades, the idea of *language* became established as a firm, identifiable object of policy formulation, expanding through various phases. First, language issues were linked to immigrant claims for citizenship and economic participation. Then language questions were taken up in understandings of the nation itself, as a pluralist entity understood as a multicultural rather than British polity. Later language questions were tied to the pragmatic need for facilitating commercial trading relationships with Asian countries. These shifting and often irreconcilable priorities in language policy reflect a tension also present in the main rubrics under which Australian languages are present in policy which today include advancing Indigenous “reconciliation” (Lo Bianco and Slaughter 2016: 348) and effective delivery of schooling to Indigenous children to *close the gap* of school performance compared with non-Indigenous peers.

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[3] Devlin (2017: 12) notes that in 1950, an agreement to provide education to the "natives" also stipulated remote Indigenous children (with strong language and culture) should be provided first-language education.

[4] These rights included the Land Rights Act and the introduction of Aboriginal advisory and representative bodies such as the National Aboriginal Consultative Committee in 1972 and the National Aboriginal Conference 1977 and eventually Australian and Torres Strait Island Commission (abolished in 2003).

Because competing visions of Australia’s national interest and self-identity have become attached to different visions of language policy it has become a barometer and index of wider cultural change, from assimilation and integration, 1960s to 1980s, to multiculturalism during the 1980s and 1990s (Leitner 2004). These debates culminated in the adoption of a comprehensive *National Policy on Languages* (NPL) in 1987 (Lo Bianco 1987) in which Indigenous cultural policy and educational programming were centrally important in an overarching project of universal multilingual support, the first multilingual declaration and Australia’s first formal Commonwealth policy on language. The NPL marked the first formal recognition of the worth and endangerment of Aboriginal languages (Schmidt 1990) and according to McKay (2017: 88) gave “unprecedented recognition” and importance to Indigenous languages justifying their status as “legitimate forms of communication…appropriate for communicating information about government services and programs” in addition to recognising their value in Indigenous struggles for “cultural survival” (Lo Bianco 1987: 13, 14).[5] Significantly, the NPL acknowledged the foreignness of English in remote areas where it may be a fifth or sixth language in the communication lives of young people, and little used outside classrooms.[6]

NT Bilingual Developments

Bilingual education for Indigenous learners evolved from these research, ethical and policy changes. Initially proposed in a 1973 report on innovation in NT education for traditional-language-speaking children – then under federal jurisdiction (Watts et al. 1973) – the report justified bilingual teaching as providing pedagogical scaffolds to increase children’s motivation, pride, school attendance, English literacy and numeracy scores. Possibly influenced by the 1953 UNESCO declaration, it linked high oral language fluency with ability to decode texts as elements required for reading success. In response the Whitlam government set up bilingual programs in five sites across the NT, notwithstanding the scarcity of written Indigenous literature, trained teachers and the large number of languages in which such programs could potentially be delivered (Devlin 2017). Despite being a top-down imposition in a small number of sites, the 1973 initiative produced palpable excitement among

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[5] The NPL in fact sustained bilingual programs in the NT at a time when their legitimation and resourcing were being denuded by the NT government according to Devlin (2009).

[6] Indeed, as noted in a contemporary NT education review, 65% of remote Indigenous children still speak an Indigenous language at home (Wilson 2014: 44).

Indigenous communities who perceived it as the "*first real recognition by Government of the value of Indigenous language, culture and law*" (Collins 1999: 121) and supported the priority given to community involvement.

From this modest start bilingual programming expanded across the NT through the 1980s. Although programs were unique in design and operation, all featured the aim of spoken first-language maintenance and literacy support, but with rapid shift from initial MT instruction to schooling in English (Devlin 2017). Called the *step program*, children began schooling with MT immersion, transferring to either 50:50 MT and English or a higher percentage of English than MT by upper primary (Devlin 2009).

North American precedents influenced NT developments, especially the mid-1970s research of Canadian James Cummins on the interdependence of first and second languages in educational growth and the successful Indigenous-controlled program at Rough Rock Navajo School in the USA. A less tangible early influence came from the language documentation efforts of the US-based Summer Institute of Linguistics, which was very active in language preservation and Bible translation in Southeast Asia, Papua New Guinea and various Pacific Island countries (EWG 1973; Harris 1997). Programs were notable for the extensive involvement of Aboriginal people as teacher staff and teacher support, in professional development, as participants/organisers of excursions and related activities as well as involvement in curriculum innovation and literature production (Harris 1999; Watt 1993). These roles afforded communities socio-economic empowerment, varying according to program type, mode of implementation and literature production and influenced linguistic development as well as evolution towards written-language-literate societies because of the important role of school literacy centres. Community involvement was a clear foundation of program success.

Ideological Space

Until the mid-1980s community activities associated with bilingual schools increased dramatically (Hornberger 2005) worldwide. Hornberger's documentation describes this as emergence and widening of ideological and implementation spaces that are otherwise only implicit, but which overt policy formation and implementation can make explicit and prominent. She argued that these spaces can be examined with critical ethnographic and sociocultural examination of language policy, where all agents (bureaucrats, teachers, community members, principals, politicians and linguists) involved in policy formation, interpretation and implementation can account for micro- and meso-level developments that influence macro-level policy construction (Hornberger and Johnson 2007; Johnson 2010; Johnson and Johnson 2015). According to Hornberger's analysis of Latin and North American settings, settler colonial education systems produce major contraction of the ideological space for bilingual education, but implementation spaces can remain vibrant or be prised open with bottom-up activity which remain community-focused because pragmatic communication realities necessitate bilingual responses and concrete programming. In earlier work addressing this same phenomenon, Corson (1999) also noted a dialectical interaction between policy discourse at different institutional levels that allows minority communities agency to formally create policy texts locally and to informally implement classroom programs for bilingual learners.

When the ideological space for bilingual education in the NT expanded in the 1970s, this allowed the emergence of a considerable number of positive developments. Novel and sophisticated multilingual discourses, pedagogy and Indigenous literacy practices emerged that impacted extensively on the socio-economic outcomes of whole communities. Community members actively teaching in bilingual programs transformed their educational roles from economic dependency and menial tasks to "real jobs with real pay" with acknowledged professional status (Harris 1999: 70). The impact of such change reverberated throughout many communities across the NT and was felt nationally. Assistant teachers, given increasingly responsible positions, including teaching the local language to non-Indigenous teaching staff, exponentially increased their English language skills and began to address wider public audiences, becoming powerful social agents (Oldfield 2016). They received onsite teacher training through Batchelor Institute and Deakin (for their final year) with the commencement of remote teacher training which was delivered entirely by Batchelor by the late 1980s.[7] This resulted in the emergence of new and innovative multicultural Indigenous discourses that stemmed from the wider but related Land Rights movement, the writings on conscience and education transformation of Paulo Freire (1972) and local advocacy within communities.

These discourses consequently impacted on teacher training pedagogy at Batchelor, which designed a "highly Aboriginalised degree" implemented at local sites and entailing participatory action research and community-based teaching (Disbray 2014; Harris and Devlin 1997; Lee et al. 2014; Oldfield 2016: 388; Watt 2017). These innovations impacted on schools as institutions and their associated communities which began to use the same approaches to transform education (Watt 2017).

The success of this program, dwindling by the late 1990s, led Hoogenraad (2001) to comment:

> This is arguably the greatest achievement of bilingual education in the NT to date, and it is the most potent mechanism for the community to exercise its responsibilities and rights to educate its children. (Hoogenraad 2001: 137)

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[7] Batchelor Institute was specifically set up as an Indigenous-controlled institution for teacher training of remote Indigenous students in 1972 to accommodate the influx of Indigenous trainees (Watt 2017). Originally named the Aboriginal Teacher Education Centre, it was renamed Batchelor in 1979.

Whole Communities of Linguists, Readers and Writers

The expansion of Indigenous bilingual implementational spaces that resulted from the opening of an ideological space presented by national bilingual policy extended beyond schools. From the cohort of bilingual teachers and students discussed above, there arose a strong and extremely talented Indigenous leadership, including the 1992 Australian of the Year and international rock musician, Mandawuy Djarrtjuntjun Yunupingu.

Implementational spaces also included the expansion of literacy practices of community members. The literature production centres attached to schools generated large numbers of bilingual publications. School texts, narratives, traditional stories, media texts such as newspapers and magazines (invariably bilingual – English plus a local language), documentation of scientific knowledge of communities (such as local classification systems and meteorological patterns), and vernacular publications on cultural geography, history, mathematics and technology all emerged from a plethora of literature production activities to create highly engaged, active, empowered literate communities (Hale 1999; Harris 1997).

Locally employed workers at literacy centres were trained in applied and descriptive linguistics at the School of Australian Linguistics (later Batchelor's Centre for Australian Languages and Linguistics). These workers were transformed into sought-after experts by established and emerging linguistics academics for correspondence on grammar and lexis (Hale 1999). This eventuated in the emergence of "*standard practical orthographies … for all the Central Australian languages*" (Hoogenraad 2001: 129). This uptake of literacy and linguistic activity generated from school programs into wider scholarship and policy-influencing knowledge was, by historical standards, both "*rapid and spectacular in the extreme … despite … neglect and lack of support*" (Hoogenraad 2001: 129).[8]

Culturally Sustaining Pedagogy

The community empowerment, independence and influence on school-associated Indigenous bilingual education as a consequence of this widening of ideological and implementational spaces, in addition to increased discourses related to multilingualism and multiculturalism, also led to the emergence of culturally sustaining Indigenous pedagogy (CSP) in the NT from the 1980s: *Both Ways* or *Two-Way* schooling.[9] The US practice of CSP involves acknowledging "tribal sovereignty" and the effects of colonisation (McCarty and Lee 2014: 102).[10] CSP originates in culturally relevant pedagogy, through forms of teaching that entail cultural competence. These include helping students to identify, celebrate and practice aspects of their own culture while gaining competency in another, "socio-political consciousness" (solving "real-world problems" through critical analysis and problem solving) in addition to academic achievement and "intellectual growth" gained from classroom practices that fuse Indigenous and Western stocks of knowledge, language and education (Ladson-Billings 2014: 75). All this acknowledges that deeper cognisance of both Indigenous and Western concepts can only occur with linguistic engagement of students, participation of community members and heavy reliance on place (Fogarty and Kraal 2011; Oldfield and Willsher 2017).[11] CSP therefore represents a sophisticated culmination of postcolonial ideological discourse that arose from the early bilingual policy (Watt 2017).

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[8] Hoogenraad (2001) reported that the early Warlpiri work in particular used community resources, including funds from the local shop, as opposed to Education Department resources to fund eminent linguists such as Ken Hale to work with Warlpiri assistant teachers on Warlpiri language and literacy. Warlpiri have retained and continue to use "the technical linguistic discussion of the Warlpiri sound system and grammar taught to them by Ken Hale" (Hoogenraad 2001: 130).

[9] This is not to be confused with the poorly structured Two-Way policy of the early 2000s.

Team Teaching

The philosophy of Both Ways extended into all professional operations of Indigenous and non-Indigenous teachers. Both Ways thinking was evident in the division of tasks in classrooms between Aboriginal language and culture teachers and their non-Indigenous counterparts as well as the incorporation of "bush trips" undertaken to gain deeper Indigenous conceptual learning (Disbray 2014; Oldfield 2016). It was also evident in the team-teaching model first advocated in the Watts et al. (1973) report where each class in a bilingual school had one Indigenous and one non-Indigenous teacher who forged close and continuous professional relationships. These professional relationships were "built" from strong personal relationships, requiring co-planning and co-teaching (Graham 2017: 30; Disbray 2014). The mentoring by the non-Indigenous teacher (Batchelor teacher trainers) was offset by their high dependency on the language and cultural skills and knowledge of the Indigenous teacher in lesson preparation and delivery and in ensuring a localised curriculum (Disbray 2014; Graham 2017; Oldfield 2016).

The early bilingual programs were not only noted for their increased Aboriginalisation of schools but for success in securing high attendance of students and much improved academic results (Gale et al. 1981; Hale 1999; Murtagh 1982). These outcomes were not sustained and varied during the history of NT bilingual education, due to how bilingual programs were evaluated (with whole schools, as opposed to actual bilingual classes, being classified as bilingual when bilingual programs were not universally implemented through a school) and the different levels of commitment of principals and non-Indigenous staff to the aims of bilingual teaching (Hoogenraad 2001).[12]

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[10] While in the USA this is constitutionally recognised, as well as being embedded in treaties and laws, this is not the case in Australia (McCarty and Lee 2014). However, Australia is a signatory to United Nations Rights of Indigenous Peoples which encapsulates these USA Federal Indigenous rights of "self-government, self-education, and self-determination" (McCarty and Lee 2014: 101).

[11] The term *Both Ways* originates with the Gurindji people of Kalkaringi, who needed a term to represent their desire to generate an effective pedagogy, a distinctive Indigenous culture and language of education, and to align this with the prevailing practices of schooling.

Schools adhering to high standards of bilingual implementation practices with strong principal support, however, could maintain excellent bilingual/biliteracy programs.[13]

Ideological/Implementational Policy Contraction of Aboriginal Bilingual/Biliteracy Education

However, as the chapters in Devlin et al. (2017) reveal, this welcome and innovative experimentation in Indigenous bilingual education has suffered funding contraction, inconsistency, interrupted research efforts, lack of sustained attention to appropriate teacher preparation and interminable chopping and changing in policy settings and assessment regimes. There has been a wide array of forms of provision and departmental or school-based support that vary according to geographic location and community involvement as well as whether local education staff, teachers and administrators alike are personally sympathetic or hostile to the multilingual ecology of Indigenous life.

Instead of steady attention to developing pedagogies and curriculum that incorporate traditional knowledge and cultural practices, especially Indigenous children's forms of communication (multilingual, mixed, domain focused), we have witnessed high levels of fragmentation, absence of guiding policy, contested understandings of the starting points for school learning and their connections to what is known before school and used out of school as well as failure to achieve consensus about desirable arrival points.

In short, Indigenous education has been highly politicised and continually disrupted. The issue of how and what to teach Indigenous children not only stands as an indicator of national confusion and concern about Indigeneity in Australian life, it signifies a deeper national malaise linked intimately to the failure of Australia to acknowledge Indigenous history and sovereignty. This malaise is connected to Australia's status as a settler colonial nation. Settler colonialism, according to Barker (2012: 1), is a "distinct method of colonising involving the creation and consumption of a whole array of spaces by settler collectives that claim and transform places through the exercise of their sovereign capacity". Indigenous people pose a problematic and obscured position in these states since they represent a threat to nation state sovereignty given their "difference" and original occupation (Barker 2012). When this is combined with the physical and symbolic violence attached to processes of colonisation, Indigenous people remain largely ignored and invisible in the invention of new sanitised colonial histories with concerted efforts to eliminate traces of cultural and linguistic difference through assimilative education (Barker 2012). In Australia, this began with the myth of "terra nullius" that has continued a construction of Indigenous people as a homogenous group devoid of languages and cultures to the degree that Indigenous language, Indigenous English as a second language and English as a foreign language contexts in remote regions and some urban areas can be completely discounted (Sellwood and Angelo 2013). The invisibility of Indigenous cultural and linguistic difference has led to a normativity of standard dominant forms of language and a deficit discourse consistently applied to the complex linguistic contexts and repertoires so common in remote communities and among remote community children at school (Pajaczkowska and Young 1992).

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[12] Because of non-Indigenous teacher resistance, a class may not follow an Indigenous bilingual biliteracy program or follow a diluted form of programming in a bilingual school, and this effected the academic performance outcomes for a whole school (Hoogenraad 2001).

[13] This is evidenced by Tiwi bilingual school students in the early 2000s whose very strong MT focus in lower grades achieved literacy rates higher than the Australian average and who won two Australian (English) Literacy Awards in competition with mainstream monolingual students in 2003 (Devlin 2009).

This failure to acknowledge linguistic and cultural difference is reinforced in the national constitution. While settler colonial counterparts such as New Zealand, Canada and the USA have treaties, bills of rights, laws or acts of parliament recognising language and cultural rights of their Indigenous people, Australia has no such protections, with the exception of anti-discrimination legislation (Behrendt 2000; McCarty and Lee 2014). Regarded as aspirational rather than concrete equality measures, few international declarations have been signed into Australian law (Malezer 2013). This lack of such formalised rights has left Indigenous Australians open to extinguishment of their general human rights as in the NT Intervention of 2007,[14] (a factor predicted by Behrendt in 2000). These conditions have also effectively silenced Indigenous people in relation to language education and inhibited the development of policies conducive to such rights.

The settler colonial process peculiar to Australia's has also been accompanied by ideological change in governance to create poorer conditions for Indigenous language education. Recent decades have seen widespread resource reductions, largely a result of global changes to health and education sectors, arising from the influence of mid-1980s neoliberal economic and social philosophy. Neoliberalism is an approach to the public disbursement of resources and the management of economies which stresses the primacy of free markets, the associated reasoning of individualism, free choice for individuals and small or reduced government responsibility. Originally known in Australia as *economic rationalism*, neoliberal public philosophy and economic management, and its extension into all public sectors, has resulted in the commodification of education and governments relinquishing their welfare role in favour of *enabling* active consumers to achieve their individual goals (Davies and Bansel 2007; Moore 1996). Neoliberal philosophy is prone to attribute failures of individuals to achieve economic or educational goals as choices or effort differentials between individuals or groups as opposed to structural inequalities or disparities of opportunity and position (Clarke 2012). As applied to Indigenous education, neoliberal reasoning has given rise to normalising standards of comparison between Indigenous learners and other students. Now encapsulated in the term *closing the gap*, neoliberalism has eroded the 1970s innovations and the 1987 NPL moves towards bilingualism, favouring instead a monolingual English ethos, competition between schools for resourcing and students as well as external testing regimes that foster inter-group comparison (Davies and Bansel 2007). The inexorable effect of such developments weakened the case for MT education because the cultural, identity and local benefits that bilingual education affords are not comparable, not compared across groups, and thereby not measured so their esteem declines as a result.

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[14] A set of reforms that led to the suspension of Indigenous human rights as well as the forced acquisition and government control of Aboriginal lands, housing and assets, including state-supported income.

This pattern of erosion has been compounded by NT self-government. In 1978 NT attained the status of *responsible government* and has progressively achieved greater forms and levels of administrative autonomy. While short of full statehood, NT is effectively an independent administration of the Australian Commonwealth. For Indigenous bilingual education this politico-administrative shift has resulted in compromises to programming that include a lack of monitoring or redress to manage resistance by principals, teachers and other NT Department of Education (NTDoE) staff, a significant loss of dedicated department support personnel and resourcing for bilingual/biliteracy programs, including staffing and training (reductions for all language programs, including ESL, to four linguists and one education officer by the mid-1990s and the eradication of this position by 2008). There is also the requirement that (often reluctant) school principals request NTDoE approval for bilingual status, inhibiting their growth (Hoogenraad 2001).

These NT erosions have been exacerbated by diminution of the original federal remit under the NPL as it was replaced by the 1991 *Australian Language and Literacy Policy* (McKay 2017; Moore 1996). The characterisation in this document of English as *central* to Australian cultural and economic life shifted the notion of bilingual complementarity inherent in the NPL into a competitive relationship pitting minority language maintenance against acquisition of prestigious English literacy. The intended effect of this change was felt strongly in the NT, feeding into local political factions that had long "ignored, discounted, misquoted or denied" (McKay 2017: 94) research evidence which categorically showed enhanced academic and English literacy and numeracy outcomes under the bilingual/biliterate model. One low point in this progression of obstructions, reductions and marginalisations was the attempt to close all bilingual programs in 1998. Although this fizzled into a diluted practice of *Two-Way* teaching it effectively contracted the more than 20 bilingual programs of the NPL era to 12 in 2000. However, the all-time low point was reached with the 2008 prohibition on teachers using Indigenous languages to teach morning lessons, under the NT ministerial declaration known as the *Compulsory Teaching in English for the First Four Hours of Each School Day*

(FHHP) which was later mitigated by ideological concessions in the federal arena with the *National Indigenous Languages Policy* (2009) proposals and discursive acknowledgement of Indigenous languages as important for well-being and academic achievement (MCEETYA 2005). This assuagement was reinforced with the 2015 creation of the national *Framework for Aboriginal Languages and Torres Strait Islander Languages* (ACARA 2015).

Some of these recent policy moves and curriculum initiatives have partially re-energised NT Indigenous language education, producing NT institutional initiatives like the 2014 NTDoE reappointment of a bilingual education manager (terminated in the 2009 FFHP) and appointment of a Manager of programs in Indigenous Languages and Culture. More recently, the NT government has developed a general plan for Indigenous language education (NTDoE 2016), and transition to Year 9 Indigenous language curricula (cultural and language awareness, second- and first-language learning) have been completed and were trialled in 2018.

According to Disbray (2016) 29 schools of 97 surveyed had managed to retain Indigenous language support or teaching in 2013, of which 8 had maintained bilingual program funding. Disbray (2016) noted these developments could be a consequence of the impact of expanding ideological spaces through policy that creates increased implementational spaces. There is extensive work and agitation of social agents across the NT: efforts to create independent non-government bilingual schools in remote areas, early childhood programs through philanthropic funding such as Children's Ground, efforts to expand out-of-school programs (Ranger Programs) to afford a means of maintaining local languages and new Batchelor Institute Indigenous language units and specialisations for teaching degrees at Charles Darwin University. These bottom-up activities serve to expand ideological and implementational bilingual spaces (Children's Ground 2018; Fogarty and Schwab 2012; Vanovac 2017).

While the FHHP has been abandoned and positive implementational movement occurs in isolated cases, prejudiced and stigmatising characterisations of Indigenous languages and people continue to deny bilingual schooling respect or opportunity for experimentation and deny any prospect of significant expansion to meet continually expressed community demand. Astonishingly, there is no formal bilingual policy in the NT, home of the vast bulk of the unique and highly endangered languages of the continent. The draft form of a 2014 report commissioned by the NTDoE on future directions in Territory education advocated complete removal of bilingual education citing implementation cost, lack of trained Indigenous staff and low success as the reasons, the latter claim being strongly contested by academic researchers and attributed instead to NTDoE's failure to evaluate programs (Graham 2017; Wilson 2014). The failure to reinvigorate bilingual education policy and significantly expand implementational spaces by resourcing additional programs has led one previous NTDoE staff member to lament:

> Apart from a few brave schools that struggle on in defiance of NT policy, bilingual education, as we knew it is now gone. The evidence for such a program of teaching and learning for Indigenous children of the NT is overwhelming. (Graham 2017: 32)

Positive Moves

There is, however, a potentially deep conceptual change underway, involving a radical reconfiguring of what counts as communication, indeed of what counts as normal communication patterns. Multilingualism is increasingly regarded as the *"default human condition in terms of current worldwide demography…arguably our primal human state*" (Evans 2017: 34).

The naturalness of multilingual societies and multilingual communication norms are increasingly being affirmed in mainstream international declarations, such as the most recent *Salzburg Declaration* issued by the Salzburg Global Seminar and released globally on International Mother Language Day, 21 February 2018 (Salzburg 2017). The body of recent scholarship that has led to such global declarations and to increased pressure on national governments to respond is often resisted by bureaucracies, as the history of bilingual/biliteracy education in Australia amply demonstrates. But pressure continues to percolate through social agent networks of scholars, activists and community representatives. These new scholarly and international developments support the well- attested claim that multilingualism is a positive resource for general cognition, now largely incontestable in academic research. Yet multilingualism remains a source of struggle in the policy settings that shape Australian language and literacy education.

A new policy battleground will likely centre on reinvigorated notions of linguistic human rights now made possible by these new forms of reasoning about the socio-communicative world. Essentially, this reasoning endorses the idea that multilingualism as a social phenomenon is humanistically and scientifically a historical inevitability and a contemporary value. This conception of multilingualism challenges its institutional characterisation as a problem which represents an obstacle for effective literacy learning by minority populations. It is a challenge that education systems must manage, distance or even eliminate. Schooling has classically responded to out-of-school communication complexities by selecting and modelling emblematic (monolingual standardised) language elements and speech registers associated with standard school subject disciplines as well as exemplars (words, grammar, chunks of communication, educated discourse and selected texts and genres) garnered through insights, categories and developments in linguistics and pedagogy. The radical challenge posed by new multilingualism research aims to shift the focus away from how institutional life functions to a closer approximation of the lived reality of multiple, non-separated languages as they appear in the informal conventionalised patterns of daily community life (Heugh and Skutnabb-Kangas 2010).

While national and northern Australian policy lags woefully behind in acknowledging multilingualism as a normative state and the fundamental connection between language and cultural rights and high educational, academic and socio-economic performance, recent planning, policy and practical developments in the NT mentioned above would suggest an incipient expression of this link that could be exploited and captured within Australian educational practice.

Conclusion

The dominant social responses to bilingual programs arising from federal and NT policy has wavered from ideologically supportive to outright hostile. Ethical support for Indigenous bilingual education generally was heralded with UNESCO's 1953, *The Use of Vernacular Languages in Education*. It was reinforced with the 1967 *Constitution Alternation (Aboriginals)* referendum and later human rights agreements that evolved language rights to an issue of cultural and linguistic identity. These proclamations were concurrently supported by a wave of international research that consistently demonstrated cognitive functioning gains resulting from bi- and multilingualism. These developments, in turn, led to positive educational advances such as the emergence of NT bilingual education from the mid-1970s and the NPL that placed community and Indigenous languages at the forefront of public policy. These policy events stimulated creation and expansion of bilingual implementational spaces and practices, resulting in the development of dynamic and highly productive and more literate remote Indigenous communities, the professional and socio-economic development of Indigenous teaching staff and remarkable and nationally renowned Indigenous leadership in schools.

However, this has been tempered by the influence of settler colonial and neoliberal governance ideologies. These have led to a contraction of positive bilingual discourse and educational practices so that successive NT governments have under-resourced bilingual/biliteracy programs and instead implemented policies that have, at times, aimed to extinguish bilingual education in schools.

Contemporaneously, events such as the reappointment of NTDoE staff to manage, research, plan and develop curricula for Indigenous bilingual, language and literacy education programs, and an increase in Indigenous language programs in out-of-school settings, that have evolved from policy, international agreements and developments suggest potential expansion of implementational spaces.

New directions emanating from scholarship, international declarations, continuing positive research findings and civil society innovation with active global linkages tie to the growing global acceptance of multilingualism as normative. From this we can hope for new kinds of mobilisation for policy and education systems to supplant endemic monolingual, mono-dialectical and mono-literate policy settings, early signs of which appear promising. However, for now the long unfinished struggle for Indigenous cultural and language rights, long denied to First Nations peoples because of various manifestations of literacy policy, continues.

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