Are the standards going to be lower?

To ensure that we do not undermine the institutional excellence and spiritual capabilities of Aborigines, if there is a minority group in Australia that deserves recognition and protection, it is the Aborigines. Imagine the conflicts that arise between Western religious believers and those who believe in the spiritual world. We are aware that there are conflicts between the secular and the religious. We understand that we need to work towards a common understanding so that we can live in peace.

Before proceeding to discuss a model which is very likely to work, I would like to address the six negative responses (mentioned above).

Will the graduates be accepted and recognised by mainstream institutions?

Any institution that is recognised under the Federal Higher Education Funding Act must meet the standard’s system’s standards. Why would we want anything less? The advantage to indigenous and non-indigenous students resides in the acceptability of the degrees awarded by the Australian Federal University. I think it’s high time we abandoned the traditional way of thinking that an Australian cannot be an Australian. I think it’s time we abandoned the traditional way of thinking that a graduate from our country or from the people from the Torres Strait Islands. What will it take for Australia to have a majority of Aborignals and Torres Strait Islanders while the need lasts. There is considerable benefit for all Australians in establishing the Australian Federal University. One of the advantages enjoyed by the traditional owners other than to claim a “skin name”. The opportunity to learn directly from the historical and cultural context of their traditional owners.

In fact, the general thrust of all policies regarding the teaching of Aboriginal studies for the past two decades has been to ensure that just students from within the APUN are able to access students from within the APUN nation.

In the end, the declaration of the APUN under the Act will ensure standards are no lower than at any other university in the country.

Is the establishment of an Aboriginal University realistic?

There is an interesting phenomenon in the policies of the Aboriginal University. The bureaucrats (almost without question non-Aboriginals) insist on what they call “the community context”. If one is going to move every prior to them acting with regard to a program or a policy, it is important that they are precisely the same as those of the Federal Government. In the case of the APUN, this is nothing but a self-fulfilling prophecy.

Clarify there are additional responses through these generally relate to two matters. They are:

- money and
- power

For a long time (around 150 years) Aborigines have been in opposition to the influence established by governments, government agencies and church groups. Aborigines have had their circumstances “handful” by various policies, programs, and legislation, and most of the resulting practices have been managed by non-Aborigines. Consequently, all the same practices and circumstances are managed in different ways. It is important to make different groups together. Many people have spoken to us recently regarding the APUN. Almost without exception, we have been concerned to ensure the discourse and negotiations and actions are “non-threatening”. Some of the worst consequences from within the Aborigine education movement have also cautioned me. However, I am conscious of one matter in particular; that the establishment of an Aboriginal University will require a lot of resources.

Does every Aboriginal want a University?

There is an interesting phenomenon in the policies of the “Aboriginal University”. The bureaucrats (almost without question non-Aboriginals) insist on what they call “the community context” or “view” on every matter prior to them acting with regard to a program or a policy. In fact, almost every program is predicated upon the notion of “community ownership”. There is one social group in the world of human-kind that is unanimously in their views or opinions on every matter put before them. However, in Australia, bureaucrats especially, seek to develop the “Aboriginal University” by insisting on a single opinion before they act. The real tragedy is that some of the Aboriginal leaders have also submitted their action as averse diversity amongst Aboriginals is considered a “bad thing” because such diversity is interpreted as us “not being able to get our act together” - worrying isn’t it?

It is important to recognize that in Aboriginal Australia it is not only reasonable to have differing views, it is imperative, if we are to grow and develop. This discourse on the APUN is an example of the quality and benefit of such diversity of thinking. The major problem we face today is that when we act on the “unified view”, a “simplified view”, the powers that be find that some agreement which disguise us and as a result refuse to permit us to proceed because of the absence of the “unified view”.

The uniqueness of our qualifications is always one of the first asked.
government per se, we understand that most of this is not reaching the units.

- participation of Aboriginal expertise and the creation of a culture of cooperation between all parties. This phenomenon results in envy and unhealthy division.

- the denial of the opportunity to concentrate our elders, our thinkers, our planners and our communities in the context of higher education maximization nationally.

- the present situation does not allow Aboriginals to readily develop a contemporary and functional national perspective and to be able to essentially the illustrative model proposes the following:

- amalgamation of all the existing Aboriginal Education units/centres on all campuses across Australia.

- consideration of all funding presently distributed to all of the universities across Australia.

- establishment of a standard university management infrastructure and the establishment of an appropriate administrative and academic staff structure.

- retention of all existing community-based consultative relationships (management/academic committees or councils).

- establishing for the first time in the history of Australian higher education a fair and sustainable act of self-management and self-determination.

Conclusion

The Australian First Nations University is achievable because the blueprint is in place. The existing operators in Aboriginal higher education will not lose any of the daily operating autonomy, in fact, that autonomy will increase as each operation is likely to be designated to a faculty level and the success of the faculty will depend upon the on-site managers and their community advisory committee of council.

The creation articulation of degrees, diploma and certificates with other universities will demonstrate the AENU contribution to the national higher education sector as one of quality and excellence. The existence of AENU degrees, diplomas and certificates will also assist in the reconciliation process by informing all students of the complex cultures and aspirations of Aboriginal indigenous peoples.

It is my view and I believe the interest Group share it, that the only reason that we will not achieve the establishment of the Australian First Nations University will be because we fail to see the effort as being for the good of the greater number.

The illustrative model is not being espoused as the only model but the debate on the model closed. We have to need to have serious discussions and significant negotiations as well as achieve recognition under the Federal Government's Higher Education Funding Act. Once that is achieved, the only way to go is forward.

Notes

- Interestingly defined in Collins English Dictionary - 'inclusively' - is a part of a country entirely surrounded by foreign territory.

'Consent' or 'coercion'? Removing conflict of interest from staff-student relations

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A number of recent articles, some by feminists, have expressed concerns about proposals which attempt to limit staff-student sexual relationships. Some say attention is now inappropriate focusing on sex, rather than on sex. Others express the view that attempts to control such relationships infantilise female students, many of whom are mature, by denying them the opportunity to make decisions about how they live their lives. Some add more theocratic quality that such rules create an atmosphere which is repressive and which denies the reality that 'knowledge is sexy' (Gallop, 1992; Modjadji, 1993; Wark, 1993). The spate of comments along these lines joins forces with the kinds of arguments developed by Kant (1991) that feminism has created a victim mentality for women which is itself disempowering (Roije, 1992).

In this paper I attempt to refocus the cause of concern in staff-student sexual relationships, about which I hope there will be some agreement. This, I take to be the need to have procedures to handle conflict of interest cases. 2 A second goal of equal importance is to find ways to empower students to use sexual harassment provisions. I will also show how some of the current discussion, much of which is media-driven, creates strenuous problems which deflect attention from these considerations.

The title of any paper places the key words 'consent' and 'coercion' in scare quotes to problematize the discourse of sexuality which represents these as women's 'options' (Fudge, 1989). AnCarol Paterson perceptively notes, the whole idea that legitimate sex depends upon the woman's 'consent' reproduces a range of assumptions about gender roles, with the male the sexual aggressor and the woman the compliant (Paterson, 1989, p. 84). We clearly need to fine up our understanding of what is meant by sexual 'choice'. Highlighting the need to remove conflict of interest from staff-student relations will, I argue, expand women's potential to define the kinds of relationships they want.

12 'Where does "consent" end and harassment begin?'

In 1992 I published an article with the above title in The Australian Universities Review. Volume 35, Number 11; I stated that the problem of sexual harassment and sexual relationships was my desire to empower students with harassment problems. My experience as a member of the Student Services Committee of the University of Adelaide in 1989 and 1990 convinced me that students were reluctant to use the complaint mechanisms, even when efforts were made to provide less formal means of access through contact officers. Students still doubted that their complaint would be dealt with fairly.

There is considerable evidence that there is a vast disparity in the general community between the experience and the reporting of sexual harassment.13 And surveys indicate that often this is because the woman either fears victimization or believes that her complaint will not be addressed seriously. Both these problems are evident in staff-student interactions since staff are well placed to push students who challenge them, and since staff hold positions of power in the institutions where the complainant would be handled. It has been argued that the organisational structure of academia which stresses academic autonomy makes it even more difficult to question or monitor staff behaviour.4 An additional reason students are unlikely to make complaints, as I argued in 1992, is due to the ambiguity surrounding the nature of sexual relationships between staff and students. Given the tacit acceptance of romantic affiliations between staff and students, the student complainant would face a situation where she would need to prove that the approach from the academic had somehow been 'unacceptable', and where it would only by her word against the staff member that such was the case.

In response to this situation, I proposed a two-part model for regulation of staff-student consensual sexual relationships. Under the first part, it would be held to be unethical for academics to have sexual relationships with students for whom they were professionally responsible. This would include marking and/or supervision responsibilities. In these cases, other staff members would have a moral and ethical obligation to report such cases should they become aware of them. I would now specify that other students could report such cases even after their interest could be involved. Under the second part, I had proposed that there would be a general understanding that all staff-student sexual relationships are unethical and unacceptable, but that in such cases, action against the offending staff member could be taken only by the student concerned.

Here I am proposing to refine my model by focusing on the question of conflict of interest. The model retains two parts. The first remains substantially the same. It suggests that codes of teaching practice make it clear that it is inadvisable for students who find themselves in conflict of interest in relationships, or conflict of interest situations due to prior relationships, to make arrangements to remove the conflict of interest. This could mean having others do the marking or share the supervision, where alternative supervision arrangements are unavail.

able and/or removing themselves from processes of evaluation where their sexual relationship (or previous sexual relationship) with one of the candidates in a cohort would compromise or be seen to compromise their judgments.

The second part of my proposal narrows the parameters from all staff-student sexual relations to the unethical nature of advances by staff members where there would be a conflict of interest, in the grounds that the power of (evaluation, supervision, etc.) which would constitute the conflict of interest could reasonably be expected to be unduly influencing the student's decision. As in the 1992 article, only the student concerned could report such an approach if an approach was made. Clearly if she welcomed the approach, no protest would be lodged. The sexual relationship would still be unethical, however, until the conflict of interest were removed.

In this model women students are empowered in several ways. First, students who find themselves in conflict will be advised to whenever possible, they will be advised to seek the office of their university's student advice office. Second, students could, as mentioned, take up the proposal of a sexual relationship, and put an end to it before it could have a chance to initiate the relationship. In this case, the student's approach would not be unethical (since students do not hold the same kind of power over