"Embedding Indigenous Content and Perspectives Across the Justice Studies Curriculum: Developing A Cooperative Integrated Strategy"

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Abstract:

The School of Justice Studies in the Faculty of Law, QUT is currently involved in a challenging project to embed Indigenous content and perspectives across its curriculum. The challenge is accentuated in that the School currently has no Australian Indigenous full-time teaching staff. This paper discusses the cooperative integrated strategy being developed in the School to facilitate the teaching of Indigenous content and perspective by non-Indigenous academics. The first element of the strategy focuses on curriculum content and involves cooperative curriculum development with Indigenous people with experience and expertise in justice related areas. The second element of the strategy focuses on perspective. This involves recognition of the cultural construction of whiteness in our curriculum and teaching practice. As non-Indigenous academics our objective is to explore constructions of whiteness to facilitate (our own and) student understandings of race and its effects. This understanding will contribute to an understanding of Indigenous perspective in relation to issues in the Justice Studies curriculum.

Faculty Context.

The Faculty of Law received funding for a Large Teaching and Learning Grant for 2002-2003 entitled "Assuring Quality in the Assessment of Social, Relational and Cultural Generic Capabilities in the Faculty of Law". During the process of working on a previous grant about embedding integrated and incremental generic capability development a number of issues arose concerning the validity and reliability of traditional assessment methods, and their transferability to, the new imperatives of assessing authentic learning tasks. Added to these concerns were issues such as quality assurance imperatives such as the creation of the Australian Universities' Quality Agency and the consequential promotion of processes to monitor assessment practices.

The Faculty identified four areas of generic capability development (Grant project areas) that have proved extremely challenging in terms of developing valid and reliable assessment practices. These were:

i. the embedding of Indigenous content and perspectives;
ii. the development of oral communication (with particular emphasis on negotiation, advocacy and interviewing for externally enrolled students);
iii. the infusion of ethical values and knowledge;
iv. teamwork in large classes where students are enrolled externally and internally.

Our contribution to the work of the Grant is focussed on developing assessment practices related to the embedding of Indigenous content and perspectives. Before we can focus on assessment practices however, we have had to work on the antecedent issues of ensuring that Indigenous content and perspective is embedded in the Justice Studies curriculum. The work that is achieved in Justice Studies will
then provide a transferable model process for embedding Indigenous content and perspectives in units across the Faculty in order to achieve Faculty-wide change and development on this issue.

**QUT context**

The Faculty's Grant was received in a context of high institutional support for the embedding of Indigenous content and perspectives across the curricula available at QUT. Central to this institutional support is QUT's Reconciliation Statement which includes a commitment, through consultation with Indigenous people, to teaching and learning strategies which incorporate appropriate indigenous content and perspectives.

Currently three other Faculties are also working on related projects and we have formed a group working party that meets regularly to share information, ideas, and strategies. Our contribution to the institutional development of this issue is unique, however, in that we are aiming to embed Indigenous content and perspective across the curriculum. The Faculty of Education on the other hand is creating a core faculty unit and Creative Industries are identifying key units as well as a coherent set of units in Indigenous Studies. Moreover, in embedding Indigenous perspectives into the curriculum as a whole, we can explore the ontological and epistemological basis of relationships that underpin our understandings of race, and hopefully move to a higher order analysis of these issues in the law and justice environments.

**Background**

The Law Faculty grant is focused on the development of valid, reliable and transferable assessment methods in four areas of professional competency identified as challenging to assess: Indigenous content and perspectives; oral communication; ethical values and knowledge; and teamwork.

To meet this goal, our School has had to identify:

- Relevant and appropriate Indigenous content
- A process for embedding an Indigenous perspective
- Valid, reliable and transferable assessment methods

Our contribution to the institutional development of this issue is unique as we are aiming to embed Indigenous content and perspectives across the curriculum. The challenge to embed content and perspectives across the curriculum is accentuated by the fact that the School currently has no Australian Indigenous full-time teaching staff.

**Process**

In order to manage the task at hand two issues have been prioritised:

- The development of an Indigenous perspective through the cultural construction of whiteness
- Consultation with Indigenous people with regard to contemporary and relevant content
Cultural Construction of Whiteness

A pre-requisite to non-Indigenous academics being able to embed Indigenous perspectives in the curriculum is to explore their own racial position through an understanding of the cultural construction of whiteness. This body of knowledge offers both practical and theoretical opportunities to explore whiteness as a race and colour. It also enables us to identify the cultural construction of whiteness in our content, perspectives and teaching strategies.

A cultural construction of whiteness includes, but is not limited to an understanding of:

- the universality of whiteness and the unacknowledged raced position from which white people view the world as well as the effects of such claims to universality
- the invisibility of whiteness as a race or colour
- the inherent privilege that comes with whiteness, and that whiteness colours privilege (and the differences within white privilege along class and gender lines)
- the ways in which blackness is part of the construction of whiteness white/black, good/bad, norm/other
- the "Western-ness" of whiteness

In Justice Studies we believe this can be done irrespective of the content being taught and that it is central to the capacity of non-Indigenous teachers to both recognise the whiteness in their curriculum and teaching strategies and to embed an Indigenous perspective. For this reason the cultural construction of whiteness will be trialled initially in 4 units in the first year core units - 2 law/government and 2 sociology/criminology.

Discussions around the cultural construction of whiteness can lead to:

- engaging in the inherent justice of universal terms like human rights, ethics, and the law and their unacknowledged subject position.
- challenging normative rules of behaviour as objective as opposed to culturally specific (parenting, housing etc).
- examining the neutrality of language (that black kids can be as racist as white police - not supported by a systematic ideology of domination inherent in whiteness).
- examining the exercise of discretion across the investigative, adjudicative and corrective arms of the criminal justice system.

In all of these situations there is both a personal/theoretical and a practical point to be gleaned - based on the awareness of all student's vocational orientation and the importance of linking these ideas to graduate capabilities.

Consultation with Indigenous people

The importance of consultation is central to an approach to content which moves beyond problematising Indigenous people. More specifically, access to the outcomes of structural inequality via academic and other written sources necessitates an engagement with Indigenous problems, and positions Indigenous people as passive victims of colonialism, capitalism, racism. In contrast, engaging Indigenous people in the construction of the content of a curriculum creates a content based on action, survival and empowerment. It also makes it more relevant, and thus more challenging and non-stereotypical.
Consultation also offers a capacity to explore analyses of Indigenous perspectives from both White and Black positions. More specifically, the white concept of an Indigenous perspective is a macro concept and this carries with it dangers of essentialising and homogenising Indigenous experiences. An Indigenous concept of an Indigenous perspective is a more micro or personal/subjective one based on the individual's experience.

In practical terms this means highlighting the ways in which communities are dealing with issues and problems in new and innovative ways as opposed to historical accounts which focus only on past victimisation, inequality and domination. It also means that important and real issues for Indigenous people are discussed. For example:

- Murri Courts, ATSIWLS,
- Family and community breakdown, violence,
- Alcoholism and substance abuse, suicide
- Living across 2 cultures

Assessment

The assessment framework guides the relationship between choice of content, curriculum design and pedagogical approaches and will work at three levels: knowledge of content, understanding of perspective and application through professional examples. Despite a commonsense understanding that application should be left till 2nd and 3rd year, in Justice Studies all three will proceed at all stages of the degree. Such an approach:

- increases the relevance of the issues
- decreases the boredom of an emphasis on content and understanding
- enhances an obligation to the profession by the staff and the students.
- works on real life examples which open the door to positive modelling and concrete learning experiences

Assessment items which other faculties and universities have trialled to successfully measure the cultural construction of whiteness include:

- ongoing reflective exercises on personal subjectivities
- portfolio’s of evidence from the media, personal experience
- stories of identity from self and others
- case studies which identify problems and strategies/solutions

Such approaches enable the assessment of an Indigenous perspective as a graduate attribute in an academically rigorous manner because of the higher order analysis that is implicit in the reflections of perspectives and journeys. In Justice Studies this approach will be used in a consistent manner across the first year core courses to ensure the perspective is embedded.

Outcomes

1. A positive impact on student learning outcomes for both Indigenous and non-Indigenous students:
With regard to non-Indigenous students, the project aims to increase their own professional competency in law and justice areas through a greater understanding of Indigenous and cross cultural perspectives on social and criminal justice.

With regard to Indigenous students, the embedding of Indigenous content and perspectives will offer a more inclusive curriculum that aims to increase their engagement with the curriculum and create a more meaningful learning environment.

1. Employment of Indigenous people in both full time and part time/casual positions within the School as well as specifically for this project in terms of curriculum design, pedagogical approaches and issues of content and perspective.

2. Staff development in terms of a commitment to social justice for indigenous Australians and to indigenising the curriculum of Justice Studies.

3. The creation of an assessment framework through the development of appropriate content and the engagement with an Indigenous perspective that can be used as a model for the Faculty of Law.