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Letter from Darwin

Sue Stanton

Monash University

The Rex Wild and Pat Anderson 2007 report *Little Children are Sacred* provided the first chapter of the series in this modern adaptation of a 220 year old classic that might aptly be titled 'The Native Tribes of Australia.' [1] The 21st century version provides for an update of characters as well as a generous documentation on sexual abuse and women's violence as opening scenes and pivotal parts for special task force, police, troops, medical teams, "Aboriginal experts"—both non-Aboriginal and Aboriginal, but mostly non-Aboriginal. The new version of the old history of women's violence and overall denial, indeed abuse of basic human rights is now contained in 500 pages under a misleading title termed "special measures". The very latest and up-to-date manual on "Aboriginal legislation."

The ultimate result has been the injection of enormous amounts of money into addressing the problems and issues that were interpreted as requiring urgent attention. This latest tilt at moral balance, after 220 years of colonisation, denial of rights and the absence of justice is just not convincing. Just as current Prime Minister Kevin Rudd's symbolic rhetoric and well-rehearsed performance of apology to Stolen Generations offers promises of new beginnings and directions, Aboriginal people, especially those at the lower end of the economic, and the rights scales, should remain highly suspicious and extremely cautious.

The Northern Territory Government's Closing the Gap 2008-2012 Education Initiative in response to the Northern Territory Emergency Response promises, with \$25.22m Australian Government assistance:

- additional classrooms in prescribed areas;
- enhanced literacy and quality teaching program;
- transition 128 positions from CDEP program;
- additional 50 teachers to support remote Indigenous Students.

However, in the very first year of this initiative the woman chosen as the best in the country has left the job amid rumours that Marion Scrymgour [2] had lost confidence in her. And while the senior educator's supporters are baying for Marion Scrymgour's blood — well at least her resignation, we are told of the dismal state of Aboriginal education, across the Territory, but especially in almost every one of the Intervention identified communities. Minister Scrymgour commented on the failure of successive government policy in relation to Aboriginal health and education. Ms Scrymgour acknowledged that the Whitlam government self-determination initiative that encouraged the homelands movement [3] has been an abject failure and has probably led to the situation we have today. This self-sufficiency idea was a fantasy of the Labor government of that time and this earlier response to the "Aboriginal problem" actually bred a culture of neglect by government which has taken almost thirty years to re-visit and re-address. Not only were fundamental rights issues ignored, but successive generations of Aboriginal children were denied basic education as the spuriously named "learning centres" do not have standards that are required in, larger, or non-Aboriginal communities throughout the Northern Territory, indeed Australia. An article by Sara Hudson, a policy analyst at the Centre for Independent Studies states that these centres "have a separate 'indigenous' curriculum and largely rely on fly-in fly-out teachers who do not meet the normal requirements of the NT's Teacher Registration Board." [4]

While governments, policy analysts, educators and others argue over who was responsible for the failure to deliver the required standard of education to remote and even the not-so-remote Aboriginal communities, no one discusses the issue in relation to the denial of rights. If the current Rudd government continues with this practice of ignoring United Nations conventions it will mean that Aboriginal people will not gain any ground and it will put into serious doubt the objectives and justifications for the implementation of the Intervention. The Intervention will be simply another failed Aboriginal policy experiment. There will be those who will benefit from its 'reforms' but they will not be those Aboriginal community people whom it was designed to serve.

At present the *Northern Territory News (NT News)* is publishing sensational statements such as "Aborigines receive three times more money than other Territorians." Relying on information gained from a 2006-2007 Indigenous Expenditure Review it claims that 44 percent of

Commonwealth funding was earmarked for “indigenous issues” – “but the Territory spent 52.4 per cent - \$248 million extra – on indigenous affairs...The figures do not include the additional revenue received...since the start of the Intervention.”[5] This type of headline is mischievous and misleading and does not give actual figures on how many dollars are spent on each individual. Instead of querying that claim most readers of the *NT News* immediately react and decide that Aboriginal people are ripping off the ‘poor Aussie battler’. Most do not have the capacity to think to demand a breakdown of those figures or to ask what proportion of that funding supports what number of bureaucracies, bureaucrats and to providing housing, equipment and services designed for their comfort. How much of that funding reaches the unemployed, homeless, poorly educated and sick Aboriginal person?

In relation to Aboriginal people, including and especially Aboriginal women, it is timely that a reminder of the principles of the Universal Declaration of Human Rights be reiterated. Article 26 of that Declaration states that: “The State Parties recognise the right of everyone to education...Education shall enable all persons to participate effectively in a free society”. This Right to education is also expressed in:

- The International Covenant on Economic, Social and Cultural Rights, Article 13;
- The Convention on the Elimination of All Forms of Discrimination Against Women, Articles 10 and 14;
- The Convention on the Elimination of All Forms of Racial Discrimination, Article 5;
- The Convention on the Rights of the Child, Articles 28 and 29;
- The Convention against Discrimination in Education, Articles 3, 4 and 5.

This commitment to ensuring education as a human right was made at a number of summits over time, including the World Conference on Women in Beijing and the Habitat II conference in Istanbul where the Amman Affirmation (1996) stated:

Education is empowerment. It is the key to establishing and reinforcing democracy, to development which is both sustainable and humane and to peace founded upon mutual respect and social justice. Indeed, in a world in which creativity and knowledge play an even greater role, the right to education is nothing less than the right to participate in the life of the modern world.

Successive Australian governments have not committed in realistic terms to the eradication of illiteracy in Aboriginal communities whether

urban or remote. Nor have governments since the Whitlam era made any real effort to address the issue of the need to radically improve the quality of education delivered to remote Aboriginal communities in the Top End. If they had, there would not be this urgent necessity to deliver basic literacy and numeracy programs. The question to be asked here is exactly what has been delivered through Vocational Education and Training (VET) and other programs since the inception of “remote delivery”? Where are the Aboriginal teachers and others who had the benefit of this education delivery? Why does the Intervention have to recruit huge numbers of teachers from southern states when the Northern Territory should have had a critical mass of trained and literate Aboriginal personnel already on the ground? Is this about policy failure or creation of industry for non-Aboriginal people? When will these policies and the people employed to make them work ever be held accountable?

Aboriginal people should not have to rely on the United Nations to appeal to Australian government to commit to conventions so that they may develop “their full capacities in health and dignity and to participate fully in their social, economic and political process of development.” This especially should not be the case as we live in a First World democratic and capitalist country — and after all it is the twenty-first century. It seems that Aboriginal people must wait on a cycle of interventions as a way of advancing their health and educational needs and these cycles come about as part of latest experiments and occasional whims of government.

Some may consider this criticism of past governments unfair and unwarranted, however, Australia has been congratulated as a champion of Human Rights on the international scene yet it has not practiced good human rights at home. In the recent past the Howard government even made threats that Australia would reduce its Human Rights commitments with the United Nations, and was adamant that asylum seekers should not seek refuge in this country. What hope then for Aboriginal people and their human rights? The behaviour of the Howard government in not believing it had a human tragedy happening right in the country’s own borders is reprehensible. If disbelief and non-acceptance of ordinary Australian citizens that Aboriginal human tragedy is not part of their very own reality show — surely the Intervention proves it is so. And in the tradition of the former Howard government it appears the reality show program will run for some time yet, and all types of justification and reasoning will ensure its success as an industry. Sidney Jones, Executive Director of the Asia Division of Human Rights Watch observed in relation to the former Howard government:

It doesn’t do much for protection of human rights if any government can change the rules to avoid criticism of itself.[6]

Well don’t Aboriginal people know about that!

In relation to the issue of the current state of Aboriginal women's rights, as with the rhetoric of the claim that Aboriginal women were enfranchised in 1894, the cynical view of this statement is that once again, mere words do not necessarily equate into rights. As well, flowery words as those enshrined in United Nations conventions, or government policies, are worthless unless governments enact their meaning and the responsibilities attached to stated undertakings. The new body of international law concerned with Indigenous peoples specifically highlighted the ILO Convention No. 169 is affirmation of the commitment by the world community, including Australia, to enhance the rights of Indigenous peoples. In Australia, the challenges that have been mounted against the *Mabo* and *Wik* decisions, the constant threats to Native Title and now the dismantling of the *Racial Discrimination Act*, only in the Northern Territory and only to impact on certain Aboriginal people, does not offer any comfort to those Aboriginal people in the affected communities. It might however, give comfort to Aboriginal people who offer all type of interpretation and advice from safe and distant spaces, and to those who are engaged in and work for profit while justifying to themselves that it is the right thing to do and it is for those Aboriginal peoples' own good.

In general, and on an international scale, the plight of Aboriginal women is a sorry one, but it seems that in Australia, we have advanced little as a society in our efforts to be more inclusive, and more supportive of Aboriginal women's rights. We need a blueprint whereby people of diverse backgrounds and from diverse cultures may learn to support one another and to co-exist. However, this inclusive co-existence cannot happen while people in Australia refuse to accept the true situation that exists for Aboriginal women, men and children, especially those under the oppressive constraints of the NTER. The elephant in the room that all the expert commentators continue to ignore is that the dire situation for all Aboriginal people will continue while the ignorance in relation to the historical injustices and disadvantages that created this mess in the first place, is not acknowledged as part of the problem.[7]

As Marie Battiste [8] commented in her article addressing the tenets of systematic colonization in Canadian language education:

You can't be the Doctor if you are the disease.[9]

This comment was further expanded by Erica-Irene Daes:[10]

There is an expression, "You cannot be the doctor if you are the disease." What I am saying is the European themselves have had the disease of oppressed consciousness for centuries, and, as a result, they have grown so used to this experience that they do not always appreciate the fact that they are ill. Indigenous peoples, by comparison, are much closer in time to the experience of spiritual independence and therefore are generally far more aware of the extent to which

the symptoms of the disease persist, even after the former institutional machinery of alien domination has been dismantled and replaced by the appearance (at least) of renewed self-government and self-determination.[11]

Daes contends, and I agree with her, that Indigenous peoples (for me Aboriginal peoples), might rightly feel particularly marginalized and threatened at this very point in history. However, it is Aboriginal people who are closest to any understanding of oppression as well as to the sources of their own healing and renewal. And this might mean then that they “may become the vaccine for a disease that is as old as humanity.”[12]

If there is any time in Australia’s colonial history when Aboriginal people should unify and cease further fragmentation among clans, tribes, groups or communities, and individuals, it is now. The crisis of the NT Intervention and the suspension of rights is an alarming state of affairs that needs to be fixed urgently and can only be done with full cooperation between Aboriginal peoples themselves first. We must find that middle ground and force ourselves to discover and develop appropriate frameworks that suit the majority. Aboriginal people cannot continue to blame central authority, whether Canberra-based or State and Territory-based authority that continues to create the tensions between us.

It is time to reinstate stability to Aboriginal social life and this can only be achieved when Aboriginal people first accept among themselves that this is only possible if we form a centralised Aboriginal political authority. Perhaps we should be thinking of forming a confederation of clan leaders instead of always only being a confederation of consultants and advisers to Government. We must take serious steps to cease the further fragmentations of our communities, our cultures, our ways of life and develop a new and different social cell that would see us united in a solidarity of survival. We must cease that negative rhetoric that convinces us, and the broader Australian community, that we are incapable of common action. Perhaps it is time to put kin loyalties, regional politics and individual agendas aside and for us to develop a national cohesion of governance and leadership that is capable of dialoguing with the central authority whether that be in Canberra or at state level.

For Aboriginal people, it is not just the hijacking of women’s rights, but the issue of the denial of basic citizen rights of Aboriginal men and children as well. Historically all Aboriginal people have been affected through that very first instrument of empire, *terra nullius* — the very first interventionist program that stripped all rights and set in place the first act of dispossession of land. Once this dispossession of land was carried out through systematic extermination and a variety of other criminal acts, it now continues in different ways through the NTER, through government legislation. However, the dispossessing carried

out now has a broader focus as it now encompasses Aboriginal identity and Aboriginal rights in its wide scope.

While we all comment on this latest (some may regard as ingenious strategy) attempt at “protection” in the most part I believe that most cannot fully understand the motives without having a true appreciation of white-black relations, and the history of “Aboriginal policy”. Aboriginal rights continue to be hijacked through intervention plans and policies in the ongoing justification of land theft, racist legislation and other experiments in criminology and colonialism. It is important that we do not dismiss these factors when discussing what is happening for Aboriginal people today, however most people do — they refuse to connect the links and they refuse to acknowledge that a present day intervention could be linked to the colonial past. But it is vital that this link is made and it is important that the Australian public recognise what the Intervention really is. It is colonialism — and colonialism is a machine: a machine of war, of bureaucracy and administration, and above all, of power.

Yes alcohol and ganja and pornography might have been introductions into communities but the vehicle that brought them here started its journey in colonial New South Wales when the first white man stepped ashore and made this country his permanent home. From that fateful day, celebrated now as Australia Day on 26th January every year, at the very first entry in colonists’ journals and diaries a history of conquest and oppression was ensured. Colonialism has an insatiable appetite — it is forever hungry, it can never be satisfied, and it recruits both unwitting as well as willing emissaries from the vast ranks and ever-growing number of colonised Aboriginal people. Sadly, there are those Aboriginal people who assist in the colonising of their own people as they have reconciled themselves to new arrangements and happily accept the status quo.[13] Perhaps Uncle Chicka Dixon was right when he named the 1970s wave of compliant natives “bourgeois blacks” and perhaps that name fits many today. While we cannot be guaranteed that central powers, at both national and state levels will not manipulate individuals or a national Aboriginal coalition of leaders, we must try something drastic if we are to survive as a People beyond the 21st century.

If aspects of the Intervention are vehicles meant to establish the position to afford rightful status as well as constitutional and juridical protection to all Aboriginal people (at last), regardless of location—and all Aboriginal people in this country are able to finally enjoy the same successes, health and educational status and be protected under the same rights and legislation as non-Aboriginal citizens—I am all for it but methinks that is too grand an expectation.

Dr. Sue Stanton, a Fulbright scholar, is a colonial historian who uses colonisation, gender and race as analytical categories in all her teachings, writings and presentations. She has a PhD in History/Aboriginal & Torres Strait Islander Studies, Charles Darwin University (2007). She is currently engaged in Aboriginal Visual Histories project [Jan-July 2009] – Centre Australian Indigenous Studies, Monash University. See: <http://arts.monash.edu.au/cais/research/visual-histories/>

Notes

[1] With no apologies to Spencer, B & Gillen, FJ, *The native tribes of Central Australia*, Macmillan, London, 1899.

[2] Deputy Chief Minister of the Northern Territory. Also Minister for Employment, Education and Training; Minister for Indigenous Policy; Minister for Arts and Museums.

[3] The homelands movement of the late 1970s provided grants of up to \$10,000 as a way of encouraging Aboriginal people to return to traditional estates. This out-of-sight, out-of-mind initiative suited both government and some Aboriginal people. However, the small amounts of funding only provided basic facilities and barely any infrastructure or services.

[4] Sara Hudson, "Govt admits policy failure on outstations", *Sunday Territorian*, October 19, 2008, p.14.

[5] *NT News*, 27 October 2008.

[6] Sidney Jones, "Australia Undermining Global Human Rights", *Human Rights News*, 31 August 2000

[7] Refer: S Stanton, "Sisterhood, Citizenship and Social Justice: How Far have Indigenous Women's Rights Advanced at the New Millennium?". In Elizabeth McMahon and Brigitta Olubus (eds.), *Women Making Time: Contemporary Feminist Critique and Cultural Analysis*, University of Western Australia Press. Crawley, 2006, pp. 155-171

[8] Marie Battiste, Mi'kmaq educator from Potlo'tck First Nations of Unama'kik, Nova Scotia

[9] Refer: Marie Battiste, "You Can't Be the Doctor if You Are the Disease: The tenets of Systematic Colonization in Canadian Language Education", University of Saskatchewan, 1986

[10] Erica-Irene Daes, Member: United Nations Sub-Commission to Protect Minorities; Chair, UN Working Group on Indigenous Populations; Collaboratrice, Hellenic Institute of International and Foreign Law.

[11] Daes, E-I, "Prologue – The Experience of Colonization Around the World", in Battiste, M (ed.), *Reclaiming Indigenous Voice and Vision*, UBC Press, Vancouver, 2004, pp.3-8

[12] Ibid.

[13] S Stanton, "Breaking free – loosening the shackles of colonialism: the road ahead," Vincent Lingiari Memorial Lecture, Charles Darwin University, August 2007.

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