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**O**n 27 May 1967, a referendum was held which led to Australia's Aboriginal people being recognised as full citizens in their own country for the first time in almost 200 years of white settlement. The referendum involved two constitutional reforms. One would see Aboriginal and Torres Strait Islander people counted in the Census for the first time; the second would give the Commonwealth powers to legislate 'in the best interests' of Aboriginal people.

There was bipartisan support from the then-governing Federal Coalition and Labor Opposition for these astonishingly belated reforms. The 'yes' case was prepared jointly by Prime Minister Harold Holt, Deputy Prime Minister John McEwan and Opposition Leader Gough Whitlam. Of the proposed move to include indigenous people in the Census, the 'yes' case said: 'Our personal sense of justice, our commonsense and our international reputation in a world in which racial issues are being highlighted every day require that we get rid of this outmoded provision.' Just before the referendum, the indigenous activist Faith Bandler urged all Australians to vote

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‘yes’, saying: ‘For Aborigines, an overwhelming Yes vote can mean a new life of hope.’ The case for reform was also authorised by ‘every available member of the Commonwealth Parliament’.

Australians are notoriously wary of tampering with their Constitution; only eight of 44 referendum proposals have been passed since 1901. But on that historic autumn day, more than 90 per cent of Australian voters essentially agreed that the nation’s oldest inhabitants had for too long been denied the fundamental rights enjoyed by even the newest immigrants. The 1967 constitutional amendment still stands as the most comprehensively carried referendum in the country’s history.

Just three decades after that turning point in the history of indigenous rights, one million Australians backed Pauline Hanson’s One Nation party in the 1998 Federal election, despite the party’s fatuous taunts that Aboriginal people had ‘spent 40 000 years killing and eating each other’ and were undeserving beneficiaries of special treatment denied to other Australians.

In 1997, the conservative Northern Territory Government was returned with an *increased* majority following the introduction of laws that would see many Aboriginal people, including children, being incarcerated for crimes as trivial as stealing a towel, a can of soft drink, a box of biscuits on Christmas Day. One of these petty offenders, a fifteen-year-old orphan, would kill himself while serving a custodial sentence for stealing textas and pens.

In late 1997, the Governor-General, Sir William Deane, said he would ‘weep for our country’ if the reconciliation process was killed off. Over the next couple of years, there were times when it seemed that it might be. In 1999, following demands for an official apology to the stolen generations, businessman John Elliott—a man once viewed as a possible contender for the prime ministership—declared that the Prime Minister, John Howard, should ‘not worry about saying sorry to a forgotten race’. (Having initially refused to apologise for these remarks, Elliott then did so.) The next year Howard himself announced

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that the 2001 deadline for a national declaration of reconciliation—agreed a decade earlier with bipartisan support in the Federal Parliament—would not be met.

Other setbacks followed. In a formal submission to a Senate inquiry, then-Federal Aboriginal Affairs Minister, Senator John Herron, effectively denied the existence of the stolen generations of Aboriginal children separated from their families between 1910 and 1970. The government argued that since, by its estimate, only 10 per cent of Aboriginal children were forcibly removed, there was no such thing as a 'stolen generation'. In response, the late indigenous activist Charles Perkins—who referred to Howard as a 'dog'—told the BBC in London that indigenous protests at the 2000 Sydney Olympics would involve burning cars and buildings. Asked by journalists what they could expect to see during the Games, Perkins said, 'Burn, baby burn.'

The sense of dismay and alienation over the government's repudiation of the stolen generations ran deep. The moderate Aboriginal leader Lowitja O'Donoghue announced she was withdrawing from public debate altogether. The high-profile indigenous rugby league player turned boxer, Anthony Mundine, was named Aborigine of the Year in July 2000. Accepting his award, he accused the Federal Government and contemporary society of attempting to 'keep us down, keep us in our little place, and take away our self-esteem, take away our pride . . . They're still trying to kill us all.'

How could the consensus over fundamental indigenous rights, demonstrated at the ballot box in 1967, have degenerated so dramatically? How could a decade that saw crucial advances in indigenous rights—from the High Court's Mabo and Wik decisions to record numbers of indigenous university students and the holding of an official inquiry into the suffering of the stolen generations—end with such racial hostility? How could the first Australians have come to be seen by many as somehow 'un-Australian'?

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Much of the answer lies in the nature of the public debate itself, a debate in which bipartisan dialogue has collapsed into partisan dogmas; in which indigenous issues of intense public interest have been hijacked by both sides of politics to serve their own agendas.

While supporters of the High Court's 1996 Wik decision refused to acknowledge the real dilemmas thrown up by that judgment, conservatives, including the former Queensland Premier, Rob Borbidge, have made reckless predictions of 'war'. While liberal academics speak of two centuries of 'genocide' perpetrated against Aboriginal people, the Prime Minister talks of 'blemishes'. Australian historians are now crassly identified as belonging to the 'black armband' school (which allegedly overstates atrocities against Aboriginal people) and the 'white blindfold' school (which allegedly denies them).

While conservatives have callously referred to the stolen generations as the 'rescued' generations, supporters of the stolen generations speak of a Nazi-style 'Holocaust' perpetrated on Australian soil. In his book *Australia: A Biography of a Nation*, published in 2000, the expatriate journalist Phillip Knightley wrote: 'It remains one of the mysteries of history that Australia was able to get away with a racist policy that included segregation and dispossession and bordered on slavery and genocide, practices unknown in the civilised world in the first half of the 20th century until Nazi Germany turned on the Jews in the 1930s.' The comparison with Nazism is overwrought, but Knightley was not alone in making it.

In *Welcome to Australia*, a documentary by another well-known expatriate journalist, John Pilger, the Sydney academic Colin Tatz compared Australia's treatment of indigenous peoples with the Holocaust, Stalin's reign of terror and Pol Pot's murderous Year Zero regime. The only difference, he argued, was that those campaigns of terror and mass extermination were carried out over short periods, while Australia's genocide had continued over more than 200 years of European

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settlement. Tatz is the same academic who, some years earlier, surveyed 70 indigenous communities and found many mired in internal violence and social dysfunction. In an essay published in the *Australian Journal of Social Issues*, he asked: 'Why are some communities destroying themselves just as the tide is (possibly) turning in their favour?' He said he was deeply angry that the administration of Aboriginal affairs had changed so little in 30 years. He also confessed to 'unbounded' pessimism and puzzlement about the way 'Aboriginal communities are going about their survival', with 'a great deal' of personal violence and child neglect (including hunger), a marked increase in indigenous deaths from non-natural causes and vast alcohol consumption. He noted 'the constancy about the way Aborigines externalise causality and responsibility for all this'.

From the outcry over the hanging of seven white stockmen for murdering 28 Aboriginal people at Myall Creek in New South Wales in 1838 to the fierce controversy over the Aboriginal 'tent embassy' erected on Australia Day 1972 outside Parliament House in Canberra, indigenous issues have always been divisive. But the ideological rifts now run deeper than ever, whether the disputed subject is land rights, the treaty push, the veracity of 'secret women's business', the authorship of Aboriginal art, violence on Aboriginal communities, or allegations of genocide.

For many, perhaps most Australians, the defining moment of the 2000 Sydney Olympics was Cathy Freeman's win in the 400 m. The entire nation seemed to hold its breath as Freeman loped through a galaxy of flashing bulbs and then sank to her knees, seemingly not knowing whether to laugh or cry, stunned at what she had done. Competing in red, yellow and black shoes, her achievement as the first indigenous Australian to win an individual Olympic gold medal was for her people and her country. For her barefooted victory lap she carried both the Aboriginal and Australian flags.

Yet politics clouded even this moment of national euphoria.

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While proclaiming that the Games would 'dissolve differences and bring Australians closer together', the Prime Minister deflected a radio interviewer's question about whether Freeman's carrying of both flags contained a message of reconciliation. Doubtless he was aware that before the Games, Freeman had publicly criticised his government's attitude to the stolen generations, which included members of her own family.

Meanwhile, the official broadcaster of the 2000 Olympics, Channel Seven, edited out a joke made by Freeman just minutes after her medal-winning race. An exuberant and uninhibited Freeman said: 'I made a lot of people happy tonight. Biggest smiles I've ever seen, and they're not even drunk, my brothers!' The comments were aired twice on news bulletins before Seven's management decided to drop them from all subsequent broadcasts, concerned they would reinforce negative images of indigenous Australians.

Seven did not consult Freeman before they censored her. Their anxiety to suppress an invidious stereotype was arguably just a case of overweening paternalism on a celebratory occasion. But it was symptomatic of a deeper anxiety on the part of many who consider themselves pro-Aboriginal not to be seen as spreading negative images of indigenous people. Their anxiety, in the current political climate, is understandable. But the effects of such censorship, however well-meaning, have often been disastrous for those indigenous people whose interests it was supposed to serve.

As the country embarks on its second century of nationhood, the indigenous affairs debate has become a rhetorical war of attrition, with no middle ground. The fault lies with both the Left and the Right; its roots lie in political expediency and ideological intransigence.

For too long, left-of-centre advocates for indigenous rights have indulged in a kind of secular piety, genuflecting behind ideological barricades to characterise self-determination as a sacred doctrine immune to public scrutiny. Too many

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indigenous leaders and activists have refused to analyse the deepening disadvantage among thousands of indigenous people *except* in terms of historical mistreatment, underfunding and racism.

Conservatives, meanwhile, routinely call for the abolition of self-determination, as if the answers lie in the discredited assimilationist policies that preceded it. Shock jocks commonly knead prejudice by invoking the worst stereotypes of Aboriginal people as lazy drunks incapable of helping themselves. The late radio announcer Ron Casey was sacked in May 2000 after declaring on air that Aboriginal people were disadvantaged because 'they won't get off their black asses and do some work'. In late 2000, another right-wing announcer, Alan Jones, appealed against a tribunal's finding that he had racially vilified Aboriginal people on his 2UE radio program. In July 2000, the New South Wales Administrative Decisions Tribunal had ordered Jones to apologise on air to Aboriginal people throughout the State for his 'outrageous and offensive' remarks over a \$6000 Equal Opportunity Tribunal award to an Aboriginal woman who was discriminated against by a country real estate agent. In his original broadcast, Jones had said: 'If I owned a property on the real estate agent's list, the only property for letting, and a bloke walked through the door, I don't care what colour he is, looking like a skunk and smelling like a skunk, with a sardine can on one foot and a sandshoe on the other and a half-drunk bottle of beer under the arm and he wanted to rent the final property available and it was mine, I'd expect the agent to say no without giving reasons.' Jones won his appeal on a legal technicality, and avoided having to publicly apologise to Aboriginal people for his remarks.

### **THE BILLION-DOLLAR QUESTION**

While supporters and opponents of Aboriginal demands take up wearily familiar, partisan positions, the great unanswered

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question of contemporary indigenous affairs languishes un-interrogated in a kind of ideological-no-man's land. That question is: despite billions of dollars of government spending over the past 30 years and more enlightened attitudes, why has progress in lifting Aboriginal living standards been so agonisingly slow? According to the official *Year Book Australia* in 1968–69, Commonwealth outlays on indigenous affairs were a paltry \$14 million. Today annual Federal expenditure is more than \$2 billion.

Australians with only a passing interest in indigenous affairs know that substantial public monies have been spent in this area since the early 1970s, often to disappointing effect. They want to know why. But when this question is dismissed as a gratuitous attack on self-determination and on Aboriginal people themselves, community skepticism turns into a more active, aggressive kind of prejudice. This was seen in the exponential rise of Hansonism in the late 1990s, with its claims of 'special treatment' given to Aboriginal people but denied to other Australians.

Yet recent research conducted for the Council for Aboriginal Reconciliation by Irving Saulwick and Associates found 'little overt prejudice directed towards Aborigines . . . on the basis of race alone', and a tolerance of the idea (if not the practice) of difference. A survey by Newspoll for the Council found an extraordinarily high level of support for the process of reconciliation, with 81 per cent of respondents believing it was quite important or very important. A surprisingly high number (almost 60 per cent) supported the idea that indigenous Australians should be recognised as the original owners of the country. An overwhelming majority (84 per cent) acknowledged that Aboriginal people had been treated harshly and unfairly in the past. Paradoxically, only half that number thought that today's governments should apologise.

Besides an apology, one issue that provoked profound ambivalence was that of disadvantage among indigenous



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people. Although, as the Newspoll report put it, 'Aboriginal and Torres Strait Islander people are the poorest, unhealthiest, least-employed, worst-housed and most-imprisoned' people in Australia, only half the respondents considered they were generally worse off than other Australians, and only 30 per cent believed they were 'a lot' worse off. While 70 per cent agreed that there was a need for government programs to help reduce disadvantage among Aboriginal people, almost as many (60 per cent) said Aboriginal people received *too much* special assistance.

How do we explain this contradictory way of thinking? The key lies in Newspoll's finding that 80 per cent of respondents believed that 'although a lot of money and effort has gone into helping Aboriginal people, it doesn't seem to have achieved much'. If people believe that public money should be directed at indigenous disadvantage, but are convinced that much of it is misdirected or wasted, they might easily conclude that indigenous people receive too much government help. Here is another reason why a forthright and incisive debate about the strengths and weaknesses of current indigenous policies is desperately needed.

Political exploitation of the High Court's 1996 Wik decision sparked the most divisive land rights debate the country has seen. Nevertheless, 120 000 people heeded the call of Aboriginal leader Pat Dodson and signed a public declaration of support for native title during 1997 and 1998. This massive petition took the form of a multicoloured 'sea of hands' sculpture, which was erected in regional towns, on the sands of Bondi Beach, on the pampered lawns of Parliament House in Canberra. At a time when John Howard stubbornly refused to apologise to the stolen generations, people's walks for reconciliation drew hundreds of thousands of protesters nationwide. Throughout 2000, these walks formed the biggest civil protests some State capitals had ever seen as a small, disputed word—sorry—took on a huge political resonance.

Such displays of community support for indigenous people

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contradict the idea that Australia is a deeply racist nation. They suggest that support for One Nation shown at the ballot box in the late 1990s was not just an expression of racial hostility; it also reflected rising impatience with public agendas in which observing taboos had become more important than seeking complex answers to complex questions.

Today, one shameful statistic bears out the need for a frank, nonpartisan assessment of the achievements of indigenous policies: namely, that Aboriginal and Torres Strait Islander people have an average life expectancy almost two decades less than that of other Australians. Surely there is no more telling an indicator of a people's wellbeing than longevity.

Australia's longevity gap seems even more scandalous when we consider that other countries with dispossessed indigenous peoples have in recent decades made steady progress in shrinking the indigenous–non-indigenous mortality divide. According to research by the Federal Department of the Parliamentary Library, the gap between Native Americans and the rest of the United States population is three years; for the Maori it has been cut to between five and six years. Between 1970 and 1988 mortality rates for Maori declined at twice the rate for non-Maori, the Parliamentary Library found. According to a report by the Queensland Health department published in 1999, the lack of improvement in indigenous adult mortality in Australia over the last twenty years, particularly among middle-aged Aboriginal people, '*is virtually without precedent on a world scale*'.

A paper published by the Australian National University's Centre for Aboriginal Economic Policy Research in 2000 found that the life expectancy of indigenous people had not significantly improved since the first reliable estimates were drawn from 1981 and 1986 Census data. That data put life expectancy for Aboriginal men at 56 and for women at 64. The latest Australian Bureau of Statistics figures (for 2000), put estimated life expectancy at birth at 56 for indigenous males and 63

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for indigenous women, meaning indigenous women's life expectancy has fallen. The comparative mortality statistics for non-indigenous people were 77 for men and 82 for women.

This stagnation and slippage is all the more disturbing when we consider that since 1981 life expectancies for the total Australian population have shown a marked improvement. Together, the statistics show that the mortality gap between black and white Australians has actually *widened* during a period when governments have supposedly acted on the principle of indigenous self-determination. Such a result would be cause for national humiliation if it were Olympic gold medals rather than indigenous lives at stake.

When these statistics are produced, the conservative response is that they prove the failure of self-determination. Small-l liberals counter that they prove the need for more resources and less racist attitudes. Both responses are simplistic. Neither provides any insight into the true complexities that underlie the failure of successive governments and indigenous organisations to significantly improve the living conditions of Aboriginal people.

Thirty years after self-determination was officially adopted by the Whitlam Government, the issues militating against better living conditions for the nation's first inhabitants are vastly more complicated than the master narrative, with its predictable casts of culprits and victims, suggests. The Aboriginal leader Noel Pearson has pointed out that life expectancy in the indigenous communities of Cape York in far north Queensland has fallen, despite a 'vast improvement' in their material resources over the past 30 years. Three decades of socially corrosive welfare dependence and what Pearson says is one of the world's highest per capita figures for alcohol consumption help explain how more money has produced a worse outcome.

Just as disturbing are Australian Bureau of Statistics figures showing that life expectancy among indigenous women in the Northern Territory and South Australia and among indigenous

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men in Western Australia also fell during the 1990s. Yet many of those dying early have, at least in theory, enjoyed opportunities and civil rights their parents and grandparents could only have dreamt of.

Despite these catastrophic results, few Aboriginal leaders or non-Aboriginal activists have been prepared to speak openly about the deepening economic and social problems besetting many indigenous families and communities. As Pearson has put it: 'Despite the fact that ours is one of the most dysfunctional societies in the world today, none of the current discourse on the subject gives me any satisfaction that the underlying issues have been grasped, let alone confidence that the right measures are being taken to change this situation.'

Compared with the political and ideological clamour raised by Mabo, Wik and the stolen generations, until very recently, virtual silence surrounded such issues as Aboriginal domestic violence and sexual abuse. In some remote Queensland communities Aboriginal girls and women have been battered and raped so frequently that psychiatrists describe them as 'ambulatory psychotics'. According to *Courier-Mail* reporter Tony Koch—one of few journalists to have campaigned against the horrific levels of violence and dysfunction found in many indigenous communities—this condition is normally used to describe seriously mentally ill patients who are permanently oblivious to what is going on around them.

In the nation as a whole, scant attention has been paid to why, in an era of bilingual schools, illiteracy has virtually become the norm among the indigenous children living in remote areas in the Northern Territory. Nor have we faced up to why, despite \$500 million being paid in mining royalties and other related monies to landowning Aboriginal people in the Northern Territory over twenty years, their living conditions often resemble those in the slums of Mumbai or Jakarta. We have not demanded to know how \$400 million could have been spent implementing the recommendations of the Royal

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Commission into Aboriginal Deaths in Custody, with the result that the number of indigenous prison deaths actually *rose*. Or how, despite the public allocation of more than \$300 million to the New South Wales Aboriginal Land Council over ten years for land claims and investments, most of the council's business enterprises failed.

Nor, in some respects, does the economic future look much brighter. According to the Centre for Aboriginal Economic Policy Research, between 1991 and 1996 only 26 per cent of the indigenous working age population were in mainstream employment. The Centre has warned that discrimination, locational disadvantage and indigenous population growth that is outstripping jobs growth, means the 'vital issue for indigenous (economic) policy into the new century is the distinct prospect that the overall situation will deteriorate'.

Clearly, many indigenous affairs policies are falling woefully short of their social and economic objectives. A new approach is needed in which benchmarks are publicly set and measured, and waste and non-performance by Federal, State and Territory governments, bureaucracies and Aboriginal-run organisations, is exposed and penalised.

This radical agenda cannot emerge without an urgent, honest and nonpartisan debate about where and how contemporary policies have gone wrong. Public discussion hobbled by partisanship and ideological pieties will never offer anything but simplistic or skewed analysis.

For proof of this we need look no further than the myths that have grown out of the Royal Commission into Aboriginal Deaths in Custody. The commission's final report, handed down in 1991, generated enormous public interest and intense media coverage. Today, the words 'Aboriginal' and 'suicide' are inextricably linked in the public mind with jail. But the reality is that indigenous people, especially young men, are far more at risk of suicide outside prison than in. This central misconception of the custody debate illustrates

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how familiar archetypes (oppressive white authorities versus black victims) have become more potent than the realities than underlie them.

The media, politicians and indigenous lobby groups rightly decry any indigenous death in custody where authorities have failed in their duty of care. Yet since the royal commission this tragic upsurge in indigenous youth suicide *outside* custody has been virtually overlooked—partly as a result of the self-censorship of professionals working in this area.

Dr Ernest Hunter, a Queensland academic, has carried out an impressive body of research on social problems afflicting remote indigenous communities. Recently, he and his collaborators admitted that experts conducting research into indigenous suicide have avoided making their findings public, for fear of sensationalist media coverage. They were reluctant to present Aboriginal communities in a stereotypically negative way, as 'suicide is also inextricably a part of other problems and concerns in many contemporary Aboriginal communities, such as alcohol, incarceration, violence and family breakdown'. Eventually Hunter and his collaborators—including the indigenous community leader Mercy Baird—concluded that this self-censorship was doing more harm than good. They admitted in a government-commissioned report, published in 2001, that the 'non-discussion of indigenous suicide by professionals such as ourselves has itself become something of a risk factor in Australia, contributing to the non-addressing and non-resolution of what we believe should be a national priority'. Later in this book I will discuss how a culture of suicide has become so normalised among alienated indigenous youths, some conceive of their own funerals as status symbols.

## PHONEY DEMARCATION

As a nation, Australia has a predilection for misremembering its past. The compulsive reclaiming of convict family histories

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after so many spent so long denying them, is one example. Another has been uncovered by historian Henry Reynolds in his documentation of the century-long guerrilla war between indigenous people and white settlers. Though thousands of lives (mostly black) were lost in these bloody struggles, history texts widely used in universities into the 1970s barely mentioned Aboriginal people. Reynolds cites one, called *Australia: A Social and Political History*, edited by Professor Gordon Greenwood, which was published in 1955 and reissued thirteen times between then and 1974. 'Aborigines' were mentioned four times in the text but were not deemed worthy of an entry in the index.

The ability to exhume and confront half-buried aspects of its past, without disowning or belittling genuine achievements, is surely the mark of a nation moving from arrested adolescence into maturity. Australia remains a long way from this when progressives equate the forcible removal of Aboriginal children from their unmarried mothers to the extermination of millions, while the conservative Prime Minister refers to past atrocities against Aboriginal people, including massacres, as 'blemishes'. Howard has also used the word 'regret' rather than apologising outright to the stolen generations. This was the same word used by the Japanese when they didn't want to be seen to be buckling to pressure to apologise for their aggression during World War II. Press gallery journalists have noted how this semantic slipperiness by the Japanese was attacked by Howard when he was Opposition Leader.

During the 1980s and 1990s, as improvements in Aboriginal life expectancy stalled, the need for indigenous policies to rise above such brazen self-interest by politicians was obvious. Instead, they became more and more captive to the poll-driven agendas of the Australian Labor Party and the Coalition.

Following the tortuous passage of the Keating Government's *Native Title Act 1993*, Labor staked its credibility in indigenous affairs on a rights agenda. Throughout the 1990s, it stood for

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land rights, for saying sorry to the stolen generations, for the reconciliation process. It was supportive of the Aboriginal and Torres Strait Islander Commission (ATSIC), which was established by the Hawke Government, and it professed a sensitivity to the 'secret women's business' in the ideologically bloody Hindmarsh Island heritage dispute. But in its commitment to advancing the rights agenda, the ALP has underplayed the gravity of social and economic issues afflicting many indigenous people.

The year 1992 marked the 25th anniversary of the 1967 referendum. It was a time for reflecting on the progress (or lack of it) made in indigenous affairs since then. Figures from the Centre for Aboriginal Economic Policy Research show that infant mortality had been cut dramatically from around 100 per thousand in the mid-1960s to 26 per thousand in 1981. The conservative Opposition's indigenous affairs spokesman, Michael Wooldridge, pointed out in Federal Parliament that in 1972 there had been less than 100 indigenous students in tertiary education, and that by the early 1990s, there were 4000. These were impressive achievements. But Wooldridge also noted that unemployment among Aboriginal people had risen from 18 per cent in 1976 to 35 per cent in 1986. Indigenous infant mortality figures had not improved between the early 1980s and the early 1990s. (The level of indigenous infant mortality has been stuck at two and a half to three times the Australian average for the past twenty years.)

Even as it envisaged a social justice package as part of its Mabo-inspired reforms, the Keating Government held fast to the notion that land rights were intrinsically independent of social and economic issues. In the mid-1990s, it announced that it would set up an Indigenous Land Corporation for Aboriginal people whose links with their land had been lost, and who could therefore not benefit from the Mabo judgment. Many of these people lived in the more densely populated south-east. In what turned into an acrimonious and marathon parliamentary



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debate, the Coalition insisted that the Corporation's land purchases be tied to better educational, health and employment outcomes, since the beneficiaries were not traditional land-owners and suffered severe social and economic disadvantage. For months the ALP resisted the Coalition's dogged attempts to amend the Land Fund Bill, arguing that it should remain an unequivocal statement about the cultural and spiritual centrality of land to indigenous people.

During the early and mid-1990s, I conducted research for newspaper articles on domestic violence among indigenous communities, black deaths in custody and accountability among indigenous organisations. This left me with a strong sense that there was a lot that needed to be said about the social and economic failings of Aboriginal policy that remained unspoken during the Hawke and Keating eras. Yet under Howard, opponents of self-determination invoked the ideal of free speech to vent pent-up, popular prejudice in order to advance their own political agendas. As a result, the parameters of the debate have narrowed and hardened, giving constructive critics even less room to breathe.

When it won power in 1996 the Federal Coalition pushed its commitment to 'practical' issues in indigenous affairs as much to distance itself from Keating and the so-called urban elites that supported him, as to tackle urgent indigenous needs. The Howard Government has adopted the poll-sanctioned oxymoron 'practical reconciliation' as a mantra, repudiating the symbolic value of reconciliation and implying that past injustices are irrelevant to the health, housing and education problems that beset Aboriginal communities today.

Preferring a philosophy of self-management to self-determination, the Howard Government's performance has been cynically politicised almost from the day it was elected. John Howard has proved to be the most poll-sensitive, populist leader Australia has produced in decades. One of his government's first acts was to attack what it said was a serious lack

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of accountability among indigenous-run organisations. Preferring to play politics than attempt genuine and much-needed reforms, it then sided with pastoralists in the Wik debate. It refused to override Northern Territory mandatory sentencing laws under which juveniles and adults were being jailed for trivial property offences—laws which impacted disproportionately on Aboriginal offenders. But it had no qualms about overriding Northern Territory laws permitting euthanasia. Howard only apologised for the hurt caused by his government's denial of the stolen generations when his own backbench started to revolt.

Any effective indigenous affairs policy must strike a workable balance between the symbolic and the practical; an agenda of rights and an agenda of social and economic reform. It must recognise that past injustices bear down on subsequent generations, and that on-the-ground realities affecting health, housing, education and family and community wellbeing must be tackled as vigorously as claims for redress for stolen lands and children. Without this balance, self-determination for Australia's indigenous people will remain a hollow promise.

While indigenous social problems such as alcoholism, youth suicide and domestic violence have escalated to levels that would not be tolerated anywhere else in Australia, indigenous affairs have fallen victim to political expediency by both sides of politics. Indigenous people account for around 2 per cent of the Australian population and are scattered across the continent. Their numbers are too low for them to have a major impact as a voting bloc in Federal and State elections, and they have been marginalised as a result. They simply lack the numbers to vote an inept or hostile government out of office.

It is a comment on just how invisible Aboriginal people are in mainstream politics that we have yet to have an indigenous Aboriginal Affairs minister. Yet these days, if a man were given responsibility for any women's affairs portfolio or sex discrimination office, the appointment would be ridiculed. (Since

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1901, the Federal Parliament has only accommodated two indigenous senators and no indigenous members in the Lower House, a derisory record for a liberal democracy.)

It was not until 2001 that the Howard Government moved to make indigenous affairs a Cabinet position. Howard then appointed Philip Ruddock to the joint portfolio of Immigration and Aboriginal Affairs. In effect, the government downsized indigenous affairs to a part-time job, at the same time as it claimed to raise its profile.

The same year, the Labor Opposition's Aboriginal Affairs spokesman, Daryl Melham, resigned. The party hesitated before filling the vacancy. As the perception grew that frontbenchers were scrambling to avoid the job, one Labor frontbencher was quoted on ABC radio as likening the portfolio to that of 'toilet cleaner on the *Titanic*'. The then Opposition Leader, Kim Beazley, condemned the comments and ensured that the job went (temporarily, as it turned out) to a respected senior minister in Bob McMullan. Nevertheless, the frontbencher's gaffe betrayed three things about Aboriginal affairs and Federal politics: (1) they have never been taken as seriously as they should because of a perception that there are few votes in it; (2) the portfolio has become so unhealthily politicised, it is now seen as a thankless task; and (3) skulking in the shadows of public debate is an insidious defeatism about the lack of social and economic progress in indigenous affairs; a feeling that everything possible has been, or is being done, and that the world's oldest continuous living culture is beyond help.

Yet the progress made in closing the life expectancy gap in New Zealand, Canada and the United States—while a long way from guaranteeing real equality—shows up the half-hearted and piecemeal nature of Australia's efforts. This suggests that self-determination has been spectacularly misconceived and misapplied in Australia, where at the turn of the millennium, most indigenous men and many indigenous women will not live long enough to claim an old age pension.

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### CENSORS AND SENSIBILITY

The shrinking of acceptable boundaries of discussion has coincided with a tendency by many non-Aboriginal journalists, academics, left-of-centre politicians, anthropologists and lawyers to cast themselves (often uninvited) as advocates for Aboriginal rights, rather than as objective observers. Often their actions derive from a conviction that because indigenous people have been so egregiously mistreated in the past, it is necessary to maintain a sympathetic silence over the failure of progressive policies, however ineffective. In this intellectually constricting climate, Les Hiatt, a prominent anthropologist and doyen of Aboriginal studies, has complained: 'It is becoming increasingly difficult to write or speak honestly about Aboriginal issues in public.'

In 1996, the small independent publisher Duffy & Snellgrove published a book by the Adelaide journalist Chris Kenny on the Hindmarsh Island heritage dispute. The book, called *Women's Business*, fiercely argued that indigenous claims of secret women's business were fabricated in order to stymie a proposed development of a bridge at Hindmarsh Island in South Australia. Whether Kenny's view was right or wrong, the Hindmarsh dispute was a protracted and messy ideological battle that pitted Aboriginal people and environmentalists against developers and Aboriginal people against each other. It raised important anthropological questions and forced Australians to consider how contemporary society should deal with the heritage claims of Aboriginal people from areas that have long been settled by whites.

The dispute dominated headlines, broadcasts and Federal parliamentary debates between 1993 and 1996. It was the subject of several actions brought in the Federal and High courts, a royal commission, a Federal minister's resignation, a 25-year development ban (subsequently overturned), sensational claims of fabrication aired on television, and two separate, government-appointed inquiries. Diane Bell, a highly

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experienced anthropologist who worked on the case on behalf of the indigenous women whose beliefs supported the secret women's business, said it was the most conflict-ridden case she had ever been involved in. Any number of books might have been written about it, but Kenny's was not as widely read as it might have been—because some bookshops refused to stock it. At one point, a book shop proprietor in Sydney said sniffily: 'We don't sell books like that.' Publisher Michael Duffy thinks the media's lack of interest in the book, and the dissident indigenous women's side of the story, was even more significant: an author tour for Kenny to Sydney and Melbourne had to be cancelled, due to lack of interest. Yet Duffy says the Hindmarsh dispute was still 'a big cultural story' when the book was published.

Sometimes the censorship of the indigenous affairs debate is simply a form of middle class piety. In late 1999 the expatriate photojournalist Polly Borland returned to Melbourne, planning to do a photoessay on the residents of two residential centres for indigenous people with alcohol and drug problems. Her photoessay—the text was related in the first-person voices of the residents—was published in *Granta* magazine's 2000 edition called *Australia The New World*. As she was researching this project, Borland was told by some of her Australian friends that 'I had no right as a white Australian to document indigenous people'.

I have encountered various forms of censorship in my own work. When I approached one publisher about writing this book, she was very interested in my thesis, but ultimately demurred, on the grounds that I am not Aboriginal.

In 1994, I started researching the issue of domestic violence in Aboriginal communities for an article which was eventually published in the *Weekend Australian*. Little had been written on this subject in the major national and metropolitan newspapers, apart from a news story in which a Northern Territory police chief was attempting to draw attention to the crisis. He argued that the lack of media attention and public concern

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proved that the assault and murder of Aboriginal women was taken less seriously than violence against European women. He was right. Taking the matter further, I found that the organisations one might have expected to be campaigning vigorously on behalf of the indigenous victims of domestic violence—feminist organisations, black legal aid organisations, ATSIC, Labor governments, the progressive media—were doing nothing, or next to nothing.

In the mid-1990s, ATSIC funded a book published by the Secretariat of National Aboriginal and Islander Child Care, stating that up to half of all indigenous children were victims of family violence or child abuse. Yet during that period, ATSIC spent only \$1.3 million a year on programs specifically aimed at curbing family violence, out of an annual budget that was close to \$1 billion. Several years on, the problem had only worsened. A courageous team of 50 indigenous women, who had long campaigned, in vain, to draw attention to the issue, formed a domestic violence task force in Queensland. Their report, published in 1999, contained many shocking revelations. Officially called the *Aboriginal and Torres Strait Islander Women's Task Force on Violence Report* and funded by the Beattie Government, it concluded that increasing injuries and fatalities from interpersonal violence had risen to levels that threatens 'the continued existence of Australia's indigenous peoples'.

The ideologically sanctioned silences maintained during the early 1990s simply helped create a generation of new victims—mostly women and children—who were expected to tend their emotional scars and broken bones in secret, all in the cause of a racial solidarity partly imposed by well-meaning outsiders. The legacy of silence has made it difficult for concerned indigenous women to campaign on black-on-black violence. Indeed, two indigenous women had to withdraw from the violence task force after they were physically attacked in their own communities for raising the issue.

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### ALL BETS OFF

The late writer Shiva Naipaul recalled how, while visiting Australia during the 1980s, a white public relations officer for a Northern Territory land council offered him a graphic account of the injustices inflicted on the stolen generations. Naipaul wrote: 'It was not his ardour of which I disapproved, but rather the assumption that such wrongs eliminated the need for all further introspection. His retrospective "white" pain, his guilt, sufficed, nullifying any enquiry that might sour his commitment.'

In a debate in which emotional attachment to particular ideals has supplanted rigour, a similar lack of introspection means that we know more about what self-determination policies are against (i.e. assimilation), than what they stand for. As the former head of the New South Wales Department of Aboriginal Affairs and Australia's first indigenous magistrate, Pat O'Shane, told me in an interview: 'The Left . . . simply embracing self-determination without actually defining what is meant by it is definitely a major problem.' The Right's 'hicks from the sticks' opposition to it is 'ideological and nothing else, let's face it'.

One of the difficulties with such a vaguely defined concept as self-determination is that it is open to abuse, misconception and political and ideological opportunism. Even sympathetic governments can and do invoke the notion of self-determination to mask a kind of benevolent neglect, leaving indigenous communities traumatised by dispossession and child removal policies, or which have a very thin vocational skills base, to sink or swim.

From financial mismanagement to child abuse, authorities have taken a hands-off approach in the name of respecting Aboriginal autonomy, when what they are really doing is shirking responsibility.

Conversely, self-determination has often been used as a shield to repel allegations of corruption, nepotism and inefficiencies

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among whites and blacks working within indigenous organisations and bureaucracies.

Land rights are considered the key to self-determination for dispossessed indigenous peoples worldwide. For many Aboriginal people, they carry a spiritual and cultural potency that few westerners comprehend. Even so, the uncomfortable truth is that over the past three decades, unprecedented levels of social and economic dysfunction have become common within many indigenous communities, *regardless of whether they have won land rights*.

Some of the worst social and economic problems—petrol sniffing among primary school children, high school graduates who are so illiterate they cannot write their dates of birth, medical staff being attacked while treating patients—are occurring on remote communities located on Aboriginal-owned lands. There is no evidence that land rights have caused such problems; but nor have they been the panacea that many hoped they would be and still blindly insist they are. As this book was going to press, the Northern Territory's Local Government Minister, John Ah Kit, told the Territory's parliament: 'It is almost impossible to find a functioning Aboriginal Community anywhere in the Northern Territory.' Yet, as I discuss later, more than 40 per cent of the Northern Territory land mass is now in indigenous hands.

Despite the reality, it has become an article of faith that the cultural benefits of land rights would have a miraculous, healing effect on dysfunctional communities. The winning or handing back of ancestral lands has been seen as a form of spiritual rebirth, a self-fulfilling ideal. From politicians, academics, anthropologists, journalists, Aboriginal leaders, there is a rhetorical certainty about this. The late Dr H.C. 'Nugget' Coombs, one of the architects of contemporary self-determination policies, captured this when he wrote: 'It is time we restored to them [indigenous people] the right to use land and its resources in their own fashion. That restoration



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would go far to restore also the lost balance between their personal and group autonomy and the demands of their social and economic obligations; a loss which lies at the heart of many of the problems facing Aboriginal people today.'

Since the 1970s, when Aboriginal people started to assert their rights to lands stolen, lost or operating as reserves or missions, few have challenged this ambitious view of land rights. They continue to be proclaimed as a life-affirming prize while worsening social and economic realities on the ground are casually, sometimes contemptuously, brushed aside.

In 1999, a wide-ranging twenty-year review of the *Aboriginal Land Rights (Northern Territory) Act 1976*, the country's most evolved land rights regime, found that as a result of their traditional lands being returned, 'Aboriginal Territorians are relatively advantaged culturally, but relatively disadvantaged in terms of housing, education and employment by comparison with other Aboriginal people'. Like so many other issues on the indigenous affairs agenda, the important social and economic issues raised by this review, known as the Reeves report, were overshadowed in what passed for debate by fierce political argument over the future of Northern Territory land councils.

The belief that winning back ancestral lands can by itself rehabilitate communities fragmented by the brutalities of history, welfarism and an everyday culture of substance abuse, has gone unchallenged within the Left for three decades. It is destructive, for it takes no account of the fact that deeply impoverished and largely unskilled communities can never be truly self-determining without genuine social and economic recovery.

In a paper published in the journal *Anthropological Forum* in 2001, the anthropologist Peter Sutton painted a devastating portrait of a small, remote community with which he has had close links since the 1970s. The community's population is about 900—similar to that of a suburban high school. During the past 25 years or so, eight locals have committed suicide. Thirteen have been murdered and twelve have committed

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murder. Most of these murders and suicides followed the introduction of a wet canteen to the community in 1985. In the 25 years before the canteen opened, Sutton was only aware of one murder and one suicide on this settlement.

The anthropologist—who is a supporter of land rights—notes that this community's traditional lands have always been accessible 'albeit increasingly under mission supervision until the 1970s'. The community also observes traditional ceremonies and speaks tribal languages. But valuable as they are, these things failed to arrest the serious decline in community wellbeing.

Sutton decided to speak out after attending a double funeral in 2000 for two of his closest friends from this blighted settlement. He called for a more open, honest and rigorous debate, shorn of political point-scoring and moral vanity. He declared that

the time is over for tinkering around the edges . . . 'indigenous disadvantage' in Australia does not show enough signs of improvement in critical areas to allow for any further complacency about the correctness of existing approaches; indeed, many Aboriginal people . . . have actually suffered a decline in wellbeing in recent decades.

. . . The contrast between progressivist public rhetoric about empowerment and self-determination, and the raw evidence of a disastrous failure in major aspects of Australian Aboriginal affairs policy since the early 1970s is now frightening. Policy revision must go back to bedrock questions, with all bets off, if it is to respond meaningfully to this crisis.

Sutton urged that all policies affecting indigenous people should be up for discussion, including 'the question of artificially perpetuating "outback ghettos"'. He noted that an artificial silence about the complexity of the causes of the indigenous crisis had 'comforted . . . those on both ends of the political

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spectrum with ideological axes to grind'. This, in turn, risked weakening traditional liberal support for indigenous causes. He concluded: 'A relative silence promoted and policed by both the Left and a number of indigenous activists has created a vacuum in public discussion that has been filled in recent years by those pursuing the agendas of the Right . . . The use of racial criticism to exclude non-indigenous voices from debates . . . has in this sense backfired.'

### **BREAKING THE IDEOLOGICAL GRIDLOCK**

In 1996, towards the end of her term as chairwoman of the Aboriginal and Torres Strait Islander Commission, Lowitja O'Donoghue took a calculated risk. She gave an interview to the *Age* newspaper, in which she admitted that the structure of the peak Aboriginal affairs body gave rise to serious conflicts of interest.

In a later interview with me, she spoke of the need for radical reform of ATSIC to end what she saw as 'entrenched pork-barrelling' by ATSIC's commissioners and councillors. 'Black politicians are no different from white politicians,' she told me. 'They have to produce. They have to respond at the local level. I just thought it would be easier to get rid of pork-barrelling. It's just not a good idea to have elected councillors and commissioners [who make policy also] making funding decisions.'

O'Donoghue was savagely attacked by the ATSIC board for her outspoken criticisms. One board member called for her resignation. For all its rhetoric about free speech and the need to improve accountability in Aboriginal organisations, no one in the Howard Government publicly backed O'Donoghue. Nor did anyone from the Left speak up in support of her. Yet her suggested reforms would have done much to neuter those critics of ATSIC who bemoan the organisation's lack of accountability.

O'Donoghue's experience emphasised the difficulty facing

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any Aboriginal leader trying to speak out in the face of political opportunism and ideological constraint. One who has managed to crash through the gridlock is the former Cape York Land Council chief, Noel Pearson.

Roughly three years ago, Pearson made front-page headlines and news broadcasts around the country with his comments that endemic welfare dependence was poisoning indigenous people, resourcing a 'parasitic drink-and-gamble coterie' and stripping communities of a sense of responsibility. In this and subsequent speeches and articles he stressed the ruinous effects of three decades of 'passive welfarism'. He also called on indigenous leaders to stop disempowering their own people by constantly portraying them as 'victims'.

Pearson argues that the indigenous affairs debate has been characterised by flawed central assumptions about indigenous disadvantage. These assumptions accord with progressive thinking but fail to explain how material and financial improvements have been unable to prevent social problems escalating to 'horrendous' and 'outrageous' levels. He decries the notion that dispossession and discrimination can be blamed entirely for the epidemic of alcoholism and petrol sniffing among Aboriginal youths. Instead he finds the immediate causes in a ready supply of (social security) cash, no work, too much free time and a permissive social ideology.

Similarly, he challenges the assumptions that dismal outcomes in Aboriginal health and education can all be remedied by the state and the community. Ensuring that a child gets a good night's sleep so she goes to school alert, and providing moral support outside the classroom, is—he argues—something only families can do. While chronic truancy rates mean many Aboriginal children from rural and remote areas are leaving school illiterate, it has been taboo to lay any responsibility at the feet of parents. It is a mark of how crippled and sanitised debate has become that the commonsense truths espoused by Pearson can be seen as not just daring, but innovative.

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Pearson has brought clarity where there was obfuscation; rhetorical forcefulness where there was handwringing; searing insights about his community's dire, internal problems where there was an over-simple projection of blame. His contribution at a time when ideology and political expediency are stifling public debate cannot be overstated. Nor can the risks he takes in appropriating negative stereotypes in order to confront the causes.

### **LESSONS FROM THE PAST**

Today, it is widely assumed that only people with malign intentions were behind the protection and assimilation policies under which many Aboriginal people's fundamental rights—from freedom of movement, to earning and spending an adult wage—were denied. The word protector, for instance, is now code for 'abuser'. Few stop to ask how it came about that a role originally designed to shield Aboriginal people from the worst violence and sexual aggression of Europeans on the relentlessly expanding frontier of white settlement, came to mean its opposite.

The former governor-general and architect of the post-war 'welfarist' assimilation phase, Sir Paul Hasluck, has written of how assimilation was at the cutting edge of liberal thought when it was first talked about in the late 1930s. The idea that Aboriginal people 'could be as good as the white man' at a time when they were commonly dismissed as primitive nomads driving themselves to extinction, was seen as a kind of idealism. In the 1950s, the notion that indigenous people could be 'elevated to the standard of the white'—if only they would live just like whites—was seen as de-emphasising race in a world still coming to terms with the Jewish Holocaust.

Well into the 1960s, progressive, leftist organisations such as the International Labour Organisation supported the

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assimilation of dispossessed indigenous peoples into modern society, so long as force and coercion were not involved.

But it is plain that there was little national discussion when those well-intentioned if tragically misconceived policies turned into inflexible dogma. Today we know that in the name of assimilation, several generations of Aboriginal children of mixed descent were forcibly removed from their mothers, especially if they were (in Hasluck's words) 'light-skinned' and judged 'to have no strong family ties'. It is indicative of the entrenched state of contemporary debate that *Shades of Darkness*, Hasluck's 1988 account of twentieth-century Aboriginal affairs, betrayed barely a flicker of discomfort about the brutal excesses of the assimilation era, especially during the interwar years.

That assimilation policies could have been so idealistic in conception, yet so destructive in practice, demonstrates the failure not just of governments, but of society as a whole, to robustly question their aims and effectiveness. High-minded rhetoric about equality blinded people to blatantly racist objectives—the suppression of the Aboriginality of 'half-castes' in order to 'elevate' them into white society. The lack of searching inquiry should provide a salutary lesson for us today.

Three decades after the formal adoption of self-determination, it could not be clearer that white and black Australians are failing in their attempts to significantly improve indigenous living standards. The public debate that should be interrogating this failure is at once volatile and emptied of meaning; observing taboos has become more important than exposing multi-faceted or unpalatable realities.

History tells us that solutions unilaterally imposed by outsiders, whether well meaning or malignant, are doomed to failure. But history also tells us that in pursuing justice for Aboriginal and Torres Strait Islander people, the stakes are too high, the effects of past policies too debilitating, to place even the most well-meaning self-determinationist strategies beyond public scrutiny.