

### Professor Mick Dodson writes:

None of us is in any doubt that we have to intervene to make children safe. We have a responsibility to do this, so does government. But we must draw the line on responses that involve racial discrimination.

My life is littered with abuse. When I was growing up I got abused because of who I was. I got called names for being black, I got excluded for being black. I was treated as inferior for being black. I got told I would not amount to much for being black. I was told I was unworthy for being black.

I was told my culture was primitive because it was black. I was told my mother's language was unintelligible gibberish because it was black. I was told I was uncivilised because I was black. I was told I had to be white.

This was all abuse.

And how did I react to all this abuse? I got abusive. I punched the kids in the playground and on the sports fields. I screamed at the teachers and headmaster. I threw tantrums and sulked. I wagged school to get away. What did this achieve? Bugger all! My abusive behaviour reinforced the views of me and mine in the eyes of my abusers. Just another useless black fella ("the whole lot of em").

By the time I got to about 14 or 15 I realised this. I realised that being abusive back didn't get me far. What was the problem? Well I now knew it wasn't me that was the problem in spite of all the conditioning.

I realised I shouldn't be blamed for being black. Being black is not a blameworthy thing. In fact blame as a reaction is not particularly useful at all to any perceived problem. So being sick of being blamed for being black is not a way out of the problem until you realise, like

I did, that it was not my problem. It's not me who is uncomfortable with being black - it's some other people. So it must be their problem.

Bingo! All solved, I thought, but it's not so.

Being able to identify the problem and who has it does not always make it go away. You see, most people who want to abuse you in this way do not accept they have a problem. Most of them deny it or make excuses.

But the decent ones do not and you cling to them.

When I got older and went to university and got an 'education' I found a name for this problem. It's called racial discrimination. It's another form of abuse. By then, like nearly all kids who are different growing up in this country this form of abuse is part of everyday life for you and you build up defence mechanisms including identifying the problem as not yours. When you grow up you teach your kids the same defensive responses and you hope they will teach your grandchildren because you know the problem is going to be around for at least that long. This does not mean you walk away from the problem -- you try to fight it in different ways through education, awareness raising, information sharing and through other processes such as reconciliation. You endeavour to assist people to deal with their problem. You do not accept silence as an option. You certainly don't make excuses or seek to excuse.

I know today our kids get abused, our women get abused, even we get abused from time to time. Indeed we are sometimes abusers -- I know I have done so. I have not been immune from giving someone an abusive verbal spray, I have not been free from pouring scorn and ridicule on others. Abuse is all around us. We need to desperately do something about it when it's our kids who are being abused. We all know that. It's a given.

But, we now have draft legislation which uses a form of abuse in the name of stopping abuse. What an abuse of process this is. It is an assault on democracy and an abuse of decency. We are asked to accept abusive government behaviour in our name to stop abuse. We are asked to believe these are 'special measures' so we can be comforted that they comply with the Racial Discrimination Act. We are told we need to accept this so that country can meet its international obligations. We are asked to accept that just to be absolutely sure our government needs to 'dis-apply' the RDA.

Just in case -- just in case we are asked to name our problem. Just in case the 'special measures' turn out to be a big fat political lie. We are told we need to take people's land from them and remove their right to control access to that land in the name of stopping abuse -- yet we know in our heart of hearts that this has nothing to do with the issue of child abuse. Deep down we know it is something else.

I'm at a loss as to what to do. I've been fighting racial discrimination all my life I've run out of ideas.

But I know that no Australian should accept that racial discrimination is necessary in any context. It is too high a principle to set aside - as sacred as the rule of law itself. It is not excusable in any situation and is even more troubling when we know what needs to be done to make children safe and it doesn't involve racial discrimination.

**Professor Dodson is Director of the ANU's National Centre for Indigenous Studies.**

Patrick Byrt writes Re: Intervention bills should abide by Discrimination Act: HREOC:

<http://www.abc.net.au/news/stories/2007/08/08/1999887.htm?section=justin>

The Human Rights and Equal Opportunity Commission (HREOC) says the Federal Government should amend its Northern Territory intervention legislation so it abides by the Racial Discrimination Act.

The bills, which were introduced into Parliament yesterday, will allow the Commonwealth to take over Aboriginal communities in an effort to stop the sexual abuse of children.

The Opposition has also called for the bills to be amended so they include protection from racial discrimination.

HREOC president John von Doussa says if the Act needs to be sidestepped, then the plan should not go ahead.

"The total package, in the Government's view, is a special measure," he said.

"The view that we take is that [the Government] should have been able to demonstrate that and if they can, there is no contravention of the Racial Discrimination Act.

"It's unfortunate that they see fit to go one step further and say that the Racial Discrimination Act doesn't apply."

Patrick T. Byrt.

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