

## **An entire culture is at stake** (emphases throughout have been added)

From:

<http://www.theage.com.au/articles/2007/07/13/1183833765256.html?page=fullpage#contentSwap2> <

Patrick Dodson  
July 14, 2007

JUNE 21, 2007, may well be seen as a defining date in Australian history. That day changed government/indigenous relationships profoundly when Prime Minister John Howard announced that his Government planned to seize control of 64 Aboriginal communities in the Northern Territory and place them under martial law.

The intervention, and the accompanying headline-grabbing phrase "rivers of grog", was used as the political trigger for an unprecedented use of the military and police to occupy indigenous communities. Their role was to support a regime of coercive paternalism in which grog and pornography were to be banned, medical examinations imposed on children, and welfare payments managed and linked with school attendance.

There continues to be a wide perception in the indigenous community, and considered opinion across the nation, that the "national emergency" intervention strategy is motivated by political factors in an election year. It lacks integrity.

At the same time, there is potential to transform the Howard Government's intervention into a historical opportunity. There is the possibility of sustainable community development based on a partnership between Aboriginal communities and both the Northern Territory and the Federal Government.

There is no argument that the urgent immediate priority is to protect children. The welfare of our children and our families remains the key to our lives and future. But this priority is undermined by the Government's heavy-handed authoritarian intervention and its ideological and deceptive land reform agenda.

The agenda is to dismantle the foundations of the Northern Territory Aboriginal Land Rights Act. It seeks to excise residential community settlements from the Aboriginal land estate under special Commonwealth Government five-year leases, and the abolition of an authorisation entry protocol called the permit system.

The Government has not made a case in linking the removal of land from Aboriginal ownership and getting rid of the permit system with protecting children from those who abuse them. What is becoming increasingly clear is that the Howard Government has used the emotive issue of child abuse to justify this

intervention in the only Australian jurisdiction in which it can implement its radical indigenous policy agenda.

Reforming indigenous land title is central to the Howard Government's national indigenous policy program: an agenda that has been swept along by an alliance of established conservative forces that have long opposed Aboriginal self-determination and land rights with more recent and strident ideological thinking associated with free market economics and notions of individual responsibility.

In recent years, high-profile think tanks, the Centre for Independent Studies and the Bennelong Society, supported by a network of conservative journalists, have fundamentally changed Australian indigenous policy discourse.

They have argued that only private ownership of land can generate wealth and provide the basis of community cohesion and functionality. They have asserted that communal land ownership and governance structures that reflect indigenous traditional decision-making imprisons indigenous people in welfare ghettos and locks them out of the benefits of modernity.

The fundamental changes proposed for the land rights act that mandates Commonwealth Government control of the Northern Territory communities would be a devastating setback for Aboriginal rights.

The Northern Territory ALRA is the iconic declaration of the Australian nation's intent to restore to Aboriginal people the dignity of their traditional lands.

Under the Land Rights Act, all Aboriginal reserves gazetted during the protection and control era were transferred to Aboriginal ownership and the Northern Land Council and Central Land Council were established as statutory bodies to help traditional owners prepare claims and represent their interests.

The act liberated Aboriginal people in the Northern Territory from their subordinate and colonial status and became an inspiration for much Aboriginal land legislation that has been passed in every Australian jurisdiction with the exception of Western Australia.

**More than half the Northern Territory land mass is Aboriginal land containing more than 700 indigenous communities, the vast majority of which are small homeland communities.**

**There should be no doubt about what is at stake here. The Government's agenda is to transform indigenous larger settlements into mainstream towns and extinguish by attrition the capacity of indigenous people to maintain small homeland communities.**

**These settlements have become the lifeblood of cultural regeneration as**

**indigenous people, by their own determination, relocated in extended family groups to traditional country after the collapse of the feudal pastoral industry regime and closure of church missions in the 1960s and 1970s.**

A few years ago, assimilation was comprehensively rejected by mainstream Australian society as racist. That it should be back in vogue as this Government's indigenous public policy direction reflects the paucity of intellectual and philosophical discussion about the position of indigenous people in Australian nation building. While large sections of Australian society can indulge in contemporary grief about past injustices inflicted on indigenous peoples, there is a pervasive silence about the policies of national, state and territory governments.

Public discourse on the social and economic crisis that engulfs many Aboriginal remote communities is dominated by notions of worth within a Western understanding of an ordered society. Central to the indigenous welfare reform debate is an assumption that the provision of welfare without reciprocity entrenches passivity and with that comes powerlessness, depression, alcohol and drug abuse, self-harm, violence and child abuse.

The conservative response to this human tragedy is to advocate removing the barriers that separate indigenous communities from mainstream society. The institutional features embedded in remote communities that protect indigenous people's identity and ways of life are the very barriers that conservatives insist should be removed.

Communal land ownership, indigenous community governance and indigenous control over people entering their settlements are all at stake.

John Howard will exploit indigenous voices in this debate to validate an ideological agenda to absorb indigenous people into the dominant society.

There is doubtless integrity to key aspects of the welfare reform agenda. Reconstructing Aboriginal society where mutual respect and obligations based on traditional values and customary law is supported across the spectrum of indigenous leadership. But welfare reform must be a subset of an indigenous political agenda that demands the recognition of traditional land ownership as a basis for indigenous people to exist and thrive as distinct peoples.

**Australians should try to imagine the consequences of the cultural genocide that the Howard Government's Northern Territory intervention foreshadows. Withdrawal of funding and welfare pressures on homeland communities will cause a drift of population to larger communities. Social problems will simply be transferred. The inevitable breakdown of law and order will result, followed by an increase in arrests and incarceration.**

**The authoritarian and paternalistic nature of the Howard Government's intervention will inevitably fail. There is no strategy for collaboration and partnership with Aboriginal people. This is an Iraq-style of intervention with no exit strategy or plans for long-term economic and social development.**

In response to indigenous demands for consultation, Howard has repeated the mantra that the time for talking is over and that the old ways have not worked.

These are simply weasel words from a Prime Minister who dog-whistled Pauline Hanson's agenda and captured her party's constituency. The essence of Howard's strategy is speed. His goal is assimilation.

While traditional owners have made substantial gains in securing title to their lands under the Land Rights Act, the people living on the lands have been subject to the vagaries of piecemeal housing and infrastructure programs.

The unintended consequence of the Government's intervention has been a focus on the issue of long-term under-investment. Media scrutiny is highlighting appalling overcrowding where on average 20 people share a house. This reinforces a central theme of the Northern Territory inquiry that tackling this issue is fundamental to managing child abuse.

The Centre for Aboriginal Economic Policy Research in Canberra estimates that \$1.4 billion of housing investment in Aboriginal communities will be required just to fix the backlog of housing needs in communities over the next four years. Plans to link child welfare payment with school attendance highlight the appalling lack of education facilities and teacher numbers.

An alternative and inclusive plan should be developed. Such a plan would guarantee the fundamental recognition of Aboriginal land ownership as a basis of partnership. The plan would address issues of land and welfare reform matched by long-term public investment in housing, education and health facilities.

The plan could incorporate original aspects of the Government's strategy such as the ban on alcohol and pornography, and linking child welfare payments to school attendance. However, it would also offer a corresponding investment in treatment and rehabilitation services with an assessment of a long-term investment program in education and training.

Excising settlements from the Aboriginal land estate is unnecessary and divisive as is the appointment of administrators to manage Commonwealth programs. A more effective proposal would be to transfer community settlements to the Northern Territory Government under a 99-year lease arrangement. This transfer would enable the delivery of a wide range of citizenship services to indigenous communities while providing a development approach for housing investment. It would also seek to offer a long-term vision for a partnership with indigenous

communities where they would be given an increased role and responsibility over their lives and futures.

In such a possibility, and in such a vision, sexual abuse, violence and dysfunction within communities could be positively and seriously addressed.

This is a possibility and vision that offers hope. The present Government interventions offer little. Policies aimed at improving the long-term quality of life for Aboriginal people must involve Aboriginal participation and decision making.

Patrick Dodson is chairman of the Lingiari Foundation.

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