

## **Submission on Stronger Futures in the Northern Territory Bill 2011**

I note that this Bill provides for alcohol management plans to be approved by the Minister for Indigenous Affairs and for a review on whether alcohol-related harm among aboriginal people has reduced; enabling the Commonwealth to amend Northern Territory legislation by regulation relating to community living areas and town camps to enable private ownership in town camps and flexible long term leasing arrangements for business in community living areas; and providing for a community store licensing scheme to operate for a ten-year period to provide food security for Aboriginal communities.

My submission is about the method of executing measures aimed at improving the life and prospects of people living in Aboriginal communities. Note that I have lived and worked in five remote Aboriginal communities in the Tiwi Islands and North-East Arnhem Land over the past decade.

The way the federal intervention has been executed – by both Liberal and Labor federal Governments – has been based on what non-Aboriginal people think should be changed in Aboriginal communities. The intervention has been rushed from the outset, with far too little effective consultation across the full spectrum of communities affected. But more than this, it has been patronising in its application, and has accelerated the disempowerment of Aboriginal leaders in their communities.

Policy makers need to better understand the extent and nature of the changes that have been brought onto Australian Aboriginal people over recent decades, and the impact of these from their point of view.

A key issue that needs to be addressed within the Aboriginal communities is the re-empowering of Aboriginal leaders and helping them appreciate the ramifications of changes they're asked to decide on – it is their future after all!

Changes affecting Aboriginal communities need to be made in a sustainable way. When considering commercial developments on Aboriginal land, for example, there needs to be planning well in advance of the start-up, especially to ensure that local people are adequately trained and ready to take on meaningful roles. Planning of Government changes also needs to ensure that local decision making is not replaced with management by outsiders, and that smaller communities which are well suited to maintaining a healthy traditionally influenced lifestyle are not abandoned at the expense of larger communities.

For example, the 2007 Federal Government intervention purported to be directed at addressing the explicit threats stemming from alcohol abuse and other serious issues reported in a small number of communities. However the manner of its introduction sent disturbing messages to residents, eg, flying the Army in from day one, appointing a host of ex-Army Government Business Managers, replacing locally managed alcohol control measures with externally managed measures, and then imposing income management measures. The people felt that they were not trusted.

Just as importantly, it failed to address the underlying cross-cultural issues and the more insidious threats, and even exacerbated those through the disempowering nature of the process. I agree fully with what Marion Scrymgeour (former NT Deputy Chief Minister) said in her 2007 Charles Perkins Memorial Oration:

“The National Emergency Response legislation doesn't address any of the 97 recommendations of the 'Little Children Are Sacred' report, and as Pat Anderson, one of the authors, said: 'There is no relationship between their emergency powers and what's in our report.' The measures rolled out represented a lazy and misdirected response to that report, a 'one size fits all' approach in which a Canberra devised solution to some problems in some communities was unilaterally shoe-horned into numerous diverse communities. At the heart of the government's dismissal of the report is its deliberate rejection of the recommendation 'that governments commit to genuine consultation with Aboriginal people in designing initiatives for Aboriginal communities'. That is, that the values and principles which motivated the Commonwealth in its first Intervention in 1911, continue to motivate the Commonwealth's response to Aboriginal people 96 years on. Instead of compassion and a working through of the ways and means of reaching mutual understandings and solutions, thousands have been tarred by the same brush.”

I have not yet seen evidence that the Stronger Futures adjustment to the intervention will turn things around.

There can be no dispute that many communities did benefit in a material sense from the intervention, in particular through the building of new houses. But this has mainly been focused on larger communities, with too little assistance to smaller communities and outstations. And even in the larger community on Bathurst Island, the housing assistance was traded for a 99 year lease of the land to a southern based organisation which assumed management of all property in the community. Other changes made at the time of the intervention included the scrapping of Community Advisory Boards on Tiwi Islands. These were made up of

Tiwi people and had specific powers for setting priorities through the local Council, and they also had a general community management role. They met monthly and were breeding grounds for Tiwi leaders. However they were replaced with consultative groups with no powers, which have rarely met since.

What is needed now is an approach in which a broad range of people from Aboriginal communities participate in a committed way in helping to clearly identify the aspects of Aboriginal culture (both traditional and adapted) which should be retained, and even in many ways emulated by the wider Australian society, as well as those aspects which should be “managed”. These consultations should focus on how those aims could best be achieved, ie, through the local communities rather than by outside management. Sufficient time also needs to be allowed for this process to play out, to ensure that the characteristics, issues and proposed measures are clearly understood by all.

The ultimate success of the approaches that are taken rely on having strong leaders in Aboriginal communities, and leaders in Government who listen well. Much depends on the strength of all these leaders.

The plight of the leader in an Aboriginal community is not well appreciated; those educated in the modern culture are less able to understand the traditional world view or modes of communication, and those more comfortable with the traditional culture are often unable to properly understand the more insidious risks and threats coming from modern culture to the stability and continuity of the core elements of their lifestyle.

The prevalence of misunderstandings and the difficulty that people have in appreciating what is implied but not stated by others is due to two factors: (1) differences in the way traditional Aboriginal people and non-Aboriginal people think and communicate; and (2) difficulties that Aboriginal people have in obtaining a sufficient appreciation of an issue, and thus being able to receive advice confidently and make decisions without feeling they are being coerced.

Richard Trudgen explains the need for Aboriginal people to understand the full story about issues which need to be decided in his book, ‘Why Warriors Lie Down and Die’:

“The Yolngu think in terms of pictures, diagrams and relationships rather than English words. Communication problems can be seen by looking at two levels of thinking: understanding comes readily at the tangible level (things you can talk about and demonstrate); but not so much at the intangible level, where English words are often misinterpreted by Aboriginal people for whom English is a second or third language, causing confusion, sometimes critical. The Yolngu system of law is based on ‘dhudi dhawu’ – or deep story/bottom story; the truth that’s left when everything else is taken away.”

We need to continue to strive for an understanding of the fundamental differences between Aboriginal and modern cultures. This is needed for the sake of those still living in Aboriginal communities, and for everyone else. As Aboriginal people transition from traditional to new ways, there has to be a recognition of the positive characteristics of the old ways so that we can all learn from and adopt them in our common future.

This is what Bob Randall has to say in his book, “Songman”:

“For us to be able to reconcile with the colonisers of Australia, the blockages that continue to keep us powerless must be removed, including welfare and unemployment benefits. We Aboriginal people need to regain our spirit, which has been so connected with our land that when that was taken from us we felt we had nothing left. Spirituality is the ultimate answer to reconciliation in Australia. Loving ourselves, our families, our neighbours, our countrymen and every other living thing is the reason we are here on earth.”

The challenges are two-fold: finding ways for the key aspects of Aboriginal cultural and philosophical traditions to be held and sustained into the future; and finding ways for the rest of the population to learn and benefit from these by absorbing them into the general Australian way of life. In meeting these challenges it is of utmost importance that people think deeply, and not stop half way. We have to go beyond simplistic regulatory measures coupled with symbolic gestures, and do the hard yards in exploring traditional practices and thinking, and realistically mapping out where we should aim to get to, and how we could get there.

I would welcome any invitation to further discuss these matters.

Regards,

Frank Kennedy