

Essay

The end of 'big men' politics

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EARLY THIS YEAR I was approached by many young women, mothers, grandmothers, and those who work with them. At first I was nervous about what they may say: I knew I had stepped beyond what was expected of me in my *Griffith REVIEW Edition 19* essay 'Trapped in the Aboriginal reality show'. I had prepared myself for hate mail and abuse, and that came, but for each abusive comment there were at least an equal number of women who contacted me and said, 'You spoke for me'.

One woman pushed me to confront the core of the problem: 'You and I know that the problem is *big bunga* politics.' If you haven't been in the Aboriginal world in the last thirty years, you may never have heard this phrase, but for those of us who have spent our lives fighting racism, agitating for change, for evidence-based policy, it describes something we know too well – the *real politic* of power in our world – power that is all too often used against women and children, power that takes many forms, and has too frequently been used for personal aggrandisement. The *big bungaway* – a scatological term used to refer to the 'big man' syndrome – works to the advantage of a few and has become normalised, and even glorified, in some circles. Meanwhile, assault, rape and an astonishing variety of other mental and physical forms of abuse have become the norm in far too many communities and families.

The symptoms of this are becoming increasingly well known – manifest in both vertical and lateral violence. At its core, there is a pattern of entrenched violence directed both against those in positions of official power, and poisonously and insidiously against those close by who have little power or capacity to respond. Violence as a proxy for power traumatises Indigenous families and communities in Australia, and in other countries that share a history of colonisation and displacement.

Vertical violence involves responses that are usually, though not always, disproportionate and dysfunctional, such as attacks on police officers, vehicles and stations. Anyone in a position of authority may be a target, as settlement battles are replayed. At times, the attacks are a response to abuses of power, but more often they are booze- and dope-fuelled rampages, such as the attacks which have been reported from time to time at Aurukun and Wadeye and the assaults on nurses and teachers. The usual result is that the nurses and teachers retreat, police officers are evacuated for a period of time and the gangs take over these townships, exacerbating the lawlessness, anarchy, crime and lateral violence – violence against their own.

In brief, the idea is that dissatisfaction and anger are expressed through acts of violence against the institutional supervisors, such as police, nurses and teachers. The consequences of this vicious, repetitive type of violence are that a parallel power structure evolves; the 'big men politics' that lie at the heart of both lateral and vertical violence that are reported much too regularly from Aboriginal Australia. It is painful and difficult to explain, but this is what I hope to do here.

BIG MEN POLITICS describes the endemic pattern of lateral violence that plagues Aboriginal family and community life, especially – though not exclusively – in remote Australia. It also encapsulates the dysfunctional response of mainstream Australian political institutions to the accelerating crisis in the Aboriginal world.

Many remember the *big bunga* politics that brought the Aboriginal and Torres Strait Islander Commission (ATSIC) into disrepute and finally led to its disestablishment in 2004. Periodically throughout the life of that body, Aboriginal men and women who were without doubt leaders in their communities became embroiled in political theatre led by 'big men' who failed to show leadership on the most pressing issues in those communities: housing, health and education. While the first chair, the gracious but formidable Lowitja O'Donoghue (who started her long and distinguished career as a nurse) was at its helm, the body proved successful at influencing governments, negotiating bilateral federal-state arrangements for Indigenous programs, and leveraging state funding allocations with Commonwealth 'carrot' funding. Under less charming and persuasive leaders, rather more successful at football and boxing than the caring professions, the organisation faltered and left itself open to charges of incompetence and failing to fulfil its obligations.

When I chaired the National Indigenous Working Group on Native Title in 1997 and 1998, following John Howard's Ten-Point Plan for native title extinguishment, I would schedule the difficult agenda items for times in the afternoon when I knew that troublesome ATSIC commissioners would be at the TAB betting on horse races. If they were binge drinkers or carousers, the tactic was to start the meetings at the earliest possible hour of the day, or even worse, cut into their social time by reconvening meetings after dinner with an announcement that it would be a drafting session. Assured that copies would be available in the morning, the 'big men' and their flying wedges of advisers and minders would retire and leave the detail to mere lawyers and policy advisers. Thus we would be left to do the real work while they held court with the Canberra press gallery and the staff of ambitious backbenchers seeking to extract information to sell to columnists or political masters. These 'exclusive' stories would detail the lurid, scatological conversations of the 'big men' and what passed for their stratagems in attracting the attention of Cabinet members. In winter, we could pretend that the heating – set too high – did not work, and in summer that the air conditioning – set too low – could not be changed. These were the tactics that women used to ensure positive and achievable outcomes and to avoid being bullied into enforced compromises and silence.

We didn't call it lateral violence, but we were trying to find ways to work around the limits of this world. For those of us in leadership positions, lateral violence took the form of verbal abuse, character assassination and innuendo. Lateral violence is the expression of anomie and rage against those who are also victims of vertical violence and entrenched and unequal power relations. Those most at risk of lateral violence in its raw physical form are family members, and in the main, the most vulnerable members of the family: old people, women and children. Especially the children.

Lateral violence is not something unique to Aboriginal Australia. It blights other indigenous peoples as well – in North America, New Zealand and elsewhere. It is increasingly recognised for the harm it does. Lateral violence has many detrimental impacts, and leads to heightened levels of mental illness. Just as sudden – and indeed, constant – death results in a state of permanent grief in some communities,[i] so too the constant bullying and 'humberging' result in a social malaise akin to grief. Mood swings and disorientation, fear and a poor level of response to ordinary events are typical of the low-level but persistent post-traumatic stress disorder that manifests in these milieux of constant bullying, aggression and humiliation. Nurses working in remote communities have recognised this form of violence, and it has been recognised as a key issue in their workplace health discussions. Canadian psychologist Lloyd Robertson has identified the causes and symptoms, and argues that it is essential to acknowledge this harmful behaviour. He reported comments by Mohawk Rod Jeffries: 'Lateral violence has impacted indigenous peoples throughout the world to the point where we harm each other in our communities and workplaces on a daily basis.'^[ii] Robertson defines that violence as including 'gossip, shaming of others, blaming, backstabbing, family feuds and attempts at socially isolating others'. According to Jefferies, 'This form of violence occurs when out of anger and frustration, an oppressed group turns on itself and begins to violate each other'. Robertson argues that, as a result, the combination of a lack of trust, favouritism and highly defensive people has resulted in poor services, rigid and arbitrary enforcement of rules and a lack of healthy communication. Community spirit has suffered and people have largely stopped volunteering to help their communities become healthy: 'We have learned to oppress each other.'^[iii]

'By recognising actions such as malicious gossip as violence, we can better appreciate that this kind of mental assault can be just as damaging as physical violence. We can appreciate the trauma these attacks can have on others, and we can better understand how these attacks undermine both our communities and our own wellbeing ... We can challenge gossip, attempts to shame others, backstabbing, and other forms of lateral violence by pointing out how such actions undermine the balance, vision, trust and empowerment that we want in all our communities. We can challenge those who participate in lateral violence to prove to us what they say is true, and that their saying it will lead to a better community.'^[iv]

Other literature on lateral violence from Canada raises issues that are remarkably familiar. There are lessons to be learnt and implemented in Australia – for example, with regard to suicide rates. Together, intentional and unintentional injuries are the third leading broad cause of Indigenous Australian disease burden (healthy years of life lost due to deaths and disability). Suicide, road traffic accidents, and homicide and violence contributed to more than two-thirds of the Indigenous Australian injury burden. Suicides, of which 99 per cent were fatal,^[v] contributed to one-third of the disease burden. The conceptual framework for discussing these problems in Canada is sophisticated and therapeutic. For instance, another report provides a theoretical explanation for suicide. M.J. Chandler and Chris La Londe wrote: 'The central idea ... is that people who undergo radical personal and cultural change are at a higher risk of suicide ... The data shows that there is substantial variation in suicide rates across the province and that the differences might be explained by cultural continuity. There is a strong correlation between communities that have made an active and collective effort to engage in community practices, which preserve and develop cultural continuity, and low youth suicide rates. Specifically ... particular cultural factors may help to strengthen or re-establish a healthy cultural continuity. Markers of cultural continuity are land claims,

self-government, education services, police and fire services, health services and cultural facilities.'[vi]

There is an important qualification in this quote about developing cultural continuity. Chandler and La Londe use the expression – and I emphasise it – '*healthy* cultural continuity', and tackle problems that we too must acknowledge and bring into the policy debate. They identify two key issues in the North American context that also apply here: isolation and privilege.

They write that the isolation of community members from the outside world is a serious problem. Too many young people conclude that the only place they can live is on the reserve. Most First Nations people appear to consider their lives normal because of their lack of exposure to life in other families and places, and their general lack of education. In addition, many communities are divided between those who are politically connected and those who are not. The major difference is reflected in access to resources and opportunities, a difference that extends to the lives of children at school. Families of the first group enjoy preferences for work and other pay-offs. There is no equity, democracy or valuing of education and training.

These are important insights, which are directly relevant in Australia – although much of the debate here has been captured by ideological positioning and a rusted-on certainty about old and failed ways of doing things. The damage that is done by lateral and vertical violence is profound and debilitating. But confronting this is difficult: there is very real power at stake.

It need not be the case that every aspect of Aboriginal tradition is defended as worth retaining, in a Manichean struggle with racist ideology. It is crucially important for the future of the children, and future generations, to cast a cold, objective eye over Aboriginal society. With Howard and his class of haters now on the sidelines, it is finally possible to do so. We should be able to rationally and calmly consider the potential benefits that might flow from shortening the funeral 'sorry camp' periods of confinement, or limiting the impact of traditions such as 'house-cursing', and both respect traditions and provide a path to a safe and secure life.

ON JULY 4, 2008, I was sent an astonishing email which led me to pause and consider how Aboriginal men themselves must feel in this perverted gender war instigated by alcohol, drugs, poverty and endless humiliation. The email contained the text of an apology made by hundreds of men the day before at the first national Aboriginal Men's Health Conference in Alice Springs. The email was a lucid portrayal of their dilemma and potential by John Little of the Central Australian Aboriginal Congress. It concluded with the Inteyerrkwe Statement which declared: 'And finally, and most importantly, the Aboriginal men attending this summit would like to take this opportunity to make a very important statement. We the Aboriginal males from Central Australia and our visitor brothers from around Australia gathered at Inteyerrkwe in July 2008 to develop strategies to ensure our future roles as grandfathers, fathers, uncles, nephews, brothers, grandsons, and sons in caring for our children in a safe family environment that will lead to a happier, longer life that reflects opportunities experienced by the wider community. We acknowledge and say sorry for the hurt, pain and suffering caused by Aboriginal males to our wives, to our children, to our mothers, to our grandmothers, to our granddaughters, to our aunties, to our nieces and to our sisters. We also acknowledge that we need the love and support of our Aboriginal women to help us move forward.'

This was an act of courage and leadership, and a most sincere acknowledgement of the suffering of Aboriginal men and women. John Liddle's account of Aboriginal men is a far cry from Dr Germaine Greer's simplistic projection of their feelings in *On Rage* (MUP, 2008). One hopes that Greer was unaware of this statement and that, if she had been, she would have drawn quite different conclusions. I quote at length from John Liddle's important speech, which preceded the Inteyerrkwe Statement and apology:

Here I remind you what Rex Wild and Pat Anderson said: 'Aboriginal men have been targeted as if they were the only perpetrators of child sexual abuse in communities.' They confirmed that: 'This is inaccurate and has resulted in unfair shaming, and consequent further disempowerment, of Aboriginal men as a whole.' The Commonwealth Government's Northern Territory Emergency Response has also loomed large in our lives. While some provisions, most notably additional, long sought-after financing in our communities, are welcome, other aspects of the package have had mixed impacts, sometimes creating more disempowerment, sometimes creating opportunities for social and emotional breathing space.

But I would like to say that this Summit is really an outcome of the discussions that have occurred with Aboriginal males who have attended our Congress. Male Health Service in Alice Springs over the last couple of years, particularly those who have attended and participated in our discussion and information sessions to move beyond the frustrations of being scapegoated and blamed for all the ills in our communities. As one participant said to me, 'Not all men are bastards!' Congress agrees, and has seen many men come into our service, a unique service for Aboriginal males in Central Australia, and confront their own problems and those of their community. We have seen what a difference a responsive community-controlled service can make in people taking control of their lives.

That is what this Summit has been about: Aboriginal males taking control, not being given it, not having it forced upon them, but willingly taking up the difficult challenges that confront us all. Our struggles have aspects that are at times unique to us as Aboriginal people in this country but also sometimes have things in common with other males in the Australian society. Patrick Dodson has been quoted saying that: 'There has been a process of undermining the role and status of Aboriginal men within our society since the early days of Australia's colonisation and continuing in recent commentary around the Northern Territory Intervention.'

When you add to this the rapid changes in the role of males within that colonising society and the consequent dislocation of non-Aboriginal males and their struggle to define new self-images, it is no wonder that Aboriginal males may struggle to make sense of the contemporary world. And if those critical views of us as Aboriginal males are expressed with no effort to understand our cultural values, or the pressures caused by the colonial relationships and contemporary social transformations, then we become alienated from this society.

This alienation is at the core of the struggle for male health and wellbeing, as it acts to debase men, stripping away their dignity and the meaning in their lives. We therefore need to confront these social relationships that shape our health. This does not excuse inappropriate behaviour, but I believe may help explain our silences about the behaviour of those we know to be doing wrong.

This Summit is about reversing these imposed images of the disempowered Aboriginal male. In doing so, it draws upon the strengths of male culture as it still exists in our community and it draws upon the heritage of the many Aboriginal men and women who took control and established our community controlled organisations over thirty years ago. This change commences with the recognition that we are seeking our path as men, in two worlds, our Aboriginal culture and the broader Australian culture. We know those men that we need to emulate and learn from in our culture; and we will work with our young males and male children to strengthen these cultural connections.

Our culture is a dynamic one that will meet challenges. As Summit participants, we have pledged this to our communities. We also know that to walk in the broader community as equals we must be organised and have a strong program and a willingness to pursue it. This is essential. We can't ask others to do our work and we can't expect that our demands will be easily met. Many vital reforms flounder in their execution. Let's remember that it was nine years ago that the *Learning Lessons* report was written, seventeen years since the publication of the Royal Commission into Aboriginal Deaths in Custody final report, and we are close to the twentieth anniversary of the National Aboriginal Health Strategy.

Our task is to ensure that what we seek is within our power to pursue and achieve. That doesn't mean we don't seek additional commitments from governments, but that we can, as they say in government, 'apply the blow torch' to get the outcomes we want. Our first task is to ensure that Aboriginal male health is understood as our wellbeing. In addition to notions of personal confidence and resilience, our wellbeing is intimately and inextricably placed in our cultural relationships with each other, our communities and our social interactions and status. Therefore it is about the social relationships of our health.

The stories that we have shared in the last few days illustrate our state of health, and they can't be broken down into body parts. Do this and you keep undoing us, and you break us down as well. For Aboriginal males to work on their health issues they need safe places to explore their health. We need more Aboriginal male health services like Congress, that deal with all aspects of our health, that have a community development role, that deal with the social relationships of our health. These centres must be staffed with males; both Aboriginal and non-Aboriginal who wish to work in this community development, or holistic primary health care framework. We need to initiate actions and work with our women, to reinvigorate the health and wellbeing of our communities. There have been many proposals for concrete action on this at this Summit. We have defined roles and talked about the necessary support needed that will allow more males to participate as fathers, uncles, brothers and sons in providing a safe and supportive environment for our children (and other members of our communities) to live happier, healthier and longer lives.[vii]

There are communities where a hard-headed approach to neglect and abuse of children is being adopted and is beginning to bear fruit. One of the most important developments I have observed is the way that leaders in Cape York have dealt with the problem of child neglect. In 2007, I chaired a meeting of Cape York community leaders who were keen to discuss ways families and communities could ensure that children are not neglected or abused.[viii] The idea of commissions in each community made up of Aboriginal elders and community people, along with retired judges and others with expertise, was developed by the Cape York Institute for Policy and Leadership at the behest of community leaders. They proposed that hearings would consider children at risk and design a response that involves the family group and the community in ensuring safety and care for each child. Noel Pearson, Anne Creek, Alan Creek and other leaders proposed the Families Responsibilities

Commission as a means of ensuring family and community responsibility through a local court designed to hear cases of child neglect and abuse, and provide remedies. This work required legislative change and political support, and is now operating as the Families Responsibility Commission. This framework has the capacity to undermine both the vertical and lateral forms of violence that have done so much damage.

IN JUNE 2008, Jenny Macklin, the hard-working Minister for Indigenous Affairs, expressed her dismay at the findings of Western Australian Coroner Alastair Hope. In his 'stark report into the deaths of twenty-two Kimberley men and women', Hope explained the circumstances of twenty-one suicides in 2006, one of them an eleven-year-old boy. In one year, the number of suicides in this region doubled and Hope described 'a failed community', an 'appallingly bad' situation where the 'plight of little children is especially pathetic'. Many children suffer from foetal alcohol syndrome and most of them will never be employed. Macklin appealed, 'However confronting the situation is, we can't pretend it away and we have to fix it. We must get it right this time; we can't afford any more mistakes.'

In February 2008, Macklin spoke of 'a country within a country', where poverty and disadvantage are the norm and where children are condemned to a hopeless future: 'The reality we are facing today in many remote Indigenous communities stems from decades of entrenched pre-conceptions and vested interests.'^[ix] By identifying the vested interests, Macklin stepped beyond the accepted political rhetoric.

Four months later, she proposed a plan to trial welfare payment conditionality and income management to combat poor parenting and community behaviours in selected Western Australian communities, including in the Kimberley. She also announced her support for an expansion of alcohol restrictions across the Kimberley.

In a bilateral arrangement with the state government, she announced funding for Parent Responsibility Teams to work with Centrelink to improve parenting where children are being neglected and are at risk of abuse. As part of the case management of a family, Western Australian child protection officers will be able to request Centrelink to require a person to be subject to income management. Macklin declared, 'We are determined to stop neglect and abuse and restore social norms.' This indicated to me that she had listened carefully at the Strong Foundations conference in Cairns on June 25 and 26, 2007, when participants were asked to address what needed to be done to replace lateral violence with social norms that would restore community and family life, and ensure a happy, healthy and safe life for children. The welfare reform strategies, including tying parental responsibilities to school attendance, were the direct outcome of this meeting.

These federal initiatives in Western Australia are an evolution of the measures legislated and implemented under the Howard government's Northern Territory Emergency Intervention. In this case, however, the state government is a willing participant. The coronial inquiry was in part instigated by a campaign waged by local Aboriginal people, including the formidable June Oscar, partner of Patrick Dodson, although it has scarcely been reported in the eastern states.

There has been some opposition to these measures expressed by those who have rarely visited these communities, or lost sleep and health in the degrading environments where the grip of alcohol abuse has shortened lives and brutalised all who live there. Larissa Behrendt, the glamorous Professor of Law and Indigenous Studies at the University of

Technology, Sydney, took up the cudgels against these measures in a keynote address at the Melbourne Writers Festival in August 2008. In the published version, she castigates the Rudd government for continuing 'the policy directions of the Howard government', which she describes as 'ideologically led'. She argues that, 'Howard's agenda to fix the "Aboriginal problem" was a series of ideologically led policy approaches – assimilation and mainstreaming, mutual obligation and shared responsibility, unlocking Aboriginal community-controlled land so that it could be accessed by non-Aboriginal interests, the beliefs that home ownership is the panacea to intergenerational policy, and that all the "real Aborigines" live in the north.'[x]

This passage is revealing. It suggests that she believes these policies were invented for Aboriginal people in northern Australia not because their specific forms of disadvantage have geographical and economic causes, but because they are regarded as the 'real' Aborigines. Her charge that these policy approaches are based simply on a misguided belief that 'all the "real Aborigines" live in the north', tells us a great deal about her sensitivity on these issues, and her unwillingness to grapple with the very stark disadvantages suffered by remote area Aborigines because of isolation, enormous distance from labour markets and and a lack of the normal services to which urban dwellers are accustomed.

Behrendt has little first-hand experience of these communities, and seems to think that the proportions of the crisis have been exaggerated for political purposes. The lives of women and children in Yuendumu, Katherine and Halls Creek are not the same as those in western Sydney, where a large number of Sydney's Indigenous population live. Her critique of the Rudd government approach is astounding in its naivety. She declares: 'Rudd still follows a policy of mutual obligation and shared responsibility. The philosophy behind this works on the premise that the root cause of all problems in the Aboriginal community can be found in the behaviour problems of Aboriginal people and that forcing change through a carrot or a stick approach is the way to fix things. This is not just seductive to those whose prejudices are fed with this simple characterisation of dysfunction; it helps governments deflect attention from the fact that they continue to under-fund basic health services, provision of education and adequate housing in Aboriginal communities. Nowhere is the flaw in this approach more apparent than in the idea of linking school attendance to welfare payments. The failure of children to attend school is simply explained by bad parenting, yet the evidence that quarantining welfare payments will lead to increased school attendance rates is scarce.'[xi]

Although the trials in Western Australia will take place in both Aboriginal and non-Indigenous communities, she charges the Rudd Government with expediency and cynicism: 'Without waiting for the report from the independent panel led by Peter Yu that has been charged with reviewing the Northern Territory intervention ... Macklin has announced the further implementation of the policy linking school attendance to welfare quarantining. This makes a mockery of any claim that she is interested in proof of what works and what doesn't in relation to effective Aboriginal policy-making.'

Behrendt recommends a series of approaches, most of which have been used in the schools in the Kimberley for some time. She says these programs work. Unfortunately this is not the case. They work to an extent, but there is an intransigent sector of the Aboriginal community who do not send their children to school for a variety of reasons. The key reason is alcohol abuse. Immediately prior to the Australia 2020 Summit convened in Canberra in April by Prime Minister Kevin Rudd as the largest think tank in Australian history, one of the teachers from the Halls Creek School, Doreen Green, published a full-

page paid advertisement (funded by the Australian Children's Trust) in *The Australian* appealing for a moratorium on all alcohol sales in Halls Creek. Alcohol abuse, as Doreen Green well knows, disrupts family life and children are not brought to school. They stay home, and the cycle of truancy worsens throughout the year.

Even if his work is marred by an overly enthusiastic mimicry of the 'gonzo' journalism pioneered by the drug-crazed Hunter S. Thompson, Paul Toohey occasionally reports actual news, events that actually constitute new information for *The Australian's* audience. There is an expectation that a reputable news outlet will publish accurate accounts of events and that sources are checked and verified. In this case, the source was statistics published by the Northern Territory Police Force. Toohey's report was newsworthy because it identified Aboriginal people as grog-runners. For those of us who have encountered these purveyors of evil and destruction, it is a refreshing turn of events. In the less than ingenuous debates about the Intervention, the hot issue of the permit system and the access of the outside world to the vulnerable citizens of the Aboriginal gulags, Toohey outed the identity of the grog-runners.

On September 15, 2008 Toohey reported that the overwhelming majority of those summonsed or arrested for bringing liquor into alcohol-restricted communities in the Northern Territory in the previous fifteen months were Aborigines who did not require permits to enter. Territory police figures show that since July 1, 2007, ninety-eight Indigenous people have been summonsed for bringing liquor into a prescribed area, five non-Indigenous people and one person of unknown descent.[xii]

The complicity of Aboriginal people in the crisis extends beyond submission – by silence, co-dependency, failure to report criminal acts, and so on – to commission of actual abuses. In this case, the illegal importation of 'rivers of grog' into Aboriginal communities on Declared Areas under the *Liquor Act* – 'dry areas'.

In addition to the volume of alcohol that flows into Aboriginal communities, this is an insidious form of complicity, which has economic and status-enhancing advantages for the perpetrators. Policy-makers and opinion leaders have failed to understand that some Aboriginal people (principally 'big men') play a role in this crisis. Most opinion leaders have never encountered the grog-runners yet are almost unanimous in their support for re-instating the permit system, proposing that this system 'protects' Aboriginal people from harm. The police data undermines that mythology.

A significant proportion of the population in the Kimberley is highly mobile. Whereas the more sedentary or settled people in the towns may be three or four generations removed from their first ancestors who entered the settlements and homestead in the late nineteenth and early twentieth centuries, the mobile population is only a couple of generations removed from those who came in much later – some as late as the 1960s. Even in the 1980s, there were small groups who came in for the first time and returned again, unable to make the adjustment. How does the education system cater for these people? Barely any thought has been given to the problem, but it is certainly the case that none of the interventions listed by Larissa Behrendt has had an impact.

It may be time to conclude that other measures are needed to ensure that the children of these people also have access to education. This is why residential colleges are being built across north Australia. This is also one of the factors in linking parental allowance payments to school attendance. High mobility and extended visits for cultural reasons often extend far

beyond the requirements of observing culture, and become unproductive and often destructive forms of social pleasure and demand-sharing. The fate of the children in these circumstances is failure to attend school and, far too often, poor health.

There is another factor that escaped attention in Behrendt's address: foetal alcohol spectrum disorder, the numerous adverse effects on a developing foetus caused by consumption of alcohol by the pregnant woman.[xiii] Children at the most severe end of this spectrum who display the complete phenotype of characteristic facial anomalies, growth retardation and developmental abnormalities of the central nervous system are defined as having foetal alcohol syndrome.[xiv] While this is the most readily clinically recognised, there are other categories: 'partial foetal alcohol syndrome, alcohol-related birth defects and alcohol-related neuro-developmental disorder'.[xv] It is estimated that the rate of foetal alcohol disorder amongst Aboriginal children in Australia is one in forty. If this statistic is true, this is the highest rate of this disorder in the world. The next highest is in South Africa, where it is one in two hundred.[xvi]

Behrendt was defended by Germaine Greer of the University of Cambridge during her own star performance during the Festival at the Melbourne Town Hall – two thousand people were enthralled by this new feminist front. Not content with sisterly gossip and unity, Greer moved on to other targets. The thousands of people who converged on Canberra on February 13, 2008 to hear the Prime Minister's apology to the stolen generations will be surprised to hear Greer's view of the day. She declared that Indigenous people had not accepted Kevin Rudd's apology and that 'Recon-ciliation is a bitter joke'. Noel Pearson came in for some of her trademark abuse, for linking rights and responsibility. Interviewed on the ABC's *Lateline* on August 13, she declared all the efforts to overcome the problems of lateral violence tackled by Noel, June Oscar, Doreen Green and so many others a waste of time: 'Isn't it a curious thing that I write about the pathology of rage in this situation and it suddenly turns into a conversation about whether or not these people can get over it? What I am saying is they can't get over it and it's inhuman to ask them to get over it ... To me, it's absolutely outrageous that you back off and say "Why can't they take responsibility?"'

News of our impending demise is greatly exaggerated. Greer's announcement has the ring of previous pronouncements – Ted Strehlow's declaration of the extinction of the Arrernte people in the 1930s in Central Australia comes to mind along with Truganini, 'the last Tasmanian'. Greer has belatedly joined the ranks of the upholders of the 'great chain of being', or social Darwinism. Nineteenth and early twentieth century theorists foretold of the survival of the fittest – and the fittest were white. Greer has manufactured an account of our inability to swim against the tide of history, to withstand and transcend the abuse and assaults on our humanity. In this regard, her simplistic narrative has much in common with the findings of the now retired Federal Court Judge Howard Olney, whose use of the term 'the tide of history' was deployed to argue the extinction of the Yorta Yorta people.

The plight of Aboriginal children and women in remote areas of Australia thus serves as the subject of the parlour games of the dilettantes who have demonstrated little understanding of the problems, despite the fact that the reports and literature they cite: their understanding is second-hand, derived from other people's accounts. For them, the people in the 'outback' are the antithesis of their own moral universe, the privileged Western intellectual world that relegates suffering of the order experienced in Halls Creek to Gothic exotica. Their moral panic is staged to preserve a platform for learned but irrelevant ideas and cranky arguments.

My explanation of the views of these two women provides some clues as to why it is that few who operate in the ugly paradigm of the field called 'Indigenous affairs' regard the right to life of Aboriginal women and children as a principle guiding their deliberations and actions. Those most vulnerable are absent, except as symbols of a fantasia.

ONE OF THE dangers in the present debate is that the status of childhood is treated as if it were a universal experience. There is an assumption lurking in the discourse that the lives of children are best in a nuclear family. Many involved in the debate seem blithely unaware that childhood consists of widely varying experiences from society to society. In some, children must learn to kill things from the time that they can walk, even if hunting economies are on the wane with the introduction of cash economies and food sold in stores. The notion of a universal childhood has its origins in the twentieth century, and in the colonisation of lounge rooms by American television.

Walt Disney's animated films and features have achieved much more than the entertainment of generations of children: they have reconceptualised the place of children in society. Many of these films resonate with the Grimm Brothers tales and other stories of old. Global distribution has ensured that these sanitised and infantilised narratives of children lost in forests, stalked by witches and princesses, rendered comatose by poison or spells administered by witches, allowed two pre-ideas to dwell in our consciousness: children are vulnerable to evil, but they can be saved by the forces of good.

For so many children around the world, this fantasy is just that. Children are the first victims of war, conflict and famine and, increasingly, slaves in sweat shops and drug and prostitution rackets. The fate of millions of children defies belief. Reluctance to believe that children are at risk, often in horrifying circumstances, is an obstacle to efforts to provide protection and welfare. Global networks for those seeking missing and sexually exploited children use YouTube and Facebook to disseminate images and information about these children.[xvii] In Europe, the European Federation for Missing and Sexually Exploited Children, created in June 2000, has fifteen member countries and nineteen member NGOs. Children are used as soldiers by rebel groups and government forces in armed conflicts, and directly participate in wars, in at least seventeen countries around the world. Human Rights Watch campaigns globally to eradicate this scourge, and interviews the children: 'Physically vulnerable and easily intimidated, children typically make obedient soldiers. Many are abducted or recruited by force, and often compelled to follow orders under threat of death. Others join armed groups out of desperation. As society breaks down during conflict, leaving children no access to school, driving them from their homes, or separating them from family members, many children perceive armed groups as their best chance for survival. Others seek escape from poverty or join military forces to avenge family members who have been killed.'[xviii]

In Australia, Jenny Macklin announced in April 2008 that, 'State and Territory child protection systems are dealing with an unprecedented number of reports of child neglect or abuse'. She reported that the number of occasions where authorities found that a child either had been or was likely to be harmed, abused or neglected increased from 40,416 in 2002-03 to 58,563 in 2006-07.[xix]

The global dimension of the suffering of millions of children is a grim fact of modern life. And yet, in Australia, many of the responses to the Northern Territory Emergency Intervention were focused on the abuse of human rights, with little or no regard for the situation of the children. Critics simply did not believe the scale of the problem. When the

Taskforce delivered its report to the Minister in June 2008, the results (and the numbers) of children receiving medical treatment were disturbing; Child Health Checks in seventy communities had examined two-thirds of the children. As a result of specialist ear, nose and throat examinations of 669 children, forty-six had surgery and 227 children received non-surgical follow-up treatment. Non-surgical dental services were provided to 350 children and forty children were booked for dental surgery at Katherine Hospital. These figures give some indication of the extent of the failure to safeguard the health of Aboriginal children in the Northern Territory.

Despite their vulnerability, Aboriginal children have been used repeatedly to pull at the heart strings and manufacture a response. The way they were used by the Howard government appeared to have all the hallmarks of classic propaganda tactics. Yet the abuse of children cannot be ignored. The unprecedented nature of the Emergency Intervention – effectively a federal takeover of Northern Territory responsibilities – fuelled the intense media interest. But we cannot discount the shock effect on the journalists of the reports of the Crown Prosecutor in Alice Springs, Nanette Rogers, and the *Little Children are Sacred Report* of the inquiry into the sexual abuse of Aboriginal children in the Northern Territory by Rex Wild QC and Pat Anderson.

How is it possible that the cynicism expressed by urban commentators could almost – and still might – derail the Emergency Intervention? There are several strands of inquiry to pursue in answering this question, but the first must be the differential status of Indigenous children. Was the Howard government deliberately using their plight to wage war on Aboriginal people and deny them their rights, or were the urban elites victims of their own cynicism and disbelief about the scale of the problem? The answer partly lies in understanding the far-from-simplistic media responses to these problems.

The question in relation to the leftist responses to the Intervention is whether they were justified in their belief that the government's approach was a pre-election manoeuvre to win the hearts and minds of 'battlers' who never tire of alarming stories about Aborigines in the outback. Was the Intervention a 'Black Tampa', as Deputy Chief Minister Marion Scrymgeour claimed, referring to the 'children overboard' affair in a previous federal election campaign? Or was it justified by the conditions in which Indigenous children lived in the Northern Territory?

The *Tampa* incident of August 2001 involved the prime minister and others using video footage to accuse refugees of 'throwing their children overboard', with the clear implication that they were attempting to drown their children in order to gain asylum and attention. The story was not true but the cynical political use of the images was pivotal in the election campaign that was underway at the time.[xx]

With the left so wary of Howard's treatment of non-whites and 'wedge' and 'dog whistle' tactics in the media, it must have seemed obvious that the Intervention was another election campaign strategy. The sceptics were easily persuaded, even though the evidence was mounting that Aboriginal children were indeed at risk.

Howard's opponents had become so inured to his performance that they focused on the hidden agenda rather than the plan to remedy the plight of Aboriginal children. Nevertheless, one element of Howard's tried and true propaganda strategy cannot be dismissed. For ideologically powerful ideas to work, they must be ambiguous; they must be neither too simple nor too complicated. It is the art of political war and rhetoric to get the

balance right. Suspending disbelief may be more important than belief itself. The plight of Aboriginal children was perfect material for the kind of double manoeuvre at which Howard's machine had become skilled.

We are all familiar with the literature on propaganda. The history of the twentieth century is defined by use of the media to control and shape public opinion. In Australia, we have a relatively free – if cartel-like – media, and journalists produce a fair record of events in a diverse array of outlets. As they reported the findings of public prosecutors, independent inquiries, community residents, victim advocates, women's organisations and the victims themselves, some journalists covering child abuse incidents in the Northern Territory were dismissed as propagandists for the Howard government, even when there was nothing in their backgrounds to substantiate such accusations. In the end, their reports could not easily be trivialised or dismissed. The extent of the suffering of Aboriginal children in the Northern Territory, the levels of disease and health problems resulting from plain neglect, was revealed by journalists covering the Emergency Intervention. The vulnerability, fear and intimidation of mothers and other women in these communities also became obvious, with more and more demands for a police presence. Unfortunately, not all of them could be met.

How did this dreadful irony come about? How is it that the journalists of undoubted integrity who reported on these issues were not just queried, but pilloried? The most serious case involved Suzanne Smith of the ABC's Lateline, whose coverage of an alleged paedophile at Uluru in central Australia led to complaints being laid against her by residents of that community to the ABC's Independent Complaints Review Panel. Smith was also relentlessly attacked by the National Indigenous Times. On January 24, 2008, Michael L. Foster QC and the other panellists released a review of thirty allegations. They concluded the ninety-one-page report with these words: 'The Panel has found no breach of the ABC Editorial Policies 2002 to have occurred, except to the extent referred to in its consideration of Allegation 19.' This last concerned unattributed footage showing 'young Aboriginals sniffing petrol with no indication of the location or date of these incidents'. The panel made no finding in respect of this allegation.[xxi]

IN THE FORTY years since the 1967 referendum, it has gradually become acceptable to ignore the large body of scientific and humanist evidence about the nature of Aboriginal societies. Anthropologists have been treated as the enemy, 'handmaidens of imperialism', by Aboriginal radicals in the south who learnt this language in the leftist student meetings on campuses where other undergraduate nonsense was bandied around by the new radicals. Anthropologists continued to work in the north where, in the late 1960s and 1970s, their knowledge was essential for the conduct of the land rights claims then being heard by special commissions. In other areas of Indigenous affairs, their influence in public policy waned dramatically with the rise of quasi-libertarian thought and 'cultural studies' in the late 1980s and '90s. Anthropologists' standing as impartial observers were ignored in public debates, even though they had accumulated the data that would be relied on in land and native title claims, in court cases involving matters of customary law, in criminal and civil cases where sentencing issues and customary punishments collided and raised as problems of double jeopardy. Only when the salacious details of women's ritual business and customary punishments attracted media attention were their views sought. In this vacuum, the tired old opponents of cultural relativism, including Ron Brunton and Roger Sandall, hawked their ugly tracts on a confused public. These men argue that Western middle-class people have idealised Indigenous cultures to fill a spiritual vacuum created by the collapse of Christianity. They also argue that tribal cultures are undemocratic, barbaric

and the opposite of ideals such as democracy, freedom of speech, transparent and rational governance.

An older generation of Australian anthropologists wrote the 'thick descriptions' of Aboriginal disputes and dispute processing, peace-making rituals and the practice of customary laws that still inform debates about Aboriginal custom and tradition in various areas of government policy and law. Their rich, detailed ethnographies revealed Aboriginal societies that were at least as prone to ritualised and random aggressive behaviour as they were to peace-making and dispute resolution. W.E.H. Stanner, for instance, noted in his 1968 ABC Boyer Lecture: 'I was an eye-witness of many fights in which more than a hundred men came to an appointed field. There would be a warming up period given over to threat-signals and other ritualized gestures of hostility but once the true fighting started it might go on fiercely for hours ... Their lives certainly had a full share of conflict, of violent affrays between individuals, and of collective blood-letting. But in some ways they were more skilful than we are in limiting the free play of man's combative propensity.'

Stanner's work influenced other anthropologists in the field: the late Les Hiatt, Nancy Williams and others carried out fieldwork among Aboriginal groups whose legal systems were largely intact, although not uninfluenced by the expanding regime of 'assimilation'. Hiatt provided a systematic analysis of disputes over acquisition of wives, orthodox and non-orthodox marriages, politics of bestowal case histories of marriages, disputes over property, adultery, insult and injury, sickness and non-violent death, and violent death.

Williams arrived in northeast Arnhem Land in the late 1960s, and her research focused specifically on how the Yolngu managed disputes in the context of the mission settlement at Yirrkala. Her monograph *Two Laws* (AIAS, 1987) described the Yolngu perceptions of Australian law and its relationship with traditional law. The maintenance of law and order at Yirrkala was achieved through mechanisms of dispute settlement based in clan politics and basic structure. Grievances were aired in a formal ritual and the relationship between modes of dispute and procedures of settlement, and sanctions applied were detailed. She described the context of two laws – the articulation of Yolngu and European jurisdictions – and the perception of Yolngu disputes by the mission, school staff and police. Women's resistance to betrothal, bestowal and widow inheritance also received attention, as did the new phenomenon of liquor sales in the newly established mining town at Gove.

Williams worked with the late Nugget Coombs, and proposed community justice mechanisms as a viable option for the recognition of Aboriginal customary law and its continued operation in collaboration with the Australian criminal justice system. In 1981 Janice Reid used the phrase 'health as harmony; sickness as conflict' in her description of Indigenous approaches to illness.[xxii] Victoria Burbank documented Yolngu women's aggression in several major studies.[xxiii] From all this research, it was clear that women were not merely victims of aggression but active participants in a dynamic round of ritualised forms of aggression and peace-making.

Central Australia, too, was noted for the ritualised as well as random nature of Aboriginal aggression. Published in 1977, thirty years or more after it was written, T.G.H. Strehlow's description of Arrernte law and punishment examined the revenge killings that remain a feature of central Australian societies along with the patterns of clan responsibilities and inter-clan relations, residency, the function of magic and the theft of ritual objects.

This literature showed that the ebb and flow of conflict and resolution in Aboriginal societies was the norm, and that the kin-based institutions in which daily and seasonal life was conducted were conducive to such conflict and just as readily provided the means to its end, if only temporarily. Many disputes may not be amenable to resolution. Many feuds are long-lived and deeply entrenched in the social histories of groups.

In the midst of the slow transition from hunter-gatherer society to sedentary existence in small mission- or government-supervised settlements, these ethnographic adventures took place during the period of accelerating abuse of alcohol and other substances, and the rise of violence and violence-related injury and death, especially femicide, which occurred following the legalisation of the sale of alcohol to Aboriginal people in the early 1970s in the Northern Territory.

At this time, it was still possible to encounter the rich cultural life of hunter-gatherer societies in transition in mission settlements, cattle stations and even around townships. One could hear ceremonial singing while driving into these places, or if calling in on official business, a priest might ask one to wait until the person could be fetched from the ceremony, as was my experience at the old La Grange Mission, now Bidyadanga. In Arnhem Land, Cape York, around the Gulf of Carpentaria, throughout the arid and desert regions, and in the Kimberley, the Aboriginal seasonal and ceremonial calendar ruled both their worlds and the grazing economy. The 'big holiday' was the monsoon season from December to March, and this term referred to the initiation ceremonies as well, for these occurred when the men were laid off during the long wet. During this period, 'big men' obtained their status through, among other things, the attainment of excellence in singing and dancing of the sacred narratives at a wide range of ceremonies. Women, too, obtained high ritual rank, and in my youth, if I encountered one of the travelling ceremony women who painted the sacred designs and authorised the production and decoration of sacred objects, there was the promise of great excitement. I was usually invited to come to the ceremony, and I learnt a great deal about how these gender ritual politics ebbed and flowed across the vast landscapes, imbuing special places with the mnemonic of exquisite song cycles. The song men and women are becoming a rare few, and many of the traditional genres of music and performance have gone forever as the generation of men and women we saw in the 1970s and '80s passed away.

The inevitable diminution of the status of these men and women of high standing in the Aboriginal world, no longer valued for their encyclopaedic ritual, environmental and social knowledge, is the backdrop against which the traditions of the warrior were perverted into those of the bully from which neither men nor women were safe – and sometimes, as we now know, and to the horror of most Aboriginal people, nor were children.

The impact of alcohol and drug use, and petrol-sniffing, on family and community life and the old traditions is well known. The Australian Law Reform Commission reported that Aboriginal customary law had changed markedly; the Commissioners observed in 1987: 'The erosion of traditional authority of Aboriginal leaders and the resultant weakening of Aboriginal customary laws have often been cited as an argument for the recognition of customary laws, although they have also been referred to as a justification for continued non-recognition, on the ground that it is "too late" for anything else.'

The Commission reported extensively on local justice mechanisms and customary and non-customary dispute-resolution mechanisms. The two volumes that laid out the recommendation for functional recognition of Aboriginal customary law, and the evidence

the report provided on how Aboriginal law might work in conjunction with Australian law through these mechanisms, became the standard reference from which subsequent reforms – especially those that might reduce the alarm -ing Aboriginal arrest and imprisonment rates – were developed. However, the Commission found that the long-standing 'Aboriginal courts' were not without problems for the administration of justice, and recommendations were made for further reform. It emphasised the responsibility of the legal system to observe human rights and guarantee due process rights.

The Law Reform Commission had found that it was sufficient to identify customary laws in general terms for the purposes of recognition without the need of a single all-purpose definition, and that there had not been any particular difficulties with this practice. Even though there were no written accounts and no codes of Aboriginal customary laws similar to those found in some other cultures, there is general agreement among anthropologists that traditional Aboriginal societies had, and continue to have, a definable body of rules, norms and traditions which are accepted by the community.

When a group of medical experts and psychiatrists – G.R. Davidson, B. Nurcombe, G.E. Kearney and K. Davis – reported in 1978 on culture and conflict, specifically the effects of violence and aggression on adolescent youth, on Elcho Island, the impending tide of youth suicides could not have been imagined.[xxiv] Their concern was critical incidents of violence among young men. They found, contrary to expected patterns, that the young men appeared to be less involved in both mission and traditional activities and more restricted by traditional social expectations than females. The rates of Aboriginal deaths in custody, particularly the deaths of young Aboriginal males, became an issue of national importance in the 1980s. The Commonwealth Government established the Royal Commission into Aboriginal Deaths in Custody in 1989 and recommended community justice mechanisms, Aboriginal night patrols and other measures be supported by all Australian governments to reduce arrest and imprisonment rates. The Commission investigated the deaths of ninety-nine Aboriginal men and women who died in police, prison and juvenile detention custody in that decade.

The Northern Territory Aboriginal Issues Unit, which I headed, was charged with identifying the underlying causes of Aboriginal deaths in custody. We reported that, with a few minor exceptions, the Commonwealth and Northern Territory Governments had not acted systematically on the Law Reform Commission's recommendations. Aboriginal people considered its recommendations and consultations 'unfinished business', an outstanding matter of great importance. We drew this to the attention of the Royal Commission in this way: "The body of recommendations and discussion of the Law Reform Commission "have gathered dust on a shelf" and many of the practical problems raised here by Aboriginal people, it is feared, will fall on deaf ears again. Systematic policy formulation and implementation in some of these areas where Aboriginal people have made practical suggestions could lead, as Aboriginal people themselves recognise, to real improvements in crime rates ... Acknowledging the existence and significance of Aboriginal customary laws for Aboriginal people is clearly a first step. A declaration to this effect, combined with a declared commitment that Aborigines are entitled to retain their identity and traditional lifestyle, would be one form of recognition. The consequences might then be left to the courts, governments and legislatures to work out. However, the differences between Aboriginal customary laws and the general legal system are such that specific rather than general forms of acknowledgment are necessary. These may take a number of forms ...'

Our report, *Too Much Sorry Business* – referring to the constant death and funeral ceremonies in Aboriginal communities – acknowledged that there were several reasons why customary law had lost its effectiveness in keeping law and order in Aboriginal societies. The report also analysed the formal attempts to establish community justice mechanisms in the Northern Territory, and the various reasons for, and contexts of, their failure and success. The situation described in that report, and the need for acknowledgement of Aboriginal law as well as policing and legal protection from the abuses of Aboriginal law, remain relevant.

The problem of youth detention, alcohol and drug abuse presented very practical problems for small Aboriginal communities, the report noted. Aboriginal law was not capable of detaining youth, although elders did not want young offenders leading other young people in their community astray. A concern for the human rights of youth – including young women – who absconded to avoid or escape the harsher aspects of Aboriginal law and ceremonial life was expressed in the report. This was relevant to the practice of allowing elders to take young offenders to ceremonies on the grounds that this would reform them.

The report addressed other factors that were leading to the demise of Aboriginal law as an effective measure of control in the communities. The clash of old and new governance systems in communities was important: the relatively new autocratic control of councils by elders and lack of consultation with other leaders and community members had led to abuse. Bitter disputes had resulted from decisions by council presidents without consultation. The severity and harshness of some aspects of Aboriginal law were not popular. Where missionaries had weakened traditional law, Aboriginal people complained about contradictory features of corporal punishment: it is both too severe and yet it often is not effective in preventing further transgressions. Aboriginal youth had begun to offend in order to be arrested by police and avoid traditional ceremonies. Jail had become an attractive alternative to 'bush camp', with its strict and physically rigorous ceremonial life. Some anthropologists and criminologists^[xxv] proposed that Aboriginal youth seek out imprisonment as a substitute 'rite of passage' to manhood. There was no evidence for that proposition. Most offenders were oblivious to or unaware of the consequences of their actions, as they were under the influence of petrol or alcohol at the time of the offence. So offences could not be committed with the sole intent of detention.

Aboriginal elders were well aware that capital and even corporal punishments administered to offenders under traditional law were serious offences under Australian law. This illegality did not mean that these practices had ceased or that elders agreed with Australian law. Justice Toohey argued that substantive evidence of an anthropological nature ought to be given to demonstrate that customary law was a factor in the offence before the court could take customary law into account in the punishment.^[xxvi]

Funerary rites and offending patterns were also linked: those aspects of culture which dealt with death, such as ceremonies, Aboriginal coronial inquiries and the necessity for punishment were intensified by high Aboriginal death rates, especially among young to middle-aged Aboriginal men. The particular ritual behaviours intensified by the high adult mortality rates in the Northern Territory are prescribed violence, such as violence between female cognates and in-laws at funerals, heavy alcohol consumption that is required after a death to help close male kin mourning, the concomitant violence that accompanies such drinking, 'payback' assaults and homicides that occur because of intoxication.

Demands for 'payback' or ritual punishment applied even when an offender had been arrested, and brought the consequence of double jeopardy in sentencing for the offenders. Police were unaware of these developments when apprehending and remanding offenders. Magistrates and officials acknowledged that the communities often must settle their own disputes and, importantly, the need for formal assistance to Aboriginal people to assist them to keep law and order according to the dictates of their own culture.

It was hardly surprising, then, that women who were on the receiving end of so much of the violence – which was neither regulated effectively by traditional controls or by the state – were adamant that unhindered police involvement was required to control domestic violence – that the experiment in grafting two systems together in a way that also ensured a safe and productive living environment demanded more than wishful thinking.

WE CANNOT AFFORD to ignore the much-weakened hold of cultural values and norms of social behaviour, and the descent into anarchy and lawlessness in many Aboriginal communities from time to time. Appeals to Aboriginal culture will not prevent this. Without denying that, there are many aspects of Aboriginal culture that are crucial to the maintenance of healthy norms, such as the kinship system and the bonds it creates. The fundamental problem in the appeal to recognise Aboriginal culture – when this is used to deflect attention away from lawlessness and criminality or, sadly, as a kind of displacement activity to uphold a fragile identity – is that the evidence has been mounting for three decades that even the most stalwart upholders of Aboriginal laws feel powerless to deal with new plagues of alcohol and drug abuse. Even senior Aboriginal people, who cling to a largely imaginary past, find some solace in the belief that Aboriginal society was peaceful.

Common sense should tell us that this was not the case. How could Aboriginal tribes hold out for so long against the marauding settler enemies if not with extreme violence? The sexual abuse and assaults in Aboriginal communities, and the general violence, are the result not simply of the traditions of violence in Aboriginal society, but of the terrible violence inflicted on Aboriginal people by colonial officers, police, missionaries and the general citizenry in the long orgy of race-hate. The result is not an uprising of angry Aboriginal people against their oppressors, but lateral violence – violence committed against each other. This is why children suffer so much: they cannot avoid the bursts of fury and rage that erupt on a nightly basis. They cannot escape. This is the most insidious aspect of lateral violence.

The right-wing warriors use the term 'rescued generations' rather than 'stolen generations' because they cannot imagine Aboriginal family and community life as places of love, where strength and good values were nurtured. This is simply because of their fundamentally racist views of our society. If we do not acknowledge the faults in our own society, we give succour to the racists. If we acknowledge them frankly, we can overcome racism with workable solutions.

In the late 1990s, Noel Pearson recognised that many Australians shared the hysterical and baseless politic that held that Aborigines were the enemy within, a sentiment Ghassan Hage labelled 'paranoid nationalism'. Determined to challenge this, he withdrew from native title and reconciliation arguments and embarked on a campaign to convince the handful of rational thinkers on the right that it was possible to bring Aboriginal people in from the cold. Rather than old colonial enemies, who had speared cattle and remained camped around homesteads, perhaps the stalwarts of the old Country Party could begin to perceive Aborigines as neighbours and friends facing the same challenges as others in remote

Australia. Perhaps they could be persuaded to think rationally about the large and exponentially increasing Aboriginal populations that lived next door to them as human beings with whom they shared the fate of living in regional Australia, with all its blessings and hardships.

Noel Pearson's lectures and essays changed the way people thought about Aboriginal people and their future in the nation. In recent months, I have caught glimpses of the profound change that this national conversation instigated. There has been a change in white attitudes, and a change in the way that Aboriginal people contend with racism. Pearson was accused of 'informing the Howard agenda'. This is true, but for twelve long years, while his critics wrung their hands and sniped, the Aboriginal world has been divided into even starker camps of the extremely disadvantaged and less disadvantaged. Pearson developed a comprehensive response that is evidence-based and builds on development economics, and uses policy levers that have worked elsewhere in conjunction with research and consultation so that policy is grounded in community aspirations.

Noel Pearson's conversation with the nation presaged the focus on child neglect, abuse and suicide that is now, thankfully, part of the policy debate. He brought the frontier white men into the discussion and enabled the proposition for a bipartisan approach. It is up to Malcolm Turnbull and his colleagues in parliament now to take up the challenge. He should not engage in schoolyard brawls in Parliament while Aboriginal issues are at stake. By doing so, he is endangering the one great opportunity that we have for bipartisanship and cooperative federalism to become the underlying principles in how we tackle these problems. We are all responsible for bringing to an end the fruitless arguments – no one has all the answers, and no one has the moral high ground.

It is also time for the old politics to end, for a cessation of the bitter sniping from ideological corners, the lateral violence to silence those with different views. The lives of children are at stake – this generation, and several more to come. Aboriginal families need houses to live in. Secure titles, such as long-term leases, are required for housing projects. Children need to grow into satisfying livelihoods and careers. Only some of them will be able to choose the life of a part-time hunter-gatherer. The majority will need to be educated, skilled and capable of participating in the workforce. Therefore, they must attend school regularly. Their domestic lives must enable them to go to school every day, clean and well fed, and then do homework in the evening. If they face violence, sleepless nights, empty cupboards and extreme poverty, they will have lives such as those described by the Western Australian Coroner in his report on Fitzroy Crossing. I reject the false libertarianism of those who are willing to apply it to our family and community circumstances, but not to their own.

Developing institutions and opportunities for Aboriginal citizens will mean the end of the old protectionist and assimilationist thinking, which had little to do with human development and everything to do with exercising the power of incarceration and humiliation. Land titles, permit systems, Aboriginal non-government organisations – all will require rethinking and rebuilding in order to allow Aboriginal social and economic development.

We are faced with unprecedented opportunities to close the gaps in the over-whelming levels of disadvantage suffered by Aboriginal and Torres Strait people in life expectancy, educational attainment, employment, housing and economic development. Prime Minister Rudd has acknowledged the burden of history that makes the efforts of so many people to

change these circumstances particularly difficult. The impact of the apology on behalf of the Parliament of Australia on February 13, 2008 is incalculable in this regard.

IT IS POSSIBLE now for a more sophisticated approach to these problems than occurred in the last decade. The Prime Minister's call for co-operative federalism offers the greatest strategic opportunity for changes to Indigenous affairs: to expect accountability for the large financial transfers to the state, territory and local governments intended to overcome disadvantage among Indigenous populations; to obtain the cooperation of the state and territory agencies to implement national approaches in health, education, employment and economic development and to monitor the progress made among Indigenous populations with a national approach to monitoring and evaluating programs. For too long, Aborigines and Torres Strait Islanders have been held to ransom in an ugly state-federal war over finances, and the 'race card' has been played to shift blame for dereliction of duty and divert funds aimed at disadvantage for other purposes.

It is critical that strong women and men join the debate and tell the truth. I have been refusing more and more lately to attend meetings with bullies. This is a personal preference, but our work would be so much easier if we could insist on enlightened standards of behaviour and demand evidence of outcomes and progress. In the present climate of goodwill and enthusiasm for tackling these difficult problems, it is incumbent on us to readjust the policy settings and ensure that there is an end to the '*big bunga* politics' – the political and theatrical use of lateral violence in Aboriginal politics – and a resurgence of good values for family and community living as shown by the Inteyerrkwe Statement and apology. This must start by rejecting the standover men and women who have benefited so much from the misery of our people. It also means engaging in policy development in a sophisticated way to enable us to measure change and evaluate our successes and failures.

And it means that non-Aboriginal people need to be better informed and engage in a rational debate with us, and overcome their preference for the '*big bunga*' Aboriginal political representatives and the guilt infused romance with the exotic. I have observed that many of the people working in the Aboriginal industry are not seeking alliances with ordinary, hard-working effective people, but the black woman in the plain dress with the soft voice will usually work far harder and be more effective. It is time to listen to her, and her quietly-spoken sisters and brothers, rather than the noisy bullies.

September 16, 2008

[i] An excellent website providing advice to Aboriginal people suffering grief has been published by the Telethon Institute for Child Health Research and [Ministerial Council for Suicide Prevention](#), for Western Australian communities at www2.mcsp.org.au/community/resources/bereavement/aboriginal.html, accessed September 10, 2008.

[ii] Lloyd Robertson, Hawkeye Associates, 'Lateral violence assaults our mental health' at www.hawkeyeassociates.ca/articles/C081.htm, accessed September 10, 2008.

[iii] <http://books.google.com.au/books?id=Mfp9Igu95g0C&pg=PA56&lpg=PA56&dq=lateral+violence&source=web&ots=Q3Y8h5nGrF&sig=0Qg4LuvW19QleN6liWIHJLJrsW0&hl=en>, accessed February 3, 2008; Lloyd Robertson is a La Ronge-based psychologist. His articles,

previously published in *The Northerner* may be found on his website: www.hawkeyeassociates.ca/articles/C081.htm.

[iv] Full statement available at www.crcah.org.au/communication/downloads/John-Liddle-speech-Summit-Press-release-2.pdf, accessed September 10, 2008.

[v] Theo Vos, Pridgett Barker, Lucy Stanley and Alan Lopez, *The Burden of Disease and Injury in Aboriginal and Torres Strait Islander Peoples 2003* (University of Queensland Press, 2007), p. 45.

[vi] M.J. Chandler and C.E. Lalonde, '[Cultural continuity as a moderator of suicide risk among Canada's First Nations](#)', *Transcultural Psychiatry*, 35(2) (1998): 191-219; also L. Kirmayer and G. Valaskakis (eds), *The Mental Health of Canadian Aboriginal Peoples: Transformations, Identity, and Community* (University of British Columbia Press, 2000); see also Michael J. Chandler and Christopher E. Lalonde, 'Cultural continuity as a moderator of suicide risk among Canada's First Nations', <http://web.uvic.ca/~lalonde/manuscripts/2004Transformations.pdf>, accessed September 10, 2008; and Michael J. Chandler and Christopher Lalonde, 'Cultural continuity as a hedge against suicide in Canada's First Nations', <http://web.uvic.ca/~lalonde/manuscripts/1998TransCultural.pdf>, accessed September 10, 2008.

[vii] The full statement is at www.crcah.org.au/communication/downloads/John-Liddle-speech-Summit-Press-release-2.pdf, accessed September 10, 2008.

[viii] The full statement is at www.crcah.org.au/communication/downloads/John-Liddle-speech-Summit-Press-release-2.pdf, accessed September 10, 2008.

[ix] The full statement is at www.crcah.org.au/communication/downloads/John-Liddle-speech-Summit-Press-release-2.pdf, accessed September 10, 2008.

[x] The full statement is at www.crcah.org.au/communication/downloads/John-Liddle-speech-Summit-Press-release-2.pdf, accessed September 10, 2008.

[xi] Larissa Behrendt, 'Rethinking Indigenous policy', published version of her keynote address on Saturday at the Melbourne Writers Festival, www.theage.com.au/opinion/rethinking-indigenous-policy-20080824-41ce.html?page=-1, accessed August 26, 2008.

[xii] <http://www.theaustralian.news.com.au/story/0,25197,24345218-16382,00.html>

[xiii] Melanie A. Manning and H. Eugene Hoyme, 'Fetal alcohol spectrum disorders: A practical clinical approach to diagnosis', *Neuroscience and Biobehavioral Reviews*, 31(2) (2007): 230-38.

[xiv] Manning and Hoyme, 'Fetal alcohol spectrum disorders', p. 230.

[xv] Manning and Hoyme, 'Fetal alcohol spectrum disorders', p. 230.

[xvi] *MJA* Volume 186 Number 10 May 2007: Health of Aboriginal and Torres Strait Islander Children in remote Far North Queensland: Findings of the Paediatric Outreach Service.

[xvii] See www.icmec.org; and www.globalmissing.com, accessed June 16, 2008.

[xviii] See www.hrw.org/campaigns/crp/index.htm, accessed June 16, 2008. See also www.amnestyusa.org/Children/Child-Soldiers/page.do?id=1051047&n1=3&n2=78&n3=1270, accessed June 16, 2008. The YouTube site is www.youtube.com/dontyouforgetaboutme, accessed June 16, 2008; the Facebook site is www.facebook.com/login.php, accessed June 16, 2008.

[xix] See Media Release from the Office of the Minister for Families, Housing, Community Services and Indigenous Affairs, April 25, 2008 at www.fahcsia.gov.au/Internet/jennymacklin.nsf/content/helping_protect_children_25may08.htm, accessed June 16, 2008.

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