

## *A new Day of Mourning*

Jeff McMullen

**There is a madness in Australian Government policy, a new wave of senseless oppression that is causing unprecedented suicide, mental illness and despair for Aboriginal people.**

**“For those of us living in the Northern Territory,” declared Djiniyini Gondarra and Rosalie Kunoth Monks as the so called *Stronger Futures* legislation rolled out a new decade of federal control and assimilation, “ the anguish of the past five years of Intervention has been almost unbearable. Many have simply given up hope. We have been burying people who can no longer live with the pain and despair.”**

**Traveling so many of the Top End communities affected by the Intervention, both recently and repeatedly over the five years of the imposed state of emergency, I see the rising anger and social violence spreading.**

**Rosalie Kunoth Monks OAM, spokesperson for the Alyawar Nation, told me, “This is the tragedy. The damage that this government policy is doing to young and old people is so painful to see. No matter what we say, how we plead with Government to allow our own communities to determine the direction of our lives, it is as if we are non-existent.”**

**The Northern Territory is facing a law and order crisis directly created by Government policy and neglect. Since the Intervention began in June 2007 under John Howard’s Government, incarceration of Aboriginal people has climbed by more than 40% (NT Department of Justice statistic) and recently by more than 50%.**

**The Northern Territory Prison Officers Association says Aboriginal prisoners are being held in Third World conditions with more than a dozen men or women sleeping on mattresses in a single cell.**

**In these Top End jails mentally disabled Aboriginal men have been locked away in prison for years without ever having been convicted of a crime. The Social Justice Commissioner, Mick Gooda says that law reform is desperately needed to prevent this widespread pattern of injustice.**

**But the truth is it is Australian law, glibly passed by a Federal Parliament ignorant of the depths of Aboriginal suffering, that is throwing fuel on the fires of rage, aggravating the grog related violence and extending the cross-generational trauma .**

**The latest *Closing the Gap in the NT Monitoring Report* confirms that by undermining community control and increasing the drift to towns there has been an alarming increase in reported alcohol abuse, domestic violence and especially suicide.**

**Cases of attempted suicide and self-harm have risen by almost 5 times since the Intervention began in 2007.**

**This legacy will haunt Howard, Rudd and Gillard. On their watch, Government policy has pushed so many Aboriginal people to the brink.**

**The Minister for Indigenous Affairs, Jenny Macklin simpers about Aboriginal children not attending school without any genuine understanding of how the discriminatory policies she has directed during this state of emergency have undermined the persistent hard work by many parents and teachers.**

**In my constant dealings with remote community schools I know of not one successful school principal in the NT who believes that the punitive policy of threatening welfare cuts has any positive, lasting effect on school attendance.**

**The truth, which Protector Macklin and her Government refuse to contemplate, is that their shaming and blaming, their relentless punitive approach without ever heeding Aboriginal voices, is encouraging the alienation, rebellion and self-destruction of so many lives.**

**I sadly report that in some of the Intervention communities surrounding Katherine, places where elders had worked for several decades to eliminate petrol sniffing, this brain-damaging self-abuse has returned on an alarming scale.**

**Why?**

**It is time for Australian Government and the *Interventionistas* to be honest.**

**Unquestionably, the Northern Territory Emergency Response (NTER) has undermined the authority of elders, Traditional Law and community structures.**

**The aimlessness created by the Government policy allows the new Protectors to herd Aboriginal people towards the yard...either overcrowded houses in growth towns or overcrowded prison cells.**

**To condemn the ten year extension of so many of the Intervention measures, the Yolgnu National Assembly and the Alyawaar Nation issued a strong warning to the Federal Government :**

**“We had believed that we were moving to a time of security, where we would no longer live from day to day in a state of fear but would be supported to find our own destiny in the security of our law and our culture. We little expected to be thrown into such turmoil by a Government determined to remove from us control over everything that we most value. Money alone can never be the answer. Government has never understood and still fails to understand, that badly needed funds must be accompanied by the willingness to allow us to determine the direction of our lives.”**

**The Federal Government is very clumsy in its political spin and constantly issues statements of claimed “progress to Close the Gaps” contradicted by its own official reports noted above. But there is extraordinary cynicism and racism in how both Government and Coalition politicians have ignored the advice Aboriginal people have given them on the way ahead.**

**The five year Intervention has stubbornly ignored the major recommendations of the Government’s own independent review led by Peter Yu and Marcia Ella-Duncan. More than 450 significant submissions made to the Senate inquiry were considered but the Government continued to claim that only activists were opposing the ten year extension of federal controls .**

**After the Senate Committee on Communities had toured four NT communities it reported, “significant evidence to indicate that there was a high degree of confusion amongst people in the communities...concern about the perceived lack of consultation...and frustration expressed in relation to the Stronger Futures consultations.” (Senate Committee Report, March 2012)**

**I have personally chaired numerous forums of a wide cross section of Aboriginal elders and community leaders over the past five years of the Emergency. Any honest person must conclude that the 73 prescribed communities have not given their “prior, informed consent” to what the Government presents as “Special Measures” to avoid the protection of the Racial Discrimination Act.**

**This is the Government’s most venal and damaging lie. It is the claim that seeks to undermine Aboriginal people, as Rosaleigh Kunoth Monks puts it, “on the very ground that we stand on. Our right to voice our beliefs, our rights, about our future.”**

**Despite the Government’s feigned “re-instatement” of the Racial Discrimination Act in late 2012, the continuing oppressive measures under *Stronger Futures* cannot be legally termed “Special Measures”. The United Nations itself has told the Government that the policy remains discriminatory and Jenny Macklin’s office refuses to divulge to journalists and Aboriginal people the written advice from the Solicitor general’s office that has been used to justify the on going discrimination. The Government’s actions are so poisoned by politics that there can be no authentic claim to judicial fairness.**

**So let us pin this Government to the glaring racial discrimination.**

**To be a “Special Measure”, as defined under the International Convention on the Elimination of All Forms of Racial Discrimination” the *Stronger Futures* legislation would have to be for “the sole purpose of ensuring equal rights...obtain the prior, informed consent of the people affected...be designed and implemented through prior agreement with the people concerned...have accountability to the people concerned...and be temporary in nature.”**

**Judged by those international standards of human rights the Intervention and *Stronger Futures* legislation are both repugnant, official acts of racial discrimination. All Australians should be demanding an end to this stain on our country's behaviour.**

**Under a clear blue sky in the Top End I sit with an elder and his son, looking out on the Arafura Sea. "What future is there for my son," the man asks me. "No one listens to us. No one believes we have a future."**

**This season of Struggle is about the future of Aboriginal children. The Yolgnu and Alyawaar Nations are refusing to accept the Government's onslaught on their right to decide where and how their children are raised. A long and bitter battle is brewing.**

**Word is spreading in Canada, Britain and the United States that the Australian Government has embarked on a new era of assimilation and discrimination.**

**Djinyini Gondarra and Rosalie Kunoth Monks, as spokespersons for their people, want other Australians to know that there are tens of thousands united and determined not to give up the fight for rights.**

**"One thing that Government needs to know is that Aboriginal people will fight. We will never accept this racist legislation that separates us from other Australians and creates its own Apartheid in our country."**