

## *Stand for Freedom*

**Jeff McMullen**

The shadow of the great white Protector once more falls across Aboriginal people as the Government and Coalition politicians agree to bury genuine self-determination and land rights in the Northern Territory.

“Should we call Jenny... ‘Protector Macklin’? I think perhaps she fits that role at the moment all too well and it’s a tragedy, “ said former Prime Minister, Malcolm Fraser as he raised his voice against the extraordinary overreach by Canberra politicians who appear indifferent to the growing despair under a prolonged Government Intervention in the remote communities.

Allusions to the spectre of Auber Octavius Neville, the Chief Protector a century ago in Western Australia, should remind white Australians how this architect of assimilation stated that Aboriginal people “have to be protected against themselves whether they like it or not.”

It is this argument that is so strongly rejected today by Traditional Owners, virtually all Aboriginal communities and a growing number of eminent Australians opposed to what looms as fifteen years of Government Intervention in the 73 targeted communities in the Northern Territory.

Dr Djiniyini Gondarra, the Yolgnu elder who travelled to Geneva to bring on the United Nation’s condemnation of the Government’s discriminatory policies, says that black and white Australians must join the struggle to oppose the latest racist legislation that is eating at the remote communities like a cancer.

This is not just a black struggle, Dr Gondarra says, but a fight for justice and true democracy that will have a bearing on the human rights of all Australian citizens, especially its poorest people.

Extending for another decade the compulsory quarantining of welfare payments through the BasicsCard and Centrelink “breaks the right of an individual to control their own life”, Dr Gondarra told the Senate Committee investigating the likely impacts of the Government’s proposed ten year extension of the Northern Territory Intervention. This dehumanizing approach, he said, is also against Madayin Traditional Laws that do not allow the control of an individual’s personal possessions or property by another person.

It is a simple but clear example of how all citizens should share this fundamental right to control their destiny

Many Australians would no doubt agree with Djiniyini Gondarra if they could only see through the constant spin from the great white Protector’s propaganda machine that attempts to obscure the depths of humiliation experienced by Aboriginal families in the targeted communities.

This is what so many Aboriginal people have been telling the great white Protector. Let us live our own lives because your policies are killing us.

Take income management. Allowing random Government agencies to discriminate against some Australian families by forcing them onto income management does not teach anyone how to budget. It just takes some of their money away.

Aboriginal communities do value and ask for first-rate financial management programs such as Hugh Lovesy's *Money Story* which helps them in a supportive way to manage budgets and handle the endless government regulation of their lives.

What the remote communities say that they do not want is obscene discrimination that forces them back into the yard, shuffling dutifully before the gaze of the Chief Protector.

Have we really learned so little from Australian history or from the glaring failure of similarly demeaning income management experiments in Canada and the USA that we will allow politicians to wield the big stick against our poorest citizens?

Punishing some parents by cutting three months of their meagre welfare payments, another of the new measures from the Protector, will not lead to sustained school attendance by Aboriginal children. This was never a solution put forward by Aboriginal people in the Northern Territory, even in the Government's sham consultation process.

The most successful school principals and leading education reformers, such as Dr Chris Sarra of the *Stronger, Smarter Institute*, insist that engagement with the parents and students, the hard work that requires patience and persistence, is the only method of improving and sustaining attendance in remote school communities.

This is an area that I have worked on closely with Aboriginal students, teachers, parents and principals for almost twelve years in some of the same communities subjected to the disastrous Intervention approach.

I can guarantee you that *strong and smart* school leadership, making children feel valued and safe, respecting their right to learn their own languages and be proud of their Culture, welcoming their families and Aboriginal elders into the school community, and ensuring that teachers are culturally competent and well trained for this most important education work, are the keys to the success of the best schools.

The Government continues to send confusing and contradictory messages to Aboriginal children and their families.

Large signs in these targeted communities shame Aboriginal people as a whole and tell the country that *these children* must be subjected to special laws and punishment. This has been crushing, mentally and physically. Such discrimination will have long-lasting effects, just as A.O. Neville's policy of removing Aboriginal children from their families and communities, sent waves of trauma through several generations.

The fallen self-esteem of children in these targeted communities and to some extent the shaken confidence of other Aboriginal children around the country and their new doubts about engaging with a *gubba* system that oppresses so many of them, is the mental damage. A rising suicide rate, especially among young Aboriginal girls, is the most devastating result of this government folly.

The physical damage is easy to measure. In evidence given to the Senate Committee examining the new Intervention measures, the Northern Territory Children's Commissioner, Dr Howard Bath noted that up to 70% of children in some of these communities suffered from the serious learning disability of otitis media, anaemia rates were now up to 40% and up to 60% of these children in the Intervention zone had multiple developmental disabilities. The well being of Aboriginal children in the remote communities has seriously declined during the first five years of the Intervention.

Instead of punishing them and shaming and blaming their parents, these children have the right to care.

They also have a right to attend a school that is truly part of their community and the test of that is whether the system of the Chief Protector values Aboriginal Cultures and their ways of seeing the world.

Bi-lingual education, learning first in your own language, is today shunned in the Northern Territory even though this is set down as a fundamental human right in the UN Declaration on the Rights of Indigenous Peoples. Customary law, too, is being constantly undermined by the Government's onslaught on Culture and this remains an area of glaring discrimination in the Stronger Futures legislation.

Look at the appalling disrespect in the way the Government has treated the most experienced Traditional Owners and other community leaders who have dared challenge the Intervention or the plan to dump nuclear waste on Aboriginal land at Muckatty Station. The deep ignorance in Canberra is disturbing. Why is it so hard for today's Protector to grasp that worldwide evidence and years of Australian evidence shows that only Aboriginal empowerment can shape the unity of purpose to overcome so many decades of Australian neglect.

"I fear for the future of the people," says Ian Viner, a former Minister of Aboriginal Affairs who continues to travel to remote communities and listen to a wide variety of Aboriginal voices. "This is not a *fair go*... The Northern Territory Intervention was un-Australian and the Stronger Futures legislation is equally un-Australian."

"This is largely racist legislation... both major parties have sold out Aboriginal people... it's a complete denial of democratic process," says former Chief Justice of the Family Court, Alastair Nicholson.

The Australian Lawyer's Alliance and leading Aboriginal lawyers including Professor Larissa Behrendt and Nicole Watson have focussed attention on the glaring injustice of the Government's attempt to pass off this new era of assimilation as a "special measure", a form of "positive discrimination".

“Listening but not Hearing”, a lengthy study by the Jumbunna Indigenous House of Learning, at the University of Technology Sydney, exposes the deceit of the Government’s failed efforts and indicates why a High Court might find that there had been no “prior, informed consent”, no invitation by Aboriginal communities to allow the Government to prolong their agony.

If only there were more wise men and women like former Justice Michael Kirby who argued in his last dissenting opinion before retirement that Aboriginal people should have had their day in court to challenge the very basis of the original Northern Territory National Emergency Response launched by John Howard in June 2007.

The wisdom of many elders is now challenging our nation as a whole, all of us, individually and collectively, to re-examine the sad legacy of the Intervention, which as Malcolm Fraser points out, has produced nothing that the Government may present as a triumph.

One of Australia’s musical icons, an elder rarely given to political statements, Dr Jimmy Little AO, has sent an open letter to the Government and Parliament, offering some sagely advice :

“The current legislation in the ‘Stronger Futures’ bills does not reflect the heartfelt views of Traditional Owners in the remote communities impacted by the proposed ten-year extension of the Intervention measures. Many elders recently have stated unequivocally to the visiting members of the Senate Committee on Communities and at a forum broadcast on the national Indigenous Television Network that they have not given their ‘prior, informed consent’ to these very serious provisions that are clearly aimed overwhelmingly at Aboriginal people living in desperate poverty. It is time for Australia to listen to the wisdom of the Aboriginal elders who have given the country the best advice on the way forward to a brighter future, for it is the elders who best understand the needs of their community, know what the solutions must be, and have to live with the consequences.”

Jimmy Little has travelled the back-roads and knows so many people in so many places. In that unmistakable deep voice he has now called on all of his friends in the music industry to join the growing “*Stand for Freedom*” campaign.

Click on the net. <[standforfreedom.org.au](http://standforfreedom.org.au)> Listen to John Butler, Archie Roach, Danielle Caruana, Shane Howard and Shellie Morris raise their voices, urging Australians and people around the world to act in support of basic human freedoms now denied to Aboriginal people.

After the first thirty thousand people had signed the web petition urging the federal government not to go ahead with the ten year extension of the Intervention, some members of the Senate’s investigating committee were asked how they could vote for the Stronger Futures legislation when their own report revealed the serious opposition and deep misgivings of so many Aboriginal people in the targeted communities.

The Coalition's Senator Nigel Scullion (NT) responded by indicating that the Senators would prefer to soften one aspect of the legislation's punitive approach. Instead of fuelling the dangerously rising incarceration rate through a new round of draconian prison sentences for minor alcohol offences, the Senators recommended handing out "infringement notices" for possession of less than 1.35 litres of alcohol. There was also widespread criticism by the Senate Committee of the Protector's version of "consultation" with Aboriginal people and some political manoeuvring over the duration of the 'new Intervention' with Senator Scullion preferring another five years not ten.

Just one major Australian political party, the Greens, has the conviction to oppose outright this unjust and discriminatory policy, just as they did at the start of the Intervention in June 2007.

Senator Rachel Siewert prepared a dissenting report noting that the 'top down' Canberra approach undermined and disempowered Aboriginal people. Only by replacing the expensive, punitive and ineffective measures with an effort to strengthen community governance would the Government move beyond a deeply flawed approach based on a substandard consultation process.

Despite overwhelming evidence that five years of Intervention have done terrible social damage it is hard to distinguish today's Protector, Jenny Macklin, from Mal Brough, the man with the megaphone in John Howard's day.

Assimilation and control are the prevailing themes that will doom this policy to failure. Julia Gillard's Government and Tony Abbott's Coalition are full of loathing for one another but in one of the telling ironies of white politics they are prepared to strike a devilish deal, a poisonous version of bi-partisanship, to increase the Australian Government's grip on the remote communities and town camps.

On 27th February 2012, the day of the Canberra leadership spill that isolated Kevin Rudd, the one Prime Minister to deliver a National Apology to Aboriginal people, only a handful of MPs were in a near empty House of Representatives as the "Stronger Futures" legislation passed there without even a formal division.

Where were all the other hollow men and women?

What does this say of the state of our democracy?

Frank Vincent, a former Justice of Victoria's Supreme Court laments the racism of the Stronger Futures legislation and observes sadly that it offends just about every reasonable view of what it is to be Australian.

"They believe racism sells. They accept we have a racist society....but is that what we are really like? I hope it is not."