20 July 2011

Helen Mason
Acting Executive Officer
Scrutiny of Acts and Regulations Committee Parliament of Victoria

Re: Victorian Aboriginal Legal Service Co-operative Limited (VALS) evidence to public hearing

VALS would like to provide the Scrutiny of Acts and Regulations Committee with the enclosed report which we have recently recovered from our archives. VALS was unable to include the contents of this report in our written submission. We may therefore refer to it when we give evidence this Friday.

We attempted to send an electronic copy however our compressed file is too large to send via email.

Kind regards,

Wayne Muir
CEO
Victorian Aboriginal Legal Service Co-operative Limited

"A Victorian Koori Community Initiative"
Report for the Victorian Aboriginal Legal Service Co-Operative Ltd.

Self-Determination:
Dispelling the myth of Separatism

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Executive Summary:

The purpose of this study was to provide a forum for Indigenous perspectives on self-determination and challenge the federal government view that self-determination equates to separatism. Self-determination is:

[T]he ability to identify oneself and one's peoples and to freely, well to be able and freely be able to express ones own identity, the ability to determine your own political status, your own cultural identity, your economic and social well-being. (Interview with Frank Guivarra 2004).

Colonial control has ensured that Indigenous people have been denied the right to 'freely' live. Rather, their lives have characterised by control and a deprivation of choice.

Indigenous activism since the late 1960's has focused attention on the need to address the culture of control. The current federal government has rejected this, fostering a monocultural climate. This approach has denied the need for self-determination, proposing that it is divisive:

"The term 'self-determination' implies separate nations or governments, and its use is therefore not supported by the Australian Government" (Office of Aboriginal and Torres Strait Islander Affairs, 2003a).

This explicitly, serves to deny the historical and continued impact of colonial control on Indigenous lives. It fails to acknowledge that self-determination is about realising that "we are not talking about a level playing field" (Interview with Linda Bamblett 2004). Indeed, the failure to acknowledge the legacy of history is used to justify mainstreaming. ATSIC, and other Indigenous organisations are told as failure because it fits the political framework. However this is an approach, that will not address Indigenous disadvantage, rather it will cement it.
Aboriginal self-determination is not based on separatism, rather fundamental human rights that the rest of Australia takes for granted. The system has not, does not and will not work for Indigenous Australians because it continues to deny Aboriginal people control of their lives. Despite being written off as separatist, self-determination is about empowering Indigenous people through the construction of a dialogue:

I don’t think you can’t place a too high importance on the necessity of dialogue. Dialogue is a two way street. The government of the day irrespective of their political persuasion have got to recognise that the only way self-determination is going to be achieved is the treatment of Aboriginal peoples as equal partners. (Interview with Frank Guivarra 2004).

Self-determination rather than being divisive is about cooperation. It is simply an Indigenous desire to want what other people want; a say in their lives. Empowering Indigenous Australia is of benefit to all Australians.

There is no easy way to ‘achieve’ self-determination; however a number of avenues are worth exploring. Ultimately an approach to self-determination needs to be comprehensive. International Law, clearly indicates that self-determinations is not about separatism, rather places it within a human rights framework. To help Australia realise the need for self-determination we must be given education to foster an understanding of Indigenous issues. Indigenous people must be economically dependent, “one of the hardest things [about] achiev[ing] your own destiny is fund[ing] your own destiny” (Interview with Linda Bamblett 2004). Land rights are tied to economic dependence. However they are more than that, it is about getting access to traditional lands and respecting Indigenous cultural beliefs. Self-determination is an ongoing process that all Australians need to embrace.
Acknowledgements:

First and foremost I would like to thank the Victorian Aboriginal Legal Service Co-operative Ltd. (VALS), for taking me on for this field study project. Special thanks goes to Robin Inglis, my supervisor who was always willing to help out, discuss issues and always provided guidance.

I'd also like to thank Sarah James, my honours supervisor who was so very helpful both for this project and my thesis.

This project would not have been possible without the willingness of four Indigenous leaders in Victoria to give me some of their precious time. Not only do I thank them for that, but I am grateful for the experience of interviewing them. Each interview was not only useful for this project but an invaluable learning experience in general. Those interviewed were:

Frank Guivarra is Chief Executive Officer of VALS. He has been involved Human Rights forums and attended international forums. He is over 20 years experience in Industrial Relations and Human Resource Management.

Alf Bamblett is an Elder and Leader of the Victorian Aboriginal Community and the Executive officer at Victorian Aboriginal Community Services Association. He has over 20 years experience in key policy and management roles, and has played a key role in shaping many Aboriginal Community Organisations in Victoria.

Linda Bamblett

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1- Introduction:

This project was undertaken in the context of concerning trends in the political climate for Indigenous aspirations of self-determination. The Federal coalition government since it came to power, has publicly distanced itself from the concept of self-determination and instead, under the language of practical reconciliation proposed, that self-management was preferable (Office of Aboriginal And Torres Strait Islander Affairs 2003a). In March 2004, ATSIS (Aboriginal and Torres Strait Islander Service) released an “Exposure Draft Purchasing Agreements: Legal Services Contract 2005-2007 for Legal Aid Services for Indigenous Australians” (2004) which proposed that funds for Aboriginal and Torres Strait Islander Legal Services (ATSILS) be put out to open tender. The proposed tender makes it clear that non-Indigenous organisations are expected to tender and the tender specifications for cultural sensitivity are set at a very low level. A report into the New South Wales ATSILS pilot tendering exercise revealed tendering does have some benefits such as increasing transparency, quality and accountability (Allen Consulting Group 1999). However, also it argued that a range of restrictions on tendering were necessary to ensure the cultural appropriateness (Allen Consulting Group 1999). The more recent announcement of redirecting ATSIC (Aboriginal and Torres Strait Islander Commission) services to mainstream agencies indicated the government is committed to “mainstreaming” and the use of mainstream programs, rather than increasing Indigenous control over programs. This appears to be a total rejection of the importance or legitimacy of Indigenous organisations and of the notion of Indigenous control.

Despite the increasingly antagonistic approach to Indigenous Affairs at federal level (Fletcher 2000), Indigenous communities and leaders are “fighting hard for the survival and recognition of their cultural distinctiveness” (Jonas 2002a: 2). Indigenous academic Larissa Behrendt (2003) highlighted that self-determination has been at the forefront of Indigenous politics over the past few decades. However she also noted that despite its longevity in Indigenous (and mainstream) political discourse, self-determination remains
a term shrouded in confusion, misunderstandings and emotions. The aim of this project is to map and explore different understandings of how, to achieve self-determination for Indigenous Australians. A central concern has been to debunk the populist emotive catchcry that ‘self-determination means separatism’, as has been continually told to mainstream Australians by the Howard Government, sections of the media and other conservative public and academic figures and acknowledge First Nation status and the inherent rights of First Nation people in this country (Behrendt 2003).

What I am investigating is similar what Indigenous leader to Mick Dodson has asked, “what changes are needed for Indigenous people to enjoy [their] rights?” (1994: 66). It is a question which I can not possibly answer, “it is a question for all Indigenous peoples to answer in the immediate contexts of their lives”(1994: 66). I do not hope, and am in no position to authoritatively define self-determination, as a non-Indigenous person, to do so would repeat the denial of an Indigenous say in their lives. Rather, this project is an opening of dialogue, an airing of opinions. To do this, this project will compare and contrast the opinions of four Indigenous leaders in Victoria, interviewed regarding their beliefs on self-determination. The four leaders interviewed were Frank Guiarra, Alf Bamblett, Ron Murray and Linda Bamblett. Supplementing the interviews I will utilise excerpts from interviews, publications and media releases from other prominent Indigenous leaders. Firstly, I will briefly historically contextualise the self-determination project. Following this is an examination of the current approach of the Howard government. The “myths” that this reductive approach perpetuates are then critiqued, challenged and undermined to provide a justification of the need for self-determination. Finally, a few of the potential steps to achieving self-determination will be outlined.
2- What is Self-Determination?

Self-determination is

[T]he ability to identify oneself and one’s peoples and to freely, well to be able and freely be able to express one’s own identity, the ability to determine your own political status, your own cultural identity, your economic and social well-being. Your development is really important and that is important right throughout life (Interview with Frank Guivarrn 2004).

The realisation of self-determination, and self-determination in practice, requires “go[ing] beyond an analytic understanding and to the actual lives of Indigenous people”, a process of vital importance because, since colonisation Indigenous people have lived under an imposed rule, and forced to deal with a complete denial of the right to control their own lives (Dodson 1994: 68; Johnston 1991).

What if it happened to us?

“Consider the following scenario. Tomorrow, totally unexpectedly, a spaceship arrives from another galaxy. It is filled with males of human shape but of a previously unimaginable, and decidedly unpleasant skin colour.

Theses strange beings have developed technology which is all but incomprehensible... if we don’t obey their every instruction, they will use their selective ray gun which can destroy humans...

Suddenly everyone is redundant. Guerrilla movements form... The aliens make little attempt to locate the culprits; it is easier to blame all citizens.

[People] apply for jobs but their masters put them to work on sewerage disposal and demolish their self-esteem by describing attempts as ‘inept’, ‘lazy’ and ‘useless’. Psychologically destroyed the men start drinking heavily. The overlords start raping the women. Strange half-castes are born. They belong to neither society...

Put yourself into that scenario and you’ll have little trouble railing against the inequities of a system driven by greed and indifferent to the culture which it has plundered and destroyed.

Think of Sydney 1787... Aboriginal Australians had all we now want. We, the European invaders took it all away. We destroyed it.”

(Elder 2003: vii-viii)
The history of Indigenous Australia before colonisation was one of living in total harmony with the land and environment. This harmony was shattered by the systematic violence, genocide, murder and rape of colonisation (Elder 2003; Edney 2002). Colonisation gave effect to "the rise and the domination of one system and the fall and decline of another one" (Interview with Alf Bamblett 2004). Governmental control and administration, has thus been a fundamental aspect of life for Indigenous Australians ever since. This culture of control fostered a climate that defined Aboriginal people as wards of the state. "In the past Aboriginal people weren't even classified as Australians, how can we have any rights when we were sitting under the Flora and Fauna Act" (Interview with Ron Murray 2004). Australian governments (both Federal and state level) "in naming themselves the guardians of Aboriginal interests, effectively deprived Aboriginal people of rights, of choices and responsibilities" (Kidd, 1998: 23).

In the 1960's and 70's Aboriginal activism and increased awareness of the failure of assimilation and paternalism led to Indigenous political gains. In the last 30 years, following the 1967 referendum Indigenous issues have increasingly entered the political arena (Kidd, 1998). Indigenous communities do now have some aspect of control over their lives, albeit often in a very limited manner. The presence of an Indigenous political voice is a challenge to the assumed supremacy of white mainstream notions of Australian identity (Moreton-Robinson 1998). The contested site of Australian identity is being played out across the public realm, and issues of self-determination lie at the core of this debate. It is a debate on whether we as a nation can embrace and accept difference as part of our national makeup, or whether we continue to stigmatise, control and subordinate this difference.

The Victorian Aboriginal Legal Service Co-operative (VALS) plays a key role in the attainment of self-determination for Indigenous Australians. Aboriginal legal services like many other Indigenous services were established in the early 1970's. VALS was established in 1973 to specifically cater for the needs of Indigenous people and their interaction with the criminal justice system (Victorian Aboriginal Legal Service, 2004). The need for Indigenous specific legal services was predicated on the realisation that the
law, the criminal justice system and police have all been tools of colonial control have historically served to deny Indigenous people fundamental rights (Finnane 1997). It was a realisation that many Indigenous people were alienated from the criminal justice system and had little or no realisation of their rights and responsibilities under it (Victorian Aboriginal Legal Service, 2004). VALS (and its counterparts in other states) play a key role in the project of self-determination.
3- The Conservative Backlash:

The emergence of an Indigenous public voice and moves towards self-determination should have revealed that Australia has been built upon the colonial foundation that has devastated Indigenous lifestyles (Elder 2003). It should have made every mainstream Australian “recognise that the [racist] attitudes which lie behind [colonial violence]... have in some form been passed down to me” (Gray 1998: 7). This recognition is not about feeling guilty, but about acknowledging the past, so as to deal with the present and future.

In political circles and mainstream society, this has largely not eventuated. Gray alluded to this when arguing that the Bringing Them Home Report should have “unleashed a bout of national introspection... [and] would have done, in a country less practised at shoving skeletons in the cupboard” (1998: 7). Under the leadership of John Howard, Australia has moved away from acknowledging the wrongs of the past. It has distanced itself from the recognition of the rights Indigenous people to self-determination. This bout of national forgetfulness will result in the mistakes of the past reoccurring.

John Howard and the conservative governmental legacy has been one that has celebrated a reinvigoration of the (white) Australian ideal. It is an Australian identity predicated on exclusion rather than multiculturalism. It is that:

"the great political achievement of the Howard Government has been to redefine Australia as a monoculture. In spite of the fact that Australian society is now actually more multicultural than it has ever been, the white heterosexual Anglo-Saxon male sits more comfortably and authoritatively at the cultural centre of our society than at any time since the election of Whitlam, if not Menzies" (Hollier 2004: 2)

Howard has hidden his racism, his outdated 1950’s attitudes, behind the language of pragmatism. Howard’s “Ten Point Plan”, the amendments to the Native Title Act were justified “in the name of workability and simplicity”, when the reality was to “wind back native title as far as the Senate, the High Court and the Constitution would permit”
(Brennan 1998: 8). It is not a stretch to suggest that Howard’s stance on Native Title reflects his overall stance on Indigenous political aspirations and affairs. Supporting this idea, Fletcher (2000: 110) convincingly argued that land tenure is “the fundamental test for government recognition of cultural needs and improved quality of life... [t]he Howard government’s report card here is poor”. Indeed, the government’s ‘report card’ regarding Indigenous Affairs would score an ‘M’. M, for monoculturalism and an M, for mainstreaming. The Howard government’s political rhetoric has continually marginalised and antagonised Indigenous people and their aspirations, damaging the hope in the reconciliation process. This exclusionary governmental direction is hidden behind the language of pragmatism, behind “workability” and “simplicity”.

3.1 The Misuse of Liberal Democratic Language

Liberal democratic language has been employed to push the mainstreaming agenda. The coalition government time and time again speaks of agreement making, empowerment and partnerships (see for example Office of Aboriginal and Torres Strait Islander Affairs 2003a). However, the government has no desire to cooperate with Indigenous organisations or to empower Indigenous Australians. Indeed, self-determination terminology used by Aboriginal people for emancipation has been colonised by liberal conservative views. By appropriating the language of self-determination and hiding behind the shroud of pragmatism, the government actually serves to discount this language and minimise its scope as much as possible. Therefore, the government by using pragmatic democratic language speaks of Indigenous rights in a reductive frame (Jonas 2002b). Self-determination is spoken of as separatist, divisive and an indication of unequal treatment at the expense of the mainstream. Liberal terminology directs the focus on equal treatment and ignores the reality that “[w]e need to recognise we are not talking about a level playing field” (Interview with Linda Bamblett 2004). The historical discrimination that impacts the lives of so many Indigenous people and communities in many different ways is completely ignored. Former federal minister for Aboriginal affairs Peter Howson posited:
"It is absurd to think, in modern Australia, of Aborigines having their own elected representative bodies, let alone... negotiating formal agreements or treaties. The majority of Aborigines are part of the wider community" (Herald Sun, 3/5/2004: 18).

It is clear that mainstream identities are constructed in terms that necessitate the exclusion of an other, and to be included requires assimilation. To be part of the ‘wider community’ implicitly you cannot maintain an Aboriginal identity. Mainstream conceptions of race can only articulate it as thing of (white) inclusion and exclusion (of others). The possibility that “the majority of Aboriginal people are proud to be of Indigenous descent, Australian Indigenous descent, and proud to be Australian” (Interview with Frank Givara 2004) is never acknowledged. Never possible.

Liberalism supposedly ensures all people have equal opportunities. Rattansi (1995: 262) posited that treating individuals in “colour-blind” terms submerges the effects of racialized subordination and discrimination. So, those who fail in society, or produce lower outputs (in terms of socio-economic status, criminalisation etc) are deemed to do so because of their own (cultural) failure. The colonial legacy of subordination and control is decontextualised from the everyday lives of Indigenous people. Those who deny the applicability of self-determination, do so for the reason it is premised on collective rights. They argue that individual self-determination is possible and desirable (Johns 2001). It is the liberal focus on individualism that denies systemic discriminations (highlighted by Massumi) and fails to address Indigenous problems. Behrendt (2003) elaborated on this notion and contended that much of the systemic and naturalised racial bias in Australia is due to an assimilationist model hidden by the political rhetoric of difference-blind liberalism. The unique experience of Aboriginal suffering as a result of colonialism simply becomes a thing of the distant past. It is as if colonial discrimination and its ongoing effects and pain have been distanced from the lives of Indigenous Australians today (Gray 1998; Johns 2001).
Although now abolished, one of the key aspects of the liberal-democratic rhetoric that denied self-determination was the ATSIC electoral turnout. It has been suggested that, “the vast majority of Aborigines have effectively rejected political self-determination by consistently not voting in ATSIC elections” (Howson 2004: 18). This indicates how democratic language serves to speak for Indigenous voice. By denying that Indigenous people want self-determination, this actually perpetuates the denial of choice that accompanies self-determination. It does not allow Indigenous people to speak for themselves. In 1990, 29% and 1993, 31% of the Aboriginal and Torres Strait Islander population voted in the ATSIC election (ATSIC 1998). A superficial analysis would tend to concur with Howson’s claims, yet these electoral turnouts compare favourably with other similar non-compulsory elections. In 1993 the Western Australian local government election had a 14% turnout (ATSIC 1998: 29). Furthermore, many Indigenous people are not on the electoral roll, and rural isolation and alienation from politics also reduce the turnout for ATSIC elections (ATSIC 1998). Finally, this simplistic reading ignores issues of why Indigenous people fail to participate in ATSIC elections. Despite being an Indigenous voice ATSIC was formed by the government, so marginalised sectors of the Indigenous community do not necessarily view it as legitimate. Further, Indigenous communities unfamiliar with Western style forms of representation may not understand the role ATSIC plays. Claiming a low electoral turnout for ATSIC as an indication of a rejection of self-determination is at best naïve, at worst, reeks of cultural and racial arrogance.

3.2 Practicalities

As indicated above the Howard approach has focused on practicality, and an avoidance of “symbolic issues”. Howard claimed that the symbolic agenda of Indigenous politics in the last 20 to 30 years has been detrimental (Message Stick 2004a)). It is these symbolic issues that attempt to address the racial divide under Howard’s monocultural approach. Self-determination perhaps the ultimate of Indigenous ‘symbolic’ aspirations, is a
casualty of the government’s pragmatic (colour-blind) liberal approach. The Australian Government’s official stance on self-determination is an outright rejection of it. It is constructed as factually and inevitably separatist:

"The term ‘self-determination’ implies separate nations or governments, and its use is therefore not supported by the Australian Government" (Office of Aboriginal and Torres Strait Islander Affairs, 2003a).

By simplistically constructing self-determination as separatist and therefore a threat to the sanctity of Australia as a nation-state, the government effectively puts this racially-motivated policy above critique. If a policy is seen as a threat to national sovereignty it can be out rightly rejected. The notion of Indigenous rights as separatism was created by opponents to Mabo and Indigenous land rights, to incite fear amongst the public. This same technique has resulted in the term now being explicitly linked to self-determination to justify its denial (Behrendt 2003). Ideas of separatism are not neutral observations of Indigenous political aspirations, but polemical constructions to peddle an exclusionary (white) monocultural society.

This confusion over self-determination, that allows it to be understood as a separatist desire, reflects the weakness of the Indigenous political position (Behrendt 2003). Self-determination is not simply separatism; the Indigenous voice articulating this cannot be heard over the dominance of a monocultural view. Moreton-Robinson argues that so long as whiteness is constructed as "the human condition" then the white mainstream can and does establish how others should act and operate (1998: 11). It is important to note here that mainstream and white are practically interchangeable terms. Moreton-Robinson elaborates that:

Whiteness forms the centre of Australian society and is commonly referred to as the mainstream. This does not mean all people adhere to that centre but it is still very white, and remains close to its historical position of being nearly all white" (1998: 11).
Indeed, whiteness at the centre ensures that white discourses appropriate the voice to speak of what is universally and morally correct. Indeed, the dominance of whiteness in public discourses views Aboriginality as negative:

I think there has been an exclusion almost from the time there has been a legal system and an administrative system or systems in this country. I think they have created a whole picture an [Aboriginal] identity or an entity that is less than... everybody else (Interview with Alf Bamblett 2004).

The world is constructed in a white image, everything else is deemed as naturally inferior and therefore, the natural progression should be assimilation to the white ideal.

Designating self-determination as a purely symbolic goal, significantly discounts the sheer importance of self-determination in the everyday lives of Indigenous Australians. It discounts the effects of the denial of rights that prevent Indigenous control over their own lives since colonisation (Dodson 1994). It discounts the fact that a denial of these 'symbolic' rights actually negatively impacts the day to day lives of Indigenous Australians. It discounts the depravity of choice that has defined Indigenous existence under white rule (Behrendt 2003). The desires to control their own lives are hamstrung by fear creating rhetoric. Fear is used as a mechanism to solidify social boundaries, of the acceptable and unacceptable (Massumi 1993). The desire for Aboriginal specific programs by Aboriginals is constructed as an outright rejection of mainstream Australia, outside what is acceptable to a monocultural Australia. This serves to de-legitimise cultural and historical justifications for Indigenous specific programs.

If we [Aboriginal people] could go to a government that had ears, but they don't care because we are only a minority in our own country... the rich are getting richer and the poor are getting poorer. So we're going to end up in situation 20 years down the track... [where] Aboriginal people are going be in the poorest that is for sure. We need the acknowledgement that Aboriginal people are different, every community is different with different needs, the government won't acknowledge that.

Ron Murray
The result is a Pragmatic approach, that actually results in ad hoc, band-aid solutions that fail to pump in enough, and appropriately spent money into Aboriginal affairs. There is a lack of coherent national approach because it would require the government to acknowledge that the ‘symbolic’ goals are fundamental to improving the lives of Indigenous Australians. This piecemeal approach to Indigenous affairs has not worked. As Behrendt (2003) claimed, practical reconciliation does not, will not and cannot tackle systemic and institutional factors associated with the maintenance of disadvantage. It’s pragmatic language attempts to hide the reality that it has returned to a mandate of governance, and returned Indigenous people to passive subjects in the creation of laws, policy and programs about them. A mandate that will not address Indigenous disadvantage, but, rather a mandate that will cement it:

And if we get our organisations taken off us like the Legal Service or the health service and go back to the old days where we walk into the hospital and they know nothing about [Aboriginal people], about their health, how to talk to them, how to communicate with them, we are going to go backwards (Interview with Ron Murray 2004).

3.3 The Abolition of ATSIC

At the very least ATSIC was an outlet for Indigenous voice. It provided a national public stage to voice Indigenous concerns, desires and aspirations (Fletcher 2000). Indeed, “ATSIC was the product of a different, more hopeful era – when the politicians and the people dared to dream of a great leap forward in Aboriginal affairs” (Steketee 2004: 4). This era of hope has been halted. Aboriginal public voice is silenced.

The abolition of ATSIC, was mainstreaming at its peak. It offers us, no it forces us into a "view through the rear-view mirror of life for Indigenous Australians in the 50’s and 60’s" (Dodson 2004: 13). John Howard by his own admission had never been very comfortable with ATSIC, indeed he derided it as a "black parliament" believing it could only be a machine of division (Grattan 2004; Shaw 2004). Howard’s tenure in government has been characterised by antagonism towards Indigenous political
aspirations. The problems with ATSIC's leadership, particularly Geoff Clarke, was all that Howard needed to achieve his goal, the dismantling of ATSIC (Shaw 2004).

Stuck in monocultural time warp, with beliefs based on a naïve idea of liberal equality, Howard's government can only see ATSIC in a negative light:

ATSIC for all its warts has been used as a convenient whipping boy. Aboriginal Affairs over time has been used for the convenience of politicians that fail to admit their failure in the delivery of adequate resources to address the problems, the underlying issues...
[You never here good stories about programs that have worked you always here the bad stuff and that happens time and time again (Interview with Frank Gurrarra 2004).

ATSIC is only ever told of as a failure. The evidence that Indigenous programs funded by ATSIC are making a difference, but are hamstrung by under-funding and government inflexibility, permeates the margins of public political rhetoric (Jonas 2002b; ATSIC 1998). ATSIC is seen as a failure because Indigenous people are still over-represented in negative socio-economic scales. This view, espoused by the government, places all the blame on ATSIC, absolving the government from any role in the continued production of an Indigenous underclass (Dodzi 1994). Political leaders are well aware that failure resides with governments, not Indigenous organisations yet they hide behind ATSIC using it as a scapegoat (Quartermaine 2004). It also denies that ATSIC provided Indigenous Australians with something they have been denied since colonisation, a public political voice and platform.

Aboriginals were not consulted about the decision to remove their national political voice. It was a political decision pushed upon them (The Gulf and West Queensland Regional Council 2004). The abolition of ATSIC was done with complete disregard for the Federal Government sanctioned ATSIC review. Although it acknowledged faults with ATSIC, the review highlighted the need to empower Aboriginal people and the importance of an Indigenous representative body (The Gulf and West Queensland Regional Council 2004). It ignored other governmental agency reports that all highlighted the importance and necessity of an Indigenous representative political body to provide
Aboriginal people with a national forum (Jonas 2002a). ATSIC was not abolished because that was the best course of action. ATSIC was abolished because it became politically expedient (with the discrediting of the leadership as the result of the Geoff Clarke issue) to implement its dismantling. ATSIC was abolished because it was mainstreaming at its peak.
4- Debunking the Myths:

The Social Justice Report 2002 (Jonas 2002a; 2002b) posited that the Federal government’s reductive approach has seen the relegation of Indigenous affairs to the second tier issues of governance. In 2002, Indigenous issues were not mentioned as one the Government’s long-term strategic goals (Jonas 2002b). In 2004, this relegation of Indigenous issues to a secondary status, was compounded by the silencing of the Aboriginal public forum ATSIC; thus effectively silencing Aboriginal political voice. In relegating, then silencing, the government utilised one of the most ‘natural’ forms of representational racism “the act of making the other invisible” (Langton, 1994: 94).

However, despite this dangerous trend, Aboriginal people have shown they will not lie down as passive victims of government control, rather they will fight for their survival and rights (Jonas 2002). This was indicated by Indigenous filmmaker Richard Frankland, who outraged at the abolition of ATSIC, responded by founding his own political party ‘Your Voice’. Frankland realised the government had taken away his and his communities voice. He would fight to get it back (Bellamy 2004). He would not let the denial of his and his people’s rights go unheard.

The government has focused a lot of attention on failed Indigenous accountability as a means of condemning self-determination and Indigenous specific organisations (Minister for Immigration and Multicultural and Aboriginal Affairs 2004a; Minister for Immigration and Multicultural and Aboriginal Affairs 2004b). This focus has diverted attention away from the two-sided nature of accountability. It has hidden the failure of the government to be accountable to Aboriginal people and communities (Jonas 2002a). As a country, we must acknowledge that we have not responsibly ensured the maintenance of Indigenous rights and equity. As a country, we must acknowledge that so many Indigenous lives have been “structured by government edict” (Kidd, 1998: 23). It is for this reason we, as a nation need to address our colonial past. As a country we need to acknowledge the legacy of colonial control that has denied Indigenous Australians rights that the rest of Australia takes for granted.
4.1 Racism and Attitudes

Indigenous people have had to live their lives in the shadow of the ugly spectre of racism. Although attitudes towards racism have generally changed for the better, Indigenous people still routinely deal with racism on a personal level (O’Reilly 2000). One of the key ingredients to changing self-determination is changing peoples’ attitudes. Indeed “attitudes perpetuate policy and legislation” (Frankland cited in Bellamy 2004: A2 3). It is this ‘symbolic’ understanding that Howard’s “practical” rhetoric tries to submerge and cannot understand. However, it is this understanding that is central to changing mainstream Australian attitudes on self-determination.

Just this week I heard a story of a fellow who was having a drink in the RSL... apparently he drinks there quite a bit. And one of the members there has just died. And it become known that he was of Aboriginal descent and these old digs who were in the bar and they were talking and one old bloke turned around and said you know I served in the second world war with this guy, and I’ve known him ever since, we’ve drunk together, ate together and he said I didn’t know he was a ‘coon’.

Frank Guivarra

for so long Aboriginal people have struggled against that paternalism. [It has been] either do away with them or paternalism and it is that racism and oppressiveness that Aboriginal people feel today (Interview with Linda Bamlett 2004).

If the legacy of control is publicly realised as a central determining factor in Indigenous suffering then the absolute necessity for Indigenous self-determination becomes evident. It becomes evident that a level of patience and understanding is needed, that this process is a continuing one that will encounter ups and downs. Indigenous leaders realise that only through a changing of mainstream attitudes can the mainstream be made aware of the urgent necessity of providing Indigenous people with the right to self-determine. Without such an attitude the mainstream will and does say:

it’s ok for you to self-determine as long as you self-determine like us. The system has a particularly way of, this is the way you live, this is the what you do and this is and
anybody that doesn't fit the mould is a problem and for Aboriginal people if they don't fit the mould and if they don't fit the ideology of the non-Aboriginal Australia. It is seen as a problem (Interview with Alf Bamblett 2004).

In other words Aboriginal people do have the right to self-determination, so long as they assimilate to mainstream values and reject their culture and heritage. This is not self-determination, it is assimilation.

4.2 The System is not Working

Formal equality as espoused by the current government reproduces inequality (Behrendt 2003). The law, and a liberalism that paints us all as equal reeks of colonial arrogance, it is laden with values and assumptions of Western (and white) superiority that ensure the perpetuation of Indigenous subordination through systemic racism. Therefore, society based upon monocultural assumptions of equality is fundamentally not equal (Rattansi 1995; Moreton-Robinson 1998). It decontextualises Aboriginal problems from a colonial legacy, they are constructed as the result of deviance, deficiency or a divergence from the mainstream. Until we as a nation can arrive at the realisation of continued inequality we, the nation, will continue to deny the necessity of empowering Indigenous people to take control of their own lives.

Indigenous people are over-represented in every negative socio-economic scale. (ATSIC 1998). The need for self-determination is realised when the “prevalent destitution and despair” is seen as “both an outcome and an indicator of deficiencies in the practices of government”. It is a realisation that “they are a problem of government; they are not, and never have been an ‘Aboriginal’ problem” (Kidd 1998: 23). Two hundred years of programs designed for the ‘betterment’ of Indigenous people have not eased, rather have contributed to Aboriginal problems (Dodson 1994). After the years of misrule, control and abuse it is “frankly pathetic” that the best the government can do for Indigenous people is abolish Indigenous specific services that seem to be improving the lives of Aboriginal Australians (Quartermaine 2004: 1). Aboriginal people, because of the
inability for the mainstream to realise their own contribution in producing an Indigenous underclass are still being forced to “pick through the rubble of that terrible [colonial] history” (Minniecon 2004: 1). It is a strange irony of history that Australia, has been so concerned with controlling and governing its Aboriginal populations, yet it knows so little about the people it is trying to govern. It is the assumed superiority of Western values and social organisation that can permit this discriminatory irony. Indeed, it is education that is needed to break this trend:

[I was asked to speak at a meeting of] Young Liberals, a couple of weeks back. At the end of it they said to me they knew nothing about Aboriginal people, in a nice way. But I thought to myself, if you know nothing about [us], how the hell are you going to help (Interview with Ron Murray 2004).

Despite admitting ignorance, the mainstream refuse to ask the people who know best, Aboriginal people themselves.

Non-Indigenous programs simply have not worked for Indigenous Australians, Alf Bamblett highlighted this arguing that mainstream programs have left Aboriginal people at the “end of the queue” (Message Stick 2004b).

With Aboriginal people, this has been one of the problems in the past. It has always been white people saying “this is best for Aboriginal people”, not ever sitting down around a table and saying “what can we do to help” or “how can we work in a partnership to achieve your goals” (Interview with Ron Murray 2004).

This failure is justification for self-determination and “the greatest argument for us not returning to mainstreaming” (Message Stick 2004).

The criminal justice system is perhaps the most obvious site of governmental failure (Johnson 1991). The criminal justice system is a crucial tool in perpetuating the dominant/subordinate relationship of the colonisers and the colonised (Cunneen 2001: 229; Bird and O’Malley 1989). Aboriginal people are constructed as inherently criminal to maintain the political status quo because:
You either have to believe that Aboriginals are the most criminal of minorities in the world or that there is something inherently wrong with a system which uses imprisonment so liberally (Swanton cited in James, 1999: 6-7).

Public representations particularly media representations, foster negative stereotyped opinions within mainstream Australia (Sercombe 1995; Mickler 1998). These foster a denial of the second alternative that the system is implicated in Indigenous over-representation in the criminal justice system:

“We are not born criminals. We've not born with a bad streak... So do we get scooped up in the juvenile justice system per se. There is not some gene that is in us that makes us all criminal. There are a lot of Indigenous people that have never been touched by the justice system, but by god there are a hell of a lot that have been. To address the inequities in the justice system you've got to, you've got to look at the underlying issues. You've got to have a job to have a house. To have family, adequate food the whole circle goes round and round, if you haven't got a job you haven't got a house you haven't got stability and if you haven't got stability you haven't got employment. There is a vicious circle.”

(Interview with Frank Guivarra 2004)

Without an understanding of the domination and denial of rights, Aboriginal people do simply become criminals. If we, as a nation are to address the Indigenous over-representation in the criminal justice system, then we, as a nation, must move beyond a simplistic characterisation of criminality and fundamentally question the system itself that impacts so much on Aboriginal lives.

4.3 Just Wanting What Everyone Else Wants

The message from Indigenous people is they want what is due to them; fundamental human rights. Self-determination is not about special rights, not about special privileges, but rather a non-negotiable desire to be afforded the same rights that non-Indigenous Australians take for granted. “Our goals are to live equally, own a house, own a car, be living as long as everybody else” (Interview with Ron Murray 2004). Indeed, self-
determination is not a push for separatism, but a rights-based framework to improve the quality of Indigenous lives and address continued inequality (Behrendt 2003).

The only ‘special’ demands Indigenous people desire is an acknowledgement of their unique status as the ‘first Australians’. A recognition is needed, that their culture, history and way of life is not subordinate to Western values (Jonas 2002b). This again, is simply rights that others take for granted; to be proud of one’s heritage.

I don’t know any parents that don’t want their child to have really good education and I don’t know many parents that would say that we have to be poor and yet there’s a certain sort of, by accident of birth someone is born into a certain sort of socio-economic group and therefore is bottom rung of the socio-economic ladder in this country. And yet Aboriginal cultural and Aboriginal traditional lifestyle is so full of rich heritage and richness and I’ve never read anywhere that says poverty is a prerequisite of being Aboriginal. And yet that seems to be so much the case. And all of that stems to this issue of where Aboriginal people are at and where they should be (Interview with Alf Bamblett 2004).

Ultimately, self-determination it comes back to human rights. Linda Bamblett summed it up simply and perfectly, self-determination “is peoples’ rights, no matter where no matter who, to determine their own destiny don’t you reckon? And why not us?” (Interview with Linda Bamblett 2004).

If you had the white community, say people in Sydney, 40% of youth in Sydney are unemployed, and in Melbourne only 7%, what would the government do? They would jump in and go through every little nut and bolt and see what is going on. But when it is Aboriginal people it is all right, it is because they are lazy. We really need to look at every area, why are we dying at such a young age? If it was in the mainstream and there were people in Western Australia dying 20 years younger than in Victoria they would be racing over there to find out what’s happened, what’s killing them at an early age. Aboriginal people, our problems should be fixed... we shouldn’t have these problems now in 2004.

Ron Murray
4.4 Cooperation and Dialogue

Indigenous literature and the interviews I have conducted with the four Indigenous leaders for this project, have all emphasised that self-determination is about building partnerships and cooperation, in stark contradiction to the political rhetoric.

Indeed, it appears that it is the mainstream who are baulking on moves to cooperate. It is our mainstreaming government that is completely inflexible, promulgating an outright rejection of the principle of self-determination (Office of Aboriginal and Torres Strait Islander Affairs 2003a). It is these people that are “unable to accept the reality of a shared history... who seek to deny the reality of [Aboriginal] presence as the original inhabitants of the land... wilfully ignore and would deny [Aboriginal] people their legal rights” (Dodson 2004: 13). It is these people that do not cooperate. It is these attitudes that perpetuate a denial of rights for Aboriginal people ensuring that they are "still behind the eight ball" (Interview with Frank Guivera 2004). It is these people that simply ignore such claims “separatism is not what my life has been about” (Interview with Alf Bamblett 2004). Hypocritically, it appears the Federal government-and others that view self-determination as separatist and divisive are actually the ones that are preventing cooperation and ensuring the isolation of Indigenous Australians. It is those in a position of dominance (political leaders) that are obstructing the development of a healthy dialogue between the mainstream and Indigenous people. How important is this dialogue?

Our history has dictated that we, the original owners of this land, must share our countries with peoples from many other lands. We acknowledge this reality, the need to share... [yet this understanding is not always understood, shared or reciprocated... [the powerbrokers and politicians choose confrontation over negotiation, legislation over compromise, and litigation over mediation... we have available to us a “camp on the side of the road” where we as a nation can again develop a strategy to take us forward as mates.

Mick Dodson (1994: 66)
I don't think you can't place a too high importance on the necessity of dialogue. Dialogue is a two way street. In most instances you have the government telling Indigenous peoples what is good for them. Instead of going to the Indigenous community wherever it is and asking what is needed to overcome their problems. Right. Dialogue to a certain degree is partnership. If government was to come along and to say look we have this problem in x area now what can we do to fix it. You tell us your ideas on how to fix it then will work together in partnership on to fix the problems, including the provisions of adequate resources. Whether they be financial or material but take the lead from the Indigenous community. Do that....The government of the day irrespective of their political persuasion have got to recognise that the only way self-determination is going to be achieved is the treatment of Aboriginal peoples as equal partners. (Interview with Frank Gurrum 2004).

Cooperation and a say in their own lives, is the governing foundation of Aboriginal self-determination. Not separatism:

"People today still get confused [about self-determination] people think it means separatism. Separate countries, separate values, separate systems and so forth. Its not that. Its being able to determine the sort of things you are able to do" (Interview with Alf Bamblett 2004).

In terms of raising my children what I have always wanted for them is to take their place in society but being able to maintain and be accepted for who they are and maintain their Aboriginal identity and culture (Interview with Linda Bamblett 2004).

It is not that Aboriginal people want to be separate. It is that they are denied the right to have a say in their lives by being constructed as separate. Indeed, the wider community needs to hear the Aboriginal voice that speaks of understanding, of dialogue, of cooperation. Only this can shatter the dominance of mainstreaming.
4.5 Benefit to All Australia

So far, this report has focused on the need for Australia to address the issue of Indigenous self-determination because denying it is hugely detrimental to the Indigenous community. However, it is very important to note that the issues of Indigenous inequality are a fundamental test for Australia. Addressing Indigenous inequality through self-determination and empowerment would be a benefit to all Australians (Fraser 2004).

On the international stage Australia is judged by the way it treats its Indigenous population:

"Australia's real test as far as the rest of the world, and particularly the region, is concerned, is the role we create for our own Aborigines... Australia's treatment of her Aboriginal people will be the thing upon which the rest of the world will judge... The Aborigines are a responsibility we cannot escape, cannot share, cannot shuffle off, the world would not let us forget that" (Prime Minister EG Whitlam quoted in Behrendt 2003: 169)

Indeed, if Australia is to have any international influence or credibility regarding human rights it must first put its own house in order (Fraser 2004).

Further, rather than being placed outside, as opposite, we as a nation could utilise the richness and knowledge of Aboriginal culture for our benefit. Indeed, Aboriginal culture
can be complementary and beneficial to mainstream identity (Beherendt 2003). Aboriginal, and other cultural values and knowledge can foster a better Australia:

Being a multicultural nation as we are now, we are going to have to mix bits from here and there. I’m not saying we [Aboriginal people] have the best in every area either, but you know, look at the environment, we’ve been here 60,000 years and nothing ever changed or changed very little; we must have been doing something right. So when it comes to the state of the Murray [River] do you think there’d be any Aboriginal asked for advice. Probably not, or in a very minor way. And about law; look at some of the bits of Aboriginal law... look at shaming, shame the offender. We’ve gotta go outside the square; [to see] what works best (Interview with Ron Murray 2004).

An Australia predicated on inclusion and acceptance of difference, can and will mix the ‘best bits from here and there’, to tackle difficult social and political issues. Such an innovative approach can only benefit our nation.
5 Achieving Self-Determination

First and foremost it should be acknowledged that there is no easy answer, "if I knew [how to achieve self-determination] I wouldn’t be sitting here. I would be out there doing it" (Interview with Frank Guivarra 2004).

5.1 International Law

Historically, the principle of self-determination emerged as Europe was being reconstructed, post World War I (Pritchard 2004). Self-determination under International Law is a fundamental human right. Unlike, the fear-inciting claims of the government, territorial integrity is sacrosanct in International Law so long as it does not operate on the basis of exclusion (Dodson, 1994: 73; Pritchard 2004).

The United Nations (UN) and International Law have become a political tool and avenue for Indigenous people to air their grievances. The Working Group on Indigenous Populations (WGIP) work/demands are premised upon rights, fundamental human rights that are non-negotiable and universal to all (Dodson 1994). This rights-based approach is in contrast to that of the government whose

**Summary of International Law**

- All peoples have the right to self-determination (Resolution 1541 XV)
- States territory is sovereign if they comply with equal rights and self-determination (Resolution 2625 XXV)
- The denial of the right to self-determination is a violation of human rights (The Vienna Declaration and Programme of Action 1993)
- The right of Indigenous peoples to self-determination is equal to the right of non-Indigenous peoples (WGIP 1990)
- We [Indigenous people] will not consent to any language which limits or curtails the right to self-determination (WGIP 1993)

Source: Pritchard 2004
polices are based upon perceived needs, a process that consecrates an Indigenous position of dependence and powerlessness (Dodson 1994; Behrendt 2003). Asserting rights as entitlements unbalances the position of subordination, and empowers Indigenous people to address their own problems. It is a shift from the passive to an active and vibrant actor:

Juxtapose, on one hand, the rhetoric of rights and commitment, the anti-discrimination laws and the government programmes and, on the other hand, the lived experience of peoples (Dodson 1994: 66).

The lived experience of Indigenous people in Australia is a direct contradiction to UN human rights laws.

The debates in the UN on international law have highlighted the refusal of Australia to fall into line with international perspectives on self-determination. The position of states blocking Indigenous rights at the UN, Australia being the forefront of this position, is that Indigenous people do not qualify for the right of self-determination in International Law (Dodson, 1994). It is feared that if internally colonised nations recognise the rights of their Indigenous populations to self-determine, it will challenge the nations territorial integrity. This fear is political because it occurs despite documented evidence that International Law does not permit this except in extreme situations. The UN, could coerce nations like Australia to finally provide its Indigenous people their entitled rights:

If you start to get the world to put a few sanctions on Australia. [Such as] if you don’t fix this up you can’t sell your wheat on the world markets then you’d have some interest [in Australia to change]. Or you can’t sell your timber, or your rice because you’ve human rights violations. I can’t understand why none of that hasn’t happened before now (Interview with Ron Murray 2004).

The hard reality of International Law is that it is interpreted by states. Thus, whilst it has/does provide and avenue for Indigenous demands, International Law is interpreted by states and is not the only solution. The failure, for the UN to ‘force’ governments, like Australia to recognise Indigenous self-determination is an indicator of the inability for International Law to truly protect Indigenous human rights. It is also an indication that
International Law will not take steps to address systemic human rights abuses through sanctions, so the extreme move of separatism is completely unrealistic.

5.2 Education

Education is vital to the realisation of self-determination. It is needed to challenge the “apathetic nature of today’s society” (Interview with Linda Bamblett 2004). It will break the indifference of mainstream Australia, it will create a realisation that Indigenous problems and the need for self-determination are born from systemic discrimination and control, and an awareness that Aboriginal people helped build this nation. Changing attitudes is a fundamental process in self-determination:

[it] is about changing the mindset of older Australians, changing the mindset of middle-aged Australians and in a lot of instance changing the mindset of the younger generations (Interview with Frank Guivarra 2004).

Through fundamental attitude change, there needs to be a realisation that colonial discourses still permeate in our public discourses, shape our policies and attitudes (Moreton-Robinson 1998). Only such an attitude change will reveal the role of the system in producing an Indigenous underclass. Attitudinal change can and will only be achieved through education, understanding and a willingness to learn. “We need to create a better climate of understanding” (Interview with Alf Bamblett 2004). Indeed:

Like all who in their upbringing have not had much contact with Aboriginal people, and I guess I, like many others didn’t, I have a lot to learn and understand about their culture

Prime Minister John Howard (quoted in Gordon 2001: vii)

It has to start with the Education Department, we have got to get to the kids... The young kids, the school teachers have to educated, kids have to be educated on Aboriginal history... Real history too, if they started seeing some of the good things about Aboriginal people... [that] Aboriginal people have helped build this country... you start
realising yeah we did treat them pretty badly but despite this treatment they still came out
with some pretty brilliant people (Interview with Ron Murray 2004).

The indoctrinated apathy to Indigenous problems can only be broken through understanding. Understanding can only be reached through education.

Education for Aboriginal people is also crucial to the self-determination project. Aboriginal people have been denied access to the education system, a process that is disempowering because it marginalises access to the economic and political systems (Behrendt 2003). Although Indigenous participation levels at schools are increasing, improving the education of Aboriginal Australia must be a key focus for future initiatives (Behrendt 2003). Improved educational opportunities and a culturally appropriate syllabus will foster Indigenous pride and self-respect:

You know learning about Matthew Flinders taking King Bungaree with him throughout his travels. You know I never learnt that in school, I learnt about Matthew Flinders, but I had no idea that an Aboriginal man was with him to help plot Australia, Aboriginal kids knowing that would feel so proud. They'd feel part of the class, rather than feeling like they are alienated (Interview with Ron Murray 2004).

Education, an education that can make Indigenous children proud of their heritage, and proud of themselves is a fundamental necessity to break the hopelessness and alienation that our colonial system has produced en masse. Indeed, education, affecting both the mainstream and Indigenous children is crucial in the fight for Indigenous rights.

5.3 Economic Dependence and Land Rights

Providing Indigenous people with an economic footing in this country is crucial to the self-determination project. As a nation white Australia needs to acknowledge that it has have become wealthy at the expense of Indigenous peoples; we as a nation must make move to address the economic inequality suffered by our first peoples:
It seems to me that one of the hardest things to achieve your own destiny is to fund your own destiny as well. There are subversive ways to keep you oppressed, and that is to keep money out of your hands and that is to keep you on the lowest rung of the socio-economic ladder (Interview with Linda Bamblett 2004).

Self-determination and economic dependence do not have a cause and effect relationship. Rather it is the contrary; they mutually feed and feed off each other. For Indigenous people to self-determining they have to be able to move away from welfare dependency. However, to achieve this shift Aboriginal people must be able to control their own economic futures.

Indigenous land rights are fundamentally associated with self-determination. For Aboriginal people it is “just about everything really. It is the cornerstone of the people” (Interview with Linda Bamblett 2004). The Federal government believes that land rights issues are solved, they believe that it has been addressed (Office of Aboriginal and Torres Strait Islander Affairs, 2003b). This is further evidence of governmental refusal to listen to Aboriginal views. Aboriginal people do not and will not accept the current situation of land rights. Mabo recognised, not created land rights, as Aboriginal people never ceded their land (Behrendt 2003). The amendment to the Native Title Act is an extremely reductive framework for Indigenous people to find redress for the theft of their land. Mainstream Australia benefits from the theft of Aboriginal land; a process that guarantees Indigenous inequality (Moreton-Robinson 1998). The land rights debate has seen the government prioritise the interests of pastoralists and mining companies, and exclude Aboriginal views; and then claim it is in the interest of the nation. The land rights debate manifests the (white) mainstream ideal

The agreement signed between the Victorian State Government and the Yorta Yorta people that grants them co-management of 50,000 hectares of Crown land in northern Victoria is a prime example that recognition and the ability to have a say is a key to the land rights debate. Chairman of the Yorta Yorta governing body Lee Joachim proclaims “What it has given us is a genuine say over our country and over the waterways and their management” (Hogan and Shiel 2004: 9).
that necessitates the exclusion and continued disempowerment of Aboriginal peoples (Moreton-Robinson 1998).

Land rights issues are shrouded by a fear-mongering rhetoric that feeds racial prejudice and ignores the history of land theft (Behrendt 2003). However, in reality land rights is about getting access to traditional lands and having a say in their maintenance:

But to be able to walk onto someone's property [in] your traditional area they shouldn't be able to stop you from going there... [in your] own country native title is really about getting Aboriginal people access to their land, and that is important; and being able to have a say (Interview with Ron Murray 2004).

There is actually no evidence to suggest that Indigenous land rights would detrimentally affect the economy (see Fletcher 2000: 118-120). Alternatively, there is plenty to indicate the right to negotiate of land usage would positively affect the Indigenous economic situation (Brennan 1998). Furthermore, it is about recognising and respecting beliefs and values. It is about acknowledging Aboriginal sacred sites:

Places like Uluru, you know, where it has been given back to the Aboriginais people. But it is only a token gesture. They should ban people from walking on it in my belief, because we don't go into a Buddhist temple with our shoes on because we know it is disrespectful. We don't go into a Catholic church and jump on the alter because it is disrespectful. It is about recognising peoples' beliefs and rights... I don't think even if they stopped people climbing [Uluru] that it wouldn't stop people going there. Because it is absolutely magnificent (Interview with Ron Murray 2004).

Land rights are fundamental because they are about having respect for each other from both sides. The granting of land rights demands an understanding of the Indigenous situation, an understanding that will foster a better relationship between Indigenous and non-Indigenous Australians.
5.4 Fostering Indigenous Leadership

To improve the plight of Indigenous Australia, Indigenous leadership must be fostered. In attempting to address systemic inequalities that the Howard government has written off as ‘symbolic’ aims, Indigenous leadership is depicted as failing its constituents, indeed “Aboriginal leaders need to show leadership not make excuses” (The Australian 18/02/2004: 2). The supposed failure of Indigenous leadership is used as a scapegoat for government failure:

I think that in the majority of instances Aboriginal leadership hasn’t failed. I would suggest in most instances that Aboriginal leadership has been constrained by government policy. And they’ve been hamstrung to deliver things. But they are now blaming the organisations for failure rather than saying hang on let’s give them the appropriated amount of money so they can get it right (Interview with Frank Guivarra 2004).

Indigenous leadership has been constrained by government policy, further it is fledgling. After almost 200 years of total control, Indigenous people have only begun to be allowed to take some form of leadership in the last 40 or so years (Minniecon 2004). The fledgling nature of Indigenous leadership is never acknowledged it is “always being measured against mainstream standards” (Interview with Linda Bamblett 2004). Aboriginal leadership rather than being cultivated and allowed to flourish has been hamstrung, criticised and left to flounder, nevertheless, in the face of these difficulties Aboriginal leadership has in many instances proved a strong source of hope for Indigenous Australians (Behrendt 2003).

The Indigenous youth are key to the realisation of self-determination in this country. The Aboriginal population is incredibly young, “you know 57-58% are 25 years and under. So it is a very young population” (Interview with Alf Bamblett 2004). The youthful population needs to be moulded into future leaders, it is they that need to carry on the fight for the rights that are due to their people. Langton proclaims “we need a long-term strategy of investing in youth and fast-tracking them to take up positions of administration and leadership” (cited in Gordon 2004: 11):
They should get experts in. Grassroots people that know the problems, that work in prisons; that deal with it everyday. It doesn’t have to be an elder but a tireless worker...
As I said it could be elders but I don’t think we should just cut out the young people, because there are a lot of good young people doing a lot of really good stuff (Interview with Ron Murray 2004).

It is important for both the mainstream and the Aboriginal community to empower its youth:

We’re worried about the number of kids in the system now, the numbers are growing and you have a look at the population we have a younger population. And the majority of us don’t want to see our kids grow up to be prison fodder (Interview with Frank Guivarra 2004).

5.5 A Comprehensive Approach

The starting point for achieving self-determination is for the mainstream to ask Aboriginal people what they want. Ask how to implement improvements in their lives, to “listen to the alternative view, and then in concert with the Indigenous community, act on those perspectives” (Interview with Frank Guivarra 2004).

Self-determination Using the Surrounods

It is self-determination using the surrounds. Just in the same way the old people would have used the landscape and what is on it to provide them with the direction for life. This is using the landscape, it might be the political one, it might be the service provision one and it might be the ability to utilise agreements and partnerships. To be able to say we want these things to happen in a particular way, we want these things to happen because we do it that way more and more Aboriginal people will benefit from it. Rather than an imposed direction, that in many ways misses the mark.

Alf Bamblett
Self-determination is not something that once achieved can be forgotten. Rather the opposite, self-determination is an ongoing process; it is a way of life. It is right that mainstream Australia simply takes for granted. It is necessary for the mainstream to realise the perpetual nature of self-determination and the need for continued awareness of Indigenous needs:

Those marches of reconciliation, had hundreds of thousands of people. One must ask the fact that those people came out in their hundreds of thousands of people came out and marched, what has happened to those people now? What has happened? I've never had the opportunity to ask people who participated, but did they at the end of those marches did they feel alright we've done our bit for reconciliation, we're reconciled now let's move on. You know did they feel good? Did that march make them feel good? Did it cleanse their soul so everything is hunky dory, but did it change [things] for Aboriginal people? That we've all of a sudden had homes, jobs, incomes, substance abuse put on hold, did the alcohol problems go away, is everything sweet now? No! (Interview with Frank Guijarra 2004).

At the end of the day self-determination is really all about “everyone pulling their weight” (Interview with Alf Bamblett 2004) for the good of the Indigenous community and for the good of the nation.
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