

**The Second International Conference on New Directions in the Humanities  
Monash University Centre in Prato, Italy**

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**Plenary Presentation**

**By Mick Dodson**

**Chairman – Australian Institute of Aboriginal & Torres Strait Islander  
Studies**

**Theatre Politeamo**

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**Ladies & Gentlemen**

It is customary for me to acknowledge the traditional owners of the land where I've been asked to speak, so in this case let me just acknowledge the hospitality of the people of Prato and the charm of the Tuscan land that we are all privileged to share while we are here.

I also wish to thank my colleagues on the Council of the Australian Institute for Aboriginal and Torres Strait Islander Studies for approving my presence here to represent the Institute. I also thank Rio Tinto without whose generous financial support I could not be here.

Let me make a start by saying that I speak to you, of course, as one of the Indigenous people of Australia, and our people like many Indigenous peoples in other parts of the world have an ambivalent relationship to the Humanities in general.

In the dark past, the view that we were so backward in civilization that we did not fully qualify as human can be attributed to the ancestors of your present

disciplines, if not to the disciplines as practised today. One eminent professor has told us <sup>i</sup>: learned liberal philosophers of the modern era elaborated a doctrine of the freedom of the individual within a republican state, and at the same time found arguments for denying that freedom to the Indigenous peoples of the New World, and justifying the state's plunder of our lands<sup>ii</sup>. Others of your disciplinary forebears romanticised the 'Noble Savage', which did us no less injustice in denying our essential humanity.

In more recent times we have begun to understand each other much better. Research in the Humanities has done a lot to educate the larger public on our common humanity - the humanity of both Indigenous people and the descendants of colonising societies. Such disciplines as history, a revised and reflective anthropology, the Arts – including film and drama, and in general the social commentary of the intellectuals that populate the Humanities; have done much to lead the general population along the path towards reconciliation.

I think it is important, though, to reflect on how recent and fragile that understanding is. In Australia, in particular, we see it wound back on a daily basis with the full weight of the present government, and the particular obsessions of the present Australian Prime Minister, bearing down against us. It bears down, also, on the common understanding of your disciplines that you have so recently developed. I want to alert you to this in my talk to you here today. From the very first day that the present Australian government took office we have been subjected to an onslaught on our rights not seen since the British assertion of sovereignty over our ancestral lands. I am not talking here about our base human rights, our political rights or civil rights, or indeed our citizenship rights – the beneficial rights we are meant to enjoy as Australians. These are very important. These are rights we are meant to possess by virtue of our common humanity, rights that are universally recognised as inherent to all.

No, I'm talking about our distinctive rights as Indigenous peoples. Rights so far largely unrecognised but surely abused. These are not superior rights they are different right. They are about who we are, what we stand for and our place in humanity. Without their recognition and protection we disappear as a component of the wonderful diversity of humankind.

Ladies and gentlemen

My brother Patrick, unlike me, is pretty notorious in Australia so I don't often quote him. He was the founding Chair of the Council for Aboriginal Reconciliation, and at the risk of being regarded as equally notorious I agree with him when he says: to talk of extinguishing native title is to revert once again to extinguishing the natives. It is equally true that to deny our human rights, particularly those distinctive rights that make us Indigenous, is to revert to a denial of our humanity. The disciplines of the Humanities that you all represent here aspire to explore the most elevated of human values, and this conference promises to be very productive in this. For the moment, however, let me explore the dark side of those values as it manifests itself in Australia today.

Racism has been, and continues to be, a core value of Australian society.

I should tell you that the very first press conference in our national capital, Canberra given by John Howard, after taking leadership of the country, was on the subject of Indigenous affairs. He announced the suspension of operation of many of our community-based organisations while he conducted an audit of their expenditures, using money appropriated from ATSIC, our own elected national representative body. The audit found little remarkable, but it was the first shot in the war of re-colonisation that the Prime Minister has led against us throughout his term in office.

Since that press conference, his refusal to acknowledge the reality, and the legality, of prior ownership of this land now called Australia by Aboriginal and Torres Strait Islander people, his persistent denial of the truth about the forcible removal of Indigenous children from their families and communities, his refusal to engage in reconciliation and settlement of past injustices, and his denial of Indigenous knowledge of the history of occupation of this country by Europeans, demonstrates a deep seated and personal disrespect for Indigenous people, our cultural rights and obligations. Most recently, his decision to abolish the national Indigenous representative body, ATSIC, and to replace it with an appointed advisory committee is breathtaking in its ability to send us the message that, as far as he is concerned, we are people who just don't count. Through his position on matters like these, John Howard is, quite deliberately it seems, promoting continuing disrespect for Indigenous people in our country and dividing the nation along the lines of identity, ethnicity and race.

In his 1996 Sir Robert Gordon Menzies Lecture – which he called “The Liberal Tradition: The Beliefs and Values Which Guide the Federal Government” (1996a), the Prime Minister gave an insight into his view of Australian society and history. In that speech he referred to the ‘black armband view of our past’, which he described as reflecting “a belief that most Australian history has been little more than a disgraceful story of imperialism, exploitation, racism, sexism and other forms of discrimination”.

As the Aboriginal and Torres Strait Islander Social Justice Commissioner I considered, and rejected, the politics of such exaggerated statements in my ‘Social Justice Report’ in 1996 (ATSISJC 1996).

It is notable that these words were spoken for the memorial lecture in honour of the hero of the Liberal Party's tradition, Sir Robert Gordon Menzies. Full acceptance of our Indigenous experience is seen as a challenge to the core values, which the Prime Minister believes, cohere and unite his party, his government and the nation as a whole. If this were so, there could be a legitimate cause for concern. It is not so. I doubt, in fact, that it is a real fear. More likely it is a political posture designed to engender fear in others for narrow ideological ends.

In grappling with the past, the present, and our future together the Prime Minister uses the image of a 'pendulum' which in his view has swung out of balance in favour of the interests of Indigenous Australians and other minority groups, away from the core interests and values of the mainstream. In an address to the 61st Annual State Conference of the National Party in Queensland also in 1996, Prime Minister Howard (1996b) said:

“...For too long this country had a government that was pushed and pulled in every direction by the noisiest minority that happened to be in town at the particular time.”

Of course, our minority has been in town for a very long time. The most telling aspect of this remark is the notion that there is a centre to the Australian nation that is somehow put upon, badgered and browbeaten by factional groups who would pull the centre apart by appeal to special interests. It is essentially a defensive position. While it acknowledges that Australia's history is blemished, it asserts that the overall scorecard is pretty good, and that examples of ill treatment and discrimination are nothing but the whistles and banners of a street demonstration, designed to re-open the past to gain contemporary political leverage.

It is a view that sees a fundamental division between the interests of Indigenous people as a minority and the interests of the mainstream of Australian society - as though recognising our human rights means undermining national cohesion. This is clear from an address to the Australian Liberal Students Federation in July 1996, when Prime Minister Howard (1996c) said:

“Governments exist to represent the values and aspirations of the mainstream of the Australian community. Not in a way that is insensitive or indifferent to minority groups in the community but in a way that ultimately gives expression to the aspirations and the hopes of the mainstream of the Australian community.”

To my mind this is a return to classic assimilation. It places the Indigenous people among minority groups who are outside the values and aspirations of the mainstream of the Australian community. Our values, aspirations and hopes are seen to be essentially divergent.

The narrowing of national vision caused allows this new Liberal Party philosophy to declare that core Australian institutions and values are under attack from the fringe. It is reflected time and again in attacks against Indigenous human rights - by the government's response to the High Court's Wik decision recognising co-existent rights to pastoral land, in the response to the Final Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families (Bringing them home) (HREOC 1997), the response to the Final Report of the Council for Aboriginal Reconciliation and its Documents of Reconciliation (CAR 2000), recent reviews of the National Museum of Australia, and most recently the unilateral abolition of the national Indigenous representative body - ATSIC.

In all of these cases, and particularly with the abolition of ATSIC, the present government has run roughshod over the UN's General Recommendation on Indigenous Peoples, (General Recommendation XXIII) of its Committee on the Elimination of Racial Discrimination's Human Rights Commission's, which is a requirement that no decisions affecting the rights of indigenous peoples "are made without their informed consent."

Australia is today morally bound by agreements it has signed to respect the cultural and political autonomy of indigenous peoples, and their territorial rights. After 1945 the multilateral negotiation of, and agreement to, international rights and their implementation and interpretation, was perhaps the most important influence in the evolving ideals and standards of indigenous policy and rights world-wide, especially in Western liberal democracies. Australia played an honoured part in this process. While the impact of international principles was not always instantaneous in the faraway Southern Hemisphere, it was respected at least in rhetorical, until the Howard government began its attack on the international rights system and United Nations in the late 1990s.<sup>1</sup>

Post-1945 nation-states in the so-called 'first world' also quickly established that indigenous peoples, even in remote and inconvenient areas, were part of national society and entitled to the same high quality public services as all other citizens. Such 'citizenship rights' were due regardless of any additionally recognised indigenous rights or political communities. Attempts to glorify the provision of such basics as noteworthy national achievements, or 'practical reconciliation' - as it is described in Australia -

may be good public relations for gullible audiences, but they are an international ‘first world’ minimum standard. As the late Aboriginal leader Charlie Perkins said in almost his last public utterance, “nobody boasts that white children are able to go to school”. [CAEPR report]

The last decade’s public discussion of indigenous affairs in Australia has hinged on a number of false oppositions. Firstly, symbolic recognition, rhetorical documents, and statements such as an apology for the stolen generations, are opposed to practical nuts and bolts community service programs as mutually exclusive choices, the only ones on offer (with any sensible person preferring the latter). But no indigenous person has ever suggested that symbolic politics alone were a cure for anything. Secondly, Self-determination, with a loaded meaning implying separation from Australia or withdrawal from modern society, is opposed to assimilation into ‘the mainstream’, as if only these two choices face our people. Again, the first option is supposed to be silly, and the latter sensible. In reality the desired policy accepted by most Australian indigenous leaders combines some form of autonomy within Australia with greater access to the benefits of contemporary economy and society.

These false oppositions have provided the backdrop for the attack on ATSIC, which has been under endless special scrutiny and special audits since the Howard government came to power. Complaints from indigenous people themselves about ATSIC have been used by government and the media to discredit the organisation; similar complaints could be mustered about any ministry or official agency among its client group, whether farmers or pilots or nurses or students. ATSIC has been a lightning rod for

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<sup>1</sup> In the same weeks of political debate covered by this paper in early 2004, Howard tried to use special incentives to train male schoolteachers as a tool to entice the political class to crack open

any material or other grievances, saving the country at large, and its governments, much deserved blame. The frequent corruption and other scandals revealed at the highest levels of ‘mainstream’ state and federal governments, of course, do not call into question the right of non-indigenous regions or peoples to govern themselves.

‘Mainstreaming’ services for indigenous peoples is not the future but a failed past. The reason that governments have specialised bureaux dealing with indigenous issues, until our own achievement of autonomy to indigenous, is that practical experience dictated such need. The only way to remove such a need is where regional people become self-governing and have their own sufficient institutions. The experience in other countries shows us that, even in such cases as Greenland or Nunavut, liaison or various residual functions remain within the nation-state.

Of course, Indigenous peoples have needs and aspirations, which do not fit neatly within ‘mainstream’ systems, whether because we live in inconvenient locations, our poor socio-economic profile, our legal status or lack of it, or other factors. Whatever its precise functions, a specific indigenous affairs element in executive government is usually necessary in any country where there are Indigenous people. Where ideology or a facile sense of public economy removes such institutions they will be quickly re-invented for quite practical reasons.

‘Indigenous policy’ as a term used by Australian governments today means rather less than meets the eye. It focuses on basic community services, an entirely worthy and urgent matter, rather than the larger questions which the term implies elsewhere. It is about getting indigenous people to the toilet, not

the treaty table. Yet a recent review by the Centre for Aboriginal Economic Policy Research of the decade of ‘practical reconciliation’, in which material advancement was supposed to replace symbolic gestures, shows that there has been no overall improvement. Indigenous people on the receiving end of John Howard’s philosophy achieve neither recognition nor the material benefits of citizenship.

The ‘policy’ of the Howard era has had three conflicting dimensions. Firstly, he has said repeatedly that Australia’s Indigenous people should disappear as a public issue; he wants us off the front pages of the newspapers, dissolved into the social ‘mainstream’. Strangely, though, he has fretted endlessly in public about indigenous peoples and issues since first coming to power. He has been unable to leave the subject alone, especially in his first five years in power, and recently, with an election looming, again. We may have to await a psychobiography to find the source of this obsessive interest. Thirdly, he has used Indigenous people and prejudices against us consistently and persistently as a rhetorical scapegoat rather than a problem that needs to be addressed. The abolition of ATSIC is an example of this non-constructive approach.

While media attention has focussed on ATSIC’s internal problems, it has also had some major external problems to contend with. Perhaps the biggest is that the Howard government has been unwilling to recognise its legitimacy. Indeed, it is uncertain that Howard would accept any indigenous body as legitimate. As he recently said:

I have made it very plain that I don’t think having a separate body is a good idea. I have a very strong preference for the services available to indigenous people to be delivered through mainstream agencies. Obviously where there are pockets of disadvantage, you should have some special programmes. But

I don't think the ATSIC experiment has been a success. I think it has been a huge failure. (Prime Minister's transcript, Interview on radio, Perth, 1-4-04)

Clearly there is not much indigenous political space allowed in Australia. Howard, and many others, does not accept that indigenous people have the right to any political institutions at arm's length from the control of the state. Howard and others have used ATSIC, and allowed others to use ATSIC, as a scapegoat, both for anti-indigenous feelings among the public and in frustration with the persistent socio-economic woes of Indigenous peoples. ATSIC's visibility has made it a convenient target for many reasons, few of which have anything to do with its actual role or performance.

Howard has run a one-man government on indigenous policy, with ministers left to justify or carry it out. He has played on the most uninformed notions which the public (and presumably he, himself) holds, and assiduously undermines attempts at policy discussion with mournful and spurious appeals to national unity. In recent years he has taken to saying that the lack of personal opposition he encounters to his position on indigenous affairs indicates its wide acceptance. On the contrary, there is much discussion out of his range, but it is people like yourselves, those who know better, that we look to bring a more balanced view of our concerns back into the public domain.

I would like to wind up by saying that, since the referendum in 1967 that removed the prohibition on the Commonwealth making laws for Aboriginal people, we have suffered a number of imposed representative organisations which were apparently for our own good. Firstly, we had the Office of Aboriginal Affairs, then the NACC, followed by the NAC, before the amalgamation of the NAC, the old Department of Aboriginal Affairs and the

Aboriginal Development Commission, which, collectively became ATSIC, with a new electoral structure. While ATSIC did many good things that it was never credited for, and was blamed for many things that were not within its area of responsibility, from the start Indigenous people were suspicious of the way that the government had planned, delivered and, ultimately, controlled it. Many of us today see its unilateral abolition by government as an opportunity to move forward, despite our disgust at the contemptuous way that abolition was announced and implemented. This time we are determined that a national Indigenous representative body will be one of our own making, responsive to the diverse cultures and living situations of our peoples, and adapted to our own needs as we determine them.

In June this year about 200 Indigenous people from across the country gathered in Adelaide to discuss the process for planning a new national representative body. I'd like to be clear here that they did not plan a new body – they committed themselves to a process of consultation about how the new body should be constituted, and they laid down some Key Principles and Values for this National Indigenous Body and the National Inclusive Process for establishing it. In conclusion, I would like to outline to you here these Principle and Values:

- We the Indigenous People of Australia and we alone have the right to determine who represents us locally, regionally, nationally & internationally.
- We are determined to establish a sustainable independent National Indigenous Representative Body that reflects the aspirations and values of our peoples.
- The National Indigenous Representative Body needs to gain its legitimacy from our people.
- Any process to establish a National Indigenous Representative Body must acknowledge who we are, honour our diversity and commit to inclusive processes for all our people.
- Our National Indigenous Representative Body must be open, transparent and accountable to the Aboriginal & Torres Strait Islander peoples.

We also elaborated Principles for a National Indigenous Representative Body and Inclusive Process as follows

- We respect and are committed to the right of our peoples to make free and informed choices for them, their families and communities.
- We have an obligation to respect and protect our right to self-determination, our human rights, our humanity, our First Peoples' status and our inherent rights that flow from that status.
- We have a duty to pursue social justice & economic development for all Aboriginal and Torres Strait Islander peoples.
- Our duty is to leave a lasting legacy for our grandchildren's grandchildren.

I believe those are the values that will guide our discussions in the coming year. The process will be domiciled at the Australian Institute of Aboriginal and Torres Strait Islander Studies in Canberra, but it will be owned by all of our people from the largest cities to the remotest communities.

We can expect the discussion among our people to be very robust.

When Gerry Hand, a Minister in the Hawke government, was roaming the country proposing the model of the future ATSIC, one comment he got from a meeting somewhere in the vastness of our traditional lands: 'new tie, new shirt, new trousers but the same smelly old socks''. This time around, with the consultation process in our own hands I'm sure we will get the socks right too.

Thank you.

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<sup>i</sup> Professor James Tully in his book 'Strange Multiplicity'.

<sup>ii</sup> (Tully, 1995:63, 70-79)