It is the paper published as:

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Title: Place, identity and nationhood: The Northern Territory intervention as the final act of a dying nation

Journal: Continuum: journal of media and cultural studies ISSN: 1030-4312

Year: 2009

Volume: 23

Issue: 6

Pages: 803-825

Abstract: The paper argues that the Australian governments intervention in the Northern pre-empt the end of Australia as a single nation state. Through a discussion of national identity, history and particular key (post 1965) policies/Acts and actions by the federal Government the paper considers the place of Indigenous and non-Indigenous Australians in relation to the Australian nation-state and each other. The paper argues there has been a continued social and political marginalisation, displacement and exclusion of Indigenous Australians and continued construction of them as “others to” Australianness. It argues that at so a pivotal point in the history of this country, in the Post Apology society, the Intervention is a watershed institutionalising racism towards indigenous Australians in the new millennium. It suggests place and identity within the ‘Australian’ nation-state need to be re-framed for the possibility for Indigenous inclusion and/or provide for the sovereignty of the Indigenous nations. Without such action it suggests the Howard/Rudd choirs sing to the ghost of the nation-state as he walks by the billabongs the wells of racism to which non-Indigenous leaders have ever returned.

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URL: http://dx.doi.org/10.1080/10304310903294853
http://researchoutput.csu.edu.au/R/-?func=dbin-jump-full&amp;object_id=13140&amp;local_base=GEN01-CSU01
http://unilinc20.unilinc.edu.au:80/F/?func=direct&amp;doc_number=000335883&amp;local_base=L25XX

CRO Number: 13140
Place, identity and nationhood: The Northern Territory intervention as the final act of a dying nation

Mary O'Dowd

It was broadly considered in the struggles for social justice, certainly from the 1930s, that Indigenous Australians would one day achieve justice within the Australian nation-state. This paper discusses and makes links between traditional concepts of the Australian national identity narrative that helped to forge a sense of nationhood, colonial history and recent (post-1965) key government policies and actions (the 1967 referendum, 1975 Anti-Discrimination Act, the 1992 High Court Mabo decision, the Northern Territory intervention and the National Apology) to indicate how Indigenous Australians were, are and continue to be excluded from national belonging. It argues that ‘place’ in the nation-state of Australia is temporary and contingent for Indigenous Australians, and does this through a discussion linking national identity to the selected policies and actions culminating in the Northern Territory intervention. It concludes that the continuing Northern Territory intervention in a post-apology national politics is not merely another act but a watershed that indicates that Indigenous Australians are unlikely to achieve equitable citizenship and a place within the Australian nation-state as it is now framed. This paper is in three parts. The first part considers the historical national narrative and its significance in its power of exclusion, and its exclusion of Indigenous people in particular. In the second part it briefly indicates how the national narrative’s constructed Australian identity, while excluding Indigenous people, is modelled in significant, but largely unacknowledged, ways on Indigenous identity, thus suggesting a coping mechanism and insecurity of belonging of colonizers’ descendants in a colonized country.

The third part looks at the impact of particular law, policies and action to highlight how Indigenous Australians have been subjected to a government approach of displacement – exclusion/inclusion/exclusion of Indigenous social citizenship. In a discussion that brings together the three parts it argues that nation building in Australia was fundamentally flawed at its beginning (prior to and after federation) as it ignored Indigenous presence.

It argues that, given the past and recent history, it is now time to accept, as part of the maturing of the nation-state, that Australian nationhood is problematic when the issue of First Nation Indigenous presence is not effectively addressed.

This paper contributes to work on national identity narratives; the relevance of the Australian nation-state to Indigenous Australians; and to issues of citizenship, identity and place in postcolonial Australia. The paper also contributes to the international discourse about issues of nationhood, citizenship and identity in the context of the rights of Indigenous peoples within nation-states as well having connections with dialogues about social citizenship for minorities within new political realities as the result of globalization,
such as the European Union, and integration. This paper is part of the self-reflective and self-critical discourses on national being, citizenship rights and place.

At the arrival of the First Fleet in 1788 the people who moved on shore in Australia clearly identified as British. The ‘natives’ were the Indigenous Australians who at that time had a sense of country that was local as opposed to pan-national; pan-national Indigenous identity was one that slowly developed in the context of colonization and postcolonial struggles. The development of a sense of Australian identity as distinct from British is well documented. The construction of that Australian identity was in significant part deliberate and linked to a construction of landscape. Australianness was defined in racial terms as white – British (and Irish), and Indigenous people were excluded from that identity. This created an Australian state formation process that ever failed to address the importance of inclusion and eliciting domestic loyalty of its Indigenous residents or their having rights as social citizens. Ferrera’s (2003) discussion of the formation of states in Europe is relevant to the Australian nation-state. If the Australia state is not considered a given but rather as a formation that has and could change just as the countries of Europe changed, we can consider the governing structure of Australia and the silencing of Indigenous presence and sovereignty as an error of omission and flaw in the foundation of Australia, a flaw that still needs addressing.

The national narrative framed a founding identity of Australianness. As constructed it is an interesting and ongoing force in the exclusion of Indigenous people from the initial and lingering national story of belonging. The national narrative is expressed in Australiana poetry, other literature, in the art of the Heidelberg School and reinforced in a focus in colonial history on pioneers, explorers and ‘white’ enterprise (see particularly the 1880s–1900s, and as continued in the Anzac mythology). The national narrative was one of a forged national identity of whiteness and maleness in the context of a silenced Indigenous presence. The development of the national narrative in the 1880s was successful with its pioneer image of tough, resilient bushmen. Palmer notes that under Australian conditions ‘soon began to be born a type’; Australian men were ‘tall yet robust’, ‘daring in action’ and ‘with the idealistic qualities Lawson was to emphasise in his stories of mateship’. Many writers elucidated the key characteristics of this ‘Coming (Australian)
Man’, including, ‘independence, manliness, a particular fondness for sport, egalitarianism, a dislike of mental effort, self-confidence, a certain disrespect for authority’.14 Lansbury describes this national identity as ‘a robust egalitarian spirit expressed with a sardonic humour’.15 The so-called ‘emerging type’ was the constructed hero pioneer who ‘found’ and founded the country.16 The core image was of physical beauty, and psychological grace has been used and believed. The image was embellished in Anzac mythology; for example, Palmer17 notes how Masefield described the ‘kingly bearing’ of the Australian soldiers at Gallipoli.

The national man in the narrative of Australian identity was a somewhat conceited image in terms of its portrayal of Australian manhood physically, for example the robust and handsome images of Australian manhood in the Heidelberg School of Art (such as Tom Roberts’ ‘Shearing the Rams’); and somewhat conceited in its image of Australian male psychology with relationships characterized by mateship, friendliness, larrikinism and egalitarianism as evidenced in the Australian literature of poetry and stories by men such as Lawson and Patterson.18 White notes the impact that historians had on reinforcing and perpetuating this construction of national identity and how the concept of national types remained influential in the writing of Australian history until well into the 1950s.19 While the stereotype of the national type owed a debt to historians and to the Australiana writings in poetry and other literature it probably also owed a significant debt to male conceit evidenced in the wide acceptance of this image of national self.

The Australian male as a ‘white tough bushman’ was still embedded in popular culture of the late twentieth century and, while challenged, continues into the early twenty-first century.20, 21 It is arguable that the role of the ‘national man’ in popular culture influenced and influences how Australian (male) people believe they should be and should act, how they believe they are, and even how some are. The national narrative was most strongly articulated in that ‘Bible from the Bush’ The Bulletin for all about how to be a ‘proper’ (and implicitly an ethical) Australian. The explicit messages of mateship are a useful role model for sport, social citizenry and war. Of course, the national narrative has been
contested for its weaknesses and its dangers; for example, Dixson notes the absence of women and misogamy in Australian history writing;22 and McKenna notes ‘The more all consuming the Anzac myth becomes the less public space exists for understanding the non-military aspects of Australia’s history, be it our democratic history, our indigenous history, or our intellectual and cultural history’; he notes the use of the ‘Anzac legend’ to distort historical and current readings of Australia’s involvement in war, to facilitate militarism as an imagined tool of justice, and to reconstruct death in war as sacrifice and linked to nationhood.23
In summary, the national narrative of Australia reflected a misogyny24 and silence but in this it is not unique in that it shared traditions with other Western historical national narratives.25 While the silence on women in the Australian national narrative has much in common with other Western historical national narratives, in 1976 Dixson considered it much worse in Australia than England and the United States. Yet the national narrative endures26 (albeit challenged) and could be considered (if its racism, ‘warrior-ism’, and gender bias were removed – a significant extraction) not a bad ‘bush bible message’ of how to be. However, it is problematic and dangerous for its potential for misuse, its misuse27 and, as will be noted in this paper, its impact in its silence and exclusion of Indigenous people from the nation-state of Australia.
The silence about Indigenous people in the national narrative is reflected in writings about the First Australians as being somehow outside ‘Australiaanness’. Until the 1970s and beyond the ‘Australian’ story was conceptually a non-Indigenous story. Macintyre and Thomas (1995, 18) note that George Arnold Wood, the first chair in history at the University of Sydney, considered that Australia was “‘not particularly interesting” as there were “no wars of conquest”, or of “defence”, and no racial conflict’. Rienits and Rienits could write that prior to British occupation the continent of Australia ‘remained the continent nobody wanted’ and that when Cook landed ‘Australian history had began’.28 Indigenous people when written of were frequently simply a preface to ‘Australian history proper’, frequently as a Stone Age people docilely accepting the ‘arrival’ of the British.
The Australian Aborigines . . . were among the most primitive and peaceable peoples known to history . . . From Phillip’s time until today Australian Governments have had to be much more concerned with protecting the Aborigines than with fighting them.29 Yet this silence is more sinister given the actual history. The brutality and dispossession of Indigenous people was well documented up to roughly the time of the development of the Australian national narrative’s construction starting around the 1880s and then it became undesirable and was omitted. It was not until the 1960s that the history of brutality towards Indigenous Australians, including their dispossession and denial of human rights, began to re-emerge. Stanner30 announced the end of the ‘Great Australian Silence’ in the 1968 Boyer lecture. Writers such as Plomley, Rowley and Reynolds31 opened a flood gate for further texts and histories, and pseudo-histories.32 The rediscovered past history drew greater awareness to postcolonial practices and consequences such as Indigenous child removal (Stolen Generations);33 higher imprisonment rates34 and a causality not always linked to police bias in likelihood of arrest;35 poorer health outcomes, greater unemployment, poorer housing and high incarceration rates;36 poorer educational outcomes;37 and cultural destruction via loss of language (as late as 2008 in the Northern Territory38). The pattern of these differences amongst Indigenous peoples vary from rural to urban areas and State to State to Territory but the trend of difference to non-Indigenous Australians remains the same.39, 40

A significant legacy of colonization is the lack of autonomy and control that Indigenous Australians have to endure;41 then from the late 1970s often a pseudo-control that failed to address cultural difference and recognize Western skill demands such as advanced literacy and numeracy42 that has impacted on some Indigenous peoples’ selfbelief.43 Additionally, the culturally imposed systems of non-Indigenous governance may be culturally inappropriate to Indigenous communities44 and impact on their viability. In 1990 the Aboriginal and Torres Strait Islander Commission (ATSIC) was established by an Act of Parliament as part of the Australian government’s attempts to address the
extensive disadvantages faced by Indigenous Australians. ATSIC was closed down in 2004 by the Howard government amid accusations of a lack of accountability; however, the accuracy of these accusations is refuted. ATSIC was not replaced with another nationally elected body either prior to its being closed or since. The past flows into the present as the ghosts of colonization continue.

The history of colonization and Indigenous dispossession, resistance and the silence about it is now better known and acknowledged both in the academy and the wider community, for example through the Royal Commission Inquiry into Aboriginal Deaths in Custody, 1991; contestation over the bicentennial celebrations; the Royal Commission into the Stolen Generations, 1997; through debate in the media about whether there was a need for a national apology to Indigenous Australians (prior to 2008); through education in the school system (e.g. the NSW curriculum documents advocating for Aboriginal perspectives in teaching); and through other media. However, this does not detract from the significance that it was almost 50 years from the ‘re-discovery’ of the brutal past about dispossession to the federal government’s acknowledgement in the National Apology (1960s–2008). It was also significant that the idea of an apology was controversial and refused by the previous incumbent Prime Minister, John Howard.

The controversy reflected a level of ignorance about what had taken place in the past, a blatant racism and a part of the national history that the government and others did not want acknowledged, and which in some school systems remains not well taught (acknowledged).

The fact that the history was ‘rediscovered’ in the 1960s (but arguably it was not unknown among historians before that, rather not seen as relevant). This may partly explain why some Indigenous academics own this history as theirs. The history of colonial conflict was slow to penetrate the non-Indigenous nation and slow to penetrate the school system; this history is not deemed to be well covered in many schools. In summary, the history was, and is, strangely slow to penetrate the community; is still viewed as controversial and often discussed as ‘the history wars’ in the media as if there is
a legitimate contestation. For example, in 2002 there was a major controversy about the history of Indigenous/non-Indigenous conflict. Prime Minister John Howard was dismissive that the history of noble Australians could be dismissed through the history of Indigenous dispossession and white brutality. He resurrected Blainey’s term ‘black armband’ to dismiss the significance of invasion and dispossession. This discourse went well beyond the academy and into the media and was discussed in terms such as ‘history wars’ and ‘culture wars’ as if the broad history was refutable.57 Thus the national narrative that was being constructed around the 1880s has endured, is racist and has implications for Indigenous social citizenship, with its assumption and reinforcement of a national identity that is non-Indigenous. Significant to forming a sense of nationhood was the silencing about Indigenous dispossession and their resistance to that dispossession in Australia. The latter emphasis is slow to penetrate the community as accurate.

The past plays into the present. Despite the supposed ending of the ‘silence’ there continues to be a lack of respect for the historical realities that with the arrival of the British in 1788 there were the two primary cultures in this country, namely Indigenous people58 and non-Indigenous people. The fact that Indigenous people were a sovereign people (who had their own distinct cultures, laws, countries and national boundaries) did not have any credibility in Australian law until 1992–91 years after federation – had and has significant implications. This gap of recognition, racism and intervening silence meant a lack of political voice. Now there is in Australia a public discourse of difference and rights and an increasing binary where being Indigenous is opposed to being non-Indigenous, an oppositional framework rather than a framework of respect. In Australia it is not frequently stated, if stated at all, that after the arrival and occupation by Europeans, Australia became bicultural: Indigenous and non-Indigenous. This could be constructed as the primary cultural divide in Australia. While multiculturalism is a well-developed and not uncritiqued discourse in Australia59 there has been no similar discourse about biculturalism, a discourse that was articulated in New Zealand in the 1980s–1990s,60 and while dismissed in the 1990s by Maori61 it had a role in national reflection and
conversation about the rights of Indigenous people. In Australia the public debate is often shaped as being one of the giving of rights to Indigenous people and not about the responsibilities of the colonizing non-Indigenous population to provide justice. So the anti-discrimination laws introduced in the 1970s were something Indigenous Australians benefited from but were created in the context of the rights of new migrant groups, not Indigenous rights.

To subsume Indigenous peoples and non-Indigenous peoples of multicultural backgrounds (non-Anglo-Celtic) is to deny the primary cultural divide in Australia and the special rights that a First Nation people should be accorded and, importantly, it is to deny nationally and to diminish internationally that Aboriginal Australians have a unique place nationally as well as globally as the world’s longest continuing civilization. It is clear from the history that despite all attempts Australian Indigenous peoples’ cultures have not been assimilated within an ‘Australian’ culture, but this has not been through lack of effort to assimilate these peoples. The issue of Indigenous inclusion only surfaced for most non-Indigenous people in the campaign around the 1967 referendum, an event where many Australians still remain confused about what was actually voted on. While the New Zealand debate about biculturalism has taken place and moved on it has not been a significant debate in Australia. This has left an intellectual and social gap in discussions about Indigenous rights. So the thinking on Indigenous issues has remained largely oppositional, and if responsibility was discussed it was largely ‘their Indigenous’ responsibility to behave in and be a part of the mainstream non-Indigenous world and not one of shared responsibilities or the responsibilities of a colonizing people.

Now, in part 2 of this paper I return to the national narrative to consider more deeply the ‘problem’ of non-Indigenous Australia’s national narrative and how its problematic mythology is continuing to play out and isolate rather than provide links between Indigenous and non-Indigenous people. But firstly I will identify a primary link in the national narrative to Indigenous people. In order to acknowledge Indigenous national
identity Australians are faced with their own plagiarism. Ironically, the characteristics of ‘Australian’ national identity have a commonality to characteristics typically attributed to Indigenous Australians and evidenced in their cultures such as mateship, egalitarianism, physical prowess and excellent bush skills, and what better evidence of endurance and bravery than surviving as a culturally distinct peoples after over two hundred years?

An example of this being perceived but not commonly acknowledged is Xavier Herbert’s (1937) Aboriginal character Mooch discussing the poem/song ‘Waltzing Matilda’:

That’s a song peculiar to a tribe of people y’know, one’t expresses their feelin’s . . . we sort of look on the Jolly Swagman as a cobber that’s been martyred . . . So the Jolly Swagman’s the typical Australian, doin’ just what he thinks is right, like a Binghi1 spearin’ a kangaroo or somebody’s bullock. And the Squatter and the Troopers are the outsiders, the imported people, the foreigners, what have a strong sense of property and a different way of looking at things.

Herbert’s words, through Mooch, suggest the white swagman had many Aboriginal ancestors whose ghosts could be heard much more easily within a discussion where the emphasis was on social class rather than race. The ‘Australian’ concept of ‘a fair go’ has clear links to Aboriginal law about how to behave in their non-hierarchical society.

The key national narrative of identity as pioneer and battler explicitly excluded Indigenous people and it could be considered subversive to the nation-state to discuss these national traits as pre-dating white ownership. Had the national narrative been one of social class oppression rather than the myth of Australia as an ‘egalitarian’ society there could have been a greater understanding of the shared Indigenous and non-Indigenous experiences of oppression as clearly both peoples were oppressed albeit in different ways (as oppressed and oppressor).

Thus race rather than class consciousness unified the new nation. But now, to go further, it is possible to discuss the impact of the national narrative in therapeutic terms. For non-Indigenous Australians to acknowledge the history that
Indigenous Australians were a dispossessed First Nation people and treated appallingly by non-Indigenous Australians. Australians face and continue to face a profound national identity crisis for which no national discourse, apart from denial and minimalization, has been framed. So denial and psychological crisis may explain something of the identity crisis that non-Indigenous Australians face. This identity crisis explains in part the former Prime Minister’s behaviour. So it is argued here that without a re-framing of national identity with links to Indigenous participation, non-Indigenous Australians are left with a discourse of denial and/or minimalization of the past. Hence, apology and recognition are perceived as a massive step in the healing process between the two peoples when, in reality, without compensation, these actions are part of a minimalization, but certainly better than the last Prime Minister (Howard) who was largely in denial (see his Akubra and pioneer identity).

After that short discussion of Indigenous identity in Australian identity, which will be returned to below, the paper now moves to the third part to argue that the very actions of attempting justice within one Australian nation have revealed the fractures that clearly show that the two primary cultures are not simply separate but should be divided with a view to considering the possibility of a two-nation confederation in Australian statehood. Four major governmental actions, court decisions and national events are now selected for discussion to argue that some brought the country nearer to a nationhood that embraced both cultures with equality (but not equity). These were the 1967 referendum, the 1976 Anti-Discrimination Laws, the 1992 High Court Mabo decision and the National Apology by the Prime Minister on 13 February 2008. Taken in isolation these actions may be understood as nation building. These will be looked at and reflected on to argue that the very acts that had the potential to unite the two primary cultures as one nation were the very actions that, when put together with other government actions and
polities, problematized membership of and citizenship in a one-nation state both for Indigenous and non-Indigenous Australians. By then identifying three other recent government actions, again by the two major political parties, Liberal and Labor, the Native Title Amendment Act, the 2007 Northern Territory intervention, and the associated suspension of the Racial Discrimination Act the paper will expose how the contradictions in Australia’s refusal to grant First Nation status is a refusal of social citizenship to its Indigenous people. The government’s actions are then considered cumulatively as indicating that the government of Australia and the Australians (who support/ed these governments) have limited interest in Indigenous citizenship in Australia. It will illustrate how First Nation peoples are acted upon as if they are irrelevant in the national story, and that they are not simply second-class citizens within the nation but are treated differently in relation to the concept of ‘proper Australians’. Since federation until today Indigenous people have either not been given citizenship or have had a citizenship that was conditional on behaviour and only if applied for (as in Exemption Certificates from 194868), but that ongoing and current policies allow that social citizenship to be revoked at any time. These key events will now be considered for their impact on the two primary cultures and the concept of one nationhood.

The 1967 referendum
When the non-Indigenous culture discriminates and marginalizes, fails to accept difference or fails to assimilate (succeed at cultural genocide of) Indigenous Australians, any hope for one nationhood is lost. The 1967 referendum was constructed as about social justice – giving Aboriginal people a ‘fair go’. It is commonly perceived as being about agreeing to Aboriginal people gaining citizenship and getting the vote. The 1967 referendum was, however, merely about removing two discriminatory clauses from the constitution: the impediment in s.51 (xxvi) to the Commonwealth government making special laws with respect to Aborigines and the impediment in s.127 to counting Aboriginal people in the census. The well-noted confusion about what the referendum was
and did do is well documented regarding the assumption that it gave Aboriginal people the vote/citizenship.69 Gardiner-Garden: ‘The repeal of the discriminatory state legislation, clarification of the Indigenous right to vote, securing of equal wages and access to full citizenship entitlements involved a process which had begun earlier and was independent of the 1967 referendum’; Gardiner-Garden goes on: ‘The Menzies Government had not been enthusiastic about altering s.51(xxvi) and the Holt Government’s motives were mixed.’70 In summary, in popular culture the referendum was seen to be about ‘a fair go’, Australia coming of age, removing discrimination and providing citizenship for Aboriginal Australians, and this is quite critical. So there was a popular and critical misunderstanding about what the referendum was about.

The 1967 referendum’s outcome was, it is argued here, the point that an essential redefinition came to be. Since the 1880s and since federation ‘Australians’ had been shaped by a non-Indigenous national identity (often white, bronzed and khaki clad), but in 1967 something crept in under the radar. By removing the discrimination in the constitution the idea was created of one people – ‘we are all Australians now’. Yet this very action had a reverse effect. Once we were all Australians a problem emerged of how to differentiate the understood difference. We now had Indigenous Australians and (sic query) ‘other’ Australians who had to be prefaced as ‘non-Indigenous’ Australians. Thus the white Aussie Australian had shifted from being simply ‘Australian’, a positive name, to being defined as in deficit – that is by ‘not being’ something, so clarity was needed in relation to Australianness. I am a non-Indigenous Australian. I, as author of this paper, define my voice firstly by not being and also as being. In short, Australian identity became prefaced and ceased to be a given. Australians became not original. Conversely, Indigenous Australians’ preface is a ‘positive’ identity defined by who they are – not who they are not and they became (again) the First Australians.

The process of defining the type of Australianness is revealing. Ironically, it bespeaks dispossession. To recognize oneself as non-Indigenous is to implicitly reveal dispossession. The belonging and place of non-Indigenous Australians is explained not
by who they/we are but rather who they/we are not. While the 1967 referendum did not bring the term ‘non-Indigenous’ into parlance, however, its relevance and increasing prevalence is interesting. In the presence of Indigenous Australians our naming reveals a national problem. By inclusion of Indigenous people in the nation-state and failing to assimilate Indigenous people what has slowly been revealed is the outsider status of the ‘new’ Australians. In fact the referendum could be constructed in its broader context as not simply about social justice but about an assimilationist agenda that went wrong.

As citizens, Indigenous Australians could disappear, but only if they surrendered their culture and if the new Australians/we surrendered our prejudices – neither occurred.

Without recognition of land ownership and First Nation people status, Indigenous Australians did not get a treaty. Without a treaty and with citizenship they could disappear and ‘live the dream’. In a sense the wrong people were targeted by the referendum. Indigenous Australians might have been the better group to ask whether they would agree to be citizens and under what circumstances. Such a discussion should have involved negotiation of special rights, but such negotiation could not have occurred because Australia was still considered ‘settled’ rather than ‘taken/stolen’ land, and the focus was on assimilation.

Anti-Discrimination Act and laws, 1975

With increasing numbers of emigrants from non-Anglo-Celtic backgrounds laws were brought in to reduce discrimination on the basis of ethnic background. These laws thus acknowledged the diversity of the population and Australia worked towards its new multicultural equality. Thus people could retain their cultural background and be Greek Australian, Italian Australian or indeed Irish Australian provided that as part of their citizenship they took an oath or affirmation of allegiance to a British queen. These laws, of course, included that discrimination in relation to Indigenous Australians was wrong. Thus they further contributed to a concept of ‘We are one, we are many’ (as the song goes) as the Act and laws brought discrimination into public discourse, creating more ‘noise’
Wrongful discrimination highlights that while ‘we are many’ we are not really one. So maybe the song should go: ‘We aspire to be treated as one but we are many’. However, that song is about a multicultural Australia that includes Indigenous Australians as one of the ‘many’, rather than the reality that we are two primary cultures, namely Indigenous and non-Indigenous. We do not have a song that embraces the history up to the 1967 referendum when we were (at least) two: ‘We were two (up to 1967). We are one (post-1967).’

The 1992 Mabo decision (and Wik)

While the 1967 referendum and the Anti-Discrimination Act were about fostering one nationhood for all, Mabo had another impact. This event was of fundamental significance for the whole of Australia. It firmly established that there were prior custodians of this country and two peoples. While the 1967 referendum was about inclusion, by 1992 we had again found difference. The nation’s judicial system had faced up to its past. Yet we still conceived of one Australian nation-state. In this decision of the High Court the nation’s legal system acknowledged that the basis for settlement of Australia was illegal. It recognized that Indigenous people did indeed have prior ownership (but not sovereignty?). Through that aspect of the ruling we became two peoples and with that the real potential for reconciliation with recognition that we are two peoples and one nation-state.

However, restitution, while not a strong point, was part of the ruling. It was found that land that was occupied under freehold could not be claimed, and it was assumed that the same held true for pastoral leases. This was important in that large blocks of land in western NSW, SA, the NT, Queensland and WA were held under lease.

The Wik judgment was a surprise to many, as it held that pastoral leases did not revoke Native Title claims. This is where the government of the nation-state indicated how Indigenous people were ‘other’ and defended the rights of non-Indigenous people over Indigenous people through the Native Title Amendment Act, 1998. In this the government demonstrated that it did not speak of the rights of Indigenous people, despite the High
Court decision, and indeed by not recognizing Indigenous people as First Nation people with rights there was no negotiation and, clearly, Indigenous people were treated as an ‘other’ to the nation-state.

Amending and withdrawing: Identity and the poetry of theft

The Native Title Amendment Act was the start of taking back the concept of one nation-state where justice could be had for all peoples. Aboriginal peoples’ rights once again became secondary to ‘the nation’s rights’ and the nation – as it was being redefined by parliamentary Acts – was the non-Indigenous nation. Indigenous people again became a people behind a people. Their citizenship was in practice (although not in law) being revoked. Their status again became a subsidiary status to the needs of the One: exclusion, reserves, missions, stolen generations, language, culture – past in present, past now present – no going forward72 and no nationally funded body to represent Indigenous Australians since ATSIC was disbanded by the Howard government.

Then the intervention in the Northern Territory (under the Howard Liberal government, 7 August 2007).73, 74 This intervention needed a rapid response, the government informed the nation. Yet reports on sexual abuse in these communities were well documented before this. For example, rosemary Neil wrote a book in 2002 addressing this very issue.75 Nothing happened. The lack of resources in these communities and the pressures of postcolonial circumstances are well documented. These Indigenous communities remained under-resourced while ‘Tree Changers’ and ‘Sea Changers’ (non-Indigenous other lifestylers) got resources through their skills of advocacy. Yet the oldest continuing civilization on Earth lacks basic resources for cultural continuity, lacks jobs, etc.

Then the Northern Territory intervention was found to be illegal as it broke the Racial Discrimination laws. That issue was solved rapidly. The Racial Discrimination Act was suspended. Internationally the intervention and suspension of the Act was condemned and brought to the United Nations. Nationally, such actions were not anomalies but continuations of past policies towards Aboriginal people where they were outsiders to equal pay or even pay, etc. In the twenty-first century Aboriginal people are again labelled
a ‘special case’ for ‘special treatment’, an ‘other’ to be addressed with other ‘law’ (i.e. outside of the racial discrimination laws). There is not, to my knowledge, another ethnic group within Australia that has been discriminated against based on its race, apart from the First Australians. (The Chinese in the Gold Rush were not, of course, citizens.)

It was possible to attribute what had occurred in recent times to the Liberal government under John Howard. So when the Liberal Howard government lost office, well ‘then there was light’.

The National Apology

With the blond man Rudd as leader he fulfilled his promise. He apologized on behalf of the nation for the wrongs committed to Indigenous people. He apologized well. It was a moment like the 1967 referendum and a moment like the Mabo High Court decision and a moment like Cathy Freeman’s gold in the Olympics, a moment for the nation-state of Australia to celebrate. It was a moment for many Indigenous and non-Indigenous people as one. The Apology was a relief; many in the nation felt it was needed. There was the chance to deliver the promises of democracy and how its principles should provide inclusion of First Nation peoples (promises named by O’Sullivan76).

Conclusion

The conclusion enters the realm of poetry. This needs to be finalised. The Rudd government continued to replicate not only the injustices of the past but deeply entrenched cultural insecurities, so they retract their own attempts at justice. The assimilationist agenda of 1967 came like a white swagman ghost from the Billabong. The Rudd government said the intervention in the Northern Territory would continue. It was as if he had the Apology in his hand and was writing notes on the back, notes for the next government and they to the next government and they to the next. What is this writing on this important paper? It is the paper of power and privilege. It is the paper of the dream of one nation. It is the paper that is entitled ‘Notes for the Next Apology’, notes that are poorly conceived.
Now the yellow-haired man speaks again. He says things will change. He says in time the legislation will be applied to all Australians. He says it will mean the Racial Discrimination Act will not have to be suspended, in time. He is getting further away, this leader of the nation, and harder to hear. Is he saying lighter skinned people will be assimilated and in a few years/generations all will be well? No he is not saying that. It would be too obvious, too old. He suggests that in the future Indigenous people will know the worth of this pain of separation, this generation taken from the nation, this suspension from citizenship. Rudd says, to use the words of Kev Carmody, ‘Justice will be done some sunny day.’ And he believes it . . . as they all did? But this is not borne out in the literature (But it is different now. It is qualitatively different. There is a loss of faith even among many white people. The silence is ending; many know the brutal history of colonization.

The lessons and hopes of the referendum are with us. The knowledge of Mabo is with us. This is stolen land. Without conciliation, without negotiation, we continue to steal the most precious thing – the right to control. We take the oldest continuous civilization on Earth and again attempt to mould it. Our nationhood moulds and ages as the yellowing paper of the Apology. The apology that old paper that spoke of consultation, of moving forward, of sorrow. That old paper that said so many fine things. That old paper read by the blond man whom the Indigenous people faced and embraced. That old paper was black on white and spoke to all; that old paper that made us one nation-state; that old paper that gave us the hope of a nation-state of Australians (both Indigenous and non-Indigenous). But now that yellowing paper is the colour of the hair of the man who read it. We move now to two nations re-formed in anger. No way forward now. And the future: we are and always will be the negative people, the non-Indigenous Australians defined by who we are not rather than who we might have been. The question ‘who we are as a people?’ is a question still as we are dwarfed by our failure to overcome anxiety in this land and with this people, dwarfed by our own fears, unable to relinquish control. Now, sadly, perhaps we must look to two nation-states, two sovereign people unless saved by one last referendum to the
named people, the Indigenous Australians. Let us ask the unasked question: ‘Can we stay together as a nation?’ and ‘what price our staying?’, and the Indigenous peoples of these countries of Australia can answer.

The Northern Territory intervention culminates in land invasion, freedom denied and exclusion.

Ironically, and importantly to the sense of nationhood, through its exclusion/inclusion/exclusion approach to Indigenous citizenship the Australian government has continued to make non-Indigenous place and identity more questionable in this process, thus undermining the national identity of both peoples. Those who give and take away voice, listening and power are non-Indigenous Australian, defined, since Mabo, by who they are not rather than who they are.

Indigenous people are given belonging in the nation-state as citizenship, land rights, a National Apology, etc. and then, as this discussion shows, it is taken away. The events discussed are not exceptions to the national story of Indigenous/non-Indigenous relations but rather a continuing campaign of attack, withdraw, placate and then attack again. They demonstrate, when placed together, a continuity that micro-‘solutions’ such as the National Apology did not break, no more than the referendum. Yet the continual displacing reflects at the deepest level the lack of place of non-Indigenous Australian people, who are, as stated, defined not by who they are but rather who they are not.

Perhaps the only unravelling of this dis-ease is an unravelling of the national self-image. It was an image modelled on the First Peoples anyway. The impact of not working through the connections and making them explicit may be an unravelled nation-state.

When colonization began in 1788 Australia became bicultural – Indigenous and non-Indigenous. Many ipso facto attempts have taken place at inclusion but Indigenous presence has to be addressed as core to nationhood, not an afterthought. ‘Indigenousness’ is often opposed to something understood as ‘Australianness’; so ‘Indigenousness’ is thus covertly accorded as other to and not another part of Australianness. Australian history is
often opposed to Indigenous history. Mick Dodson is placed embraced within Australianness as he receives ‘Australian of the Year 2009’. Mick Dodson is placed outside Australianness when he critiques the date of Australia Day due to its association with invasion. Mr Dodson is given belonging and it is taken away. He cannot cease to be Australian and Indigenous Australian. To start the process of genuine inclusion is to formally recognize that two sovereign nations inhabit this island continent, to formally recognize that Indigenous Australians are First Nation peoples and to develop structures and practices that will enable and foster Indigenous and non-Indigenous nationhood and citizenship in an Australian nations-state that will have shared as well as distinct nationhoods. The concept of Indigenous people having their own nationhood/s within Australia is not a threat to national unity but rather a recognition and working with what is, and recognizing place and belonging to both peoples.

Ernst Cassier remarks: ‘It is not by its history that the mythology of a nation is determined but, conversely, its history is determined by its mythology’, so arguing that history is the servant of the myth not the master. The government and many of its citizens are in a continuing campaign of attack, withdraw, placate and then attack again. Perhaps the only unravelling of this dis-ease is an unravelling of the national self image. It was an image modelled on the First peoples any way. The impact of not working through the connections and making them explicit may be an unravelled nation-state. The national narrative as construction may be re-constructed as a new formative process to embrace the links between both nations in history, identity, place and citizenship in a future Australia that embraces its past as much as its current multicultural status. This would provide a nationhood of nation-states and a secure national narrative. We have a choice. Our identity and place is drawn from Indigenous identity and place. Yet our place is contingent and was based on displacing and re-imagining colonization. Then we had dreams of inclusion (the referendum) but produced exclusion. Our every gesture of justice forces us to face our injustices. The
Northern Territory intervention is a catalyst and cataclysm in our national story in our
history from which we must separate or be separated. We cannot keep apologizing.

Notes
1. This paper is by a non-Indigenous Australian and I write from this perspective. It will contain
cultural bias that I have yet to know and will never know fully.
3. Reynolds (1996, 174) has estimated that globally there are more than 5000 cultural communities
and fewer than 200 states, so the actions of the Australian government have a potential global
significance in terms of placing and displacing Indigenous and non-Indigenous people in the
nation-state.
4. For example, the European Union’s policy on minority languages and according rights to ensure
their survival would have relevance to the situation of Indigenous minority language rights
within Australia.
citizenship in
the British context, questions whether Aboriginal Australians can be considered to have social
citizenship.
6. There were possibly 500 tribal groups in 1788 with their own definite territory: ‘sometimes
there
is a kind of no man’s land between two tribes, and occasionally it is difficult to know to which
tribe certain territory belongs’ (Elkin 1938/1954, 24). Elkin’s (1938/1954) description of the
exclusivity and distinctiveness of these tribal groups in that they had their own country,
language or dialect, customs, laws and rites indicates that Australia consisted of about 500
Indigenous countries when British colonization commenced.
7. See Tonkinson (1990, 191) for a discussion of pan-Aboriginality, its origins and limitations.

9. See Hirst (1978) for a discussion of the attempts to get a national narrative focus and the earlier struggle to develop a suitable figure as a ‘national father’ until the bushman explorer was constructed.


11. Tonkinson (1990, 181) notes the identity as founded on racial terms but he does not elaborate how this took place or the role of the national narrative as discussed here.

12. The ‘flaw’ continued in the ongoing exclusion and marginalization as evidenced in the delay to include Indigenous people as citizens/as part of the democracy of Australia/as entitled to redistributive arrangements. Thus the history of Indigenous and non-Indigenous political relations is one that has excluded the First Australians from physical and social citizenship until 1967 and it could be argued that their exclusion from social citizenship is ongoing (see Ferrera 2003). There is also a psychological exclusion through ‘special negative treatment’ that is applied to Indigenous Australians up to 2008 (including exclusion from citizenship.)


16. The concept of Australia being ‘found’ by the British is illustrated by the world-renowned Australian anthropologists Catherine and Ronald Berndt in their book Pioneers and Settlers: The Australian Aborigines, published in 1978, about the Australian Aboriginal people. The Berndts selected that title with the aim ‘. . . to draw attention to the real Australian pioneers and settlers, explorers and discoverers. However, they had to change the title as people assumed that the words ‘pioneers and settlers’ referred to Europeans, not to Aborigines’ (Berndt and Berndt,
1983, vii). Hence the second edition was named *The Aboriginal Australians: The First Pioneers*.


18. For example, in 1957 Marjorie Pizer edited a volume of Henry Lawson’s poems in a book entitled *The Men Who Made Australia: Stories and Poems by Henry Lawson*. The men in these stories and poems are the white bush pioneers and battlers tackling unending droughts. The editor (Pizer 1957, 8) states of Lawson: ‘No other writer speaks with a voice so urgently and authentically Australian . . . a figure paramount among our spiritual pioneers’; in this she illustrates how such images were powerful and uncontested for over 50 years.

19. White (1981, 64) observes that the idea that it was possible to isolate national ‘types’ was the most important intellectual pillar supporting the complex structure of ideas about national character that developed in the nineteenth century. See White (1981, 64, 76–7) and Palmer (1954).

20. Although the stereotype is challenged in some popular culture (see the film *Presilla Queen of the Desert*), this challenge is enjoyed partly because the national narrative remains a bedrock. The image of the tough Aussie bushman lives on in the popular imagination, and media constructions feed on this – for example *Crocodile Dundee* and even the late Steve Irwin’s TV series where khaki-clad Steve tackled and mastered all the creatures of Australia (until killed by one). Indigenous presence in this bedrock of tough male whiteness is often a tourist add-on. Contradictions of our ‘one nation’ status are clearly visible in politics as well as in national events. For example, the opening and closing ceremony of the Sydney Olympics 2000 had many elements suggesting an inclusive nation and at peace with Indigenous presence; such as the white stockman cracking his whip, the Aboriginal elder, the white child, and Cathy Freeman
(perhaps the most famous Australian Aboriginal woman athlete) lighting the Olympic flame side by side with the band Midnight Oil’s performance of ‘Stolen Land’ (referring to the dispossession of Indigenous Australians). The contradiction seemed lost on many in the nation. The ceremony, like the idea of one nation, reflected as if an expensive icon that was broken but glued together – okay at a distance and when in celebration mode but not meriting sober scrutiny owing to the prevalence of white glue.


22. It may be inferred from Gilmore that the ‘as good as it gets’ role for women was almost as good as men’s (albeit ‘saddled’ with child-minding duties). Women who ‘... work like men while also nurturing children. Women, who rode the hills, brought the half-wild cattle home, whose children lay within their arms, or at the rider’s saddle’ (Gilmore, cited in Bligh 1980, pre-text).

23. McKenna (2007, 15) reflects that in the construction of the Anzac tradition, ‘The nation has created their deaths as sacrifice to serve their own ends’, thus highlighting the political nature of so-called nation-building. He points out that the ‘Anzac spirit’ is not uniquely Australian but universal (16) and was and is being used to legitimate and silence a politics of imperialism (3, 14–16).

24. See Pizer (1957) discussed in n. 7. Pizer (1957, 163) notes, almost as an aside, that women, when visible were ‘always unjust and unreasonable’.


26. Cousins (2008), Monash University National Centre for Australian Studies course developed with Open Learning Australia. In week 2 Cousins asks: ‘What does it mean to be Australian in a multicultural society? Is there an elusive quality, a “national identity”, which binds us all as
Australians? And what about the “Australian way of life” does it still reflect the traditional virtues of egalitarianism, classlessness, ‘a fair go’, stoicism and mateship?’

27. See n. 23.
31. Lumley (1966); Rowley (1972); Reynolds (1972/1979).
32. E.g. Elder’s (1988) book purported to be a history but later he had to acknowledge that he had embellished the facts with journalistic imaginings.
33. Bringing them Home, Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families.
34. Fitzgerald and Weatherburn (2002).
40. See Altman, Biddle, and Hunter (2008) – this report makes grim reading, with estimates of the convergence of Indigenous and non-Indigenous outcomes in things such as median household income, home owning and degree holding in excess of 100 years.
41. Lack of control is noted as the most significant factor in determining the health and well-being of people (World Health Organisation, Social Determinants of Health). Furthermore, control is a key principle in empowerment and community development; see Kelly and Sewell (1988); Ife (2002).
42. For example, De Ishtar (2005); Nichol (2005, 215–22).

43. See De Ishtar (2005).

44. See Hunt et al. (2008).

45. See Cunningham and Baeza (2005).


48. The bicentennial in 1988 marked 200 years since non-Indigenous people came to Australia. Clearly, what Indigenous and some non-Indigenous people term an invasion is not grounds for celebration and these celebrations were contested by Indigenous protest.

49. Bringing them Home, Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families.

50. The Apology was finally delivered on 13 February 2008.


52. For example, Australian television’s SBS channel’s Indigenous documentary First Australians released in 2008; the international film Australia released in 2008, which, although fictional, has a sub-plot about a young Aboriginal child as an example of a member of the Stolen Generations, thus bringing that policy to international attention, and thus to broader Australian national attention.

53. See Hearn’s (2007, 103–25) discussion of key historians and their small acknowledgement of the national Indigenous past; for example, Ernest Scott, Chair of History at Melbourne University describes the fading out of the native race as ‘grim, hateful and inevitable’ (E. Scott,
Wood at the University of Sydney encouraged his students to access primary sources and this
was enhanced by the opening of the State Library of New South Wales in 1910; his project was
to publish The Historical Records of Australia between 1914 and 1925 and in part to
acknowledge the role of the convicts as ‘nation builders’. So the historical evidence of
ill-treatment of Aboriginal Australians was flowing through his hands there but was not
incorporated into his 1922 work The Discovery of Australia (1922). In the inter-war years, Hearn
(2007, 107) noted Professor Hancock (one of Scott’s students at the University of
Melbourne)
noted white hypocrisy over the ‘natural progress of the aboriginal race towards extinction’
(W. Hancock, 33 [1930], cited in Hearn 2007, 110), but again this was not something
emphasised in the developing discipline of Australian history.

54. It is understandable that Indigenous people own and sometimes attempt to contain who can
speak about ‘their history’. But the chains on the necks of Indigenous prisoners are our history
and indeed their history – in the blood and iron our cultures meet and a space is also shaped
together.

55. For example, in 2008 the history of the conflict, dispossession and brutal treatment that
Indigenous people were subjected to was not a well-understood story by the university
undergraduates that I taught. These students came predominantly from rural NSW where the
presence of Aboriginal Australians is part of daily life. Furthermore, certain Australian
universities have determined the need to have this history formally taught to undergraduate
teachers (for example, at Charles Sturt University and the University of South Australia).

56. This is reinforced in texts like Reynolds’ (2009) book on the teaching of social sciences (which
includes history, values and citizenship). She states that the value of her book is that ‘There has been no previous guide for teachers of primary school in Australia in this area’ (2009, xii). It has chapters on multiculturalism and ‘Teaching Indigenous Studies to Primary School Teachers’. Three other key chapters where Indigenous and non-Indigenous issues clearly interact are teaching history, teaching citizenship and teaching values. Indigenous presence is all but ignored. The depth of the silence is perhaps explained in chapter 4 on values. Here, the emphasis is on controlling any possible controversy rather than embracing it as normal and something to be worked through. Reynolds (2009, 73) reports that ‘Barton and McCully (2007) pointed out that teaching controversial issues is really important and, in the context in which they were working – Northern Ireland history classrooms – vital. They argued that modern democratic societies depend on the ability of citizens to discuss issues with those whose opinions differ from their own.’ Reynolds writes as if the history of colonization and oppression in Northern Ireland is somehow massively different from the colonization of Indigenous people in Australia. Reynolds (2009, 73) cites Hess (2005) that there are only four options to teaching controversial issues: ‘denial – refuse to admit an issue is controversial. Avoidance: evade teaching an issue recognised as controversial. Privilege: teach only the favoured point of view. Balance: present a fair representation of various positions.’ That such a position is put in this book provides teachers with no guidance on how to teach Australian history and its controversy. Furthermore, Hess’s position makes no mention of justice or ethics.

In summary, Reynolds has produced quite a frightening twenty-first-century guide to teaching in Australia, separating and isolating Indigenous (and multicultural) education in distinct chapters (written by other authors who advocate integration) while the book fails to provide any
advice in the other chapters about the interaction of Indigenous and non-Indigenous presence.

In the structuring of her book Reynolds has done the reverse of what the NSW curriculum advises. Her treatment of Indigenous presence in Australian primary education is one of silencing, avoidance and reinforcement of an Anglo-centrism that fails to articulate issues such as colonization versus settlement. Thus Australiansness is opposed to Indigenousness, which thus becomes ‘otherness’; it is a profound lesson to Indigenous and non-Indigenous 5–11-year-old children if followed by teachers in the hidden curriculum. Reynolds’ book was published in 2009 as a resource for teachers.

57. See Macintyre and Clark (2004); Manne (2003); Attwood and Foster (2003).

58. Indigenous Australians were not, of course, one people but over 500 culturally distinct peoples. While recognizing this and that pan-Aboriginal identity came much later, my distinction is prefaced that they are distinct as the First Nation peoples of Australia and this is essential to the case being presented.

59. See, for example, Povinelli (1996).

60. See King (1985, 1995).

61. See, for example, O’Sullivan (2008).


63. Given the social unrest of the 1890s (the shearers’ strikes in Victoria and NSW and later in Queensland) raised the issue of social division as indicated by a division of capital (including the pastoralists) and labour. The desire of some to forge a federation was an interest of the ruling rather than working classes. Palmer notes that the role of racism as an interest in a national federation was forged around the fear of the Chinese and later in the mid-1890s the Japanese (after the Japanese attacked and beat the Chinese army and navy [Palmer 1956,
Palmer (113–33), in his only chapter entitled ‘Conflict’, reports on the struggles between the classes of capital and labour through a discussion of the shearers’ strike in 1890 and later the Queensland shearers’ strike, noting how the forces of capital benefited from government support to quash unionism. In this decade Palmer considers that the idea of Australia as a Utopia was played out and lost as the forces of capital beat the forces of labour in the unions. However, he notes that while the larger struggle was lost (both shearers’ strikes were crushed), substantial gains were to flow into the rights that labour was to be accorded under federation.

64. Had class been to the fore then the issues regarding the oppression of Aboriginal people may have come to the nation’s consciousness sooner.

65. I am Australian as well as Irish, but write outside the discourse of self for an audience beyond Australia.

66. Yet, as argued elsewhere by this author, there is a refuge for the noble Aussie bushman and person of the ‘fair go’, that is as advocates to accept the past, and evidence of this abounds; however, many Indigenous and non-Indigenous Australians are loathe to recognize the potential of this in a shared Australian national identity narrative.

67. Of course, at a political level Australia had and still has the Queen as the Head of State and acknowledges its British origins loudly. Its Irish origins were suppressed under the frequently used glib hyphenated label ‘Anglo-Celtic’, as if the colonized Celtic Irish culture could be lumped together with its oppressor and the term to have meaning. Irish people who came to live in Australia after 19** and who sought Australian citizenship had to acknowledge by oath or
affirmation their loyalty to a foreign queen whose royal ancestors had for 700 years, until 1921,
in the 26 counties oppressed and colonized them. In short, this thing called ‘Australian’ was always a fractured (as well as unifying) identity, but the major fracture had yet to emerge.
68. Being exempt from the Aborigines Protection Act and ‘giving up’ Aboriginality to become citizens.
69. For a discussion of this confusion see Attwood and Markus in collaboration with Edwards and Schilling (1997).
72. For example, the recent Northern Territory policy decision that places teaching English ahead of traditional languages, which is contrary to what is documented as good educational practice; see Wilkins (2008). De Ishtar (2005) discusses the lack of funding for cultural initiatives and the setting up of Indigenous people to fail at self-management, and a continuing practice of then blaming the people.
73. Among the first recommendations of the Little Children are Sacred report was that genuine consultation with Aboriginal people should take place. Such a recommendation is continually emphasized in cross-cultural work with Indigenous people; for example, Smith and Hunt (2008, 3–4) note the over-arching sovereign power and jurisdiction of the Australian state over Indigenous people, many of whom are incompatible to their own and increased unilateral intervention, while the same document (2008, 34) notes that self-determination for Indigenous Australians is a ‘joke’. Indeed, working with marginalized people (e.g. the World Health Organisation, 2008 radio interview re a recent major study that revealed the importance of people having control over their lives was the most important factor in good health). Indeed,
consultation is a basic practice in social change in community development (Ife 2002; Kelly and Sewell 1988).

74. It must be noted that there was not total condemnation of this intervention by Indigenous Australians. Significantly, a senior academic, Marcia Langton, roundly supported this initiative and equally roundly condemned non-Indigenous people’s protests against it. She based this on the abuse of children that was occurring, the suffering and the need to act (Langton 2007). Langton considers the failure of the federal liberal government to act sooner, the lack of consultation, the long-term consequences, the method, the lack of services, including policing, that allowed such situations to get out of control, the lack of doctors available and the lack of child protection worker, or indeed the timing just prior to calling an election, as factors to question this intervention. She roundly criticized the Northern Territory Martin government for failing to use allocated Commonwealth funds for their purpose with Aboriginal Territorians, and noted the report of Council of Australian Governments at Wadeye that for every dollar spent on a Northern Territory school child, 47 cents was spent on a child at Wadeye.


77. By contrast, Calma (2008) criticizes the Rudd government’s intervention as a contradiction of key aspects of the Apology, importantly the recognition of the need to consult and engage with Indigenous people. He notes that continuing the suspension of the Racial Discrimination Act is discriminatory and a violation of human rights. He argues that the protection of Indigenous children and affirming human rights are not contradictory but complementary (Calma 2008).
He continues this criticism of the Rudd government by noting contradictions between the statements in the Apology and the practices of the government, pointing out that the government, the Leader of the Opposition, and Ministers for Health and Indigenous Affairs, along with every major Indigenous and non-Indigenous peak health body, signed a ‘Statement of Intent to close the gap in health equality’. Yet the government has failed to respond to the Aboriginal Men’s Health Summit, Alice Springs, NT, July 2008, where the men called for a range of methods to assist them in combating violence in their communities in the NT (there was still no response three months after the initiative). Calma (2008) criticizes the slowness of the government to provide support services for reuniting families of the Stolen Generation and the lack of access for many of the Stolen Generation to claim compensation (at present this right is not the same across Australia, nor equally applied) and calls for a nationally representative Indigenous body.

78. Reynolds (1996) argues that Australia was three nations. However, the issues of Aboriginal and Torres Strait Islander status are merged in this discussion and the division of non-Indigenous and Indigenous has been selected to denote two major cultures following British colonization. The distinction drawn is deliberately selected on the basis of indigeneity.

79. I am named a ‘lecturer in Indigenous Studies’, but I do not study the pre-colonization Indigenous history or Indigenous people I consider and reflect on postcolonial issues relating to the interface of Indigenous and non-Indigenous people. To be non-Indigenous in an area termed ‘Indigenous Studies’ is part of the colonial paradigm. It has the impact of removing the issue of Indigenous presence from the core to the periphery in almost all other disciplines. A legitimate
definition of my role is postcolonial studies which embraces the interface of cultures and positions and allows other ethnicity, and not only allows it but centralizes it. This is discussed in more detail in a forthcoming paper (O'Dowd, 'Australia and the colonial paradigm in education').

80. For a discussion of the difference between ‘nation’ and ‘state’ see Reynolds (1996, 174–8). This paper does not address the more difficult question of the relationship between the suggested Indigenous and non-Indigenous states; rather, it puts the case that nationhood must be accorded to Australia’s Indigenous peoples for national unity. The shaping of this nationhood/s is outside the scope of this paper. However, models of distinct Indigenous governance models have been put forward (see Kourakis and McDonald 2008, 247–64; Hunt et al. 2008). For a discussion of the issues and problems stemming from previous non-Indigenous models of governance imposed on Indigenous people see Hunt et al (2008); for a specific example of the negative impact see De Ishtar’s (2005) chapter discussing Wirrimanu (Balgo Mission) administration; see also Nichol (2005, 215–22).


82. As stated previously, n. 3? The key issue is the structure and relationship of the Indigenous nation in the Australian nation, but this is beyond the scope of this paper.

83. Currently, the discourses of the contested Indigenous/non-Indigenous history are date bound.

Largely up to the 1960s, non-Indigenous peoples are articulated as actors/owners/discover pioneers and then after the mid-1970s Indigenous peoples are conceptualized as actors/victims/resistors/heroes, rather than the reality that some actor owners joined with
resistors in formulating a shared but often silenced path of the struggle for justice and potentially nationhood.

References


Democracy, power and indigeneity. Paper presented at . . . conference.


Evans, R., and B. Thorpe. 2001. Indigenocide and the massacre of Aboriginal history. Overland,


Inglis, K. 19**. The Australian Colonists.


Moore, G. 1884. Diary of ten years’ eventual life of an early settler in Western Australia. London.


Stanmore, Vic. Cassell Australia.


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810 M. O'Dowd


Stannage, T. 1984. Studies in Western Australian history VIII: European–Aboriginal relations in
Western Australian history. Perth: UWA Press.


Boyer Lectures, ABC, Sydney.


Summers, A. 1975. Damned whores and God’s police: The colonisation of women in Australia.

Ringwood, Vic.: Penguin.


Reports

Bringing them Home. 1997., Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families, Commissioner: Ronald Wilson, National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families (Australia), Commonwealth of Australia, April.


Poetry


Mary re refs PUT IN AUTHOR IN P 34 Contested Gov Hunt etc.