

Submission to Territory 2030

by Aboriginal Resource and Development Services Inc.

How can the NT government over the next twenty years put in place long term policies and programs that will reinvigorate, empower and invite remote Indigenous people to participate in and enjoy the same rights and opportunities as other Territorians.

ARDS' submission will address the theme of "Closing the Gap" on Indigenous Disadvantage, focusing on Indigenous Territorians through the eyes of our members: the Yolŋu people of north-east Arnhem Land.

In response to the cry from our members, ARDS has remained in the task of community development and capacity building for over thirty years. At times we have failed our members and at other times we have found what really works. From all of this we have now developed a corporate knowledge equal to, if not above, any other non-government organisation (NGO) now working in the NT. It is from this humble and at times regretful position, of what we have not achieved, that we offer this submission.

A human problem?

Indigenous people are seen as problems to be solved, not people to be developed.

The fact that the Yolŋu people of north-east Arnhem Land experience higher levels of ill health, higher levels of unemployment, higher imprisonment rates, lower education attainment, and shorter life expectancy relative to the rest of the Australian population is a "*human problem*" - it is not an "*Aboriginal*" or "*Indigenous problem*".

That is, as a group of people **these first Australians now suffer from an abnormal human condition brought about by factors beyond their control**. They were a healthy, thriving, well educated and well disciplined cultural group. The poor human condition they now experience was unknown to them less than a century ago.

To deal with this abnormal human condition, capacity needs to be re-built within the people themselves. This does not mean simply providing mainstream culture services aimed at 'fixing' the "problem", this strategy will only further alienate the people, creating higher levels of dependency and making the gap bigger. Strategies, policies and programs need to be employed that deal with the underlying human capacity issues that created the gap in the first place. Capacity must be built in the people themselves, re-establishing the hope and cultural pride that once gave these people purpose.

"In my mind I know it is O.K. to be Yolŋu (my intelligence tells me that black people are intelligent), but when I live in a white man's world I feel dumb and stupid."

Yolŋu person

What are the building blocks needed to resource this revival in the people's participation in their own development?

Typical government response is to deliver or deploy a top down response to the “Problem” which includes:

- A. Infrastructure development such as housing, sewerage, roads, swimming pools and the like
- B. legislation
- C. welfare and services agencies to service the problem
- D. Policing
- E. Health agencies
- F. Education and training.
- G. Employment schemes

That is not to say the deployment of any of these interventions is not useful or not needed; it is the how and the when of their deployment that is questioned here. When you look at the list it is obvious that something is missing. The missing element is the key stake holders, the people themselves. When the people are seen as mere objects of an exercise by governments or NGO’s alike the deployments will fail.

Essential services and infrastructure should only come in response to the effected people’s initiation, meeting the people’s own needs; rather than programs aimed at solving a problem of a particular group of people.

The people need to be an empowered motivated, integral part of the answer, driving the process as willing equal participants. For this to happen the people need access to information in their own language and to be able to respond to all levels of the process as a central equal part of the actual process.

Information is power! So the lack of information is powerlessness!

This can be illustrated by the following:

Health Literacy

The most expensive housing in the world can be built and maintained but if the occupants do not understand germ theory, or are *health illiterate*, then they do not understand the cause and affect between disease and the need to keep these expensive houses sanitary. Whereas a family empowered *and health literate* with an understanding of the ramifications of germ theory can live very healthy in “third world” and even temporary accommodation.

Economic Literacy

If the same people do not understand the true relationship between the cost of public housing and where the money comes from to build and maintain public housing, ie economically literate, then the housing stock will be depleted faster than it is built. Additionally, due to economic illiteracy there will be very little private housing development because the people do not know that this is where most of the housing in a “normal” community comes from, putting more strain on the public housing stock. This is the state of the current housing stock as we understand it on many Aboriginal communities.

Of course the government could legislate and put the control of housing under a government body as it has done, requiring the NT housing standards and legal responsibilities on tenants to be enforced. The problem with this being that the housing tenancy agreement is not

understood and cannot be understood by any of the English second language Aboriginal people signing it. At present there are over twenty English words in the present NT tenancy agreement that are not understood by Yolŋu people. Therefore, unconscionable tenancy agreements are being signed today. When people have no idea what they are signing how can they have any idea what their responsibilities at law are.

Then when things go wrong, the people believe they are being picked on by the government leading to many arguments and even physical aggression leading to court proceedings that could even lead to incarceration.

Legal Literacy

The current approach is to develop more legislation to deal with social problems. This creates a heavy burden of legislative framework that weighs down a group of people who do not understand even the rudimentary process of the legal system. When the government tries to solve the “problem” or “close the gap” with legislative change from the top down without any attempts to do legal literacy with the people, it is asking for civil disobedience and disorder from its Indigenous citizens.

This situation is further impacted when traditional Madayin law that is widely understood and cherished, having been accented to through ceremonial acts, is being denied and even demonized by government statements and actions.

To develop social harmony a relationship between legislative change and development must be in sync with a state’s citizens. When legislative change moves ahead of the Indigenous people of the NT, the state itself turns its citizens into criminals at the stroke of a pen. Legislative change should only occur after healthy debate has been achieved with ALL citizens, not just those who speak the new Australian language “English”; to not do so will create anarchy and civil disobedience, fill the courts and the jails and widen the gap.

The top down approach to closing the gap will never work

Finding answers to human problems means you cannot just service, police, legislate or engineer the “problem” away. If we continue with this model we will need to build bigger jails, bigger hospitals and bigger service and policing agencies to deal with an ever growing population of marginalised and disenfranchised citizens. We could even face the situation where civil disobedience becomes uncontrollable in a generation or two. Human problems need human responses. Of course there must be service industries and infrastructure, but they must follow in the wake of the human awareness of the people themselves which will only come from motivated and empowered and inclusive participation. People cannot be forced to do anything, but they can be meaningfully included and participate in the process, thereby making intellectual contributions and actions to close the gap.

Where we always go wrong

Attacking symptoms while the cause continues to fester/compound

Do we really understand the root cause of the problem?

Human problems are no different to many other problems: to successfully fix the problem (in this case, close the gap) we need to know what has caused the problem in the first place.

In a medical situation the underlying cause of any problem must be diagnosed properly otherwise the patient could die. In an aeronautical engineering context the underlying cause of any problem must be identified properly otherwise a plane load of people could die. In a cross-cultural situation the underlying cause of any problem must be recognised properly otherwise a whole cultural group could die (albeit one by one through suicide, chronic illness or social diseases such as alcoholism or violence).

Without an understanding of the underlying cause creating the symptoms represented in 'Closing the Gap' statistics, the government and other support agencies can only widen the gap (at worst) or maintain the conditions that have allowed the gap to come into being (at best). So unless we are sure what caused the gap in the first place we will inevitably make the problem worse.

Everyone is an expert!

One of the saddest things for Aboriginal people is that there seem to be many 'experts' when it comes to their 'problems'. In reality though, very few of these 'experts' have sufficient deep practical and theoretical knowledge or understanding of the Aboriginal people they are trying to 'help' or the human dynamic principles at work in the cross-cultural, cross-language context they exist in.

An 'expert' without knowledge of Aboriginal language, cultural practices and protocols, history and real aspirations for their people and an understanding of the human dynamics factors that have created and continue to sustain the gap, is simply a person wanting to help. This is not enough.

Yolngu need expert support to effectively build capacity in the areas of health, housing, economics and legal systems. Governments need to recognise that NGO's are best placed to deliver capacity building programs as they operate from the client's perspective, understand their language and their world-view.

NGO's employ experts in their field and train them in Capacity Building and community development methodology, while at the same time teaching them the relevant local language and world-view. With this training they will then be fully competent to impart relevant information to build capacity within the indigenous community.

"Non-Indigenous professionals working in the areas of health, education, legal, social and administrative services must be trained in the cultural context and history of Aboriginal and Torres Strait Islander peoples before they undertake work that involves Indigenous clients. A true sign of reconciliation would be for Government to negotiate with tertiary institutions for Aboriginal and Torres Strait Islander studies programs to be mandatory units in law, teacher education, health service delivery, and social services/welfare courses."

(Recommendation 5 (e) Aboriginal Women's Task Force Report on Violence)

NGO's also develop resources to assist Indigenous people, both adults and children to be able to direct their self learning including communication resources that utilises technology to overcome the barriers of distance and remoteness – eg radio, internet. The outcome will be that Indigenous people will then demand services to improve their lives.

People as statistics

When the problem is seen as an “Aboriginal problem” then it is assumed that Aboriginal people will be the ones that know the way out of it. There is a fundamental issue here.

Indigenous Australians have many differences from very traditional people with their own language and traditional systems right through to tertiary educated medical doctors and lawyers. Different Aboriginal groups across the NT have different human needs. An example of this is the different needs that English first language Aboriginal people have in relation to Aboriginal people who speak English as a fifth or sixth language.

Why do we think a one size fits all approach will work? All process and services need to take the world-view and daily realities of the Indigenous groups they are designed to assist.

Who is in control?

As mentioned above, the gap is a ‘human problem’. That means the responses need to go to the heart of human issues, specifically communication and control. At present the bulk of communication is predominantly one way, in plain English and aimed at teaching Yolŋu people. Even putting the control into the hands of an Aboriginal organisation or a group of selected Yolŋu people does not put the control in the hands of the people. Control must be in the hands of the people, the families, clans and clan nations through their due processes so that the people feel included.

In order to build capacity within the people who are the centre of the ‘problem’, there must be a shift which enables the bulk of **communication to be two-way, in the local language** and aimed at **allowing both Yolŋu and non-Yolŋu people to learn from each other**.

The democratic process is the government of the people for the people by the people. This means that control of Yolŋu people lives must lie predominantly with Yolŋu people in concert with the broader NT community otherwise the gap can never close.

But how do we do this?

Objective 1 for 2030 – Yolŋu languages, political and social structures, and traditional and contemporary knowledge are thriving.

This situation creates a basis for rebuilding pride, confidence and hope within Yolŋu people. With this foundation, Yolŋu have the greatest chance to improve their own physical and mental health. It is only **then** that it will be possible for Yolŋu to improve any of the other quality of life measures.

By recognising, valuing and reinforcing that which is good about a group of people, their intellectual capital (language and academic knowledge), that group of **people may gain pride** in themselves which is the cornerstone for purpose, motivation, health and happiness.

“You can develop the right attitude toward others if you have kindness, love and respect for them, and a clear realization of the oneness of all human beings.”

Dalai Lama, 1989 Nobel Peace Laureat

Objective 2 for 2030 – Consultations and decision-making processes engage Yolŋu by using the language of the Yolŋu people and, where still possible, the traditional political, governance and decision making structures.

For people to participate and have pride they must understand the issues in front of them. Governments at all levels, NGO's and even Aboriginal statutory bodies treat the people as intellectually deficient, asking or telling them to approve a particular issue or process without real information and competent due process. Consultation with Yolngu should not be a box-ticking exercise at the last stages of policy implementation.

Consultation processes must change to reflect world industry standards and should include the availability of legal representation and communication facilitators of the communities choosing.

Objective 3 for 2030 – Within the NT Curriculum Framework, Yolŋu adults are involved in the teaching of their children and Yolngu knowledge is valued.

Elders are traditionally the holders of the knowledge and this knowledge is only taught or shared with children when elders consider them ready. In order for any education to be successful for Yolŋu in both the short **and** long term, the elders and parents need to be involved. This reinforces the respectful position of elders in the community.

Through a process of extensive discovery learning and negotiation in the Yolŋu language, it is possible that Yolŋu community elders as holders of Yolŋu knowledge, together with professionals within the national and NT education systems, could develop an integrated learning system which would support the achievement of other objectives for Territory 2030.

Yolŋu (traditional) schooling in all of its forms was very successful at transferring knowledge and information forward through successive generations for tens of thousands of years. This is clearly evident in the knowledge still taught today, *outside the NT education system*, of extinct animals that walked this land 80 to 120 thousand years ago. This knowledge allowed Yolŋu and other Aboriginal people to live at ease across Australia in seemingly isolated and hostile country; country that others could not survive in without massive outside support. The knowledge to do this included zoological, biological, horticultural, pharmacological and technological knowledge that would leave many professors in any one of these fields in awe. Other knowledge taught effectively through this traditional schooling system included astronomy, philosophy, human dynamics, law, politics, governance and religion.

“One cannot expect positive results from an educational program which fails to respect the particular view of the world held by the people.” (Paulo Freire)

Objective 4 for 2030 – Yolngu are fully participating in the NT economy.

Trade

Indigenous people on remote communities face high levels of unemployment even in communities where there are an abundance of opportunities close by.

It is well evidenced by our Yolŋu members and many other sources that Yolŋu people once traded internationally with Macassan people up until 1906 when South Australian Government legislation banned it. This trade included trepang, pearls, turtle shell, corrie shell necklaces, arm and ankle bands (the world wide currency of the day) and timber. Their

traditional economic language has economic concepts that do not exist in the English language and is highly competent in transmitting contemporary economic thought. When this trade stopped the Yolngu clan nations went into economic depression; one that they have not yet emerged from today.

Crocodile skins were another resource that Yolngu harvested and traded. In 1971 crocodiles were declared a protected species and all Yolngu trade ceased. Whilst this was certainly a sound conservation measure, it caused frustration and confusion for Yolngu men who were trying to build their families wealth.

Yolngu people once fully participated in these industries, now they are in the hands of Balanda¹.

Employment

The unemployment that Yolngu people presently experience is the highest level ever experienced in their history. In the period before European settlement, surviving on their estates was very time consuming. Caring for the estate and keeping production of fish, plant and animals at full production was a big job with all employed! On top of this was the local, national and international trade that meant that all other spare time was at a minimum, everyone was employed, and unemployment did not exist. Work is not a new concept to Yolngu people.

However, Thompson noted in 1945: that while traditional people were very industrious and efficient people, Indigenous people living closer to towns where 'traditional organisational structure was disrupted' were less interested in working. Traditional systems promote economic activity and labour, not act as a deterrent.²

For the past 50 years Yolngu people have been indoctrinated into a welfare system that discourages them to work. Information and understanding is required to build capacity in the people to rediscover their belief in themselves and a drive to work rather than rely on welfare.

Objective 5 for 2030 – Yolngu understand mainstream legal concepts and principles governing the operation of the criminal justice system.

Law

82% of the NT prison population is Indigenous – obviously this creates serious concerns about how the NT legal system affects and treats Indigenous Territorians.

Over the last 100 years, Yolngu citizens, Barpurru Clans and Ringitj Clan Nations have fought physical wars and even legal battles with outsiders to maintain their jurisdictional and territorial integrity over their estates in north-east Arnhem Land. Many of the physical battles in central Arnhem Land were won against the pastoralists that invaded their lands.. Unfortunately for the Yolngu their victories have never been recognised by the new established order. They again attempted to fight outsiders mining on one of their estates, fighting their legal claims in a foreign court system using a very strange new language. With this disadvantage they lost the battle.

¹ Yolngu Matha (the language of north-east Arnhem Land) term for white people.

² Thompson, D. Economic Structure and the Ceremonial Exchange Cycle in Arnhem Land

Every Yolŋu person in north-east Arnhem Land still learns and assents to their Madayin law through ceremonial acts. They have never undergone any process to assent to “Australian” law in any of its forms, so understandably they are unsure (and in some cases, completely unaware) of what this law is and their rights or responsibilities under it.

Even the terms “Australia” and “Arnhem Land” are not well defined or understood terms for many Yolŋu people. The terms used by Yolŋu people to define these same areas of land would seem just as strange to English first language Australians.

Their land estates are now controlled by strange legislation and councils and bureaucracies they have little real knowledge of or control over.

Though many would want to deny it, many Yolŋu still live in ‘high resistance mode’ against the colonial force that now claims jurisdiction over their estates in north-east Arnhem Land. Many of these Yolŋu will take the resistance they still carry to their grave, as to them it is the right and just thing to do. Others have tried to find solutions that include co-existence. Others still have learned to find favour with the colonisers and now “play the game” of taking advantage where possible from both systems. This gives these favoured ones economic advantage for their family and clan, although because of the underlying resistance within these same clans themselves, clan members only participate to the degree necessary to get the economic gain. This is a very human thing to do in any occupied state.

The younger generation are developing into a sub-culture that has limited knowledge of traditional systems and still no knowledge of mainstream Australian Law. Without an effort to inform people about the legal system, there is a potential for ongoing and increasing lawlessness and incarceration.

Objective 6 for 2030 - All Indigenous Territorians will have a life expectancy equal to white Australians.

Health

In 1948 a scientific expedition to Arnhem Land found the Yolŋu people to be of good health with none of the existing chronic disease conditions now evident. At this time, Yolŋu people provided all their own traditional housing and were to a high degree self sufficient.

“Health services need to embrace an expanded mandate which is sensitive and respects cultural needs.”
(Ottawa Charter for Health Promotion)

Yolŋu health was historically excellent and taken care of by qualified healers and traditional doctors using traditional medicines and treatments. However through various policy eras living conditions were changed, new foods were introduced and traditional healers and doctors were sidelined.

A combination of these factors has led to increased incidences of disease which are treated with ‘Western’ medicines and medical procedures almost exclusively administered by dominant culture medical professionals. Throughout this period, Yolŋu health has deteriorated as their living and health care have become highly institutionalised and dependent on the ‘Western’ infrastructure and health systems.

Current statistics show that this situation is not working as well for Yolŋu as their traditional system had in the past.

Objective 7 for 2030 – All communication with non-English speaking Indigenous people will be in their own language.

The “Gap” is a direct product of failed communication. That is, the dominant culture’s very poor attempts to communicate with the Yolngu people leaving the Yolngu stranded in isolated islands of limited understanding. This, of course, is due to the core issue of language. The dominant culture, through government, has the resources, but not the true understanding of the depth of communication problems caused by language nor the will to deal with it.

"Loss of purpose and destructive social conditions emerge when people become confused and do not have enough information to take control of their own lives and develop their own future. Without good communication, clear purpose is but a faint distant hope". "Without clear purpose, human endeavour stops and destructive social conditions reign". (Trudgen.R. 2004)

People living in information-deprived communities become very confused about the world around them. This confusion leads to loss of control over their individual and corporate lives, resulting in a loss of purpose where destructive social conditions emerge. Destructive social conditions and hence the “Gap” are a direct product of confusion, loss of control and loss of purpose due to consistently failing and flawed dominant culture communication with Aboriginal people.

When communication fails, everything around you becomes hopelessly confused. Failed communication causes havoc at all levels of human existence from within the family to life in the community around us. For Indigenous people like Yolngu and other Aboriginal people who speak English as a second, fifth or even sixth language confusion is an everyday nightmare that the dominant culture does not understand.

To overcome this confusion and close the “Gap”, people require access to dominant culture information and knowledge in a language they can understand.



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