



The Day After Tomorrow

A CASSE SYMPOSIUM ON
BREAKTHROUGH RECOGNITION

Compilation of
presentation
papers

Part 3 of 3

Copyright CASSE Australia 2017
www.casse.org.au

Contents

Preface	4
Key themes of Symposium	5
Introduction	7
John, Lord Alderdice	9
Kieran Finnane	13
Dr Craig San Roque	29
Pamela Nathan	43
Kenneth Lechleitner Pangarta	55
The Hon Mark Dreyfus QC MP	61
Senator Patrick Dodson	67
Dr Timothy Keogh	73
Alexis Wright	82

The Hon Mark Dreyfus



The Hon Mark Dreyfus QC, MP Member for Isaacs, Shadow Attorney General, Shadow Minister for National Security. Elected to Parliament in 2007, Mark studied Arts and Law at the University of Melbourne, has worked with NT Indigenous communities, was involved in the landmark Stolen Generations case and is a leading advocate for retaining Section 18C of the Racial Discrimination Act.

I acknowledge the custodians of the land on which we meet, the Woiwurrung people of the Kulin Nation, and pay my respects to their elders past and present, and acknowledge their continuing culture and the contribution they make the life of this city and this region.

I am tempted to say ‘and now for something completely different’. I came earlier today to get a sense of what was being spoken about here, and I am going to sound a lot drier. I’m a politician, and I’m going to talk about the politics and legal framework within which recognition is currently being considered, and how we might start to get somewhere with that objective.

I would like to thank my good friend Pamela Nathan and the organisers of this conference. I would also like to thank this morning’s speakers and to acknowledge my colleague and friend, Senator Patrick Dodson. In some ways I’m the warm-up act for Patrick, who will follow me.

As I said, I’m here to talk about the political and legal path to achieving constitutional recognition for Aboriginal and Torres Strait Islanders, and the strong leadership that I think is necessary to achieve that change.

It was good to hear Ken Lechleitner talk about the hooks, I think the phrase he used was, ‘the hooks that we need to hang new laws on’. And if I could take that as my starting point, the reason why we are engaged in this recognition of Indigenous people in the Constitution; the reason why we are engaged in amending, changing our Constitution is precisely because that document was, and is, the founding document of our nation. I have used both tenses there, because it was of course the

founding document. It is what Australia was based on, it gives us the legal framework for our federation, it brought the six colonies together. It has continued to set the rules under which we govern ourselves. That was then. It still is our founding document in a rolling sense because it is what governs the way in which the Commonwealth Parliament makes laws. It is what governs the way in which judges go about their work. It is what governs the relationship between the Commonwealth and the States on an ongoing basis. And it's actually up to us to change that founding document to reflect the kind of Australia that we are, and the kind of Australia that we want to be. And it's because of the framework, that provides the hooks that Ken Lechleitner was talking about that it is so important that we get it right. I do think that we have been missing strong leadership on this point. And I don't think it's going to happen without stronger leadership than has been shown in the last two or three years.

Just to give you an example, Australia endured the terrible doctrine of terra nullius for 200 years, but when the High Court finally acted to get rid of it, Paul Keating as Prime Minister seized the opportunity to give our nation a legislated regime of native title. We need the same drive and leadership that Keating showed then if we are to achieve constitutional recognition now. Because, as I probably don't need to remind anyone in this room, except perhaps the younger people, legislating those native title reforms was resisted strongly, with a deeply dishonest scare campaign launched not only by extreme right fringe-dwellers, but also by others within the Liberal party itself.

I strongly believe that now, some 25 years later, the support for change is there, both among the Australian people and across much of the political spectrum. We worked hard to get to this point. We fought against the conservatives who sought to minimise the changes that are necessary to

achieve recognition. And I think the case has been made for substantive change for sections of the Constitution that currently enable discrimination against Indigenous people.

It's been a long journey from the Bringing Them Home report of 1997, which showed a path to justice for the stolen generation, and ignited the push for reconciliation. I'll digress for a moment and say that I worked on the Stolen Generation case, and one of the reasons why I accepted the brief was that I thought that while the case itself was a very difficult piece of litigation, it was something that would, even if we lost the case – which we did – have a tremendous political significance in Australia. And I would like to think that in keeping the spirit of that report by Sir Ronald Wilson of the Human Rights Commission alive for a number of years after Howard had rejected the recommendations – most of the recommendations – of the report, we did the right thing by bringing that piece of litigation and arguing it before a single judge in the Federal Court, the full Federal Court, then the High Court. As I said, that Bringing Them Home report, the effort that was made on behalf of the stolen generation ignited a push for reconciliation and I'm sure everyone here can remember the huge crowds that marched for reconciliation in 2000, that marched across the Sydney Harbour Bridge, down St Kilda Road here in Melbourne, and many other places. And most of you will remember what I will call the 'lost Howard years' with a Prime Minister stonily refusing to apologise. I thought that the momentous apology given by Prime Minister Rudd on my first day in the Federal Parliament in 2008 would speed up the push for Constitutional recognition, but progress has been achingly slow.

Progress which has been made since then is the result of a tireless campaign by the Indigenous community, and supporters across Australia,



in particular, the lobby group Recognise, which was set up to promote a referendum. The role of Recognise is an important one, because they raise general awareness of the need to end the exclusion of Indigenous people from our Constitution and change its discriminatory nature. There are hundreds of thousands of people who have already signed up to the Recognise campaign who will rise to the occasion if and when the public debate for the referendum needs it. The role of Recognise in raising awareness continues to be vital because without it, we won't see the groundswell necessary to achieve a yes vote.

But I really want to emphasise the complexity of referendums in Australia and the need for both a push from the community and the strong political leadership which is need to respond to that change.

Labor in government knew that it would be extremely difficult to hold a successful referendum. And that's why under the leadership of Julia Gillard, in whose government I served briefly as Attorney-General, we established an expert panel on constitutional recognition of Indigenous Australians. We did so because achieving any constitutional change in Australia is a journey on a hard road. I'll give you some of the dreadful stats in a minute but one of the reasons I'm speaking about this is because we can talk all we like about the importance of recognition. We can talk all we like about the impact recognition would make, and I doubt that there is a single person in this room who does not support the idea of recognition and indeed understands, all of you, why it's important for the kind of Australia we want to be. But we're not going to get there without a successful constitutional referendum. And the brutal truth of this is that only 8 of 44 proposed changes that were put to Australians since 1901 have been successful. The last successful referendum was in 1977, which is forty years ago. Since then there have been attempts

made to change the constitution in 1984, in 1988 – they were both efforts made under the Hawke government – and in 1999, which was the republic referendum – and all of them failed.

The 1988 referendum failure was particularly startling to me, because it was under the cover, if you like, of the bicentennial celebrations. The four questions that were put to the Australian people in that 1988 referendum were to my mind, unexceptional propositions like extending the right to trial by jury, and requiring that the states acquire property only on just terms – which is the same obligation that the Commonwealth has under the constitution, and a couple of other pretty unexceptional propositions. All of them failed. But they failed so badly in 1988 that there wasn't a majority in even one state, though a single question did receive a majority in the ACT. So that's the level of difficulty. The republic perhaps you might say stands in its own category. But I mention these failed attempts just to show how hard it is.

You could put it another way. Every decade since 1901, there was at least one referendum, up to 2000. Between 2000 and 2010 we had our first decade in the Federation's history without a referendum, and we are well down the track to a second decade without any referendum, not just an unsuccessful one, but no referendum. So in a very real sense the project of looking at our constitution, of amending it in ways that make it match the Australia that we live in, has stalled. And it is against that level of difficulty that this project of a referendum to change the constitution to recognise Indigenous people and to take out the racist references in the constitution has to be considered.

In truth, the case for constitutional change has never been harder. So starting the process with an expert panel, seemed useful, and I think it

was valuable. On 16 July 2012, the expert panel presented their report to former Prime Minister Julia Gillard, and the expert panel told us that significant common ground exists across the political spectrum on this issue. And that the options outlined in that report are capable of succeeding. They told us and I quote “it’s now for government and the parliament to take the panel’s recommendations forward.”

Leading up to the election in 2013, there appeared to be bi-partisan support for constitutional recognition but even with this good will, the recognition referendum has become bogged down. After the September 2013 election, Prime Minister Tony Abbott set an admirable target of holding the referendum on the 50th anniversary of the successful 1967 referendum, which took the first steps in removing discrimination against Indigenous peoples contained in the Constitution. That anniversary is this May and sadly we won’t be seeing a referendum happen then. In fact, to me, it seems unlikely any time this year.

In his two years as Prime Minister, despite describing himself as “the first Prime Minister for Aboriginal Affairs” (that was Mr Abbott’s self description) Tony Abbott did not provide the strong leadership which was needed. I think he is more likely to be remembered for cutting half a billion dollars out of the Commonwealth’s Aboriginal Affairs programs than for anything else. Even the way that Abbott spoke of recognition, of the recognition referendum as, and this is his phrase, “completing the constitution – not changing it” – was actually completely unhelpful. It may have meant something to right-wing conservatives in his own party. But to most Australians, a referendum is for changing the Constitution. The founding fathers (they were all men) put s128 in the Constitution for a reason – it was so the Constitution could be changed to meet changing circumstances in Australian society as they arose.

I just want to make a few comments about the content of this referendum too.

It’s likely that a referendum that goes beyond what’s been called a “minimalist position” will seek to do two main things. One symbolic and one practical. Just on the minimalist position, there was some news coverage last week of what’s been happening in the Indigenous consultation that is underway as we sit here. It’s been underway since late last year and will be completed in May. My personal view is not what’s going to determine this, but personally, I was pleased to see the reports coming out of that Indigenous consultation to the effect that a minimalist position will not cut it. We had a little playing with this by Mr Howard back in 1999 when accompanying the Republic referendum we were asked to express an opinion about a preamble drafted by Les Murray. That wasn’t good enough then, and it won’t be good enough now. There is no point in the vast effort that has been spent on this project if all we end up with is some minimalist position and I’m happy to see those expressions or at least a tentative view coming out of this Indigenous consultation – that a minimalist position will not cut it. But as I said, if we get beyond that, and I sincerely hope we will, there will be two main things, the symbolic and the practical outcome. It’s likely that the proposed changes will seek to make specific mention of Aboriginal and Torres Strait Islanders in the constitution and acknowledge Aboriginal and Torres Strait Islander peoples as the first peoples of our land. You’re probably all sitting there thinking why on earth doesn’t it already say that? Indeed why didn’t it say that when it was adopted in 1901? Because it is not something that we suddenly discovered. Captain Cook worked it out when he arrived. Arthur Phillip worked it out when he arrived in 1788, 18 years after Cook. And the people that gave instructions to Governor

Arthur Phillip when he came here with the First Fleet gave him instructions about the first peoples of our land. But for whatever reason, we have no acknowledgement of the first peoples of this land in our Constitution and that's if you like, the symbolic thing that should happen. It's a very important step on the long road to reconciliation. It's a change that on one level is symbolic, in seeking to address historic elements of our Constitution which reflect racism. Symbols are important in politics. And the right symbols can help to change perceptions in a way that paves the way for changes of a more practical kind.

The second part of what I hope to see in a referendum could focus on more substantive change to our constitution. It is truly unacceptable that the founding laws of this country allow the Federal Parliament to make laws that discriminate against Australians adversely on the basis of race. This was necessary according to former Prime Minister Edmund Barton, our first Prime Minister, speaking from his colonial position in 1898 when he said this; "we need to regulate the affairs of people of coloured or inferior races who are in the commonwealth". So that's the spirit in which the Constitution was drafted. We have truly come a long way since then. And we need to make the document speak of who we are today, not what we were, or what Australia was, or what those white men thought when they drafted this document in 1898, 1899, and 1900 – but who we are today.

To go back to the expert panel's suggestions, the expert panel proposed that the racist power of s51(xxiv) be deleted so as to remove the ability to pass laws that discriminate against Indigenous people adversely. They recommended that there should be a new Section 51A in the constitution that would recognise Indigenous peoples and preserve the Australian government's ability to pass laws for them, the Indigenous people. It also

seems likely that constitutional recognition would involve the removal of section 25(2), which recognises that the states can ban people from voting on the basis of their race. I'll bet there are people in this room that are shocked to learn that in Section 25(2) of the Australian Constitution, there is still a provision that says that if a state makes a law that prohibits a person of any race from voting, that person doesn't get to vote in a Commonwealth election. And you might think that it's not that likely that in 2017 or anytime soon a state could legislate in that manner. But nevertheless it's a shocking thing that that provision is still in our constitution. And it ought to be removed. What the expert panel said about this is in diplomatic language – they recommended its repeal on the basis that it would "contribute to a more unified and reconciled nation". The expert panel had a couple of other suggestions. One was adopting a new section 116A, prohibiting governments from passing laws that discriminate on the basis of race, and also inserting a new section 127A recognising indigenous languages were this country's first tongues, while confirming that English is Australia's national language.

Following on from the expert panel's report, some of those changes were met with resistance. That's why a Parliamentary joint select committee on constitutional recognition of Aboriginal and Torres Strait Islander peoples was set up against to assess these proposals and to consider options for addressing any issues with the expert panel's proposals. I'm not going to spend time going over the slightly different way in which that Parliamentary joint select committee produced its recommendations. But certainly, it was long way past minimalist and I'll leave it at that.

There is general agreement that change must happen. There is general agreement that change is well overdue. The push for this referendum is bipartisan. In fact, it is deemed so important that this referendum passes



that the only question is how to get the referendum process absolutely right. The Referendum Council, of which Senator Dodson was a member before he entered the Parliament in April last year, is now charged with preparing the framework for the referendum. The reporting dates for their proposals has shifted. Hopefully they will be reporting on the 30th June this year.

The Indigenous consultation process, which is going to feed into the referendum council's report, is well underway. It will end at Uluru in May, actually on the 50th anniversary of the 1967 referendum, with the National Indigenous Constitution Convention. And that's a historic event. I hope that a simple proposal for the referendum emerges from that Indigenous consultation process that is underway now, and that we get a report from the Referendum Council on 30 June, with which the national leadership – meaning the government and the opposition working together, can go forward. The danger that I am concerned about is the sense of urgency to have this matter dealt with will be lost, and the momentum that we've achieved that's the result of tireless community action and activism, will not bear fruit. Without political leadership, we risk missing the opportunity that is now presenting to us, to have the unjust and unfair state of our constitution finally dealt with.

Once the council's proposals are put forward, I hope that the government and particularly, the Prime Minister gives them the serious attention the issue deserves. I hope a date is set for a referendum that is considered immovable so that the "Yes" campaign can begin in earnest and ensure the highest possible degree of success for this referendum. It is too important a question to fail. We will not know the precise shape of this referendum until after the council reports later this year. The Prime Minister has claimed that he is committed to constitutional recognition. I

hope that for once, he surprises us, and makes that commitment real. As I've said, we won't succeed without leadership on this issue. Bill Shorten and the entire Labor team are committed to working with the Turnbull government to lead the national debate that lies ahead of us.

Thanks very much.

Senator Patrick Dodson



Senator for Western Australia, Shadow Assistant Minister for Indigenous Affairs and Aboriginal and Torres Strait Islanders. Patrick Dodson is a Yawuru man from Broome in Western Australia. He has dedicated his life work to being an advocate for constructive relationships between Indigenous and non-Indigenous peoples based on mutual respect, understanding and dialogue. He is a recipient of the Sydney International Peace prize...

I want to acknowledge the Traditional Owners of this land, members of the Kulin Nation, acknowledge any of their leaders here today, and acknowledge Indigenous leaders from other parts of Australia that are also here. I'm privileged to stand on this country.

I want to also acknowledge Anne Kantor for her work in many of these areas in the background but for her tireless contribution to trying to make the place liveable for all of us despite our diversity and differences and contrary views at times.

I was not sure what I was going to do when I got here but I thought I'd start with a poem from one of the great Indigenous leaders, Oodgeroo Noonuccal - Kath Walker - because as you know Kath was the coordinator of the movement around getting the 67 referendum up. Her and many many of those leaders have passed on but they were a unique group of Australians, Indigenous and non-Indigenous people, and Kath of course was a fantastic poet and if you have never read any of her works I would encourage you do to so. She wrote the poem 'The dawn is at hand' back in 1966, the year before the most successful referendum campaign in our nation's history, where more than 90% of the nation voted in unity, they voted yes for Aborigines. In keeping with the theme of this symposium, talking 'the day after tomorrow - breakthrough recognition' as a possible starting point, the poem offers us an opportunity to contemplate how far we have travelled in the 51 years that have passed since this poem was penned. And I'm not a great reader, but I'll try and do justice to Kath's poem, and I'll read it now:



Dark brothers, first Australian race,
Soon you will take your rightful place
In the brotherhood long waited for,
Fringe-dwellers no more.

Sore, sore the tears you shed
When hope seemed folly and justice dead.
Was the long night weary? Look up, dark band,
The dawn is at hand.

Go forward proudly and unafraid
To your birthright all too long delayed,
For soon now the shame of the past
Will be over at last.

You will be welcomed mateship-wise
In industry and in enterprise;
No profession will bar the door,
Fringe-dwellers no more.

Dark and white upon common ground
In club and office and social round,
Yours the feel of a friendly land,
The grip of the hand.

Sharing the same equality
In college and university,
All ambitions of hand or brain
Yours to attain.

For ban and bias will soon be gone,
The future beckons you bravely on
To art and letters and nation lore,
Fringe-dwellers no more.

Now that was Kath Walker 51 years ago looking to the prospect of a referendum in probably a totally different way, and through a totally different lens, than we might look at the current opportunity and we have just heard Mark [Dreyfus] explain some of the challenges in it. The victory she said of the referendum was not a change of white attitudes, the real victory was the spirit of hope and optimism which affected Blacks all over Australia. This is a quote from her work: 'We had won something, we were visible, hopeful and vocal'. Two days after the vote on the 29th of May, Mrs Walker wrote to the Prime Minister, Harold Holt, and I quote again: 'It is indeed very gratifying to know that members of both houses of the Parliament were in favour of the 'yes' vote. Undoubtedly the people of Australia also favour a better deal for the Aborigines as shown by the result of the vote. May we look forward to further enlightened policy especially around education, housing, employment, health in the near future'.

The spirit of hope, of visibility was also palpable 9 years ago when Prime Minister Rudd delivered the apology to the Stolen Generations - a time for the nation to turn a new page in Australia's history of righting the wrongs of the past, a new dawn at hand. Like the 67 referendum the positive responses of the wider Australian public was heartening, affirming that with the right political leadership we could transcend the politics of fear and guilt of the nation and work towards a reconciliation based on truth, on healing and on justice.

Flying down on the plane today, I wondered what Oodgeroo would make of the current suite of policies aimed at education, housing, employment and health, and the mantras of getting kids to school, getting people to work and making communities safer. They are laudable goals and objectives and they are important but they come packaged to the Aboriginal Nations without respect for our sovereign position and sovereign status.

We know, as Mark has reminded us, that the audit office report when it reviewed the Indigenous Advancement Strategy, that it's a total failure from top down, through the centralised decision making that leaves our nation on the margins and again as policy fringe-dwellers. The Closing the Gap report has been constantly unsatisfactory and, while marginally improving in some areas, we know that the state of the Aboriginal nation is not satisfactory. Indeed, it is cynical, frustrated, angry at the direction of public policy.

Before lunch, and I am sorry I missed the presentation by the Elders and men from the Tjilirra Movement, working with young people to restore their *liyan* with community designed solutions. *Liyan* is the word we use in Yawuru (the people I come from) - we talk about *mabu liyan* - 'good inside', we need to be good inside and we need what we call *mabu ngarrungunil* 'a good community, good people, good human beings' and we talk of *mabu buru* 'good country'. If any of those things are not in balance then we as a human being, as a Yawuru person, get out of balance and it can lead to all sorts of problems in our own spirit. *Liyan* is a very important concept - similar I would imagine to what you were told by the men this morning out of that Movement in the Centre.

I try to look at the richness and goodness of the Aboriginal people and their contribution, not only to the historically rich cultural origins and traditions that we all share and have, but also there are people who struggle and battle and who try to make ends meet and who are on a shoe-string budget whose services are being cut back and yet they soldier on. These cuts that were made by the government affect services: legal services, women's services, kids' services - and so they do have an impact and you see those marvelous individuals out there struggling away on a daily basis with bread and butter issues that affect them, or their children, or their grannies or someone in their care.

So it is primarily the Indigenous people who keep me focused on what needs to be done. And there are good people in other parts of our society, and in particular in the judiciary and other places who are going to raise their voices against the appalling incarceration rates and the appalling out of home care of children. The incarceration of Indigenous people - you can almost hear Kath Walker's poem in the back of your head - 'fringe-dwellers no more' - well where are we in the spectrum of things? We are back on the fringe, at the margins, the height of the deficit analysis which wasn't the vision or the hope or the anticipation that the people of Kath Walker's period, and those of us who followed soon after, hoped for and looked forward to as a consequence of the change in the referendum. We didn't expect the white folks to change their attitudes but we did expect public policy to be more enlightened. And we did expect the shift in the Constitutional change and the bringing in to the public policy space of the federal government that things would improve. And they did for a while under the self-determination policy of Gough Whitlam and others.

Certainly, the Howard era and some of his colleagues, and then the contemporary position - the last two days I've been sitting on a Senate Committee dealing with amendments to the Racial Discrimination Act where the chair of the committee wouldn't even allow the Indigenous legal services to make a presentation on the nature of the bill. Where the president of the committee wouldn't even allow the spokesperson for FECCA (Federation of Ethnic Communities' Councils of Australia) to have an opening statement. And where the substance of that piece of legislation is not only going to change the words (of Section 18C) and bring in harassment, but it is also going to change the standard, if it gets up - and Labor will fight tooth and nail, I can assure you, that it won't get up. But it will also change the standard of the base upon which discrimination is to be assessed to the notion of 'a reasonable member of the Australian community'. Now what is that? Who is that? Where's the jurisprudence in relation to all of that? Now there may be the argument about the common man, and all of that stuff, but this is - imagine some of these people in our society who say to individuals who are Australians but from another culture and who are enriching our society because of that 'go home to your own country' - is that the common member of our Australian society? This is horrendous stuff and I would be contacting your local members and putting some pressure on them about it because if it ever got up I think our country will be headed in the wrong direction.

So it is people like yourselves and others who give people like me and Mark and other members this power to make laws. It's a huge burden and we do our best, when we are in opposition at least, to try to make sure these laws are not going to impact adversely or unjustly upon people. And, let me tell you, when they tell you politics is the art of the possible, it is the art of the numbers, that's what goes on in the senate. Nick Xenophon, Pauline Hanson, Leyonhjelm, Darren Hinch, who line up

with the government on most things, against Labor and the Greens in most instances to bring about changes that, in my view (and not just because I am in the Labor team), are not constructive for our nation. We have just cut money off childcare, or the senate has - it is going to go the house of reps - and there are a lot of poor people in remote parts, and that includes farmers' wives and people like that, who are going to be affected by these changes. So there is a real hard-heartedness in the **politic**, in Canberra at the moment. It will swing back from there because that is the reality I see in the cross-benchers and the senate. So when we come to Indigenous recognition contemplate the receptivity in the Senate where the bill has to be passed, that sets up the question or endorses the question to come back to us as the voters. Given the composition, the generosity in the Senate may not be, it certainly will not be what was back in '67 because there are some people in there who do not think with an ounce of generosity to the concept of diversity and difference within our society.

So it is important, not only to reflect on the vision or the expectation and the hope of people like Kath Walker had for the change that was necessary to try and create the social equity that we all hoped would eventuate through health, education, employment - let's not get sidetracked around what needs to happen. And I am afraid there is a bit of side tracking happening in the debate around recognition.

It is not about recognising Aborigines - sounds funny doesn't it? This is about the parliament recognising that Aborigines exist in our constitution under a head of power when it comes to make a law. At the moment it can do what it likes, and it does what it likes, and it does what it likes contrary to the interests of Aboriginal people because it is embedded as Mark has said in the racist thinking of 1901. That was pointed out by



Menzies back then when the argument got up about the '67 referendum - you won't fundamentally change the discrimination against Aborigines by tampering with the particular head of power [Section] 51 [Clause] 26 by making it clear that the Federal Parliament will have power to make laws for Indigenous people. The erudition of that is beyond me, I am not a lawyer. But clearly that power we thought, back in '67, that was going to launch positive policies and create justice and restitution, fix up the mess at a legal level, and the recompense and restoration for the bad policies and laws that were made that took kids away and all sorts of other things, the hope we had around that change - if that head of power remains as it is embedded in that history and is not changed, the same consequences will take place in the future. That's why that has to change. That's why the 51A, that the expert panel proposed, needs serious attention. Lawyers will tell you this will give the high court too much power because it has a preambular statement that governs just that one clause, not the whole of the Constitution - just that one clause - 51 26 - tremendously significant. After 200 hundred years surely to goodness the Parliament of this country, if that was the head of power, needs to take note that the Indigenous people lived here and still live here and still have a viable culture and are still practicing and related to their lands and their traditions and their songs and their ceremonies. An enormously important head of power to be passed and entrenched in the Constitution. The question of treaties, and sovereignty and these others, they are political issues. I am not dismissing them, they are very important issues. But the Constitution as Mark says (and he's a lawyer) is the backbone that sets out how this democracy in Australia operates. And that head of power, if we do nothing else, except demand that 51A is picked up.

I am also keen on 116A, obviously, because I was part of that panel that recommend these things - the non-discrimination against people in this society. And just have look at some of the people we've got in the Parliament - Ms Hanson - she wants to inoculate us against the Muslims, for goodness sake! And they have power, it is not as if they don't have power. They are making deals with the Liberal party every day of the week. They have power in that parliament now, today. And imagine if some lunatic in the government was minded to come up with some piece of legislation that took us down that road because of the pressure and the demand in the deal making that goes on from the cross benches. We could be going down a track, and we might see that in the Racial Discrimination Act amendments, there is no guarantee that Labor and the Greens will get our way. We will do our best, but if the people on the other benches support the government, then it will go the way they are proposing.

So we are in a real political context faced with real difficulties of political good will. There is no doubt about Labor's intentions in relation to the Constitution change, we will wait for the rounds of dialogues and discussions that the Indigenous people are conducting through the Constitutional committee and if you read some of the tripe that goes on in the public press there is no political model, there are three Indigenous members of the Labor party, there is one member of the Liberals who is a Minister, Ken Wyatt, and then there is Jacqui Lambie, and we are a pretty robust, particular group but we are only a small little caucus, within the bigger caucus and the bigger Parliament. So we will wait until the report comes back from Uluru and I would encourage my comrades and friends in the Indigenous community - don't get lost on the notion that we need an entity and we need a hook in the Constitution - I am all for Parliamentary representation and entities. We saw what happened to



ATSIC and a range of other things, unless it is secure then there is no guarantee the government will enact the particular head of power or use that head of power to enact anything. This is the real politic that works today in Canberra. I've only been there 10 minutes, I am not an expert. It hasn't taken me long to work out that it is hard to get real reform, to real justice for Indigenous people. But I am glad that I am a member of the Labor party because it is focused on those issues and it is trying to ensure those better standards are upheld.

Now I wanted to finish just with the notion that recognition of the First People actually starts to send a message that we are actually valued. If we got this referendum up, a bit like Kath Walker's view, we are visible now, they can't walk past us, we are visible, we have hope and we expect positive change to public policy. My hope would be that it will send a message that we are valued, that we are important and we want to deal with the things that cause us division and discord over the past - and that's about treaty making and that's agreement making, that's about a whole range of things, but we want we want to deal with those things. But we want to be valued - our culture, our responsibilities for our own affairs and our position in this society. We want to be valued as the people who are capable of resolving those matters, not because some bureaucrat comes along and says your expenditure is out of kilter with what the senate requires and demands you conform to a certain set of financial guidelines. These are big issues. As Kath Walker pointed out clearly in her poem 'We are recognised. We are visible'. If you remember the context was Aboriginal humpies and little fringe-dwelling towns, our places were on the fringes of all our towns back then. Some of the early reporters or the reporters around that period brought the spotlight into those places for the Australians to see and understand. Thankfully they did that - to make visible what was at the very heart of our society that

most of us knew was wrong but didn't know much about it. We know a lot about Indigenous peoples today. We know about the treatment that they have received under governments. We know about the Stolen Generations. We know about the Deaths in Custody reports. We know about the number of kids in out of home care. We know about the awful process of welfare impacts. We know all of these things. My vision is that we have recognition in the Constitution, again philosophically, should send this message 'that you are a valued, unique part of our society, our Australian society, as Indigenous peoples' and it is important that we acknowledge as the Australian people that you want to deal with the things that have caused the division and discord of the past. We can't run away from that and thankfully the state of Victoria and the state of South Australia are embarking upon that through their Treaty making process with the local Indigenous Nations and peoples - a fantastic thing! They are not frightened of the word. Those two governments are at least embarking upon that and the Northern Territory as well. Let's hope other states pick up this enthusiasm and ultimately there is some agreement at a national level where whatever it is that for the nation's sake we will need to agree upon. They are about the reshaping of our relationship and of going forward and it is the greatest way that will give a new sense and strength to achieve the change that we know is possible.

Thank you.

Dr Timothy Keogh



Dr Timothy Keogh is a psychoanalyst, clinical and forensic psychologist and couples psychotherapist with over 30 years' clinical experience. He sits on the Board of the International Association for Couple and Family Psychoanalysis, is an honorary senior lecturer in the Medical School, University of Sydney and has significant academic publications.

“Facilitating Recognition: Listening to You, Dreaming Together”

Summary

The paper proposes the value of psychoanalytic concepts in the understanding of the intra-psychic, interpersonal and transpersonal processes that are involved in recognition. It is argued that there is an urgent need for such understandings, given the current disadvantage gap indices. The importance of dreaming (as a manifestation of what Bion calls “alpha functioning”), especially in dreaming together in the form of collaborative partnerships which can facilitate recognition, is highlighted. The value of an adaptation of the Endopsychic Model as a means of understanding tensions that may develop in such partnerships is also considered, as is Bion’s concept of the “container contained” in facilitating the working through of such tensions. This latter concept is also proposed as a useful psychoanalytic lens through which to understand how a colonial invasion destroyed a vital container contained relationship for Aboriginal people and the traumatising effect this had on individuals and communities. The paper concludes by suggesting how partnering initiatives, especially those which involve psychoanalytic understanding, might make a modest contribution to the aims of recognition and their over-arching goal of uniting our nation and bringing all Australians together on an equal footing.

I would like to begin by thanking the conference organisers for this important event and to say how grateful I am to have been invited to contribute. I also want to say how valuable it was for me, in my own journey of recognition, to have been involved in a week's visit to Central Australia after the last CASSE conference and to have visited Congress and Aboriginal communities in that region. This was very personally impacting and allowed an intellectual understanding to meld with a deeply emotional experience. It has also helped me appreciate what it means to talk about recognition, that is, what needs to be recognised. For me, this is reflected in the verse with which I will finish my brief presentation today.

So now I want to consider with you about some particular ways in which I think psychoanalysis, as a means of facilitating change, can foster recognition.

In doing so, I want to suggest that the overall process of recognition involves:

1. An opportunity for affected individuals to be supported in recognising who they are and what has happened to them. This process involves healing as their trauma / intergenerational trauma are addressed;
2. Communities being assisted to recognise and deal with the trauma they still bear, often in the form of externalised pain, resulting in manifestations such as violence, substance abuse and suicide;
3. Developing ways in which non-Indigenous Australians can be faced with the reality of the experience / history of Aboriginal and Torres Strait Islander people and for children, in particular, to

be educated about this in away that engages them at an emotional level;

4. Encouraging Aboriginal communities and organisations to work in partnership with those (non-Indigenous) who are advanced in their capacity to recognise;
5. The use of such partnerships as a platform for increased non-indigenous recognition; and
6. Mobilisation of the larger group to achieve political / constitutional change to address the serious socio-economic inequities that contribute to the continuing overall unequal status of Indigenous people.

Psychoanalytically, this means working at the *intra-psychic, interpersonal and transpersonal levels*.

I strongly support the current wisdom that the provision of mental health interventions that may assist at the individual level of recognition needs to be established and implemented through appropriate cultural consultation with Aboriginal elders and others guiding their development and implementation. For this to happen though, functional bi-cultural partnerships need to be established. Such partnerships can also help the process of recognition (in this sense, of traumas past and present) and in doing so mobilise communities in terms of social change. Partnerships driving this first step recognition can then become vehicles for achieving recognition in those groups which are still blind to the suffering of Aboriginal people.

In this regard, when we examine the disadvantage gap indices, we realise that there is an urgency to progress recognition. This is because these indices are highly illustrative of the lack of progress with recognition.

These indicators include:

1. That as of 2010, 40 % of all youth suicides were committed by Aboriginal youth. This represents a rise from a 19% level in 1991,
2. That the proportion of Aboriginal adults reporting high levels of psychological distress increased from 27 per cent in 2004/05 to 33 per cent in 2014/15, and hospitalisations for self-harm increased by 56 per cent over this period.
3. The proportion of Aboriginal adults reporting substance misuse in the previous 12 months increased from 23 per cent in 2002 to 31 per cent in 2014/15.
4. The adult imprisonment rate increased 77 per cent from 2000 to 2015 and, whilst the juvenile detention rate has decreased, it is still 24 times the rate for non-Aboriginal youth.

Moreover, as of February 2017, there has been a failure with respect to:

1. Closing the gap in life expectancy within a generation;
2. Halving the gap in child mortality within a decade (currently, 6.2 per 100,000 compared to 3.7 per 100,000 in the non-Indigenous population);
3. Halving the gap in reading and numeracy for Indigenous students within a decade; and
4. Halving the gap in employment within a decade.

In a recent article in *The Lancet* medical journal, which will bring international attention to such issues, the personal side of these statistics is revealed. The article opens with the story that "Mervyn Eades once contributed to one of Australia's most shocking statistics: that one in 13 Aboriginal and Torres Strait Islander males in Western Australia is imprisoned--one of the world's highest incarceration rates." By the age of 13 years, Mr. Eades had lost his father and grandparents and moved around multiple care homes before ending up in prison on and off for the next 18 years. Eight months after being released from prison for the last time in 2002, his younger brother committed suicide whilst also in prison.

Such a story brings home the shockingly stark human face to the gap indices.

In the light of these issues I want us to urgently consider how psychoanalysis might be able to contribute to getting to the day after tomorrow, that is, to a fuller recognition of the circumstances past and present which is the reality of Aboriginal people.

There is so much psychic pain reflected in these individual stories that at times the total situation can feel overwhelming. For such pain to be transformed, however, it needs to be put into words so that it can ultimately be thought about or, as Fonagy describes it, *mentalised*. Bion calls this process *alphabetisation* where he refers to un-metabolised emotional experience, or *beta elements*, being transformed into alpha elements, emotional experience that can be thought about and therefore potentially transformed. This is no easy task, but when thinking can develop it becomes possible, as Bion notes, to be able to dream or envision things being differently. Moreover, when people share such a



dream, it can become the basis of significant political and social change. Clearly, that is the importance of conferences such as the one in which we are participating today.

In his 1963 “I have a dream” speech, Martin Luther King said:

“We refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we’ve come to cash this check, a check that will give us upon demand the riches of freedom and the security of justice.”

He continued...“This is no time to engage in the luxury of cooling off or to take the tranquilising drug of gradualism. Now is the time to make real the promise of Democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood.” (p.2)

For the King dream to become a shared reality in order for change to come about, it needed to be *dreamt together*. That is, change in the individual starts with the articulation of dream thoughts / the capacity to envision things being different. To become social change, this dreaming has to be shared. As the famous psychoanalyst Bion (Symington & Symington, 1996) said, “When a pre-conception can mate with a realisation, it becomes transformative.” Ogden (2004a), another contemporary psychoanalyst, giving support to the idea of the value of a partnership, notes the importance of another mind in facilitating our “dreaming ourselves into reality”.

CASSE has had a dream. This has been to create safe, supportive environments for individuals, families and communities through

psychoanalytic awareness. Its approach is based on the current psychodynamic understanding of how the mind functions and how individuals relate to one another. CASSE’s approach seeks to understand and address the underlying causes of problem behaviour such as unresolved trauma which can lead to conflict, self-injurious behaviour and violence. It achieves its aims by promoting safe, supportive environments through the psychoanalytic understandings of the emotional, psychic and social worlds of individuals, families and communities.

CASSE has also found ways of dreaming together with others, to produce projects that ultimately support the overall process of recognition. That is why I wanted to be part of and support CASSE as an organisation. As an example, CASSE’s Aboriginal Australian Relations Program works with Aboriginal people (through a partnership with the Central Australian Aboriginal Congress (CAACAC)) in the here and now to understand the emotional experiences of psychic pain, trauma and violence. CASSE has been working in partnership with *Congress* since December of 2011 to understand and address issues of violence and underlying trauma that currently exist within communities.

One of its projects entitled (Kurrumer murre) “*Kurruna Mwarre*”, meaning ‘to make my spirit good inside me’, has employed a psychoanalytic approach to develop and implement culturally appropriate demonstration projects that facilitate and empower Aboriginal people to heal from their traumatic experiences *in the Aboriginal way*. Other examples of dreaming and further partnerships together are to be found in the Men’s Tjilirra Movement in the central western desert region, which is empowering men and communities to reconnect with their cultural practices in order to reconnect with each other and the men’s “Breakthrough Violence” program, co-run by Ken Lechleitner in Alice Springs, which operates with a similar

approach, focussing on the recognition of mental states in the context of secure, attachment relationships.

The success of such partnerships, I believe, has come about through listening first, verifying one's understanding from such listening and then finding ways of dreaming and envisioning outcomes together.

Thinking about partnerships that might foster dreaming together, I am also aware that, like all relationships, they can encounter difficulties that need to be worked through in order to maintain their important function. Thinking about such partnerships, it seemed to me that it would be helpful to have a model from which to view possible difficulties and suggest ways of resolution.

The Endopsychic Model

Fairbairn's Endopsychic Model, in its form developed by the Scharffs, shows how conflict between couples can be explained in terms of emotional functioning, which can collapse under pressure. In psychoanalytic terms this is referred to as regression in the relationship such that, when upset, there is a tendency to see the other as problematic and become aroused by this in a way that blocks thinking and understanding. I have proposed an adaptation of the Endopsychic Model as a means of thinking about what might happen at stressful points in a larger organisational partnership which could cause such defensive regression.

Partnerships of all kinds often become stressed by challenging issues about which there might be strongly opposing views and, rather than finding a way of reconciling the views, unhelpful perceptions of the other

occur. At these points the other party can become defensively and unconsciously split, with the result that good feelings towards the other become lost and are then viewed as negative and frustrating. In my adapted model (Keogh, 2014) perceptions of the other are viewed as bi-directional. What is helpful in this situation are processes which encourage awareness of these regressions and splits and a capacity to manage them which the application of the Endopsychic model, I believe, facilitates. This can then lead to renewed integration and growth and, for our purpose again, foster recognition. It is only when the defensive processes can be contained and integration fostered that the other can be seen as separate and not containing projections of (that is, unacknowledged aspects of) our self.

Container-contained

For unhelpful splits and projections to be worked with and modified, a container-contained relationship is thus essential. When I refer to a container contained relationship, I am talking about a psychic process involving the unconscious aspects of communication where the container performs a function aimed at receiving and containing both projections or un-metabolised bits of emotional experience: what Bion called and I referred to above as 'Beta elements'. It is based on the idea of a mother who helps baby manage (contain) difficult emotion until it is able to do so himself. That is, what is contained are the unmanageable aspects of experience which need first to be contained in order to be made thinkable and therefore tolerable. A container can thus be thought of as a structure able to assist the mental representation of difficulties that can then be thought about, rather than acted out.

As Twemlow points out, collaborative partnerships between Aboriginal and non-Aboriginal parties need to be able to contain mutually difficult

feelings concerning trust and power in order that that they can become transformative. This highlights the need for a container-contained relationship where the large group structure and agreed upon leadership can assist the formation of a container for the difficult to manage experience of both parties. In envisioning a container-contained relationship I find Ogden's (2004b) view of it particularly useful. He notes,

"The idea of the container-contained addresses the dynamic interaction of predominantly unconscious thoughts (the contained) and *the capacity for dreaming and thinking those thoughts (the container)*." (p. 1349)

Intergenerational trauma and the rupture of the culture container

I would also like to consider briefly the value of the concept of container-contained as a means of gaining a deeper understanding of the nature of ongoing trauma in individuals and communities, particularly by considering how *culture performs an important function as a container*.

In terms of the container-contained model, I view the rupture of the container of traditional Aboriginal culture to have drastically impacted on the sense of group (and consequently individual) cultural identity. As a psychological mega-container its rupture in turn, I believe, affected links to "Country" and "Dreaming" (themselves containers) which provide an important function of preserving cultural coherence, through their capacity for symbolically representing experience. That is, as I mentioned earlier, through their ability to transform unthinkable/unmanageable experience (beta elements) and through symbolisation turn them into something that then can be thought about and modified.

Through a psychoanalytic lens, I view the rupture to Aboriginal culture as being so severe that it could be seen to have caused a fragmentation of the cultural self, accompanied by the formation of what Bion (1957) has described as *bizarre objects*, that is, bits of the group-self/self emerging from the traumatic fracturing or rupture which can contribute to feelings of persecution, already a reality for many.

The rupture to the psychological container of traditional culture was of course originally caused by a colonial invasion and genocide along with subsequent policies of discrimination perpetuated by a European culture, captivated by its own narcissism and omniscience.

The ongoing intergenerational trauma caused by this rupture, however, now forms part of a complex etiological equation which accounts for ongoing high rates of suicide, homicide, drug and alcohol problems and chronic feelings of inferiority and poor self-esteem which impact severely on the quality of life of Aboriginal Australians. The latest disheartening report concerning the disadvantage gap, whose statistics I referred to above, is testimony to this.

Related to understanding the impact of the rupture to a traditional psychic container is the concept of *cultural transference*. In terms of Aboriginal culture, this can be understood in part to involve (quote) "the subtle movements in feeling, thought and bodily sensation that go on inside oneself, between oneself and others and between oneself *and Country*" [italics added] (Cameron & San-Roque, 2013). *To understand this concept requires a deep appreciation of the connection between identity and the connection to land or "Country" and the significance of "Dreaming."*

In terms of understanding the concept of *Country* and how ties to the land are intimately connected to the sense of identity for Aboriginal people, Dowd (2009) eloquently articulated that, from her understanding from listening, that there is a specific Aboriginal way of thinking about the “container-contained” relationship in Aboriginal culture “where the Western notion of the bounded relationship between self and other and self and land as other, collapses” (Dowd, 2009, p.105). This is because it is as if land or Country for Aboriginal Australians, in a significant way, is mind.

She notes that San-Roque’s account of (Tee uka pa) *Tyukurrpa* (a form of Aboriginal “Dreaming”) “lays out a description of the indigenous pre-conceptual matrix that enables the organisation of mental and emotional experience into thought, *transferred onto the geography of the Country itself*. Here, she suggests, “he seems to be describing the same idea of the background of meaningful containment imagined differently and definitively and *trans-located onto the land itself*.” (p.107)

The implication of these issues for me is that no meaningful dialogue about recognition and reconciliation, and in turn no transformation, can take place without an acknowledgement of the importance of these “containers” (“Country” and “Dreaming”) and the central container of traditional culture which binds them together as a “mega-container” that allows for meaningful links between alpha elements [thoughts], which can lead to a coherent sense of identity, being acknowledged (Keogh, 2014).

Some conclusions

In conclusion, I believe that psychoanalysis can potentially make a modest contribution to the overall process of recognition. In particular, I see the

role of partnerships that facilitate dreaming together as being crucial. I see the importance of the healthy functioning of the bi-cultural couple relationship *as both a vehicle for developing important mental health interventions to help individuals, groups and communities as well as a model for recognition and reconciliation*.

Secondly, for such collaborations in the area of mental health to be successful, I believe they need to be rooted in an intuitively deep understanding of the impact of the rupture to the “mega-container of traditional culture” (along with related disruptions to connections to “Country” and “Dreaming”) which I have described.

This thought encompasses the somewhat obvious but often disregarded issue that there needs to be a recovery of ‘cultural agency’ before reconciliation can be achieved.

Consequently, there is a need for all interventions, where possible, to be linked to the repair of the container. This has implications not only at the individual level, with meaningful ways of understanding and transforming trauma (e.g. a “Men’s Shed” concept where the link to the restoration of cultural practices is implicit or the Men’s Tjilirra Movement where it is explicit), but also at the group level (by helping communities develop frameworks that allow for the processing of trauma) and contributing psychoanalytic understandings and processes which can foster recognition, reconciliation and related political and social change in the broader society. Today’s conference, the previous Reconciliation Conference in Melbourne and the *Walk in my Shoes* Forum in Alice Springs, I think, are good examples of this latter application.

In terms of assisting individuals, families and groups to recognise and work through their own traumas, as an important step in the over all process of recognition, it seems important to build on commonalities and come to understand and respect differences in philosophy. There are, I believe, considerable areas of commonality in philosophy about health and wellbeing between Aboriginal culture and psychoanalysis which can be built on, especially between an emphasis on Dreaming and the focus on the unconscious level of experience within psychoanalysis. Such connections also underline the comfortable fit between the psychoanalytic and Aboriginal worldview, especially as espoused by the (Nang kaaree) *Ngnangkari* or traditional healer (Nathan, 2014).

Moreover, the endorsement of a model of health in Aboriginal culture, which places a premium on the social and emotional wellbeing of people, appears to be a further fundamental area of philosophical similarity between Aboriginal and psychoanalytical culture.

In this regard there appears to an implicit acknowledgement about the value of psychoanalytical approaches which involve transforming emotional experience by talking through (especially “Mentalisation Based Therapy” (MBT) or therapy that transforms beta elements [aversive sensations] into alpha elements [thoughts]), rather than otherwise “evacuating” them (Bion, 1962) or ‘acting them out’, such as by drinking, taking drugs or being violent, are helpful.

At the institutional or community level, the usefulness of concepts such as negative capability, containment (Bion, 1962a,1962b,1963) and psychoanalytical empathy (Bolognini, 2004), and what Singer (2011) has described as “*living in an in-between space*” *between groups*, which allows for an understanding of how un-identified psychic pain can cause

disruption within groups, are, I believe, useful concepts and again seem to have a comfortable philosophical fit.

Ultimately, I believe we must continue to dream together to brings these possibilities into a reality so that we can continue to work towards becoming a nation that can of one voice in saying:

*“Aboriginals and children of the future
relate to the sunshine and sky.
I am all you, as you are me
We are centred to be together forever.”*

(*In Transformation*, Lionel Fogarty, 1982)

REFERENCES

- Bion, W. R. (1962a). A theory of thinking. *International Journal of Psychoanalysis*, 63, 4-5.
- Bion, W. R. (1962b). *Learning from Experience*. London: Karnac Books.
- Bion, W. R. (1963). *Elements of Psycho-Analysis*, London: Karnac Books.
- Bion, W.R. (1970) *Attention and Interpretation*. Tavistock. London
- Bolognini, S. (2004). *Psychoanalytical Empathy*. London: Free Association Books
- Cameron, J. & San Roque, C. (2013). *Coming into Country*. Derived from www.jungdownunder.com/links/coming to Country - San-Roque pdf.

Garvey, D. (2008). *Review of the social and emotional wellbeing of Indigenous Australian peoples*. Retrieved 2008 from <http://www.healthinfonet.ecu.edu.au/other-health-conditions/mental-health/reviews/our-review>

Cousins, S. (2017). Indigenous Australians: A "catastrophic crisis". *The Lancet*, vol. 389: No. 10066. pp.242.

Dowd, A. (2009). Backgrounds of beauty: explorations in the subtle geography of identity and the interrelationships between psyche and place. *Australasian Journal of Psychotherapy*. vol.28: 28, No.1. pp.96-113

Hunter, E. (2003). Mental health, In N Thomson (Ed.), *The health of Indigenous Australians*. South Melbourne: Oxford University Press: 127-157.

Keogh, T. (2014). Psychoanalytic reflections on an experience of Australian Aboriginal culture. *International Journal of Applied Psychoanalysis*. DOI: 10.1002 / aps. 1416.

Ogden, T. H. (2004a). "This art of psychoanalysis: Dreaming undreamt dreams and interrupted cries. *International Journal of Psychoanalysis*, 85: 857-65.

Ogden, T. H. (2004b). On holding and containing, being and dreaming. *International Journal of Psychoanalysis*, 85 (6), 1349-1364.

Overcoming Indigenous Disadvantage: Key Indicators, 2016 report. (2016). Report of the Steering Committee for the Review of Government

Service Provision. Productivity Commission, Australian Government Publication.

Symington, N. & Symington, J. (1996). *The Clinical Thinking of Wilfred Bion*. Routledge: London.

San-Roque, C. (2007). Coming to terms with country: Some incidents on first meeting Aboriginal locations and Aboriginal thoughts. In . T. Savio Hooke and S. Akhtar, (Eds.), *The Geography of Meanings Psychoanalytical Perspectives on Place, Space Land and Dislocation*. London: The International Psychoanalytical Association.

San-Roque, C., Dowd, A. G. & Tacey D. J. (2011). *Placing Psyche: Exploring Cultural Complexes in Australia: Volume 1 of the Analytical Psychology and Contemporary Culture Series*. Thomas Singer (Series Editor). New Orleans: Spring Journal Books.

Savio Hooke, M. T. & Akhtar, S. (2007). *The geography of meanings: Psychoanalytic perspectives on place, space, land and dislocation*. The International Psychoanalytical Association International Psychoanalysis Library. IPA Publications: U.K.

Scharff, D. E. & Savege Scharff, J. (1991). *Object Relations Couple Therapy*. UK: Jason Araonson.

Twemlow, S. W. (2013). Broadening the vision: A Case for community-based psychoanalysis in the context of usual practice. *Journal of the American Psychoanalytical Association*, Aug: 61(4): 662-90.

Alexis Wright



Alexis Wright is a member of the Waanyi nation, Gulf of Carpentaria. An author and essayist, she has written widely on Indigenous rights and organised two successful Indigenous Constitutional Conventions in Central Australia. Publications include *The Swan Book* (2014 Aust. Lit. Society Gold Medal) and *Carpentaria* (2007 Miles Franklin Award). *What Happens When You Tell Somebody Else's Story* received the 2016 Hilary McPhee Award.

What Happens When You Tell Somebody Else's Story?

(Excerpts from the full essay, published in Meanjin, Vol 75, Issue 4)

Through many years of researching stories from all over the world and through my own communities, which I have always felt I had to do to understand how to be useful in my work—including being a writer—I have grown more curious about what would impact on my ability to tell stories that might be embraced anywhere in the world.

It has been a life's work of growing increasingly aware of how other people were telling stories on behalf of Aboriginal people in Australia, and how stories are used in campaigns to achieve certain goals. I think it would be fair to say that we are the country's troubling conscience and managed by its most powerful power brokers through a national narrative. I saw the fallout of this changing negative narrative in our communities, and in the lifetime of hard work our people do to fight against each political story-making trend.

I knew the style and intent of the national narrative would always be one of the greatest challenges I would have as a writer. We are all collectively the inheritors and generators of the country's psyche, and I wanted to know how I would be affected by this. The way that this country shapes

its people would constantly be on my mind while trying to tell stories of who we are, how we see the world, what our traditional ground means to us, and our desires and ambitions. The cloud is always present.

Aboriginal people have not been in charge of the stories other people tell about us. The question then was, how should I be an Aboriginal writer when the stories that were being told nationally about us would shape and impact on what I can do as a writer? I wanted to explore what happened in our imagination and our creative efforts when we write under the cloud of those who fear us, and who instil their fear in us. Why do I write at all? And why do I write what I write? These are questions I wanted to explore while trying to create stories more authentically; and on the other hand I wondered, am I just telling stories I have been conditioned to tell by the stories other people tell about us? How would I free my mind to write differently?

When it comes to how our stories are being told, supposedly on our behalf, or for our interest or supposed good, it has never been a level playing field. We do not get much of a chance to say what is right or wrong about the stories told on our behalf—which stories are told or how they are told. It just happens, and we try to deal with the fallout. I think we often feel it is pointless to take on the endless stream of other people's points of view about us that comes through the media, or to make the effort any more to turn around each new and mostly negative storytelling trend. The truth is, we have simply become other people's subject matter in the stories they tell, and pay the high price of their foolishly playing around with the Aboriginal sense of self, aimed at dismantling our knowledge and belief in our rights, to have us question our truths and our times.

Foolishness is another word for stupidity, and this is generally what the national narrative about Aboriginal people has been, because its bottom line has never changed. The plot line has always been for one outcome, to erode Aboriginal belief in sovereignty, self-governance and land rights, even when it has gotten to the point where most Aboriginal people have been silenced, or feel too overwhelmed to fight any more. Look at the years where it was impossible to mention the words treaty, sovereignty or even land rights without creating a major backlash in the media. The term 'native title' was non-existent in the national lexicon of Australia until the 1990s, when Eddie Mabo overturned the commonly accepted term of terra nullius—empty country on white settlement.

I have seen firsthand the shameful and injurious impact that many public stories have had on our people over a long period of time. We have been boxed in by the Australian psyche, its fear of the other. It is widely understood that we are being pressured by this country to assimilate, to abandon our culture in order to survive. This was confirmed in a recent study undertaken of hundreds of Aboriginal people in Darwin by the Larrakia Nation in the Top End, together with the University of Sydney and the University of Tasmania. A former head researcher of the Larrakia Nation, Penny Taylor, noted that Aboriginal people hear a lot about themselves from the non-Indigenous population: 'They run the newspapers, they're on air, there are the politicians that are speaking out, but we don't hear much from the Indigenous population themselves.'

Many of our people continue to be treated like third-class citizens in every aspect of their daily interactions with white people, from the bus drivers who keep driving because they see blackfellas at the bus stop, to harassment by police and being over jailed in an overpoliced Northern

Territory, or the brutal treatment of our children as we saw at Don Dale Youth Detention Centre in Darwin. We are not able to choose a future of cultural independence while the burden on Aboriginal lives grows greater due to the continued denial of hundreds of millions of dollars on a yearly basis, over decades, by the governance arrangements of the Northern Territory. Take your pick. All the statistics are linked to the national narrative, to story-making, to the way that stories are told, to keep the status quo in place.

This means that we work to other people's direction whether we want to or not, to what the government has prescribed for us to do to keep us busy and distracted. We are in a cesspit, and far from concentrating on any meaning drawn from a fuller Aboriginal-defined sense of self, where we may have learnt more from the legacy of ancestral law stories that had been passed down through the ages from our own people for the purpose of keeping this country alive. We need these laws for understanding others, to realise ourselves fully and to give ourselves a greater capacity in understanding how to live on our own culturally attuned economic, social and sustainable terms. Instead, we have just about been overcome, smothered by and immersed in the control of outside narratives. It is almost a miracle wherever you find a really solid Aboriginal-defined vision forging its way through a maze that only seems to work to destroy possibility.

In about 40 years of working for Aboriginal rights I have never really seen a fully Aboriginal-defined and -endorsed vision being given serious attention in the Australian media. What I mean by an Aboriginal-defined

vision is one I saw formed by the elders in Central Australia across some of the very best of their communities during the 1990s, where they called for Aboriginal self-government in the Northern Territory. There has never been a real discussion in Australia about how to create Aboriginal self-government in the Northern Territory.

The story of the call by elders of Central Australia for Aboriginal self-government, for instance, was killed before it could breathe. It was like so many other good stories from Aboriginal people that have either become compromised, gone underground to survive or are only shared in private and safe environments. Yet why is it that there has never been the will in the country as a whole to listen to an Aboriginal-defined vision?

Once upon a time I believed that we had the right to tell our stories and articulate our vision for developing the health of our people, culture, land and economic power. I believed that our survival depended on strengthening the cornerstones of our humanity through our ideas of self-governance in the modern age, even with a reliance on government to overcome the long-term damage caused by dysfunctional and unworkable government policies. In reaching this vision I always thought it was about having hope, where our stories were the most valuable tool of the heart and mind for maintaining hope in the struggles that were taking place.

The publication of story after story blaming the victim for failing to demonstrate any responsibility for their struggling and poverty-stricken

communities has had the intended effect. Even some of our people started to believe they could not handle self-determination, that they were violent and lazy, welfare dependent, did not care for their children and needed to be controlled. From the beginning of that highly orchestrated conservative theatre, the story war has run on. It is in the blood. Everyone has caught the disease in some measure. It is now accumulated history, just as what was learnt through the history wars, which were basically a pitiful argument pushed by conservative academics who felt disenfranchised and unheard, to question whether the killings of Aboriginal people during the early colonial settlement were acts of genocide, and whether such killings actually happened.

The roll-on effect of a politically hyper-charged race-based strategy for controlling Aboriginal stories is to keep Aboriginal self-censorship in place, and at no real cost to the government. It is a cheap strategy. But the cost of what has happened to us is enormous. Think of the cost of removing Aboriginal self-censorship, and the cost of allowing Aboriginal people to have real storytelling rights and justice platforms to work towards their vision of the future. The cost will continue to escalate, and the cost at this point in time, would possibly be more than the country could afford. It would mean the end of a history of wasteful government policies that have never worked, or were not meant to do any work other than to ensure votes at election time, and so keeping everything contained at a minimum cost, to ensure that real money will never be spent overcoming the injury of colonisation.

The only solution that Australian governments have really come up with is for the complete assimilation of Aboriginal people, even as the cost of this failure increases but it may not even be the goal, when it is always easy to accuse Aboriginal people of failure for political expediency, and of

being victims if they do not hit the road to assimilation. So there is a general assumption that Aboriginal people are victims and only tell victim stories. This results in further loss in our ability to create some of the best stories of this country, as we lean in to do what is expected of us. In the injurious nature of the realities for Aboriginal people, the full cost will be borne in the stories we can tell to shape our world. Our heritage will always be weighed by how prepared we are to compromise or lose sight of our cultural storytelling vision. The further we bend our stories to suit mainstream Australia, resulting in further loss of our cultural norms, the more we hasten our total acculturation into mainstream Australian society. Why? Because we will lose what is special about our inheritance if we cannot understand it or fight for it. One might ask, why can't we have it both ways? This is the tricky question about Aboriginal storytelling.

Stories from Aboriginal people about rights will be ineffective if these stories fall on deaf ears—even our own. Our stories may never be heard or taken seriously by those who pay lip service to Aboriginal rights. These stories mean nothing to them and will be unappreciated and not run in the mainstream media, or will be rendered unfathomable. Who would know how to read stories encompassing all time, when most are incapable of understanding the stories of the earth and the long cultural heritage of this country?

With no dedicated platform for developing stories about Aboriginal rights, including cultural and economic sovereignty and security, as time goes by there will be even fewer options for Aboriginal people to tell their stories without compromising or further eroding fundamental principles of culture and belief. Aboriginal storytellers may feel the need to make more deliberate choices in the way we tell stories, as many did from the



force of criticism during the early Intervention years. We might ask, how will my story be heard? What is the new benchmark of articulation here? We risk our cultural existence, authenticity and voice if we accept a pattern of compromise by trying to construct a story or belief that matches the mainstream national story for Aboriginal people.

A number of us might just allow other people to continue looking after our communities as the storytellers in the current pattern of Closing the Gap, because we have lost confidence in our ability to articulate our own stories. Some of us may have taken the decision to live in a more specialised form of interior separatism, where we only recognise and remain familiar with the value of continuing cultural laws, ideas and beliefs, where our lives seem to make sense, have security and surety, while the surface appears both patronised and controlled. We will continue, despite government policies, practising a rich Aboriginal culture in virtual isolation, and in relative peace, even though the struggle to maintain culture without resources, or being dependent on outside resources, will always be there, and one of the biggest issues of our survival. But vision is not beyond us, in spite of the national narrative that belittles us.

The repetitive Closing the Gap narrative and platform has become even more firmly established in the mind of Australians, and works to deepen Aboriginal self-consciousness and self-censorship. Australians have been trained to think in this new way, and now expect Aboriginal people to reset their behaviour to approximate the official story. How we choose our own reference points, and how we develop these practices, will be one of the most important stories of our times.



The Day After Tomorrow

A CASSE SYMPOSIUM ON BREAKTHROUGH RECOGNITION

Presented by Creating A Safe Supportive Environment
(CASSE)

Saturday 25 March 2017

at the Brain Centre
Melbourne University
Kenneth Myer Building
30 Royal Parade
Parkville Victoria

www.casse.org.au