



The University of Sydney

Dr Charles Perkins AO Annual Memorial Oration & Prize

**Tuesday 23 October 2007, 6:00-8:30 pm
The Great Hall, The University of Sydney**



Ms Marion Scrymgour MLA

**“Whose national emergency?
Caboolture and Kirribili? or Milikapiti and Muŋitjulu?”**

May I first acknowledge the Gadigal people of the Eora nation, traditional owners of the land on which we stand, and thank “Chicka” Madden for his welcome to country.

I acknowledge Vice-Chancellor Gavin Brown, Chicka Dixon, guests and friends.

May I thank, as well, the Perkins family, both for their welcome earlier this evening, as well as the great honour of their invitation to me to speak at an event that commemorates Eileen's husband, Neville's uncle, and in the case of Hetti and Rachel, their father, Charles Perkins.

Our families share some common history, which I will mention shortly.

My father died very recently, on Wednesday 10 October. The following day the Prime Minister announced his claimed conversion to symbolic reconciliation. The day after that, in an interview on ABC Radio, he drew a distinction between saying sorry and an apology. He said that saying sorry was an expression of sympathy, for example "I'm sorry that your mother died". He said that an apology was something different – a formal acknowledgement of blame and responsibility.

I accept and I agree with the distinction that the Prime Minister has drawn. I think it is a useful one.

I am not particularly interested in "sorry". I **am** interested in the exercise of separating those bad things for which the Commonwealth had no responsibility, from the ones for which it had **exclusive** responsibility. And I am interested in getting an apology for the matters in the exclusive responsibility category.

Between 1911 and 1978 the Commonwealth—and the Commonwealth alone—ran the Northern Territory. The legal and political entity which Mr Howard heads up—and the legislature of which he has been a member for 33 years—is the same legal and political entity which took my father away from his family and culture, leaving no return roadmap. The Commonwealth had exclusive responsibility for what happened to my father—and other Territorians like him. The apology I seek is a Northern Territory-specific apology for that matter.

I want to stick for a bit with the unfinished business of my father's childhood, before I move on to discuss the current Commonwealth Intervention in the Northern Territory.

I think it is important and relevant because the Commonwealth's record during the long period of its earlier Northern Territory Intervention inevitably influences to some extent my attitude to the current one. Perhaps

more importantly, the values and principles which motivated the Commonwealth back then, continue to motivate the Commonwealth's principal decision-maker today.

I guess the first thing to absorb is that no matter how strange and unfamiliar non-Aboriginal people may find central Australia now, back then—in the thirties—it was a different world, certainly a different country. Backtracking a little, Leichardt had disappeared into thin air some time after 1848. In 1864 the telegraph line opened up a tentative north-south corridor of notional white presence, but it was hardly a credible assertion of sovereignty. As in many other parts of Australia, the real business of colonisation was privatised, left to pastoralists, miners, or even dingo trappers, who tried to carve a marginal frontier existence for themselves in harsh and unpromising country.

For the most part right up until the transfer of administrative responsibility from South Australia to the Commonwealth in 1911, Aboriginal tribes carried on relatively oblivious to the encroaching new order. It was a benign neglect born of necessity—the South Australian authorities of the time could not have comprehensively subjugated and regulated the Aboriginal population even if they wanted to.

But by the early 1930s large cattle station domains had been established across the Centre, Alice Springs was a permanent town, and the Commonwealth mounted police patrolled regularly throughout those parts of the region to which the cattlemen and miners had laid claim. Large numbers of Aboriginal people now lived either on pastorally unproductive but accessible land designated as Aboriginal reserves, or on the fringes of station settlements. Aboriginal people were under the thumb. The 1933 Coniston Massacre was just one demonstration of that.

The new colonial order was reflected in contemporary legislation. There had already been a generic South Australian act which purported to control and regulate Aboriginal people in the same sort of manner as was being done in other jurisdictions. But in 1918 the Commonwealth introduced a much more detailed and rigorous regime, which would be enforced on the ground by mounted police—the proxy foot soldiers of the early Native Affairs bureaucracy. Many of them *were* former soldiers, still scarred from the First World War.

The legislation was called the *Aboriginals Ordinance*, and it authorised the physical removal and detention of any Aboriginal or “half caste”—the actual term used in the legislation—from pretty much anywhere in the Territory. It also allowed for the establishment of “Aboriginals Institutions” for the purpose of warehousing the removed “half castes”.

Regardless of any ancillary or collateral welfare considerations pertaining to any particular case, the removal power was primarily used for the purpose of separating children of mixed race descent so that they could be assimilated.

At this point in Australia’s history, the Aboriginal tribes in central Australia were a newly subject people, to whom settler language, culture, and morés were foreign. Scarcity of resources and other economic imperatives had forced many of them to interact strategically—or in other cases in circumstances of abject submission—with the vanguard of white colonisation. That vanguard was almost exclusively male and made up of settlers and government men.

The government men who Aboriginal people came into contact with were mostly the mounted police officers who determined how far the Federal Government’s writ would run in the heart of the continent. A small number of Aboriginal people succeeded in living with a foot in both worlds, working as stockmen or police trackers if they were men, or in different roles if they were women. The Commonwealth had, with some degree of success, undertaken the “stabilisation” stage of its first Northern Territory Intervention.

It was into this strange and unwelcoming environment that my father was born.

The paucity of records about his childhood is in my view a crime, one that will continue to haunt my family. But that documentary vacuum is the norm not the exception in relation to Aboriginal people of my Dad’s age who were removed and institutionalised by the Commonwealth under the *Ordinance*.

As best we can piece it together, in particular with the past assistance of my Aunty Elsie Hayes, Dad's father may have been a mixed-race stockman called Jack Woods Perrurle, an Anmatyerre man who is mentioned in the writings of Strehlow, and who attempted to raise a family with an Aboriginal woman from the Ti Tree area called Dolly Penangke. But Dolly was not Dad's mother and we don't know who was.

All we know for sure is that Dad was taken from somewhere in central Australia to the Commonwealth-run Central Australian "Aboriginals Institution" called "the Bungalow".

I want to pause here and ask you to imagine what it would have been like for my father—not just as a child, but throughout his whole life—to not know from what family and what place he was taken, let alone for what purported reason.

For any white child in the Territory to be taken into Commonwealth care back in the thirties, the authorities needed to make an application to a court under the *State Childrens Act* of South Australia, one of the many pieces of South Australian legislation that continued to apply in the Territory after 1911. There would have been a hearing involving the adducing of evidence, and some kind of a transcript. Dates, and places would have been stated, and the child's parents identified. It is hardly a surprise that, in later life, my father's mechanism for coping with this void was to turn his heart and his mind against any thought of recovering what he had lost. Despite numerous urgings by his children and others, my father never, ever went back to Central Australia.

It is with a heavy heart that I dedicate this speech to him.

So what sort of a place was the Bungalow?

The first version of it was established near the Police Station in Alice Springs, and it attracted critical comment from journalists and other concerned citizens. With a view to trying to reduce the Commonwealth's administrative burden, then Prime Minister Stanley Bruce wrote in 1927 to his South Australian counterpart to see whether South Australia would take the lighter skinned mixed race children slated for removal—'quadroons' and 'octroons' as the language had it then. He said:

They could hardly be distinguished from ordinary white children ... If these babies were removed, at their present early age, from their present environment to homes in South Australia, they would not know in later life that they had Aboriginal blood and would probably be absorbed into the white population and become useful citizens.

The words sound harsh and discordant today, but in my opinion they are not really all that different from those of the current Prime Minister, with his fixation on "one Australia" and the culture and values he wants to impose through his new citizenship test.

The Bungalow was moved from Alice Springs to Jay Creek in 1928. It was then brought back to Alice Springs in 1932, where it was located at the Old Telegraph Station. We don't know for sure, but it is likely that after his removal it was to Jay Creek that my Dad was taken. Here is an extract from a letter about conditions at Jay Creek written to the then Commonwealth Minister for Home and Territories in 1929:

The accommodation provided for them exhausts my power to paint adequately. A rough floor of burnt lime and sand to make a form of cement has been laid down. A very rough framework of wood was put up, and some dilapidated sheets of corrugated iron roughly thrown over it. There are no doors or windows. A more draughty, ugly, dilapidated place one could hardly imagine. I think the children would be less liable to colds in the open than in the disgraceful accommodation provided for them. And that is not the worst. Boys and girls of all ages from one year old to sixteen are herded in this so-called room whose dimensions are about 24 feet by 50 feet. At present there are 48 children in the institution. The girls and boys are mixed indiscriminately. The children are issued with two blankets and lie on the floor. One small stove has to cook bread for over fifty people. They apparently have never had fruit or vegetables. The ration scale has been deplorable ... the scale is meagre in the extreme. The only lighting is two hurricane lamps. The children have no games or amusements of any description. Cooking utensils are practically nil. There are six bowls and twenty towels to serve everybody.

In the same year when this letter was written, a middle-aged husband and wife couple, the Freemans, were hired by the Commonwealth administration as part of the first Intervention to manage this particular "Aboriginals Institution".

In March 1934, Mr Freeman was accused and found guilty of sexually assaulting a number of the girls at the Bungalow.

My father was one of the unfortunates who were detained in the Bungalow in its earlier years. Charles Perkins was placed there a fair bit later, more towards the end of its ignoble history. Both my father and Charles were sent from the Bungalow to comparatively much better places: in my father's case to the Methodist Mission on Croker Island; and in Charles' case to St. Francis College in Adelaide.

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A second Intervention

On 21 June this year, the Prime Minister and Indigenous Affairs minister Mal Brough announced their response to what they called “akin to a national emergency”. John Howard likened it to Australia’s “Hurricane Katrina”.

The “national emergency” was in response to an inquiry commissioned in August last year, carried out by Pat Anderson and Rex Wild—the *Little children are sacred* report—into child abuse on Aboriginal townships and communities. The report and its 97 recommendations had been delivered in April, and was released a couple of months later.

What was to be shortly enshrined in 500 pages of legislation was shocking—and unexpected. The guts of it was that:

- children would be subjected to compulsory health checks;
- alcohol and pornography would be banned on all Aboriginal land, and the importation of kava effectively banned, with the suggestion that “wet canteens” would be established on communities—even on those that didn’t want them;
- 50 per cent of welfare payments would be quarantined, to control recipients’ spending on alcohol, cigarettes and gambling, with food to be spent only at selected stores;
- the federal government would compulsorily acquire leases over the 73 “prescribed” towns and communities;

- federal government “business managers’ would be recruited to take control of all Commonwealth programs (and many Territory Government programs) on prescribed places, with powers to control and direct Aboriginal organisations and their assets;
- the army would be deployed and federal police would be joined by police from all other states and territories to bring law and order to the Aboriginal domain;
- the permit system applying to those prescribed places would be abolished; and
- the Community Development Employment Program—CDEP—would be abolished, with participants forced on to welfare payments so their income could also be quarantined and controlled.

In the context of a gathering election campaign in which Howard had been trailing in the opinion polls for months, it was difficult to escape the conclusion that the initial commentators were right. This was Howard’s “rabbit out of a hat”—the black kids’ Tampa.

Mind you, this was not the first time the Howard—and other governments—had been made aware of child abuse and neglect in Aboriginal communities. Queensland, Western Australia and NSW had similar inquiries in recent years, with little apparent action from those jurisdictions—and certainly nothing from the Howard government. Aboriginal women from this nation had been begging for action from Howard over a raft of social problems the best part of a decade—entreaties which he had studiously ignored or just paid lip service to. Women’s shelters; night patrols; kids programs had been dumped by the Commonwealth over that decade, a process which had been accelerated since the abolition of ATSIC after the 2004 elections.

In this case—unlike the states—the Commonwealth could do it because constitutionally they could, without question, and it was on that basis the Commonwealth’s second Intervention into the Northern Territory began.

The response of the general public was one of general support, even if Howard didn’t get his anticipated bounce in the opinion polls. Federal Labor fell into line, and supported the Intervention.

Apart from cynicism about the timing of the response and the coming elections, the attitude of the media—led by the Canberra press gallery—has been largely one of breathless support and enthusiasm, as in the first weeks, they were embedded with Malcolm Brough and Norforce troops. At least one southern news editor purported to see salvation for Territory blackfellas in this “boots on the ground” strategy.

At last, it seemed to be said “something was being done”. It was all about “protecting the kids”

But was it?

In the 500+ pages encompassing the “National Emergency Response” legislation, the words “child” or “children” are not mentioned once. The legislation does not address any of the 97 recommendations of the report, and as Pat Anderson, one of the authors of *Little Children are sacred*, has said: “There is no relationship between their emergency powers and what’s in our report.”

At the heart of the federal government’s dismissal of the report, is its deliberate rejection of the very first of those 97 recommendations: “that governments commit to genuine consultation with Aboriginal people in designing initiatives for Aboriginal communities”.

That is, as I mentioned, the values and principles which motivated the Commonwealth in its first Intervention in 1911, and continues to motivate the Commonwealth’s response to Aboriginal people 96 years on.

But there is more to it than that. It is as if the second Intervention has given the Commonwealth permission to enact a great undoing of our lives. Aboriginal Territorians are being herded back to the primitivism of assimilation and the days of native welfare. It has been a deliberate, savage attack on the sanctity of Aboriginal family life. As I said in parliament a month ago, after speaking with hundreds of Aboriginal people out bush:

People feel betrayed. Good, honest, caring members of our remote towns and communities spoke up to the inquiry. They spoke from their hearts—and many spoke for the first time about their fears.

And the result has been that they have been flogged by distant, ideologically driven politicians and bureaucrats remote from the realities of our every day lives.

Instead of compassion and understanding, and a working through of the ways and means of reaching mutual understandings and solutions, thousands of our parents; thousands of our grand parents, have been tarred by the same brush.

*I have attended meetings made up of decent, caring fathers, uncles, brothers and grandfathers, who feel they have been **universally branded** as perpetrators. As child abusers. To see these men, who are undoubtedly innocent of the horrific charges being bandied about, reduced to helplessness and tears, speaks to me of widespread social damage—not of a decent approach to tackling child abuse.*

*Aboriginal men have been **universally condemned** as uncaring, substance-abusing vicious molesters; while Aboriginal women have been portrayed as hopelessly weak, pathetic creatures, incapable of caring for their families or their children.*

And woe betide anyone—Aboriginal or non-Aboriginal—who dares criticise the second Intervention. Time and again, Mal Brough has launched attacks on anyone who has raised doubts and fears about this new world order for Aboriginal Territorians. It goes far beyond “if you’re not with us, you’re against us”. According to Brough, “if you’re not with us, you are for the perpetrators”. The new world order for Aboriginal people requires, it seems, a vicious new McCarthyism.

John Howard and Malcolm Brough, this evening I am doing far more than merely criticising you and your government’s assault on Aboriginal Territorians, I am condemning its motivation; I am condemning its operations; and I am condemning—outright—its moral basis and the moral authority you purport to exercise in “saving the children”.

You are doing nothing of the kind.

And as someone who has worked in Aboriginal health for much of my working life; as someone who has focussed on child protection, and indeed as someone who now has ministerial responsibility for child protection, I will not be cowed by the bully boy tactics of McCarthyism—old or new.

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The impending social crisis has arrived

At the 2002 Charles Perkins Oration, Marcia Langton spoke of an “impending social crisis” for Aboriginal people in the Northern Territory. In my view, and I am sure she would agree, it was a crisis that had been building for the best part of 30 years, and she spoke in the following terms:

A range of social indicators and demographic data point to an impending social crisis within the next decade in the Aboriginal and Torres Strait Islander populations, if, as is likely, the predicted rapid population increase and the inadequate government responses to the present status of Indigenous people in relation to their health, housing, education and employment conditions occur. Despite the elaborate governmental arrangements purportedly designed to overcome these disadvantages, it is clear that fresh strategic policy thinking is required to identify and establish the arrangements that would enable effective dealings by all stakeholders to minimize the impact of the predicted crisis in Indigenous socio-economic conditions.

With the alarms ringing, it is time to reconsider how we deal with these matters of national importance.

Aboriginal men and women in key political and administrative positions are presently debating the idea of a new deal for Aboriginal people. The concept of a framework agreement and national partnership arrangement aimed at settling matters in contention between Indigenous and settler Australians is one of the key ideas under debate, catalysed by the worsening social and economic situation of many Aboriginal people.

Half of that decade Marcia warned about has passed. Tragically, she has been proven largely right ... and the *Little children are sacred* report has documented elements of that crisis—elements on which the Australian Government has palpably failed to act, and over which the Australian Government has refused to countenance any meaningful dialogue, let alone action.

Things have got worse, and in many areas they have been getting worse at a faster rate. The impending social crisis has arrived.

The have been three advance parties of Howard and Brough's second Commonwealth Intervention. It has been led and accompanied all the way by the army. The last time civilian authority was overturned by the military in the Northern Territory was in the aftermath of Cyclone Tracy. The then-commanding officer post-Tracy, General Stretton, turned his powers over to civilians within a week of that disaster. *We* look like having army direction on Aboriginal communities for at least a year.

The first to go out have been the "assessment teams". Their job has been to visit the 73 "prescribed" towns and communities to look at housing, health, education, enterprise and employment.

The second have been health teams of well meaning doctors and nurses checking child health. Thanks to the office of Tony Abbott and the Office Of Aboriginal and Torres Strait Islander Health, Brough's "compulsory" medical checks were overturned as constituting potential assault and in breach of rather too many international conventions, even for the taste of a Howard government.

The third teams have been made up of public servants “transitioning” Aboriginal people away from CDEP into so-called “real jobs”. Part of their task has been to educate people about “income management”, that is, how to deal with the fact that half of their welfare income is to be controlled by government.

These advance parties have been a fraud on the Australian public generally, and Aboriginal Territorians in particular. It’s been a circus: no more, no less.

One small community in central Australia, as of ten days ago, has been visited by 164 Commonwealth public servants and consultants related to the Intervention for a population of a few hundred over a period of ten weeks. This included a departmental visit—from public servants flown in from Canberra—to download data from the community’s computer on to a Government memory stick. That same data had been emailed to the same department—to their Canberra headquarters—ten days beforehand.

Stories like this abound, but the assessment teams have found out nothing the Commonwealth and the Northern Territory governments have not known for decades. The two governments have been diligently collecting all manner of data for years. They have noted, for example, that in 1998 the housing backlog for Aboriginal people in the Northern Territory was measured at \$465 million. In 2001 that figured was calculated at \$850 million; by 2005 it was around \$1.2 billion. It is now over \$2 billion. Like philosophers debating the numbers of angels on the head of a pin, or physicists counting exotic sub-atomic quarks and hadrons in particle accelerators, the Commonwealth has documented all this and more—but to less effect.

As I noted a month ago:

The so-called "survey" is little more than window-dressing. We know the results. They will tell us that—for generations—Aboriginal Territorians have endured poor housing; poor health; low educational outcomes; and few job prospects. While not necessarily directly causal in relationship, these social factors, which the Commonwealth has known about for 30 years; and which the current Federal Government has presided over for 11 years; have undoubted impact on the incidence and severity of community and family violence, sexual abuse and substance abuse.

Further, the child health teams have told us nothing we do not already know about Aboriginal child health in the Territory—in fact their work has been an object lesson in how not to do things properly. They have told us less than what we know, and have added to ignorance rather than hope.

The medical teams, on average, have barely got to 67 per cent of the children they are targeting—and this figure has been lower at many of the larger communities. Not only is this inadequate in epidemiological terms, the teams in any case are detecting levels of damage and disease far lower than the incidence levels we **know** exist on these communities. The teams are well meaning—but not properly trained to detect conditions they just wouldn't encounter in southern suburban GP or hospital settings.

For example, the *7.30 Report* recently documented Fred Hollows teams surveying for trachoma and related damage on communities covered by these same health teams. Surveying **over 80 per cent** of the local populations, they have detected in excess of 20 per cent damage from trachoma to kids in the 0-14 group, and have been treating and referring those kids.

The National response teams have barely detected trachoma—it is a disease that disappeared from white Australia in the 1930s, after all.

This does not just do a disservice to the children the teams are checking, but may also threaten to reduce future resources to children's health in the future. "It's not as bad as we thought," it might be said. "We are only detecting ear problems among 30 per cent of the kids". No matter previous studies have shown effects of ear disease in up to 90 per cent of kids by the time they reach 14, and that the World Health

Organisation suggests that a prevalence rate of Chronic Suppurative Otitis Media of four per cent indicates “a massive public health problem requiring urgent attention”.

The only bright light in this is the fact that the Commonwealth—at least at the level of OATSIH and Tony Abbott’s office, if not that of Howard and Brough—are recognising the need for long term strategies, and are in serious negotiations with the Aboriginal Medical Service Alliance of the Northern Territory (AMSANT).

But the cruellest part of the fraud being perpetrated as part of the second Intervention relates to the abolition of the Community Development Employment Program—or CDEP.

Unlike any other in the western world, the Howard Government, as part of their response to the National Emergency, has embarked on a deliberate policy of moving people from work to welfare. In their bid to control the incomes of as many Aboriginal people as possible—and discovering that CDEP is classified as a waged income, and not welfare—they are in the process of dismantling CDEP, and announced it as part of the Intervention on 23 July.

For people on CDEP, that means being told their wages—earned through the sweat of the brow—are to be abolished, and they are to be moved to Work for the Dole, or short term training programs.

To be sure, some will get full time jobs—however almost exclusively in the public sector at local and Territory Government level. However, of the 7500 people currently on CDEP, some 5,500 people will be thrown out of work. This will push Aboriginal unemployment rates in the Territory to over 50 per cent, and in remote areas to over 75 per cent.

I have been astonished at the way in which the Federal Government—and minister for Workplace Participation Sharman Stone—has been able to get away with this—and convince the media in particular that what they are saying is anything other than a lie and a hoax. She has continually been able to get away with stating that CDEP is welfare—when it is in fact an *employment* program that has been in existence for 30 years. She has continually referred to CDEP as “sit down money”, when in fact CDEP was created specifically to get people off the dole—“sit down money”—and into work. She re-invents

history, and she has got away with the oft-repeated lie that people now on CDEP will be “transitioned” to “real jobs”—when only a fraction will successfully get jobs.

And the media—and initially federal Labour—have swallowed the lie. At least federal Labor has been persuaded by its Territory parliamentary representatives to resurrect a reformed CDEP if they are elected.

Ironically, we should refer again back to Professor Langton’s Charles Perkins Oration of five years ago, and her lengthy discussion of CDEP. She noted that CDEP had been slowly starved of funds in the first years of the Howard Government; she called for “imagination” in seeing Aboriginal people as participants in the economy, with detailed proposals for a reformed and revitalised CDEP, when she said:

I propose, that the CDEP scheme requires radical transformation into a genuine labour market strategy that brings Aboriginal people into the workforce in sufficient numbers to enable them to escape the poverty trap.

It’s not so much that Professor Langton’s words were ignored, but that the second Intervention’s idea of a “labour market strategy” has little to do with getting people into the paid workforce—let alone assist in the protection of children.

The loss of CDEP incomes—including the capacity for those wages to be topped up through extra hours of work—and relegation to capped welfare incomes, will massively reduce family incomes, leading to less money for food for their kids. Thousands of workers will now no longer be able to contribute to superannuation as they move to welfare; thousands deprived the dignity of productive work.

Furthermore, Aboriginal enterprises that have been built—sometimes over many years—on the basis of subsidised wages through CDEP, now face ruin or drastic reductions in their capacity and effectiveness.

The effect of the removal of CDEP on the Aboriginal arts industry—one of the few areas in which Aboriginal workers enjoy a real competitive advantage—might be catastrophic. Its effect on tourism has been documented—to no avail—by Gunya Tours based at the central Australian community of Titjikala. The potential effects on land and sea management programs across northern and central Australia has been highlighted by Aboriginal groups throughout the region.

In my own seat of Arafura, the town of Maningrida has 550 CDEP participants across some 28 businesses. Those enterprises face a bleak future; the workers in those businesses face—at best—great uncertainty.

As I made clear through my father's story, the first Intervention had little regard for children; the second Intervention—and its National Emergency response—offers little more.

Indeed it is difficult to escape the conclusion that the interests of the current regime in Canberra lie elsewhere.

The second intervention: the crisis within the crisis

In thinking about tonight's talk, I realised it wasn't enough to just consider the crisis in the Aboriginal towns and communities across the Territory; the acceleration of that crisis as predicted by Professor Langton; and the ways in which the Commonwealth's second Intervention is affecting our people.

It is a crisis that has been ongoing for 219 years, and in a sense the second Intervention is just another milestone along that path. It is conceptually more straight forward to think of that crisis as solely an Aboriginal one, or more accurately as one that just affects Aboriginal people. It is comparatively easy to document the National emergency as it affects our people, from Mutitjulu to Milikapiti.

But there is another crisis we have here—another National Emergency, another crying need for a National Response.

And that is the crisis of the "settler society"—a society that appears incapable of resolving its own contradictions—let alone the contradictions of occupying the Australian continent.

This second crisis is, in a sense, more deeply entrenched. There is an apparent lack of capacity by "settler society" to resolve—let alone understand—the contradictions of living on the oldest continent, in a world threatened by escalating environmental destruction. The longest economic boom in modern Australian

history—the cause of much back slapping and self congratulation—is being fed by growing Asian economies that are in turn accelerating an approaching environmental disaster.

Unwilling and unable to resolve these big picture issues, the representatives of settler society chose to launch the second Intervention into the Northern Territory. Their political rivals in federal Labor, scrambling for power themselves, have proved largely incapable of doing much more than hang on to the Coalition's political apron strings.

It is for that reason I will briefly consider aspects of the second Intervention that indicate we are little better off now than when my father was shanghaied to the Bungalow three quarters of a century ago.

While I have discussed the ineffectiveness of the second Intervention, there are aspects to the legislation passed, in only a single day's sittings in the House of Representatives, that speaks to the second crisis: the crisis from Caboolture to Kirribilli.

Forty years ago, by an overwhelming vote, the 1967 referendum was passed. It did not, as common myth portrays, recognise Aboriginal people as citizens, give us the right to vote, or indeed the right to drink.

It allowed us to be counted in the census—so I guess that did recognise that we existed as part of the Australian population. It also allowed the Commonwealth to legislate for “the people of any race for whom it is deemed necessary to make special laws.”

It is known as the “race power”, and was long thought that legislation by the Commonwealth after 1967 under this power would be for the benefit of Aboriginal people because previously that had only been a power allowed to the states.

In 1975, the *Race Discrimination Act* was passed which, based on international law, ultimately allowed the High Court to consider some of the nation's “unfinished business” with the first Australians, and led to the High Court Mabo decision which recognised native title.

But enter the second Intervention.

For only the third time since the introduction of the *Race Discrimination Act*, legislation has been introduced that *specifically excludes* the operation of that Act.

And it depends on the “race power” to achieve this. The so-called “race power”, passed overwhelmingly 40 years ago, and always assumed to be for the “benefit” of Aboriginal people, now allows discrimination against Aboriginal people by dumping the *Race Discrimination Act*.

And on the three occasions it has been suspended, it has been aimed at Aboriginal people only: over the Wik legislation; over Hindmarsh Island; and for the purposes of the second Intervention into the Northern Territory.

And let's look at the way it has been used in that Intervention. It has been used:

- to compulsorily acquire interest in Aboriginal private property in "prescribed communities";
- to remove the permit system, or the right of Aboriginal traditional owners to say who can, and who cannot, come onto their property;
- to arbitrarily control individual Aboriginal incomes; and
- to control Aboriginal organisations and assets.

It is, in other words, a leap back to the days of the first Intervention, to the days of assimilation, control and coercion; to the days when Aboriginal people were regarded as too naive, and too simple, to control their own affairs.

And it has nothing to do with the protection of children.

There is something else going on here. Why do those who represent the cultures of Caboolture and Kirribilli see it as so critical to roll back on land rights, and to use openly discriminatory legislation to achieve it? Why have they exploited the undoubted problems faced by Aboriginal families as the pretext for achieving these ideological ends?

I find it difficult to comprehend.

Is the crisis, from Caboolture to Kirribilli, as simple as a lack of capacity to abandon past thinking about colonialism; of not having the imagination to imagine other ways of ordering the world?

If that is it—we are indeed in a national emergency. The times should be changing, not reverting back to a colonial past.

The puzzle, on any rational analysis, is that Australia is well placed to resolve the material poverty of Aboriginal Australia. The current election has thrown up between \$31-34 billion in personal tax savings alone—and the commentators reckon there may be another \$20 billion on offer.

In the context of the Northern Territory, and noting that the Commonwealth has “reinserted itself into the affairs of the Northern Territory”, economist Will Sanders has pointed out that places such as the Northern Territory are perennially disadvantaged in funding “catch up”. In other words, the Northern Territory—and the 30 per cent of its population that is Aboriginal—will remain impoverished so long as the Commonwealth refuses to undertake, or finds itself incapable of, “nation building exercises” such as resourcing the needed infrastructure for Aboriginal communities in the north.

And it is that impoverishment, not land tenure systems such as that which exists under the *Land Rights Act*, that has led to the crisis from Muṯitjulu to Milikapiti. It is the lack of understanding—and will—to overcome that impoverishment that constitutes the crisis from Caboolture to Kirribilli.

It is a task that is not going away, as has been pointed out to the Commonwealth, in the face of a population that is doubling every 25 years.

As a politician, I am acutely aware of the intense contradictions being involved in running an economy which seeks to distribute benefits equitably. The current resources boom, of which the Northern Territory is a beneficiary in small part, is one of the pieces to the jigsaw of creating enough social wealth to meet social needs.

I am also acutely aware that the cost of the resources boom—led by Asia—is also an additional threat to the world’s environment.

Which is why am equally aware of the need for a long term approach: there are no quick fixes in all this. It is what also puzzles me about the current Commonwealth approach in its second Intervention. Rather than taking on a generational approach to Indigenous disadvantage, as we have in the Northern Territory government with *Closing the gap*, they have brought in the army. Rather than investing in the future of our people, they seek to control and obstruct. Rather than protecting our children, they have attacked our livelihoods.

I am sorry if I appear so negative: it's not all doom and gloom, even behind the front line of the second Intervention. There have been some advances, which I desperately hope will survive that second manifestation of the Commonwealth Intervention. They are advances that should be embraced by the shock troops of Caboolture to Kirribilli, and certainly not ignored.

As I look around me here at the University of Sydney, knowing that Charles Perkins graduated from this place 40 years ago, I am reminded of the vast deficits in educational outcomes still endured by the vast majority of Aboriginal Territorians. It may not seem like much, but in the last four years—for the first time in the history of the Northern Territory—a small but growing number of kids are graduating from Year 12 from Aboriginal communities in the Territory.

For the first time, there is the possibility of Aboriginal kids from such communities achieving what Charles Perkins did.

There has been some recognition of Aboriginal knowledge, and the role it may play in biodiversity protection—and indeed in combating greenhouse gases.

The sandstone walls of this university remind me of the sandstone escarpments of Kabulwanarmyo, in western Arnhem Land, where Lofty Bardayal and his families are working with western scientists, harnessing traditional burning practices to be utilised as greenhouse gas off sets for the gas industry.

These are very real ways in which “real jobs”—the traditional jobs of the First Australians—can be part of the solution of the developing world.

And finally ...

I am of another generation—I was only five when Charles Perkins led the Freedom Ride through NSW. Yet we are linked by history and struggle—family history and Aboriginal history. It is history that speaks to us—to our families, everyone here this evening, and beyond. And we must learn from those histories: in this case the history of the Northern Territory’s two Interventions.

The Perkins and my family the Scrymgours, along with thousands of other Aboriginal Territorians endured the first Intervention; many more are having now to work through the second Intervention.

But this time around, it is all Australians that must work their way through both these two national emergencies: the one that has faced Aboriginal Australians for 219 years; and the crisis that faces settler Australia if it is to escape its colonial past.

It was an honour to be invited to speak this evening, at the 7th Charles Perkins Oration. A personal honour, of course, particularly as the first Territorian to give a speech that commemorates the life of such an amazing Territorian.

I am especially honoured to be asked to speak as the first serving politician invited to speak—but admittedly a bit wary. From all accounts, Charles Perkins was not overly enamoured of politicians: many of his major political battles were with politicians—from all sides of politics. He was, so I am told, into equal opportunity when it came to taking polities on.

I'll keep that in mind. Thirty odd years ago, Charles Perkins wrote a biography called *A bastard like me*. In the years to come, in my own different ways, I'll try to stay true to my own values and identity, and stand up for Aboriginal people just like Charlie did.

And I reckon Dad would be proud of me.

Thank you.