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# **The Future of Indigenous Policy on Remote Communities**

John Summers  
School of Political and International Studies  
Flinders University

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In 2002 the SA Coroner held an inquest on the Pitjantjatjara Lands (AP Lands or APY Lands) in the north-west of South Australia into the deaths of three Anangu<sup>1</sup>—one woman and two men—all in their twenties, who had in the preceding three years died, apparently as a consequence of petrol sniffing. The Coroner took evidence from a wide variety of witnesses—Anangu, community workers, professional and government officials. He concluded, on the basis of medical and other evidence that,

[a]ll three deceased died as a result of inhalation of petrol fumes. The mechanism of death was strikingly similar in each case, namely that the deceased took a can containing petrol to bed with them, and continued to sniff until they died from respiratory depression with a possible additional component of asphyxia (SA Coroner 2002, 1).

However, most of the Inquest was not concerned with the immediate cause of death but with two related questions; the circumstances which had given rise to petrol sniffing being 'endemic' on the Pitjantjatjara Lands, and the adequacy of the response to the situation by the Government and other agencies. The Coroner concluded that over the previous 20 years substance abuse had caused approximately 35 deaths in a population of between 2,000 and 2,500. Petrol sniffing, he said, had resulted in '[s]erious disability, crime, cultural breakdown and general grief and misery...' (SA Coroner 2002, 1). In relation to the three people whose deaths he was investigating he said,

[e]ach of them was of mature age (27, 25, 29 years) and each had been sniffing petrol for more than ten years, thereby justifying the description 'chronic sniffers'. Each had led lives characterised by illness, hopelessness, violence and alienation from their families and

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<sup>1</sup> The term Anangu has been adopted by a group of closely related Indigenous communities in the South Australian, Northern Territory and Western Australia 'cross-border' area. The *Report of the Select Committee on Pitjantjatjara Land Rights* states that,

[t]he names "Pitjantjatjara", "Yankunytjatjara" and "Ngaanyatjarra" are commonly used to identify and distinguish three groups in terms of their affiliations with a specific language and/or geographic territory...For more than two decades, a number of Indigenous communities in Central Australia have used "Anangu" as a term of self-identification and cultural affirmation. The term is now frequently used by Pitjantjatjara, Yankunytjatjara, Ngaatjatjarra, Ngaanyatjarra and Antikirinya people, among others. "Anangu" affirms commonalities across a range of Indigenous groupings whilst differentiating that shared identity from the identity of outsiders, be they non-Indigenous Australians or non-Anangu Indigenous Australians (SCPLR 2004, 9).

See also Edwards (2004, 91) and Hope (1983, 75-7).

'AP Lands' refers to 103,000 square kilometres of land in the far north west of South Australia vested in a legal entity called the Anangu Pitjantjatjara which was created by the *Pitjantjatjara Land Rights Act 1981* and is made up of the traditional owners of the land. The land is now sometimes referred to as the APY Land in recognition of the fact that two groups—the Pitjantjatjara to the west and Yankunytjatjara to the east—occupied the land covered by the Act.

community. Each had parents and family who did their best to stop them sniffing, and who had endured much suffering and grief as a result of their inability to do so, and the consequent death of a loved family member (SA Coroner 2002, 1).

On the broader question of the causes of petrol sniffing, the Coroner concluded that although the 'phenomenon is still not well understood' it was clear that,

[s]ocio-economic factors play a part in the general aetiology of petrol sniffing. Poverty, hunger, illness, low education levels, almost total unemployment, boredom and general feelings of hopelessness form the environment in which self-destructive behaviour takes place (SA Coroner 2002, 1).

The Coroner's report examines the wide variety of strategies that have been tried over that the last several decades to 'combat' petrol sniffing. These include primary interventions aimed at reducing the number of people attracted to petrol sniffing, secondary interventions aimed at treating and rehabilitating petrol sniffers, and tertiary interventions aimed at providing services to those individuals who are disabled as a consequence of petrol sniffing.

Evidence was given that over many years there had been a number of unsuccessful attempts by the communities to combat substance abuse. Communities and families, the Coroner said, who appeared to be powerless to combat the violent, disruptive and self-destructive behaviour, 'look[ed] to the broader community to help them deal with a problem which has no precedent in traditional culture' (SA Coroner 2002, 25).

Much of what the Coroner said in his Findings about the social and economic conditions on the AP Lands was confirmed by a *Report of the Select Committee on Pitjantjatjara Land Rights* which was tabled in the South Australian Legislative Council in June 2004. The Committee had been established in 2002 prior to the publication of the Coroner's Findings. Its terms of reference related to the operation of the *Pitjantjatjara Land Rights Act 1981* (see below), governance issues relating to the lands and 'opportunities for, and impediments to, enhancement of the cultural life and the economic and social development of the traditional owners of the land' (SCPLR 2004, 7). The Report states that,

[g]rief, trauma and hopelessness permeate the lives of many Anangu living on the AP Lands. The number and extent of the problems engulfing Anangu communities—including substance abuse, family

violence, poor health, unemployment and poverty — are substantial (SCPLR 2004, 11).

To emphasise the point the Select Committee quoted Mick Dodson, who has had wide experience of Indigenous communities, giving evidence in 2003; 'I think that there are very few places which I have seen which are as desperate, despairing and sad as the Pit Lands' (2004, 29). Petrol sniffing, the Report says, has affected all families, made communities dysfunctional, and in the last twenty years has caused serious and permanent disabilities to many Anangu. (SCPLR 2004, 31). 'Acquired Brain Injury from petrol sniffing is the single biggest cause of disability on the AP Lands' (SCPLR 2004, 34).

The Committee reported that there is a high level of violence within families and that alcohol and substance abuse was a factor in many, but not all cases. The question of violence raised for the Committee a number of other questions including the adequacy of policing on the Lands and the problem of providing programs for the protection of women and children, or obtaining prosecutions for domestic violence in communities where there is a culture of violence and an acceptance of violence, and where the organisations are controlled by men (SCPLR 2004, 31).

The Committee identified a number of other interrelated problems including unemployment, an extremely high rate of dependency on social security benefits, and a high incidence of diabetes and heart and kidney disease. School attendance levels are poor and, despite some notable individual achievements, the overall educational attainment does not equip school leavers for most jobs in community organisations (SCPLR 2004, 31-6).

Although it is not central to this paper, it is important to note that before the Select Committee had reported, the South Australian Government had 'intervened' in the AP Lands. On 15 March 2004, faced with newspaper reports about events on the Lands—that there had been further deaths and attempted suicides, that money that had been allocated to 'combat' petrol sniffing had not been spent and that the Anangu Pitjantjatjara Executive had not held an election within the time stipulated by the *Pitjantjatjara Land Rights Act* and had exceeded its term in office—the South Australian Government announced that it would install an 'administrator' to the AP Lands. Making the announcement the Deputy Premier said '[s]elf-governance (sic) in the Anangu Pitjantjatjara Lands has failed and this Government...will not tolerate an executive being unable to administer civil order, community service, social justice and quality of life for their community' (*The Australian* 16 March 2004). Initially the announcement was interpreted to mean that the Government intended to 'take over' the running of everything on the AP Lands and that in

some sense land rights would be revoked. Subsequent statements and speeches in the Parliament gave a different impression; the Government said that the 'coordinator' (rather than 'administrator') would

ensure that state government services and services funded by the state government are delivered...The priority of the coordinator ...will be to urgently identify programs that can be fast-tracked for delivery. The government is confident that the coordinator of state government services can fulfil that role without the need for coercive powers' (*SA Parliamentary Debates, Legislative Council* 25 March 2004, 1575).

The government's decision received a mixed reaction. Some Indigenous groups welcomed it and others condemned it as an attack on self-determination (*The Advertiser* 18, 20 & 27 March 2004; *The Australian* 26 March 2004).

The Government introduced legislation, the *Pitjantjatjara Land Rights (Executive Board) Amendment Bill*, which provided for the members of the Anangu Pitjantjatjara Executive to hold office until the next election and for the next election to be held within eight weeks of the assent to the Bill. The Bill also set down rules for the election of the Executive and the Chairperson covering matters such as electorates, nominations, eligibility to vote, the electoral system, the method of voting and requires that elections be conducted by the Electoral Commissioner. The Government also introduced legislation, the *Pitjantjatjara Land Rights (Regulated Substances) Amendment Bill*, which increased the penalties for trafficking in petrol and other regulated substances on the AP Lands. It also said that the number of police in the area would be increased (*The Australian* 16 March 2004).

The Opposition was critical of the Government for what it said was its failure to respond more quickly to the Coroner's Report, its failure to ensure that elections for the Anangu Pitjantjatjara Executive were held at the required time and for its '...refusal to accept responsibility for the delays in providing effective health, welfare, police and other services for people on the lands [and for its attempts] to transfer blame to the executive board of AP for the failure of the government to address issues on the AP lands' (*SA Parliamentary Debates, Legislative Council* 24 March 2004, 1203).

### **Some Background**

The Pitjantjatjara, and their nearest neighbours, the Yunkunytjatjara to the east and the Ngaanyajarra to the west, occupy the 'cross-border' region in the north-west of South Australia, the south-west of the Northern Territory and adjacent areas in Western Australia. As European settlement first spread across the continent the peoples of this region remained isolated, and

unaffected by contact with Europeans, for much longer than most Indigenous groups. European explorers first entered this region in the 1870s looking for good pasture, stock routes and gold. A number of expeditions in the late nineteenth and early twentieth centuries failed to find any good pasture. Ernest Giles, one of the first European explorers in the area, found country that he described as the most beautiful that he had ever seen. He said of the location that he called Glen Ferdinand (later Ernabella and now Pukatja),

[i]n all my wanderings, over thousands of miles in Australia, I never saw a more delightful and fanciful region than this... (Giles 1964a, 173).

Other images, however, were given much more prominence. Elsewhere Giles referred to the endless spinifex and sand hills; 'that fearful desert' and 'that howling wilderness' (Giles 1964b, 44). Other explorers in the 1870s—W. C. Gross and John Forest—gave similar descriptions which did not encourage any attempt to settle the country (Threadgill 1922). Over the next fifty years the handful of Europeans who followed the early explorers failed to find attractive pasture or valuable minerals (Hilliard 1968, 55-75). Occasional expeditions and scientific excursions continued, and until the 1940s, or even later, it was still possible for Europeans to travel into this area and encounter Anangu almost untouched by the European culture which had already taken such a heavy toll on the Aborigines from the surrounding areas. Some of these expeditions have been well documented. An Adelaide University anthropological expedition went to the north-west in 1933. Michael Terry in 1930 and 1931 (Terry 1933), Walter Gill in 1931 (Gill 1970), Finlayson between 1931 and 1935 (Finlayson 1936) and C P Mountford in 1940 (Mountford 1967: Sheard 1964) also visited the region. All of these expeditions encountered people who were largely unaffected by the European occupation which had been taking place to their north, south and east. To the extent that they did not initially suffer the same fate as those groups whose land had appeared economically useful to Europeans, the Pitjantjatjara were the 'beneficiaries of their isolation' (Hope 1983, 140).

However, from a number of directions white occupation was beginning to intrude on the Anangu. The people to their east had been drawn to the overland telegraph which was completed in 1872 and the railway from Adelaide Alice Springs which was completed in 1927. In the Northern Territory, south-west of Alice Springs, there had been pastoral development in the late nineteenth century, and in 1877 a Lutheran Mission had been established at Hermannsburg in the Western MacDonnell Ranges close to the boundary of Anangu territory (Albrecht 2002, 1-6; Lohe 1977, 6-40). To the south the Southern Pitjantjatjara were being drawn to the Transcontinental Railway, which was completed in 1911, and particularly to Ooldea, where Daisy Bates set up her camp in 1924, and where, in 1933, the United Aborigines Mission established a mission and ration depot (Brady 1987). In

Western Australia in 1933 the United Aborigines Mission established a mission station at Warburton (Biskup 1973, 124).

These events were happening at a time of considerable public interest in Indigenous people and of vigorous public campaigning about Indigenous policy. In 1920-21, following public pressure, three large Aboriginal Reserves were established in Anangu country on adjacent land in Western Australia, South Australia and the Northern Territory. In December 1920 the Western Australian Government gazetted 56,600 square kilometres as Aboriginal Reserve and in 1921 the Commonwealth Government created the Northern Territory section of the Reserve and the South Australian Government made 56,700 square kilometres in the north-west of the State an Aboriginal Reserve. (The South Australian Reserve was subsequently expanded in 1938 and 1949 by a total of over 4,400 square kilometres). The South Australian Government had been subject to a campaign of deputations and public meetings calling for the establishment of the reserve and the exclusion of Europeans (*The Register* 7 May, 11 June and 5 August; *The Advertiser* 11 June 1919). Throughout the 1920s and 30s the public interest in Indigenous affairs continued. In the late 1920s there were at least thirty different non-Indigenous organisations concerned with Aboriginal welfare in Australia (Powell 1982, 179). The activities of these humanitarian and church organisations were given impetus by revelations about living conditions in the north and reports of killings in the outback.

One aspect of the public concern related to protecting Aborigines whose way of life had not yet been affected by European occupation of their land. A number of activists and missionary organisations, as well as government officials argued for the creation of inviolable reserves in remote areas to protect 'primitive' or 'tribal' Aborigines from white intrusion (McGregor 1997, 249-60). Amongst South Australian government officials there were advocates of this position. In the early 1920s the South Australian Protector warned of the dangers facing the 'tribal' desert Aborigines and urged that Aboriginal hunting grounds be preserved and European influences excluded. In 1921 Sub-Inspector McCarthy reported '...that the full-blooded natives, if allowed to live their primitive manner of life, would be happy and contented'. In 1923 McCarthy said that unless suitable country was made available as a reserve for the exclusive use of Aborigines the fast disappearing race would become extinct. (Foxcroft 1941, 113) In 1924 the Inspector of the Far Northern Division said that '...further development of the pastoral areas, accompanied by an increase in the white population, would hasten their extinction' (Foxcroft 1941, 113). The 1929 Report of the Protector stated that Central Australia '...produces little food for man and beast—the advance of white settlement on these lands means the destruction of the Aborigines' already



scant food supplies and makes it urgently necessary that reserves should be proclaimed and that natives should be gradually taught to make good use of the sources' (Foxcroft 1941, 114). Four years later, after a visit to the Musgrave Ranges, the Chief Protector concluded that '...the longer they can be kept outside the influence of white civilisation the better for their moral and physical welfare' (Foxcroft 1941, 114). In 1936 the Chief Protector stated that in the north west '...the aboriginals of South Australia are making their last stand as a body of pure-blooded individuals not yet degraded by contact with civilisation they cannot assimilate or understand; and it will be to the advantage of the aboriginals and the State to keep them as such for as long as possible'. (Foxcroft 1941:114). The aim of such a policy was to buffer the contact of races '...in such a way that the clash will not only be gradual, but will in the first instance be with people who have the welfare of the natives at heart' (Foxcroft 1941, 114).

This argument was supported by many others. For example, following the Harvard-Adelaide Universities Anthropological Expedition 1938-1939 Norman Tindale wrote,

[i]solation of the desert Aborigines would favour their survival; the whole of the desert steppe should be set apart for them. The desert folk need only the intermittent care of an itinerant medical missionary; the formation of fixed settlements and rationing depots among them disrupts their economy. (Tindale 1941, 68).

An alternative concern of reform groups was for those Aborigines who had already come within the ambit of European settlers and whose lives were directly affected by discriminatory legislation. In the name of protecting Aborigines all the States, and the Commonwealth legislating for the Northern Territory, adopted restrictive and segregationist laws which denied Aborigines the most basic legal and political rights. During this period there were continuing campaigns by Indigenous and non-Indigenous organisations for reform in Aboriginal Affairs. Throughout the 1920s and 1930s, in response to increasingly restrictive legislation in the States and the Northern Territory, and worsening conditions on Aboriginal reserves, a number of Indigenous political organisations formed. The overwhelming concern was the removal of the legal discrimination based on 'race'. Specific concerns of these organisations included the forced removal of Aboriginal children from their families, the dispossession of Reserve land, the authoritarian management and poor conditions on Reserves, the exclusion of Aboriginal children from the normal education system and the denial of social welfare benefits to Aborigines (Attwood and Markus 1999, 59-169; Markus 1987, 47-54; McGregor 1997, 249-60; McGregor 1993). These arguments gave support to a shift in policy towards an assimilationist objective.

A policy statement arising from the first Commonwealth-State Authorities Conference on Aboriginal Welfare in April 1937 could be seen to reflect the two policy directions:

This conference believes that the destiny of the natives of Aboriginal origin, but not of the full-blood, lies in their ultimate absorption by the people of the Commonwealth and it therefore recommends that all efforts be directed to that end (Commonwealth of Australia 1937, 21).

This Conference has been seen as a watershed in Aboriginal Affairs because it was a first step in the abandonment of the discriminatory, segregationist and protectionist policies that were being pursued throughout Australia. However, it is clear that many of the officials attending believed that 'absorption' meant the disappearance of part-Aborigines through intermarriage and assumed that 'full-bloods' would die out (Commonwealth of Australia 1937, 11).

The shift in stated objectives was taken further in February 1939 by the Minister for the Interior, John McEwen, in a Statement, 'The Northern Territory of Australia: Commonwealth Government's Policy with Respect to Aboriginals' (McEwen 1939). Like the 1937 policy statement, McEwen's 'New Deal' contained two divergent elements (but unlike it, not expressed in racial terms). For those 'detrified Aboriginals' living in 'unsatisfactory conditions' the objective would be to find them a place in European society. For those Aboriginals 'still living in tribal state', however, the policy for the present, would be to leave them 'to their ancient tribal life protected by Ordinances from the intrusion of whites and maintaining the policy of preventing any exploitation of the resources of the reserve' (McEwen 1939, 5).

These two elements in the McEwen Statement reflected two quite different visions of the future of Aboriginals. The competing schools of thought were represented by two anthropologists, both of whom had sought to influence government policy. In the Statement McEwen said that the Government had 'closely studied' the reports of Dr Donald Thomson who, after lengthy fieldwork in 1935-36 and 1936-37, had reported to the Commonwealth Government on conditions in Arnhem Land and recommended sweeping policy changes which were aimed at protecting 'tribal' Aboriginal society against the destructive effects of white intrusion (Thomson 1936; Parliament of the Commonwealth of Australia 1938; Commonwealth of Australia 1939; Stanner and Barwick 1979). Thomson was representative of a school of thought which saw segregation and the exclusion of non-Indigenous people from the country of 'tribal' Aboriginals—at least until there were proven methods of successfully absorbing Aboriginals into white society—as the only

way of saving Aborigines from degradation, and alienation from both cultures. He argued that,

the remnant of native tribes in [the Northern] Territory not yet disorganised or detribalized by prolonged contact with alien culture be absolutely segregated, and that it be the policy of the Government to preserve intact their social organization, their social and political institutions, and their culture in its entirety (Parliament of the Commonwealth of Australia 1938, 5).

On the other hand, McEwen had also been advised by A P Elkin, Professor of Anthropology at Sydney University, who was a strong advocate of assimilation and legal equality for Aborigines. Elkin argued that it was impossible to segregate Aborigines; they would inevitably be drawn to European goods and the only way to prevent the degradation and destruction of Aboriginal people, that had characterised previous contacts between the two cultures, was to provide the training and education that would direct the cultural change in a way that would enable Aborigines to deal successfully with European ways (Elkin 1944; Markus 1990; McGregor 1997, 240-1).

Despite that element in the policy relating to the protection of Aborigines 'living in a tribal state' the Statement was seen, by both Elkin and his critics, as a victory for the assimilationists. In the Statement McEwen had rejected what he said was a policy of merely reacting to problems. Instead, he said, the Commonwealth Government would work towards a final objective of Aboriginal people 'raising ... their status so as to entitle them by right and by qualification to the ordinary rights of citizenship and enable them and help them to share ... the opportunities that are available in their own native land.' (McEwen 1935, 5)

The assimilation initiatives proposed in the McEwen policy were delayed by the Second World War but in the post-war period a policy of assimilation for all Aborigines became deeply entrenched. In Government statements on Indigenous affairs 'assimilation for *all* Aborigines' (and indeed for all non-Anglo-Celtic people) became hard doctrine. The acceptance of a policy of assimilation did not, however, lead to any immediate changes in the legal status of Indigenous people or of the practices of the Aboriginal affairs bureaucracies. The discriminatory laws were only very gradually repealed and Aborigines living on reserves remained administered people. On reserves and missions the power relationships between staff and residents remained unchanged until at least the 1960s.

One measure which was adopted by the Commonwealth Government in the name of assimilation related to reserves. In 1952 a Northern Territory

Ordinance to give the Administrator of the Northern Territory the power to allow prospecting and mining rights on Aboriginal Reserves and to recommend the resumption or revocation of land from Aboriginal Reserves was enacted. The measure was justified in terms of a doctrine which saw the ultimate future of Indigenous people as being part of European society. The Minister for the Territories, Paul Hasluck said:

[a] policy of assimilation and the measures taken for the education and care of natives mean that less dependence is placed on reserves as an instrument of policy than was placed on them in the days when it was considered that the interests of the natives could only be served by keeping them away from white settlement....

[R]eserve land which is not being used by the natives should not be closed forever to exploration of development. [The Government] also recognises that to-day the large reserve is a less essential means of protecting the welfare of the natives than it was a generation ago (Commonwealth Parliamentary Debates 6 August 1952, 46-7).

With provisions such as these in place in the Northern Territory, and a strict and uncompromising policy of assimilation being declared by all governments, it might have been expected that the various parts of the Central Reserves would have been opened up and steps taken to shift the Anangu off the Reserves and into the general community. However, the Central Reserves remained intact and throughout the 1950s and 1960s the Anangu continued to be relatively insulated from incursions by Europeans. The assimilationist vision for the future of Indigenous people had little effect on the Anangu. This is partly explained by the fact that, despite the rhetoric about assimilation, governments were only prepared to devote very limited resources to the objective, and partly by the fact that the reserve contained little that was seen by Europeans as an economic resource. However, the efforts of some exceptional individuals, and Ernabella mission, also played a role.

In 1937, at the instigation of Dr Charles Duguid, the Presbyterian Board of Missions purchased the Ernabella Station on the eastern border of the South Australian section of the Reserves to establish a mission. Duguid had visited Alice Springs and surrounding areas where he found the condition of Indigenous people 'absolutely depressing'. He travelled to the Musgrave Ranges in the far north-west of South Australia and concluded that the Pitjantjatjara would shortly face the same fate as other Indigenous groups. He argued that the only way to avoid the degradation and exploitation of the Indigenous people, which appeared to have been universally the result of contact with Europeans, was to prevent the intrusion of European commercial interests while the Pitjantjatjara were offered the education and training

which would equip them to deal effectively with European society. Duguid became a tireless advocate, lobbying both government and the Presbyterian Church, for the establishment of a mission to act as a buffer between the Aborigines and the encroaching white society (Duguid 1972, 95-125). In a submission to the General Assembly of the Presbyterian Church of Australia in 1936 Duguid argued that a mission station in the vicinity of the Musgrave Ranges was '[t]he only hope for the natives [in] the far north-west of South Australia' (Hilliard 1968, 94).

The mission that he proposed would place great stress on the preservation of Aboriginal culture.

There was to be no compulsion nor imposition of our way of life on the Aborigines, nor deliberate interference with tribal custom....[O]nly people trained in some particular skill should be on the mission staff...and they must learn the tribal language (Duguid 1972, 115).

The Mission provided a school, medical care, and some employment. Schooling was in the Pitjantjatjara language with the aim of achieving literacy in Pitjantjatjara in the first instance and teaching English as a second language. The Pitjantjatjara people living at Ernabella were urged to go on regular 'holidays' back to their traditional country on the Reserve. Any idea of separating children from their parents for the purpose of education was explicitly rejected and it was accepted that schooling may be 'disjointed by frequent wanderings in the bush' (Hilliard 1968, 225).

An early superintendent, J R B Love, and others, noted that despite the philosophy of the mission the Pitjantjatjara people were drawn to European goods, and that much as they may have wished to stay in touch with their traditional area, European goods were a powerful attraction (Edwards 1988).

Ernabella gradually developed into a small township. In 1957, with a population of approximately 400 at Ernabella, the Presbyterian Board of Missions made a proposal to the Aboriginal Affairs Board to establish a series of 'outstations' across the Reserve 'to enable people to return to their traditional areas and provide the employment and services they had moved east to obtain' (Edwards 1988, 7). The proposal was rejected but in 1961 the South Australian Government established a settlement at Amata (then called Musgrave Park) within the Reserve at the western end of the Musgrave Ranges, about 90 miles west of Ernabella. (APB 1960, 6; APB 1961, 12). In that year the Presbyterian Board of Missions did establish one outstation, which in time also became a large settlement, at Fregon (now Kaltjiti), 70 kilometres south of Ernabella.

### **Policy Ambiguity**

These developments happened at a time when the South Australian Government, or at least the Aboriginal Protection Board, was raising questions about the policy of assimilation which was being espoused in the official statements of all Australian governments. The 1961 Conference of Commonwealth and State Ministers of Aboriginal Affairs endorsed a rigid assimilation policy. It stated that,

[t]he policy of assimilation means in the view of all Australian governments that all Aborigines and part Aborigines are expected eventually to attain the same manner of living as other Australians and to live as members of a single Australian community enjoying the same rights and privileges, accepting the same responsibilities, obeying the same customs and influenced by the same beliefs, hopes and loyalties as other Australians (DAA 1961, 3).

At the same time the South Australian Aborigines Protection Board had begun to express reservations about the idea that the goal of assimilation could be achieved quickly, or against the wishes of Aboriginal people. Although the ultimate goal should be assimilation, the Board said,

...a great number of our aborigines simply have no desire to be assimilated but, understandably, would rather have a life of their own choice. Forced assimilation is simply not practicable nor possible and can only end in tragedy to the aborigine concerned. (APB 1960, 3).

The next year the Board said that, its goal was 'social, economic and political advancement' but again warned that, '[i]t is not possible for assimilation to be forced or unduly hastened...' (APB 1961, 3).

It was in the context of this ambiguity, about what was seen to be the future for 'tribal Aborigines', that the South Australian Government made its first intervention on its section of the Central Reserves. This ambiguity has continued to be a feature of Indigenous policy relating to this remote area.

Despite the ambiguity in its policy statements the Board's rationale for the establishment of a settlement at Amata was the provision of training for employment in the European economy. Amata was established as a 'cattle project' which the Board said provided training of Aboriginal people for the cattle industry. Other tasks—fencing and road and dam building—provided useful work (APB 1960, 3; APB 1961, 3; AAB 1963, 11).

The population at Amata grew quickly with some people coming from Ernabella and further east, and some, attracted by the services—a reliable water supply, a store, social services (the Age Pension and Child Endowment), wages and a clinic—from other parts of the Reserve further

west. Within several years the population at Amata had reached 300 or more. Despite the growing tensions and the pressure on services, and the pronouncements of the Board, the Department of Aboriginal Affairs decided against the establishment of any outstations (as had been planned by Ernabella) or indeed the provision of any services to Anangu who wished to live further west, away from the settlement, in their traditional country.

Throughout the 1960s the Aboriginal Affairs Board continued to question the goal of assimilation. In 1964 it noted that there might be 'disquiet' at the idea that '...Aborigines might lose their cultural identity as a people...' (AAB 1964, 8). The Board said that it interpreted assimilation with a 'strong bias towards integration' which it said recognised '...the right of a person to decide his own fate...' (AAB 1965, 6). This shift in stated policy was taken one step further with the election of the Labor Government in South Australia in 1965 and the appointment of Don Dunstan, who made a more explicit rejection of the assimilation policy, as Minister of Aboriginal Affairs. He said that Aborigines, if they wished, should be able to choose to live on reserves and to maintain their tribal customs and beliefs (Brodie 1971, 48).

Notwithstanding all these qualifications, and the ambiguity of the policy, the rationale for the settlement at Amata continued to be in assimilationist terms. The first Superintendent at Amata was in no doubt about the purpose of the institution. He was critical of Ernabella for allowing certain traditional customs to continue. He wrote that there was a need for the Pitjantjatjara to adopt 'civilized' ways, and that their '...tribal customs must be broken at some point if [they] are to be assimilated...' (Musgrave Park Day Book, 4 & 8 August and 3 October 1961).

A feature of the government's programs at Amata is how limited they were. Education was said to be an urgent priority but a school was not opened until 1968—seven years after the settlement was established (AAB 1968, 15). Within a year of the school eventually opening the Board observed that attendance figures had begun to fluctuate due to '...tribal ceremonial activity...' and the irregular attendance '...if not overcome, could seriously interfere with the educational progress of the children' (AAB 1969, 29).

From the outset Amata was no different from most other Aboriginal institutions of the time, with the characteristics of a 'total institution' described by Goffman; an authoritarian structure with the white staff exercising authority over the Aboriginal residents (Goffman 1968, 11. See also

Long 1970, 1-7 & 176-88; Stevens 1970)<sup>2</sup>. Although the Anangu were not compelled to stay, their growing reliance on European goods had resulted in dependence and loss of autonomy. The rhetoric of the administration was that of 'progress', 'training' and 'advancement' for the Pitjantjatjara people but the reality was that most, if not all, activity on the settlement related simply to keeping the institution running.

David Hope, a Superintendent at Amata in the late 1960s and early 1970s, described the problem of the lack of a credible purpose and the effect on staff.

The frustrations experienced by staff centred largely on questions of purpose. The goal of assimilation was too remote to be believable and the day to day pragmatism of settlement life seemed pointless. Departmentally, there was an absence of vision encapsulating any credible purpose. Thus a radically inclined superintendent pointed out that it was farcical to regard the Reserve as a training establishment and asked the Department to review its approach to cattle on the Reserve and begin with the question "What end are they supposed to be serving?" It was this central question of ends which an administration persistently declined to answer for the good reason that Reserve settlements were enterprises which, though couched in the rhetoric of beneficence, inevitably promoted a destructive conflict of interest (Hope 1983, 218).

To the extent that the purpose of the settlement was to provide training for future employment in the broader economy, a continuing concern of administrators was the lack of employment either on the Reserve or anywhere in central Australia. A Report on the future policy on the Reserve, written in 1968 by a former Superintendent of Amata, argued that the 'basic problems' were that there had been a 'rapid increase in the population' and a 'lack of employment in an area of little potential for absorbing a large unskilled workforce'. The Report stated that the

establishment [on the Reserve] of settlements with western facilities has altered the Aboriginal pattern of life from a proud, independent, nomadic, self-employed (food gathering) people to a pauperised, communal...society...dependent on handouts (social security benefits) and unrealistic employment which in the main bears little relation to the surrounding employment possibilities (South Australian Archives GRS 6624/1/P, DAA 520/68).

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<sup>2</sup> It could be argued that, in terms of relations between the staff and the Indigenous residents, there were times when Amata was much worse than many other Indigenous institutions. For an account of life at Amata (then called Musgrave Park) in 1967 see Summers (1999, 194-224).



### **Turning Points in early 1970s**

At the end of the 1960s the Anangu were a dependent and administered people whose lives were largely controlled by the State Department of Aboriginal Affairs. David Hope has described how, during the 1970s, they were transformed into independent political actors with the capacity to operate in the wider political structures in Australia. '[T]he relationship between Government and Pitjantjatjara changed from that of guardian and welfare recipient, to Government and pressure group...' (Hope 1983, 346). Hope attributes this transformation to a number of developments including a growing sense of identity among the Anangu and 'empowerment' through access to government resources. Crucial to these changes were developments at the Commonwealth level.

The election of the Whitlam Labor Government in December 1972 is usually seen as a critical turning point in Indigenous affairs. The Commonwealth Government had obtained constitutional power to make laws for Aborigines living in the States in 1967. Between 1967 and 1972, however, the Coalition Governments used the power only to make some direct grants to Aboriginal organisations but otherwise changed little. The Governments of Holt, Gorton and McMahon left the administration of Indigenous affairs with the States, and until 1972 stuck to the policy of 'assimilation for all Aborigines' (See Summers 2000, 61-8).

The Whitlam Labor Government came to office at the end of 1972, promising to make a number of changes in Indigenous affairs: to commit more resources, to initiate land rights in the Northern Territory and to replace the objective of assimilation with a policy of 'self-determination'. The new policy, Whitlam said, would 'restore to the Aboriginal people their lost power of self-determination in economic, social and political affairs' (Whitlam 1973, 697).

For the Anangu the changes at the Commonwealth level had an immediate impact. First the newly created Commonwealth Department of Aboriginal Affairs actively sought to by-pass the State welfare bureaucracies and pay grants directly to Indigenous organisations and communities. Second, in order to make the payments to a legal entity the Commonwealth facilitated the incorporation of those communities and organisations (Hope 1983, 242 & 313).

These developments gave impetus to a movement which was already underway among the Anangu. Since the establishment of Amata there had been groups who had wished to leave the settlement and live at other locations across the Reserve, but who were tied to the settlement by their acquired reliance on European stores and medical services which the

administrators refused to make available except at the settlement. In the early 1970s, however, access to Commonwealth resources greatly aided attempts by groups of Anangu from Amata and elsewhere (and other Indigenous groups on remote settlements across northern Australia) to establish outstations or homeland communities (Edwards 1988; Hope 1983, 396-404. See also HRSCAF 1987 and Coombs 1973). Throughout the 1970s a number of homeland communities were established. Some were very small and temporary but others grew into the permanent communities, which exist today on the AP Lands, with their own community advisers, stores and clinics.

David Hope observed that '[b]y 1974 in the Pitjantjatjara Lands there was a tangle of groups, some incorporated others not, with housing societies, communities, community councils and sporting bodies, each claiming primacy of purpose—and all competing for funds' (Hope 1983, 368).

Also in the 1970s welfare benefits paid by the Commonwealth government—payments which were independent of the State welfare bureaucracy—became a significant source of income for Indigenous people on remote reserves. Until 1959 Aborigines were largely excluded from the social security benefits. In that year the *Social Security Act* was amended to remove all reference to Aborigines except for a provision which required that in the case of 'nomadic' and 'primitive' Aborigines the payment would be made to missions or State institutions. Aborigines living on settlements or missions relied on hunting and gathering, selling dog scalps, rations and the small amounts paid in wages to workers. In 1966 the Act was amended to remove any reference to Aborigines but those living on settlements or missions could not receive unemployment benefits because they could not meet the requirements of the 'work test'. In 1976 the Department of Social Security abandoned the requirement that people move off the reserve to be eligible for benefits and all social security benefits became available to people living in remote communities. In the case of unemployment benefits Communities on the AP Lands receive the benefit through the Community Development Employment Projects (CDEP) Scheme under which the Community receives the funds which are then paid to workers to carry out community development tasks.

In 1976 the Pitjantjatjara Council was formed by Anangu from across all three jurisdictions—South Australia, Western Australia, and the Northern Territory.<sup>3</sup> Although its formation was in part prompted by the need for an

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<sup>3</sup> Membership of the Pitjantjatjara Council extended to a number groups other than Pitjantjatjara—Yankunytjatjara, Ngaatjatjarra, Ngaanyatjarra—who did not regard themselves as Pitjantjatjara. The name Pitjantjatjara was accepted, however, because a fully inclusive name

organisation to take the initiative in the provision of services to the increasingly widespread communities, it became the principal representative body in negotiations with governments on behalf of Anangu (Hope 1983, 368) The Council was successful in obtaining government grants for its own administration and to provide health and other services.

The Pitjantjatjara Council played a central role in negotiations over land rights. In 1976 Anangu in the Northern Territory obtained land rights with the passage of the *Aboriginal Land Rights (NT) Act* (Howie 1981, 28-31). In South Australia it was suggested that the land rights for the Pitjantjatjara people be granted by transferring the Reserve land to an existing body—the Aboriginal Lands Trust—to be held in trust on behalf of the occupiers. Anangu emphatically resisted the move, arguing that it was their land and that they should hold the title to it. After several representations to the South Australian Government the Premier, Don Dunstan, was persuaded and legislation was drafted with the purpose of granting title to the land to the Pitjantjatjara people. The legislation was before the Parliament at the time the Labor Government lost office in 1979. When the incoming Tonkin Liberal Government indicated that it intended to amend parts of the legislation the Pitjantjatjara Council came to prominence as a lobby group and the negotiation body speaking on behalf of the Anangu living in South Australia. After a protracted campaign and negotiations between the Pitjantjatjara Council and the Government an agreement was reached on the legislation and in 1981 the *Pitjantjatjara Land Rights Act* was passed. A feature of this campaign to achieve land rights was the determination and unity of the Anangu. Also a noteworthy feature of the campaign was the extent of public support for the Pitjantjatjara and the sympathetic treatment their campaign received from the media. (See Toyne & Vachon 1984, 77-109; Summers 1980, 426-7; Summers 1981, 80-1).

The *Pitjantjatjara Land Rights Act* provides for a total of 103,000 square kilometres of land to be held as inalienable freehold by the Anangu Pitjantjatjara, a legal entity created by the legislation and made up of all Pitjantjatjara people who had a traditional attachment to the land.<sup>4</sup> The Act requires the Anangu Pitjantjatjara, as owner of the land, to administer matters relating to the land and to protect the interests of the traditional owners of the land. The Anangu Pitjantjatjara is required to consult with the traditional

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would have been too unwieldy. It was in this context that members of all groups began to adopt the term 'Anangu' to describe themselves. (See Hope. 1983, 370).

<sup>4</sup> In the original legislation the name of the land holding entity was Anangu Pitjantjatjaraku but that was changed to Anangu Pitjantjatjara in an amendment to the Act in 1987.

owners before carrying out any proposal in relation to development or use of the land and to hold an annual general meeting (Section 6). The Act requires that there be an Executive of ten members plus a chairman who are to be elected at the Annual General Meeting (Section 9). The Executive Board is required to carry out resolutions of the Anangu Pitjantjatara and to act in conformity with those resolutions (Section 11).

### **Government Service on AP Lands**

A principal concern of the Select Committee on Pitjantjatjara Land Rights was with the delivery of services on the AP Lands. With the achievement of land rights a number of normal government services were in effect handed over to Anangu associations. Although the Anangu Pitjantjatjara was not in any way established for the purpose of running services, by default, it took on the role of managing some government services. Grants were paid to both the Anangu Pitjantjatara the Pitjantjatara Council, and to other non-government legal entities established by them, to provide government services.

In the mid-1980s the South Australian Health Commission handed over the provision of primary health care to an Anangu organisation, the Nganampa Health Council (NHC). The NHC now has a budget of over \$9 million, runs clinics in nine communities and provides other specialist programs including aged care, dental services, women's health, STD control and HIV prevention (SCPLR 2004, 37). The provision of infrastructure and maintenance—road building and grading, supply and maintenance of power and water supply—has gone to a number of different bodies; the Pitjantjatara Council, the Anangu Pitjantjatara and the Anangu Pitjantjatjara Services Inc. The Select Committee concluded that the *ad hoc* arrangements for the provision of central services had been unsatisfactory both in terms of the building and maintenance of infrastructure and road and the provision of essential services (SCPLR 2004, 54-7).

There has been a long-standing concern about policing on the lands. The nearest police station is at Marla which is approximately a six to seven hour drive from the western communities on the Lands. The South Australian Police Force has been unable to fill a position of senior constable to be stationed at Amata Community on the lands. In these circumstances it is impossible for the police to deal adequately with petrol sniffing or domestic violence. Under a scheme introduced in 1986 Anangu can be appointed as community constables with some of the powers of a sworn police officer, but for cultural reasons this is not as effective as the presence of police from outside the region. It has not been easy to fill all the positions of Community Constable.

There are nine schools on the AP Lands which are provided by the South Australian Department of Education and Children's Services and are jointly the responsibility of the Pitjantjatjara Education Committee and the Yankunytjatjara Education Committee (SCPLR 2004, 44).

Both the Coroner's Findings and the Report of the Select Committee provide an account of the complications in the way programs aimed at the amelioration of the social problems on the A P Lands are conducted and the complexities in the governance structures of the Lands. Apart from the basic services most government programs are short term projects and are the responsibility of two or more agencies from several jurisdictions. Many programs entail joint Commonwealth-State action and cooperation between several States. Also many of the jointly funded programs involve more than one Community or other Anangu organisation. A feature of these arrangements is that is impossible to identify who, or what agency, or indeed what tier of government, is responsible for the program or the service. Attempts at coordination of programs or service delivery appear to simply add to the complexity by adding another layer to the labyrinthine structures.

As with other programs, the delivery of special health programs designed to reduce and deal with the effects of petrol sniffing, involve complicated inter-governmental and inter-agency arrangements. The principal Commonwealth agency involved, the Department of Health and Ageing—which took over the responsibility from ATSIC in 1995—does not itself deliver health services, but funds State agencies and Community organisations on the basis of framework agreements negotiated with the State Government, ATSIC and Community or other Anangu organisation. The Coroner observed that the statements made on behalf of the Department of Health and Ageing in relation to their approach to volatile substance abuse contained 'a number of laudable principles' but he was silent about the effectiveness of the actual programs. (SA Coroner 2002, 31). At the time of the Inquest the total Commonwealth funding for substance abuse (over \$20 million) involved 65 different programs for Indigenous people across the nation, including educational resources on Substance Abuse and programs aimed at health promotion, early detection and early management (SA Coroner 2002, 31-2). It was not possible for the witness from the Department of Health and Ageing to say how much of the expenditure related specifically to the Pitjantjatjara communities.

### **Governance**

The Select Committee also focused on questions of governance (and how governance issues affected the delivery of services and the social and economic well-being of Anangu). As discussed above, the Committee noted that, by default, the Anangu Pitjantjatjara became involved in service delivery

and broader administrative and governance issues—roles that it was not designed to undertake. It reported that there were significant problems with communication between the Anangu Pitjantjatjara and the Pitjantjatjara Council. For the first decade following the enactment of the *Pitjantjatjara Land Rights Act* the two organisations cooperated in the *ad hoc* delivery of services and in the management of the affairs of the Lands. After 1991, however, when the Anangu Pitjantjatjara moved its office from Alice Springs to Umawa on the AP Lands, communication became more difficult and relations between the two bodies deteriorated to the extent that the hostility was seen to be a major problem for service and program delivery on the lands, and detrimental to the well-being of the Anangu. Following failed attempts by the South Australian Government to resolve differences using Mick Dodson as a mediator the Legislative Council established the Select Committee (SCPLR 2004, 26-7).

The Select Committee, noting that the role that the Anangu Pitjantjatjara performs has expanded beyond that which was envisaged in the original legislation, and given the shortcomings in the management of some programs it was appropriate that changes be made to the provisions relating to the Executive of the Anangu Pitjantjatjara.<sup>5</sup> In general terms the Select Committee recommended that the Act be amended to ensure that elections to the Executive be fair and that the Executive be representative of all Anangu across the AP Lands, to ensure that women be adequately represented, to establish mechanisms for removing executive members who have misappropriated funds or failed to perform their duties and to improve the dispute resolution mechanisms. It also recommended that appropriate training be available to incoming executive members (SCPLR 2004, 3-4).

### **Policy, Purpose and Vision**

The most publicised problem on the AP Lands is petrol sniffing and the events which triggered the Coroner's Inquest were the deaths of three Anangu from petrol sniffing. The Coroner and others point out that, despite a great deal of research, little is known about the best way of preventing it or reducing its incidence (Coroner 2002, 17-8). In a much quoted paper Peter d'Abbs and Maggie Brady argue that,

[t]he situation today remains in many respects little different to what it was thirty years ago. There are still practically no clear policies at any levels of government; there is no accumulated body of knowledge about the nature and causes of sniffing, or even about the efficacy or

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<sup>5</sup> Similar points were made by a review of the committees on the AP Lands by Neville Bonner in 1988 (See Bonner 1988).

effectiveness of different kinds of interventions, and most initiatives are forced to rely on short-term project funding, the continuance of which rarely has anything to do with program effectiveness (d'Abbs 2003, 2)

Under the *Pitjantjatjara Land Rights Act* it is an offence to possess petrol 'for the purpose of inhalation' or to sell it for that purpose, but the legislation is difficult to enforce and simple legal prohibition has had little or no effect. The replacement of petrol with aviation fuel did initially reduce the incidence of petrol sniffing, but the effect was only temporary and the incidence increased again as petrol was surreptitiously brought onto the Lands. However, the Coroner observed that several programs have had some effect, if only temporarily. A program at Yuendumu in the Northern Territory, that removed young petrol sniffers to a very isolated camp from which it was very difficult for them to leave of their own volition and where there was no access to petrol, was effective to the extent that for the time that the offenders were isolated they could not engage in petrol sniffing and there was less disruptive behaviour in the community. However, the program needed to be ongoing and relied on strong community support. Also, increased policing to enforce the regulations which prohibit possession of petrol and allow police to confiscate petrol that was being used for sniffing, had the effect of reducing the incidence of sniffing and the disruptive behaviour, while the intense police activity lasted (SA Coroner, 64-6).

Two points can be made about the programs entailing more rigorous enforcement of prohibitionist laws, and of the educational and recreational programs aimed at reducing petrol sniffing. First, the evidence given to the Coroner and the Select Committee indicates that none of these programs has ever been sustained on the AP Lands. The funding is such that the programs (or as they often are, 'trials' or 'pilot projects') run for a short time and are not continued. In some cases, because of the short term nature of funding and the requirements for consultation and the need to deal with a complex web of organisations, the funding comes to an end almost before the program is started. There has never been a program that has been maintained, with sufficient resources, for even a couple of years. As d'Abbs and Brady say, 'most initiatives are forced to rely on short-term funding, the continuance of which rarely has anything to do with program effectiveness' (2003,2). Both the Coroner and the Select Committee recommended that governments alter the method of funding to allow some ongoing programs to be put in place (SA Coroner 2002, 2; SCPLR 2004, 4).

It is important to note that following the passage of the *Pitjantjatjara Land Rights Act*, in the name of self-determination, governments have retreated from directly providing services in the AP Lands. With the exception of

policing and education, the provision of services is largely effected through grants to community organisations. In 1983 David Hope wrote that, [f]ollowing the Land Rights Settlement in 1981 there may have been a tendency for the State to assume that rapprochement having been achieved, and the land returned, its job was finished and the Pitjantjatjara problems would look after themselves. It needs to be emphasizing, however, that the social situation of the Pitjantjatjara is a complex and fragile one and there is much untested water ahead. I would view it as a profound mistake for the Government to view continuing interest as unnecessary on one hand, or on the other eschew it as paternalistic. The inescapable reality is that the Pitjantjatjara are South Australian citizens. The Government's job is to ensure that its already proven institutions of negotiation are kept well honed, and contemporary (Hope 1983, 540-1).

David Hope's concerns were well founded. Governments have not been directly involved in the provision of most programs and have not taken responsibility for them. The funding of programs on the AP Lands has been piecemeal, haphazard and uncoordinated<sup>6</sup>.

Second, there is a broader question about the ultimate objective of the policy on the AP Lands. The Coroner's recommendations relate largely to service delivery and the coordination of services and programs on the AP Lands. The Select Committee focused on service delivery and governance on the Lands. The intervention by the Government was rationalised in terms of a break down of the governance structures, which it was said, had affected service and program delivery. These responses to the situation in the AP Lands revolved around the need to maintain those health and diversionary

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<sup>6</sup> It should be noted that in the last several years there have been several government initiatives which are designed to improve service delivery and coordination of service and program delivery in the AP Lands. In 2002 in response to the apparently intractable health problems of the AP Lands, and the difficulties of coordinating programs, new intergovernmental arrangements, with a four tiered management structure, were established to 'improve health and wellbeing outcomes for Anangu'. Tier 1 of the structure—the Anangu Pitjantjatjara Inter-Governmental Inter-Agency Collaboration Committee—is made up of a group of Commonwealth and State chief executives and senior executives who are based in Adelaide. Below Tier 1 are 3 other Tiers, each with different levels of responsibility, involving coordination and program implementation. This structure was said to be in line with the 'whole of government approach' which had been endorsed by the Council of Australian Governments (COAG) as a means of addressing the problems of disadvantage in specific Aboriginal communities through combining the efforts of all governments (Coroner 2002, 27-30). The AP Lands were chosen to be one of ten Indigenous sites where a trial of the whole-of-government initiative would be conducted and in 2003 the South Australian and Commonwealth Governments and the AP Lands communities signed an agreement to put it into effect (Vanstone 2004). It is not yet clear that these new attempts at coordination have made any difference.



programs which were designed to 'combat' substance abuse. The responses of the Coroner, the Select Committee and the Government largely accepted the current policy orthodoxy which could loosely be described as 'self-determination'. Basic questions about the policy being pursued were not raised. Neither the Coroner, the Select Committee or the Government directly addressed the question of the objectives of Indigenous policy in the AP Lands.

What exactly is meant by the term 'self-determination' has never been spelt out. Neither the practical implications of the policy, nor the principles on which it is based are clear. Self-determination has sometimes been advanced as an end in itself, and sometimes as a means to an end. Some interpretations of the policy appear to be directed at recognition of cultural difference and the ongoing maintenance of a separate Indigenous group identity. Other interpretations have appeared to be directed at Indigenous people making their own decisions or managing their own affairs as a means of overcoming social and economic disadvantage in the broader community.

As the term was applied in the AP Lands it was ambiguous. Some supporters of land rights and self-determination saw Anangu as a people with a common interest which was centred on the ownership and control of the land but whose culture and interests would continue to adapt. According to this view one possibility for the future was that the Anangu, while maintaining aspects of their culture and an interest in the land, would, in their own way, continue adapt and to engage with the broader Australian political system and would become more closely integrated into the mainstream society and economy. Other interpretations of self-determination, with a more separatist connotation, implied that the two cultures would always be distinct and separate—that Anangu ties to the land were immutable and that they would always have an interest and culture which would not accommodate that of non-indigenous Australians (see Hope 1983, 517-41).

At the time the *Pitjantjatjara Land Rights Act* 1981 was passed there was a sense of great hopefulness about the future for the Anangu under a policy of self-determination. They were seen to have been united and to have determinedly pursued their own goals against the opposition of political, bureaucratic and commercial interests. The achievement of land rights was seen as a prerequisite for self-determination. With their land restored the Anangu would be able to make their own decisions in their own way and decide their own future. However, what that future might have been was not spelt out.

The homelands movement gave rise to the same sort of optimism. In 1987 the House of Representatives Standing Committee on Aboriginal Affairs, in a

report entitled *Return to Country—The Aboriginal Homelands Movement in Australia* spoke of the ‘...strong desire of Aboriginal people to traditional land to meet their responsibilities in relation to their land...’ and to escape ‘...the stresses of living in settlements, reserves and missions...’ (HRSCAA 1987, 14). The Committee said that the movement to homelands was ‘...a clear statement by the Aboriginal people involved of the sort of future they wished for themselves and their children, a future on land to which they have spiritual and economic ties and a future over which they have much greater control’ (HRSCAA 1987, 257). As the situation has developed, however, the future, especially for the children, appears bleak.

Clearly the earlier hopes have not been realised. In the last decade a number of commentators and activists have raised questions about the consequences of current policy on remote communities. Most notably Noel Pearson has argued that the operation of the current welfare system has not resulted in self-determination for Indigenous communities but has produced ‘passive welfare dependency’; communities have become ‘severely dysfunctional’. He argues that in communities that are meant to be self-determining the social indicators—mortality, morbidity, participation in the education system, educational outcomes, rates of imprisonment, representation in the juvenile justice system and the level of violence—have become worse not better. Pearson argues that the welfare system, which was designed to alleviate short term problems, has become the major source of income for Indigenous communities year after year. The resultant ‘passive welfare’, Pearson argues, has produced dependency, lack of initiative and a failure to take responsibility, not self-determination (Pearson 2000, 15-21).<sup>7</sup>

The accounts of the dysfunctional communities make it clear that petrol sniffing and many of the other difficulties of the AP Lands are symptoms of fundamental problems. The efforts to prevent or reduce petrol sniffing are important but should not be an end in themselves. Petrol sniffing does great damage to the people who engage in it and causes distress to others and social disruption. However it is only one of a number of symptoms of more fundamental problems on the AP Lands. Evidence given to the Coroner and the Select Committee from a number of people pointed to petrol sniffing being a symptom of boredom, hopelessness and lack of purpose. The Coroner concluded that,

[p]overty, hunger, illness, low education levels, almost total unemployment, boredom and general feelings of hopelessness form the

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<sup>7</sup> In recent years a number of other commentators have made similar arguments from a range of different political positions. (See Trudgen 2000; Johns 2001; Deadman 2004).

environment in which such self-destructive behaviour takes place (SA Coroner 2002,1 & 72).

Preventing or minimising petrol sniffing is important but it will not change the fundamental problems.

In the various reports and government statements there is an implicit assumption that the Anangu will stay on the AP Lands—that their children and future generations will remain on the Lands. Currently there is almost no employment available and little prospect of employment opportunities in the area expanding. This raises the question of the future for Anangu children now living there and of the following generations. For them it must appear that their life chances and the choices available to them will be no different from those which were available to their parents. In this context it is easy to see why the current problems on the AP Lands—petrol sniffing, low educational attainment, the hopelessness—are described as symptoms of despair. For young people there must appear little choice for the future and no opportunity to enter the material world of the broader Australian society or be part of the wider culture of Australia. The obstacles to an Anangu child leaving their home on the AP Lands and making a meaningful life in an alien and unwelcoming culture are enormous.

In 1972, when the South Australian Government's stated Indigenous policy was 'integration' the Minister responsible for Aboriginal affairs, Len King, grappled with the policy dilemma; how to enable Aboriginal people, if they wished, to retain their heritage and maintain a separate cultural identity and at the same time provide the educational opportunities necessary to take an equal place in the wider community. He said that

[e]very effort should be made to ensure that civilized education does not have the effect of educating them away from their own people and traditions. Nevertheless it is inevitable that as the children are educated many of them will reject tribal conditions and practices and particularly tribal conditions...This will undoubtedly produce social difficulties...Government can only aim to ease the pain of the tension which must necessarily develop in tribal societies (quoted in Hope 1983, 282).

One view of this proposition is that the question was wrongly cast and that with genuine self-determination Anangu would make those decisions about their future and would resolve the questions in the same united way that they had dealt with their pursuit of ownership of land. However, by every account the current situation on the AP Lands is unsatisfactory.

The dilemma that Len King discussed remains the same difficult problem that it appeared to be 30 years ago. For most of that 30 years, in the name of self-determination, governments have been able to avoid grappling with the difficult problem of providing realistic avenues for those Anangu who wish to make different choices about their lives, and the even more difficult question of how to do that without losing the connection with their own traditions and people.

The challenge for the Government is to confront the dilemma. The alternative is to persist with the current policies and to provide ongoing diversions for young people and tougher enforcement of the prohibitions on petrol and alcohol and other 'regulated substances' entering the AP Lands. The future will be characterised by the unending provision of diversions and the enforcement of prohibitions. The worst fears of Charles Duguid have come about. There is a real prospect that unless the policy is changed in a way that acknowledges the underlying problems the Anangu will become fringe dwellers on a grand scale—living a life as marginalised as that of the dispossessed people that Duguid observed in central Australia in the 1930s.

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