

The Destruction of Homelander Life-ways

Jon Altman

Genocide and Intervention in contemporary Australia

In *Arena Magazine* No. 82, just on eleven years ago, I wrote about the denigration of Aboriginal homelands in very remote Australia, first by Amanda Vanstone as minister for Indigenous affairs and then by the likes of Gary Johns, then president of the now defunct Bennelong Society, and *The Australian's* news media in their conservative editorialising. I challenged these negative depictions of homeland living as being both emotive and ideological. Deep down, I doubted that such discourse, which ignored inconvenient facts about the relative success of homelands, would gain policy traction. Now, with the benefit of hindsight, I see this discursive assault—a form of symbolic violence—as the harbinger of a project to eliminate the life-ways of the people who live on Aboriginal homelands. This process gathered pace with the Northern Territory Emergency Response (NTER, the Intervention), and I now interpret it as genocidal.

The Aboriginal homelands movement saw the reoccupation of Aboriginal lands by their owners and kin in the Northern Territory from the early 1970s. There are a number of reasons for this jurisdictional concentration, including the late colonisation of the Northern Territory and hence the continuity of strong traditions and links to ancestral lands; the early implementation of land rights laws there; and the earlier existence of a reserves system that allowed Aboriginal people to maintain their distinctive relationships to country and associated economic reliance on wildlife harvesting.

The homelands movement was a rejection by thousands of Aboriginal people of the conjoined colonial projects of assimilation and centralisation at government settlements and mission stations. With the policy shift to self-determination in 1972, people literally voted with their feet and moved to homelands, defined as ‘small decentralised communities of close kin established by the movement of Aboriginal people to land of social, cultural and economic significance to them’.

Homelands, being an unusual form of settlement in ‘postcolonial’ Australia, have been a vexed policy challenge since their reoccupation; they are generally hamlets with small, flexible populations of fewer than fifty people that sit at the very bottom of the size-sensitive Western settlement hierarchy.

In some places—including where I mainly work in West Arnhem Land—homelands are called outstations, but I will use the term homelands here because I want to find a name for their residents, who have been totally absent in policy language, and the term ‘homelanders’ is probably as good as one can get.

All too often in public and policy debates it is far from clear if the focus is on homelands, the places dotted across the landscape, or on homelanders, the people who live at these places on permanent, seasonal or occasional bases.

Indeed, a large part of the reason that both the Commonwealth and NT governments have failed to develop sensible policies for homelands and homelanders since the 1970s is that these places find no comfortable niche in their governmental or bureaucratic machinery. In part this is because this machinery is tuned only to thinking about stable places and populations and not about tiny, remote places with highly mobile populations. Homelanders often live between places, with this ‘in-between-ness’ influenced by minimal service delivery and seasonality.

The only serious consideration of the homelands question was undertaken decades ago by a parliamentary inquiry, chaired by the late Alan Blanchard, between 1985 and 1987. The committee’s report, *Return to Country: The Aboriginal Homelands Movement in Australia*, was a rigorous bipartisan parliamentary inquiry of a type unimaginable today. I made two written submissions and provided verbal evidence as a witness focusing on the economic viability of homelands.

I cannot summarise the report in any detail here. I just note that its overall tenor was positive and progressive; it accurately predicted that homelands would be permanent fixtures on the Indigenous policy landscape and that homelanders would require access to basic services, despite often living in very remote, largely inaccessible locations.

Key recommendations included the need for information about homeland locations and the number of homelanders; appropriate policy-making processes; funding for homelands and outstation resource agencies; support for projects to promote economic independence; equitable access to social security; basic infrastructure—water supplies, housing and transport; and access to education and health services.

The ‘Blanchard Report’ marked a critically important juncture in the history of the homelands movement because it debunked official scepticism about the commitment of homelanders to isolated living. It also recognised that when people were at their homelands they were more self-sufficient, active and productive, and less dependent on income support from the state, than when they lived in larger communities.

The highly informal arrangements that had seen very limited support for homelands were given a greater degree of formality after Blanchard. The newly formed Aboriginal and Torres Strait Islander Commission (ATSIC) looked to implement the recommendations from 1990 in what constituted a

social compact for homelands living. This was incorporated in ATSIC's National Homelands Policy.

Through this policy homelanderers received some service support when living on country, mainly delivered by a network of about 100 Aboriginal (but often white-managed) community-based outstation resource agencies. But, in return for being afforded the right to live in their own places and spaces in accord with their own norms and values, there was a realisation that services would never be delivered to the standard enjoyed by other Australians, especially the vast majority living in metropolitan centres.

The dominance of the Commonwealth government in this area of Aboriginal affairs in the Northern Territory is an issue that the Blanchard Report neglected to properly address. From 1911 to 1978 the Northern Territory was administered from Canberra and was only granted self-government in 1978. At that time a highly irregular deal was imposed on the first chief minister, Paul Everingham, via an exchange of letters with the then Commonwealth Aboriginal affairs minister, Fred Chaney.

This deal asserted that the Commonwealth would retain responsibility for homelands, in the belief that most were on land vested in Aboriginal land trusts under the Commonwealth *Aboriginal Land Rights Act 1976*. It was mainly a strategic response to the anti-land rights stance taken by the Country Liberal Party government in Darwin.

This move annoyed the new NT government immensely, in part because it lost effective political jurisdiction over a large part of the NT terrestrial estate and literally hundreds of small places. A form of policy resentment set in whereby the NT government did as little as possible for the thousands of people living on homelands, overlooking that they were not just among the longest term and most committed NT citizens but also among the neediest. So, while NT departments of education and health made token efforts to deliver services to homelanderers, these were never NT government priorities, let alone serious considerations.

For homelands it was the Commonwealth government that was of primary importance, particularly as it funded (via ATSIC) two programs crucial to homeland living: the Community Development Employment Projects (CDEP) scheme, which provided flexible basic-income support, and the Community Housing and Infrastructure Program (CHIP), which delivered rudimentary infrastructure and some housing, and, importantly, funded the community-based outstation resource agencies that provided service support, development assistance and political advocacy for homelanderers.

With the demise of ATSIC in 2004, government policy shifted quite dramatically from resigned tolerance and limited support for living on homelands to outright intolerance and hostility; homeland living and the social compact on which it was based were suddenly at extreme risk as a policy of 'new mainstreaming' was introduced with great haste and poor planning.

This shift was very clearly signalled in December 2005 by Senator Amanda Vanstone. In her last days as minister for Indigenous affairs, in her poorly informed and offensive 'conspicuous compassion' speech, she raised the spectre of homelands being 'cultural museums' where children would be deprived of educational opportunities and might be 'at risk'. This signalled the early days of the discursive trope

concerned with the safety and well-being of children that would turn into a nasty political art form during the NT Intervention, launched just eighteen months later.

In 2006, just before the Intervention, I published a paper called *In Search of an Outstations Policy for Indigenous Australians*. Using information collected by the Australian Bureau of Statistics and commissioned by ATSIC, I reported that there were 547 homelands in the Northern Territory, with an estimated total population of 10,342, at an average of 19 people per community, almost all in very remote regions.

With the abolition of ATSIC in 2004 I was seriously concerned about the vulnerability of homelands and homelanderers. I was especially concerned by the emergence of the ominous narrative, initiated by Vanstone and now furthered by other powerful voices, that depicted the strength of Aboriginal culture evident in homelands as a barrier to 'advancement to integration' rather than as having positive implications for improving Aboriginal people's livelihoods.

I ended that paper by recommending that it might be timely for the minister for Indigenous affairs to again request a parliamentary committee to inquire into the homelands situation. As it turned out, I was appealing to the wrong minister—Mal Brough, who would later lead the Intervention. There was no serious consideration of my proposal. Instead, a year later, homelands and homelanderers were caught up in the Intervention maelstrom, and the earlier social compact of the National Homelands Policy was obliterated by the Australian government.

While initially, in emergency haste, the Commonwealth focused on the takeover of seventy-three prescribed larger communities, it was subsequently realised that there were more than 500 homelands and up to 10,000 homelanderers in the hinterland. The response to this revelation was extraordinary.

First, after intervening in the Northern Territory using constitutional 'territory powers' because the NT government was assessed as incompetent, three months later the Commonwealth unilaterally overturned the Chaney/Everingham arrangement and handed responsibility for homelands back to the Northern Territory as part of a massive housing and infrastructure deal for townships.

This 'homelands deal' provided \$20 million per annum for infrastructure support for 500 places, but it was contingent on the NT government agreeing not to build any

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houses with Commonwealth funding at homelands. Effectively, the neglect of homelands was ensured and any potential growth stymied. This arrangement was locked in until 2022 by the Gillard government in its Stronger Futures laws of 2012.

Second, homelands became entangled in the new Closing the Gap policy framework introduced by the Rudd government. In this context homelands were always going to be deeply problematic places because gaps, as measured by standard social indicators, are impossible to eliminate in homeland situations.

Having supposedly handed over responsibility for homelands to the NT government, the Commonwealth remained keen to ensure that it extended governmental controls over the homelands. Hence the Council of Australian Governments' National Indigenous Reform Agreement of 2009 states quite explicitly that major investments in service provision are to be avoided where there are few mainstream economic and educational opportunities, which basically means almost all homelands. And there is much reference to the promotion of behaviours consistent with positive social norms, which is code for paternalistically trying to inculcate mainstream Australian norms.

Such sentiments are replicated and stated even more bluntly in the Indigenous Advancement Strategy, with all its evolutionary connotations, introduced by the Abbott government in 2013. The mantra of Tony Abbott, the self-proclaimed PM for Indigenous affairs, simplistically aimed to get the adults to work and the kids to school and to build safer communities.

But such a policy approach has been disastrous for homelands because in a homeland there may be no school and no jobs, and community safety may not be an issue, although if homelands are fabricated in the mainstream imagination as dangerous places then heightened police surveillance can be justified.

There is little room in the current overarching policy framework for Aboriginal people to live on the land using its natural resources to support a distinct life-way based on a high degree of mobility and hunter-gatherer subjectivity—an economic right to wildlife hunting embedded in land rights and native title laws.

A suite of programs, born of the Intervention from 2007 on, have been fashioned for remote-living people. These programs are predicated on centralisation and conforming to draconian rules and

regulations that target Aboriginal people and have especially deleterious outcomes for homelands.

CDEP, which was the income-support foundation of livelihood at homelands, has been replaced by the Community Development Program. This new remote work-for-the-dole scheme requires the jobless to work five hours a day, five days a week in supervised work or training. Self-provisioning in the bush is not regarded as legitimate work or training, so homelands' work effort is forcibly diverted from productive self-provisioning to unproductive make-work. Failure to comply is penalised by loss of income support. This malfunctioning program is more effective in punishing non-compliance than in generating jobs, and it is impoverishing thousands.

Income management administered via the BasicsCard requires half of welfare income to be expended at community stores. It is a measure that means to discipline and reform expenditure behaviour. The BasicsCard is designed to deliver food 'security' and to bypass customary norms of sharing with kin. But in effect it reduces the possibility of Aboriginal people exercising their own food sovereignty in the vicinity of homelands, and increased poverty is resulting in intensification, rather than the intended dilution, of sharing.

Housing policy has focused all effort on larger places—what NT government policies like Working Futures and Homelands Extra term 'Territory Growth Towns' (policy language that has quickly disappeared because there is no economic growth evident at these larger places where administrative attention and financial support have been focused). Conversely, no public housing is being provided at homelands, now conveniently deemed 'private' places.

The School Enrolment and Attendance Measure (SEAM) and the Remote School Attendance Strategy (RSAS) require kids to attend school. If they don't, parents are financially penalised. As many homelands do not have schools, parents need to move to townships to access basic education. There is evidence that providing education at homelands and on country is more effective in increasing attendance.

After the Intervention, policing at 'prescribed communities' was scaled up considerably, ostensibly to ensure 'safer communities'. But for homelands as well as community residents, this increased presence has resulted in excessive policing of drivers, vehicles and guns. Even though vehicles are used mainly in the remote bush, police nevertheless impound cars that are unregistered and unroadworthy, thus depriving people of links to homelands and the means to hunt. Drivers, too, are prosecuted and fined if caught driving without a current licence; the same happens with unlicensed guns, which are impounded. Access to the hunting 'means of production' has declined rapidly.

When the outstation resource agencies that supported homelands were also CDEP and CHIP organisations, they were afforded a degree of financial autonomy and they exercised political power to represent their homeland constituents. In the aftermath of the Intervention these organisations have been effectively depoliticised and silenced and they now increasingly need to work as administrative agents of the state just to survive.

The current suite of programs based on paternalism and punishment is looking to recentralise homelands for surveillance and to reprogram their subjectivities, or life-ways, to match those of mainstream Australians.

And yet there is no evidence that any of this is working.

But the government persists because not to would be to tolerate a refiguring of the state and capitalism to suit homelands' different aspirations. What I have often referred to as economic hybridity or plurality, which includes customary activity alongside strategic engagement with market capitalism, can work better for homelands on country than what is being provided in larger towns or centres, where opportunities to participate productively in the hunting economy are usually limited. Such alternative possibilities highlight the failure of the Commonwealth government's now decade-old project to 'stabilise, normalise and exit' NT Aboriginal communities and to Close the Gap that, according to the government's own assessments, is not closing.

TECHNIQUES OF GENOCIDE IN VARIOUS FIELDS

Field	<i>Axis Rule in Occupied Europe (published 1944)</i>	Australian government rules for homelands 2017
Political	Local institutions of self-government destroyed	Local institutions of self-government destroyed and depoliticised
Social	Abolition of local law and local courts	Abolition of customary law in sentencing and local courts
Cultural	Local population forbidden to use its own language in schools	Monolingual English-only schooling, and punishment for non-attendance
Economic	Destruction of the foundations of economic existence, crippling development	Destruction of the foundations of the homelands economy, crippling development
Biological	Depopulation policies pursued; under-nourishment of parents	Removal of children assessed as ‘failing to thrive’; poverty-linked hunger
Physical	Racial discrimination in feeding; endangering of health; mass killings	Racial discrimination in controlling of expenditure; overcrowded housing; people deprived of traditional foods
Religious	Disruption of religious influences, especially in the field of education	Discouragement of traditional ceremonial life and requisite mobility
Moral	Creation of an atmosphere of moral debasement to weaken the spirit of the national group	Demeaning of norms, values and customary practices, especially of sharing with kin

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Patrick Wolfe and the Settler-Colonial Intervention

Elizabeth Strakosch and Alissa Macoun

But it is also possible that, more sinisterly, this ‘creative destruction’ of the homelands has been motivated within the corporate state by a concern that Aboriginal homelander will get in the way of the unfettered spread of capitalism as imagined in the grand project to Develop the North. A cursory glance at resource-atlas maps shows few mineral deposits on a commercial scale on Aboriginal lands. With major existing mines at Ranger and Gove facing closure and decline, respectively, there are growing imperatives to search for new prospects, and a landscape cleared of homelander would constitute attractive ‘greenfields’.

The historian Patrick Wolfe argued long and hard that the logic of elimination is an organising structural principle of settler-colonial society. But in the project to eliminate the homelands and alter homelander’s life-ways we see something more targeted than his generalisation—something akin to what legal scholar Raphael Lemkin termed genocide.

I went back to *Axis Rule in Occupied Europe* (1944), where Lemkin makes it quite clear that genocide is not just about mass killings but can also occur through the destruction of the cultural patterns of a group. He also noted that genocide has two phases: ‘the destruction of the national pattern of the oppressed group’ and ‘the imposition of the national pattern of the oppressor’—that is, in the present case, violently extinguish the norms of homelander subjectivity and impose the norms of neoliberal subjectivity.

Lemkin outlined techniques of genocide in eight fields in wartime, as summarised in the table above. It is confronting to see how readily one can find almost identical techniques being deployed in the aftermath of the Intervention in peacetime Australia (even though, early on, the Intervention had a military mobilisation) and how readily the programs that I have outlined above transpose into each of the fields identified by Lemkin. I am particularly taken by the similarity between what I have observed in the Northern Territory in relation to the creative destruction of the economic and Lemkin’s observation that ‘The destruction of the economic existence of a national group necessarily brings about the crippling of its development, even a retrogression.

The lowering of the standard of living creates difficulties in fulfilling cultural-spiritual requirements’.

Historians may debate whether a definition of genocide that foregrounds state intentionality to eliminate is a useful heuristic for assessing the past, but I assert that it is useful for understanding the present. Here I concur with Damien Short and his observation that genocide is an ongoing process in an Australia that has failed to decolonise. The impoverishment of homelander, their struggle for physical survival and the growing difficulties they are experiencing in retaining connection to country resonate with Lemkin’s acute theorisation of genocide.

But I do not wish to end with deep despondency, even as I describe the structural, symbolic and everyday violence experienced by homelander in the aftermath of the Intervention.

Indeed, in spite of the best efforts of governments to eliminate the homelands, the only recent information available collected by the Centre for Appropriate Technology and published late last year (after considerable governmental delay) shows that there are 630 homelands still in the Northern Territory, with an estimated minimum population of 4532 and a maximum of 11,174, and it is reported that 70 per cent of homelands are occupied 70 per cent of the time. Some homelander are remaining on country despite all the violence done and the barriers erected by governments.


And there might be some glimmer of hope for push-back, decolonising pathways out of the suite of genocidal programs being deployed. One possibility is to appeal to those sectional state and wider public interests that see value in the homelands as nodes of productive conservation action, carbon farming and cultural

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seen as regime change under the guise of humanitarian intervention. As much as ‘there are good reasons to be wary of unintended consequences that can flow from interventions...[i]f anything, there is a risk that “protection of refugees” will be used simply as a pretext for interventions to serve other ends’. Nevertheless, he goes on to say, ‘armed coercion may be the only realistic tool for confronting certain kinds of threat that refugees face’.

Maley’s discussion of humanitarian intervention stems from a recognition that the current system of closing borders and detaining

refugees does nothing to address the root causes of displacement. Instead, current hard-line policies further compound the situation, forcing refugees to seek out more dangerous pathways as their desperation for safety increases. This book highlights the fact that hardening hearts and hardening borders won’t solve the crisis. Through a historical, political and legal overview of refugee movements, Maley makes a strong case for a change in the way we respond to people seeking safety. *What Is a Refugee?* is insightful, eye-opening and inspiring, leaving the reader with a much clearer understanding of who refugees are, why they have fled their homes, and what we can do to help them. 

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What Is a Refugee?

Asher Hirsch

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passed through parliament even if Labor had opposed them: for all but the first nine months after the 2003 election, the fourth Howard government enjoyed a rare majority in both the House of Representatives and the Senate. Not even the legal system could offer salvation—in 2009 the High Court dismissed a constitutional challenge to the Intervention laws brought by Reggie Wurrildjal, a traditional owner from Maningrida. But at least this action led to the payment of just-terms compensation for the compulsory leasing of Aboriginal land. Today leases generate millions of dollars in payments to traditional owners for the use of their lands by third-party entities, but not by governments for housing estates.

But money is no compensation for the hurt and distress that were heaped on our people by the 2007 Intervention. It continues to blight relations between the Australian government and the Aboriginal people of the Northern Territory. It continues to be raised at nearly every forum of Aboriginal people I attend. The hurt and distress endure; I too feel this.

I have now been CEO of the Northern Land Council for three years. I spend most of my time defending the hard-fought-for rights of Aboriginal people that had previously been secured. This, unfortunately, is the situation for all NT land councils. I didn’t anticipate coming to this important job to spend so much of my time defending long-established rights, and this sadly reflects a regression in relations between First Australians and the Australian nation state. I live in hope that this will change one day soon and that I can secure a future for my children whereby they can walk proud knowing that they are both Indigenous and Australian. 


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industry. While it might be imagined that these activities can be undertaken independently of cultural knowledge and on an expeditionary basis from larger places, in reality people on country with lived knowledge of country are crucial to the sustainability of such ventures.

As when the homelands movement first began, people are looking to generate income for survival in creative ways: tradition is being refigured and deployed for the paid provision of environmental services and for carbon abatement; culture is being marketed for cash; and people are garnering meat any way they can, including via the culling of feral animals. Some might even find the means, with philanthropic support, to privately fund their homelands.

Politically, and with the critically important assistance of representative organisations like land councils, community organisations and civil society, homelands might mobilise domestic or international law to counter the attempt to prise them from their homelands. Such action by governments constitutes a form of structural violence and human rights abuse that is counter to a number of international conventions, including the UN Declaration on the Rights of Indigenous Peoples.

In 1987, some thirty years ago, *Return to Country* looked to open up possibilities; it was not fixated on delivering neoliberal sameness but saw potentiality and benefits in difference and alterity. The challenge today, after ten years of the Intervention, is to ensure that the homelands way of life is not obliterated and to leave open options for plurality.

It is possible that the struggle for alternative ways of living on country, a form of economic hybridity predicated on the maintenance of hunter-gatherer subjectivity and practice, might constitute an economic formation of value for survival in an increasingly uncertain and unpredictable world. There may be emerging avenues for homelands to build alliances with others living precariously and so be part of a wider struggle for economic, environmental and social justice. 

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