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Maturing Australia through Australian Aboriginal Narrative Law

This story e can listen careful
And how you want to feel on your feeling.
This story e coming through your body
E go right down foot and head
Fingernail and blood . . . through the heart
And e can feel it because e'll come right through.
— Bill Neidjie, *Story about Feelings*

Introduction

Eduardo Galeano suggests that one writes to try and answer the questions that buzz around in one's head like obstinate flies; furthermore, he defends his right to address the topic of political economy as though he were writing a novel.¹ As a defender of the narrative law of the Australian Aboriginal tradition, I will also attempt to answer the questions that buzz around in my head by taking the reader on a journey through discourse and story to discuss the topics of Indigeneity, sovereignty, and the law.

I have spent the last twenty years paying close attention to the great legal narratives that crisscross the continent of Australia. Through reading, listening to, and observing the landscape from which the narratives emanated, I have learned the principles, the values, and in some

cases the norms flowing from the antiquity of human existence on this continent—this lineage has produced a sophisticated and cultured people, a high civilization. These narratives and their authors have brought life and law to this land. Most important, the dramas within the narratives offer a message. On a mundane level, they warn us constantly to be vigilant regarding lawful behavior as a prerequisite to survival in this land of extreme floods and drought, especially in light of the vagaries of human nature. At the same time, at the profane level, they tell of a powerful energy that vibrates across the continent and interlinks the species—be they human or other—with the magnificence and unique biodiversity of this country. This close observation suits my Indigenous jurisprudential nature, for I am interested in the great narratives that make up the theories of the different realities of the peoples of the world. Within these great narratives lie the identity, notions of sovereignty, and law of the peoples.

The Nature of Australia and Its People

There is another legal narrative crossing this great southern land, that of “the other”—the Australian. The Australian in general is a descendant of convicts and their keepers from the Northern Hemisphere. The founding myth of the invaders is therefore one that endorsed the “law of theft” and allowed the subsequent invaders to call themselves settlers and colonists, moving to the rhythms of the Northern Hemisphere, rather than accepting the reality of being in the Southern Hemisphere, the existence of the Aboriginal people and their legal systems, and most important, the reality that the land was their responsibility rather than their right.

But then I ask how can people who come from such young cultures as those of Europe comprehend the sophistication of a continuous culture that goes back more than sixty thousand years? To be truly “of the great southern continent” a newcomer needs to engage with the ancient history of the continent through the intellectual traditions of one or more of the two hundred clans in language, song, dance, and localized common law. Otherwise, newcomers are forever grafting themselves onto a landscape about which they have no real historical understanding, let alone a sustained relationship with, other than as a pit from which to extract resources to sustain the consumer lifestyle of the coast-bound capital cities. In other words, they are devoid of stories from the land. The land is silent, mute to their efforts, belligerent in its continued extremes of flood and drought.

And so it is not surprising that, as a collective, newcomers take no

responsibility for their role as a major supplier and beneficiary of the global sales of the deadly pollutant coal. Nor do they comprehend that human rights abuses are not solved by “throwing money at the problem.” And that is why Australia needs a more mature voice to explain its responsibilities as a global citizen.

Of the South

The reluctance of the newcomers to accept “outcast” status as boat people forever moored on the shores of the continent “down under” goes deeper in my opinion, for not only have they found themselves shipped off to a “dark and inhospitable” continent filled with hostiles, but they eventually have come to realize that their closest neighbors were also “natives of the south” who appeared to be diametrically opposed to European values and “law of theft”—that is, that mindless habit of the empires of the past of raising flags and assuming all was good for one and all, even if it took a few massacres to convince the local population.

I have found that average Australians try to forget that they are surrounded by “native nations,” our closest neighbor being Papua New Guinea, where the bow and arrow still tries to defeat Australian mining interests. Close by is East Timor, that blight on Australia’s courage to defend not only the poor of Timor but also to protect its own journalists whose killing by the invading Indonesians was covered up.² To the east are the wayward Melanesian nations such as Fiji, which dare to question Australia’s interference in their domestic politics. But perhaps more disturbing is that these wayward nations appear still to value land and kin over profits from selling prime real estate to cater to the Australian tourist fetish. The closest of these wayward nations is actually the French territory New Caledonia, whose Indigenous population is determined to dismantle the colonial rule that still thinks poverty is an Indigenous problem, while the so-called settlers live off the profits of the nickel mines that pollute much of the island. Hanging way down in the southeast is Aotearoa, trying desperately not to let its United Nations–savvy Māori take over the white man’s beloved New Zealand. Off to the distant west and across the Indian Ocean lies the island of Madagascar, protecting the Australian from the reality of the great dark continent of Africa. To the south thankfully only the *Happy Feet* penguin clan resides, for the thought of another Native nation would indeed plunge Australians into even deeper denial.

Australians are therefore in desperate need of some direction, help

that goes beyond the reading of the map and an acceptance that Australia's nearest neighbors are not technology-savvy Asians or affluent Europeans but rather nations suffering from the climate pollutants from Australia's industry and its patronizing attitude toward cultural differences. The Pacific nations know they are in the Southern Hemisphere; only Australia fantasizes about the north (and perhaps New Zealand, when it is not thinking in Māori).

But I do not lay this state of affairs fully at the feet of the Australian, for I think that Indigenous peoples of this continent, be they Aboriginal or Torres Strait Islander, also have a responsibility to educate these recent arrivals.

Theory

For far too long, I would argue, the Indigenous have also looked to the north and given the West the privilege of theory, as though real power in their lives lies in theory. But what is theory? I understand theory as nothing more than a story. Just as history is the story of the victor, not the defeated, so theory is a story that elucidates a people's sense of self. Like all stories, it is a matter of how much power it is given. So when reading a theory, one must ask, does this story tell me who I am?

Indeed, the theories coming from the north are usually written by privileged white European males who provide theorems that justify their era's economic avarice. The educational paradigms that support such avarice appear to worship the mantra, "I think, therefore I am." The never-ending critique of such mantras finds the Indigenous actually identifying themselves as "oppositional" rather than moving beyond such narcissism. I read little of mantras that reflect Kombumerri intellectual Mary Graham's assertion, "I am placed, therefore I am."³ Nor do I read of stories of theory that come out of our own ancient traditions such as those offered by First Nations theorist Taiaiake Alfred and his "Indigenous manifesto."⁴

A Tale for the Consumer

But while the Indigenous would appear to be trapped in an intellectual duel with the "I am," some of the descendants and in particular the youth of the "I am" appear to no longer adhere to such narcissistic theories and are calling for a new story, one that gives them a sense of place on a viable planet.⁵ There is a call to "unthink, rather than rethink," as Immanuel Wallerstein has long argued, the theories of the Northern Hemisphere.⁶

Therefore, let me unthink and turn to a didactic narrative. What better than that of the European story “The Emperor’s New Clothes”? This is indeed a tale for our times, as the spin doctors of corporate greed have led us all on a merry chase of hedge funds and promises of “virtual” gold, all nicely wrapped up in our superannuation funds. Will it be the youth of Europe who will call out to the governing systems that their world is morally naked and devoid of substance, that the virtual economy and reality will not feed a future generation or provide a moral compass when the future is washed away by dramatic shifts in climatic conditions and the rise in ethnic tensions over moral standards? Just as simplicity provides access, the simple tale of “The Emperor’s New Clothes” offers latitude in its application—latitude that extends to the Indigenous of Australia.

Incorporation

The arrival of the spin doctors with their promises of a cut of the golden pie of development and a healthy future for Indigenous children has been embraced by many of the media-crowned Indigenous leaders. Of course, the definition of “a healthy future” is based on another of those universalist “truths” shaped by the dominant culture’s economic aspirations in pursuit of consumer happiness, rather than by a relationship to land. The vehicle for the spin is the incorporated body. Yes, Australia’s Indigenous people have faithfully followed the path of their younger siblings and littered their world with Indigenous corporations, offering the same spin as that presented by the global corporations and ignoring the externalities of the rise in the middle class but the continued rates of poverty and disadvantage of the general Aboriginal population.⁷ The spin offers Indigenous people a slice of the corporate pie, but the price is conformity to the “rage for order.” As Eric Cheyfitz has observed regarding the Western psyche, it is the concept of the rage for order that best captures the deep-seated “terror” within that psyche.⁸ I would suggest that this rage for order permeates our Indigenous corporate thinking and manifests our future within policy prisons.

Just as business corporations began as minor institutions aimed at “doing good” for the community but grew to overshadow the previously dominant structures such as monarchies, national states, and global religions, Indigenous corporations, such as those that facilitate economic development and cultural maintenance, are following a similar trajectory and are slowly taking over the running of the Indigenous world and assimilating self-determination into an Indigenous version of the original U.S.

business model.⁹ Our Indigenous incorporated bodies are given a narrow legal mandate, just like their predecessors, but how long will that last as we educate our children on the educational paradigms of the consumer society? They want development—sustainable development—based on the regulatory codes of an unsustainable legal system. Furthermore, these corporations set themselves up as cultural guardians—experts in “cultural competency,” or whatever the government’s latest indicator of Indigenous identity may be—and therefore as worthy of funding. In their rush for validation by the government and that slice of the resource pie, Indigenous economic and cultural corporations have failed to notice that they are modeling the standard corporate shape in an attempt to be “counted” as part of Australia’s future. Rather than being critical of the desire to be counted, they focus on the safe zone of the human rights and native title debates. In turn, those negotiating and engaging in such “acceptable” debates seek a seat at the table of negotiation rather than examining the validity of the situation. And so our identity, notions of sovereignty, and law are being shaped by these seemingly benevolent economic and cultural corporations, which in turn reflect the business model, which has fostered the ecological denigration of the earth and the appropriation of Indigenous knowledge. Why is it that we cannot develop our own shape of governance? After all, we have been discriminated against for more than two hundred years and have had time to think these things through.

Identity

If I take the concept of identity as an example, it never ceases to amaze me how Aboriginal Australians declare that their best and brightest are those who have become experts in Western educational paradigms. They never say the best and brightest lawyers are the senior law people of the Aboriginal tradition. Nor do they recognize their healers as the brightest in the medical field. The ideal role models for our youth are sportspeople, not Aboriginal people who care for the land and are expert hunters or gatherers with an abundance of ecological knowledge. There are no award ceremonies or media highlights when it comes to the achievements of these skills; only those talents that assimilate our people into glowing examples of the consumer society are celebrated. Our paradigm for success and healthy communities is modeled on the aspirations of a consumer society, with a dash of social justice thrown in for good measure. Yet we declare that we should manage our own affairs through self-determination and autonomy.

The more sarcastic members of my community believe these consumer-culture high achievers are in fact the professional cleaners of the mess the consumer society leaves behind when it tries to regulate a people whose whole focus is caring for the land. This is an unkind thought, considering the sacrifices such professionals make to achieve their successes.

Sovereignty

Turning now to sovereignty, the “convict administrative” culture of Australia happily grants a semblance of self-determination to Aboriginal peoples, while it also provides regulatory control based on a profit/development imperative, the latest manifestation of this being the new National Congress of Australia’s First Peoples, which to a degree will be overseen by an ethics committee that I argue will fulfill that rage for order in the policy prisons. We are told that this body comes from the ground up, but it is trying to legitimize itself through another law rather than offering its own legal structures. Furthermore, the overview ethics committee will fulfill the rage for order’s need to keep the national congress honest and so take the place of the missionaries, overseeing the moral fiber of the native attempts at self-governance. This will occur unless ethics committee members, such as Mary Graham, who is attempting to write a brief for the ethics committee, can influence the role of the committee and ensure some semblance of Indigenous principles and values.

The Law

To typify the Indigenous law, I turn to a legal narrative from my grandfather’s country. This is my version of the story; each Munaljarlai clan member has his or her own version, which in turn shows what he or she has learned from that narrative. The narrative, like “The Emperor’s New Clothes,” offers a warning about being seduced by easy solutions.

A Two-Dog Dreaming Story

I was told once about these dogs, great hunting dogs they were.

Not just ordinary dogs, hang around the camp types,

no these dogs were different—magic dogs!

They say they even saw one of those dogs down on the Coast. A big black dog with red eyes. But I don’t know for sure. Only old grandfather Bilum Bilum

would know that. He was a clever man, knew all those old stories, law stories. Those law stories that weave us all together. But those dogs they had magic because they could hunt anything they wanted. They made that hunter happy. They would catch an animal, bird or fish and bring it back to the hunter. That hunter he was a big strong handsome fella, he came from down south . . . made his way up the coast and up to the mountains and there he stood looking out over what was the beautiful hilly country of the ol' people. That's before they got silly and got wiped out. And this is how it happened. This is how all that land got flattened out, Yeah it lost all its lovely hills and pretty trees and so just became hard baked land. It happened all of a sudden. I've been told this happened in other places. Maybe everyone got silly at the same time, so they all got wiped out. That big handsome hunter was standing there looking out and watching for honey bees, he loved that sugar bag. That's another story how he found that sugar bag but I am not going to tell you that story. I am going to tell you this one about those dogs. Those dogs saw a big guraman, that's a kangaroo, they chased after the guraman and before you knew it they had disappeared from sight, so the hunter didn't take much notice, he was just looking for those bees. But what about those dogs, yeah, those dogs. They chased that guraman so fast that it had to pull up some of its magic and it hopped even faster and saw up ahead a lagoon, that was the Ilbogan lagoon in Bilum Bilum's country. When that kangaroo saw that lagoon he jumped straight into it and turned himself into a warrajum. That's a water spirit, real special one. Makes that water, sweet water, special water. But those dogs, what about those dogs, yeah those dogs. Well they got mad at themselves for losing that kangaroo and so they didn't see those lazy young fellas coming along. They were supposed to be hunting but you know young fellas, any chance to sit down and tell stories about girls instead of hunting. And sure enough they thought . . . hey let's catch those dogs then we don't have to do all that hard work huntin'. So they set a trap and caught those dogs and took them back to their camp and ate them up. Real good they were. Stupid fellas eating magic dogs! Well that hunter he knew his dogs had been eaten, he knew something bad had happened to them. He felt it on his skin, cause it started moving real bad right near his elbow.

So he went looking for those dogs and found them. He found all those bones those lazy fellas had left in the campfire. He took those bones and made a special place for them up in the mountains. You can see that special place for miles all around. I like looking up to that place where those two rocks poke up looking like dogs watching me down on the coast. Makes me feel special. But what about those fellas that killed those dogs?

Oohh that was bad and that hunter made sure they were dead.

Then he did something that killed all the people. He changed that land with his magic, he made it all change, just in one day. With his magic he flattened that place out real flat and made that land real hard and black.

That's now Munaljarlai country. That story reminds my Granddad's mob to be careful and follow the law, otherwise the land might suddenly change overnight. A wipe-out can happen any time.

It happened before and can happen again. That's why we tell this story.

To remind people, stay straight with the law.¹⁰

I will now turn to another legal narrative that is traveling the land, one that will cross the globe and herald the fundamental freedoms for Indigenous peoples. The question that buzzes around in my head, however, relates to the messenger who appears to be what some might see as a Harvard Law School hunter/warrior, and therefore brings a message that suits Western law.

The Coming of the Apache

The arrival in Australia of James Anaya, the UN special rapporteur on human rights of Indigenous peoples, in 2009 was meant to be the Australian government's indication that it intends to "put the law straight" and rectify any misdeeds relating to the infringement of the human rights and fundamental freedoms of its Indigenous peoples. I therefore wish to examine the role of this special rapporteur and ask about the story that surrounds him and why he came alone.

James Anaya is an Apache/P'urhépecha man, educated at Harvard Law School, who is a professor of human rights law and policy at the University of Arizona. Indeed, Anaya would appear to have all the necessary intellectual credentials to carry out his role as dictated by the rule of law.

Conversely, from my exploration of the jurisprudence of the narrative law, I cannot help but view this hardworking professor as an Apache and a descendant of a stoic people. His forebears are people like Lozen, Victorio,

Geronimo, and Massai, who had no intention of leaving their lands willingly and no intention of staying away; their return—be it in this life or the next—was a certainty. So before us stands this compatriot of Geronimo, albeit a few generations later. I would therefore suggest that Anaya is just picking up from where Geronimo left off. This time, however, the tables have been turned: it is not the Apache who are being brought in to stand before the law but rather the Bluecoats and their colonial allies. But is there a catch in all this Bluecoat justice?

That Apache Story

They say that Apache came to our land on the back of a big iron bird.
 He came they say to tell tales;
 they used that French word *rapporteur*.
 Seems it means to tell tales.
 What kind of tales is he going to tell—
 tales of sadness, tales of abuse.
 Just as well he is related to that Geronimo;
 you need the guts of Geronimo to be able
 to hear all those stories.
 You know when stories get in your head,
 you can't just forget them.
 They start working on your inners,
 they go deep inside of you.
 Hope then that the *rapporteur* has got the
 blood of Geronimo running through his veins;
 otherwise he is going to be a very sad man for
 a long, long time.
 Do you think they care if the stories damage that Apache?
 Suppose not, why would they care? He is only telling tales.
 Bad tales, bet they don't really want to hear those tales.
 Yeah, bet they know how not to listen to those tales.
 They don't want to get sick. Smart fellas they are!

In light of the ratification of the UN Declaration on the Rights of Indigenous Peoples, Indigenous Australians should feel empowered to unthink the imposed structure and reintroduce their traditional governance systems or aspects of those systems. But does the declaration, or the subsequent special *rapporteur* of those rights, actually provide that leadership or guidance as a role model?

“Where Is the Woman?”

Contemplating the declaration, I cannot help asking whether he also should be accompanied by a woman. If this were an Indigenous legal undertaking, there would be a woman listening to “tales” from women, for there is an important jurisprudential balance that goes beyond gender issues to that of the antiquity of understanding human nature.

So I ask again, where is his Lozen? After all, the highly prized guerilla war tactics of Victorio and Geronimo were nothing without Lozen’s ability to listen to the voices of the land that would tell them the direction from which the U.S. soldiers were coming. As I argue in *The Land Is the Source of the Law*, women are the voices of the land, and in turn, they guide men to political action.

In relation to the male orientation of public discourse, Paula Gunn Allen asserts:

Strange things begin to happen when the focus in American Indian literary studies is shifted from a male to a female axis. One of the major results of the shift is that the materials become centered on continuance rather than on extinction. This is true for both traditional tribal literatures and contemporary poetry. . . . The shift from pessimism to optimism, from despair to hope is so dramatic that one wonders if the focus on male traditions and history that has characterized the whole field of American Indian literature and lore was not part of the plot to exterminate Native Americans.¹¹

Allen suggests that we be mindful of this difference, and in such cases as the coming of a UN rapporteur, it is no surprise that he brings back stories of death and abuse, tempered with some stories of how well the Indigenous have assimilated with their alcohol programs or other programs dealing with issues that plague communities—as though there is only one kind of success, rather than a community becoming energy self-sufficient or native food self-sufficient, or teaching children how physics and traditional stories have much in common. Rather, the focus is on the constant recovery. As Graham notes in her community consultancy role, we are constantly recovering from colonialism. We teach our children that they are in the postcolonial period, yet the statistics show no signs of recovery or moving beyond colonialism.

The rapporteur commends constitutional inclusion, yet he does not seem to register that this is a men’s story—a nation’s mythical beginnings in which men dreamed up their own ideas of what the nation should stand for. In this story, women were still in the background of these founding

myths. I would not want to see the Indigenous peoples of Australia put into the background in the founding constitutional myth of Australia. I would therefore suggest that the UN rapporteur should be accompanied by a rapporteur of hope, a woman whose brief does not fit into the male-structured reporting system but is designed and based on Indigenous global values—which would achieve a similar function. That is the balance of two equals.

The Watchers Who Witness

In his speech at the United Nations Association conference in Brisbane in 2009, his preliminary findings on the situation in Australia, Anaya recommends that it is up to Australian Indigenous peoples to make the declaration work.¹² I would ask how it is possible to work with a legal system and people who seem oblivious to their appalling record of breaking treaties. There would be no need for the declaration if the so-called developed nations—especially the gang of four, Australia, New Zealand, the United States, and Canada, who originally voted against the UN declaration—knew anything about lawful behavior. Instead, I suggest a legal pattern based on the classical thinking of two senior law men (SLM) of northern Australia: SLM David Mowaljarlai of the Ngarinyin peoples of North Western Australia and SLM Bill Neidjie of the Banitj clan of Arnhem Land.¹³ I will just add that there are very few accounts of the “thinking” of senior law people in Australia; rather, it becomes railroaded into the accepted “oral history,” that is, Australians want to read about the trials and tribulations and the hero’s venture, not the law of the land and how it manifests and still governs these peoples’ lives.

Mowaljarlai asserts that the dominant culture is built on economics, while Aboriginal cultures are built on art—that is, the law is depicted through the aesthetic nature of the land.¹⁴ To Indigenous Australians, symbolism holds as much legal validity as mathematics does for the laws of physics—perhaps that is why these laws have more in common with each other than with the Western legal codes. Mowaljarlai states that the law was called the Wunnan system, the law of sharing—that is, a jurisprudence of relationship and witnessing each other’s behavior. This model reflects many of the basic legal principles and values found across Australia and in other Indigenous legal systems across the world. He encouraged members of the Australian judiciary to attend his “bush” university in the far north-western Kimberley region of Australia to work with him toward a new law, a new relationship, a new Wunnan system.

I propose my own understanding of what Mowaljarlai was trying to

achieve. However, in conjunction with the Wunnan legal system, it is also important to explore the concept of the watcher, which Neidjie discusses.¹⁵

The Watchers

We sitting on top that Djang
 You sitting on this earth but something under,
 under this ground here.
 We don't know. You don't know yourself,
 I don't know myself but that story
 —Bill Neidjie, *Story about Feelings*

As one of the traditional custodians of the Kakadu National Park World Heritage Area, Neidjie writes about the watcher and stresses the need to be ever vigilant of the Djang, a primordial energy that manifests itself in varying stories across the land. The essential element of this energy is that it must not be disturbed, as it will have consequences that could bring earthquakes, hurricanes, or disease. In the 1980s, Neidjie warned mining companies that they had to consult with Aboriginal people before mining a site to ensure it did not impact the Djang. In this way, Neidjie shares his ancient understanding of how the earth's energies are interconnected. Therefore, one of the fundamental roles of Aborigines can be said to “watch” the land. The law of sharing and the concept of watching the land are both principles found in Indigenous jurisprudence, and therefore, the following structure should not be seen as novel but rather as something to ponder and use innovatively. I will now contextualize this model into the Australian context.

Governing Australia

Basically, all governance systems in democratic societies are structured in a binary relationship of one political party or house witnessing the behavior of another. The intention is for the behavior of the ruling party to be monitored by the other party on behalf of the people. However, it is a truism to say that Western political parties in general have become homogenized and tend to be dominated by an elite decision-making executive or cabinet. Therefore, minority rule would seem to be normal, and as the resources of the world are predominantly used and owned by the minority of people, it would not be out of order to suggest incorporating the minority Indigenous people into a balanced governance relationship with the ruling party.

To expand this suggestion, Indigenous creation stories often denote a coming into being of two significant figures or tribes. Indigenous Australians have a moiety system in which one moiety witnesses another—such as the well-documented system of Yirritja and Dhuwa in Arnhem Land.¹⁶ The overall worldview was the same, but the way in which it was manifested was different, ensuring a diversity that avoided homogenization. This diversity of approach to the naming of and caring for a single tract of land allows for innovation and appreciation of difference within the same space. Such political sophistication indicates it was created by a very civilized people who were able to accept difference, including ritual difference, but at the same time manage the complexities of conflict.

Thus, this structure should be considered as a means of allowing Indigenous peoples to make a significant contribution to the governance of the country without having to replicate the current governance system, which is leading to climate devastation and further inequality between the rich and poor. I propose a binary system in which the invader government would be “watched,” rather than critiqued, by an Indigenous gathering of senior law people.

The watchers are chosen for their “otherness,” not their proficiency to adopt the behavior of the dominant culture, as is the case with Aboriginal representative bodies. The watchers would need to demonstrate a sophistication of thought coming from an intimate knowledge of the ecology and the legal narratives that have been abundant in this land since its creation. This kind of knowing comes from languages other than English. For example, physicist David Peats has worked with Native Americans and has come to learn that reality is a “verbal” flux, not some “noun-bound” reality.¹⁷ These people would have their eye on the bigger picture—the disturbance of the Djang—rather than, say, the delinquent behavior of a politician or a thorny budgetary issue. The watchers would focus on the Australian psyche and its continued belief that the digging up of its backyard for its resources will save the people from the ravages of the global economic downturn.

Many Australians believe that the continued pollution of the air through the use of Australian resources is not our problem. We just profit and then scheme with other First World nations on how to impose a carbon tax on “user” nations. Many Australians think they have no moral responsibility for the loss of life and habitat caused by the production and distribution of coal. Then again, what can we expect from the Australian nation,

which sees itself as the watchdog of the Pacific but at the same time is its biggest polluter?

The watchers therefore must provide a wisdom that is untainted by the need to “develop” in order to justify the existence of a civilization. In other words, the watchers give people a chance to consider their future beyond information, party politics, and corporate interests. The reasoning behind such a structure is that First World youth are so saturated with information and broken political promises that they are numb. This is a dangerous situation, as youth need guidance and meaning in life to connect them back to the planet, not some *Star Trek* frontier that leaves behind any responsibility for the mess left back down on earth.

Some may immediately cry: “But who will listen? They have no power, no teeth!” Yet that is the point: it is not about empowering anyone; instead it is about offering Australia’s people an alternative voice to the problems we all must face now and in the future. After all, there are many Australians who have no desire to be part of the abuse of the land. Moreover, a mature voice does not judge its effectiveness by how many people “tune in” or “vote” but rather how incremental changes occur over time. People have a free choice about whether to come and listen. And perhaps that is the beauty of the philosophical sophistication of the Australian Aborigines: they know that one day everything returns to the earth, including civilizations.

Notes

- 1 Eduardo Galeano, *Open Veins of Latin America* (New York: Monthly Review Press, 1997), 266.
- 2 *Balibo*, dir. Robert Connolly (South Melbourne: Footprint Films, 2009).
- 3 Mary Graham quoted in Debra Bird Rose, *Reports from a Wild Country: Ethics for Decolonisation* (Sydney: University of New South Wales Press, 2004), 189.
- 4 Taiaiake Alfred, *Peace, Power, Righteousness: An Indigenous Manifesto* (Don Mills, ON: Oxford University Press, 1999).
- 5 Weibke Keim, “Social Science Internationally: The Problem of Marginalisation and Its Consequences for the Discipline of Sociology,” *African Sociological Review* 12.2 (2008): 22–48.
- 6 Immanuel Wallerstein, *Unthinking Social Science: The Limits of Nineteenth-Century Paradigms* (Cambridge, MA: Polity Press, 1991), vii.
- 7 See, for example, the Office of the Registrar of Indigenous Corporations, www.orac.gov.au (accessed February 20, 2010).
- 8 Eric Cheyfitz, “Balancing the Earth: Native American Philosophies and the Environmental Crisis,” *Arizona Quarterly* 65.3 (2009): 140.

- 9 *The Corporation*, dir. Mark Achbar and Jennifer Abbot (Vancouver: Big Picture Media, 2003).
- 10 C. F. Black, *The Land Is the Source of the Law: A Dialogic Encounter with Indigenous Jurisprudence* (London: Routledge-Cavendish, 2010).
- 11 Paula Gunn Allen, *The Sacred Hoop: Recovering the Feminine in American Indian Traditions* (Boston: Beacon Press, 1994), 262.
- 12 James Anaya, guest speaker (United Nations Declaration of the Rights for Indigenous Peoples Conference, United Nations Association of Australia (Qld.), Brisbane, Australia, August 28, 2009).
- 13 David Mowaljarlai and Junta Malnic, *Yorro Yorro* (Broome: Magabala Books, 1995); and Bill Neidjie, *Story about Feelings* (Broome, Austl.: Magabala Books, 1998).
- 14 David Mowaljarlai quoted in Peter Collins, "The Gift: Profits v. Prophets," *Conscious Living*, July 1996, 5.
- 15 Neidjie, *Story about Feelings*, 81.
- 16 Jennifer Isaac, *Wandjuk Marika Life Story* (Brisbane: University of Queensland Press, 1995), 20.
- 17 David Peats, *Blackfoot Physics* (London: Fourth Estate, 1995).