

FIFTY YEARS OF THE ABORIGINAL MOVEMENT IN LUTRUWITA/TASMANIA AND SOME REFLECTIONS ON THE NEXT FIFTY YEARS

by Heather Sculthorpe

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PREFACE

This paper is from a lecture presented by Heather Sculthorpe to the Royal Society of Tasmania on 4 August 2024. The address was delivered on Aboriginal land at Piyura Kitina/Risdon Cove and attended by a large audience of RST members and the public. This paper has been published with the author's permission.

ABOUT THE AUTHOR

Heather Sculthorpe has dedicated her life to advocating for the rights and well-being of Tasmania's Aboriginal community and her name is synonymous with strength, resilience, and unwavering commitment to justice. Heather has been a formidable advocate for the recognition and respect of Aboriginal rights, tirelessly working to ensure that the voices of her people are heard and valued. Throughout her career, Heather has played a pivotal role in various initiatives aimed at addressing the injustices faced by Aboriginal communities. Her work spans across education, health, and social justice, impacting countless lives and inspiring many to join the cause.

In 1982 Heather Sculthorpe became the first Tasmanian Aboriginal to obtain a Law Degree from the University of Tasmania. She also has an Honours Degree in Law, an Arts Degree, a Graduate Diploma of Environmental Management and is a graduate of the Australian Institute of Company Directors. Heather established a career in the administration of Tasmanian Aboriginal organisations and in 2016 was appointed Chief Executive Officer of the Tasmanian Aboriginal Centre, a position she still holds at the time of this lecture. In 2016, in recognition of her outstanding achievements, Heather was listed on The Australian Women's Register.

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ACKNOWLEDGMENT

Remember with me please the Palawa men, women and children who lived their lives on these lands before the English invasion. Remember the Mumirimina who spent time at Kangaroo Bay, down river in this same landscape, on the outskirts of the emerging town after they were pushed off their land in this very spot and some of whom were later executed in the town goal in Macquarie Street, Hobart.

EARLY WORK OF AIS AND THE TAC

The Tasmanian Aboriginal Centre is an Aboriginal community organisation developed in the early 1970s and funded by the federal government since 1973. It was incorporated as the Aboriginal Information Service (AIS) in November 1973 and changed its name to Tasmanian Aboriginal Centre (TAC) in August 1977. Health and housing were the big needs of the Aboriginal community in the early days of our organisation's existence. Infectious diseases, especially among children, were a significant focus of our work. We weren't funded for that of course. The Social Welfare Department knew best and they decided a 'homemaker service' was most needed for the families removed from Cape Barren Island and relocated into substandard housing in Launceston, Burnie and Hobart. Much of our early work was voluntary and it wasn't until 1973 that we obtained Commonwealth funding for a legal service.

The TAC has become a major provider of services to the Aboriginal community as well as being at the forefront of the political movement for Aboriginal rights. The Centre is now a registered charitable organisation, a registered Training Organisation (the only Aboriginal RTO in the State), a major employer of Aboriginal people with over 200 staff, about three quarters of whom are Aboriginal, and the leader in Aboriginal language and repatriation efforts. The TAC has premises in six locations around the State with workers outposted to the Furneaux islands. Our

programs are far ranging spanning across social, economic and environmental issues and include:

- General Practice clinics and Aboriginal Health Worker programs around the State,
- A counselling service,
- On country well-being programs,
- Parenting programs,
- Youth service,
- Early childhood development and an Aboriginal Children's Centre,
- Illness prevention and health education programs,
- Family support program,
- Liaison with child safety services on the wellbeing of children to keep them out of State care,
- Supporting Aboriginal children in care,
- An Aboriginal language retrieval and community education program,
- Management of returned Aboriginal lands in six locations under the Indigenous Protected Areas and Working on Country programs,
- The development of a Sea Country program centred around the Furneaux islands,
- Repatriation of ancestral remains and cultural objects,
- A native food catering and awareness program,
- Aboriginal tourism projects,
- A junior ranger program designed to engage school students in Aboriginal cultural and land matters recently funded in only three locations,
- An Aboriginal skills and employment program just getting underway,
- A suicide prevention program,
- Hearing health and good use of medicine projects,
- Development of a family violence awareness and prevention program,
- Substance abuse prevention and recovery programs,
- Vaccination and screening programs,
- Hepatitis C awareness and treatment,
- Foetal Alcohol Spectrum Disorder awareness project in development,
- Advocacy and referral services.

The TAC is also the Tasmanian representative body on the National Aboriginal Community Controlled Health Organisation (NACCHO), on the national body for the protection of Aboriginal children (SNAICC Board) and the Coalition of Peak organisations for *Closing the Gap*.

While there has been significant growth in the services provided, some important programs have been lost. We no longer have an Aboriginal school that we once operated at Piyura Kitina /Risdon Cove or the significant Aboriginal Legal Service that we operated for 40 years. This legal service was lost when Senator George Brandis re-allocated the funds to Victoria and the State Attorney General Archer later gave funds to a conglomerate more amenable to the Tasmanian government. However, our endurance and lasting success are due firstly to the support of the Aboriginal community, to the priority we have always given to financial probity

which has allowed us to withstand political attacks, and, in no small measure, to the support we receive from the wider Tasmanian community.

It is sometimes alleged that we care more for money than anything else and that we've become too big. I consider our Aboriginal services to be the equivalent to the Aboriginal community as the public service is to the general community – apart from tertiary services like hospitals – so it's impossible for us to be too big especially when our needs remain so high. I certainly consider the TAC to be different from the recent spate of organisations which managed to secure registration with the Commonwealth Office of the Registrar of Indigenous Corporations ORIC with the consequence that they are now ensconced as Indigenous Corporations even though some have few Aboriginal members or directors. For example, in June 2023, the Land and Sea Aboriginal Corporation Tasmania had 6 Directors and 10 members (<https://register.oric.gov.au/document.aspx?concernID=4555544>) yet this is the organisation that the Tasmanian government gave an abalone quota said to be for the Tasmanian Aboriginal community but refuses to supply our native food business with nitipa/abalone.

I'm emphasizing that there is a huge gulf between organisations registered as Indigenous and those responsible to a large community of Aboriginal people and governed by Aboriginal people.

NON-INDIGENOUS SUPPORTERS

A theme that runs through the history of the TAC, and especially in the early days, was the support of non-indigenous people, including white professionals. Reverend Jim Colville for example was an early supporter of the Aboriginal community by helping those in need, well before his *Colony 47* organisation became corporate. Dr David Evans from the Commonwealth Health Laboratories in Battery Point helped Aboriginal people with medical advice although this arrangement existed only in Hobart and was limited in extent. And then of course there were lawyers like Professor Derek Roebuck and Pierre Slicer, later Judge Slicer, both of whom had communist affiliations and were strong defenders of political freedom. The Communist Party of Australia was quite influential throughout Aboriginal Australia in the 1970s with activists like Charles 'Chicka' Dixon prominent amongst them and Frank Hardy in the forefront of the fight for Aboriginal land rights. While we had a few supporters in State Parliament at the time, most politicians were still wondering what the fuss was about as they had learnt in school that Truganini was the last Tasmanian Aborigine.

There were quite a few outside the Aboriginal community and a few within who considered we were being indoctrinated by our Communist supporters. What we learnt about the Communists was that we had to put our community first and exercise our judgment about who could be trusted and who could not.

LACK OF POLITICAL TRUST AND WILL

We've learnt many lessons over the years about politics, the deception and how often games are played. For example, the Labor Party appointed the brother of one of their Ministers in the 1980s to undertake a study of Aboriginal needs. We did our best to contribute but ultimately turned our back on the process. Things haven't changed much for over 40 years later when the government agreed to examine proposals for truth telling and treaty; they then appointed two white people to undertake the task. As far as I know, that has not happened in any other jurisdiction in Australia where governments have agreed to examine the idea of Treaty. In this State we're still trying to hold governments to account on their undertaking to commit to the process whereas most other States have made considerable progress, some nearing the end of their journey.

Unfortunately, there is now a goodly number of Aboriginal people who also play those dirty games like those who accused us of selling out by undermining the thesis of Pascoe's book by exposing his fraudulent claim to be Palawa or by pointing out the irrational claims of some pro-*Voice* proponents with emotional pleas about how the lives of young Aborigines in custody would be ruined without a *Voice* in the Australian Constitution.

Coincidentally or not, many of those same people were in the forefront of the *Voice* Referendum proposal and had similar pejorative terms for those like us who were sceptical of the claims made for the *Voice*. After the *Voice* referendum was defeated in October 2023, we are now witnessing Prime Minister Albanese making the same mistake all over again with his announcement in August 2024 of a new way forward for Aborigines as part of the national economy by returns from renewable energy. While this announcement attracted immediate support from Aboriginal academics who had been prominent in the *Voice* campaign, there was clearly no evidence that consultation with the wider Aboriginal community had taken place. There was certainly no consultation with Tasmanian Aborigines of course, or at least not with those whose first loyalties remain with our own community.

We consider ourselves environmental guardians highly conscious of climate change, species extinction, deforestation and we see every day the destruction to our cultural heritage from the rush to renewables like winds farms at Pilitika/Robbins Island and St Peter's Plains. So, while our new program grants these days often require a co-design phase of thorough consultation, there is no similar process undertaken by governments. This is not only hypocrisy but ignores the principles of *Closing the Gap* to which all governments still pay lip service.

ABORIGINALITY AND THE EXTINCTION MYTH

When our organisation first started, we had two major tasks. The first was to engage with the Aboriginal community throughout the State. That role continues to this day. The second was to combat the extinction myth. I'll give only one example of the latter. In a pamphlet from the Tasmanian Government Printer dated 1900, the missionary James Backhouse Walker wrote,

During the early years of the Colony, when the blacks were, on the whole, friendly, no one thought it worthwhile to take the trouble of studying their ways, or of making any attempt to investigate their tribal customs... But the scientific study of anthropology had not then begun, and the blacks were so low in the scale of civilization that they were deemed unworthy of attention. For no one then recognised that it was the very fact of their being at the bottom of the scale that would have made a thorough knowledge of their ideas of such interest and importance.

Despite their attempts at justification, that's the same mantra as archaeologist Rhys Jones and film maker Tom Haydon portrayed in their 1978 film *The Last Tasmanian*. While many still assert that film did us a favour by bringing the horrors of grave robbing of our ancestors to public attention, its legacy was also embedding the myth of our extinction, the effects of which we are still feeling today. I will add that so concerned was Rhys Jones for our culture that he failed to return the results of digging up our heritage and it was all destroyed in the Canberra bush fires a couple of decades ago.

As our visibility and influence increased, so did the myths, misunderstandings and lies generated about us. Without any consultation, so many well-known white novelists have felt entitled to add their opinion about who best represents the Tasmanian Aboriginal community and the disgruntled groups who disagree with the TAC. Whether this was due to politics or simply tall-poppy syndrome, I do not know - but some of it was plain vicious and the consequences of divisive narratives remains so today.

Here's just one example that still rankles to this day. In the Australian Guardian and UK Guardian of October 2002 in an article headed *The Lost Tribe* the Tasmanian novelist Richard Flanagan wrote:

Over the past 30 years the Tasmanian Aboriginal community has been resurgent, finding an organised voice in the Tasmanian Aboriginal Centre (Tac). But over time the radicals of the 1970s transformed into a black political establishment. Tac's sense of identifying only those allied to its politics as the Aboriginal community, and those opposed to Tac and its politics as not being Aborigine, led to a growing anger on the part of those Aborigines who didn't see eye to eye with Tac. https://www.theguardian.com/world/2002/oct/14/australia.features11?CMP=share_btn_url

These accusations are so demonstrably untrue that one wonders what motivates a white novelist to imagine themselves entitled to have any sort of view on matters they knew absolutely nothing about and have these views published nationally and on the other side of the world. In fact, the leadership of some Aboriginal groups that were formed with State government funds to oppose the policies of the TAC were a Mansell and a Smith, and so were clearly related to TAC identities. Their Aboriginality has never been doubted by TAC. That's not the case with some of their colleagues, some of whom have come up with the most incredible stories of their Aboriginal family background, ignoring for example, the accounts of previous spouses that they never considered themselves Aborigines during marriages of several decade's duration.

I would never have foreseen that the first few years of our organisation's achievement in bringing together the Aboriginal community statewide would then be used against us with such potentially damaging consequences. But we've seen how historians and social commentators have taken it on themselves to pass judgement on our attempts to ensure Aboriginal resources are used for Aboriginal people as being prompted by greed or power. Many politicians seem to have bought into that same narrative also.

As a side note: We did have and continue to have close friendships with people who have been involved in the Aboriginal movement for decades whose Aboriginality we had to question when evidence came to light that they had been mistaken in their identification. Close friends were treated the same as total strangers: they were asked to explain the discrepancies and when that proved impossible, they could not be regarded as Aboriginal even though they remained friends and colleagues if they chose to do so.

HISTORIANS

A similar situation unfolded with historians as with social commentators. Too often, our history is penned by non-First Nations writers who, despite their lack of lived experience, claim or assert a connection to our heritage, thereby continuing the cycle of appropriation and silencing our true voices. For example, the esteemed historian Henry Reynolds publicly declared he has Aboriginal ancestry although his family chose not to claim Aboriginal identity based on that ancestry. I refer you to the article in the Sydney Morning Herald of 26 August 2005 entitled *A Real Nowhere Man*. Reynolds had concluded that his grandmother Margaret was an Aboriginal woman, not from Tasmania, who had decided to pass as white and create a new life in Tasmania because 'What could you do when everyone was convinced you were either a Stone-Age primitive or a mixed blood of degenerate character?' (Sydney Morning Herald, 26 August 2005 <https://www.smh.com.au/national/a-real-nowhere-man-20050826-gdly85.html>).

The newspaper article is not detailed enough for anyone to form an opinion about the factual basis for concluding there must be Aboriginal heritage when there's a gap in the official records. But this is the same story told by the

many in Tasmania who came to imagine themselves to have Aboriginal ancestry, often in the face of all evidence to the contrary.

What set the historian Professor Lyndal Ryan apart from others, was especially in the early days her genuine effort to engage with Aboriginal people about her work and seek our opinions. Her involvement went beyond mere discussions or seeking support for funding applications, which remains common today. She was among the very few, if not the only author, to genuinely engage with the Aboriginal community to the extent that she donated the royalties from her book sales to the Aboriginal community.

We have seen so-called historians using their publications to re-write history and criticise Aboriginal organisations without giving them a right of reply, for example Ian McFarlane. It's perhaps in the nature of those who identify as historians to claim they've discovered new facts, have new perspectives, or even have found a disputed footnote somewhere, who seek to create a name for themselves through their writing, like Keith Windshuttle. The proliferation of 'new histories' in recent years has been bewildering. In a short period, entire books were published about specific Aboriginal individuals, with some claiming to reveal never-before-known facts. However, it remains unclear what these new facts actually are! Meanwhile, these claims have sold books, granted the writers access to materials in academic institutions, and secured grants for international study. No wonder there is growing frustration and claims of white privilege, especially from younger Aboriginal people.

To conclude this section, I will quote from the Monash University Publishing book, *Me Write Myself*, published in 2017 (<https://publishing.monash.edu/product/me-write-myself/>):

First Nations scholars and communities may convincingly argue that white historians have no place at all writing First Nations histories. Historians have been a major source of colonisation, and First Nations people ... have been dispossessed time and time again by this means. ... However, the Wybalenna story is foundational to Australian and global colonial history.

And so the author Leonie Stevens goes on to write her book about our people. Most of it is a retelling of the usual histories but at least some of it deals with the writings of those Aborigines exiled to Flinders Island in the 1840s. As usual, the sources reveal the George Augustus Robinson's journals and the Colonial Secretary's Office as the major sources of information and there is the usual cross-referencing of the works of fellow academics including Henry Reynolds who has been behind much of the retelling of the invasion stories in recent years.

CLOSING THE GAP

The *Closing the Gap* campaign is based on a National Agreement, entered by every single government in Australia, including the Local Government Association. To recap briefly, the National Agreement contains four priority

reform areas and 19 social targets. It's the priority reform areas that should result in improved relations and improved social conditions. They are about how the work is to be done, rather than the list of what is to be done. The priority reform areas are:

- Shared decision making of Aboriginal people with governments,
- Developing formal Aboriginal community-controlled sectors to deliver services to the Aboriginal community,
- Systemic and structural transformation of mainstream government organisations to improve accountability and respond to the needs of Aboriginal people,
- Shared access to data and information to support the achievement of the first three priority areas.

Progress on achieving these reforms has been patchy, at best. In Tasmania it remains impossible to obtain reliable data as a basis for assessing outcomes.

Here's an example of the unnecessary paperwork and time wasting that keeps public servants employed and Aboriginal organisations bogged down in bureaucracy: we were late starting a major project and had underspent our funding at the end of the financial year. It was agreed the contract should be extended for 6 months. To make this possible required a formal deed of variation of the grant deed and eight pages of written contract from the Department of Premier and Cabinet. No evidence of systemic or structural change there!

Funds historically paid to the charitable sector are meant to be considered for transfer to the Aboriginal community-controlled sector. In Tasmania they have not yet been able to identify what organisations and entities receive what funds intended for Aboriginal advancement. They've accepted that Aboriginal organisations achieve better results for Aboriginal people but there is one reason after another for delaying the transfer of funds.

VISION FOR THE FUTURE

The *Voice* as a vision for the future is no longer an option. It was only ever intended to create an advisory rather than a decision-making body. The problem has never been a lack of advice to government; but a failure of governments to accept and act on that advice. Constitutional change is similarly 'fraught'. The wasted effort of the *Recognise* campaign saw some additions to the Constitutions of some Australian States, including Tasmania. Despite all the good intentions, those changes have made no difference to anything, even symbolically. Even worse, millions of dollars were wasted on the *Recognise* and the *Voice* campaigns, with the net result being that racism has worsened, and many Aboriginal communities are still in abject poverty.

As a personal anecdote: I tried to engage a Tasmanian politician recently about the impossibility of keeping up with the task of removing racist comments from our social media including stories about Aboriginal parents and children enjoying a kids disco during NAIDOC week. The reply was there was nothing the government

could do and removing hateful remarks from their own social media is also a task of politicians. I didn't know where to start in explaining why that is so different to the experience of Aboriginal parents and their youngsters trying to celebrate their great NAIDOC experiences online and being hit by an onslaught of haters denying their very existence and worse. I'm sure the audience today understands the impossibility of *Closing the Gap* while this level of explicit racism continues to exist and to be so openly expressed.

The recent change to the make-up of the Tasmanian Parliament gives added impetus to the idea that Aboriginal seats in Parliament hold significant potential to force real change. The combination of minor parties and independents who can align with a major party to force change in government policy is solid evidence this model can work. A major obstacle is that this would involve at least tacit approval of the sovereignty of the invaders. So, is it realistic that we continue to advocate for Aboriginal nationhood and Aboriginal sovereignty rather than making an accommodation with the inheritors of the spoils of invasion?

It is outside the scope of today's lecture to examine the details of how Aboriginal sovereignty has been treated in this country and the international law implications of nationhood. What we can see all around us though is the adjustability of our people in surviving in this colonial environment while holding fast to our long-term aspirations. We must not give up on Treaty nor on demands such as the abolition of celebrating the 26 January as Australia Day. Even if Treaty is not undertaken as an international Treaty between equal States, Treaty is a useful mechanism for ensuring the terms on which Aborigines agree to co-exist with the mainstream and that it is negotiated with respect given to Aboriginal self-determination and co-existence.

My hope is that whatever political environment we are living in, more of us will be speaking our language *palawa kani* and many more of us will know our history including recognizing the significance of places like Grindstone Bay as they pass by on the way from Nipaluna to Wukalina. More will know the names of our warriors like Tukulunginta (aka Tongerlongeter, King William) and Kikatapula (aka Kickerterpoller, Black Tom, Tom Birch) and will recognize names like George Meredith, Amos, Gatehouse and Buxton as more than early east coast settlers.

My hope is that the younger generations won't give up. It must be tempting to turn away from the political situation and adopt a lone cultural, artistic, or even entrepreneurial stance to well-being as an Aboriginal person in Lutruwita. There are people in our community making very significant contributions in those spheres; and I congratulate them. I continue to believe, however, that the best hope for the future of our people is a very strong Aboriginal community-controlled sector. There are many reasons for that, not least being ensuring accountability to the Aboriginal community.

Thank you for listening: nayri nina-mapali.

(accepted 7 October 2024)

