

# Legacy

At the 1997 National Reconciliation Convention in Melbourne, a small candle burned in the corner to symbolise the suffering of the Stolen Generations. At the end of the Convention, Pat Dodson, in his capacity as Chair of the Reconciliation Council, made a special acknowledgement of the candle's symbolism by paying a tribute to his friend Rob Riley. Shedding his stoic and intellectual persona, Dodson moved to the microphone, his eyes filling with tears. Choking back emotion he told the audience:

There is one whom I would like to acknowledge and thank who is not here with us today. One who was always prepared to walk together with us no matter what the burden and hurt that entailed. He had the vision when others were still searching in the darkness. He had the courage to walk without trepidation when others had difficulty finding the strength to confront the barriers that were raised before us. Our brother Rob left us physically twelve months ago, but where the candle of the stolen generations has burned in the corner of the stage over these days, his spirit has filled this auditorium. And we thank him for that.<sup>1</sup>

It was a fitting acknowledgment, but how many in the audience would have had any idea about the struggles Rob and the other leaders in the rights movement had had to endure in the previous twenty years? For many the personal costs have been extremely high. To be involved in Aboriginal politics in Australia is to lose many more battles than will be won. A combination of underlying community racism, elite economic interests and a preference for historical denialism deprived the Aboriginal rights movement of all but a few compromised victories. Rob was at the epicentre of this historically significant struggle for most of his adult life. He was involved in most of the major political developments of the time, including land rights, self-determination, reform of the justice system and recognition of the plight of the Stolen Generations.

The twenty-year campaign that Rob and other leaders waged against police violence, intimidation and discrimination in Western Australia helped usher in a change of direction in the organisation. In recent years, police have developed the concept of community policing, and this has helped foster closer and more productive relationships with many Aboriginal communities. Aboriginal people are still incarcerated at a much higher rate than whites in Western Australia and elsewhere, but few would disagree that the old days of oppressive policing of Aboriginal communities have substantially disappeared.

In the mining industry, similar cultural changes have taken place. Again, Rob was part of a national and international movement to make mining companies more accountable and responsive to the Indigenous communities among which they operated. This change is evident in the efforts of Rio Tinto, for example, to build constructive relationships with Aboriginal people, in Australia and around the world. The company used to have one of the worst records of working in Indigenous communities, but it has reassessed its relationship with Aboriginal communities in Australia, and in 1996 it apologised to Aboriginal people for the company's actions at Weipa, Argyle and the Pilbara.<sup>2</sup> Australian governments have recognised that 'there is a cultural change taking place in relations between industry and Indigenous communities' and has programs in place to further support this change.

This is all a far cry from the days when Sir Charles Court bludgeoned the Noonkanbah community's aspirations. It is a marked improvement, too, on the efforts of the governments led by Richard Court and

Dr Carmen Lawrence to defend the economic benefits of mining at the expense of Aboriginal people.

Rob's views on native title have been given currency in recent times. Those who fought as he had done for a Canadian-style, regional agreement approach to the Mabo High Court decision saw this come to fruition in the recent Ord River agreement involving the Miriwung Gajerrong people. Pat Dodson led the negotiations, which produced a landmark agreement regarded as being beyond the capacity of the courts to deliver. The deal struck with the traditional owners covered future land use, compensation, economic development and land management. It also dealt with health and educational outcomes and established an \$11 million fund co-managed by the state and the traditional owners to supplement mainstream services.<sup>3</sup> In negotiating the agreement, Dodson said that it was 'as much about dealing with past injustice as it is about providing for future land use in the region'. Rob would have agreed wholeheartedly with his friend.

These are significant achievements. However, none of the events in which Rob was a participant produced a clinching victory in Australian race relations, or any sign that Australia as a nation was committed to coming to terms with its past. Achievements like the Royal Commission into Aboriginal Deaths in Custody, the creation of ATSIC, the Human Rights Inquiry into the Stolen Generations and native title were all compromised, diluted or in some way sullied in the political process. There were other, indisputable defeats. Political realists would say that few campaigners get all they want out of the political system. But few groups fought so hard and over such a long period of time to come up with so little for their efforts, as Aboriginal activists in the modern era. Rob understood the unyielding nature of race politics in Australia.

Thus, in the absence of grand victories, how do we evaluate his work?



Rob stood for a set of ideals and a vision for the nation which remain vitally relevant. The value he placed on justice, on the search for fairness, is as universal as it is timeless. All societies are enriched by people who choose the life of moral protesters; they enlarge our vision, disrupt comfortable certainties and shed light on issues that mainstream politics is content to ignore.<sup>4</sup> Rob did not flinch from his belief that Aborigines

had a moral and historical claim to justice. He had a vision which encompassed all Aboriginal people in the nation. It was his capacity, commitment and courage in search of these ideals that places him as one of Australia's enduring human rights campaigners.

In December 1996, Rob was posthumously awarded the Human Rights Medal issued by the Human Rights and Equal Opportunity Commission 'for his life-long commitment to advancing Indigenous issues in Australia'.

Rob had an acute understanding of the weaknesses of Australian democracy in dealing with race. He saw the failure of the state to enact and uphold laws to protect Aboriginal interests. He witnessed this failure from the earliest struggles at Noonkanbah through to the debates over the Mabo legislation. He believed that Aboriginal politics was dominated by an ideology of racism, the aim of which was to deny Aborigines any self-determination and share of the nation's resources. He also identified the tools of this racial politics as fear and historical denialism.

Rob conceptualised the link in Aboriginal affairs between vested economic interests, conservative ideologues and an uncritical media as constituting the politics of fear. Rob understood that fear was being used by one group to rule another, and that it was embedded in the structure of power. He called the tactic propaganda, and drew attention to its emotive, irrational foundations. Few others at the time had such a comprehensive insight. He often drew attention to the miners' campaign that brought down national land rights in the mid 1980s; it showed how the tactic could be used to thwart the political process. He saw parallels at work in the native title debate during the early 1990s.

Rob was well versed in the second tool of racial politics — historical denialism. He witnessed first-hand the transformation of history into an ideological tool. He was in the front row of Australian politics when John Howard and other conservatives used historical denialism as a means to attack the treaty and ATSIC during the late 1980s. He would not have been surprised at the lengths to which Howard has now taken his campaign. The official imprimatur which the Prime Minister gave to historical denialism reached a peak in an interview he gave to *The Weekend Australian Magazine* in 2004, where he paraphrased the conservative argument linking a lack of individual responsibility to past events with a call to close the book on racial history. The Prime Minister said: 'Now I

totally agree that they [Aborigines] have been appallingly treated in the past. But I didn't do that. I won't feel guilty about it. But because we feel guilty we have these nonsenses such as treaties. And it is nonsense. I say let's forget about the past, start again, and just concentrate on making things better for the Aborigines'.<sup>5</sup>

Rob's outraged reaction could easily be imagined. Forget history? History made Aborigines what they are today, he would have argued. In saying this he would also have felt a deep connection to his own family's experience: the way racial policy made prisoners of his maternal grandmother, Anna Dinah (née Miller), his mother and his uncle. Then there was 'Granny' Riley, and her family and wider community, condemned to racial segregation in the cattle sheds of Pingelly Reserve because whites could not countenance racial integration. And there was his own experience: the lonely little boy of Sister Kate's; and the traumatised teenager moving from one impoverished Aboriginal community to another. Rob's call for the understanding of history to shape a reconciled future for the nation remains in stark contrast to the Prime Minister's own skewed, blinkered vision.

But, as Rob stated many times, not much separated Australian political parties on Aboriginal affairs. He saw the Liberal/National parties as vehicles for anti-Aboriginal policies which he saw as racist, in that they sought to perpetuate a position of privilege and power to whites by denying Aboriginal rights; and they employed propaganda and historical denialism as tools in this quest. Labor, on the other hand, was intellectually receptive to the moral and historical claims of Aboriginal people, but continually betrayed them by bowing to populism and vested interests.

Rob has also left us a set of ideas about what it means to be a reconciled nation. He rejected the term 'reconciliation' as early as the mid-1980s because, he said, it implied that 'two parties in the wrong were coming together'.<sup>6</sup> Rather, Rob believed that white Australia faced a challenge in coming to terms with its past. This involved dealing justly with the claims of Aboriginal people to their rights as Indigenous peoples, including self-determination. Coming to terms with the past, he believed, also involved governments and the community working to address the intergenerational problems caused by colonisation.

For Rob, reconciling the nation also meant facing the underlying racism in Australian society. His life and career reminds us how pervasive

and institutionalised racism has been in contemporary Australian society. He witnessed the flashpoints of racism in the form of police violence and deaths in custody, but he confronted, too, its ordinary manifestations. Nonetheless, he was clearly shocked at the findings of the ANOP poll in the mid 1980s, the first comprehensive attempt to quantify Australians' attitudes to Aborigines. And Rob himself lived in the constant shadow of racism: ASIO files, death threats and hate mail.

Rob refused to let such personal manifestations of racism embitter him towards white Australia. He maintained that racism could be overcome through public education. He waged a long campaign for governments to fund such a campaign. He realised that without such a campaign, Aboriginal aspirations would be thwarted by governments who either manipulated public prejudice or caved in to it.

Rob's legacy can also be seen as a set of approaches to Aboriginal activism. As one of the most experienced activists of the modern era, Rob had intimate knowledge of the unique demands that the political campaigns placed on individuals. Seeking justice for Aboriginal people was, he once said, 'a constant struggle you can't walk away from'.<sup>7</sup> But commitment itself was not enough. He understood that little would be achieved without a united voice among Aboriginal people. Consequently, he rejected as artificial divisions between Aboriginal people. Colonisation, Rob understood, had impacted on all Aborigines.

Rob's career as an activist/leader can be divided into three phases. The first encompasses the period of his entry into political activity in the late 1970s, through to his chairmanship of the NAC. During this time, Rob was at the forefront of moves to create a unified Aboriginal voice with the capacity to make Aboriginal aspirations known to government and the wider community. Great strides were made in this period linking up disparate Aboriginal organisations across the country into a pan-Aboriginal movement; the mobilisation of this unity for acts of civil disobedience; a national Aboriginal political organisation to articulate the Indigenous voice; a leadership able to communicate with the broader Australian public and engage in negotiations with government; and a commitment to using international forums as a means of exerting moral pressure on government. It was the very success of this model that governments found so threatening. It came close to delivering national Aboriginal land rights on terms articulated by Aboriginal people.

Secondly, Rob involved himself in the 'insider' politics often claimed to be the more effective path for those engaged in social movements. Rob was one of the earliest Aboriginal leaders to take up a senior political role in government. Rob's career shows that the model has potential when there is alignment between the activist 'insider' and the minister/bureaucracy. There have been few, if any, Ministers for Aboriginal Affairs as committed to achieving fundamental change for Aboriginal people as was Gerry Hand. Yet the conflicting opinions about how much change was achieved during these years on the key issues of sovereignty and self-determination caution against misplaced optimism for 'insider' politics. Even so, advances were made in the face of trenchant opposition.

The third and last phase of Rob's career centred on developing an institutionally-based human rights approach to achieving change for Aboriginal people. He helped transform the ALS along these lines. Its key elements were: the creation of a high profile institutional leadership; the extensive use of the media for the purposes of public education and for exerting moral pressure on government; the establishment of specialist units to pursue a broad agenda; and a capacity to engage with government in negotiating outcomes. This model succeeded in making the ALS a powerful political vehicle for advocacy and public education on a range of key issues. Even though it failed to deliver victories against governments motivated by populist agendas, it was highly effective in setting an agenda for political engagement.

In recent times, there has been a hiatus in discussion about the way forward for Aboriginal people in Australia. Michael Mansell has lamented the decline in the Aboriginal protest voice, commenting that: 'Now the streets are silent. The rage seems to have subsided'. But, as he acknowledged, there is 'still plenty to protest about'.<sup>8</sup>

The struggle for Aboriginal rights is unlikely to remain in the wings for ever. The experience of Indigenous politics around the globe shows that states eventually have to reckon with the historical claims of colonised peoples. Memories persist, aspirations are revived. Australia's Aboriginal population has suffered more than its counterparts in New Zealand, Canada and the United States. On all the major social indices, Australia's Aborigines fare worse than their counterparts in these countries and, arguably, they also possess weaker forms of self-governance.<sup>9</sup> The unfinished business of Australia's racial past is unlikely to disappear.

Yet it is also true that Rob may, over time, be seen to have belonged to a unique generation of activists, prepared to devote their lives and their careers to work for change, often outside of government organisations and frequently in antagonistic battles with government. It is unclear whether such a generation will ever be replicated.

Rob's life reminds us that the struggle against injustice is on-going. The obstacles placed in the way by ignorance, self-interested economic elites, cynical media presenters, and populist politicians is, as he was fond of saying, no reason to give up. At the same time his life should cause us to reflect on the Australian political system, which dealt so ruthlessly with his quest for justice.