

Senator MILNE (Tasmania) (9.21 pm)—Racial discrimination has no place in modern Australia. That is why the Social Security and Other Legislation Amendment (Welfare Payment Reform) Bill 2007 and the related bills should be vigorously opposed. For all that Senator Bernardi just contributed, he did not address a justification for racial discrimination—because there is none. The legislation before us exempts the government of Australia from the provisions of the Racial Discrimination Act to facilitate a land grab. It betrays Aboriginal people and betrays all of those Australians who cheered for Eddie Mabo, who marched around the nation for reconciliation, who are profoundly sorry for creating a stolen generation of Aboriginal people and who still desperately want a fair and just Australia. It goes to the heart of our values. Aboriginal disadvantage is not new. I am shocked that Senator Bernardi and Senator Fielding stood up in here and told us how surprised they were by how bad things are. Two years ago, I stood in here and opposed the tax cuts, saying that if in a time of wealth we cannot address the issue of Aboriginal disadvantage then when will we ever be able to do so? And what happened? Family First voted for the tax cuts; the coalition supported major tax cuts. That is the situation that we are facing. This is not new. You do not have to exempt the government from the provisions of the Racial Discrimination Act to commit to long-term funding for health, education and housing. The fact that the coalition has not done so for a decade in office tells us of a failure of long-term commitment and long-term planning. ANU Professor Mick Dodson—one of those people Senator Bernardi would describe as having some sort of kooky idea—wrote this last week:

None of us is in any doubt that we have to intervene to make children safe. We have a responsibility to do this, so does government. But we must draw the line on responses that involve racial discrimination. We are told we need to take people's land from them and remove their right to control access to that land in the name of stopping abuse—yet we know in our heart of hearts that this has nothing to do with the issue of child abuse. Deep down we know it is something else. Abuse is all around us. We need to desperately do something about it when it's our kids who are being abused. We all know that. It's a given. But, we now have draft legislation which uses a form of abuse in the name of stopping abuse. What an abuse of process this is. It is an assault on democracy and an abuse of decency. We are asked to accept abusive government behaviour in our name to stop abuse. We are asked to believe these are 'special measures' so we can be comforted that they comply with the Racial Discrimination Act. We are told we need to accept this so that country can meet its international obligations. We are asked to accept that just to be absolutely sure our government needs to 'dis-apply' the RDA.

He went on to say:

I'm at a loss as to what to do. I've been fighting racial discrimination all my life. I've run out of ideas. But I know that no Australian should accept that racial discrimination is necessary in any context. It is too high a principle to set aside—as sacred as the rule of law itself. It is not excusable in any situation and is even more troubling when we know what needs to be done to make children safe and it doesn't involve racial discrimination.

I believe that for his relentless campaign against Aboriginal culture and land rights and his obsessive desire to normalise Indigenous people the Prime Minister, John Howard, deserves to be cast out of office. But those in the Labor Party who vote for this legislation do not deserve office either. For political expediency and because of a lack of courage they are prepared to dispossess the most vulnerable Australians—just as they were prepared to see the refugees on the *Tampa* rejected and sent away. They are prepared to disappoint a nation which knows that it can be better than what it has become after a decade of the Howard government. The Labor Party is also prepared to facilitate the champagne corks popping at the Institute of Public Affairs, the Centre of Policy Studies, the Centre for Independent Studies, the Australian Institute of Public Policy, the HR Nicholls Society and the Australian lecture society, which have been relentless in promoting this new right agenda for the past 25 years, as Senator Rod Kemp, one of their apparatchiks can well attest.

We are dealing here with the politics of race in Australia and how Prime Minister Howard has systematically over 11 years destroyed and dismantled every effort to achieve justice and reconciliation with Australia's Indigenous people. We have only had legislation to outlaw racial

discrimination in Australia since 1975. It is a relatively short period against a background of nearly 200 years of a White Australia policy and a Constitution without a bill of rights. Such a bill would have outlawed the ability to discriminate on the basis of race. I heard Senator Bernardi talk about the wonderful Constitution. I wonder if he would support a bill of rights in Australia. We did not have one when the Constitution was drawn up because it would not have allowed for discrimination against Kanak people and Indigenous people.

This legislation is the most recent in a list of calculated moves driven and supported by Hugh Morgan, Ray Evans and their associates in the mining industry from 1983 onward and furthered through the rightwing think tanks that I mentioned before : to wind back and eventually stop the land rights movement; to take back Indigenous land and free it up for mining, exploration and nuclear waste dumps; and to end affirmative action for Indigenous people. As Yvonne Margarula of the Mirrar people of Kakadu said, 'None of the promises last but the problems do'. Prime Minister Howard and Hugh Morgan understand as well as anyone that language, culture and land are inseparable for Indigenous people. What makes this so heinous is that this coalition government, led by Prime Minister Howard, is prepared to stoop so low as to use the issue of child abuse—about which all decent people, regardless of race or creed, care deeply—to fulfil its own long-held aim of destroying Aboriginal land rights, self-determination and reconciliation. It is a ruthless ideological agenda and it is the Howard government's final bid, in its death throes, to take away Aboriginal self-determination and land rights. It would be bad enough if it were the paternalistic racism that Senator Fielding was giving such a clear example of— he assumes that white people have the right to interfere in the lives of Aboriginal people for their own good and have the power to define that good. But it is not even paternalistic racism.

The Howard government has shown precious little concern for the health and well-being of Aboriginal communities or the maintenance of their cultural traditions or languages during its 11 years of office. It slashed \$400 million from the Indigenous budget in its very first budget when it took office in 1996. How about that, Senator Bernardi and those in the opposition standing up with their desperate concern about emergency in Indigenous communities? You talked away that support the minute the Howard government got into office. In this last budget, what did you take away? Not only did you slash Indigenous affairs funding but you took away the funding for the maintenance of Aboriginal languages. You know exactly what you are doing with this legislation and it has nothing to do with addressing child abuse.

It is impossible to see this legislation in isolation. It is entirely consistent with a decade of presenting narrow sectional and ideological interests and the values that sustain them as national values, the national interest, as common sense and as not open to question or review. Remember the Prime Minister's tolerance for Hansonism and the racism that she espoused? Remember that he cast his support for her as freedom of speech when no-one was denying her freedom of speech? What people wanted was condemnation of her views, not her right to hold or articulate them. Prime Minister Howard has ruthlessly and consistently accused his opponents in the environment, social justice, women's and civil rights movements of political correctness, acting in a political manner and advocating sectional interests rather than those of the nation, when it is the absolute reverse. It is he and his ministers who have championed sectional interests at the expense of the national interest and they continue to do so.

The new right, to which he subscribes, is concerned with wealth creation rather than wealth redistribution. It is philosophically opposed to attempts to redress the position of socially and economically disadvantaged groups through publicly funded programs of affirmative action. That is why it is so preposterous to imagine that this intervention is about affirmative action for Indigenous people. To assist Indigenous people, you need to consult them. You need to put in place longterm resourcing and long-term commitment, not hidden surveillance cameras under the auspices of the National Crime Commission. Prime Minister Howard's time in office has been radical and that is why

no-one should believe him when he argues that this legislation is affirmative action to address child abuse.

What about his response to Mabo? What about his 10 point plan in response to Wik and his Native Title Amendment Bill, which was described as the last drink at the poison waterhole for Indigenous people? That was in 1998. What about his threat to go to a double dissolution race election? He would have been quite happy to do that in 1998-99. He tore down the reconciliation process and undermined the reconciliation report that was timed to coincide with the Centenary of Federation. He refused to apologise to the stolen generation.

He has promoted Geoffrey Blainey and his ridicule of the so-called black armband view of history. His new laws, brought in only last year, allow his ministers to approve a nuclear waste dump without the consent of the traditional owners of the land and, what is even worse, deny Indigenous owners their natural justice and procedural fairness. Where does that leave the benevolence that is supposedly behind this legislation?

This government is prepared to legislate to take away Indigenous people's rights to procedural fairness. It is prepared to take away all of their rights in the name of mining, exploration, uranium, pastoral interests or whatever else the government wants to do. Go back to Hugh Morgan in 1983 and you will see where this agenda first reared its fairly ugly head. This Prime Minister has in a decade overturned the values of the welfare state—the notion that governments distribute the common wealth for the common good through public health, public education or welfare assistance programs—and has instead implemented a policy agenda which maximises private and individual wealth accumulation at the expense of the common good. He champions tax cuts that make the rich richer and which see no money remaining for increased pensions, public dentistry, public health, public education, environmental protection or environmental water flows. He has overseen a radical reduction in government activities through the freeing of labour markets and the sale of public assets to private corporations. He champions deregulation, privatisation, the domination of market forces and the end of trade union power. It is all one agenda. This is not isolated. This is not a response to one report. This is a ruthlessly perpetrated agenda with an opportunity in mind in the last few weeks of this appalling government.

The Prime Minister has been backed by the conservative think tanks, which recognised that you had to inject ideas into public discussion, package them, send the DVDs to the media and echo your views through historians like Geoffrey Blainey and Keith Windschuttle. Their budgets all came from the business community. There was a large amount of money to campaign against land rights and union power. Those people talked about equal rights for all Australians and not special rights for some—meaning Indigenous people or the disadvantaged—but they wanted their own sectional rights protected. But they are not rights; they are subsidies, incentives and gifts. We see to this day that the rich get richer through sectional interest targeted assistance at the expense of people who really need it.

They attack the ABC for bias. The Prime Minister took up the cudgels by attacking intellectuals and those who formed the policy rationale for the welfare state. With his ministers he has co-opted the national symbols, citing Gallipoli to justify the Iraq war, and is trying to excuse members of the armed forces, saying they were letting off steam when dressed in Ku Klux Klan regalia. Never forget that that organisation is a white supremacist organisation based on fundamentalist Christianity from the Deep South of the USA—where fundamentalist Christianity still promotes a literal reading of the Bible and the bigotry that has come to encompass that agenda. It should not be forgotten that while this government was in office the Dalai Lama was not welcomed into this parliament by the Prime Minister. Instead, they brought out from America a TV evangelical, Cindy Jacobs, who said that she challenges God and that God hates Victoria because of its anti-vilification laws that make vilifying Muslims a crime. People in this parliament, elected members, sat there and listened to it. It was not

reported in the media that that is the sort of thing that is hosted under the auspices of the family values that this government supposedly holds and perpetrates. It is in this light that we should look at this government's legislation.

What has clearly been shown by one of the authors of the *Little children are sacred* report, Pat Anderson, is that not a single action that the Commonwealth has taken so far corresponds with a single recommendation. There is no relationship between their emergency powers and what is in that report. She says:

We did want to bring it to the government's attention, but not in the way it has been responded to by the federal government. We wrote the recommendations in such a way that they appeared so reasonable that you would feel any government would be absolutely unreasonable not to begin implementing what they said.

She went on to say:

They behaved as though we all have done nothing and we don't know anything and we have all been sitting on our hands.

We have heard that here tonight from people who have taken so little interest in this issue over so long that they have failed to recognise the huge efforts being made in Indigenous communities to address the problems that they face. The first recommendation was of the report referred to:

... the critical importance of governments committing to genuine consultation with Aboriginal people in designing initiatives for Aboriginal communities, whether these be in remote, regional or urban settings.

This is a classic case of people telling Aboriginal communities what is good for them, not consulting Aboriginal communities or working in partnership with them. Whenever you look at any analysis of what the government is doing you see this disgraceful use of the issue of child abuse—which, I might add, is rampant in the white community. If you go to the court lists in country New South Wales, Victoria, Queensland, Tasmania or anywhere else, you will find that child abuse is high up as an issue in that community. So too will you find that alcohol related violence, death by negligent driving and so on are just as rampant in the white community as in the Northern Territory. We support using the surplus, the wealth of this country, to assist those in need. We have argued it, and we voted against the tax cuts so that that money could be allocated over a long period of time, with a long commitment—not a quick six-month intervention designed purely for political purposes and to advance the agenda of sectional interests in this country which want to take back Aboriginal land.

I want to note that I heard today from Senator Brandis an absolute rant about the fact that Australian literature is not being taught in schools. If Australian literature is not being taught in schools it is because for years of conservative government, under Menzies and subsequently, English literature was promoted in Australian schools. It was the people who Senator Brandis despises, the intellectuals, who argued strongly for the incorporation of Indigenous culture, language and poetry into Australian school curricula. Have a look at who is teaching the stolen generation, who is providing students with access to those reports. It is the supposedly valueless public schools. Those public schools have strong values.

I would like to conclude by saying that I have not given up on the aspirations of Oodgeroo Noonuccal, who said:

Look up, my people,
The dawn is breaking,
The world is waking,
To a new bright day,
When none defame us,
Nor colour shame us,

Nor sneer dismay.

... ..

To our father's fathers

The pain, the sorrow;

To our children's children

The glad tomorrow.

I want to give heart to Indigenous people and tell them that there are people in this parliament who will stand with them and will speak the truth about the agenda that has gone on in Australia under the Howard government to dispossess and demoralise Indigenous people.

An incident having occurred in the gallery—

The ACTING DEPUTY PRESIDENT (Senator Hutchins)—I remind people in the gallery about it being disorderly to make comment and also to put up signs. I remind the security attendants that they should take note of that as people come in.