

# GREEN

**MAGAZINE** OF THE AUSTRALIAN GREENS

A hand holding a padlock on a globe of the Earth, symbolizing global justice and environmental protection.

# Global Justice



Amnesty International explores our need for a bill of human rights

Human rights through the lens of our own indigenous affairs




Copenhagen: What went on and what lies ahead for the planet?

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**wiyaya!**  
**ANGELA PAMELA**  
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Map locations: Alice Springs, Little Sisters, Amoonguna, Anthepe, Karnte, Ilparpa, Airport, Town Bore Water Supply, Angela Pamela 19k from Alice Springs.

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the Australian Greens wish to acknowledge that we are on indigenous ground – this land is the spiritual and sacred place of the traditional owners and their ancestors and continues to be a place of significance. further, we thank them for sharing this land with us and agree to respect their laws and lores.

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**H**appy new year, all! I hope 2010 is off to an enjoyable and productive start for everyone. Here at *Green* we're still taking in the last few eventful months of 2009, while looking forward to what we hope will be a brave new decade. With Copenhagen finishing off a decade where climate change and environmental issues have risen to the forefront of the global consciousness, Christine Milne shares her thoughts on the summit. Brad Lacey also rounds off another of the key environmental issues of importance at the closing of 2009 with his round-up from the Green New Deal conference.

Looking ahead, we are focusing on the big picture work on which governments (our own included) are lagging behind, despite the almost unrelenting

pressure from individuals who want to see real change. Amnesty International Australia's National Director Claire Mallinson shares with us the very real need for a Bill of Human Rights here in Australia, while Larissa Behrendt discusses in light of how such a Bill would support and protect the rights of Indigenous Australians. Tim Wright articulates the debate on Same-Sex Marriage, and Greg Dickson gives us a view into the complex needs for Indigenous language and learning support.

This is a jam-packed issue, which we hope gives you plenty of food for thought as we shift out of holiday season and begin this fresh decade.

**Lefa Singleton Norton - Editor**  
greenmag@greens.org.au ▲

### Senate Cross-words

While many a cross word is excited in the Senate, Bob occasionally doodles a happier crossword of his own to send to Paul with his daily card from Canberra.

Here's a sample, created during a one hour parliamentary question time in which zero information was extracted from ministers.

1	2	3	4	5
6				
7				
8				
9				

- ACROSS**  
 1. WAS HIT BY GOD  
 6. ONE WHO ENDURES  
 7. CIRCUS  
 8. SHOW-OFFS  
 9. DISH
- DOWN**  
 1. HAIR GARDEN  
 2. NOT LIKE ABBOTT'S REFUGEES POLICY  
 3. AIDA  
 4. LAW  
 5. HOW GOVERNMENTS TREAT SENSITIVE RECORDS



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Got something to say? Drop us a line at [greenmag@greens.org.au](mailto:greenmag@greens.org.au)



**T**he Melbourne tabloids never stop writing about it; Our politicians are always telling us about their plans to deal with it; People and commuters never stop complaining about it: traffic congestion.

Overcrowding on our roads and a lack of capacity in our public transport system is a source of daily frustration for all of us.

Politicians want more freeways and roads while their critics argue for more capacity in public transport and greater infrastructure investment. But there is nothing new about this problem.

Canadian economist John Kenneth Galbraith wrote about the paradox of "private affluence and public squalor" in his best selling book *The Affluent Society* (1958). Then as now, public policy and our elites remain hostage to a phenomenon which dominates our lives: "the conventional wisdom".

Today the conventional wisdom finds expression in the ideas of neoliberalism: government minimalism, balanced budgets, regressive taxation measures and the privatisation of community assets. Deregulation dominates the minds of political parties, not only in economics but in social policy. In Melbourne,

population growth is by and large unregulated and is growing with around 2000 new arrivals each week migrating to this city. My calculations tell me Melbourne's population could reach almost 6 million by 2025. This is no accident, as big business and governments stand to benefit from growth, bigger consumer markets and taxation revenue. We have to suffer the costs while others receive the profits.

The only real solution to traffic congestion and overcrowding is to subvert the dominant paradigm.

**JOHN GLAZEBROOK**  
Endeavour Hills Victoria



I am often disappointed when I attend Greens-organised rallies. The same faces, the same moth-eaten signs, the same woollen vests and felted hats always seem to dominate the landscape.

Where is the youth of today? Where is the new spark that is going to make our governments, our institutions and corporations stand up and take notice when people take to the streets? A few thousand people marching down Swanston Street barely makes a mention in the papers, particularly when it is the stereotypical unwashed 'hippies' that the general public associate with our party.

We need to be able to inspire the largely uninterested youth of today to take arms (in a peaceful manner, of course), both for their own future benefit, but also to help our party grow past the 'greenie' stereotype.

I would love to see a regular column in this magazine from the young Greens. Reading Jake Wishart's take on the Green New Deal Conference in the last edition was a welcome change and a breath of fresh air. Could his contribution (or perhaps a rotating schedule of young green activists) be made a regular occurrence?

As a person committed to the Greens but getting on in years myself, I am eager to pass on the torch and learn from a new generation who will one day inherit the mess we have collectively created.

**SUSAN DAYBRIDGE**  
Bendigo Victoria



The last few editions of *Green* magazine have been a marked improvement on our party-produced materials, and I have enjoyed reading them immensely.

However, I would like to see more articles and content based on the work of our elected Parliamentarians. Our Senators and MPs are doing a fantastic job, both

in and out of Parliament, and it would be good to get their valued opinion on some campaigns, issues and political agendas.

The changeover of government in WA, allowance of GM crops, expanded mining and possibility of uranium mining are important issues over here in the West and deserve to be addressed in a forum such as *Green* magazine.

Likewise, I would appreciate hearing about other campaigns around the country. The ongoing forestry campaigns in Tasmania, the battle to save the Murray in SA and the fight against large-scale desalination plants in Victoria are all great campaigns that I have heard about but would like to keep abreast of as they continue.

**HARRY ROBERTS**  
Bunbury WA



**ED: Thank you to all our letter writers. We're interested to hear what all members think about this resource, and we encourage you to write a letter to the editor on any issue regarding Green magazine and its content. Letters are requested to be no longer than 400 words and will be edited for length. Please email them to [greenmag@greens.org.au](mailto:greenmag@greens.org.au) ▲**

# aust/nz partners



From left; Christine Milne, Russel Norman, Catherine Delahunty, Bob Brown, Keith Locke, Jeanette Fitzsimons, Metiria Turei, Kennedy Graham, Sarah Hanson-Young, Scott Ludlam.

## AUSTRALIA & NEW ZEALAND JOINT PARTY ROOM MEETING

23 OCTOBER 2009, MELBOURNE

Australian Senators Bob Brown, Christine Milne, Scott Ludlam and Sarah Hanson-Young met with NZ Members Metiria Turei, Russel Norman, Catherine Delahunty, Keith Locke, Jeanette Fitzsimons and Kennedy Graham in Melbourne before the Green New Deal Conference.

We caught up on the current political climate in both countries sharing stories about Greens responses to the global financial crisis, our role and relationships with other parties in the parliaments and voting systems. Our New Zealand colleagues are facing a tough challenge ahead with planned reforms to the proportional voting system which could have adverse effects on our electoral success.

The potential for trans-Tasman co-operation and inspiration was highlighted through discussion of topics such as climate change, political donations, election campaigns, West Papua, war powers, the republic and food labelling. Arising out of the meeting was an agreement to work jointly on the reform of the food regulation authority (FSANZ) including calling on FSANZ to develop food labelling standards in areas such as carbon footprint, country of origin, genetically engineered foods and nutrition labelling.

We swapped information about the progress of my bill for a plebiscite on a republic in Australia and

the progress of our similar bills regarding the ability of the executive to send troops to war. All these bills are private members' bills which are a good tool for suggesting progressive reform but which receive varying degrees of debate and success in each country.

We spent some time comparing the systems for dealing with private senators' bills in both of the parliaments with the Australians being inspired by the more progressive system in New Zealand. The Australian Greens Senators are currently working on reforming the system to allow our bills to be debated and voted on in the Senate with the ideas provided by our New Zealand colleagues being very handy for our reforms.

The joint party room received an update from Marg Blakers on the development of the Global Greens and the Green Institute including the opportunities in the Asia Pacific region with the upcoming conference in Taiwan in May 2010 and plans for the Copenhagen COP.

The Australian Greens are inspired to think of more issues that are ripe for trans-Tasman collaboration and are looking forward to another session for ideas exchange – perhaps next time in New Zealand! ▲

Senator Bob Brown  
Leader of the Australian Greens

# greens mp faces financial ruin

He thought he was doing the right thing and speaking out for a mate, but at a community hall outside of Byron Bay in 2001, NSW Greens upper house MP Ian Cohen made the comments that have led to a bill of over \$1 million.

Now preparing to sell up his flat in Sydney's Tamarama and take on a bank loan with interest repayments alone of about \$1000 each week, the once outspoken politician is facing financial ruin, all because he criticised a developer, Jerry Lee Bennette, for bringing a defamation case against a school teacher, Bill Mackay.

Cohen had called Bennette a "thug" and a "bully" and accused him of trying to stifle public debate by suing Mackay, who had penned a letter to a newspaper condemning an environmental award given to the developer.

Bennette responded by suing Cohen, who wasn't aware the developer had private investigators in the hall secretly taping the speech.

Now the Greens MP, who has served in NSW since 1995, owes \$1,015,000 plus interest of up to \$250,000 for the plaintiff's legal fees and costs. He's already paid \$15,000 in damages. It's a hefty price-tag for a case about free speech, according to Cohen, who is scrambling to raise the funds to avoid bankruptcy, which would have him kicked out of parliament.

"I do not intend that to occur," says the MP who had planned to retire at the end of this term after 16 years in office.

After nine years of legal wrangling, Cohen is "shocked" at the outcome, warning that anyone, especially those in the public eye, could be vulnerable if they criticise another person, even in a small forum.

"I did impromptu speeches in a local community hall in defense of a mate," he says. There were only 60 people there but Bennette – armed with his secret recordings – was able to bring a case and in 2006 a jury found that the developer had been defamed. That was overturned in 2007 when Justice Ian Harrison accepted Cohen's defence of qualified privilege, and suggested it was contrary to society's interest that people's rights should be hampered "by constant fear of actions for slander".

In March 2009, the Court of Appeal overturned the finding, with Justice David Ipp ruling that describing Bennette as "a thug and a bully does not advance the cause of free speech, the environment or justice". In November the High Court refused Cohen leave to appeal.

Cohen's barrister, Clive Evatt, has described the case as having "very big" implications for free speech, and in

the High Court last month he said of the allegations, "It is not as though he called him a paedophile or a wife-beater or something."

Bennette's barrister Bruce McClintock, SC, says the case has nothing to do with free speech and was the result of a long-term malicious vendetta against his client by green groups in Byron Bay.

For the man left with the bill, the whole episode has shown that justice comes at a price.

"I believe that the current state of the law does not deliver justice," Cohen says. "The very poor are immune and the very rich are free to act but the vast majority of people would be financially crushed by defamation proceedings."

Senator Bob Brown was one of those brought to the brink of bankruptcy in 2009 when he lost his appeal against the full Federal Court's decision which overruled Justice Marshall's 2006 ban on logging in Tasmania's Wielangta Forest.

Now Senator Brown is calling on the Rudd Government to give the courts power to make protective costs orders in public interest matters which ensure that individuals or groups who take legal action in the public interest are protected from the risk of huge costs. "The risk of an adverse costs order is a major deterrent to people taking legal action in the public interest and greatly diminishes access to justice for many Australians," Senator Brown says.

Meanwhile Cohen is trying to pay what he owes to the developer by signing on for a loan which he describes as "like taking out the house loan without the house". Although he likes to use a Buddhist saying to lend some perspective to the situation: "If they burn down your house, the better you can see the moon."

He also appreciates the support of those who are contributing to his defamation fund, "smaller donations will be vital in assisting me to pay what will be a crippling interest rate until I can get on my feet."

One supporter is Senator Brown, who will be speaking at a fundraiser for Cohen on January 23rd at the Byron High School Gym, which can hold an audience of 800. Cohen says Brown can talk in "general terms about big corporations trying to shut down freedom of expression". But he wisely reckons that Brown "could even preface it by saying, 'I'm not referring to one particular person.'" ▲

Contributions to Cohen's support fund can be made via [www.greens.org.au](http://www.greens.org.au)



# your country, your rights

Australia remains one of few developed countries that have yet to put in place a Bill of Human Rights. Claire Mallinson from Amnesty International Australia outlines the need for such a fundamental legal mechanism.

**L**et's get our Act together Australia! It is now more than a year since the Federal Government announced a nationwide consultation on the promotion and protection of human rights in Australia.

Emerging from one of the most extensive public consultations in this country's history are numerous stories from people who have witnessed or experienced human rights violations.

The overwhelming feeling was that as a nation we can and should do better.

Children behind bars, mandatory detention, the suspension of the *Racial Discrimination Act* and our anti-terror legislation all illustrate how human rights that are not formally protected can be eroded.

With a patchwork of ad hoc legislation that varies depending on where you live, it is often the most vulnerable and marginalised members of society who end up falling through the cracks.

On 8 October 2009 the Federal Attorney-General was presented with the highly anticipated National Human Rights Consultation Committee report.

Receiving 35,014 written submissions, the Committee found overwhelming community support for a Human Rights Act. Of the 33,356 submissions that addressed the option of a Charter of Rights or a Human Rights Act, 29,153 were in favour of such an option.

This is in line with the findings of a Nielsen Poll commissioned by Amnesty International, which found that 81 per cent of people surveyed would support the introduction of a law to protect human rights in Australia.

Reflecting the support of the Australian community, the Committee has recommended that the Federal Government adopt a federal Human Rights Act.

Amnesty International welcomes this recommendation and urges the Government to adopt a Human Rights Act that:

- protects the rights of all people in Australia;
- respects the principle that all human rights are universal, indivisible, interdependent and

interrelated, and therefore recognises all civil, cultural, economic, political and social rights;

- incorporates Australia's obligations under international human rights law, as contained in the Universal Declaration of Human Rights and the various international covenants and conventions to which Australia is already a party, as well as having the flexibility to allow the implementation of the obligations of subsequent treaties;
- promotes a system of education and training for human rights-based approaches, so that policy development, day-to-day service provision and decision-making are conducted with due consideration of the responsibility to recognise the dignity and rights of all people; and
- establishes effective and independent accountability mechanisms, including appropriate and accessible remedies for breaches.

Australia is the only liberal democracy without overarching human rights protection at a national level. And while Amnesty International works for the highest possible standard of human rights protection, the Australian Government has ruled out a constitutionally-entrenched model at this stage. We therefore believe a Human Rights Act is the best way forward at this time.

Throughout the National Human Rights Consultation, we encouraged as many people as possible to participate in the process. More than 10,000 individuals made personal submissions through Amnesty International to the Consultation Committee.

They came from a wide range of people across the country, including plumbers, nurses, church ministers, marine biologists, artists, psychologists, accountants, stay-at-home mums, company directors, journalists, geophysicists, travel consultants, photographers, medical practitioners, builders, filmmakers, job seekers, designers, and pensioners as well as members of trade unions and various groups and clubs.

Clarissa from Queensland wrote: "If it's not in an act - it's just words we can ignore." Michael from South



Gippsland said: “Adopt the human rights act, weave it into the fabric of our society across the land, stand by it and promote it. Let us set an example for the whole world!” Nabib from Coffs Harbour had this input: “I don’t want to just hope or assume that my rights are protected, I want to know that there is a law to back this up and that I have an avenue if my rights are not respected.”

The Committee found that “for most Australians the main concern is the realisation of primary economic and social rights”. This included the right to an adequate standard of living, the right to the highest attainable standard of health, and the right to education.

However, this concern is not reflected in the Committee’s recommendations. The Committee has recommended it not be permissible for individuals to take action in court when they have had their economic, social or cultural rights violated. This move undermines the principle that human rights are universal, indivisible, interdependent and interrelated. After all, you need your economic, social and cultural rights to be fulfilled in order to meaningfully enjoy civil and political rights within a dignified life. As Eleanor from Woodville said: “You can’t just pick one, human beings deserve all of these things. We’re all the same in the end.”

There is also an intrinsic link between many environmental impacts and the ability to realise a range of human rights. A State’s failure to act effectively to curb climate change could, for example, result in widespread violations of the right to life, right to health, right to water, right to food, and the right to housing.

While UN mechanisms that monitor countries’ adherence to international human rights conventions have criticised Australia for failing to fully incorporate treaty obligations into domestic law over the years, those opposed to the idea of a Human Rights Act have raised concerns about the risk of compromising parliamentary sovereignty. The 2006 UK Review of the Implementation of the *Human Rights Act* by its Department of Constitutional Affairs, however, found

the Act had in fact improved the effectiveness and efficiency of policy, by ensuring it better met the needs of an increasingly diverse population.

Contrary to some speculation, the UK *Human Rights Act* has not turned the country into a litigation battlefield. Most of the cases have been resolved before ever ending up in court. The Review of the implementation of the *Human Rights Act* (2006) also found the Human Rights Act not to have altered the constitutional balance between Parliament, the Executive and the Judiciary.

In its report, *The Human Rights Act - Changing Lives* (2007), the British Institute of Human Rights has attempted to document positive changes the Act is making to peoples’ lives. One such instance involved an elderly husband and wife separated by their local authority after 65 years of marriage. From the report:

“A husband and wife had lived together for over 65 years. He was unable to walk unaided and relied on his wife to help him move around. She was blind and used her husband as her eyes. They were separated after he fell ill and was moved into a residential care home. She asked to come with him but was told by the local authority that she did not fit the criteria. Speaking to the media, she said ‘We have never been separated in all our years and for it to happen now, when we need each other so much, is so upsetting. I am lost without him – we were a partnership’. A public campaign launched by the family, supported by the media and various human rights experts and older people’s organisations, argued that the local authority had breached the couple’s right to respect for family life (Article 8). The authority agreed to reverse its decision and offered the wife a subsidised place so that she could join her husband in the care home.”

The National Human Rights Consultation Committee in Australia has recommended a Human Rights Act based on a ‘dialogue’ model, which would ensure that parliament has the ‘final say’. Under this model, where

legislation is found to be incompatible with human rights, only the High Court would have the power to issue a declaration of incompatibility. The declaration would not invalidate the legislation, but would require the parliament to re-examine it and provide a response within a certain period of time.

Others have expressed concern about a potential impact on religious freedom in this country. But precisely the opposite is true. The Committee’s Human Rights Act model protects “the right to freedom of thought, conscience and belief” as well as “freedom to manifest one’s religion or beliefs”.

It should be noted that we already have functioning human rights legislation operating in parts of this country. Victoria has a *Charter of Rights* and the ACT a *Human Rights Act* that are changing peoples’ lives. An example lies in the story highlighted by the Human Rights Law Resource Centre of a pregnant single mother who was living in community housing with her two children in Victoria. Some time in 2008 she received an eviction notice requiring her to vacate her home within 120 days. The notice did not provide any reasons as to why she was being evicted. The *Victorian Charter of Rights* was used to argue that the eviction was incompatible with her family’s rights to privacy, family and the home, and successfully prevented her and her family from being evicted.

Following its nationwide collection of views, the Committee’s report documented that “three recent developments in law and government policy were repeatedly referred to as giving rise to human rights concerns: the *Northern Territory Emergency Response* (also known as the Intervention), the treatment of asylum seekers, and national security legislation. Many who participated in the Consultation felt that, in these instances, a balance between individual liberty and the public interest might not have been struck.”

The people of Australia have voiced support in unprecedented numbers for a Human Rights Act to tackle such concerns.

Their views echo those of world leaders who came together in 1948 to develop the *Universal Declaration of Human Rights*. Alongside other world leaders, Australia committed to global values and made 30 global promises that recognise every person is born free and equal in dignity and rights.

As a signatory to international treaties, Australia has committed to protecting all of the rights enshrined in this Declaration. Now is the time to put the words, the signatures and the promises into action.

The fundamental role of a Human Rights Act is to prevent human rights violations from occurring. This is the chance of a generation to unequivocally commit to protecting the most vulnerable and marginalised members of our community.

Throughout 2010, we at Amnesty International will certainly be doing our best to keep human rights protection in Australia high on the agenda. ▲

Claire Mallinson is National Director of Amnesty International Australia



The United States, South Africa, Canada, New Zealand, England and India already have human rights enshrined in law.



At United Nations headquarters, an installation shows framed representations of each human right included in the Declaration of Human Rights.



# equality, in increments



Tim Wright looks at the history, landscape and potential for gay marriage in Australia.



Rainbow umbrellas sprouted after the first drops of rain, and the several dozen brides and grooms took temporary shelter. Inclement weather would not deter them from tying the knot. In fact, in some cultures, a wet wedding is a sign of good times ahead. But what would the future hold for these committed couples, about to wed 'illegally' before 5000 witnesses at Melbourne's same-sex marriage rally last August?

On stage, Greens Senator Sarah Hanson-Young relayed some sobering news from the Labor Party's triennial national conference in Sydney. Same-sex unions had been hotly debated that morning, she informed the crowd, but 'Kevin Rudd has had his way'. The *Marriage Act* would remain unchanged — for now. This was hardly a surprising announcement, but the protesters made their dissatisfaction known.

Left-wing agitators in the ALP had failed to persuade a majority of delegates that the Howard-era ban on same-sex unions, enacted shortly before the 2004 federal election, should be repealed, with a gender-neutral definition of 'marriage' inserted in its place. Senior government minister Anthony Albanese, from Sydney's progressive Grayndler electorate, only managed to broker a compromise deal with party conservatives to remove some of the more provocative words from the draft national platform.

On the conference floor, he invoked the Rolling Stones in a feeble attempt to placate the blistering LGBTI community: 'As those great political

philosophers Jagger and Richards said, sometimes you can't always get what you want, but you get what you need.' Which sums up nicely the party's policy position: equality for gays and lesbians is an incremental process, and we've done enough for you for now.

But the issue would not disappear quite so easily. A Senate inquiry into marriage equality initiated by Senator Hanson-Young a month earlier ensured that it would remain in the spotlight until the end of the year. The inquiry received more than 28,000 public submissions, a record number for the upper house. About 11,000 came from people affected by the discrimination in the *Marriage Act*, including couples whose overseas same-sex marriages were denied legal recognition. But the majority of submissions were pro-forma letters from members of Australia's various religious lobby groups.

And in the end it was their arguments — based on the idea of same-sex relationships as inferior to heterosexual ones, and as posing a threat to society — that proved more persuasive. The Labor-chaired Senate legal and constitutional affairs committee, in its report released in November, chose bigotry over equality. It stated its position in one line: "The committee considers that the current definition (of marriage) is a clear and well-recognised legal term which should be preserved."

Only two weeks earlier, the Victorian branch of the ALP, in a rare moment of clarity, had called on the federal government to legislate for marriage equality and to allow the Greens-initiated civil ceremonies law in the ACT to stand. Melbourne's *Age* newspaper had also applied pressure by publishing a powerful editorial in favour of marriage equality. 'All marriages should be equal, regardless of gender,' the headline boldly declared. But Labor and Coalition senators would not be swayed.

Greens leader Bob Brown described the government's position as a 'Howardian hangover'. The same-sex marriage ban, he told reporters, is offensive, hurtful and destructive. This sentiment was reflected at the large protests across the country following the tabling of the Senate report. More than 5000 people crowded the streets of six cities. The committee's rejection of marriage equality had only added fuel to the fire.

Whatever the short-term political setbacks encountered by the movement, campaigners generally agree that progress has been made in recent years. In

2004, when the Howard government hastily legislated to prevent overseas same-sex unions from being recognised in Australia, the public was hardly alarmed. An SBS-commissioned poll at the time revealed that just 38 per cent of people supported the idea of gay marriage. Even the LGBTI community was not particularly committed to it.

But much has changed since then. Same-sex relationships now have greater visibility in the public eye, and 'rainbow' families are far more common. For most people, there is no longer anything shocking about the sight of a gay wedding on the television screen: the legalisation of same-sex marriage in Spain, South Africa, Norway and Sweden, as well as several US states, has been well publicised here.

Resistance to same-sex marriage from within the LGBTI community has also dissipated. Formerly many gays and lesbians had seen same-sex weddings as anti-liberationist. Why should we seek to be a part of an oppressive institution, they asked — what are we trying to prove? But the prevailing view now is that the

denial of same-sex marriage is a form of oppression itself. In fact, this is what tends to motivate the more progressive members of our movement — not some belief that marriage is of special importance.

As proof of this shift in opinion, last June a *Galaxy* poll showed that 60 per cent of Australians favour granting same-sex couples equal marriage rights, while only 36 per cent agree with the government's stance. The results

have caused more than a little consternation for Labor number-crunchers. Could the party end up losing votes, and seats, by maintaining its outdated position? In the end, this is most likely what it will come down to — an electoral equation, not principle.

Public support for same-sex marriage will only continue to grow in 2010. Marriage equality groups plan to exert maximum pressure on Labor in the lead-up to the federal election, and Senator Hanson-Young has vowed to continue the fight in the parliament. Slowly we are managing to bring the issue in from the political periphery, and it is only a matter of time before Labor will follow the Greens' lead on this issue — but not without a struggle. ▲

Tim Wright is a Greens member from Melbourne and a spokesperson for Equal Love, which campaigns nationally for same-sex marriage.

**“Sixty per cent of Australians favour granting same-sex couples equal marriage rights, which will only continue to grow in 2010.”**

PICS PROVIDED BY JESSE BROOME FROM J. STUDIOS WWW.J-STUDIOS.COM.AU

# post cop15 what now?

Our own Greens Senator Christine Milne reports back on the progress of the Copenhagen climate talks, and where to from here.

Tremendous progress was made at Copenhagen – but it wasn't by the world leaders who came for a photo opportunity and left with egg all over their faces. It was by those who have for too long been on the sidelines – civil society and the countries on the frontline of the climate crisis – in pointing the way to a safe climate and demonstrating how far mainstream debate is from that path.

Civil society has a big task ahead. Having demonstrated its power and its momentum in the final weeks of 2009 with massive protests across the globe, civil society must mobilise to drive our leaders towards meaningful emissions targets and financing commitments if a substantive deal is to be reached in the next 12 months.

The agreement that world leaders reached in Copenhagen, in essence, was that they lack the will to really do what it takes to prevent climate crisis.

They can all articulate the challenge that we face. They can all stand up and tell a room what they are doing. But almost no leader of a country with a sizable greenhouse footprint, with the exception of Brazil's Lula da Silva, is willing to stand up and offer to do more than they see as the absolute minimum they think they can get away with.

The superficial last-minute statement with financial sweetener that was "noted" by the conference late in the night gives us no substantive progress on the critical issue of cutting emissions. It takes us no further, really, than the statements out of the G8 and G20 in 2008 and 2009.

What it does do, in the context of the warnings from scientists and the actions of developing countries like Tuvalu at the Conference, is highlight how weak the promises of action from the developed world really are. The targets on the table simply cannot deliver the stated 2C goal, which is now perceived by many as already too weak.

The political statements of leaders from Kevin Rudd to Barack Obama claiming to aim at limiting warming to 2C and carbon concentrations of 450 ppm have no basis in reality. The emission reduction commitments currently on the table have been calculated to add up to global atmospheric carbon concentrations of approximately 750 ppm. That means 4C average global temperature rise by the end of the century, agricultural wipeout, mass extinctions and almost certain runaway heating of the planet.

This is a point that G77 representative, Lumumba Di-Aping, underscored at Copenhagen, telling ABC's Radio Australia that "The message Kevin Rudd is giving to his people, his citizens, is a fabrication, it's fiction."

The near collapse of the talks several times over the fortnight was very largely due to the complete failure of developed world leaders to understand the depth of

global commitment to real action on the climate crisis. They completely misread the commitment of the developing world to the Kyoto Protocol structures – which has binding targets for developed countries but not developing countries – and to the serious emissions

reduction targets needed to deliver a safe climate. This time, given that their survival was at stake, the option of buying off the developing world with last minute offers of billions of dollars was never going to work.

The rich world demanded compromises from the developing world but offered none itself, giving China the opportunity to use its geopolitical clout in many developing nations to ensure that they held the line on maintaining the Kyoto Protocol.

The developing world was never going to be willing to be taken for a ride at Copenhagen. This has been obvious for at least 12 months. But leaders paid no attention to repeated warnings. I made the point last December, when the Rudd Government released its



This statue in Copenhagen, depicting a small developing world carrying the weight of the obese developed world on its shoulders, summarises the conference.

PICTURE: EMMA BULL

emissions trading white paper, that the woeful 5-15% cuts would undermine global action and that is exactly what has come to pass.

Kevin Rudd should be held personally responsible, as he said he would be, not only for refusing to do what everyone knows is necessary, but also for trying to bully those who wanted a real deal into accepting his greenwash. His speech to the conference plenary session was, in Shakespeare's words, "full of sound and fury, signifying nothing". I guess that's what we today might call "all spin and no substance".

The critical issues at Copenhagen were always going to be the adequacy of targets and financing put on the table by the developed world, and we needed to see both lifted dramatically if any progress was to be made. Instead, Mr Rudd's negotiators used the conference to undermine their woefully weak commitments on both these issues even further through attempting to create more land use, change loopholes and moving to undermine the Kyoto framework.

I am sure it was not clear to most Australians throughout the debate on Mr Rudd's emissions trading scheme that the 5-25% emission reduction target was never going to be achieved through emissions trading. In fact, domestic energy emissions under the scheme were not projected to fall until 2034. The Government's secret to achieving its weak targets was to be focussed on Copenhagen and a bid to try to change the rules on how emissions from land use change and forestry are accounted for so as to deliver a windfall gain.

The key loophole involves hiding emissions from logging native forests and plantations by developing a controversial new methodology. What Australian negotiators wanted to do was to project forward our business as usual emissions from logging and only account for any emissions above that scenario. As long as we don't log any more than we say we have planned to log, we can pretend we're not logging at all. Now there's a rort.

Tuvalu, the mouse that roared, has put onto the global stage in the strongest possible terms the basic reality that the 450 ppm target and 2C limit that had become orthodoxy is completely inadequate based on current science. For their own survival, the Tuvaluans are demanding a 350 ppm target, consistent with the

recommendations of NASA's James Hansen and other top climate scientists.

Of course, the Tuvaluans and other small island and least developed states who joined them see clearer than the rest of us because they are that much closer to the edge. But the truth behind their position is that the 350 target is critical for all of us on this planet.

The necessary impact of a shift to 350 is to require much deeper cuts from developed nations - 45% below 1990 by 2020 and heading swiftly towards zero carbon - as well as serious commitments from the larger and richer developing nations. Hence the proposal, hailed by some NGOs as the "Tuvalu Protocol", to extend the Kyoto Protocol to include legally binding obligations on those latter countries such as China, India and Venezuela.

The immediate implication of Tuvalu's intercession was received in the mainstream as a split in the G77. But it was also received with delight by the huge civil society presence at the conference, with spontaneous chanting of "3-5-0, Tuvalu" erupting across the centre and the city.

What Tuvalu's intercession demonstrated is that developed and large developing countries alike must put some serious commitments on the table if those countries on the climate front line are to sign up. Mr Rudd's response was to try to bully them into submission instead.

After this point, a global agreement at Mexico City that still includes numbers such as 450 ppm, 2C and developed world cuts as low as 15 or even 25% - if such an agreement can even be reached - can only be construed as failure.

There is only one way to rescue this process before 2010's conferences in Bonn and Mexico City. And that is for countries like Australia to recognise that their targets do not even match the 2C goal, let alone the stronger 1.5C agreement proposed by the most vulnerable countries in the world, and to lift their sights to what is necessary. Australia's actions in this election year are critical going towards the Mexico City conference: if we take on deep cuts, allocate financing and stop cheating in negotiations, we can have a tremendously positive impact. Otherwise, we will continue to hold the world back.

Copenhagen has raised the stakes hugely. It is now up to civil society to hold our leaders to account and ensure that they act at least according to what they say, and preferably lift their sights higher. ▲

**“The Tuvaluans see clearer than the rest of us because they are that much closer to the edge.”**



# human rights in the territory

Before we launch into the debate about a national Bill of Rights, we should right the wrongs underway right now in the Northern Territory. Professor Larissa Behrendt explains.



When the framers of our Constitution sat down to draft our Constitution they looked at the way that other countries, in particular the United States and France, had included rights within their legal systems. They decided that the decision-making about rights protections, which ones we recognise and the extent to which we protect them, were matters for the Parliament. They discussed the inclusion of rights within our Constitution but decided to leave it silent on most human rights.

It was decided that entrenched rights provisions were unnecessary and that Australian states would have the power to continue to enact laws that discriminated against people on the basis of their race. As testament to this, the first legislation passed by the new Australian Parliament were laws that entrenched the White Australia policy.

In 1997 the High Court of Australia heard the case *Kruger v Commonwealth* that considered the legality of the formal government assimilation-based policy of removing Indigenous children from their families. Children who had been removed under the Northern Territory Ordinance that permitted for the removal of Indigenous children from their families on the basis of their race, and one mother who had lost her child under the same provision, claimed a series of human rights violations. These included the implied rights to due process before the law, equality before the law, freedom of movement and the express right to freedom of religion contained in s.116 of the Constitution. They were unsuccessful on each count. The decision of the court highlighted the general lack of human rights protection in our legal system and also emphasised how, when those rights are not protected, there is a disproportionately high impact on the vulnerable.

We continue to see evidence of this in Australia today where the lack of a human rights framework has meant that there is no benchmarking about acceptable standards of human rights protection in policy. This continues to permit discriminatory policy that impacts

on the dignity of Aboriginal people and does nothing to alleviate their poverty and disadvantage.

Within this legal framework, one without human rights benchmarks, policies are made that impact on the lives of Aboriginal and Torres Strait Islander people for which there is no ability to challenge or seek redress for any negative impact. This framework has permitted the destruction of cultural heritage and language, taken away rights to land, fishing and hunting and resources and has permitted the policy of removing Aboriginal people from their families.

Barbara Shaw lives in an Alice Springs town camp. She has her own children but often looks after others. She has supported her family all her adult life. When the Northern Territory Intervention was rolled out she found, with no consultation or notice, her income was suddenly restricted by quarantining.

Barb is nobody's fool but she had problems navigating the system at first. She found her ability to travel restricted because the store card issued to her cannot be used in other states. She knew people who could not travel for sorry business or cultural business because of these restrictions. She knew women who, like herself, could not afford Christmas presents because of the restrictive nature of the way the quarantining worked. It was also impossible to buy white goods. Barb, who had always provided for her family, never neglected her children and always focused on their education, resented that Centrelink used to segregate the lines between those whose income was quarantined and those who weren't. There were only black people in her line.

She also resented the separate queues at the shops and had on more than one occasion been confronted by shop owners angry and frustrated with the card system. She could not tell how much was on the card and sometimes did not have enough for her purchases and had to take items back.

Barb has taken her complaints about the welfare quarantining system to the United Nations. The *Racial Discrimination Act* and the Northern Territory

anti-discrimination legislation were suspended from applying to women and men in Barb's position. Rights to appeal to the Social Security Appeals Tribunal were also taken away. There is no forum within Australia that will hear her concerns.

My father's generation believed in human rights as a key to social change. They began the modern land rights movement and began working within international human rights structures to make the changes they knew were necessary to maintain the dignity of Aboriginal people and to alter the playing field to ensure real change. They wanted Aboriginal people to be doctors and lawyers and accountants and nurses and welfare workers and judges so that they could improve the lives not just for their own families but for others within the community.

I might look middle class and assimilated to outsiders but my father and his generation did not want me and my peers growing up to be like white Australians. It was important to him that I knew my culture, my place in the world, that I understood the cultural values of reciprocity, inter-relatedness to the environment, obligation to country, and respect for Elders. He wanted me to know my totems and my dreamings. He knew that without this, I would not be complete.

My education, my success and my ability to be articulate are the result of the determination of the Aboriginal people generations before me. They did not want to surrender their Aboriginality to gain equality with non-Aboriginal people. They saw a great injustice in being treated as inferior and being denied basic rights to health, housing, education and employment. But they also wanted to protect their identity and culture, to keep Aboriginality strong. They believed that this vision could be the legacy of an improved human rights framework for Aboriginal people.

Research in Australia and in Indigenous communities in North America shows consistently that the best way to lessen the disparity between Indigenous and non-Indigenous people is to include Indigenous people in the development of policy and the design and delivery of programs into their communities.

Apart from sounding like common sense, the research shows that this engagement assists with ensuring the appropriateness and effectiveness of those policies and programs and ensures community engagement with them therefore better ensuring their success.

**“Since the time that our Constitution was drafted, every other Commonwealth country has incorporated a Bill of Rights.”**

This actually requires a commitment to something that policy makers often overlook: the need to invest in human capital. If participation by Indigenous people is a central factor in creating better policy, program and service delivery outcomes, there needs to be more to build up the capacity for that kind of engagement. This would include:

- rebuilding of an interface between government and the Aboriginal community through representative structures so that governments can more effectively consult with and work with Aboriginal people;
- focusing on the provision of training and education in ways that improve the capacity of Aboriginal communities. This means moving away from simple solutions of simply removing children into boarding schools and instead looks at a range of strategies that build the skill sets and capacities of adults as well as younger people who need to retain contact with their families if they do leave their communities for better schooling opportunities; and
- looking at flexible employment arrangements that take into account that in many Indigenous communities there is no viable job market or there are barriers

to entering the workforce. Such schemes can assist with the provision of services and infrastructure in the community at the same time as they build capacity and skills within the community itself.

Indigenous policy is always targeted at intervention, at emergency. It rarely seeks to look at the underlying issues. Addressing disadvantage requires

long term solutions, not just interventions. Rather than always reacting to a crisis, a long term sustained approach requires addressing the underlying causes of disadvantage.

This means resourcing adequate standards of essential services, adequate provision of infrastructure and investment in human capital so that communities are developing the capacity to deal with their own issues and problems and have the skill sets necessary to ensure their own well-being.

Whatever the perceptions of the electorate, the fact is that there is not enough money spent on Aboriginal housing, education and health. The pot is too small and no government will fix the problems while all they do is engage in trying to redirect the scarce resources to one pressing need at the expense of others.

The world we live in now is very different to the one that the framers of our constitution imagined. Aboriginal people were not a dying race. We were not inferior. Australia did become a home to many races.



Town campers fighting the proposed takeover of Alice Springs town camps  
www.rollbacktheintervention.wordpress.com

Since the time that our constitution was drafted, every other Commonwealth country has modernised its legal system to incorporate our contemporary understanding of human rights through a Bill of Rights.

Legislative bills of rights also offer a rights framework. They require public servants to ensure that the legislation they draft is compliant with the rights in the human rights legislation. They also require parliament to indicate that legislation is compliant with those same standards and, if not, they need to indicate in what way it is not and to justify why it is not.

Both of these processes require policy makers and legislators to think about human rights in their decision-making processes. And while the rights in legislation can be over-ridden, there is greater transparency and accountability by government to the community about when and why rights are infringed.

In these ways, Australia would be enriched if there was a national Charter or Bill of Rights that required this level of scrutiny and accountability when public servants draft legislation and when parliaments pass them into law. In addition, it would be a positive step towards the better protection of Indigenous rights in this country.

There is one way to overcome the concerns that Aboriginal people hold about the easy suspension of human rights. This concern stems in no small part from the fact that the only three times the Racial Discrimination Act has been suspended were:

- as part of the compulsory welfare quarantining and compulsory acquisition of land that were part of the *Northern Territory Intervention*;
- as part of the Native Title Amendments post-Wik; and
- in the Hindmarsh Island Bridge dispute when heritage protection laws were also prevented from applying to the area in dispute.

Each time the *Racial Discrimination Act* has been suspended it has been to prevent the protection of Indigenous people from discrimination, and arguably at the times when they needed those protections the most.

Such circumstance is a reminder of the way in which the framers of our constitution decided to give parliament unfettered power in relation to deciding issues of rights and also intended to create a legal system that could pass racially discriminatory legislation. The immigration acts that entrenched the White Australia policy were the first legislation passed by the new Australian parliament and were testament to such an agenda.

So the issue of constitutional reform must still remain part of the rights agenda whether there is a bill of rights or not. And while we could look to the Canadian constitution for inspiration on how to entrench the protection of Indigenous rights into our constitution, there is perhaps a more inclusive and strategic approach. Just three rights entrenched in our constitution would substantially improve our rights framework:

- The right to be free from racial discrimination;
- The right to due process before the law; and
- The right to equality before the law.

There is one final area where improvement of the rights framework is possible. Australia recently endorsed the *Declaration on the Rights of Indigenous People*. While policies like the *Northern Territory Intervention* are a constant reminder that the Declaration is not binding, it does give a set of benchmarks to governments that assist in pointing to acceptable standards of protection of Indigenous rights.

Even if all of these changes were achieved, it would not take the issue of a treaty with Aboriginal people off the table.

African American writer Toni Morrison once said that, “the function of freedom is to free someone else.” Those words resonate deeply with me. As an Aboriginal person who is part of the emerging middle class within my own community and who understands the struggle of the generations before me to gain better rights to education and health and equal access, it sums up the obligation to fight for those less fortunate than ourselves. ▲

Larissa Behrendt is Professor of Law & Indigenous Studies at the University of Technology, Sydney.



# reporting back on the green new deal

In late 2009, people from all over the country converged on the University of Melbourne for the Green Institute's Green New Deal Conference. Brad Lacey was there to document the experience.



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A major motif persisted through the course of the recent Green New Deal Conference, held amongst the leafy surrounds of the University of Melbourne's Parkville campus. If last month's Copenhagen negotiations on climate change and emissions policies were anything to go by, it is a motif that will be occupying the minds of political leaders, diplomats, and scientists for some time to come. Co-operation was that motif—or, perhaps better put, the complete lack of, and seeming incapacity for, co-operation. Evidently, the best litmus test for co-operative politics is the one staring us in the face—climate change—and so it is no surprise that the mood of green activists has been dampened by the myriad failings that blighted Copenhagen—failures endured, perhaps even resigned to, by Australia's federal government.

Back in Melbourne however, a little over a month before Copenhagen, things were looking considerably chirpier. The Green New Deal Conference—stated aim: to shape greener Australian policies by “taking deliberate, long-sighted, and transformative steps [towards] tackling multiple converging global crises”—did, well, exactly that. Essentially set up as a pure platform for the exchange of green ideas, the Conference, despite being punctuated by lectures and panels held in the main theatre and filled to the brim, shone its spotlight on the smaller, themed workshops, sessions intended to facilitate non-threatening discussion.

Attended by two or three hundred political enthusiasts and professionals (in the audience I recognised members of parliament, journalists, women and men, students from the University, career politicians and youthful activists), the Conference was predictably vibrant and its participants vociferous. Indeed, disagreement was widespread and at times even heated, but perhaps most importantly, encouraged.

“Too often the greatest minds of our generation are making expensive golf clubs or luxury cars.”

These are the words that echoed through the second day of the Conference. They are the words of Georgia Miller, a writer and activist, and they ask a question that, at a conference like this, filled as it was with intensely passionate people, was the single biggest, ignored, elephant in the room: How do we make politics more attractive for those who can't stomach it? If that question had been unanswered before she'd uttered it, we at least didn't leave the Conference feeling like the Australian Greens lacked an answer to it.

One panellist, South Australian student activist Jake Wishart, answered the question in his own way, speaking of the Greens' need to re-engage with

sections of the community that feel most neglected by a party, fairly or unfairly, often painted as one composed simply of ‘inner-city elites’. Wishart's words were not hollow; citing the “false dichotomy of Greens and workers” as a “corporate lie”, Wishart set to redress things himself, last year travelling to the Hazelwood Power Station (which is, hardly incidentally, the least carbon efficient power station in the whole world)—not just to protest against Australia's continuing reliance on such fossil fuels, but rather to meet and engage in a dialogue with its workers; to hear their concerns; and to discuss the ways in which green solutions needn't ignore the day-to-day realities of workers' lives.

Of course, it was not just the youth that spoke up. At the Friday night public lecture that preceded the Conference, Bob Brown lambasted the Australian media for not paying sufficient attention to the Government's inaction on climate change and other environmental issues, and later, Lin Hatfield Dodds, National Director of UnitingCare Australia, noted that although the present tendency for green innovators to focus on technological and infrastructure developments is hardly misguided, it does miss a burgeoning opportunity—that of the care

**“How do we make politics more attractive for those who can't stomach it?”**

industry. Citing the world's growing population (we can expect the present figure, 6.8 billion, to have reached 9-11 billion by 2050), and advances in medicine resulting in longer lives for both the able and those who require permanent care, Hatfield Dodds underscored the ways

in which jobs can be ‘green’ without necessarily being ‘environmental’ or traditional in the other ways that we have come to view them.

Voices from business were not lacking at the Conference either. Pragmatic concerns underpinned many arguments, and the Australian Alliance to Save Energy's Mark Lister in particular stridently advocated for prudent, realistic suggestions, and “cross-sectoral alliances” that transcend ideological divides.

Two key lessons suggest themselves from the Green New Deal Conference, and, more broadly, the events of the past few months. First is the recognition that diplomacy has its limits; that despite best intentions—and surely Copenhagen had plenty of them—sometimes progress is stymied no matter what. Second is the realisation that this doesn't have to matter. At the grass roots level, at the level of the voters, the people, progress is working its magic even as we frown. This Conference may not have provided us with solutions to the world's every problem, but its focus on enthusiasm, innovation, democracy, and debate is yet another deliberate, long-sighted, and transformative step, with many more to come, along the right path. ▲

# teaching indigenous language

What do you do with a classroom full of children who all speak Kunwinjku? Greg Dickson looks at how the NT Government is treating Aboriginal languages and English teaching in remote schools.

The traditional languages of Aboriginal and Islander Australians have had a rough trot ever since Europeans arrived and decided to stay for good. Long the subject of ridicule, denigration and oppression, the original languages of Australia are now known to be amazingly complex, diverse and, well, just plain clever. In his book *Dying Words*, linguist Nick Evans tells how in Kunwinjku, a language currently spoken by a few thousand people in the Kakadu region, there are not only distinct words for each species of kangaroo but there are different verbs describing various hopping styles of different macropods – thus a male antilopine wallaby kamawudme (renderable only as “it hops” in English) while the female of the species kadjalwahme (English: “hops”). A wallaroo, on the other hand, kanjedjme (again, “hops”) and an agile wallaby doesn’t move in any of these ways but rather kalurhlurlme (hmm... “hops”?).

Whereas an enlightened government might choose to celebrate a language like Kunwinjku and linguistic diversity in general, the Northern Territory government’s Education Department has gone the other way. Given the task of operating classrooms full of schoolchildren who speak excellent Kunwinjku or other Aboriginal languages, the NT Government created a policy in 2008 excluding these languages from being used as the language of instruction for the first four hours of every school day in every NT school.

Now infamously known as the “First Four Hours” policy, it was established without consulting any Indigenous language speaking educators, elders or communities. And it ignored extensive research, as well as plain ol’ common sense, showing that kids learn better when they are taught in their first language.

What the NT Government did say was that they were deeply concerned about the English results coming from students in remote schools. They felt that this provided a mandate to impose English-only delivery for the first four hours of every school day. This was misguided for multiple reasons. Firstly, only nine out of over sixty remote government schools had bilingual programs. The vast majority of remote schools were already “English only” but producing equally poor, if not worse, outcomes for remote students. Secondly,

the government implied that bilingual education is somehow in opposition to good English outcomes. In fact, bilingual education does not kill off English learning or literacy - the reverse is true. Mother-tongue or bilingual education allows students to move from the known to the unknown by using kids’ first language to teach all parts of the curriculum while their English skills are still developing.

Shamefully, by implementing the “First four hours of English” policy the NT Government is in breach of several international conventions supported by the Australian Government. As a signatory to the *Universal Human Rights Declaration*, “parents have a prior right to choose the kind of education that shall be given to their children”. By imposing this policy without consultation and little negotiation, Aboriginal parents were denied this right. In April 2008, the Rudd government endorsed the *UN Declaration of the Rights of Indigenous Peoples* but has turned a blind eye to breaches of Articles like 14.1:

“Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.” And the *UN Convention of the Rights of the Child* states that “..

education of the child shall be directed to... (c) the development of respect for the child’s parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate and for civilizations different from his or her own ...”

The establishment of the “First Four Hours” policy was a turnaround for Labor, who in the early 1970s rolled out bilingual education in NT schools after then Federal Minister for Education Kim Beazley Sr visited remote NT Schools. He saw how well students performed when being taught bilingually in Western Arrarnta and English at Hermannsburg, and noticed the contrast when visiting English-only classrooms. Of his visit to Hermannsburg, Beazley said “if I went into their classroom where the teacher was teaching in Aranda, . . . nobody swung around and looked at me. Their focus was on what the teacher was saying”. In a Ministerial media release in 1974, Beazley demonstrated leadership, compassion and an understanding of bilingual education barely evident among current politicians, stating:

“The bilingual program does two things. It expresses respect for Aboriginal languages, hence for the rights of Aboriginal people. It effectively teaches English and enables Aborigines to that extent to cope with Australian society.”

Since then, bilingual education has been embraced by many Aboriginal parents and elders in the NT and has brought significant benefits, such as resourcing many Aboriginal languages with teaching materials, developing good numbers of bilingual and bi-literate children and adults, drastically increasing the number of Indigenous teachers in remote schools and creating a never-before-seen sense of pride and involvement in bush schools by parents and elders. Students and workers in bilingual schools include many prominent Aboriginal people including Mandawuy Yunupingu and AFL star Liam Jurrah along with dozens of unheralded local heroes such as Anita Painter, bilingually educated student and now principal of Barunga School who was praised in NT Parliament for her speech at the opening of the 2009 Barunga Festival. Thirty kilometres down the road at Wugularr community, Anita’s relative Miliwanga Sandy is not so praising of her government:

“What we want is both-way teaching in the school – not only for two hours a week but every day there should be both-way teaching... That policy of speaking English only at the school is the wrong thing – it is not good for our children ... they will forget their language”  
The NT Government’s decision to enforce English-only

**“The ‘First Four Hours’ policy was established without consulting any Indigenous educators, elders or communities.”**

teaching for most of the school day is a knee-jerk, uneducated reaction to the poor results coming out of bush schools. It makes Aboriginal language education an unnecessary scapegoat. Never mind that there were only nine schools (out of 68) still struggling to maintain bilingual programs and never mind that results in the English-only schools were no better and certainly no-one’s idea of best practice English teaching methodology.

The following quote from TJH Strehlow, who worked with Arrernte people for most of his long career, is unfortunately still as relevant today as it was when he made it in 1958:

“Above all, let us permit native children to keep their own languages, -those beautiful and expressive tongues, rich in true Australian imagery, charged with poetry and with love for all that is great, ancient and eternal in the continent ...Today white Australians are among the few remaining civilized people who still think that knowledge of one language is the normal limit of linguistic achievement.” ▲

Greg Dickson is a linguist currently lecturing at the Centre for Australian Languages and Linguistics, a division of Batchelor Institute of Indigenous Tertiary Education, Northern Territory.



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# gearing up for the 2010 election

Australian Greens National Campaign Coordinator Ebony Bennett gives us the lowdown on the upcoming 2010 federal election campaign

Sometime this year Australians will go to the polls to vote in the federal election. It is an opportunity for every Australian to vote for the political party which shares their values and priorities on important issues like health, education, climate change, the economy and jobs, Indigenous rights, workers' rights, refugees, housing and transport.

Three years after Kevin Rudd was elected Prime Minister, many of Labor's election promises have proven to be just talk and the Coalition is ruled by John Howard's old favourite, Tony Abbott. The Australian Greens are a forward-thinking and optimistic alternative to the old parties and we will be promoting our sensible policies to voters at every opportunity.

With 150 lower house and eight senate campaigns, planning and preparation is well underway. We are moving to an active campaign footing and supporters will be receiving regular campaign updates from the Senators, lead candidates and from me and other campaign staff. We will give members and supporters the inside scoop from the campaign and Parliament House, and we will give the community the opportunity to get involved by taking small actions on important issues - like the email I recently sent asking people to add their support to Senator Bob Brown's bill to ban activities associated with whaling in Australia.

Our campaign staff and the National Election Campaign Committee are working well together with

a young, dynamic creative communications agency, Make Believe, and web developers, Fuzion, to deliver a cutting-edge website that integrates with social media like Facebook and Twitter. We'll release more details closer to the launch of the new website.

Unlike Labor and the Coalition, our Australian Greens campaign is funded by real people, not by large developers and lobbyists. Our supporters will own a piece of this campaign every time they volunteer their time, or talk to their friends about

why they're voting for the Greens in this federal election, or when they make a donation - whether that is \$5, \$50 or \$500.

Close to two thousand supporters made individual contributions to our December appeal - that's the kind of individual support

from the public lobbyists can only dream about.

Together with Make Believe, the campaign team is developing a fresh, targeted communication and advertising strategy. But we won't be relying solely on traditional advertising and social media to reach new voters; we will also harness the Greens strong grassroots support. We will need people on the streets: doorknocking, letterboxing leaflets and talking to friends and neighbours. If you have some time and feel passionately about making the world a better place, then contact us today at [www.greens.org.au/volunteer](http://www.greens.org.au/volunteer).

If we work together, we can increase the Greens vote and put ourselves in the best position to get a Senator elected in every State. ▲

**“The Australian Greens are a forward-thinking and optimistic alternative to the old parties”**

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# Bob Brown



## BOB'S BACK PAGE

### Federal Funding 2010

Unlike the state Greens parties, the Australian Greens receives no direct public funding after federal elections. While public funding makes up the bulk of the Greens' income, the Australian Greens national body misses out. After the 2007 election, the Greens collectively received \$4 million in funding but none of this went directly to the Australian Greens. By agreement, most states passed on a fraction. The Australian Greens do not currently have a fundraiser. What's more, most of the money raised from the Australian Greens' recent letter of appeal (60%) went to the state Greens. For the 2010 election we need a national campaign with a national advertising budget, reliant on the expected public funding, like the bigger parties.

If you make a donation to the Australian Greens and want it all to go towards the national advertising budget, be sure to say so.

### Southern Cross

Which brings me to the starry cross of our southern skies. I like natural symbols and have long advocated that the Tasmanian Tiger replace the British lion and Union Jack on Tasmania's flag. Here's a straw poll seeking your opinion on a new version of our redoubtable Greens triangle. Do you prefer it with or without the Southern Cross? You can go to my website at [www.bobbrown.org.au](http://www.bobbrown.org.au) and click 'yes' or 'no', or send me a note saying 'yes' or 'no' plus postcode to GPO Box 404, Hobart TAS 7001. We'll print the result in the next issue.



P.S. The triangle grew from the campaign to save the Franklin River – it began upside down but was turned pointy side up to nicely fit the slogan 'No Dams'. The original United Tasmania Group (the world's first Greens party, 1972) had six triangles in its logo. Designers often tell us what a powerful symbol we have developed. This straw poll has no official status but invites your (grassroots) input.

### 2010 and 2020

Twenty-ten has a good Green ring about it. The federal election will test us all out, and will showcase environmental policies more than any poll since the 1980s. The collapse of Copenhagen showed how right we were to reject the Rudd target of 5% reduction in

greenhouse gas emissions by 2020 while compensating big polluters with \$24 billion, including \$6 billion transferred from households during negotiations with the Turnbull coalition.

Penny Wong refused to negotiate a better target with us. She should rethink. Scientists say that a 25–40% reduction by 2020 is essential to keep planetary heating below 2°C. Just stopping clearing of native forests and woodlands in Australia would give us 15–20% reduction for much, much less than \$24 billion.

### 2010: our Senate year

The Australian Greens has the strongest team of Senate candidates ever. Polls give us a good chance of increasing our Senate team from five to seven or eight, but the polls have been wrong before. However, where we don't win Senate seats, Labor will. So, even with no new seats the Greens are likely to gain the sole balance-of-power in the Senate. We are ready. But, make no mistake, it will bring excruciating dilemmas. The Rudd Government, largely backed by the Press Gallery, will demand that we acquiesce to Labor's 'mandate' to govern. We will be strongly advocating our own electoral 'mandate'.

### Swifties

Paul and I have settled in to a new cottage in southern Tasmania. It has one bedroom, with my office and a guest room in a separate cabin, built on an old gravel quarry, by the sea, in a Eucalyptus tenuiramis woodland full of banksias. So we have been seeing quite a bit of the rare Swift Parrots. They fly north across Bass Strait in autumn to their winter feeding grounds in the woodlands from Adelaide to Toowoomba. Pictured on the back cover of this magazine is one outside the bedroom window (4 January 2010). It's the fastest parrot on earth and crosses Bass Strait in three hours (the ferry takes all night). It has a five-grooved tongue specially adopted for eucalypt blossom, and, under Rudd government permit, its nesting trees at Wielangta (on the east coast of Tasmania) and Bruny Island are being logged. Last winter's feeding trees near Bermagui (NSW) are being logged as you read this. Meanwhile, Garrett has rejected out of hand the recommendation of his own expert panel that he appoint an independent overseer of logging destruction in Australia's forests. Where once huge flocks occupied our woodlands, now only 1000 pairs of Swifties remain.

Vote Green. And enjoy the coming seasons. ▲

Bob

*'I invest ethically because I am responsible for the effects of my money.'*



**JAMES**  
Sydney,  
Humanities lecturer.  
Activist.  
Lousy dancer.



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**“We are all equal members of one and the same family, and the affairs of the entire world are our internal affairs.”**

**- His Holiness the Fourteenth Dalai Lama**

