ABORIGINAL AND NON-ABORIGINAL HOMICIDE: 'SAME BUT DIFFERENT'

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THIS PAPER WILL ADDRESS THE QUESTIONS: 'IN WHAT WAY IS ABORIGINAL homicide different from that in mainstream society?', 'What are our perceptions of its character?', and 'What drives it?'. There are no unproblematic or uncompromised means of understanding such a complex and fraught area: rather, the 'searchlights' of different analytical and political perspectives can ultimately illuminate the overall picture, giving sense and depth to it even if many areas still lie in shadow. This paper offers the outline of a perspective that is grounded in some ten years of living and working at a close level with Aboriginal people in remote areas, but which, nonetheless, has to be seen as partial, contingent, and itself embedded within personal and wider social histories.

Aboriginal people with whom the author lived and worked, in explaining underlying structural differences in what appeared similar social phenomena, would say that they were 'same, but different'. Aboriginal homicide and that in the wider society are similar in many ways and yet are profoundly dissimilar in others.

Above all else, perhaps, a major difference lies in the reality that to discuss Aboriginal homicide in a forum such as this conference has to be seen in a *political* context. This is in no small part because of arguments (such as those of the criminologist Paul Wilson or of Black activists such as Bobbi Sykes) which see the appalling health, violence, homicide and other statistics

in some Aboriginal communities as directly and causally resulting from White Australian colonialism and continuing oppression. Black deaths, Paul Wilson (1982) argues, are ultimately caused by White hands, and from this perspective then they are *political* deaths.

It is not only the deaths which are constructed in political terms, however, but indeed their subsequent discussion. There is a pervasive and powerfully argued view amongst many Aboriginal people that fraught matters such as alcohol use, violence and homicide in Aboriginal societies should not be discussed in public forums. These are matters for Aboriginal people only, it is asserted, and their airing to non-Aboriginal audiences only adds to racist stereotypes of Aboriginal people. The strong adverse reactions from many Aboriginal people to David Bradbury's film *State of Shock*—which so powerfully and disquietingly portrays drinking and violence in a north Queensland settlement—is a case in point. Furthermore, it is contended that non-Aboriginal researchers, bureaucrats, media reporters and others make their professional careers by exploiting the misery of Aboriginal people, thus ultimately continuing the colonial enterprise of our own forebears under a different guise. The frontier thus becomes, in this argument, not so much a matter of physical but of social and political geography.

Careful attention should be given to these Aboriginal views. It is of immense importance that, whether we are researchers, administrators or indeed simply concerned individuals, a strong sense of accountability to Aboriginal people is maintained in what we undertake. This should include a keen awareness of the cultural, social and political systems within which we and Aboriginal people operate. At the same time, critical attention must be given to the question of exactly to whom we are accountable. Aboriginal people are no more a solidary and undifferentiated mass than are non-Aboriginal Australians. Within Aboriginal societies there are the dominators and the dominated, the exploiters and the exploited, the perpetrators and the victims. The film *State of Shock* (referred to earlier in this paper) paints a compelling and disturbing picture of the life history and circumstances of a young Aboriginal man who had been gaoled for the murder of his defacto wife, and who had been subsequently released after successful legal arguments that the murder was just one instance of the endemic violence in his community resulting from cultural disintegration under Queensland Government policies. Yet, powerful as the film was there were voices missing in it—those of the dead girl and of her family. In our work, whether as researchers, administrators or in other capacities, we should seek always to ensure that, along with Aboriginal people themselves, we are helping to strengthen the mechanisms *within* Aboriginal societies which allow those muted voices to be heard.

While being sensitive to concerns about the treatment of matters within Aboriginal societies, there is a need to examine some of the bases on which Aboriginal hostility to their discussion by others is predicated. One relates to an understandable resentment at the often cavalier, voyeuristic and exploitative manner in which sensitive and hurtful matters concerning Aboriginal people are dealt with by the media. Aboriginal people often complain they feel 'shamed' by such insensitive portrayals and quite rightly

observe that they reinforce racial stereotypes. Another arguably relates to a cultural view of knowledge which has common features across Aboriginal Australia—from remote to urban areas. In this view, even what might by researchers and others be seen as 'public' information is, as the Aboriginal people concerned see it, rightfully theirs and is not to be used by outsiders. Knowledge in this view cannot be objectified and detached from particular individuals and events but is intimately and necessarily bound up with them. There is a contrast, therefore, between a common Aboriginal construction of *knowledge*, as personalised and owned, with a western one of *data*, as objectified and public.

A third and critical dimension to both Aboriginal and non-Aboriginal views on questions such as discussions of sensitive matters within Aboriginal societies, is their grounding in and reflection of the fundamental racism of Australian society. It is the inculcation of racist ideology in non-Aboriginal Australians which allows us to unquestioningly accept the premise that 'Aboriginal' means 'other'—that our connections to this other are at best those of a sympathetic outsider, and that indeed this very 'otherness' is such that non-Aboriginal Australians have no legitimate basis upon which to interact with or comment upon features within Aboriginal society. Equally, it is a reflection of the insidious pervasiveness of racism in the wider society that much of Aboriginal rhetoric is predicated upon a denial of the nexus between their societies and the wider one. This is not to deny *difference*; rather, what is being argued is the philosophical and indeed political position that we are all necessarily connected—that individuals, events and forces within one sector are at a whole range of levels linked to those in others—and that to deny this is to unwittingly accept the tenets of the racism which underlies how White Australia deals with Aboriginal Australia.

Other similarities and differences between Aboriginal homicide and that in non-Aboriginal society will now be considered. Some of the statistics on homicide can provide a suggestive departure point. Their most striking feature, of course, is that Aboriginal people are massively over-represented as both victims of homicide and offenders. Figures from the Australian Institute of Criminology (Strang 1991) show that in the period 1989–90, Aboriginal and Torres Strait Islander people comprised at least 12 per cent of all homicide victims and 15 per cent of all offenders, while they made up only 1.5 per cent of the total Australian population. When the statistics for each state are examined, it is clear that in Western Australia and Queensland particularly, Aboriginal people are disproportionately represented in homicide statistics. In Queensland, for example, at least 18 per cent of victims and 22 per cent of offenders were Aboriginal or Torres Strait Islander people, who constituted only some 2.4 per cent of its population.

Within Queensland itself, anecdotal and other evidence suggests that it is the Aboriginal community settlements, above all else, where homicide occurs. Paul Wilson (1982), for example, found that across seventeen Queensland Aboriginal settlements between late 1978 and mid–1981, the homicide rate was 39.6 per 100,000—more than twelve times the Queensland average. The author's own figures for one remote settlement indicated a rate at one stage of over 400 per 100,000 (Martin 1988). Homicide, therefore, is not evenly

distributed across Aboriginal Australia but occurs disproportionately amongst the residents of Aboriginal settlements.

The Australian Institute of Criminology figures (Strang 1991, p. 31) also show that for the period 1989-90, of the cases where the primary relationship between the offender and victim was identified, only 12 per cent of victims had been killed by someone unknown to them. The figures further indicate that there was little inter-racial homicide in Australia. These facts are suggestive: the fact that, overwhelmingly, homicide takes place within racial groups and that, more generally, victims are killed by people from their family and social networks, is indicative of the discrete and separate social worlds within which many Aboriginal people move, and of how violence and anger is so often turned inwards rather than being directed at the wider society (*see also* Aboriginal Coordinating Council 1990, p. 25 which talks of 'rage turned inward').

For both White and Aboriginal people, alcohol influence is closely related to homicidal violence. Where the presence or otherwise of alcohol had been recorded, however, almost 50 per cent of White victims had been under the influence of alcohol compared with 80 per cent of Aboriginal victims, and 70 per cent of White offenders had been affected by alcohol compared with 86 per cent of Aboriginal offenders (Strang 1991, pp. 26, 30).

Given that it is often said that there are structural similarities between the position of women as dominated gender and Aboriginals as subjugated race, it is instructive to compare the statistics for homicide between the genders. While homicide is largely a male phenomenon, nearly 40 per cent of homicides in Australia 1989-90 were inter-gender (and of these, in over 25 per cent of cases the offenders were female) (Strang 1991, p. 24). If the homicide statistics are anything to go by, it would seem that the mutual exclusivity of the gender-based worlds in Australia as a whole is less marked than those based on race. Aboriginal women, it should be noted here, are at a far higher risk than are White women. The figures indicate that the risk of homicide for Australian women as a whole is half that for men—for Aboriginal women, it is over 70 per cent that of Aboriginal men.

To summarise to this point, the figures already discussed show us that Aboriginal people are far more vulnerable to homicide, both as offenders and victims, than are White Australians, and the figures suggest this vulnerability is even further increased for Aboriginal residents of community settlements. Alcohol is involved in the substantial majority of Aboriginal homicides—even more so than is the case for White Australians. The figures indicate that Aboriginal women are far more at risk than are White women and, further, that the violence culminating in homicide is overwhelmingly directed within Aboriginal societies rather than externally.

Homicide, whether for White or for Aboriginal societies, is not a phenomenon *sui generis*. Clearly, for both White and Aboriginal Australians, the statistics alone demonstrate that, as a social phenomenon, homicide can only be considered along with the related phenomenon of alcohol consumption. Clearly too, the violence that results in homicide in any society has to be considered in relation to all the other manifestations of violence in that society. Anecdotal and published evidence shows that in many areas of Aboriginal Australia,

particularly areas such as the settlement communities in Queensland, levels of assault and other violence are extremely high. For example, the study by Wilson (1982, pp. 4–5) reported a serious assault rate across the seventeen Queensland settlements that was over five times that in the wider community. Aboriginal researcher Judy Atkinson (1989, p. 11) quotes an estimate that domestic violence affects 90 per cent of Aboriginal families living in trust settlements, and Bolger (1991, p. 11) presents statistics which show Northern Territory Aboriginal women were 'grossly over-represented' in assault as well as homicide statistics.

These statistics would suggest that homicide is embedded within wider patterns of disproportionately high levels of violence in parts of Aboriginal Australia. These statistics can in turn be linked to others relating to suicide, health, life expectancy, alcohol consumption, indicators such as income, employment and educational levels and so forth, through arguments such as those advanced by Paul Wilson and by the Aboriginal Coordinating Council, among others. These all too common features of Aboriginal societies, it is argued, themselves result from the 'structural violence' perpetrated by White Australia on Aboriginal people—the dispossession, the institutionalisation, the oppression, the discrimination and the racism—which is a continuing feature of relations between Aboriginal people and the wider state. The bitterness and anger become directed, by and large, *internally* rather than against the White oppressors and reflect the overwhelming power differential between the two. The result is apathy, alienation, alcohol abuse, suicide and violence (Aboriginal Coordinating Council 1990, pp. 24–6).

These arguments, however, are but a partial truth, for they ultimately portray Aboriginal people simply as the passive victims of imposed forces, rather than as actively responding to them, and indeed, creating distinctively Aboriginal orders in the new, albeit often traumatic, circumstances (*see*, for instance, Reynolds 1981; Trigger 1992; Morris 1989). Aboriginal responses to White Australia are embedded in and arise from sets of particular perspectives, dispositions, emotional constructs, tastes, practices and so forth which might be broadly placed under the rubric of 'culture'. Culture, in this sense, is to be seen as dynamic, arising in part through the articulation between Aboriginal societies and the wider one, and at the same time structuring the nature of that articulation.

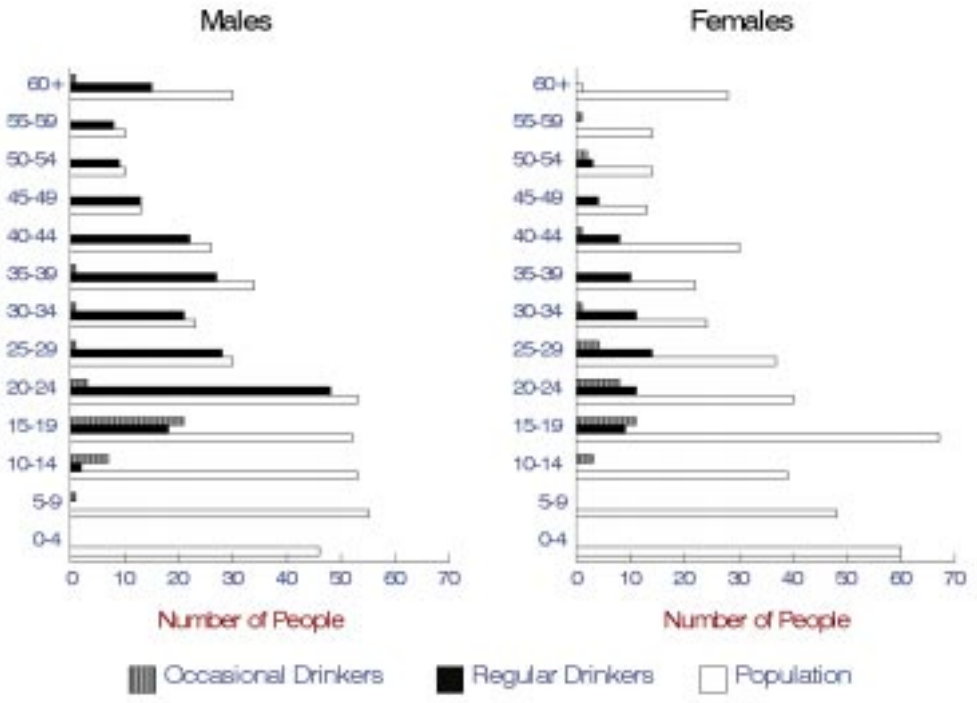
Such a perspective raises important questions when matters such as the abuse of alcohol within Aboriginal societies, the high levels of violence, or other instances of what might be labelled social pathology are considered. Firstly, the notion of 'culture' requires an allowance for differing perspectives and practices *within* Aboriginal societies and indeed between them. The author's own research in a remote Queensland area provides some suggestive data (Martin 1988). The data was gathered on drinking patterns and on various categories of offences for which arrests had been made over a number of sample years, and then plotted against the standard population pyramid for the area.

Figure 1 relates to patterns of alcohol consumption, primarily at the beer canteen but also from other sources including illicitly resold alcohol ('sly grog'). It can be seen that, while significant numbers of women drank, proportionately far more men drank for each age range. Proportionately more women were occasional drinkers than were men, although for both sexes over

the age of thirty years, regular (and often very heavy) rather than occasional alcohol consumption was the norm. (Note: while somewhat subjective in nature, the definitions used were that regular drinkers encompassed those who went to the beer canteen every night it was open, while occasional ones were those who were publicly known to drink, but did so intermittently or rarely. The ascription of being a 'regular', 'occasional' or 'non' drinker for each individual was given to the author by Aboriginal people.)

Figure 1

Male and Female Patterns of Alcohol Consumption



The relatively high proportion of occasional drinkers under the age of twenty resulted from the age limit of eighteen years usually enforced at the canteen—those under this age drank when other alcohol, such as 'sly grog', was available.

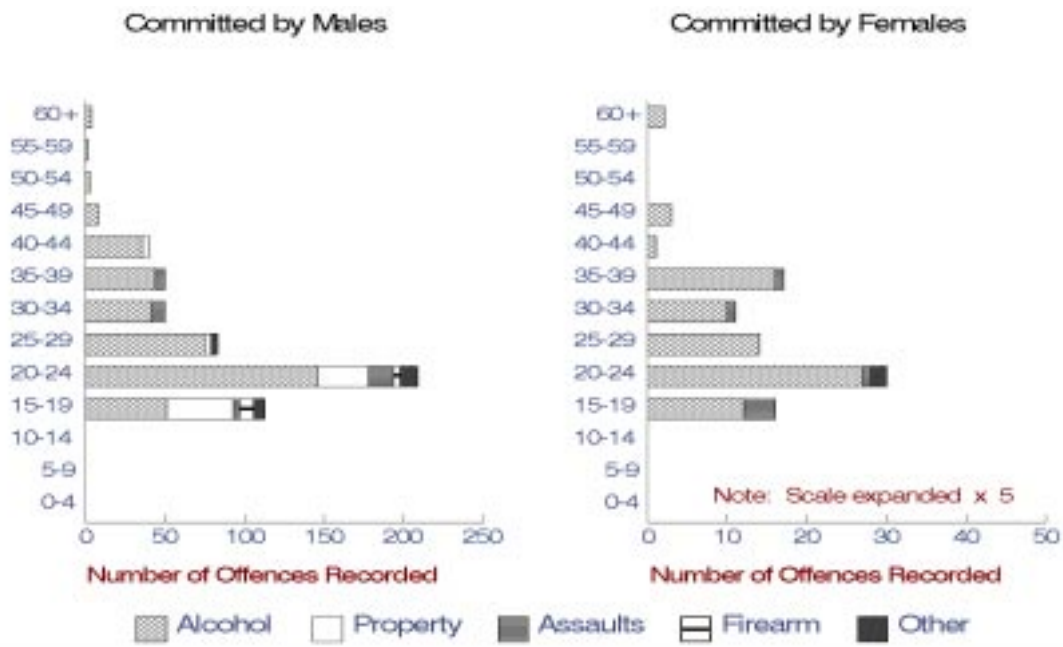
Significantly, by the time men reached adulthood, the overwhelming majority were regular or heavy drinkers, as were a smaller but nonetheless significant number of women in each age group. It should be noted that the generation of grandmothers—on whom the burden of child care was increasingly falling—were precisely those who rarely if ever drank, and that this has major implications for the type of society which will be reproduced in the future. Two points are to be noted: the first relates to the substantial

difference between the sexes in drinking patterns (reflected also in the violence and other statistics). Aboriginal men and women are *both* subject at a broad level to the institutions and forces of the wider society, and indeed to its oppression and racism. The ways in which Aboriginal women articulate with and respond to these imposed forms as opposed to men, however, depends precisely upon the differing dispositions, practices, emotional constructs and so forth which are seen within Aboriginal societies as appropriate to each gender.

The second and related point is that, while virtually all adult men of all ages drank regularly, and while field observations (Martin 1988) and evidence from elsewhere indicates that a whole range of offences are related (if in a complex fashion) to alcohol consumption, the offences for which men were arrested varied quite significantly across the generations—as did those between men and women. This can be seen in Figure 2, which aggregates offences for one sample year into five main categories. It should first be noted that these statistics relate to offences, not individuals—certain people were arrested on a number of occasions. Secondly, offence rates for women were less than one-fifth those for men, reflected in the different scales used in the figure for each.

Figure 2

Male and Female Aggregate Offences for One Sample Year



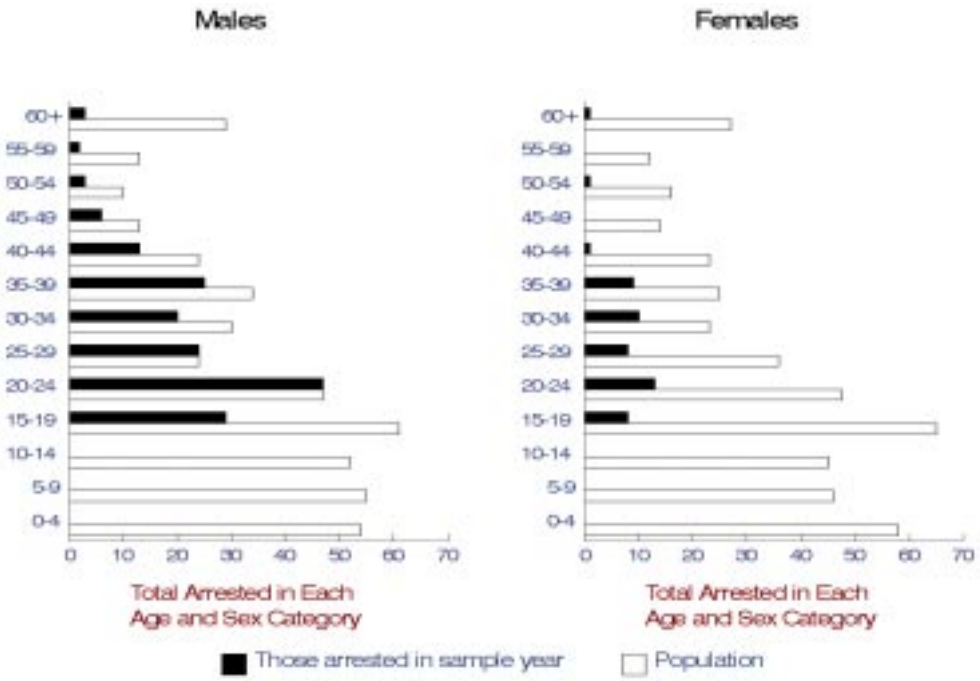
Thirdly, while arrests for alcohol-related offences predominated for all age ranges and for both genders, property-related offences (stealing cars, smashing windows and so on) were almost exclusively the province of males aged under twenty-five years and, to a much lesser extent, women aged

under twenty years. Firearms offences were almost always committed by young men aged under twenty years and to a lesser extent men aged between twenty and twenty-five years. No women were arrested for firearms offences, despite the fact that the weapons were usually accessible to anyone who wanted to get them, male or female. Assaults were also committed overwhelmingly by men—especially those aged between twenty and twenty-five years. While there is clearly the need for longitudinal studies, the explanation for these statistics lies, in part at least, in what constitutes appropriate and indeed meaningful behaviours for the different age ranges and for the sexes—that is, what could be called sub-sets of the emergent culture of the Aboriginal people of the area in question.

The data in Figure 2 has been aggregated and re-presented in Figure 3 in terms of the numbers of people arrested in the sample year by age and gender, shown against the population figures for each category. The data demonstrates clearly that, for this remote area, coming into contact with the Queensland justice system is normative rather than aberrant behaviour for certain categories of Aboriginal people, most particularly men. All men aged between twenty and thirty years were arrested at least once during this year, while far fewer women were arrested, almost none older than forty years.

Figure 3

Numbers of People Arrested in the Sample Year by Age and Gender



Such statistics should indeed be seen as signs of a society in deep distress and under severe pressure—but these statistics also suggest that many of the clues to understanding them lie within the society itself. It is important to make the point here that issues such as high levels of alcohol consumption

and violence are of immense concern to many Aboriginal people themselves, and that there is no single consensus about them. Aboriginal people have a range of strongly held views about these matters, as do White Australians in relation to the same phenomena within their own society. Nonetheless, ultimately analyses of such phenomena have to be grounded in Aboriginal cultural understandings and processes, as well as taking account of the complex articulation between them and the all-pervasive institutions and forces of White Australia.

The author's own research in one particular region of Aboriginal Australia has demonstrated that, while high levels of fighting and violence can be attributed in part to the effects of ever increasing intervention by the wider society, they are also deeply rooted in cultural values relating to such matters as the high stress on personal autonomy, on appropriate behaviours for each sex, on notions of morality, on how individuals are seen to be related to wider social groupings, on the appropriate expression of emotions such as anger, and on how individuals are expected to act upon the world in order to achieve their ends or redress wrongs done to them (Martin 1988, p. 16).

Reser (1990), in a comprehensive research paper prepared for the Royal Commission into Aboriginal Deaths in Custody, argues that in Aboriginal Australia there is a marked difference in the domain of the emotions in comparison with White Australia, particularly in the socialisation of affect, in modes of emotional coping, and in the centrality of emotional experience and expression. There is, in Reser's view, a substantial elaboration of the expression of anger in Aboriginal cultures, and he argues that to understand violence in them it is essential to appreciate the real cultural differences in the means of emotional expression and the functions that are served by such expressions of anger (Reser 1990, p. 30).

Patterns of alcohol consumption cannot be separated from such culturally based notions. Whatever the original motivations for its use, either individually or collectively, alcohol consumption takes on its own dynamic and meanings. Alcohol consumption is not an individual activity but a quintessentially social one, with socially-ascribed meanings. Aboriginal drinking, as the work of many researchers shows, has been widely assimilated to basic Aboriginal cultural notions such as those of sharing and reciprocity (Brady & Palmer 1984).

Aboriginal people with whom the author worked made it very clear that they thought people got drunk in order to release the feelings of anger and aggression towards others that they normally repressed while sober. Yet it is too simplistic to see alcohol consumption causally related to violence in any straightforward fashion. Rather, excessive alcohol consumption and violence together in some areas of Aboriginal Australia are becoming intrinsic dimensions of an emergent, if problematic, contemporary culture (*see*, for example, Reser 1990, p. 54).

Where do such arguments lead and, of course even more critically, where do they lead Aboriginal people? A concentration on the internal dynamics of Aboriginal societies to the exclusion of an analysis of the institutions and processes of the wider state could lead to justifiable charges of 'blaming the victims'. Yet, 'blame' is not a useful concept here. Rather, in understanding

something of the immense complexity of the manner in which the institutions of White society impinge upon and feed into Aboriginal lives at all levels, the full import and impact of the continuing history of colonialism in this country can be truly understood. In so doing, we will be better equipped to argue for the structural changes which will enable Aboriginal people themselves to address the problems within their societies.

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