

PARTICIPATION AND POWER

Aboriginal Representation and Members of the Northern Territory Legislative Assembly 1974 - 2014

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Background and Introduction

The starting point for this paper was inspired by an opinion piece in the Australian Financial Review where the political editor Laura Tingle wrote in 2013 as follows:

*Take Prime Minister Julia Gillard's move to get Nova Peris onto Labor's Northern Territory Senate ticket. What a shock it was to see the local ALP establishment which has singularly and disgracefully failed to promote any Indigenous candidates expressing outrage at the PM's move. Quelle surprise!*²

How does this claim sit against the reality that on 34 occasions in the Northern Territory over 12 Assemblies since 1974, a person of Aboriginal heritage has been elected as a Member of the Legislative Assembly?

In each of the twelve Assemblies there has been at least one Aboriginal Member and a number of candidates at each election.

On that basis, the comment deserves some analysis as to why it is so framed and whether it is fair in the overall context of representation in the jurisdiction. This paper does not analyse whether Aboriginal Members of Parliaments achieve results for Aboriginal peoples. For analysis on that matter see Sarah Maddison's 2010 article³.

The dismissive comment arguably undervalues and diminishes the contributions made by so many Aboriginal people as candidates, potential Members and Members in the Northern Territory.

The theme of the 2014 Australasian Study of Parliament Group conference - 'representation', lends itself well to developing this discussion looking factually (as far as possible) rather than critically, at what 'Aboriginal representation' is and what people think it should mean, in the context of the Northern Territory of Australia.

The paper explores participation by Aboriginal peoples in Northern Territory elections and the Legislative Assembly and suggests that there is an unsatisfied longing for the Northern Territory to be the 'authentic voice' of Aboriginal Australia in terms of representation and resolving difficult matters.

The paper only superficially examines contemporary matters relating to some of the Aboriginal Members in the existing and previous Assemblies and acknowledges the

¹ BA LLB LLM Grad Dip LP, Clerk of the Legislative Assembly of the Northern Territory. The author is an outsider to the Territory, first arriving more than ten years ago, the locals often demand layers of credentialing before becoming the mythical authentic 'Territorian'. Interestingly, not one of the Territory's ten Chief Ministers since 1978 was born in the Northern Territory.

² *Like Lincoln, Gillard Grabs the Nettle* Laura Tingle Australian Financial Review Friday 1 February 2013 page 47

³ *White Parliament, Black Politics: The Dilemmas of Indigenous Parliamentary Representation* Sarah Maddison Australian Journal of Political Science Vol 45 No 4 December 2010 page 663

distinctive historical attitudes by electors resident in the Territory to governance itself which could be characterised as resentful⁴.

Many commentators and writers have noted this quality⁵ and to some extent it is borne out in the words of the former Territory Chief Ministers themselves in a recent book⁶ when considering the challenges they faced with governance and service delivery and the large proportion of traditional and urban Aboriginal peoples in this sparsely populated and vast jurisdiction.

The States versus the Commonwealth tug of war and blame game has been a permanent feature and a vastly magnified one of the Northern Territory's relations with the Commonwealth due to its entrenched inferior constitutional status and the retention of Commonwealth control over Aboriginal land, two significant national parks and uranium mining, normal state based powers elsewhere in Australia.

The Northern Territory in Context

The Northern Territory is a jurisdiction of some 230 000 residents with a small Legislative Assembly of 25 members and two Representatives and two Senators totalling just four MPs in a Federal Parliament of 276. In other words, 272 of those people meeting in the Parliament in Canberra represent the rest of Australia.

Has the Northern Territory failed in terms of Aboriginal representation?

At a national level, Queensland has elected Senator Neville Bonner in 1972 (appointed previously on a casual vacancy in 1971), New South Wales has elected Senator Aden Ridgeway to the Senate in 1999, Western Australia sent the Member for Hasluck Ken Wyatt to the House of Representatives in 2010 and the Northern Territory sent Senator Nova Peris to Canberra in 2013.

On these figures, the Northern Territory which has less than 17% of the number of Senators from each state has sent 25% of all Aboriginal people ever to be a parliamentarian in Canberra in the 113 years of Federation.

For 74 of those years the Northern Territory had no Senators, and has only had two Members of the House of Representatives since 2001.

The Tingle comment appears to be a fairly common criticism, but one that needs to be examined to see whether it carries any weight to go with its tone of strident outrage. Outrage which appears to be expressed on behalf, not only of Aboriginal peoples, but also on behalf of the rest of simpatico Australia against the mendicant Territory.

In the context of Tingle's comment, this paper does not explore pre-selection matters in political parties; however the belief expressed by the journalist is, it is submitted, an example that in the minds of some, the Northern Territory has a special and significant role to play over and above any other Australian jurisdiction in promoting Aboriginal participation.

The Northern Territory, in its existing (12th) Assembly comprises 6 of a total 25 Members who identify with Aboriginal heritage.

What is the national context? The basics are: the Territory is one sixth of the Australian land mass, and home to one percent of the Australian population.

⁴ North Australian Research Bulletin: [Elections in the Northern Territory 1974-1977](#) D NARU Bulletin No 4 1979 Jaensch and P Loveday Eds Page 11

⁵ Carment, Jaensch and Loveday as well as a range of former Chief Ministers cited elsewhere in this paper.

⁶ [Speak For Yourself: Chief Ministers Next 1 347 525km2](#) Clare Martin and Mickey Dewar CDU Press 2012

The proportion of Aboriginal peoples living in the Northern Territory relative to the entire Territory population, is much higher than in any other jurisdiction at 29.8% (as at June 2011). However, at around 10% of all Australian Aboriginal people, a lot of expectation appears to rest on the shoulders of Northern Territory Aboriginals and those elected to public office to solve so called Aboriginal matters⁷.

There was an estimated 631,757 Aboriginal people in Australia as of June 30th 2011.

Of these, 202,674 were living in NSW, or 32.1 per cent of the total Australian Aboriginal population⁸. Only Queensland has a comparable population with an estimated 164,557 Aboriginal peoples living in that state.

To put these results into perspective, there were more Aboriginal peoples living in NSW than the whole of South Australia, Western Australia and the Northern Territory combined (190,871) (NT = 68 850).

Is there an assumption that greater participation by Aboriginal peoples as a Member of Parliament going to result in more focus on Aboriginal matters and better solutions to difficult challenges?

It has been said that while parliamentary representation is important in a symbolic sense, without structural transformation it will never be an adequate vehicle for representing Aboriginal needs and concerns⁹.

Whether Aboriginal peoples vote for Aboriginal candidates or for political parties was the subject of some scrutiny after the 1983 Northern Territory election and the finding was mainly that Aboriginal voters tended to vote for parties and policies ahead of the Aboriginality of the candidate¹⁰.

As stated above, the Northern Territory is a jurisdiction with only four MPs in the Federal Parliament compared to a jurisdiction (NSW) with 60 MPs (48+12) which also has a larger population of Aboriginal residents and has no Aboriginal representation in the Federal Parliament, and has only ever had one Aboriginal Member of its State Parliament, where the Legislative Assembly became fully elected in 1856.

Given the proportion of Aboriginal peoples living in the Territory relative to the entire Territory population arguably the results in the Northern Territory are as they should be. While it is only in the 12th and 10th Assemblies where something like a mathematical equation of proportionality with 6 out of 25 being similar to the overall proportion in the population, this appears to be realised, not by design, but not by accident either.

Political parties see a need to recruit candidates to reflect their constituencies. A long tradition of Aboriginal candidates in bush seats has been practised in the Northern Territory by different political parties. Parties require party loyalty and these are matters that come to the fore when considering representation on the basis of a group of people in a society.

⁷ Housing, employment, education, health and sanitation, are of course matters of concern to all when they are not available or not delivered.

⁸ These statistics are ABS sourced and included in the 2014 NT Budget Papers.

⁹ Maddison Op Cit page 665.

¹⁰ Chapter Eight *Aboriginal Voters and Aboriginal Candidates* P Loveday and W Sanders in A Landslide Election, the NT 1983 Peter Loveday and Dean Jaensch (eds) Australian National University North Australia Research Unit Monograph Series 1984 page 65.

The fact that this is now fairly unremarkable to have six Aboriginal Members in the Assembly is what brings the Tingle quote into perspective.

The claims of failure to preselect aren't borne out in practice. Compared to other jurisdictions the Northern Territory record is singularly spectacular as is demonstrated in the lists and discussion of all the candidates below. Perhaps it is the journalist's disappointment in outcomes that has resulted in the statement. Has the existence of Aboriginal Members been unfairly conflated with a desire to see an end to difficult matters impacting upon Aboriginal peoples?

According to former Territory based Charles Darwin University historian David Carment the population of seven of the 25 Legislative Assembly electorates was in 2001 'over half indigenous'.¹¹ Yet not always do we see these electorates voting for Aboriginal candidates. At the 2012 election not one candidate from the First Nations Political Party was elected to the Northern Territory Assembly.

Historically the 'dilution' of the Northern Territory population has continued apace but has stabilised at about 25% or slightly more since 1971.

In 1958 almost half of the Northern Territory population was Aboriginal¹² and there was no Aboriginal representation in the then Legislative Council, the administering arm of government occupied by Territory based Federal public servants since 1948.

The proportion of Aboriginal peoples in the Northern Territory at 29.8% as at June 2011 indicates a decline in the Territory's share of the national Indigenous population from 12.4% in June 2006 to 10.3% in June 2011.¹³

An uninterrupted 40 years of Aboriginal Members of the Northern Territory Assembly comes from 34 occasions at an election or by-election where a candidate with Aboriginal heritage has won a seat in the Legislative Assembly.

Each of the twelve general elections has resulted in a range of people seeking election including a significant proportion of Aboriginal peoples who have also succeeded in quests which are equally as legitimate as becoming an elected member of the Assembly, including achieving a seat on local government or Land Council executive positions.

The election outcomes are outlined below and each Aboriginal candidate is highlighted in red text. Bold text indicates the Member:

1. Legislative Assembly General Election – 19 October 1974

| | |
|---------------|---|
| Alice Springs | Bernard Kilgariff ; Jean Leunig, Alan Gray |
| Arnhem | Rupert Kentish ; Elizabeth Pearce |
| Barkly | Ian Tuxworth ; Eric Marks |
| Casuarina | Nicholas Dondas ; Allan Dunstan, Robert McGahey, Dudley Orr |
| Elsley | John (Les) MacFarlane ; Kevin Frazer, Leslie James, James Martin |
| Fannie Bay | Grant Tambling ; James Bowditch, Eleanor Fisher, John McCormack |
| Gillen | James Robertson ; Peter Leunig |

¹¹ Territorianism David Carment Australian Scholarly Publishing 2007 page 3

¹² North Australian Research Bulletin: Elections in the Northern Territory 1974-1977 D NARU Bulletin No 4 1979 Jaensch and P Loveday Eds page 2.

¹³ Budget 2014-15 Northern Territory Government Budget Paper – Northern Territory Economy page 41.

| | |
|----------------|--|
| Jingili | Paul Everingham ; Thomas Bell |
| Ludmilla | Roger Steele ; Hazel Robertson, Edward D'Ambrosio, Brian Smith, Grahame Stewart, William Sullivan |
| Macdonnell | David Pollock ; Bruce Breadon , Malcolm Wolf |
| Millner | Roger Ryan ; Jack Hunt, William Forrest, John Quinn |
| Nightcliff | Dawn Lawrie ; Edward Ellis, Alfred Hooper |
| Nhulunbuy | Milton Ballantyne ; John Flynn, William Hendry |
| Port Darwin | Ronald Withnall ; James Gallacher, William Jettner, Brian Manning |
| Sanderson | Elizabeth Andrew ; Mark Phelan, Alexander Allan-Stewart, Herbert Sinclair |
| Stuart | Roger Vale ; Harry Nelson , Reginald Harris |
| Stuart Park | Marshall Perron ; Geoffrey Loveday, William Fisher, John McNamee |
| Tiwi | Hyacinth Tungutalum ; Peter Lawrence, Robert Oaten, Noel Padgham-Purich, Lou Stewart |
| Victoria River | Godfrey (Goff) Letts ; Wiyendji Nunggula , Charles Renfrey |

Candidates who are Aboriginal 5 out of 65

Members who are Aboriginal 1 out of 19

Aboriginal voters were granted voluntary enrolment and voluntary voting from 1974¹⁴ until 1977 when, if enrolled (still voluntary) they were required to vote. From 1980 compulsory voting and enrolment applied to all over the age of 18.

2. Legislative Assembly General Election – 13 August 1977

| | |
|----------------|--|
| Alice Springs | Rod Oliver ; Rosalie McDonald, Brian Evans |
| Arnhem | Bob Collins ; Rupert Kentish, Philip Brain |
| Barkly | Ian Tuxworth ; Jean "Peg" Havnen , Neville Andrews, Margaret Conway, Billy Foster |
| Casuarina | Nick Dondas ; Dennis Bree, Robert Hoey |
| Esey | Les MacFarlane ; Deidre Killen, Davis Daniels, Patricia Davies |
| Fannie Bay | Pam O'Neil ; Grant Tambling, Edward Osgood, William Fisher |
| Gillen | Jim Robertson ; John Thomas, Peter Johncock |
| Jingili | Paul Everingham ; Diana Rickard, David Cooper, John McCormack, George Tarasidis |
| Ludmilla | Roger Steele ; Christopher Draffin, Terry Johnson |
| Macdonnell | Neville Perkins ; Dave Pollock, Mark Fidler |
| Millner | Jon Isaacs ; Roger Ryan, Elva Pearce |
| Nhulunbuy | Milton Ballantyne ; Denise Fincham, Jacob De Vries |
| Nightcliff | Dawn Lawrie ; Ronald Nobbs, Uldis (Tony) Blums |
| Port Darwin | Tom Harris ; Michael Scott, Ian Smith, Brian Manning, Ron Withnall |
| Sanderson | June D'Rozario ; Liz Andrew, Geoffrey Bennett, Kitty Fischer, Herbert Sinclair |
| Stuart | Roger Vale ; Trevor Cutter, Kenneth Kitto |
| Stuart Park | Marshall Perron ; Judith Muras, Kenneth Day, Ernest Chin |
| Tiwi | Noel Padgham-Purich ; Harry Maschke, Bernard Tipiloura , Cyril Rioli , George Ryan, Terrence O'Brien, Strider |
| Victoria River | Jack Doolan ; Goff Letts, Frank Favaro |

Candidates who are Aboriginal 3

Members who are Aboriginal 1 out of 19

¹⁴ By 1974 enrolments amongst Aboriginal electors had reached 44% about half of whom voted according to Murray Goot in *The Aboriginal Franchise and its Consequences* Australian Journal of Politics and History Volume 52 No 4 2006 page 536.

Labor did not win any seats in the Assembly at the election in 1974. It was not until 1977 that there was a change and they won their first six seats, including with an Aboriginal candidate in the seat of MacDonnell now the remote central desert seat of Namatjira.

In the context of the 1977 election Jaensch and Loveday wrote: *The Aboriginal vote was central to the election. A large number of the Aboriginal people of the Northern Territory were non-literate, isolated and politically uneducated and individuals and groups in the Northern Territory took steps to clarify the situation with the electoral office in relation to the non-literate voter. The major political parties were well aware of the value of the Aboriginal vote, and many allegations have been made over the years relating to the 'abuse' of the Aboriginal vote.*¹⁵

The use of compulsory preferential voting was argued as disadvantageous and the Central Land Council and Central Australia Aboriginal Congress stated that the Country Liberal Party (CLP) in collusion with the government in Canberra had 'rigged the voting system to stop Aboriginals having a full say in the democratic process.. despite evidence from the Chief Electoral Officer that such a system discriminated against the Aboriginal voter'.¹⁶

The CLP nominated two candidates in Tiwi, Arnhem and Victoria River. While two Labor (ALP) candidates vied for Tiwi at this election, this was not possible under ALP rules at subsequent elections. More on this tactic is outlined below in the context of the 1983 election results.

3. Legislative Assembly General Election - 7th June 1980

| | |
|----------------|--|
| Alice Springs | Denis Collins; Ted Hampton , Rod Oliver, David Pollock |
| Arnhem | Bob Collins; Gatjil Djerrkura , Mark McAleer |
| Barkly | Ian Tuxworth Neville Andrews, William Thomson |
| Casuarina | Nick Dondas ; Dennis Bree, Klaus Roth |
| Elsie | Les MacFarlane ; Maged Aboutaleb, Patricia Davies, James Forscutt, Lawrence Hughes, R.T. Reilly |
| Fannie Bay | Pam O'Neil ; Ella Stack |
| Gillen | James Robertson ; Rosalie McDonald |
| Jingili | Paul Everingham ; Peter Hansen, Peter Read |
| Ludmilla | Roger Steele ; Roy Barden, Kay Spurr |
| MacDonnell | Neville Perkins; Rose Kunoth-Monks |
| Millner | Jonathan Isaacs ; J.P. (Shorty) Robinson |
| Nhulunbuy | Daniel Leo ; Milton Ballantyne, Michael O'Reilly |
| Nightcliff | Dawn Lawrie ; Anne Amos, Charles Coombes |
| Port Darwin | Tom Harris ; Jack Haritos, Len Myles, Peter Taylor |
| Sanderson | June D'Rozario ; Ron Mann, Daryl Manzie |
| Stuart | Roger Vale ; John Thomas |
| Stuart Park | Marshall Perron ; Peter Cavanagh, John Duffy, Terry Wilson |
| Tiwi | Noel Padgham-Purich ; Harry Maschke, Len McLearn, Jenny Smither |
| Victoria River | Jack Doolan ; Bronte Douglas, Jack McCarthy, John Millhouse |

Candidates who are Aboriginal 4
Members who are Aboriginal 1 out of 19

Rosalie Kunoth Monks is an active member of local government in the Northern Territory and a long standing advocate for a range of matters impacting upon her community; she was

¹⁵ Jaensch and Loveday Op Cit Page 196

¹⁶ NT News 8 July 1977

named by the NT News in August 2014 as one of the “Top 50 most interesting Territorians” and is a member of the First Nations Political Party.

4. Legislative Assembly General Election - 3rd December 1983

| | |
|----------------|---|
| Arafura | Bob Collins ; Kevin Doolan, Bob Woodward |
| Araluen | James Robertson ; Allen Joy, Goff Letts |
| Arnhem | Wes Lanhupuy ¹⁷ ; David Amos, David Daniels , Des Rogers |
| Barkly | Ian Tuxworth ; Charles Hallett |
| Berrimah | Barry Coulter ; Colin Young |
| Braitling | Roger Vale ; Ross Kerridge |
| Casuarina | Nick Dondas ; Lionel Crompton |
| Eley | Roger Steele ; James Forscutt; Trevor Surplice |
| Fannie Bay | Marshall Perron ; Gerald Luck, Pam O’Neil |
| Flynn | Ray Hanrahan ; Pamela Gardiner, Peter Hughes |
| Jingili | Paul Everingham; Martin Jacob |
| Koolpinyah | Noel Padgham-Purich ; Murray Leeder, Michael Sanderson, Robert Wesley-Smith |
| Leanyer | Michael Palmer ; John Waters |
| Ludmilla | Colin Firmin ; Allan O’Neil |
| MacDonnell | Neil Bell ; Ted Hampton , Ian McKinlay |
| Millner | Terry Smith Christopher Fenner, Lorraine Palfy |
| Nhulunbuy | Daniel Leo ; Kevin Graetz |
| Nightcliff | Steve Hatton ; Colin Dyer, Dawn Lawrie |
| Port Darwin | Tom Harris ; Russel Kearney |
| Sadadeen | Denis Collins ; Morgan Flint |
| Sanderson | Daryl Manzie ; June D’Rozario |
| Stuart | Brian Ede ; Bob Liddle |
| Victoria River | Terry McCarthy ; Dennis Bree, Jack Doolan, Maurie (Japarta) Ryan , Ron Wright |
| Wagaman | Fred Finch ; Brian Reid |
| Wanguri | Don Dale ; Pat Burke, Edward Miller |

Candidates who are Aboriginal: 6

Members who are Aboriginal: 1 out of 25

Maurie Japarta Ryan, who stood for the Democrats at this election, is also a former candidate for the Senate and the existing Chair of the Central Land Council. He was a founder of the First Nations Political Party formed in 2009 and stood for the seat of Stuart at the 2012 election.

Some 18 months ahead of the 1983 election there was talk of the formation of an Aboriginal political party to contest seats at the election. On 19 June 1982 the NT News editorially criticised the move as ‘divisive’. The proposal did not reach fruition in time for the election.

A feature of past Northern Territory elections, which is no longer available to parties and candidates, was for there to be more than one candidate in an electorate from the same political party. In this election the candidates for Arnhem, David Daniels and David Amos were both CLP endorsed candidates. The idea being Mr Amos would pick up the non-

¹⁷ Pre-selected as a result of intervention by the Federal Executive of the ALP after a non-Aboriginal candidate had been the previous choice.

Aboriginal vote at the mining lease at Groote Eylandt and Mr Daniels the Aboriginal vote elsewhere in the electorate¹⁸.

Victoria River also featured two (non-Aboriginal) CLP candidates with how to vote cards designed to secure an exchange of preferences if preferences were counted. This tactic was aimed at large electorates with little community of interest over the vast distances¹⁹.

5. Legislative Assembly General Election - 7th March 1987

| | |
|----------------|--|
| Arafura | Stanley Tipiloura ; Dorothy Fox , Peter Watton |
| Araluen | Eric Poole ; Enzo Floreani, Diane Shanahan |
| Arnhem | Wesley Lanhupuy ; Brian Dalliston, John Hancock, Bruce Foley |
| Barkly | Ian Tuxworth ; Keith Hallett, Maggie Hickey, Gary Smith |
| Braitling | Roger Vale ; Mike Alsop, Max Stewart |
| Casuarina | Nick Dondas ; Giuseppe Nicolosi, John Reeves |
| Fannie Bay | Marshall Perron ; Stephen Marshall, Edward "Ossie" Osgood, Strider, John Waters |
| Flynn | Ray Hanrahan ; Jacqueline Anderson, John Omond |
| Jingili | Richard Setter ; Harry Maschke, Robert Wharton |
| Karama | Michael Palmer ; Robyn Crompton, Lionel Preston |
| Katherine | Michael Reed ; James Forscutt, Phil Maynard |
| Koolpinyah | Noel Padgham-Purich ; Peter Ivinson, Patrick Loftus, David Loveridge |
| Leanyer | Fred Finch ; David Lamb-Jenkins, David Wane |
| Ludmilla | Colin Firmin ; Sydney Cross, Chris McMaha, Brian Thomas |
| Macdonnell | Neil Bell ; Davis, Ron Liddle |
| Millner | Terry Smith ; John Baban , Michael Foley |
| Nhulunbuy | Daniel Leo ; Deane Crowhurst, Pat Ellis, Pamela Steele-Wareham |
| Nightcliff | Steve Hatton ; Brian Brent, John Rowell |
| Palmerston | Barry Coulter ; Tony Henry, Michael Ting |
| Port Darwin | Tom Harris ; Russell Kearney, James Maclean |
| Sadadeen | Denis Collins ; Meredith Campbell, Lynne Peterkin, Shane Stone |
| Sanderson | Daryl Manzie ; Lawrence Armstrong, Peter McQueen |
| Stuart | Brian Ede ; Ian Drennan, Vincent Forrester, Jim Sinclair |
| Victoria River | Terry McCarthy ; Lance Lawrence, Leon White, Ronald Wright |
| Wanguri | Don Dale ; Graeme Bevis, Peter McNab |

Candidates who are Aboriginal: 5

Members who are Aboriginal: 2 out of 25

Ahead of this election former Chief Minister Tuxworth resigned from the CLP and joined the Nationals in the context of the *Joh for PM* push. Mr Tuxworth was the only Member of the Assembly from the National Party notwithstanding a number of Nationals candidates at this election. The NT Nationals were not endorsed from head office but was an offshoot of the Queensland branch and dissolved in the Northern Territory in 1990.

Ms Padgham- Purich and Mr Collins both former (dis-endorsed) CLP members re-took their seats as independents.

6. Legislative Assembly General Election - 27th October 1990

¹⁸ ALP rules did not permit dual candidates. The party endorsed only one. The CLP left it to the electorate where there was more than one from their party. The practice ceased at the 2008 election.

¹⁹ A Landslide Election, the NT 1983 Peter Loveday and Dean Jaensch (eds) Australian National University North Australia Research Unit Monograph Series 1984 page 55.

| | |
|----------------|--|
| Arafura | Stan Tipiloura ; Barry Puruntatameri |
| Araluen | Eric Poole ; Brian Doolan; Enzo Floreani |
| Arnhem | Wes Lanhupuy ; Rodney Ansell, Tony Hayward-Ryan |
| Barkly | Maggie Hickey ; Tony Boulter, Charles Hallett, Kenneth Purvis, Paul Ruger |
| Braitling | Roger Vale ; Leslie Oldfield, Matthew Storey, Damien Ward |
| Brennan | Max Ortmann ; Colin Firmin, Ian Fraser |
| Casuarina | Nicholas Dondas ; Rod Ellis, Lea Rosenwax |
| Fannie Bay | Marshall Perron ; Paul Costigan, Bob Ellis, Strider |
| Goyder | Terry McCarthy ; Jack Ah Kit , Kezia Purick, Louise Size, Thomas Starr; Ian Tuxworth |
| Greatorex | Denis Collins ; Harold Furber, David Johannsen, Robert Kennedy |
| Jingili | Rick Setter ; Fiona Stuchbery, Penelope Thomson |
| Karama | Mick Palmer ; Janet Durling, Margaret Gillespie |
| Katherine | Mike Reed ; Jim Forscutt, Laurie Hughes, Phil Maynard |
| Leanyer | Fred Finch ; Jim Davidson, Alan MacKenzie |
| Macdonnell | Neil Bell ; Brendan Heenan, Alison Hunt |
| Millner | Terry Smith ; Janice Collins |
| Nelson | Noel Padgham-Purich ; Graeme Gow, Peter Ivinson, David Sanderson |
| Nhulunbuy | Syd Stirling ; Susan McClure |
| Nightcliff | Steve Hatton ; John Dunham, David Pettigrew |
| Palmerston | Barry Coulter ; Chris Draffin, Timothy Fowler, Ronald Wright |
| Port Darwin | Shane Stone Peter Cavanagh, David Fuller, Lady Jessie Kearney |
| Sanderson | Daryl Manzie ; Graeme Parsons, Alan Perrin, Andrew Wrenn |
| Stuart | Brian Ede ; Alexander Nelson, Eric Pananka |
| Victoria River | Gary Cartwright ; Stephen Dunham |
| Wanguri | John Bailey ; John Hare |

Candidates who are Aboriginal: 4

Members who are Aboriginal: 2 out of 25

(Stan Tipiloura replaced by Maurice Rioli at a by election in 1992)

Once again the CLP nominated two candidates in a bush seat where there was a majority of Aboriginal voters.

7. Legislative Assembly General Election - 4th June 1994

| | |
|------------|--|
| Arafura | Maurice Rioli ; Colin Newton, Lothar Siebert |
| Araluen | Eric Poole ; Mescal Yates |
| Arnhem | Wes Lanhupuy ; Veronica Januschka |
| Barkly | Maggie Hickey ; Geoffrey Freeman, Paul Ruger |
| Brennan | Denis Burke ; Geoff Carter, Max Ortmann |
| Casuarina | Peter Adamson ; Clare Martin |
| Fannie Bay | Marshall Perron ; Susan Bradley |
| Goyder | Terry McCarthy ; Jamie Johnson, Gerry Wood |
| Greatorex | Richard Lim ; Denis Collins, Kerry Nelson |
| Jingili | Rick Setter ; Edward (Ted) Warren |
| Karama | Mick Palmer ; Christopher Inskip, Goncalo Pinto, John Tobin |
| Katherine | Mike Reed ; Gibby Maynard |
| Leanyer | Fred Finch ; Cossimo Russo |
| Macdonnell | Neil Bell ; Pam Waudby |
| Millner | Philip Mitchell ; Ilana Eldridge, Ken Parish |
| Nelson | Noel Padgham-Purich ; Wayne Connop, Chris Lugg |
| Nhulunbuy | Syd Stirling ; Mick O'Shea |
| Nightcliff | Steve Hatton ; Robert Adams, Paul Henderson |
| Palmerston | Barry Coulter ; Kevin Diflo, David Elliott |

| | |
|----------------|---|
| Port Darwin | Shane Stone ; Rodney Haritos, Andrea Jones |
| Sanderson | Daryl Manzie ; Denise Horvath |
| Stuart | Brian Ede ; Tony Bohning |
| Victoria River | Tim Baldwin ; Gary Cartwright, Jack Noble |
| Wanguri | John Bailey ; Steve Balch |

Candidates who are Aboriginal: 2
Members who are Aboriginal: 2 out of 25

8. Legislative Assembly General Election - 30th August 1997

| | |
|-------------|---|
| Arafura | Maurice Rioli ; Jacob Nayinggul |
| Araluen | Eric Poole ; Lilliah McCulloch |
| Arnhem | Jack Ah Kit ; Lance Lawrence; Thomas Maywundjiwuy , Alan Wright |
| Barkly | Maggie Hickey ; Mark John, Barry Nattrass |
| Blain | Barry Coulter ; Richard Bawden |
| Braitling | Loraine Braham ; Peter Brooke |
| Brennan | Denis Burke ; Stephen Bennett |
| Casuarina | Peter Adamson ; Douglas McLeod |
| Drysdale | Stephen Dunham ; Stewart Edwards, Paul Nieuwenhoven |
| Fannie Bay | Clare Martin ; Michael Kilgariff |
| Goyder | Terry McCarthy ; Wayne Connop , Strider |
| Greatorex | Richard Lim ; Peter Kavanagh |
| Jingili | Steve Balch ; Stephen Barnes, Ross Forday, Catherine Phillips |
| Karama | Mick Palmer ; John Tobin |
| Katherine | Mike Reed ; Peter Byers, Michael Peirce |
| Macdonnell | John Elferink ; Kenneth Lechleitner, Mark Wheeler |
| Millner | Philip Mitchell ; Ian Mills, June Mills , Peter O'Hagan |
| Nelson | Chris Lugg ; Theresa Francis , Dave Tollner |
| Nhulunbuy | Syd Stirling ; Richard Davey |
| Nightcliff | Steve Hatton ; Paul Henderson, Theo Katapodis, Betty McCleary |
| Port Darwin | Shane Stone ; Geoffrey Carter, Lex Martin |
| Sanderson | Daryl Manzie ; Michael Atkinson |
| Stuart | Peter Toyne ; Tony Bohning |
| Wanguri | John Bailey ; Peter Styles |

Candidates who are Aboriginal: 7
Members who are Aboriginal: 2 out of 25

9. Legislative Assembly General Election - 18th August 2001

| | |
|------------|---|
| Arafura | Marion Scrymgour ; John Christophersen, Dorothy Fox , Puruntatameri |
| Araluen | Jodeen Carney ; Tony Bohning, Michael Bowden, Meredith Campbell |
| Arnhem | Jack Ah Kit ; Lance Lawrence, Cliff Thompson, Alan Wright |
| Barkly | Elliot McAdam ; Gavin Carpenter, Bill Cross |
| Blain | Terry Mills ; Joseph Mulqueeny, Peter Shew |
| Braitling | Loraine Braham ; Peter Brooke, Peter Harvey, Peter Jarvis, Eddie Taylor |
| Brennan | Denis Burke ; Duncan Dean, Simon Hall |
| Casuarina | Kon Vatskalis ; Peter Adamson, Necmi Bayram, Craig Seiler |
| Daly | Tim Baldwin ; Rob Knight, Wayne Norris, Frank Spry |
| Drysdale | Steve Dunham ; Inger Peirce |
| Fannie Bay | Clare Martin ; Mary Cunningham, Peter Johnston |
| Goyder | Peter Maley ; Diana Rickard, Alan Smith, Merv Stewart |
| Greatorex | Richard Lim ; Peter Kavanagh, David Mortimer |
| Johnston | Chris Burns ; Steve Balch, Jo Sangster |

| | |
|-------------|---|
| Karama | Delia Lawrie ; Mick Palmer |
| Katherine | Mike Reed ; Tony Coutts, John Donnellan, Michael Peirce, Rob Phillips |
| Macdonnell | John Elferink ; Philip Alice, Harold Furber |
| Millner | Matt Bonson ; Andrew Arthur, Diane Baird, Andrew Ivinson, David Mitchell |
| Nelson | Gerry Wood ; Tony Hardwick, Bob Hare, Chris Lugg |
| Nhulunbuy | Syd Stirling ; Gordon Davey, Peter Manning, David Mitchell |
| Nightcliff | Jane Aagaard ; Jason Hatton, Peter Ivinson, Gary Meyerhoff |
| Port Darwin | Sue Carter ; Chris Bond, Nick Dondas |
| Sanderson | Len Kiely ; Gary Haslett, Susan Murdoch, Peter Poniris |
| Stuart | Peter Toyne ; Ken Lechleitner |
| Wanguri | Paul Henderson ; Robyn Cahill, Meredith De Landelles |

Candidates who are Aboriginal: 9

Members who are Aboriginal: 4 out of 25

This was the election that changed the Government for the first time in 27 years.

Going into the election the ABC election analyst noted that the Labor party had not defeated a sitting Country Liberal Party Member in 20 years in the Northern Territory²⁰. Retiring Government Members and two independents (one a former Government Member) assisted Labor obtain a one Member majority in the Assembly.

10. Legislative Assembly General Election - 18th June 2005

| | |
|-------------|---|
| Arafura | Marion Scrymgour ; August Stevens, George Pascoe |
| Araluen | Jodeen Carney ; Alan Tyley, John Gaynor |
| Arnhem | Malarndirri McCarthy ; Djuwalpi Marika , Lance Lawrence |
| Barkly | Elliot McAdam ; Val Dyer, Janeen Bulsey |
| Blain | Terry Mills ; Sue McKinnon, Duncan Dean, Brendan Cabry |
| Braitling | Loraine Braham ; Sue West, Michael Jones |
| Brennan | James Burke ; Denis Burke, Nelly Riley |
| Casuarina | Kon Vatskalis ; Scott White, Wendy Green, Gary Mills |
| Daly | Rob Knight ; Debbi Aloisi, Elke Stegemann, Dale Seaniger |
| Drysdale | Chris Natt ; Stephen Dunham |
| Fannie Bay | Clare Martin ; Fiona Clarke, Edward Fry |
| Goyder | Ted Warren ; Diana Rickard, Mary Walshe, Andrew Blackadder, Keith Phasey |
| Greatorex | Richard Lim ; David Mortimer, Fran Kilgariff |
| Johnston | Chris Burns ; Ross Connolly, Gary Myerhoff, Kate Neely, Steve Saint |
| Karama | Delia Lawrie ; Trevor Sellick |
| Katherine | Fay Miller ; Sharon Hillen |
| Macdonnell | Alison Anderson ; Andre Longmire, John Elferink, Vincent Forrester, David Chewings |
| Millner | Matthew Bonson ; Rob Hoad, Paul Mossman, Phil Mitchell, Rob Inder- |
| Smith | |
| Nelson | Gerry Wood ; Lisa McKinney-Smith, Chris Lugg |
| Nightcliff | Jane Aagaard ; Stuart Highway, Ilana Eldridge, Andrew Arthur, Anthony Reiter |
| Nhulunbuy | Syd Stirling ; Peter Manning |
| Port Darwin | Kerry Sacilotto ; Sue Carter |
| Sanderson | Len Kiely ; Peter Styles |
| Stuart | Peter Toyne ; Anna de Sousa Machado (Karl Hampton at by election September 2006) |

²⁰ Cited in Will Sanders The 2001 Northern Territory Election: The End of an Era AQ Nov-Dec 2001 page 22

Wanguri Paul **Henderson**; Kerry Kyriacou

Candidates who are Aboriginal: 8
Members who are Aboriginal 5 out of 25
Then 6 out of 25 from September 2006 (by election)

This election saw a massive reversal of fortune for Labor who in 1974 had no Members to now winning 19 of the 25 seats in the Assembly. The CLP were reduced to only four Members after a long period of dominance in the Assembly. Much was made at the time as to whether the CLP still held 'party status' but for the purposes of entitlements there is no such distinction in the Northern Territory.

On the 7th of May 2007 the Chief Minister faced a stand-off with Aboriginal Members of the Labor caucus when three crossed the floor of the Assembly to vote against legislation to allow expansion of the McArthur river mine, overturning a Supreme Court decision made earlier that week. The decision was criticised by native title holders in the area, particularly, especially because the law was changed two days before the funeral of an Aboriginal elder who was a key leader in the campaign to save the McArthur River.

11. Legislative Assembly General Election - 9th August 2008

| | |
|-------------|---|
| Arafura | Marion Scrymgour ; Tristan Mungatopi , Jone Lotu, Angie Siebert |
| Araluen | Jodeen Carney ; Linda Chellew, John Gaynor |
| Arnhem | Malarndirri McCarthy |
| Barkly | Gerald McCarthy ; Barry Lee Natrass, Randall Gould, Mick Adams |
| Blain | Terry Mills ; Ken Vowles |
| Braitling | Adam Giles ; Aaron Dick, Eli Melky, Jane Clark |
| Brennan | Peter Chandler ; James Burke |
| Casuarina | Kon Vatskalis ; Gary Haslett |
| Daly | Rob Knight ; David Pollock, Wayne Connop , August Stevens |
| Drysdale | Ross Bohlin ; Justin Tutty, Chris Natt |
| Fannie Bay | Michael Gunner ; Garry Lambert |
| Fong Lim | Dave Tollner ; Matt Bonson |
| Goyder | Kezia Purick ; Ted Warren |
| Greatorex | Matt Conlan ; Penny Aronsten, Jo Nixon |
| Johnston | Chris Burns ; Jo Sangster |
| Karama | Delia Lawrie ; Dorothy Fox , Natalie Hunter, Tony Bacus |
| Katherine | Willem Westra Van Holthe ; Toni Tapp Coutts, Sharon Hillen |
| Macdonnell | Alison Anderson |
| Nelson | Gerry Wood ; Maureen Kohlman, Justine Luders-searle |
| Nightcliff | Jane Aargaard ; Emma Young, Peter Manning |
| Nhulunbuy | Lynne Walker ; Djuwalpi Marika |
| Port Darwin | John Elferink ; Gary Abbott, Kerry Sacilotto |
| Sanderson | Peter Styles ; Len Kiely |
| Stuart | Karl Hampton ; Rex Granites Japanangka |
| Wanguri | Paul Henderson ; Duncan Dean, Kerry Kyriacou |

Candidates who are Aboriginal: 11
Members who are Aboriginal: 5 out of 25

From a position of only four Members at the previous election the Country Liberals achieved a comeback with 11 Members in this Assembly, the Labor Government 13 and one independent.

The decision by the Country Liberals not to field candidates in the seats of Macdonnell or Arnhem where the Labor Members were returned unopposed may have been a tactical error.

The Member for MacDonnell later left Labor and joined the CLP giving the Opposition 12, the Government 12 and the independent supporting Labor to retain government.

12. Legislative Assembly General Election - 25th August 2012

| | |
|-------------|---|
| Arafura | Francis Xavier Kurrupuwu ; Ben George Pascoe, Dean Rioli, Jeannie Gadambua |
| Araluen | Robyn Lambley ; Edan Baxter, Adam Findlay |
| Arnhem | Larisa Lee ; Malarndirri McCarthy |
| Barkly | Gerry McCarthy ; Stewart Willey, Valda Naparula Shannon, Rebecca Healy |
| Blain | Terry Mills ; Daniel Fejo, Geoff Bahnert |
| Braitling | Adam Giles ; Colin Furphy, Deborah Rock, Barbara Shaw |
| Brennan | Peter Chandler ; Russell Jeffrey |
| Casuarina | Kon Vatskalis ; Jane Johnson |
| Daly | Gary Higgins ; David Pollock, Trevor Jenkins, Rob Knight, Bill Risk |
| Drysdale | Lia Finocchiaro ; James Burke; Ross Bohlin |
| Fannie Bay | Michael Gunner ; Ken Bird, Tony Clementson |
| Fong Lim | David Tollner ; Ashley Marsh, Peter Burnheim, Matt Haubrick |
| Goyder | Kezia Purick ; John Kearney, Damien Smith |
| Greatorex | Matt Conlan ; Rowan Foley, Evelyne Roullet, Phil Walcott |
| Johnston | Ken Vowles ; Peter Bussa, Krystal Metcalf, Alana Parrott-Jolly, Jo Sangster |
| Karama | Delia Lawrie ; Rohan Kelly, Frances Elcoate |
| Katherine | Willem Westra van Holthe ; Cerise King, Teresa Cummings |
| Namatjira | Alison Anderson ; Des Rogers, Warren Williams |
| Nelson | Gerry Wood ; Sharon McAlear, Judy Cole |
| Nightcliff | Natasha Fyles ; Owen Gale, Stuart Blanch, Andrew Arthur, Felicity Wardle, Peter Rudge, Kim Loveday |
| Nhulunbuy | Lynne Walker ; Allen Fanning, Kendall Trudgen |
| Port Darwin | John Elferink ; Rowena Leunig, David Andrews, Alan James |
| Sanderson | Peter Styles ; Jodie Green, Dimitrious Magripilis, Jillian Briggs |
| Stuart: | Bess Price ; Karl Hampton, Maurie Japarta Ryan |
| Wanguri | Paul Henderson ; Rhianna Harker |

Candidates who are Aboriginal: 19

Members who are Aboriginal: 6 out of 25

At this election the First Nations Political Party ran candidates in the seats of Arafura, Barkly, Blain, Namatjira and Stuart but did not have any of their candidates elected to the Assembly.

The CLP regained the seats of bush seats of Arnhem (lost in 1977), Stuart (lost in 1983) and won the seat of Arafura which had never been held by the CLP since its creation in 1983.

As at August 2014 the (CLP) Government retains 13 seats, three previous Members of the CLP (including Arnhem and Arafura) now sit on the cross bench as the Palmer United Party and Labor has eight seats with one independent Member making up the total.

Former Senator Aden Ridgeway said in 2010 that *it is not secret that Indigenous people in this country do not vote in such numbers to make a difference to any side of politics*²¹ however in 2012 the political orthodoxy that the Northern Territory Government's fortunes are based on the seats in the northern suburbs of Darwin was turned on its head as it was the change of vote in the remote seats which resulted in the change of government. Four previously Labor held bush seats went to the Country Liberals.

Member Thoughts on the Importance of Aboriginal Matters

These figures are a historical record which arguably demonstrates Aboriginal peoples are strongly engaged in politics in the Northern Territory.

Engaged in the active pursuit of problem solving through the available systems of representation and perhaps these figures might dispel any myth of apathy, malaise and passiveness when it comes to matters of participation in governance.

In preparation for this paper the author canvassed 16 sitting or former Members of the Assembly who were or who are in senior leadership positions or who identify as people with Aboriginal heritage and asked them three questions.

Just one former Member and one sitting Member responded. Full extracts of their unedited responses follow.

Clare Martin Response

Former Chief Minister (2001-2007) the Hon Clare Martin replied to the three questions below on 13th of June 2014 as follows:

In your view, are candidates at Northern Territory Assembly elections expected to have a thorough understanding of matters relating to Aboriginal people in the Territory and propose solutions to matters relating to disadvantage which are often associated with Aboriginal peoples? (Expand as you see fit)

Not necessarily.

There was a time for the ALP, when we had been in Opposition for over two decades, that it was very difficult to get anyone to stand for us.

People weren't keen to stand for a party with a losing reputation. But despite that impediment, people did stand and went through the pre-selection process. For me, the most important qualities that I looked for were: Labor values and commitment; a good understanding of and recognition in the electorate they were preselecting for: a capacity to learn as a politician - I wasn't looking for someone with 'all the answers'.

If the electorate was one with a large Aboriginal population, then certainly the candidate would be questioned about their connection to the electorate, their knowledge of, and of course discussions about the kind of solutions to Aboriginal disadvantage that the ALP was proposing.

Two examples from my own experience: When I stood for Casuarina in 1994 there was no pre-selection process. I was endorsed without interview. When I stood for Fannie Bay in 1995, I was questioned about everything from my very recent membership of the party to

²¹ *Voting Attitudes and Behaviour Among Aboriginal Peoples: Reports from Anangu Women* Lisa Hill and Kate Alport Australian Journal of Politics and History Volume 56 No 2 page 246.

what I knew about soccer. I think the pre-selection committee was most impressed with my recognition in the electorate and my link with schools and pre-schools.

In your view, are Aboriginal people who stand as candidates and those who are elected to the Legislative Assembly in the Northern Territory expected to have a greater insight and capacity to address matters of disadvantage often associated with Aboriginal peoples than other candidates and Members? (Expand as you see fit.)

Probably, but not necessarily.

Much depended on what electorate they were standing for - urban or bush and what experience they were bringing with their candidacy.

I can think of two parliamentary colleagues who were not Aboriginal, but represented electorates with large Aboriginal populations who knew more about their communities and worked harder for them than most Aboriginal members.

Have Aboriginal matters influenced your participation and practice as a Member of the Legislative Assembly? (Please explain response)

Of course and greatly.

Expanding on this question would take me pages. But very briefly, Labor was for decades defined by the CLP Government as the 'party for the Aborigines' - Land Rights, threatening suburban backyards, holding up Territory development, being responsible for urban anti-social behaviour and lots more.

To win government we had to reshape that image and turn a negative to one where we had solutions. We worked hard at it - two hard fought examples, Native Title legislation and Mandatory Sentencing for Property Crimes.

The majority of decisions I made in government had Aboriginal Territorians at the forefront or at least carefully considered.

The Howard Intervention was indescribably disheartening and offensive.

Ken Vowles MLA Response

The following response was provided by the Member for Johnston Mr Ken Vowles MLA who is the Shadow Minister for Indigenous Policy amongst other shadow portfolio responsibilities.

In your view, are candidates at Northern Territory Assembly elections expected to have a thorough understanding of matters relating to Aboriginal people in the Territory and propose solutions to matters relating to disadvantage which are often associated with Aboriginal peoples? (Expand as you see fit)

Fundamentally as elected Members we are here to represent the interests and issues of our electorate. In the electorate I represent there are approximately 20% of the people who identify as Aboriginal, and many are from well-established and highly respected Aboriginal families.

While my electorate is an urban one, many of our extended family members live in our remote communities, some of which have the highest socioeconomic rates of disadvantage in Australia.

There can be significant flow-on effects of disadvantage for Aboriginal families living in the electorate which I am well aware of, for example many families are unable to purchase their own homes or afford private rental and are living in public housing with all the challenges that this can face.

Due to this historic and current disadvantage, I find that my role is often as an advocate, seeking the improved access to key essential services such as housing, health and schooling for many Aboriginal families.

That said, I do believe that there are many, many strengths that, despite our disadvantage, shine through, including our strong sense of family and community and our resilience!

In your view, are Aboriginal people who stand as candidates and those who are elected to the Legislative Assembly in the Northern Territory expected to have a greater insight and capacity to address matters of disadvantage often associated with Aboriginal peoples than other candidates and Members? (Expand as you see fit)

I have the privilege of working with other Labor colleagues who have extensive professional experience in working with Aboriginal people and while they are not Indigenous they do have rich insights into the issues affecting Aboriginal Territorians.

I have worked extensively with Aboriginal people in urban and remote communities. However, as a parliamentarian with Aboriginal heritage, I do believe that through my 'lived experience', and that of my family that it has significantly enriched my insight and ability to understand the unique Aboriginal issues.

My family were directly affected through the forced removal of children by governments in the 1920 - 1950s, and so have many other Indigenous families in the electorate. I have lived firsthand the follow-on impact of separation from family and culture.

The cultural nuances of growing up in a culturally diverse family, like many Indigenous families, meant that I have personal insight into the stresses and issues which many are unique to Aboriginal people, and most importantly I hope empathy to my personal lived experience.

Have Aboriginal matters influenced your participation and practice as a Member of the Legislative Assembly? (Please explain response).

Yes greatly, both personally and professionally.

In my experience in the Territory, many Aboriginal people are suspicious and untrusting of authority and governments. However as I am from a recognised and respected Aboriginal family I am in a privileged position of trust with my Indigenous constituents and Indigenous Territorians who are actively seeking my assistance of an elected Member for the first time.

Due to this trust I have been requested to advocate on many matters including land rights, the recent proposed amendments to the Racial Discrimination Act and local issues such as the clearing of land for development that cultural custodians of the land say contain sacred sites.

The couple of examples I have mentioned highlight for me, some of the reasons why I became involved in politics in the Northern Territory.

Consideration of the Responses

The words of the Former Chief Minister the Hon Clare Martin and the Member for Johnston speak for themselves.

This paper provides no analysis or comment, the reader may wish to consider and analyse the responses in the context of the theme of this conference: *how representative is representative democracy?*

It was interesting that no other sitting Member or former Member who was approached to provide a response was willing to respond to the questions. One Member said it was 'too political'.

Is it really the case that answers must be so closely scripted and guarded that to consider such questions and supplying answers exposes a politician to unwanted scrutiny and potentially unwelcome and politically divisive and distracting criticism?

Sarah Maddison had more luck in 2010 and her article contains a number of quotes from interviews she had with Members. Interestingly she quotes the now Chief Minister Hon Adam Giles from the time he was an Opposition Member as sharing with *Neville Bonner the paradox of championing Indigenous rights from within a conservative party. In our interview Giles tells me he eventually decided that he believed in Liberal values after something of an ideological journey.*²²

The 2007 Intervention into Aboriginal Communities and Governance of the Northern Territory²³

It is well known that in 2007 there were significant differences in the views of people about the so called Intervention into the Northern Territory when it was announced by then Prime Minister Howard on 21 June that year.

At the time the Prime Minister said *Why now and why in the Northern Territory? Because we can...*²⁴ Due to the constitutional status of the Northern Territory, that capacity remains easier than intervening in this way in one of the six states.

The appeal of the intervention in the Northern Territory was aimed at a broader Australian community of voters, not at the people of the Northern Territory and not at the communities targeted. Every one of those communities sits within the Labor stronghold of the federal seat of Lingiari and that remained the case after the 2007 federal election.

Whether that policy shift in the mix of all the other factors at the 2007 election resonated with the electorate is unclear. But the 'something has to be done' effect seemed popular, yet within the year, the political landscape had changed with the defeat of Prime Minister Howard and Minister Brough both losing their seats in parliament and the resignation of Clare Martin as Chief Minister in the Northern Territory.

In spite of this it appears the policies continued to resonate with broader Australia and the policies were not changed by the Rudd and Gillard Governments and have continued in modified but mainly the same form since. Seven years later, it is a matter for others to determine what successes may have come from these policies in Aboriginal Australia.

In the book Black Politics, when discussing the Intervention there is a reference to the Northern Territory Member of the Legislative Assembly Ms Alison Anderson MLA as follows:

²² Maddison Op Cit page 670

²³ Also known of as the Emergency Response to the Little Children are Sacred Report

²⁴ Reported in Sydney Morning Herald 21 June 2007

Despite the hint of concern in Pearson's analysis, he concluded that 'Whatever one thinks of Howard and Brough, their strategy is justified on the basis of the fate of the children.' Others such as Warren Mundine and Alison Anderson agreed²⁵.

Alison Anderson is the Member for Namatjira and the Northern Territory's parliamentary leader of the Palmer United Party and was a Minister in the Martin Government at the time.

If the Intervention was not politically aimed at those it targeted, what was their electoral response?

Local Voter Response

Aboriginal voters appear to have reacted strongly against the policy. Voting patterns in the Federal seat of Lingiari at the 2007 election are of interest in the context the matter of 'representation' and the impact this policy may have had on voting responses²⁶.

The sorts of votes at the Lingiari booths do not change governments at the national level yet they were the direct 'beneficiaries' of the Intervention and it appears they were not impressed.

Of 723 voters at the Wadeye booth at the 2007 election only 26 voted for the Country Liberal candidate.

At Angkarripa in Central Australia 5 out of 503 votes went to the Country Liberals and at Yirrikala in Northern East Arnhem land of 266 votes cast at that booth, two went to the Country Liberal candidate.

The federal seat of Lingiari contains all of the 73 Aboriginal communities impacted upon by the Intervention. Votes in the seat in booths in Aboriginal communities delivered Labor votes in the 90 percentile range.

Yet the incoming government did not change the policy on the Intervention in any significant way apart from some re-branding, while the army trucks were short lived, most of the former government's approaches were continued.

Five years later, the local Northern Territory Assembly seats in these same areas were delivered to the CLP, many for the first time in a long time, to help them take Government at the August 2012 election.

Given the lack of popularity in Aboriginal communities why did the high profile non-CLP or non-ALP aligned Aboriginal candidates such as Maurie Ryan not fare better in 2012? Perhaps the Loveday research from 1984 which indicates policies and not Aboriginality per se are the key remains relevant today²⁷.

In this context, it was a very interesting outcome during March 2014 when three Members of the Assembly elected for the CLP moved to the cross bench. At the time speculation was rife that they would join or create an Aboriginal party. Maybe these Members reached the same conclusions as Loveday in 1983.

²⁵ Black Politics: Inside the Complexity of Aboriginal Political Culture by Sarah Madison - Allen and Unwin 2009 at page 17

²⁶ The seat of Lingiari encompasses the entire Northern Territory and the Indian Ocean Territories but excludes urban Darwin and the satellite 'city' of Palmerston.

²⁷ Loveday and Jaensch Op Cit ANU NARU Monograph at pages 55 to 68.

The Palmer United Party Emerges in the Northern Territory

If people did not think that the Palmer United Party (PUP) was a party concerned with Aboriginal matters, this view is being challenged by the manifestation of this political party in the Legislative Assembly of the Northern Territory.

Tension between party rules and identification and Aboriginal people and the effective representation of Aboriginal interest have been experienced by the major political parties²⁸ and it will be an interesting test for the PUP as to whether it can accommodate these matters.

How the PUP emerged in the Assembly is chronicled as follows. On 21 March Jane Barden at the ABC 7.30 Report was reporting:

The unhappiness of the Country Liberals' Indigenous Members about their inability to deliver on election promises has been on repeated public display in Parliament. They hope to persuade the Chief Minister to commit more money and a Minister to the bush. But they're warning they won't be divided and ruled.

On 24 March 2014 Amos Aikman from The Australian was reporting:

The Northern Territory faces another torrid week in parliament, as three Indigenous backbench MPs continue a dispute over bullying and foul language, and their Country Liberal Party government's perceived failure to deliver promises it made to the bush.

The three are attempting to take advantage of a temporary reduction in the government's majority. But all could end up on the cross benches, forcing the CLP to rely on support from an independent until a by-election scheduled for April 12.

Three days later The Australian on 27 March 2014 reported:

The Northern Territory government is teetering on the edge of a crisis after three indigenous MPs staged a walkout at the start of question time, protesting their government's perceived failure to deliver for bush electorates.

A day later the Chief Minister expelled the Member for Namatjira from the Parliamentary wing of the Country Liberals. Meanwhile the Member for Arnhem and the Member for Arafura remained members of the Country Liberals until all three of them resigned on the 5th of April.

The Member for Stuart and Community Services Minister Ms Bess Price, an Aboriginal Member from Central Australia remained in the Government and reacted strongly to the Member for Namatjira's criticism of her remaining in the party.

The Government had to win a by-election on April 12 in the seat of Blain to retain an outright majority after the resignation of the three Members. The seat was won by the government with a reduced margin.

The leaked list of demands published by News Corp Australia newspapers asked for a new Aboriginal Affairs Department with the Member for Namatjira to be the Minister, the Member for Arnhem to be junior minister for youth, sport and recreation, parks and wildlife and women's affairs, and the Member for Arafura to be made a parliamentary secretary and chair

²⁸ Maddison Op Cit page 667

of an audit committee responsible for Aboriginal affairs, education, health, community development, economic development and employment.

On April 2, the Member for Namatjira called the Chief Minister a “little boy”. “We need a grown up leader, not a little boy,” Ms Anderson told ABC radio. The Chief Minister held a press conference that afternoon describing the member for Namatjira as “yesterday’s news”.

It’s no skin off my nose; they can go out there and play games in a little sideshow off to the side. I’m getting out there ... and doing the job that everyone expects us to do and that’s govern for the NT.

By the 4th of April The Australian was reporting: *Rebel MPs to form new party in NT* and the NT News was reporting: *The NT News understands the trio – Ms Anderson, Larisa Lee and Francis Xavier – are poised to defect to the First Nations Political Party.*

*Their relationship with Chief Minister Adam Giles and senior CLP figures has broken down irretrievably – to the point there is no realistic prospect of them re-joining the parliamentary wing.*²⁹

On the 7th of April The Australian was quoting a senior community leader (see the notes in relation to the election of the Members of the third Assembly in 1980 above) as follows:

“Alison Anderson must step up: Kunoth-Monks”.

It’s time for Alison Anderson to show the Northern Territory she has policies to offer, says a senior member of the First Nations Political Party.

Ms Anderson and fellow Aboriginal backbenchers Larisa Lee and Francis Xavier resigned from the Country Liberal Party (CLP) on Friday, plunging the government to a minority position of 12 seats in the 25-seat Legislative Assembly.

Ms Anderson told the ABC on Friday they would begin their own regional party that is not race-based, which is an insult to First Nations, says Rosalie Kunoth-Monks, a senior member of the party.

On the 28th of April, media outlets were reporting that the Member for Namatjira had eschewed forming her own party or joining an established Aboriginal party and had instead, after considering the Katter Party, joined Palmer United. The Palmer United Party founder promptly declared that Alison Anderson would be Chief Minister after the next Territory election, after announcing that she, Larissa Lee (Arnhem) and Francis Xavier Kurrupuwu (Arafura) were now part of the Palmer United Party³⁰.

Two days later the NT News was reporting: *First Nations Party: Rogue MLAs missed opportunity to do something for Indigenous people.*

Mr [Kenny] Lechleitner and senate candidate Rosalie Kunoth-Monks went to Darwin to meet with the rebels last month. He said the First Nations pitch was unconditional, gave them the freedom to shape policy, and that Ms Anderson would have likely stepped into his role as leader.

“Going to another party you’re limited in your capacity in terms of you much you can do for Indigenous people.

²⁹ *Bush Trio do their Bloc* by Ben Smee NT News website April 04, 2014 2:00AM

³⁰ Sky News Report 28 April 2014

The First Nations Political Party never heard back from Ms Anderson, Ms Lee and Mr Xavier. Mr Lechleitner said he wished the trio well but was disappointed at their decision.

First Nations founder Maurie Japarta Ryan — also the chairman of the powerful Central Land Council — suggested the party had rejected Ms Anderson and the bush bloc after the Darwin meeting.³¹

Whether the PUP becomes a third political force in the Northern Territory will be known over time. The Leader of the Party in the Northern Territory, the Member for Namatjira has considerable experience as a former ATSIC Commissioner and as a Minister in Labor and CLP administrations and has indicated the arrival of the new party in the Territory gives her and her colleagues the opportunity to formulate the Aboriginal policies for the party at both local and national levels³².

Past Chief Ministers' Viewpoints

The final words go to the past Chief Ministers who have been interviewed extensively on a range of matters including Aboriginal matters³³. The first Labor Chief Minister's views are extracted above.

While these snippets from the interviews in the book are perhaps unfairly out of context, they provide a small insight into the consistent challenges of race politics overlaying policy matters and inter jurisdictional relations in the Northern Territory.

Paul Everingham (First Chief Minister 1978)

In the context of Self Government and the powers to be devolved to the Northern Territory Paul Everingham said:

We wrangled about Aboriginal parks and uranium for a very long time. They'd (the Commonwealth) reserved those powers. I don't regard that as intervention. I regard that as them doing something that I don't agree with... a political decision.....unacceptable.

I'm sure that the Labor Party then, and perhaps even now, might think that national parks should be owned by Traditional Owners. I'm very cynical about Aboriginal Land Rights whilst not disagreeing with them. Having been in meetings at Ayers Rock I worry about people who give advice to Aboriginals being dispassionate and objective but that's another big area we could talk (about) all day³⁴.

I don't know what to do honestly about Aboriginal policy because in my time we were enthusiastic...how could Aborigines have good health in these communities where the roads were dusty, there mightn't be running water? So we started a five year plan. I thought, and I mightn't have said it very loudly, but I thought it was pretty disgraceful that at the end of sixty something years of administration by the Commonwealth not all Aboriginal communities had these services. But we decided that we would provide them within five years – and from memory we did.

³¹ *First Nations Party: Rogue MLAs missed opportunity to do something for Indigenous People. NT News 30 April 2014 by Ben Smee*

³² The Member for Namatjira advised the author in an informal meeting during May 2014 that while the main political parties assumed that being a Minister was a worthy prize she cared more about Aboriginal matters as she 'came from the bush and will go back to the bush'.

³³ These quotes are extracted from the book Speak for Yourself: Chief Ministers Next 1 347 525 km2

³⁴ Op Cit at page 7

Former Chief Minister Everingham also discusses the failures of alcohol policy and the entrenched difficulties in communities. His candid conclusion is: *So you tell me. I don't know. We gave it our best shot*³⁵.

Ian Tuxworth (Second Chief Minister 1984)

*We had John Kerin who was holding back funds... We had Hawke and Everingham having a blue every now and then over different things. We had Clyde Holding using whatever mechanism he had to assist Aboriginals at the expense of the Northern Territory while population...*³⁶

*I think the development of the Territory Workforce with Indigenous Participation was the key to the future. It doesn't matter what country you are in anywhere in the world if you've got 25% - 30% of your people who are mendicant on the state for whatever reason they are dragging you down*³⁷.

Former Chief Minister Tuxworth went on to explain his five pillars theory³⁸ and conceded as follows:

What we've done is to institutionalise failure for Aboriginal people by the way we do budgets, there's absolutely no way they can get out of the gutter unless you apply the five pillars....it's giving them a little bit that's really killing them and making their lives a misery.

Steve Hatton (Third Chief Minister 1986)

The controversy and conflict in the NT over the Land Rights Act was well established when I became Chief Minister. I faced the same barrage of criticism and conflict that my predecessors and successors as Chief Minister faced.

The perception that the CLP government was anti land rights was false, but it served its political purpose for our opponents despite the social damage it caused to the NT community.

The facts are, and were that the CLP was not against land rights per se, the CLP was opposed to the structure of the legislation which disempowered the Traditional Owners and favoured the Federal government and the two large land councils.

The fact that the Federal government passed legislation that only applied in the NT. If they were honest in their belief that the provisions of the Act were so good, why didn't they operate it throughout Australia, or alternately mandate it to be a law of the NT, administered by the NT?

Mr Hatton described the role of the Territory Government in testing the land claims as an essential element to the claim process to ensure of legitimate claims and the correct traditional owners prevailed. He states that this role was a vacuum left by the failure of the Commonwealth to test any of the claims made under their own laws³⁹.

He says the Commonwealth were very successful in using the legislation as a point of conflict. In his advice to future Chief Ministers he says:

³⁵ Op Cit at page 15

³⁶ Page 28

³⁷ Page 32

³⁸ Shelter, clean drinking water, proper waste water systems, diet , education

³⁹ Page 59

*The NT must find a way to heal the rift between Aboriginal and Non Aboriginal Territorians. In this it is important to support and reinforce the empowerment of Aboriginal people by recognising Aboriginal law and culture in a manner that does not offend against international obligations but enables them to be empowered to redevelop social cohesion in their communities.*⁴⁰

Shane Stone (Fifth Chief Minister 1995)

On the proposals associated with Statehood and a future state constitution:

I certainly had strong views on some of the ideas that were being advocated including reserved Indigenous seats, proved unnecessary given how many Indigenous Territorians sit in the Legislative Assembly.

His views on Aboriginal disadvantage:

*My government on most occasions found ourselves locked out of the conversation as we were considered the enemy. Various Commonwealth Aboriginal Affairs Ministers during the Hawke Keating administrations encouraged hostilities ...*⁴¹

Conclusion

The assertion made at the beginning of this paper that the tone of the Tingle argument seems to reflect a broader prevailing view of the redneck Territory and commentators from the south seeking an authentic voice and a remote solution to 'Aboriginal problems' has been considered in the context of the facts about the participation of Aboriginal persons in representative democracy in the Northern Territory.

It is very easy to group the Northern Territory with all other Australian jurisdictions when considering the history of under-representation of Aboriginal peoples in parliament, whereas the reality is different.

While such participation may not have been 'enough' or met expectations, there is an abundant and rich history of political activity amongst Aboriginal peoples in the Northern Territory in spite of the odds such as lower rates of literacy, language barriers and cultural matters.

Former Northern Territory Minister John Ah Kit is quoted as saying that the growth in the number of Aboriginal Members in the Northern Territory should be a *source of pride to all Territorians and an indication that the Territory was moving beyond the politics of exclusion and towards an open and just society*⁴².

This paper amply demonstrates that the Northern Territory as a jurisdiction has actively engaged in Aboriginal participation and representation in the Australian political system to a far greater extent than any other Australian jurisdiction.

The view that the Northern Territory cannot be trusted with Aboriginal matters and the benevolent Commonwealth can be trusted perhaps prevails. Why this is so is not clear. If that is in fact the predominant view, the holders of that view must surely question representative democracy in the guise of the Commonwealth.

⁴⁰ Page 63

⁴¹ Page 113

⁴² Maddison Op Cit page 675

How representative is that Commonwealth Government on these matters when the Territory has over the past 40 years elected Aboriginal Members to its own Assembly on 32 occasions at 12 general elections and two other occasions at by-elections and yet the record in the Australian parliament is so poor?

While challenges continue and representative democracy requires vigilance - according to a media release from the Northern Territory Electoral Commission issued on 14 July 2014, ABS figures indicate there are 30 000 eligible persons in the Northern Territory (population 230 000) not on the electoral role - for such a young jurisdiction, the Northern Territory is a surprisingly mature participant in regard to Aboriginal representation.