

**Dhäwu Mala Galiwin'ku Community-wuṅ
Nhaltjan Dhu Gulmaram Bunhaminyawuy Rom**

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**A Galiwin'ku Community Statement to
Prevent Family Violence**



May 2016

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Principal Informants for this Statement

This statement has been informed through 34 meetings between June 2015 and May 2016, with a total of 92 female and male leaders in Galiwin'ku community on Elcho Island. Meetings were organised with each clan individually. In some instances, clans wanted to also meet together through ringitj (groups based on a shared spiritual alliance). Additional men's and women's consultations also took place. All meetings were conducted in Yolŋu Matha (Yolŋu language) with female and male staff from ARDS Aboriginal Corporation.

Senior and emerging leaders from the following bāpurru (clan groups) are represented in the statement.

- Dätiwuy
- Dhaḷwaŋu
- Djambarrpuyŋu
- Gälpu
- Golpa
- Golumala
- Gumatj
- Gupapuyŋu
- Ḷiya-Dhalinymirr
- Ḷiya-Gawumirr
- Marraŋu
- Mälarra
- Daymil
- Wangurri
- Warramiri

We Want to Fix Family Violence

“Gulyun limurr dhu galŋa ga ŋayaŋu-midikunhaminywuyŋur romŋur.

Malŋmaram limurr dhu mägayamirr dhukarr.”

“We will end this physically and emotionally hurtful way.

We will find a path of peace.”

Family Violence is a difficult problem. There are many things that we need to think about.

We have watched this problem get worse, especially over the last 10 years.

We are worried, especially for our young people. Many are scared and angry and sometimes they go wild and hurt each other.

This is not the right path. We must straighten this path.

We cannot fix this only through Balanda (Western) law. We must return to the foundation of Yolŋu Rom (law), and this must be respected and taken seriously by Balanda authorities and by our young people.

We are serious about this. Balanda talk about Family Violence all the time and we want to fix it. We have to listen to Balanda law, but Balanda need to listen to us too. With mutual respect for law, we can start to fix this together.

The Galiwin’ku community proposes:

1. A Yolŋu Community Authority that has genuine community jurisdiction
2. Community-informed policing
3. Cultural awareness training for all Balanda workers
4. Meaningful opportunities in community for Yolŋu, especially young people
5. Targeted education programs about the Balanda legal system.

Family Safety and Yolŋu Rom

“Yolŋu rom ga ŋorra dhä-dhawaryunamiriw, dhärranhayŋu nininyŋu djalkiriŋur romŋur gurruṯumirr, dhulaŋmirr, manikaymirr, wäŋamirr ga yarraṯamirr.”

Dhuwal rom galmunhamirr bukmakgu.”

“Yolŋu law lies un-ending, permanent and authentic in our foundation and encompasses our kinship, emblems of identity, song-lines, land and continuous ancestral connection.

This law protects everyone.”

Underpinning our community proposal is Yolŋu Rom.

Yolŋu Rom (law) is a path that follows the peaceful and balanced way of living together. This happens through our kinship system that ties everything in our world together.

Yolŋu Rom works through strings of kinship that tie together land, sea, wind, animals, plants and people through deep law. The law comes out through land, stories, songs, paintings and ceremony that hold it together.

Our law and ceremony teach Yolŋu men how to speak and behave with women. There are specific ways men must respect our sisters, wives, cousins, daughters, brothers' daughters, sisters' daughters, mothers, fathers' sisters, mothers-in-law, daughters-in-law, grandmothers, grandmothers-in-law, great grandmothers, great great grandmothers, granddaughters, granddaughters-in-law and more.

There is very strong foundational law that holds all of us in reciprocal roles and responsibilities to each other. It maintains socially acceptable behaviour. Violence has no place in this law.

On a deeper level, there is secret and sacred law that teaches us how terrible it is to be violent towards women. There are ceremonies that teach us why to

draw blood from a woman is a dangerous insult to the deepest core of Yolŋu Rom. It is not appropriate to talk about this in any further detail, but Balanda must understand that this law exists.

This law is taught and upheld by the authority of Ḍalkarra and Djirrikay – senior leaders of the Yirritja and Dhuwa clan groups that all Yolŋu belong to. The health of our social relationships relies on the authority of these clan leaders. They know all of what we need to know for a peaceful society living in Yolŋu Rom, and it is very important that they are respected.

It is these old people that teach respect and discipline to young people. It is they that deal with disputes and trouble when it arises.

We used to deal with all of these issues ourselves. We were the only authority, and Yolŋu Rom was the only law. Each clan owned its own law and every clan was connected through kinship. When Balanda came, this didn't just stop. The law keeps going, we are all still tied by kinship and the authority of the old people is still real. Just because we buy food from the shop and live in the mission doesn't mean that we have lost our ancient and eternal law. But it is under threat. As our law and authority is undermined, we see these problems like family violence come out and get bigger.

We know that Balanda are now part of our society. We accept that we are now in a modern world. We are united in our belief that we can stop family violence – but only if Balanda are willing to cooperate with us to find a way to work together on this issue. Let's stop this Captain Cook business and find a way to work together, to live together.

Proposed Solutions to Family Violence

“Rrambanji limurr dhu djäma guṅga’yunmirr ga räi-manapanmirr.”

“Equally we will all work cooperatively and combine our energy.”

Any solution to a problem like this must involve Yolṅu and Balanda. We must work together.

We must share authority and real decision-making power. We must be able to have both laws working together, which requires respect for and recognition of each other’s law.

1. A Yolŋu Community Authority

“Buku-luŋmaranhamirr ga liya-ŋamaŋamayunmirr bukmak yolŋu mala ga dhukarr buma yalalaŋumirriw limurrungalaŋaw djamarrkuŋiw. Limurr dhu roŋanmaram limurrunguwuy ganydjarr marr ga limurr dhu märmirriyirr.”

“All Yolŋu groups will gather together and determine a way to forge a path for the future of all of our children. We must reclaim our authority so we are genuinely empowered.”

The Community of Galiwin'ku propose that a Yolŋu Community Authority be established with female and male representatives of all clans. Addressing family violence requires a genuine sharing of authority, where all family groups on Galiwin'ku are empowered to deal with difficult issues like family violence.

This group would need to be treated with dignity and respect by Balanda and resourced properly. It is crucial that Yolŋu have the capacity to have real decision-making power over issues affecting our community, including family violence, through such an Authority.

This group would act like the old Village Councils of the past. Every clan would be involved in the Authority so that all family groups are empowered and can have their say. The Yolŋu Community Authority would discuss any issues that arise between people in the community, so that we can talk to the right kin and arrange for education, mediation, de-escalation, discipline or the involvement of other stakeholders such as police.

This group would work closely with the Balanda authorities like police, the school, the clinic etc.

If police have an issue, they can come to the Yolŋu Community Authority in the first instance, and find out who is the right kin to be involved in the issue. Then we can solve the problem together.

Many see the Makarr Dhuni or Makarr Garma group (an independently formed inter-clan Yolŋu governance group) as being the basis for this idea. Some

want to start something new. Either way, we all agree that there needs to be a group where Yolŋu leaders have a paid role to do the important work of keeping the community running smoothly in regards to these issues.

This authority would, for example, have an important role in establishing restorative practices within the justice system.

Jail does not teach people how to be a proper Yolŋu. It does not teach us how to act towards our kin and the roles and responsibilities that we must carry to ensure peaceful co-existence. In many instances, jail makes the problems worse, and young people come out and return to causing problems like break-ins, sniffing, getting into fights etc.

The Yolŋu Community Authority could, where possible, oversee alternative punishments for Yolŋu offenders that bring them back to their foundations and remind them that we must all live together. There is big ceremonial business that works to teach young people how to speak and how to act towards each other in a lawful way. Yolŋu return to this ceremony throughout their life. If young people are straying off-track, they need to be pulled back in and supported. Then they will be confident that they can fulfil their role and feel proud to be who they are.

When a man is released from prison, the Yolŋu Community Authority should decide what and from whom he needs to learn. They could, for example, decide to send him to Gunabibi (a very important men's ceremony) so he can learn how to take responsibility for his actions and how to play a mature role in the community through Yolŋu Rom (law).

For this to work, we need Balanda law to take real steps towards formal recognition that Yolŋu have authority and jurisdiction over our land and people. This cannot be ignored. For too long, Balanda have been pretending that our authority doesn't exist, and this is causing social breakdown.

When Balanda law does not respect Yolŋu law, young people learn not to respect Yolŋu law and start to disrespect each other.

Addressing these problems requires a genuine sharing of authority, where all family groups on Galiwin'ku are empowered to deal with difficult issues like family violence.

Yolŋu leaders are currently doing their best to intervene as per Yolŋu Rom, but this takes a lot of energy and is not sustainable, because many older people are getting tired and sick. Without funding, Yolŋu interventions will be hard to maintain. We fear that if this happens, it will lead to significantly more family violence.

2. Community Informed Policing

“Limurr dhu yolŋuy mala-djarr’yun bulitjumannha marr ga limurr dhu rrambanji djäma ga makmakthun marmaw romgu – Balandaw ga Yolŋuw.”

We Yolŋu should choose the police so we know we can work together and respect two laws – for Balanda and for Yolŋu.”

The Galiwin’ku Community propose that this Yolŋu Community Authority should also have the ability to interview, work together with, and have some oversight over police who are coming to work in our community. We want to be able to choose who comes to our community to work with us. Some police have really attempted to understand where we are coming from, but we have also had big problems with racism from police. We want to be able to control this.

A Yolŋu Community Authority would also increase Yolŋu understanding of the law, and balance Balanda management of family violence laws that causes a lot of problems, and even escalates family violence issues.

We don’t want to throw out Balanda law, but there have been a lot of problems with the way it works and the way it is done. We have seen this a lot with Domestic Violence Orders (DVOs).

DVOs are a cause of great confusion. Many people have no idea what they are supposed to be. Some see it as just a piece of paper, but then they get arrested later and don’t really know why. Some see it as the government forcing a divorce on the couple.

If Yolŋu and Balanda authorities worked together, we could do this differently.

For example, if police needed to give someone a DVO, they could work with the Yolŋu Community Authority, who would find the person’s bäpa (father) and märi (mother’s mother’s brother) and do this together. Märi is one of the closest Yolŋu relationships, with a man often sharing his name, ceremonial

business and/or ringitj (spiritual law alliance) with his märi. A man's märi is almost always the right person to deliver discipline and straighten their education. Police could work with the man's märi, who would be the right person to explain the DVO requirements. Balanda legal systems would be recognising, using and reinforcing Yolŋu authority.

We want to make sure that police respect our laws and customs. We need some of these significant areas of law and justice to be part of our domain too. We want to work together on this.

This community-informed policing should be discussed and organised through the Yolŋu Community Authority.

3. Cultural Awareness Training

“Daraka-dälkum gumurr-yuṭany balandany walu-ṅupan bitjan bili. Walal dhu marrṅithirr Yolṅuw djalkiriw romgu marr ga walal dhu malṅmaram nhaltjan walal dhu djäma yolṅuwal.”

“There needs to be ongoing mentoring for Balanda who are new to our community. They will learn Yolṅu foundational law so that they will know how they can work with Yolṅu.”

Related to the above, the Community also strongly supports organising a targeted and in-depth cultural awareness program for Galiwin’ku. Too many Balanda come in and have no idea who we are, how we think, or even that we have law. That’s not their fault, they can’t know until they learn. But it is very damaging on many levels when people do things with great ignorance, especially when it comes to issues of the law and justice.

One example relates to the way a man will always show respect to his sister through avoidance. He never sits next to her, he never uses her name, and it is a very sharp insult for someone to talk about her private business in front of him. When police don’t know about these things, they commit a very deep offence when they do a body search of a woman in public. If her brother sees this, or even if he hears other people talking about it, it signifies that the police have no respect either for him or for his sister. For Yolṅu, it is a very serious personal insult. There are ways to conduct body searches without breaking Yolṅu Rom and sparking deep resentment and anger.

There is so much to learn about, so much that Balanda don’t see, and it would make all of our lives better if there was an organised way for them to learn. Better communication and understanding can only lead to positive relationships and productive pathways. We need support from the authorities to resource such a program so we can all play our roles more effectively and prevent problems from getting big in the first place.

4. Meaningful Opportunities in Community

“Dhiyaṅ bala yuṭa yolṅu ga mǎrr-dhumbal’yun. Larrum walal ga wanha mǎrrmirr dhukarr. Limurr dhu riwal’yun ga dhukarr buma walalaṅ marr ga walal dhu malthun dhunapa yǎn.”

Today, young people are troubled. They are searching for a path of confidence. We older people must clear away a path so they can follow true and straight.”

The Galiwin’ku Community believe a key part of addressing family violence is about finding meaningful things for young people to do and meaningful roles for them to aspire to.

There were Raypirri Camps being run here last year. These were really good. Raypirri is a course of instruction on discipline, moral living and civic responsibilities with the aim of developing appropriate social skills and behaviours. In these camps, elders were resourced to work with young people to deliver teachings and provide support and correction through Yolṅu Rom.

We need this sort of program to be possible for all clans so we can teach young people in an organised way. This requires commitment and resources and would be developed through the Yolṅu Community Authority. Often programs like this start, and then disappear. We need consistency so young people can rely on it.

Not many years ago, during the ‘mission days’, we were all busy. We were all working to cut timber, build houses, make water tanks, and grow food. We had real industry where we fished and exported out of the mission. We had a meaningful role in running the community, and when young people were growing up, they saw that and thought “Yes, that’s what I will do too”. They knew that they could grow up and take on a position of responsibility where they were providing for and contributing to their kin and community. This made people look forward to the future and know they could make a difference.

Today, not enough of those opportunities are here. Most things are being done by Balanda, and when contractors come, they don't teach young people. All of the council, housing and CDEP jobs we used to do when we ran the community were taken over through the Intervention.

Since the Intervention, lots of our young people have grown up watching our old people have no real power in our own community. They don't see a future for themselves so they are lost. They live in overcrowded houses and there are barely any jobs.

They get bored with nothing to do and nothing to look forward to. They get scared and angry when they feel like there's no authority to protect and look after them. When young people are scared, angry or bored, they do stupid things.

Some people try to forget about all this and play cards all day, drink alcohol, smoke ganja or sniff petrol. Then they don't think straight and they do even more stupid things. Sometimes big arguments start on social media and on phones and make people feel even more scared and angry. Ganja and cards can mean that people lose all their money and there isn't enough for food. This creates bigger arguments and other issues.

All of these things add to the problem and then people fight each other, break things, hurt themselves, hurt their family or even commit suicide.

We must work to deal with these issues, but we must do so when we have genuinely committed to sharing power equally and work to solve these issues in a two-way approach.

Young people will feel confident and safe in their community when they know that there will be an empowered and meaningful role for them to play in their futures. Balanda authorities need to work with a Yolŋu Community Authority to recreate meaningful opportunities in our communities.

5. Legal Education Programs

“Balanda romdja dhuwal mulkuru, B yŋu yolŋu djalkiri romŋur. Yolŋu dj l napurr dhu marŋgithirr gandaw ga gakaŋgu romgu balandaw ga nhaltjan djulam balandawal djalkiri romŋur ga ŋorra.”

“Balanda law is foreign and strange. It doesn’t exist in a Yolŋu foundation. We need to learn what it is, how it works and how it fits in a Balanda foundation.”

Balanda law is so different from how we do things and it is really hard to understand. It doesn’t fit with the way we know the world to work. Everyone is very confused.

For example, court is an incredibly difficult process for Yolŋu. We don’t understand the roles of all the Balanda law people, because our law people are organised very differently. To us, it feels like we have no say. It seems like a dictatorship type of law that we can’t influence. The confusion is increased because the process is rushed. Rather than explaining what’s happening throughout the whole process, interpreters only have time to translate the sentence.

We want to continue working with Balanda so we can understand the way they do justice. We need to be able to sit with people in the days before and after court and talk in Yolŋu Matha (Yolŋu language) about what will happen and what we can expect. We need people to explain what is happening during the court process. We need to understand the deeper story of why Balanda do it the way they do, so it becomes meaningful for us. If this foreign law is going to claim jurisdiction in our community, we need to know at the very least how it works.

“Buthuru bitjurr marrkapmirr balanda. Napurr bukmaḱ bāpurru Dhuwa ga Yirritja marḱgi nhaltjan limurr dhu rrambaḱi djāma ga guḅga’yun bala-rāliyunmirr marr dhu yuṭay yolḱuy nhāma ga ḱāma dharaḱan marrma dhukarr ga rom bala malthun.”

“Balanda – please listen. All of us from Dhuwa and Yirritja clans know how we can all work together in a mutually beneficial and helpful way so that our young people will recognise, understand and follow two laws.”

