INTRODUCTION

I like the term ‘settler’. That’s exactly what we white Anglo-Celts have done. We’ve drifted round the world like some sort of fungus. Clouds of our spore have settled on every vaguely hospitable surface. In our wake we trail plagues of foxes, cats, rabbits, pigs, European carp, cloven-hoofed animals, blackberries, thistles, olives, chainsaws, bulldozers, guns, drilling rigs. We have changed forever the places where we’ve landed.

I’m not subscribing to the theory that the original inhabitants of Australia were living in a static relationship with the land. The whitefella version of prehistory is that Aboriginal people were incomers in their turn, though a great deal earlier than whites, and that they caused many changes and a number of extinctions. But the point here is that we whites arrived later, dispossessed the Aboriginal occupants, and went on dispossessing them. Our methods were sometimes violent, sometimes more insidious, but the brutality was consistent, if not always intentional.

The injustice of this has always been apparent and a matter of remorse to some whites. The question is: what to do about it, short of going away again? Even if that were possible, it would not reverse the damage.

The understanding that Aboriginal people in Australia were treated brutally and have continued to suffer as a result of dispossession and racism, has come under serious attack recently. For the purposes of this paper, I choose to assume an agreement that racism is a powerful negative force in this country and is, and has been, directed systematically against Aboriginal and Torres Strait Islander people. I am further assuming an agreement that we all want to see an end to this racism and are committed, at the very least, to ensuring that no further harm is done. Having made these assumptions I want to look at the issue of cultural appropriation, particularly representations by white writers of Aboriginal characters.

With the best will in the world there is a dilemma. To write about Australia, particularly rural Australia, without mentioning the Aboriginal presence (current or historical) is to distort reality, to perpetuate the terra nullius lie. However, for a non-Aboriginal writer to write about Aboriginal people is to run the risk of ‘appropriating’ Aboriginal experience; speaking on behalf of ... There’s been too much of that already.
So can we write at all?

As a writer I’m going to say yes, of course, it’s what I do. And part of the way we unlearn our white racism is by telling stories, as honestly as we can - our stories of what’s happened, the interactions between races in this country. That process is both the means and the result of a critical understanding of who we are, who our ancestors are, where we come from. An essential prerequisite for that is to acknowledge the facts of colonialism and racism.

A WHITE AUSTRALIAN STORY

I am a white Australian writer (of primarily Scottish heritage) from a family that has been in this country for four or five generations and therefore probably has some direct responsibility for earlier and more overtly violent racist episodes.

Like most white Australians of my time I grew up without any contact with Aboriginal people and with ideas that were mostly uninformed and frequently, no doubt, offensive. For example: the automatic discussion of Aboriginal people in terms of whether they were ‘full blood’ or ‘half caste’. It never occurred to me that I wasn’t required to account for my own bloodlines in this agricultural sort of way.

When I was about eleven I had a brief view of the Kimberleys, including the fringe dwellings in every country town on the way up: corrugated iron and cardboard humpies in those days. The Kimberleys were then, in white terms, very remote. In Windjana Gorge we met an Aboriginal man who was a member of a museum expedition and I saw how much more he knew about the country than the whites he was with: where to dig for water in the apparently dry river bed, for a start. But I was only eleven and the Kimberleys were a long way from Perth. I didn’t realise that there might be people who knew about ‘my’ Perth hills in just that same way.

My first real glimpse of what it would be like to be Aboriginal in Australia came from a summer job as a barmaid in southern Western Australia. It was 1971. Aboriginal people had been finally acknowledged as citizens at the referendum five years before. And yet they were not allowed into the bar. They were served through a hatch in the bottleshop: two bottles of beer each, not from the fridge. Warm beer. It was a hot summer and there were no fridges on the reserve.

The second milestone I want to describe came about twelve years later, in the early eighties. The occasion was a women’s gathering at Adelaide University. A panel of Aboriginal Women was to speak to an audience of white women (as far as I know we were all white) about their lives. The speaker who made the greatest impression on me was young. I am sorry to say that I have no record of her name. She was angry. And, most shockingly, she was angry with us. She told us what we had done to her people and what we had done to her life. As I remember it, her speech went on and on, but it’s probably just that it was such a difficult thing to sit through. I had a lot of feelings. In fact I felt physically sick.

First and foremost I was completely taken aback (this is embarrassing to admit now)
that she didn’t realise that I am a good guy, on her side. I took the two bottles from the fridge whenever the publican wasn’t looking.

But even while I thought that, I saw how pathetic it was. She was right. I am white, I am privileged, and that privilege comes at the expense of Aboriginal people. It’s my people who have caused so much distress to her people. There’s no ducking it, and she had, and still has, every reason to be angry. At the same time I realised something about my own vehement feminism. It went: “oh, this is how we’ve been making men feel.” The whole experience was salutary.

This was the beginning, for me, of an understanding that the best thing I can offer Aboriginal Australians is to shut up and listen to them, actually find out what they think. I have become particularly cautious about attempting to ‘speak on behalf of’ any Aboriginal person.

**SOME ABORIGINAL VOICES**

Anita Heiss has interviewed Aboriginal writers and publishers on the subject of “Whites Writing on Blacks”. Jackie Huggins is unequivocal:

Much of what has been written about Aboriginals by non-Aboriginals has been patronising, misconstrued, preconceived and abused. We’ve had so much destructive material written about us that we must hold together the very fabric of the stories that created us (qtd. in *Dhuuluu-Yala* 10).

There is a palpable sense of frustration and anger over this issue. When a white author decides to write a book he hears direct from the Aboriginal person, broken words which the white man calls “broken English”, he hears it and then he twists it around and his mind is taking up the sounds of that and he’s putting the flavour of the white mind into those words that go into the lines and become chapters in that book (Robert Bropho qtd. in *Dhuuluu-Yala* 11).

In an earlier essay Heiss quoted Melissa Lucashenko:

Who asked you to write about Aboriginal people? If it wasn’t Aboriginal people themselves, I suggest you go away and look at your own lives instead of ours. We are tired of being the freak show of Australian popular culture (qtd. in "Writing” 199).

Kenny Laughton raises the issue of the benefits that have accrued to whites from ‘expertise’ in Aboriginal issues:

I reckon that is our business and we should be the ones writing it: and receiving the appropriate recognition and status as the custodians and experts on our history (qtd. in *Dhuuluu-Yala* 11).

Patricia Mamajun Torres makes the same point in an article in *Australian Author*:  

3  

Margaret Merrilees 17/01/11
Over the last few hundred years Indigenous Australians have provided copious amounts of information for Phds, research theses, governmental reviews etc., but few have ever benefited personally in terms of financial or academic gains. […] (25).

Some of Heiss’ interviewees see a role for white writers writing about white/Aboriginal interactions, since there is a balance to be redressed in white histories, which have glossed over, if not ignored, the subject. They also suggest that an Australian novel must have some Aboriginal presence. This is not just a political prescription; it’s a necessity if you want to understand the Australian psyche.

As with everything and everyone we write about, there is no substitute for direct experience. It should be obvious, really.

The best books written about Aboriginals by non-Aboriginals are by those who have some relationship and friendship with Aboriginal people themselves (Huggins 12).

THE ISSUE

Wishing it would go away

We might like race to be irrelevant. But we can’t just imagine racism out of existence, it’s institutionalised in our society. Assuming that ‘white’ is the norm is part of the problem.

Whiteness is both the measure and the marker of normality in Australian society, yet it remains invisible for most white women and men, and they do not associate it with conferring dominance and privilege (Moreton-Robinson 66).

And of course ‘white’ is not the norm in global terms. Dominant yes, norm no.

The litmus test is not how we whites feel. The test is how Aboriginal people feel. If they are still experiencing racism then racism clearly still exists. Only the oppressed can judge when the oppression is ended.

Black American activist bell hooks has this to say about her white students:

Often their rage erupts because they believe that all ways of looking that highlight difference subvert the liberal belief in a universal subjectivity (we are all just people) that they think will make racism disappear. They have a deep emotional investment in the myth of “sameness”, even as their actions reflect the primacy of whiteness as a sign informing who they are and how they think (167).

This is another version of the racism described by Marcus:

It is now common to hear settlers explain that ‘We are all Australians’ and to continue by saying that ‘We all have
equal rights in these places [eg Uluru], not just Aborigines
[...]’ This then is the new racism, a racism which is
expressed and practised through doctrines of
egalitarianism (Marcus 204-05).

There is a potential double bind here, as there is for any marginalised group. Can an
Aboriginal literary character ever just go shopping, do the dishes, laugh, vote: be
‘ordinary’ rather than ‘different’? In reality, the simultaneous struggles for self-
protection and for liberation generate a constant awareness of the oppression. There is a
tension between the dream of freedom and the inevitable reminders of the opposite.

Jeri Kroll discusses this insistence on ‘otherness’ in relation to ethnicity in children’s
books:

[...] in all but two cases, ethnicity is still the primary
focus – a condition that interferes with the characters’
abilities to feel settled or accepted (21).

**Appropriation**

By ‘appropriation’ I mean the use by white Australia of Aboriginal ‘culture’. Common
practices throughout the last two centuries range from the theft of Aboriginal art for use
on kitsch tea towels, to the theft by archaeologists of actual human remains (Birch 153).
Such appropriations are part and parcel of the greater forces at work in maintaining a
racist society.

In the ‘post-industrial’ world, culture itself is considered
as simply another resource, and is being mined and
exploited accordingly. (Marcus 203).

In its most insidious form, cultural appropriation constitutes the claim to a spiritual
connection to the land akin to that of Aboriginal people, the use of Aboriginal
symbolism to lend ‘authenticity’ to non-Aboriginal voices. In the current political
climate this is not a harmless or benign practice. Mitchell Rolls sees it as sinister, an
attempt to justify, retrospectively, the usurping of the original inhabitants.

Until the political, economic, legal and social power
discrepancies are closed, it will continue to be detrimental
to Aboriginal interests for aspects of their culture to be
taken in order that they be bent to these non-Aboriginal
purposes (120).

One of the most obvious example of appropriation is the theft of visual images. Charles
Godjuwa, from Maningrida, is quoted in *Protecting Indigenous Intellectual Property*:

They just take the exact pattern and print it. Balanda
(white people) haven't had to do anything. They just want
to take everything without giving anything back to the
country and the people on that country (McDonald 4).

His comment raises the point that there is more at stake than just the copying of a
pattern. There is a basic misunderstanding about the significance of an ‘artwork’. It may
be that the use of an image or story, from an Aboriginal point of view, confers rights,
obligations and authority on the user. What is more, if such a use is unauthorised then it
may actually remove the rights, obligations and authority from the proper owner. A whole cultural practice may have to be discontinued by the Aboriginal custodians involved. Such a violation clearly has serious implications not readily understood by an outsider (McDonald 3). Anita Heiss makes another point: Aboriginal art is a particularly vulnerable medium and an important one because visual art was the equivalent of a written language for many Aboriginal societies (Dhuuluu-Yala 25). Commenting on the case of ‘Eddie Burrup’, a painter who turned out to be an invented or delusional persona of Elizabeth Durack’s, Julie Marcus says:

> It comes as a shock to understand that noble sentiments and good intentions cannot be dislocated from the broader economic and political processes which they seek to ameliorate. That shock is part of Elizabeth Durack’s pain, but the pain cannot be healed through Eddie Burrup. If only it could (Marcus 162-63).

In literature, there is a range of use of Aboriginal content by white writers. At one end of the spectrum lie both fraud (the presentation of a writer as being Aboriginal) and the unauthorised use (theft, in effect) of specific stories or legends or ‘dreamings’.

There have been a number of notable cases at the fraudulent end of the spectrum. The ‘Wanda Koolmatrie’ (Leon Carmen) hoax was a cynical exercise. Carmen and his agent, John Bayley, deliberately and successfully set out to deceive Magabala Books which published My Own Sweet Time in the belief that Carmen was an Aboriginal woman, and that the work was her autobiography (Hubble 1).

A more complicated story is that of B.Wongar, a Serbian immigrant who has spent considerable time with various Aboriginal communities and has written, for decades, in the first person from an Aboriginal point of view. He appears to have adopted an Aboriginal identity, of sorts, but without making any concerted effort to hide his real background (Wositzky 1). Does this constitute deception?

Maggie Nolan, writing in Antipodes, argues the postmodern case that an insistence on authenticity may result in reductionism and inflexibility, and therefore be counterproductive. The instability of Wongar’s identity raises questions that:

> unsettle the very oppositional structures that the debates surrounding him have tended to uphold. Through these questions, we can attempt to understand the complexity of both textuality and identity, not as stable singularities, but as multiplicities - presences and absences - by which any act of interpretation will be inhabited (Nolan 13).

In the cases outlined above the author/artist is clearly not Aboriginal. But the discussion about identity sometimes presents in more problematic ways. Mudrooroo, Bobbi Sykes and Sally Morgan have all been subject to the ‘Aboriginal or not’ debate. Since agreed definitions of ‘Aboriginal’ involve, in part, acceptance by the Aboriginal community (which may not produce a unanimous view, of course), I believe it is inappropriate for a white person to enter into any such debate.

There are many examples of the straightforward theft of stories by white writers. In Reading Race, Clare Bradford discusses the work of well known children’s author
Patricia Wrightson, who has drawn heavily on Aboriginal mythology in the course of a long career and has published a list of Aboriginal spirit figures. Bradford argues that Wrightson’s belief that all stories are accessible by and to all people is problematic.

[…] her essentialising depiction of traditional narratives is unable to account for what is specific and local in cultural practices, so that Aboriginal traditions are submerged in a universal sea of folklore (Bradford 128).

Discussion of appropriation is surprisingly rare in recent reviews of Australian fiction, despite a spate of recent novels by white writers with substantial Aboriginal content. Jose Borghino, in a review of Goldsworthy’s Three Dog Night, sounds a note of warning: “[t]he politics of speaking in an Aboriginal voice, if you’re not Aboriginal, is at best fraught and at worst a nightmare”. He notes what may be “a rumble of change in the Zeitgeist: a new willingness to try something ‘reckless’”(46).

Aboriginalism

Much white writing at the ‘theft’ end of the spectrum is motivated by a form of ‘Aboriginalism’, a term coined in Dark Side of the Dream (Hodge and Mishra 27) to describe a paternalistic assumption that whites need to speak on behalf of Aboriginal people. In earlier versions this was based on the false assumption that Aboriginal people were a dying race and that their stories should be ‘rescued’.

The passing of an ancient culture is both mourned and celebrated. The collection of art, for example, can serve as evidence of the superiority of the imperialist culture, while allowing its owners the gratification of appreciating the ‘beauty’ in objects from a past time (Birch 154).

Aboriginalism was often well-intentioned. Writers such as Katherine Susannah Prichard, Xavier Herbert, Eleanor Dark and Nene Gare brought Aboriginal issues to the attention of white Australia at a time when few Aboriginal people had the resources, the language or the will to do so.

A change occurred in 1964 when Oodgeroo Noonuccal’s first book of poetry was published. ii […] for the first time, one of those best qualified to do so was commenting creatively on her own race, its aspirations and fears. (Shoemaker 5).

In fact it has taken another forty years for Aboriginal writing to be anything like readily available, but white writers are no longer needed as interpreters of Aboriginal stories, if they ever were. In the twenty-first century a white writer writing from an Aboriginal point of view must be assumed to be doing so as a conscious choice: a political choice, in the context of the times.

Absence

At the other end of the spectrum from active appropriation is the opposite, the complete absence of Aboriginal people. This is the absence that Julie Marcus, quoting Jane Ada Fletcher, calls “the dark smudge upon the sand” (9). The effect is “to portray the land as empty, its indigenous people simply absent”(10).
In 1968 anthropologist W.E.H. Stanner argued that silence on Aboriginal history was no accident:

Inattention on such a scale cannot possibly be explained by absent-mindedness. It is a structural matter, a view from a window which has been carefully placed to exclude a whole quadrant of the landscape (qtd. in Manne 1).

Criticism of specific recent novels for a failure to include an Aboriginal presence would be an exercise in reductionism. And it is entirely reasonable that there might not be any such presence in novels with an urban setting. All I want to do here is to reiterate the suggestion that many others have already made. A novel which attempts to capture the Australian consciousness, and in particular a novel with a rural setting, or in which landscape plays a part, is impoverished if it does not address in some way the question of past and current Aboriginal presence.

A somewhat milder form of silence is the presence of a background Aboriginal character who does not speak, visible but mute. Such characters are, of course, familiar from generations of Australian literature. *Seven Little Australians,* for example. Such characters are there to provide local colour (and often assistance or servitude) but have no discernible personality. It is a form of racist stereotyping.

Interestingly enough, however, *Seven Little Australians* also foreshadows a more recent white consciousness. Clare Bradford draws attention to the fact that in early editions, Mr Gillet tells the children a story about Australia in earlier times “[...] when Tettawonga’s ancestors were brave and strong and happy as careless children, when their worst nightmare had never shown them so evil a time as the white man would bring [...]” (qtd. 4)

‘Happy as careless children’ is classic. The reference to evil is more unusual. The passage was deleted in later editions.

**Risks**

There is a wider question behind all this, an old question: how do we reconcile our ethics and our art?

[The] dilemma is shared by many sensitive White Australian authors who firmly believe in the Aboriginal cause. They support such issues so strongly that they feel compelled to fictionalise them, but when they enter the fictional universe, they feel constrained by literary conventions and a perception of the inviolability of “art” - and the result is a disconcerting sense of tension (Shoemaker 151).

The sense of tension may have a more pragmatic cause, as demonstrated by the experience of Phillip Gwynne, author of *Deadly Unna.* Dispute erupted over the film *Australian Rules,* based on the book (Ellingsen 1). It was claimed that Gwynne did not follow the proper protocols in making use of an incident in which several boys were
killed. Gwynne has expressed regret that he did not disguise his setting more heavily (Phillips 1). Whether this would have solved the issue or not is questionable. Gwynne is known to have spent a large part of his childhood in a particular small town. If, in his ‘fiction’ he describes something that is closely related to a real incident in that town, then he runs the risk that people will assume that the fictional and the real are the same.

This is a risk, of course, that any writer takes in using ‘real’ material.iii The risk is greatly increased, however, when, firstly, the setting is a small town where everyone knows everyone; and secondly the politically explosive issue of race is involved.iv

So …

I want to look more closely at the middle of the spectrum. Say I am planning a fictional narrative about a rural white Australian woman coming to terms with her own and her society’s racism. I am not going to use any culturally specific Aboriginal material, but neither am I going to pretend that there is no Aboriginal presence in my fictional landscape. The world of my novel will include three dimensional Aboriginal characters, reflecting real life in Australia in the twenty-first century.

It then becomes a question of how to present the material. Given all of the above I may well shy away from a first-person narrative by an Aboriginal character. I do not want to speak ‘as’ or ‘for’. I do not want to pretend to be inside the mind of an Aboriginal person, feeling their feelings. So I decide to stick to the point of view of a white protagonist. My narrator, therefore, is not entirely omniscient. She cannot enter the mind of the Aboriginal character.

But I have also decided that the Aboriginal character (let’s call her Susan) cannot be silent, since this is another form of absence. She must emerge from the background. She must speak. Susan and my white protagonist (I shall call her Wendy) meet. Wendy says “hello”. Susan says “hello”. Wendy says “how are you?” or “what do you think about the new mining permit?” or “please tell me all about your life”. But how can I make Susan answer if I don’t know what’s in her mind? She might say “very well, thanks”, or she might say “what’s one more fucking mining permit to me?” Or she might say “mind your own business.”

I’ve cheated. I was going to stick to the white point of view, but in fact Susan is already saying things, inside the apparent safety of quotation marks. Her personality is emerging, shaped by all of her history, as yet unimagined by me. She might speak in suburban middle-class English, or she might speak in Aboriginal English. The thing is, I’m already tramping about inside her head, even though I said I wasn’t going to. It’s inevitable. A character who speaks is generally doing so in the first person. So speech is just a form of first-person narrative, after all.

Wendy is interested in what Susan has to say. She’s just beginning to realise what it means to be white in Aboriginal Australia (she lives in a rural area, after all). So of course she’s going to seize the opportunity of meeting Susan to find out all she can. She’s going to ask lots of questions (which may in itself be culturally inappropriate behaviour), try and get Susan to talk. Before I know it, Susan is making a speech about the effects of racism on her life, perhaps she’s haranguing a room full of white women.
How am I going to explain this to all those Aboriginal writers who don’t want me speaking for them?

At the moment all Wendy can see is that Susan is Aboriginal. However this is a narrative of hope and redemption. Wendy is going to realise that Susan is many other things as well: young, a woman, etc. But Wendy is also going to see that this society rarely allows Susan to relax and forget that she is Aboriginal. After all, I have said that it is the very fact of racism that I want to explore, or at least acknowledge. So Susan’s Aboriginality and Wendy’s whiteness are necessarily a subject of the narrative.

The novel is written from Wendy’s point of view but if I’m not careful Susan’s guts may also be spread out for the reader to examine. Sorry, Susan.

**Who Decides?**

Gelder and Jacobs see appropriation as implicit in fiction:

> [...] a genre of writing which tends to confuse the distinctions between the public and the private or secret. [...] fiction has often taken as its agenda the revelation of private or secret material; it is by its very nature a transgressive medium in this respect (102).

The issue, call it authentication, authorisation, the distinction between fiction and fact, is relatively new to Aboriginal culture. Stephen Muecke points out that ‘fiction’ is meaningless in traditional terms.

> Stories are all true to the extent that the discourse is correctly produced within the cultural apparatuses which make it possible (65).

It is the arrival of the settlers, who did not understand the cultural boundaries, that has necessitated their articulation, their codification.

The real question, of course, is *who is to be the judge?* Shoemaker quotes Douglas Stuart speaking in 1981 about his own novel, *Yandy*:

> “Whether I’ve succeeded or not I don't make any claims [...] the only one who can give an opinion thoroughly on that is [...] what Elkin calls "the man of high degree" - an Aboriginal proper man, fully initiated, experienced and of high degree” (92).

In the present political climate it is not for a white writer or critic to decide what is appropriate. Only Aboriginal people can decide. And of course there is never going to be a unified Aboriginal view, any more than there is a unified white view. There is no such entity as ‘the Aboriginal people’ to provide answers.

**PROTOCOL**

*Acknowledgement Of Sources*
In the course of reading for this paper I looked at four recent novels that deal with the dilemma of being white in Aboriginal Australia: *The Artist is a Thief* (Stephen Gray), *Journey to the Stone Country* (Alex Miller), *Three Dog Night* (Peter Goldsworthy), and *The White Earth* (Andrew McGahan). These novels are very recent, they have all won, or been short-listed for major prizes, and they have been favourably received by critics. I take them, therefore, to be a reasonable sample of contemporary Australian literary fiction. My purpose here is not to discuss the novels but simply to see what sort of acknowledgements they offer for their Aboriginal content. There is, of course, no particular convention about acknowledgement of sources in fiction. It depends on the conscience of the writer.

*The Artist is a Thief* is a murder mystery set in a top end Aboriginal community. Gray acknowledges a number of sources for his information, both books and people. He also provides a specific ‘author’s note’ explaining that the community he has invented is fictitious and that he has deliberately used names which do not have Aboriginal derivation, bar one which, “so far as I can ascertain” is “not of any sacred or secret significance” (Gray).

*Journey to the Stone Country* tackles head-on the issue of white and black co-existence. No acknowledgements are offered and the reader is left to wonder about Miller’s right to reveal some aspects of Aboriginal culture. In an interview with the ABC he stated that he had been taken to see Jangga sites by a Jangga man (Blair 1). It is not clear whether this man had the appropriate permission from his own people to show Miller the sites. The book does not acknowledge this person by name, though the dedication, “to the real Bo and Annabelle whose story this is”, implies an authorisation of sorts.

*Three Dog Night* goes further again. For example, one of the white characters has undergone initiation and the anatomical effects are described. It is implied that this was a Warlpiri initiation. I question whether it is appropriate for women and uninitiated men to read of such matters. Goldsworthy states in his acknowledgement that: “The detour of the Budgerigar Dreaming described in this novel is entirely fictional, as are the Dreaming site Ngarlpa and the community named Widjuri”. He acknowledges by name the people who have “shared their time and country” (endnote) and from whom he presumably has acquired his information. It is not clear from this whether he sought any permission.

Goldsworthy has stated elsewhere that he had his manuscript approved by a man of standing, adding that of course somewhere else might have given a different opinion. He has also expressed his belief that a writer must be free ‘make a fool of himself.’ (“Unpublished Talk”)

McGahan’s *The White Earth* is more circumspect than the other three novels in that no Aboriginal characters appear directly. There is an appearance by a bunyip, conjured up by the fevered brain of a small boy: the sort of generic bunyip that took up residence in the settler consciousness very early on. The text of the novel is preceded by an author’s note:

> This is a work of fiction. While the Darling Downs are real enough, the northern parts of the region do not exist as described here. This story is not meant to portray any actual place, person or event (McGahan foreword).
Legal Restraints

Protection for Indigenous culture within the framework of existing copyright law raises a number of problems. White law and Indigenous law do not start from the same premises, and do not sit easily together. This is not just a matter of racist disregard by white settlers for Aboriginal rights. There are fundamental differences between the two legal systems. For a start Indigenous law is not predicated on individual property rights, but does have strong controls based on communal interests.

Indigenous knowledge is not open. Not everyone is exposed or allowed access to certain aspects of knowledge. In Western culture all knowledge is open for everyone to know (Professor Forrest qtd. in McDonald 5).

White copyright law may protect the specific interpretation of a story. However it does not protect styles, concepts (eg ‘dreamings’) or languages, regarding them as unowned and unownable: in the public domain. This runs counter to customary Aboriginal beliefs. Nevertheless, any writer contemplating the use of traditional or even modern stories would be advised to consider not just the ethical but also the legal implications.

Ethical Guidelines

By now it should be obvious that permission is necessary for the use of any specific material (Heiss “Writing” 203). Gaining such permission may be difficult, but that’s another story.

If in doubt, always try to seek the advice of well established Indigenous Australian organisations in the region from where the material was collected, eg Language Resource Centres, Land Councils or local education groups [...] who will generally give their informed comments [...] (Torres 25).

State Government arts agencies employ Indigenous Arts Officers, who can be approached for advice. Torres makes the point in the same article that white people seeking specialist information should be prepared to pay proper consultancy fees and royalties.

Writers are asked to be thoughtful about the use of language (Torres 24). This is true even when attempting to describe racist incidents. One of the criticisms of Phillip Gwynne was for his use of the word ‘boong’. Gwynne’s intention may have been to expose racism, but according to one commentator it has brought the word back into vogue among school children (Ellingsen 1).

Jackie Huggins has provided a check-list for white writers attempting to write ethically about Aboriginal people. She covers issues such as consultation and research and referral back of successive drafts. Her last point is perhaps the crucial one: “Your material needs to empower not disempower indigenous people” (13).

CONCLUSION
Since English law is of limited use, and protocols are voluntary, questions of appropriation become issues of personal ethics, conscience issues. It is not my intention, therefore, to draw any definitive conclusions. We white writers will certainly make mistakes. In fact Larissa Behrendt points out that our mistakes are useful in that they lead to discussion (Behrendt 1). That discussion, however painful, is our best education.

1 ‘Aboriginal’ and ‘Indigenous’ are concepts that only have meaning, of course, after the European invasion. They are dividers, signifiers of ‘otherness’, and, at the same time, homogenisers, as though the Aboriginal occupants of Australia were all identical to each other. However, for the purposes of convenience and brevity I have used ‘Aboriginal’ in this paper, despite the many different people and cultures embraced by the term. By ‘Aboriginal’ I mean those who identify as descendants of the people who inhabited this country (including the Torres Strait islands) before the arrival of white settlers. Some people prefer the word Indigenous (especially since it is taken to include Torres Strait Islanders). I have used ‘Aboriginal’ because of its common meaning, i.e. specific to Australia.

David Unaipon was published prior to this, but not widely read. (Shoemaker Note 6, 16)

Gwynne points out that his own father was the person most likely to be offended by the book, if he identified himself as the violent father figure (Ellingsen 1).

4 Criticism of Coetzee’s Disgrace suggest that even if the writing is entirely fictional we run a risk in portraying any negative view of an Aboriginal character.

5 Ian McDonald points out that the conflict between Indigenous and eurocentric discourses is further complicated by postmodernism, which, far from wishing to avoid appropriation, views the act of reproduction as semiotic: ‘appropriation carries its own validity, and reproduction multiplies meanings by opening the work to multiple interpretations in light of the contexts in which the work is reproduced’ (17).

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