

Leadership & Indigenous Research

MARANA DYARGALI



Larissa Behrendt

Interviewed By:

Associate
Professor Jason
De Santolo

Distinguished Professor Larissa Behrendt is a Eualeyai/Kamillaroi woman from Northwest New South Wales, who lives and works on Gadigal land. Larissa has led Indigenous research at UTS since 2001, developing strategies to support Indigenous led and community-based research. Larissa shares insights on the work required to develop trust between Indigenous communities and universities. Against a backdrop of white supremacy and white privilege, Larissa discusses how universities have had a history of poor relationships with Indigenous peoples and how much work is required to decolonise the academy as considerable harm continues to be done. Larissa shares a story of Indigenous leadership at both the university and personal level. Larissa discusses the use of Indigenous Storywork as a methodology and approach to support Indigenous voice and self-determination in her research and her work as a writer and filmmaker.

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Larissa talks about her work to support activism and community priorities around research, and the environment of support that fosters healing and wellbeing in relation to research. Finally, Larissa shares her views on the leadership challenges ahead and the great talent and skills that Indigenous Higher Degree Researchers bring to the fabric of the academy and UTS.

About Larissa

Distinguished Professor Larissa Behrendt OA is the Director of Research at the Jumbunna Indigenous House of Learning and Associate Dean (Indigenous Research) at the University of Technology Sydney. Larissa has a LLB and B.Juris from UNSW and a LLM and SJD from Harvard Law School. Larissa has a legal background with a strong track record in the areas of Indigenous law, policy, creative arts, education and research. She has held numerous judicial positions and sat on various community and arts organisation boards. Larissa is a Fellow of the Academy of Social Sciences of Australia and a Foundation Fellow of the Australian Academy of Law.

Larissa chaired the national review of Indigenous Higher Education, was the inaugural chair of National Indigenous Television (NITV), the Chair of the Bangarra Dance Theatre and founding director of Sydney Story Factory (literacy program in Redfern). She is a member of the Metropolitan Local Aboriginal Land Council. She is currently on the board of Sydney Festival, board member of Sydney Community Fund, a member of the UTS Council, and director of Jimmy Little Foundation and Chair of the Cathy Freeman Foundation. Larissa is also an award-winning author, filmmaker and host of Speaking Out on ABC Radio. In 2020 she received an Order of Australia for distinguished service to Indigenous education and research, to the law, and to the visual and performing arts. In 2009 she was awarded NAIDOC Person of the Year, and in 2011, NSW Australian of the Year.

Interview between Associate Professor
Jason De Santolo & Distinguished
Professor Larissa Behrendt

*JDS If we are committed to self-determination,
how do we ensure that the projects being
done in the university have really strong,
positive impacts for our communities?
And what happens when things go
wrong?*

LB We work in a space that has a history of white supremacy and white privilege. The universities are about elitism and there is a view within Western knowledges, a colonial mentality, that you are entitled to access anything that you want or find interesting.

There is a sense of entitlement around how people have approached their academic and

research work, probably without reflection that those have been elements of how these institutions work. If you go to the great institutions like Oxford, Cambridge and Harvard, you see within their treasure trove all the things that have been collected that people feel entitled to. Just like you see in museums, it is showing how great you are because you have all this other stuff. This sense of entitlement and ownership of things needs to be unpacked.

People who started their careers as academics in the 70s and 80s, when there was no involvement of Indigenous people in anything except as subjects of research, now feel insulted that they are asked to explain their ethical process. This can be the case even if they are working in what we would consider incredibly vulnerable spaces like schools, for example, doing research with Indigenous children. They are still at that level of arrogance. The bigger challenge sits with people who have a sense that they already know what they're doing and

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don't need anyone to tell them, rather than being open and listening.

When we look at our work within the academy, there's an aspect of what we do that is about self-determination and the assertion of sovereignty. However there is still that work that has to be done around decolonisation. People sometimes say they don't do the decolonising work, but without that space being decolonised, considerable harm continues to be done.

There is a history of harm and one of the biggest challenges we've had as Indigenous researchers is to build trust between our community and the fact that we are at a university. That is a big part of what we have had to do. There is a reason why that's the view in Indigenous communities; PhD students going out, researching and never being seen again. That sense of knowledge being taken. The way Western intellectual property systems are structured is completely damaging and detrimental to Indigenous knowledge holders. We are up against it in lots of ways. We are the fish swimming against the stream in this context.

The university as an entity and those researchers fail to appreciate that when somebody in the institution stuffs up and causes harm, it is us who bear the brunt of that. We are the ones the community call because they know we are at this institution and they hold us accountable for it. It is the same at the ABC. If the ABC does a story that is harmful and erroneous, I get the email, because we are the public face. There is a role that we play as mediators and a price we pay when non-Indigenous people who have not taken the right steps stuff up. That causes harm to everything we are trying to build here in terms of trust.

To have a group of Indigenous people look over research ethics applications isn't a cure all. But it's a really important place to start to challenge researchers around questions of partnership, consent, intellectual property, data, voice and methodology in ways they never had to before. That's a positive and is starting to become normalised. Now you hear people talking about partnerships in relation to Indigenous research, which is not a new thing for us, but it's a very new thing for other people.

JDS A lot of our work is guided by social

movements like the Indigenous climate justice space and the Black Lives Matter movement in Sydney. Would you like to comment on the importance of being aligned to big social movements?

LB One of the things that has always been distinctive about you and I as researchers was that we didn't come into universities to be academics. We didn't become lawyers to just be lawyers. We took the paths we did because we wanted to see change in our communities. One of the things that Jumbunna has allowed us to do in the space we've created is be agile about how we work and not be prescriptive about what success look like. Success wasn't lots of publications, not that we didn't do publications, but it's just not how we judged ourselves. We had a sense that the community was more important to us than the university. I really love UTS, because if it wasn't what it was, we couldn't have done what we did. I feel an enormous loyalty to the university, but my responsibility lay with the community, where I went home to and where I lived. We are answerable to the community because we live there. We don't get to go home at the end of the day and not think about it anymore, because they're more in our face when we go home than when we're at work.

That made us incredibly active about ensuring our engagement with the issues that mattered within the community. It is not a coincidence that when these movements have come to the forefront that we're right there in them. It's not like that when Black Lives Matter movement emerged and we all thought, yeah, okay, let's do that. We've been working on coronial inquests and deaths in custody for years and years, this is just another opportunity to raise awareness of it. We're drawn into that space because it's a critical issue. Similarly, with climate justice, we all have responsibilities to our Country and our Elders who look after that Country. We have been doing this work for decades. We walked through the door with those connections. When there's now a focus on climate justice, it's not like we're saying that's a really great thing, let's get involved with that. We've been doing climate justice all along. The question is: how can we engage the momentum now that there's a stronger movement around that?

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When those moments happen all our relationships are already there. With the Black Lives Matter movement, all of the Aboriginal Legal Services, the Community Controls, the SNAIC, the VACAS, everyone already had relationships to bring everyone together, because the work predates the moment. We've always been focused on advocacy and law reform. People call it activism as a way of demeaning my work. I don't mind being an activist, because that puts me in the same field as Chicka Dixon and Gary Foley. However, when people say that they're basically saying I'm not a serious academic. I do not understand how people can research silently and not advocate for what they are doing when it's important to be a voice. That is an ethical and moral abrogation of duty. We do that advocacy in the criminal justice space through taking cases to court. We do it through marching on the streets and yelling at people. We do it through parliamentary inquiries. It is not like we do one thing; we take a sophisticated approach.

Walking and marching in the streets is really important because it's part of our tradition. It shows that we're community people first and we're literally following in the footsteps of the people who've made the changes before us marching down those same streets. It is the most visual way to show our support to the community who won't read the parliamentary inquiry, who won't be sitting in the courtroom and who won't be reading whatever we've written in an academic journal. When we stand up in the streets and walk beside them on the issues that are close to them, we show a solidarity that's really important and that is a part of our academic work.

***JDS** There is an importance to having courage and being bold in this work that is a part of Indigenous ethics. What is it like putting bodies and careers on the line for our communities with colleagues, including non-Indigenous colleagues, from Jumbunna?*

LB It's important to note that it's tough. We know that we're privileged compared to the rest of our community and it gives us a sense of duty. You can sometimes jeopardise your own

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well-being and health by not acknowledging that you need to take time to nurture and heal. That's particularly true of our non-Indigenous colleagues who feel less entitled to do that. They are the ones reading the autopsy reports of murdered kids and this stuff is really hard. It is a really important part of our cultural practice to think about well-being and spirit, to give time to that so we can contribute more, rather than burn ourselves out. You need to think about the environment in which the work gets done. For example, I could not do the work that I do at Jumbunna in a faculty, because the faculty wouldn't value it for the things that should be valued. A faculty would look at my publications and think the rest is peripheral.

A faculty wouldn't be able to provide the emotional and cultural support I need either. I think of moments when we've been really brave in standing up, the Northern Territory intervention was one of those times and the Bolt case was another. We paid really high prices for that and you don't come through that unscathed. You don't come through it at all unless you've got people who you feel like have your back. That needs to come from your colleagues. Being in those fights together means you never feel alone, even when they really come after you. We can say that because you and I have been tested on that, it is not a theory. When you come through these things the community respects you, because they know you stand up. People might not agree with what we do but the fact that we stand up when others don't is noticed and respected.

That is a reward. It is also a reward when someone says in the Bowraville community, "it's family only", they invite us along. That's when you know that you've walked with people. I'm sure everyone has colleagues that they're really close to but the original group of Jumbunna scholars are like siblings to me. It's a deeper thing because we've been through wars together. It is about having a cultural space where those relationships, the camaraderie and those shared values translate into the support that you need to do the work. To know that if you are going to do the right thing and stand up when it's important that you've got people there with you. When we stood up we had each other and the occasional other person, now everyone's against the intervention.

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JDS Do you have any reflections on the different ways Storywork and Aboriginal law are manifesting in your work?

LB It has given us space to think about that in our processes. I wrote novels thinking about what we do in law needs to have the stories to explain the nuances of people's experience. Those novels were derived completely from my own life, they were autobiographical and biographical of my grandmother and my father. It was intuitive at first to make the link between story, law, advocacy and change that was in that hearts and minds piece. The framework of Storywork and listening to the process of storytelling for other people has made me appreciate the links a lot more.

There are a range of ways that make Storywork become important. The privileging of Indigenous voice and wisdom is one. There is a need to be flexible with how that is done. Recording someone and transcribing it is usually tidied up. Ums and ahs are taken out because you don't want anyone to look bad and have their English criticised. Not that you change what they say, but there's always a translation in that. Or, we speak to our work and use examples of other people's experience in the research we've done where we've collected those stories.

One of the great evolutions of my own thinking about law, story, advocacy and change is through filmmaking.

Feeling the power of self-determination is where you create space for somebody else to be empowered,

rather than always advocating yourself. Stepping back to allow others to come to have that space that you may have filled, for them to have that story. The dual aspect of the authenticity of the story. It matters more if you hear from the woman whose child's being removed, rather than her lawyer and then there is the empowerment of that person who has not been listened to by a system, giving them a chance to feel the power of their own words and the power of being heard. Those are things I think more deeply about when we come to research design. Thinking about who's speaking and what form it takes. When we approach an issue, how are we doing that? There's been a greater integration of that as the core business.

One of the things that we grapple with, particularly with the law, is how a whole society has its own set of stories and narratives that are incredibly detrimental to us. We've been excluded from them, demeaned by them, written out of them and ridiculed in them. There is a role for law to be challenging the stories, orthodoxies, assumptions and the hierarchies that are there. Deconstructing the stories that they tell themselves is really important. That might sound esoteric, but when you think of the concept of terra nullius, it's a story. It is a made-up story that was even called a legal fiction. That we weren't here or we didn't have a system of governance. It is a story that needed to be challenged. Even now, Native Title assumes that we were settled and there is still contesting to be done around that. The Native Title structure assumes we don't have our own governance system. There's more challenging to be done in the nuances of these stories. The main thing is the assertion of sovereignty and the privileging of our voice, but I do think we have an obligation where we can and where we've got the energy to also engage in that decolonising process. Otherwise it works against us and it trains people to think against us. It is our enemy and we can't let it lie silent.

JDS As we're looking forward, as UTS grows into a new phase and young scholars come into this new space, what are your thoughts on their role in taking us forward into places we have not even thought about?

LB It is sobering, but I am at the time where I have to think about the legacy and who is going to be coming in to take things to the next level, the way I did with Uncle Bob Morgan. I am not planning on leaving anytime soon, but you have to think about things in the long term. We don't make quick decisions, because these things are important and precious. We need the right people and you need to test them.

Within that we have two priorities and challenges going forward. The first is the space to nurture the next generation of our leadership. I don't say that lightly and this could be controversial, but I don't think that every young Indigenous person who comes into the university is culturally equipped for leadership. I think there's a particular mindset, the deep connection and responsibility to community, the belief in the principle of self-determination, and that grounding in culture. I understand completely that we're all on a journey with that. Even I am still continuing to understand my culture and my cultural practice. However, there is a certain type of young person who you can tell is going to be somebody who can do that, who is equipped. It is about giving them space to grow and learn all of those things. All of these amazing young kids we've got, who are absolutely fantastic at their studies, research work and intellectual work is groundbreaking and confronting. I learn from it all the time. They have this energy and they're engaged with community activity. They're out there in the streets protesting and they have their own cultural practices, they're dynamic. We are able to be a home for those kind of people, who are our stars, who will take things forward and do things that we never dreamed of.

The other responsibility we have still harkens back to our past and the legacy of universities. One of the things that has been important for me, and I want to do a lot more work on this now that we've shown it can be done, is being able to find a space that acknowledges the wisdom of our Elders. It is important that we see people like Aunty Rhonda Dixon Grovenor undertaking her graduate studies and getting acknowledgment for her knowledge and practice. Then that needs to be permeated into the academy. There is no way she is conforming with what the academy expects. The academy is bending to her in a way that makes the academy stronger. It allows us to honor that wisdom alongside other wisdoms



like we do outside the university. We need to make sure the university is doing it too. Somebody like Eddie Cubillo, a really senior, serious law man is on the way to graduating from his PhD. He will bring insights from his experience that no other student could do. It is critical work to have people like that come and have their knowledges celebrated and acknowledged. It is important to put them in a place where they're influencing the academy and the students. Continuing to challenge the university to bend to our knowledges in that way and using our Elders to do that is another part of that work. Putting the path for those who are going to go forward and acknowledging those who built the path to where we got to are the things we are focusing on.

Every time we see somebody graduate, I think, our work here is done. Here is this person or this Elder who has

been newly empowered. The legacy piece is all the work we do around research, the HDR space, people we are bringing through here. The diversity of that group and the differences in their stages of knowledge. We should be proud of that.