

Thursday 29 August 2019

Submission on the Northern Territory Burial and Cremation Bill 2019

To the Social Policy and Scrutiny Committee,

We are community leaders of the Galpu and Golpa Clans of Elcho Island, North East Arnhem Land.

We Yolngu were the first Australians. We are from this land. *Balanda* [non-Indigenous] came here after. We know who we are. Through our Clan we are connected to the land and to the sea, we are connected through Songlines, through family trees and through our roots.

We recognise *Balanda* law, we recognise whatever they put in it. We know we are subject to government laws. But we are burying our own loved ones in our own country. We don't want to be compared to others, to how *Balanda* organise burials. Why do we need a permit? For government to know who we are? We are subject to *Balanda* law but they are not listening to our law. We feel that Government are using us like prisoners to abide by their law. It is a form of control.

When our people die, we bury them. We do not cremate our loved ones any more. For birth and death those places are marked by carving on wood or painting on rock. Where these places are have been passed on verbally over generations. We show our respect to that person by showing their grave, we tell our children "here is your grandfather, here is your sister".

It is not a fairy-tale, but is the passing of knowledge for the generations to come. In 1965/66 we travelled from Elcho to the Wessel Islands and our father showed us a grave where our grandfather was buried, he showed us that area. Our sister and our father's father were also buried there and as we grew up and became mothers and grandmothers we travelled and we talked about that area where our families are buried. Passing on that knowledge from one generation to the next. This is the ethics of Yolngu culture. It doesn't change, it is there all the time.

Don't play with Yolngu people, we are not animals. We are human beings. Our names are connected to the land and to the sea. It is named after our dreaming.

If someone stops our cultural obligation to carry on our burial practices then they are stopping who we are. It is the worse form of disrespect in the world. Our views, visions and what we do is about our land and our connection. So we don't lose our kinship system, we know where to bury each person. It is not just that Yolngu people have kinship, the land has kinship too, and when we decide where to bury that person it is according to kinship lines and links.

"Yolngu people believe strongly that, when a person dies, their body must be returned to their ancestral estate (their father's clan's land), so that their spirit can return to the land from whence it came. However, today, many Yolngu do not live on their own traditional lands but rather in settlements like Galiwin'ku. It is often not possible to return the body of a deceased person to their traditional land. Today, Yolngu people in the Marthakal Region therefore often

bury their deceased family members beside their own homes. They describe this as a way to maintain the spiritual connection between the living and their ancestors:

All Yolngu communities, we belong in the different estates of Arnhem Land. And we have to face the fact that some people will never return to their country. So what the families are trying to do is create a space just for us within this new area. So all our family will be in one area, where we actually live. So that's why people are buried next to the home of the living family. It is to do with the close connection and the spiritual connection. So you are still close to your father and your grandfather – and you are still close to your ancestors through your grandfather and your father."

From Walking Together, Working Together Marthakal Homelands and Resource Centre Aboriginal Corporation, forthcoming publication.

Imagine if someone went to the Queen and asked her to remove her father to bury him in Australia. How would she respond to that? That is how we feel when people tell us what to do and how to bury our family.

Yolngu respect the cultural practices of *Balanda* when it comes to funeral and burial or cremation. We respect those families. There should be intercultural respect for our practices as we respect the practices of *Balanda*.

The funeral is the life journey of that person in spirit. It is a long journey and it is a sacred subject for our people. If we lose our rights to the choice of where to bury our loved ones then we lose our life. Our home is where we are. Our spirit travels.

The Bill should be amended so that it does not apply to Aboriginal land, and especially not to Aboriginal Homelands.

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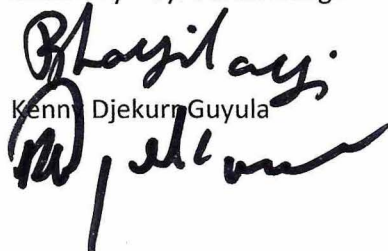
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