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LESSONS FROM A HISTORY OF BEER  
CANTEENS AND LICENSED CLUBS IN  
INDIGENOUS AUSTRALIAN COMMUNITIES  
MAGGIE BRADY

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Aboriginal Economic  
Policy Research  
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Arts & Social  
Sciences

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Front cover image courtesy of Maggie Brady.



# Lessons from a history of beer canteens and licensed clubs in Indigenous Australian communities

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## Abstract

The idea that alcoholic drinks should be made available in licensed canteens or clubs in discrete Aboriginal communities has a contentious history in Australian public policy. This discussion paper aims to provide some historical depth to the latest resurgence of interest in the idea. The paper traces the social and policy changes that created a context within which it was thought that rationed sales of alcohol in home communities would encourage responsible drinking practices among Indigenous drinkers. Such experiments followed closely on the repeal of Aboriginal prohibition in the Northern Territory, South Australia and Queensland. The paper also discusses what went wrong with these establishments and makes suggestions for the future.

**Keywords:** drinking, Indigenous, licensed venues, community clubs

## Preface

This paper 'Lessons from a history of beer canteens and licensed clubs in Indigenous Australian communities' marks a recommencement of CAEPR's Discussion Paper series after a break of several years. The series is published in a new format and all papers in the series are now subject to an independent peer review process. CAEPR's Discussion Papers have always been popular and widely read by a diverse audience and we hope that the revitalised series will continue to stimulate discussion and debate among readers. We are pleased to be able to launch it with such an excellent paper on a topical subject.

## Acknowledgments

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## Acronyms

ANU	The Australian National University
CAEPR	Centre for Aboriginal Economic Policy Research
DAA	Department of Aboriginal Affairs

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## Introduction

The idea that alcoholic drinks should be made available to Indigenous people in their communities through licensed canteens or clubs has a contentious history in Australian public policy spanning the last 50 years.

In 2007, as part of the intervention into Indigenous communities in the Northern Territory, the Australian Government instructed the eight licensed clubs in the Northern Territory to sell only mid-strength or light beer in cans, for on-premises consumption only, on four days a week, with hot food available. This overruled the more varied and liberal supply conditions that had been negotiated between the eight communities and the Northern Territory Licensing Commission<sup>1</sup> over previous years.<sup>2</sup>

In 2008, after more than a decade of concern and controversy, the Queensland Parliament legislated to prohibit any community council in Queensland from operating and profiting from a licensed canteen, effectively closing down these premises in Aboriginal communities.<sup>3</sup>

These two separate interventions constitute rare examples of governments taking unilateral 'top-down' action to rein in the operations of licensed social clubs in Aboriginal communities since they were first developed in the 1970s. Yet in 2012, following changes of government in the Northern Territory and Queensland, the idea of inviting even more Aboriginal communities in remote areas to consider having licensed canteens or clubs was once again given renewed currency in policy debates.<sup>4</sup>

### *The need for a historical perspective*

This discussion paper aims to provide some historical depth to this recent resurgence of interest in the idea of licensed alcohol outlets in discrete Indigenous communities in remote areas. This perspective is needed because experiments with different regimes of alcohol availability for remote communities began almost immediately after Aboriginal prohibition was repealed. These experiments included the limited distribution of beer for consumption in the open (often in a fenced area), rationed or unrationed sales in beer 'canteens', and later, the development of marginally more sophisticated establishments that came to be known as social clubs or taverns. These developments took place in Queensland (including the Torres Strait Islands), South Australia and the Northern Territory. For convenience, in this discussion I will refer to these licensed premises as 'clubs'.

Part of this story rests on the optimistic idea that, armed with their new drinking rights, Aboriginal people would learn to drink in moderation. Licensed premises in their own communities (for those living away from larger towns) would be part of this learning process. I review how these ideas emerged in government circles and in mission societies who dealt closely with Aboriginal people in remote areas.

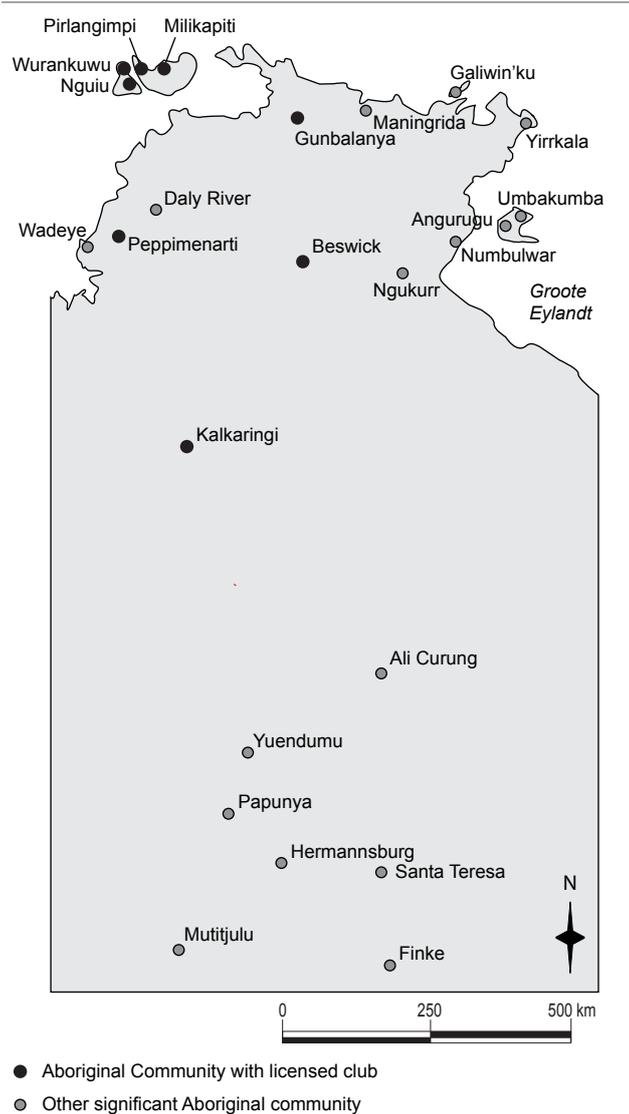
By the late 1980s, however, it was becoming evident that some of the earlier optimism around clubs was misplaced. While new premises in Indigenous communities continued to be established, some experiments of this kind were abandoned, suffering from a range of serious problems. This attrition rate meant that, in the Northern Territory, for example, the overall number of clubs did not change much over a period of 25 years. In 1988, there were six on-licensed clubs.<sup>5</sup> Nineteen years later, in mid 2007, eight facilities were licensed for on-premises consumption, with two more licensed for off-premises sales only.<sup>6</sup> As at mid 2013, there were still only eight on-licensed facilities in discrete Aboriginal communities in the Northern Territory (see Fig. 1).<sup>7</sup>

In contrast, in Queensland, the number of community-based canteens has dropped dramatically from the 18 that existed in 1999 (Bourbon, Saggars & Gray 1999). Most of these premises had been in operation for 20 years, and the closures followed the extraordinary levels of consumption and alcohol-related harms documented by Justice Tony Fitzgerald in 2001 (Fitzgerald 2001). In Queensland today, the Torres Strait Islands of Saibai, Erub and Mer have licensed community clubs,<sup>8</sup> along with Pormpuraaw and Palm Island.

A historical perspective on this issue also shows that the existence and potential future establishment of licensed social clubs in remote communities are part of a politicised and often counterproductive discourse. Particular arguments emerge and re-emerge every few years, often in response to apparent public anxieties, which are mobilised and expressed in the form of a moral panic (Cohen 1972). The establishment of licensed clubs in remote Aboriginal communities has long been conceived of as a 'great idea'—proposed by many a newly arrived police sergeant, town councillor or politician as the imagined antidote to a myriad drinking problems, including binge drinking, drink-driving, migration to urban areas and squatting in towns.

Any discussion of Aboriginal alcohol consumption takes place within a highly politicised domain (Fitzgerald 2001) and this has been the case for a very

**FIG. 1. Northern Territory Aboriginal communities with licensed clubs, 2013**



Cartography: Michael Braund 2013

long time. For Aboriginal people and their organisations, the history of race-based restrictions on the right to consume alcohol imbues any decision about availability or restriction with political overtones and gives it a heightened symbolic value. For politicians and town councils, provoking public commentary about the possibility of alcohol sales in community-based clubs provides a desirable *frisson* of media attention and public debate, and for this reason they have become a fruitful way of leveraging ‘new’ policies.

This discussion paper analyses what went wrong with the canteens and early clubs in remote Indigenous communities. Factors include:

- the arbitrary nature of the clubs’ development
- the misplaced optimism over elders’ authority

- poor understandings of the process of social learning
- ignorance of the embedded nature of Aboriginal drinking cultures
- a bureaucratic failure to provide adequate monitoring, guidance and support to clubs.

This analysis will hopefully introduce some caution to current policy debates in which alcohol outlets in remote Indigenous communities are once again on the agenda.

### Drinking laws in Australia—a history of liberalisation

Policies controlling the availability of alcohol at the retail level have been in place in Australia since the nineteenth century. In the 1880s, alliances of temperance societies successfully lobbied for local option or ‘local veto’ laws, which allowed ratepayers to ban or restrict the number of hotels in their locality. This early form of localised control over supply had strong popular support and was implemented to varying degrees in all Australian colonies apart from Western Australia (Fitzgerald & Jordan 2009; Lewis 1992).

After federation in 1901, Australian states implemented Sunday closing of liquor outlets. By 1916, there was six o’clock closing in South Australia, New South Wales, Victoria and Tasmania as a result of the temperance influence (Room 1988). This early closing time was famously responsible for the ‘six o’clock swill’ and its scenes of hectic after-work boozing. It even had the effect of altering the physical layout of hotels, with long bar counters proliferating to allow the press of drinkers to be served quickly.

However, in the 1950s and 1960s, the state-by-state demise of the six o’clock swill marked a turning point in liquor control. These were times of social and cultural change in which the influence of temperance ideas in Australia had waned<sup>9</sup> and attitudes towards alcohol had softened, so that it was no longer seen as a dangerous commodity. With the rise of prosperity, consumerism, tourism and the notion of leisure, retail liquor outlets proliferated and diversified. As states reviewed and amended their Liquor Acts in the mid 1960s, alcohol policies were liberalised. The decade that followed was marked by a wave of consequences.

### *The effects of liberal drinking laws*

While each state differed in the detail, liberalisation meant longer, later hours and Sunday sales. Bottle shops could now sell single bottles of alcohol for consumption

off-premises, whereas previously bottle shops had 'gallon licences' in which the minimum takeaway purchase was 12 large bottles. This marked the real beginning of takeaway alcohol sales—a way of accessing alcohol that was to have a huge impact on Indigenous drinking patterns.

Hard on the heels of changes to bottle shop licences, the alcohol industry introduced innovations such as the beer can, then the ring-pull can. Later came rip-top stubbies of beer, which increased sales of this bottle size by 90 per cent (Welborn 1987). In the 1970s, Australia invented the wine cask, a silver bladder encased in a cardboard box. Because the wine did not go off, casks became the stock item of the takeaway trade for home or outdoor consumption (Stockwell & Crosbie 2001). For reasons of cheapness and convenience, cask wine was to become the drink of choice for Aboriginal drinkers.

These technological changes reflected wider social change that was influencing availability, consumption and attitudes towards alcohol. Per capita consumption of beer and fortified wines dropped, while consumption of unfortified wine increased between 1976 and 1985 (Australian Government Department of Community Services and Health 1988). Per capita consumption of absolute alcohol has risen and fallen over the centuries in concert with economic and social change (Room 1988); in Australia, consumption spiked in the 1960s and early 1970s. Alcohol-related deaths increased by 25 per cent between 1969 and 1975 (Drew 1977, 1982). Dr Les Drew, then a senior adviser to the Australian Government Department of Health, described it as a 'dramatic change in drinking practices'.<sup>10</sup>

As the changes to liquor policies unfolded, there was vigorous debate, pressure on governments from the liquor trade and anguished objections from the temperance movement. There were Royal Commissions, formal enquiries and referendums, and the floors of parliaments were crossed. Changes were designed to promote more relaxed and civilised drinking by making environments more comfortable, and to promote the idea of taking alcohol with food. Hotels were encouraged to make enough income to carry out improvements in their amenity and to create a more convivial and sophisticated social context. This was partly to counter the dullness of Australian life epitomised in Don Dunstan's quip about Adelaide in the 1950s: 'I went to South Australia—and it was closed' (Lewis 1992:85). There was also a genuine belief that modernised liquor policies would decrease the rates of public drunkenness on rural and urban streets (Room 1988).

But by relaxing the state's responsibility to contain sales of alcohol, these liberalised laws meant that the onus of responsibility moved to the individual consumer. The solutions to the problems of intoxication were no longer seen to reside in restrictions on sales, but by promoting civilised drinking (Lewis 1992), and it was up to individuals to comply.

Another way of interpreting what has occurred since the 1960s is to see it as a dramatic shift from an earlier philosophy in which the liquor industry was kept under tight control, to what is essentially 'a market place-controlled industry built around consumer interest' (cited by Room 1988:425). Licensing laws have been continuously revised, procedures to acquire licences have been streamlined and simplified, and trading hours in all jurisdictions have been extended. In short, according to a major review published in 2004, the physical availability of alcohol has increased markedly over the past two decades (Loxley et al. 2004).

### *Indigenous Australians and drinking regulation*

While all these changes were taking place within the general Australian polity, Aboriginal people and their supporters were lobbying for repeal of the state-based laws that restricted their right to drink alcohol. In 1962, Joe McGinness (then president of the Federal Council for Aboriginal Advancement) argued that drinking rights were 'important inasmuch as they at least recognise that Aborigines and Islanders are human beings' (Chesterman 2005:25). The New South Wales-based Aboriginal-Australian Fellowship lobbied hard for the repeal of section 9 of the Aborigines Protection Act (prohibiting the sale and supply of alcohol to Aborigines), arguing that it subjected them to 'unwarranted humiliation and segregation'. In a famous meeting between rights activist Kath Walker and the then prime minister Robert Menzies in 1963 (during which Menzies offered drinks to the Aboriginal delegation, apparently unaware that this was still illegal in some states), Walker observed that Aboriginal people 'must learn to live with alcohol, the white man's poison' (Bandler 1989:98).

The ban on Aboriginal people drinking in hotels and clubs had become unacceptable. Not only did it act as a barrier to social relations between blacks and whites, it encouraged segregated and uncontrolled consumption in the open, usually of fortified wine and methylated spirits (Brady 2008). Charles Perkins's activism around Aboriginal rights to drink focused on rural clubs and pubs, and gave momentum to the activities of the New South Wales 'Freedom Ride' in 1965 (Curthoys 2002). In later years, Perkins became an influential driver of the

push for Aboriginal entrepreneurs to buy into licensed hotels and establish their own clubs.

Prohibition laws affecting Aboriginal and Torres Strait Islander people were repealed by each state or territory in different years. These were not federal laws and their repeal had nothing to do with the 1967 referendum.<sup>11</sup> Nevertheless, achieving the right to drink was a civil right which should be remembered, even if its achievement 'does not warrant triumphal commemoration' (Chesterman 2005:108).<sup>12</sup> Many rural and urban Aboriginal and Torres Strait Islander people enacted their right to drink by going into hotels and drinking alongside whites, and observers such as Bourke general practitioner Dr Max Kamien (Kamien 1975) commented positively on this development.

However, when restrictions on Aboriginal drinking were removed in South Australia in 1965, there were substantial increases in drink-related offences among Aboriginal people in outback regions. Prominent barrister Elizabeth Eggleston (one of several non-Indigenous researchers who had exposed the inherently discriminatory nature of the liquor laws) argued that the rise in convictions did not 'invalidate the argument against continuing the previous legislation' (Eggleston 1976:221). Aboriginal people, she wrote, showed themselves to be 'no more than human' in taking advantage of the rights and privileges which the rest of the community took for granted, once legal barriers were removed.<sup>13</sup> It was a sign of what was to come.

Further legal barriers and discrimination against Indigenous Australians ended during the 1970s (Department of Aboriginal Affairs 1976). A welter of progressive legislation ushered in an era in which the notion of making choices and the devolution of responsibility to Aboriginal communities became pre-eminent themes, influencing how government, non-government and mission bodies dealt with Aboriginal communities (Department of Aboriginal Affairs 1974, 1976; Rowley 1971).

The new emphasis on community decision-making had particular salience when it came to alcohol availability. Both government officers and mission organisations supported the idea that availability should be debated and discussed within the community concerned, and that Aboriginal people had the right to make a choice in the matter. Choice—or rather, the newly-endorsed capacity on the part of Aboriginal people to exercise it—became the buzzword of the day. These broad changes in policy and attitudes paved the way for what was to happen next.

## Establishment of the clubs

As far as I am aware, no government engaged in a public education campaign before repealing Aboriginal prohibition, despite the fact that such a campaign had been recommended. The Missions-Administration Conference (within the Northern Territory administration) had suggested that any changes to the law should be preceded by an education program that explained the laws relating to drunkenness and excessive drinking, and disseminated information on the dangers of alcohol and the merits of abstinence and temperance. They suggested that branches of Alcoholics Anonymous might help with this (Symonds, Albrecht & Long 1963),<sup>14</sup> but there is no evidence that this ever occurred.

In South Australia, one observer from the Lutheran church described repeal in the state as being 'total prohibition one day, complete freedom the next' and accused the premier Don Dunstan of having made the decision impetuously, and without consulting Aboriginal people or the Department of Aboriginal Affairs (DAA) (Hansen 1972:5).<sup>15</sup> He went on to observe that the rapid liberalisation had a 'profoundly demoralising effect' on Aboriginal people, who, had they been asked, would have requested a gradual transition period 'with the first step being the provision of drinking facilities on the various reserves' (Hansen 1972:6). On Queensland reserves, restrictions on supply and consumption continued until 1971, when the director of the DAA was suddenly empowered to establish a beer canteen on each community.

In the minds of at least some people involved, providing drinking facilities on reserves was a transitory mechanism following repeal—an interim measure to help Aboriginal people get used to the outside world of easy liquor availability. In the Northern Territory, for example, the Missions-Administration Conference subcommittee had suggested that having 'well-controlled' wet canteens on certain settlements would be a method of relaxing the restrictions on Aboriginal access to alcohol, if and when the decision was eventually made to change the licensing laws (Symonds, Albrecht & Long 1963:6).<sup>16</sup>

But some observers were concerned about a number of developments. By the 1970s, the proliferation of off-licences and drive-through bottle shops made takeaway alcohol easier to access, although less so in remote areas, where private car ownership was relatively rare. Aboriginal residents of bush communities did not commonly frequent public hotels, and they were less familiar with alcohol than their rural and urban counterparts. Providing on-site wet canteens or social

clubs, with strict limits and rationing, was therefore thought to be the means by which Aboriginal people could be inducted into and 'taught' civilised drinking.

In a sense, the idea of teaching moderate drinking was an assimilationist project that spilled over into the era of self-determination. Indeed, it was seen to be 'an additional step along the road to integration', according to one DAA officer.<sup>17</sup> For example, while promoting the idea of a licensed bar becoming part of a recreation centre at Amata in the North-West Reserve, the superintendent there described the Aboriginal people who might want to drink at such a venue as *evoluees*, a French colonial term describing indigenous people who had assimilated and accepted European patterns of behaviour.<sup>18</sup>

Several Aboriginal leaders also expressed the view that their people should learn to control excessive drinking—indeed, that they should learn to drink 'like the white man'. A salutary example of this was at Yirrkala in the early 1970s. Having failed three times to prevent the establishment and licensing of the new Walkabout Hotel in Nhulunbuy (only a few kilometres away), the community was faced with the prospect of the unwanted hotel opening virtually on their doorstep, and uncontrolled drinking. The Yirrkala Village council discussed the situation saying:

...that if they are going to drink, 'Aborigines should learn to drink, like the wise white citizens drink—not too much'. Roy Marika suggested that Yolngu could have a wet canteen as a way of avoiding trouble ('spoiling *manikay* [clan songs], hurting women and children), and train Yolngu to drink sensibly' (Notes from Village Council meeting 14 October 1970).<sup>19</sup>

### *The influence of government officials*

Support for the idea of learning how to drink moderately in community clubs—indeed, strong promotion of the idea—came from the highest levels of government, principally the Council for Aboriginal Affairs (CAA). The CAA was a high-ranking body, established after the 1967 referendum, that gave the Australian Government a direct role in Aboriginal affairs for the first time (Fletcher 1992). The three-man council of H.C. 'Nugget' Coombs, Barry Dexter and W.E.H. Stanner encouraged the Australian Government to abandon the notion of assimilation and instead emphasise the right of Aboriginal people to decide about their own future (Long 1992).

According to Barry Dexter, the idea that the communities might have alcohol supplied to them in moderation at local canteens came from the CAA itself. The CAA

supported the principle that it was time for Aboriginal communities to have access to moderated or rationed quantities of alcohol, partly because the CAA was aware that bootleggers were grog-running into some communities, and that Aboriginal people were setting up vigilante groups to try to prevent this (B. Dexter, pers. comm., 25 November 2005).<sup>20</sup>

On the ground, government policy was mobilised by welfare branch officers and others, many of whom seem to have been supporters of clubs. The Reverend Jim Downing, a long-time Uniting Church minister, social worker and linguist, believed that 'government representatives' were instrumental in pushing the idea of clubs or rations of alcohol in communities. By these he meant officers of the Northern Territory welfare division, and later the DAA, some of whom had been superintendents of, or were regular visitors to, remote communities.<sup>21</sup> Downing said:

[In the government settlements,] some people in the government pushed canteens very hard. Some government people drank and took grog out and wanted canteens there, so there was pressure for wet canteens...At Oenpelli, despite the CMS<sup>22</sup> line, the government put pressure on them to have a club. Some agencies said "you'll have to allow contractors to have alcohol or else they won't do the job in your community" (J. Downing, pers. comm., 16 August 2004).

Other mission sources reiterated this view, both in interviews and in official documents. Father John Leary of the Catholic Missionaries of the Sacred Heart (who had worked in Melville Island, Daly River and Port Keats) identified Northern Territory welfare branch officers who were 'anti-prohibition' and who 'pushed' for alcohol availability in the communities. Canon N.B. Butler of the Church Missionary Society in Darwin believed that 'government officials have generally tended to encourage drinking among Aborigines when they have worked with them on communities and settlements' (Commonwealth of Australia, 1977a: Hansard 2 July 1976:564). Reverend Bill Edwards (of the Presbyterian mission at Ernabella) saw visiting government officers as 'free drinkers', desperate to get to a community where they were allowed to drink (B. Edwards, pers. comm., 10 August 2004).<sup>23</sup>

Another influential factor was that, in the early 1970s, non-mission staff were employed in communities for the first time, as the missions gradually handed over their schools and health services to state education and other departments. These state employees, along with other outside workers and contractors, wanted to be able to

drink alcohol, and they thought that Aboriginal people should be able to as well.

The supposed merits of canteens or clubs became the subject of many discussions within government offices. This was the case in South Australia, where there was strong pressure from the state office of the DAA for one or more clubs to be established on what was then the North-West Reserve (now the Anangu Pitjantjatjaraku lands). A file note from a senior DAA official from that period explains the dilemma and the rationale:

The provision of a wet canteen is not saying that the people *shall* drink. It is providing the means by which those who desire to drink or at least experiment, may do so under reasonable circumstances.

I am certain the time is rapidly approaching when the 'liquor era' will begin in the N.W.R. area. And also I am certain the majority of the people will drink liquor. The alternative before us is to act in time by providing at least some education or to try and shut the door after the horse has bolted (GRS 6624/1/P, DAA520/68. South Australian State Records, D. Busbridge A/Director DAA 6/1/69).

Barrister Elizabeth Eggleston summed up the basic argument in her discussion of liquor offences on reserves in her seminal study of Aboriginal people and the criminal law. Granting licences to Aboriginal missions or institutions on reserves:

... might be preferable to making liquor on reserves completely uncontrolled, particularly if it rests on a system of local option. A referendum should be held on each Aboriginal institution to see whether the resident Aborigines want the continuation of a 'dry' reserve, or the establishment of a 'wet canteen' or the abandonment of all controls on the entry of liquor (Eggleston 1976:261).

The 1976–77 House of Representatives Standing Committee on Aboriginal Affairs enquiry into alcohol problems 'strongly' believed that 'each Aboriginal community should make its own decision as to whether alcohol should or should not be permitted onto a settlement' (Commonwealth of Australia 1976:32). It also recommended that, if a community decided in favour of making alcohol available, a licensed club should hold the only liquor licence within that community. If properly established and supervised, and concerned with the wellbeing of its members, the committee thought that such a club 'presents the most practical method of encouraging sensible drinking patterns' (Commonwealth

of Australia 1976:35; 1977b:48–9). There would have to be guidelines, legal responsibility and supervision, with limited opening hours, rigid enforcement, sales of nutritious food, beer sales only and penalties for breaches, including the suspension of a licence. There was, the committee believed, no reason why the clubs or beer canteens should not be run as commercial ventures. The Standing Committee's final report included an appendix with suggested guidelines for the clubs (Commonwealth of Australia 1977b:109)

### *The influence of missions*

It was not just government officers and official enquiries that canvassed opinion about—and promoted—the idea of licensed venues in communities. The various mission organisations that ministered to Aboriginal settlements were active players in the debate. Their varying doctrinal approaches to alcohol influenced whether a mission gave tacit or overt support to on-site wet canteens, or whether it resisted them. The Protestant and Catholic churches had historically taken different positions on alcoholic beverages, with the temperance movement arising from Protestant origins and the Catholic Church taking a more tolerant approach and using wine in communion (Sournia 1990). As Hilaire Belloc [1870–1953] wrote:<sup>24</sup>

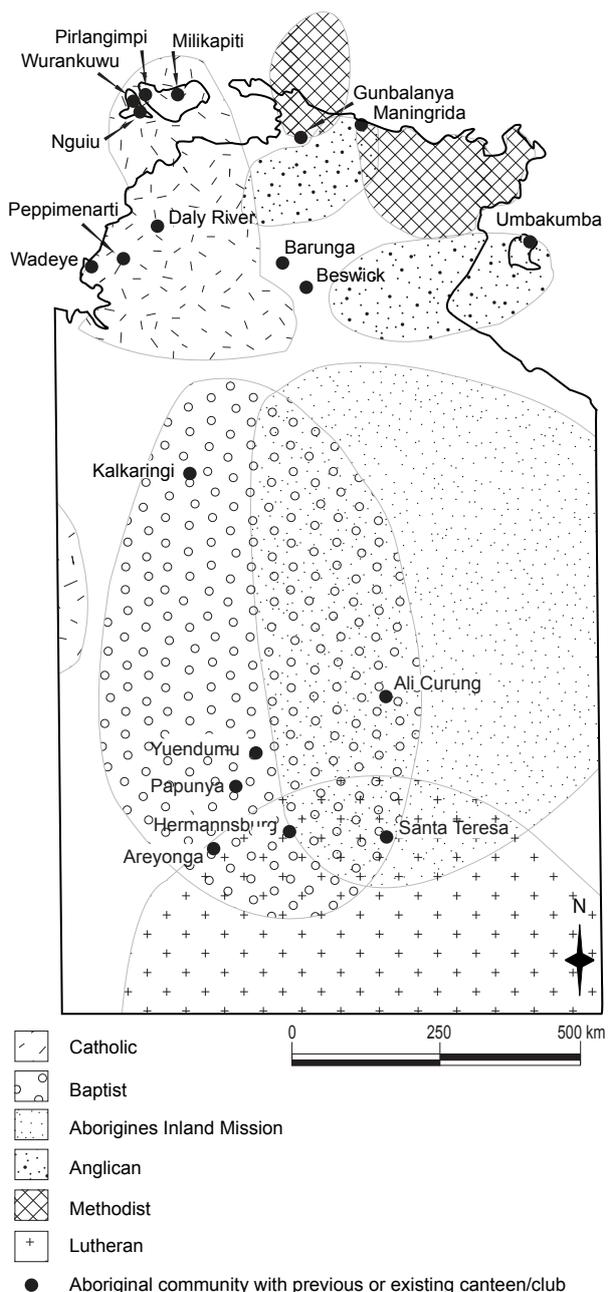
Wherever the Catholic sun doth shine  
There's always laughter and good red wine  
At least I've always found it so  
Benedicamus Domino!

In the Northern Territory, the Aboriginal population had been, in effect, portioned out between the Catholic, Methodist (Methodist Overseas Mission), Anglican (Church Missionary Society) and Lutheran mission societies. As their respective missions developed, they each took different approaches to alcohol availability (Fig. 2).

Of the Protestant missions, the Lutherans had a 'positive' attitude towards alcohol. They used wine in communion because using grape juice did not fit with their interpretation of the sacrament (P. Albrecht, pers. comm., 20 April 2005). On the other hand, the Presbyterians, Baptists and the nondenominational missionary societies (such as the United Aborigines' Mission and the Australian Inland Mission) were largely opposed to alcohol consumption among 'their' Aboriginal people.

At Presbyterian Ernabella in the 1970s, the Reverend Bill Edwards was the superintendent. He recalled that, at that time, the idea of introducing wet canteens so that the people could be taught to drink socially was being

**FIG. 2. Spheres of mission influence**



Cartography: Michael Braund 2013

‘floated’. However, alcohol was not permitted at Ernabella then or later, and mission staff and Aboriginal residents all maintained the position that the mission should remain dry. Edwards thought that most of the staff at Ernabella came from abstinence or temperance backgrounds.<sup>25</sup> Overall, the Methodist and Presbyterian missions (for example at Galiwin’ku, Yirrkala and Ernabella) were opposed to the idea of providing even rationed amounts of alcohol.<sup>26</sup>

However, these mission societies had been questioning their protective roles in Aboriginal settlements for some

time, as well as debating the liquor question, the new era of Aboriginal responsibility and self-determination (Harris 1998; United Church in North Australia 1974). Although many missions were themselves opposed to the introduction of intoxicating liquors to communities, they supported Aboriginal communities’ right to a choice in the matter.<sup>27</sup>

The United Church in North Australia (later to become the Uniting Church),<sup>28</sup> for example, had serious misgivings about the capacity of communities to control the consequences of drinking. But this progressive church believed it only had the right to oppose alcohol consumption among its own church members, and that each Aboriginal community should be able to make the decision about the provision of alcohol (J. Downing, pers. comm., 16 August 2004; Symonds 1974). This stance caused the United Church in North Australia to take a particularly equivocal and non-aligned position on alcohol availability in its submission to a House of Representatives enquiry,<sup>29</sup> allowing its principled support for community decision-making to take precedence over its deeply held fears about proposals to make alcohol available in communities.

In 1968, it was the Lutheran Church that (according to a church member) had the ‘distinction’ of making the first application to the Licensing Court for a liquor licence on an Aboriginal reserve: Yalata Lutheran Mission in South Australia (Hampel 1977; Hansen 1969). A liquor licence was granted there only three years after the repeal of restrictions, a development that was hailed as a positive move by many observers, including the South Australian Government. The church would:

... provide the facility, and through precept and example demonstrate that rational drinking is compatible with responsible living, and within the demands of God and State (Hansen 1972:7).

However, the Lutherans at Hermannsburg in the Northern Territory were less successful in the late 1960s, and mission staff admitted later that they had ‘talked the community into’ an experiment with a beer ration. This was part of what Reverend Paul Albrecht described as a council experiment to pass authority from the mission to Aboriginal people. The experiment with beer was abandoned after a year (Gary Stoll, quoted in *Alice Springs News*, 19 November 1997). On reflection, Pastor Albrecht wished that he had maintained an overtly anti-alcohol stance and ‘followed the Ernabella line’ of the strict Presbyterians.<sup>30</sup>

The Catholic missions in the Northern Territory were positively inclined towards the provision of on-site facilities, and, in 1975, an all-Catholic fact-finding committee gave the clubs idea an important boost. It was the first Australia-wide enquiry to report on the 'causes and effects of alcoholism among Aborigines' and was commissioned by a Commonwealth Interdepartmental Committee on Alcoholism and Aborigines. The committee members—Reverend John Leary (a non-Aboriginal priest), Reverend Patrick Dodson and Luke Bunduk—were all associated with the Northern Territory Catholic mission at what was then Port Keats.<sup>31</sup> Bernie Tipiloura, a Tiwi Islander who later took Bunduk's place, had close links to Port Keats.

Their report strongly promoted the idea of licensed drinking clubs, saying that attention must be given to the formation of proper facilities for drinking. The report referred to the notion of 'learning to drink', saying that the Aboriginal learning process had been a 'sad one', that prohibition had taught binge drinking and that poverty had led to the use of cheap fortified wine. The 'education' of Aboriginal people into poor drinking habits had continued as a result of their associations with destitute white alcoholics. 'Drinking, we have been told, is a learnt process. Let us change the teachers', exhorted the authors (Leary et al. 1975:27).

The report went on to make practical suggestions for the ideal social club: it should have pleasant surroundings, music and entertainment, good food, soft drinks, provision for families, rules and encouragements for good behaviour to be openly displayed, and all designed to create pride in something good. The authors envisaged a place where 'people with a drinking problem could be detected and helped'—a somewhat contradictory role for a drinking club.

The Leary report was influential and prompted the opening of a licensed club at Port Keats, followed by two more at communities associated with the Catholic Church at Nguui on Bathurst Island and Snake Bay on Melville Island (Commonwealth of Australia 1976).<sup>32</sup> In subsequent years, clubs were also developed at the Catholic missions (or Catholic-influenced communities) of Daly River, Pirlingimpi (Melville Island), Wurakuwu (Bathurst Island), and at Santa Teresa in Central Australia. Indeed, the same Catholic brother instigated clubs in two of these communities, applying for the liquor licences on their behalf.<sup>33</sup>

However, it appears that Catholic missions in Western Australia did not pursue the licensed club option in the same way as occurred in the Northern Territory. This

was despite a virtual Catholic (Pallottine) hegemony over the Kimberley region, and their presence in major communities such as Balgo (McDonald 2001). At the Spanish Benedictine mission of New Norcia, Aboriginal men involved in hard physical labour had been given rations of one pint of wine each day (Reece 2008).<sup>34</sup> At La Grange Mission [Bidyadanga] in the 1970s, two cans of beer were sold to Aboriginal men after work.<sup>35</sup> Some Aboriginal people in Western Australia supported the idea of clubs, such as Mr Roy Wiggan from One Arm Point, who argued to the House of Representatives enquiry that a licence should be granted to every Aboriginal settlement (Commonwealth of Australia 1977a: Hansard 1 October 1976:1602).

However, licensed facilities never became a feature of ex-mission or any other communities in Western Australia, as they did in the Northern Territory. In the absence of any other pressing explanation, it seems that the difference must reside in the greater leeway that existed in the Northern Territory for Australian Government influence on the administration of Aboriginal settlements, including the role of the welfare branch officers.

Throughout the 1970s, there were persuasive and reasonable voices that endorsed the overall premise that Aboriginal people would be able to 'learn' to drink in their home communities at clubs where alcohol was rationed. On-site clubs were thus seen as the training ground for moderate drinking, as well as the antidote to the lure of takeaway alcohol and drinking in towns. The fact that they would also earn revenue that could be used for the community good was not initially part of the overall rationale in the Northern Territory, although it was in Queensland. Church mission organisations either frankly supported the clubs idea or muted their misgivings, believing that Aboriginal people had the right to choose such facilities if they so desired. Also persuasive were the policy-makers in the federal and state governments, and the welfare officers and superintendents of settlements in the field.

An increasing number of official investigations by the churches and government bodies such as the House of Representatives Standing Committee supported the principle of Aboriginal communities being free to decide, and they actively sought the views and thoughts of Aboriginal people on the question of alcohol availability. The enquiries in themselves were responsible for increasing the pace of change, provoking attention and exerting pressure on communities to consider alcohol being made available on-site.

Underpinning these tangible policy influences, the social climate in Australia was ready for this development. The civil rights movement had lobbied in support of Aboriginal drinking rights, and attitudes and liquor policies in Australia as a whole had changed to take a softer position on availability and regulation. There was a tendency to play down the severity of problems associated with alcohol abuse (Brady 2004). Thinking back on his attitudes in the 1970s, the anthropologist Jeremy Beckett interpreted his own easygoing and 'problem-deflating' approach to drinking in general, and to Aboriginal drinking in particular, as being part of a general shift in public opinion that took place in the 1960s and 1970s (Beckett 1984). This was the 'wet generation', in which a relaxation of social attitudes in the wider community made it easier for Aboriginal people to increase their own alcohol consumption.

## What went wrong?

When Aboriginal communities were invited to make decisions about alcohol availability and were expected to deal with the consequences of having a licensed facility in their midst, there was misplaced optimism on a number of fronts.

### *An arbitrary process of development*

The factors that determined whether a community experimented with a licensed club were diverse and arbitrary. While it can be assumed that there was always a proportion—even a majority—of Aboriginal residents who were in favour of having a licensed facility, there was always a substantial proportion that was not. Votes occurred in some cases, and community meetings were held, often revealing sizeable numbers of disgruntled residents who felt that their views had not been heard or who felt threatened by drinkers.

In an important testimony from 1981, anthropologist Victoria Burbank described a tumultuous meeting organised by the Northern Territory Licensing Commission at the south-east Arnhem Land community where she undertook fieldwork. She reported Aboriginal perceptions of the meeting were that men 'who know how to drink' all wanted the community to 'turn to beer'. The women shouted that they wanted it dry, and some drinking men threatened to get spears because 'they wanted this place wet'. If alcohol was allowed in, the women feared their husbands would 'drink and fight and kill them' (Burbank 1994:62).

At that time, women were not always represented on councils and were sometimes left out of discussions about alcohol availability, both in the communities and in consultations with the Licensing Commission (East Arnhem Health Workers 1978). Once a club was established, particularly if there was a majority of drinkers in a community, the principles of democracy would ensure that votes (to oppose restrictions, extend hours or lobby for higher-alcohol-content drinks) would be carried, irrespective of the problems caused by the outlet (Moran 2013). In several cases, as mentioned previously, the opening of a club was influenced by the religious denomination of the relevant mission settlement, together with the attitudes and aspirations of an influential missionary or government officer. In other cases, local circumstances prompted the decision, such as proximity to a worrisome takeaway liquor outlet together with the inclinations of the mission authorities (Yalata), or the transfer of an unsatisfactory nearby licence (the Border Store licence and Oenpelli).

There was certainly no plan for a logical geographically based development of licensed clubs—for example, based on distance from the nearest alternative supply. In the Northern Territory, all eight clubs remaining today are in the northern region. There are none in the Central Australian region south of Kalkaringi, where there has been consistent resistance to their (re)establishment—particularly among Aboriginal women—after some disastrous experiments in the 1970s with beer rations at missions such as Santa Teresa and Hermannsburg (see Fig. 1) (Albrecht 1974).<sup>36</sup>

However, in the case of the Tiwi Islands, which lie off the north coast within short flying distance of the liquor outlets in Darwin, the Aboriginal population ended up with four licensed entities within 100 km of each other.<sup>37</sup> Communities did not have to demonstrate to the relevant licensing authority their stability or social or organisational readiness for such a risky experiment, and licenses appear to have been granted without demur at different times in response to applications. Other than ensuring that they complied with the relevant Liquor Act, no other quality management procedures were demanded.

These ad hoc beginnings had a number of consequences. The registration and governance arrangements for these Aboriginal licensed entities have been incorporated under different legislative and corporate arrangements at different times. In the late 1980s, when several clubs were opened, it was thought that incorporation as an association was the simplest means of them becoming part of the corporate world,

while avoiding complex reporting responsibilities. Because of this, four long-standing licensed clubs are incorporated under the Northern Territory Associations Act, including one club that is registered as a trading association, which enables it to distribute profit among members. A normal incorporated association is precluded from distributing profits of the association to its members.<sup>38</sup>

Whatever the arrangements, it was (and is) often the case that the members of the community club's committee had limited education and literacy levels, so they lacked the skills to scrutinise such an association's affairs adequately. There is notoriously weak accountability to the communities (d'Abbs 1998), and the distribution of benefits to individuals or subgroups in the community can become highly skewed.<sup>39</sup> These are not necessarily cases in which profits are being fraudulently misused, thereby attracting the attention of outside bodies such as the licensing authority or the police, but can be more subtle matters of internal governance, perceptions of bias, favouritism and the social power that accrues to those who distribute largesse. A club allows the interests of the drinkers to take priority over those of non-drinkers in a community (d'Abbs 1998).

In recent years, several Northern Territory clubs have been registered with the Office of the Registrar of Aboriginal Corporations (ORIC), which is in a better position and better resourced to improve the skills of governing committees (it offers governance training). As Rowse points out (following Martin), ORIC and others have paid closer attention to Aboriginal corporations since 1998 as the previously unexamined notion of 'community control' has come under greater scrutiny (Rowse 2012). One club (at Kalkaringi) that was previously operated by its community council now has the (much larger) shire council as its nominee, and the manager of the facility is employed through the Arnhem Land Progress Association (ALPA),<sup>40</sup> acting on behalf of the community.

Licensed facilities in discrete Northern Territory Aboriginal communities now hold differing categories of liquor licence. The type of licence is significant, as it affects the operating and governance style of the premises and the manner in which revenue is managed and distributed. There seem to be several anomalies. The Aboriginal entities are unlike town-based clubs (such as an RSL or a bowls club) in that access is not limited by club membership; in a sense, these venues are comparable to a hotel operated for the benefit of the community. However while it is convenient to refer to them as 'clubs', several do not in fact hold club licences, and some do not

benefit the community. Some have an 'on-licence'; others are licensed as (commercial) 'taverns'. One remote entity licensed under the Corporations Act is a proprietary limited company based on a classic business model intended to produce a profit for its shareholders (who are also its directors), rather than being a benevolent entity operating for the good of the community. Considering that one oft-cited rationale in favour of community clubs has been that profits can be used for the benefit of the community, this is a notable anomaly.

The lack of consistency in these regulatory arrangements provides further evidence that alcohol sales within remote Aboriginal communities in the Northern Territory (and indeed elsewhere) were allowed to develop in an arbitrary manner, with little advice on offer as to the most suitable or workable governance, licensing and regulatory structures for communities to follow.

### *Misplaced optimism over elders' authority*

Although several experiments in providing alcohol initially seemed to operate in the way intended, most of them rapidly deteriorated. Facilities started with limited hours and limited quantities but degenerated rapidly as rules were relaxed or not enforced (Fitzgerald 2001; Martin 1993). This was because the authority that was assumed to reside (more or less automatically) in the newly formed Aboriginal councils and in senior men to maintain and enforce the strict rules governing the sale of beer and the unruly behaviour that often followed, was illusory. There was an assumption that, once Aboriginal people controlled the consumption of liquor through their own regimes, 'the elders' would enforce social controls. The police and others at times even believed (quite unrealistically) that elders and community members '[should] have a responsibility as regards the education and rehabilitation of the problem members of their community'.<sup>41</sup>

These turned out to be overly optimistic assumptions and beliefs. As one Catholic priest explained, 'the idea was that the elders would control it, but they had lost their authority as they were on the grog [themselves]!' (J. Leary, pers. comm., 16 August 2004).

Anthropological opinion was divided over the extent to which Aboriginal 'leaders' or elders were thought to have influence or jurisdiction over misbehaviour in day-to-day and secular life.<sup>42</sup> Missionaries with on-the-ground experience similarly expressed caution about the extent of Aboriginal authority over social disorder. There was little acknowledgment or understanding among policy-makers of the socially normative ethic of non-interference

that exists within Aboriginal society, with its high tolerance of the (mis)behaviour of others (Brady 1992; Myers 1979). This meant that, in general, 'the elders' of a community were not willing to intervene when others rorted canteen beer rations or behaved in drunkenly obnoxious ways, even while officers of the welfare and Aboriginal affairs departments assumed that they would. Some examples illustrate what occurred.

At Hermannsburg, the short-lived beer canteen was under the control of the newly inaugurated Aboriginal council and began with a two-can limit, three or four times a week. Initially, it worked well (Albrecht 1974). But the system broke down as more and more cans were distributed, and, within a year, the missionaries stopped the ration altogether, believing by that stage that drinking in moderation 'made no sense' to Aboriginal people.<sup>43</sup>

At Snake Bay on Melville Island, when the House of Representatives subcommittee members visited in 1976, the committee noted that the rationing merely encouraged consumption of the maximum quantity allowable (Commonwealth of Australia 1976).

In 1984, the Gunbalanya Sports and Social Club at Oenpelli was reported to be selling unrationed amounts of beer, and there was open flouting of the dry area legislation. Sue Kesteven (one of a team of researchers engaged in a uranium mining impact study in the region) wrote perceptively about the difficulties of community control over alcohol sales and the granting of special favours:

This constant pressure from Aboriginal people for waiving of rules in each particular case is one of the main drawbacks to finding a congenial, enforceable set of rules which suits the entire population. Those in favour of drink seem to thwart the intentions of rules that they themselves may set up when sober or when not in need of alcohol. Until they come to terms with their contradictions, and the implications of continued heavy drinking, this problem will not be solved except by the imposition of strictly applied rules, policed by non-Aborigines (Kesteven 1984:201-2).

Government and welfare authorities incorrectly assumed that small communities had enough cohesion to formulate and enforce policies, and that they would be able to determine what constituted alcohol-related harm and create strategies for reducing it (Gray 1996). In reality, at community meetings called to discuss drinking problems, there was very little frank debate and many inappropriate solutions were suggested (cf Beauvais 1992).<sup>44</sup>

### *Poor understandings of social learning*

There was a good deal of vague talk about the canteens' ability to shape Aboriginal drinking patterns in the hoped-for manner. Notwithstanding the rhetoric that accompanied most arguments in their favour, the fact remained that no-one really had any idea of how the clubs could 'teach' the habits of moderate drinking.

This was despite contemporary research taking place on the issue at the time. Psychologists in Australia and overseas were researching the efficacy of different techniques to teach social drinking to problem drinkers, including training alcoholics to sip small amounts of alcohol rather than gulping it, helping people to self-monitor levels of intoxication, suggesting how to avoid the pressures of buying rounds of drinks, and providing lessons in alcohol and its effects (Chafetz & Demone 1962; Collins & Marlatt 1981; Mills, Sobell & Schaefer 1971; Room 1976; Strickler, Bradlyn & Maxwell 1981; Strickler et al. 1976).

However, other than some general information about alcohol and its effects, there is no evidence that any program based on any of these ideas ever found its way to the remote community clubs.<sup>45</sup> In the early years of the clubs, and for most of the years to follow, Aboriginal people were somehow expected to adopt moderate drinking habits simply by being provided with a limited number of cans of beer. Clearly, this was not enough to instil a habit of moderate intake. Although strict rationing would naturally limit how much people were able to drink at that particular time and place, there is no evidence that Aboriginal people internalised this level of consumption and practised it when they were drinking somewhere else. Indeed, the evidence is quite to the contrary (Brady & Palmer 1984; d'Abbs 1987; Martin 1998).

At Yalata, the first mission to gain a licence, the 'canteen' was a large hall with a concrete floor, an iron roof, a counter across one end and outside toilets. University of Adelaide researchers observed drily that in no way could the canteen be considered comparable to the pub on the corner (Penny 1979). The rules designed by the mission were not to the drinkers' liking, and the beer ration was rapidly sabotaged by drinkers who convened large games of two-up at which their cans were used as betting chips (Brady & Palmer 1984). In this way, the beer allowance was redistributed, amassed by some and resold to others. There was certainly no 'teaching' of civilised drinking, and a DAA review of the community (including the beer canteen) did not mince words on this subject:

Although Aboriginals accept their beer ration, there is no evidence to show that wine consumption has decreased as a result.<sup>46</sup> Non drinking Aboriginals can obtain rations and transfer to drinkers. Young adults can be conveniently persuaded to commence drinking. The ration of a couple of beers 'whets the whistle' and possibly triggers a wine binge.

There is no evidence of developing 'civilised' drinking habits. The customers drain their cans rapidly and then give the appearance of being left lost and wondering about what to do next. The practice is overdemanding [sic] on a Manager who is already overworked. A shallow survey of the scene would indicate that the beer rationing scheme has little to commend it and in fact could be harmful.<sup>47</sup> However, if the scheme was to be withdrawn, there would be considerable upset directed at the administration (Cooke 1978:12).

The idea that providing limited amounts of alcohol would, in itself, be sufficient to generate a 'civilised' drinking style failed to take account of the powerful influence of social modelling and the peer group. For the most part, people adopt ways of comporting themselves that conform to what their fellows are doing: they 'learn' drinking behaviour from those around them (Collins & Marlatt 1981; MacAndrew & Edgerton 1969) and associations with peers are highly influential in drinking behaviour (Oetting, Beauvais & Edwards 1988). The clubs merely created a particular, atypical and racially segregated drinking environment within which the majority of drinkers shared the same goal: to achieve the required heightened mood with a limited amount of alcohol, usually accomplished by repeatedly drinking 'quick way'.

### *An embedded drinking culture*

By the late 1970s and early 1980s, when the clubs were initially in vogue, it should have been clear to what extent the goal of drinking for Aboriginal people was to achieve a kind of sociality around inebriation, rather than moderation. Ethnographies had already been published by Jeremy Beckett (1965), Basil Sansom (1977) and Rory O'Connor (1983, 1984) that documented this. Working with Aboriginal people in outback New South Wales, Beckett had hinted at the pleasures of vigorous drinking and the social disadvantages of not drinking in this way. As he put it: 'men who drink little are also those who lead a more restricted social life' (Beckett 1965:43). An Aboriginal account from the Kimberley graphically described the desire for inebriation:

They don't even know why they're drinking. They don't drink the proper way, like the *kartiya* [white men] do in the bar. I've seen it plenty of times with my own eyes. When they [Aboriginals] grab a carton of beer and walk over to a tree, they're just like a mob of hungry people. They'll grab two or three cans and put them in their pockets. They don't drink slowly like a whiteman; they open up the can and drink it down really fast. Gulp it down like you would with water. Then they start on the next can. That's the way this mob drink beer. You know, the quicker they drink it the quicker they get drunk. That's what they're after—getting drunk (Shandley, in Marshall 1988:76).

The early days of the Aurukun canteen provides an example of the normalisation of consuming large amounts. When the canteen was first opened in the mid 1980s, the limit was two jugs of beer (each of 1.14 litres) to each drinker on three nights a week. Under pressure on councillors from their male kin, these already generous limits were relaxed and amended (Martin 1993). At Snake Bay on the Tiwi Islands, the so-called ration had been set by the community at 12 cans per adult per day, and, at Garden Point, the allowance was 24 cans (Commonwealth of Australia 1977b).

By way of contrast with such determined inebriation and the unrealistic definitions of what constitutes a ration, controlled or moderate drinking can be seen to be an especially middle-class notion, as Robin Room has pointed out. We know very little about such concepts among people without middle-class aspirations (Room 1985). The call to replace intoxication with frequent light drinking is, in many societies, a call for youths to behave like the middle-aged (Room 1992)—or, in the case of Australia, a call for Aboriginal people to behave like 'missionaries' or whitefellas.<sup>48</sup>

### *A policy vacuum*

The clubs were developed under broad social, attitudinal and policy changes, and in an overly optimistic and somewhat naive policy environment. Once established, the clubs fell into a policy vacuum as the bureaucracy failed over time to provide them with consistency in direction, guidance in best practice, and adequate monitoring and oversight. Health and welfare departments, mission boards and liquor licensing authorities failed to establish safeguards or offer practical policy direction to these clubs, which were operating in isolated areas, away from the usual checks and balances, often without police, and with minimally trained staff.

The prime responsibility for the conduct of licensed premises in any state or territory is the relevant liquor licensing authority. In the Northern Territory, the Licensing Commission—the agency responsible for regulating and monitoring liquor licences—has only been in existence since 1979 (Larkins & McDonald 1984), when it was established as a statutory body under a new Liquor Act. It can grant and withdraw licences, and has flexible powers to conduct hearings, receive public objections and involve local governments in decisions. In its early years, the Licensing Commission interpreted its role as being an instrument of social policy: it researched Aboriginal drinking problems, published per capita consumption figures and provided transparent information on licensing decisions and complaints (Lyon 1990). Over time, however, the Licensing Commission has changed from its original social policy orientation to a focus on being simply a regulatory body interested only in compliance.

Since its inception, and despite one political party (the Country Liberal Party) being consistently in government between 1974 and 2001,<sup>49</sup> the Licensing Commission has been subject to frequent restructuring and changes of departmental oversight. This is still the case today.<sup>50</sup> The Licensing Commission has had no evidence-based policy position on the benefits or disadvantages of licensed clubs in remote Aboriginal communities, and each newly appointed chairperson would often have a different philosophy to that of their predecessor, apparently based on personal preferences.

This was the case in the Commission's attitudes to the proliferation of takeaway licences, as well as its positioning on clubs in remote communities (cf Lyon 1990). For example, John McMahon, the Commissioner in 1981, was opposed to clubs in any Aboriginal community, whereas Peter Allen, the Commissioner in 1997, publicly announced that he personally supported wet canteens and the 'normalisation' of clubs in communities and the facilities they offered (*Centralian Advocate*, 4 November 1997:1).<sup>51</sup> McMahon questioned why the earlier decisions made by the organisation were constantly being overturned (*Alice Springs News*, 19 November 1997:11).

In the face of these regular internal rearrangements and the turnover of commissioners, the Licensing Commission undoubtedly found it difficult to maintain any institutional memory, to focus on the challenges being faced by the Aboriginal community licences, and to ascertain how the agency could assist these communities other than merely demanding that they comply with the Liquor Act (cf Bourbon, Siggers & Gray 1999).

The situation would have benefited from a renewed emphasis on a social policy role, which had been the orientation of an earlier Licensing Commission.

There is little doubt that licensing authorities and other government entities (such as health departments) gave insufficient guidance on matters of internal regulation and governance in the process of development of remote licensed facilities, and insufficient surveillance and support to them once they had been established. It is possible that neither federal nor most state or territory governments had anticipated just how lucrative some of the clubs would become and the problematic implications of this income.<sup>52</sup> Apart from creating local discord over differing perceptions of the 'proper' distribution of funds, this had the effect of making the clubs into powerful (some would say the most powerful) economic and political institutions within communities (d'Abbs 1998; McKnight 2002; Martin 1993).

## Beginnings of change

By the 1990s, there were a number of warning signs in the form of cries for help from communities that already had clubs. In 1991, the Royal Commission into Aboriginal Deaths in Custody relayed the concerns of these communities by recommending that they be given resources to help them to 'identify and resolve difficulties in relation to the impact of beer canteens in the communities', and that they be given assistance in 'regulating the operations of canteens' (Johnston 1991:93, Recommendations 280 and 281; Royal Commission into Aboriginal Deaths in Custody 1991).

In 1994, a National Symposium on Alcohol Misuse and Violence concluded that Aboriginal licensed clubs represented a 'controversial strategy for promoting responsible drinking', and its report warned of the 'vested interests' of those who were attracted to the source of revenue provided by the social clubs (d'Abbs et al. 1994).

In 1996, d'Abbs and Jones examined two social clubs in the Kakadu region (one in the Aboriginal community of Gunbalanya) and warned that the clubs were not adequately accountable to their local communities, with a concentration of economic and political power channelled to individuals or groups. This increased the likelihood that decisions affecting the clubs' operations 'will be made on the basis of sectional interests' (d'Abbs & Jones 1996; Gunbang Action Group 2002:73). The authors urged rigorous enforcement of the liquor laws on serving underage and intoxicated drinkers (implying that these were not being enforced), and suggested ways of

improving governance of the club (such as proposing that 50 per cent of the elected committee members should be adult women from Gunbalanya). Their comments on the defects in regulation and governance of the clubs were scathing, and their recommendations could have applied to most—if not all—the Aboriginal social clubs at the time. Their report also highlighted the lack of coordination between the statutory controls managed by the Licensing Commission, and the informal measures put in place by local Indigenous bodies and alcohol action groups.

The Northern Territory Living with Alcohol program in 1996 published a resource manual in an attempt to guide better practices in the social clubs. It was the first time anyone had produced such a guide aimed at the Aboriginal social clubs. *Ideas for Sports and Social Clubs: Creating Safer Drinking Environments* (Hunter & Clarence 1996) was, however, never formally disseminated or implemented in a practical way by the Northern Territory Government. Although the resource dealt with responsible service practices, it did not address governance, membership of club committees or the distribution of revenue.<sup>53</sup> The Living with Alcohol program had seconded several of its staff members to work at the Licensing Commission, which was a positive development, and the program itself was located in the office of the Chief Minister, so it is unfortunate that *Ideas for Sports and Social Clubs* was not followed up more vigorously.

In 2007, a report by Patricia Anderson and Rex Wild Q.C., *Little Children are Sacred*, recommended that best-practice models should be developed for community drinking clubs 'to avoid, as best as possible, both the obvious and insidious effects on the community of alcohol consumption' (Wild & Anderson 2007, Recommendation 64:29). Later that year, the Australian Government intervened in Aboriginal affairs on a number of levels as part of the Northern Territory Emergency Response, including unilaterally curbing the hours and days of sale and the types of alcohol sold in community clubs. It was the first time that any government had imposed wholesale restrictions on club operations in the Northern Territory. Five years later, the Australian and Northern Territory governments commissioned a broad review of licensed clubs in remote Northern Territory Aboriginal communities.<sup>54</sup>

## Where to from here?

In 1997, during one of the periodic outbreaks of renewed calls for licensed clubs to be established in bush communities in the Northern Territory, two long-term

workers in the field (Pastor Paul Albrecht and Gary Stoll)<sup>55</sup> suggested that those in positions of authority who were pushing for more clubs were 'not doing their homework': not looking at past failures and understanding them (*Alice Springs News*, 19 November 1997). Indeed, the lack of institutional memory within government agencies—together with the absence of any systematic reconsideration of the purpose of the licensed clubs or an honest assessment of whether they still fulfil their purpose without harm—explains why the clubs have continued to operate in a virtual policy vacuum. This has enabled the discourse about the clubs to become mired in a politicised—and usually uninformed—debate. Instead of an evidence-based consideration of clubs as part of an integrated alcohol policy (for a community or a region), clubs have become the 'easy' answer to the latest moral panic about public drunkenness or road accidents, or as the means whereby a new government can assert its authority.

There are indeed lessons to be learned from this history. Earlier research has highlighted:

- the conflicting arguments for and against in-community clubs (d'Abbs 1998)
- the conflicts of interest and concentrations of power they engender (d'Abbs 1998; Martin 1998)
- the dilemmas faced by licensing authorities (Bourbon, Saggars & Gray 1999)
- the impact of clubs on injury, health and wellbeing (Dalley 2012; Gladman et al. 1997; Hoy et al. 1997; McKnight 2002).

A number of practical recommendations have been made on house policies and codes of conduct (Hunter & Clarence 1996), and ways of avoiding conflicts of interest in the management of club profits (Fitzgerald 2001; Martin 1998).

This discussion paper has examined the social, political and historical factors underlying the birth and subsequent development of the clubs, and has identified areas where things went wrong. Although space does not allow a full discussion of better practices for such premises and how these could be implemented, I conclude with some suggestions for improvement.

Historically, the licensing and regulatory arrangements for the Northern Territory clubs have come about in an ad hoc way, resulting in a mix of different categories of licence being granted, with varying types of incorporation and regulatory bodies. Ideally, these should now be streamlined. An avenue exists for associations to transfer their incorporation to the Australian Securities and

Investments Commission (ASIC) or ORIC. In view of the support available through these bodies, it would probably be in the best interests of Aboriginal licensed entities to do so. Club committees and nominees may need to be reminded by the relevant authority that any association incorporated under the Northern Territory Associations Act is explicitly precluded from disbursement of profits to its members. In terms of the category of licence held by these entities, the relative merits of 'club', 'tavern' and 'on-licence' categories, and what these licences mean in practice, need to be clarified and discussed. People need to understand the different options available to them and be able to receive advice and direction.

These matters of licensing category and regulatory regime also have a bearing on the more complex matter of what purpose a club fulfils for a community, or is designed to fulfil. Is it a social enterprise for the benefit of the community? Is it intended to turn a profit for the benefit of the shareholders?

When clubs were first licensed in the late 1970s and 1980s (in Queensland and the Northern Territory), there was no requirement for the communities concerned to demonstrate that they had fully and honestly debated the advantages and disadvantages—the risk profile—of having a licensed entity in their midst. A community was not required to show that it had enough cohesion and social capital (community spirit, in a sense), or other indicators of stability (such as a police presence, a functional local council or employment opportunities) to manage the inevitable challenges that owning a licensed venue and making money from that venue would bring. Clearly, several communities did not have these prerequisites, and, as I have shown, an individual community often obtained a liquor licence because a group of interested drinkers wanted one, or because it was the idea of a member of the mission staff, settlement superintendent or a government worker.

Using a club to make decisions about alcohol availability or alcohol controls in general touches on a number of community dynamics, including the composition of families, social cohesion, leadership, demographics and the personal consumption habits of influential individuals or groups. There is inevitably an attitudinal split between the drinkers and non-drinkers in any Aboriginal community. Based on Alaskan experiences of managing local option laws, researchers listed the attributes most likely to predict successful decision-making (Lonner & Duff 1983):

- a secure, activist and strong community council that is not itself typified by abusive use of alcohol

- consolidation or a degree of unanimity among all community power bases
- a population marked by stability in terms of racial composition, migration, economy, goals and rates of problems
- a community desire and ability to identify problems, set goals, establish priorities and solutions, and take action as a community
- a history of a community having undertaken previous difficult goal-directed actions indicating that it can exercise self-control and self-determination.

In future, indicators of cohesion, wellbeing and meaningful activity or employment (such as those listed above) should be required as safeguards well before a community ventures ahead with any plans for a new licensed club. Such a 'club-readiness' checklist might also include examining the levels of violence and suicide in a community or region, the care of children and the elderly, and the representation and social position of women.

Quite separate from the need for social prerequisites such as these, it is likely that entering the market now is subject to more stringent requirements than was the case 20 or more years ago, when many Aboriginal clubs were first licensed. Aboriginal outlets arguably need to satisfy higher, not lower, hurdles before they can be considered acceptable. In order to gain a liquor licence, the legal requirements are that a community must first have a compliant association (with a constitution and all the necessary lodgments of finances and personnel), and ideally such an association should be incorporated through ORIC.

If the purpose of licensed clubs in Aboriginal communities is indeed to fulfil the broader goals that are frequently aired by their proponents (such as preventing drink-driving and town-based binge drinking; providing a social centre; keeping funds within the community and distributing them for the community benefit; instilling responsible drinking patterns), the clubs will need more assistance in order to achieve these goals. Currently, liquor licensing authorities and police merely ensure compliance; that is, that the clubs have some kind of valid liquor licence, and that they are compelled to trade within the conditions of that licence and the Liquor Act in their state or territory. Licensing authorities, police, health and other agencies could be doing much more than this. A special Aboriginal licensed premises unit within the licensing authority would allow for greater orientation towards social policy within an otherwise compliance-oriented setting. It would enable more

consistent outreach, visitation and rapport with premises, and allow for the in-house accumulation of expertise and knowledge about particular premises and their history.

There are currently no constraints or guidelines to assist club committees in the fraught business of distributing revenue. While small clubs may not make large profits (security services, for example, are a high cost to these licensed entities), others do very well. Clearly, there are many risks whenever a flow of 'untied' revenue such as this is produced. Equally clearly, there is a need to tighten revenue-distribution guidelines through external regulatory mechanisms, or to completely separate this function from the club committee, as suggested by Martin (1998).

The original hopeful and idealised notions of clubs as incubators of 'civilised' drinking were not achieved because they relied solely on the strategy of providing people with a limited amount of alcohol. There was, in fact, never any real attempt to teach people to drink—at least, not in the ways suggested by the research findings of the day. There was a misinterpretation of the mechanisms by which people 'learn' to drink, and an underestimation of the role of drinking in the maintenance of sociality among Aboriginal people. Above all, these optimistic plans failed to make allowances for the inevitably slow pace of change in the culture of drinking among Aboriginal people, as is the case for any society (Edwards et al. 1995; Room 2001).

Hopefully, we are now more realistic. We know that rates of acute alcohol problems in a society are closely linked to the way in which alcohol is consumed, which, in turn, reflects cultural rules about drunken behaviour. There are some historical examples in which different societies have changed in their cultural expectations about drunken comportment and about styles of alcohol consumption (MacAndrew & Edgerton 1969), but changes of this sort may require far-reaching social transition, as Room (2001) has suggested. Above all, changes such as these are usually quite slow; perhaps, for Indigenous people, they are even slower. As Norelle Lickiss pointed out many years ago:

The road towards a culture in which social drinking is well integrated and expresses and adds to the *joie de vivre* rather than to its *tristesse* is long and arduous – and is made more difficult because the individuals who must travel it might all say, as one Aborigine said, 'I am carrying a load' (Lickiss 1971:215).<sup>56</sup>

## Notes

1. The Northern Territory Licensing Commission was previously known as the Northern Territory Liquor Commission. For simplicity, it is referred to as the Licensing Commission throughout this paper.
2. In October 2007, each club manager of a liquor licence in a Prescribed Area of the Northern Territory received a letter from the Office of Indigenous Policy Coordination of the Australian Government Department of Families, Community Services and Indigenous Affairs to this effect, under subsection 13(5) of the *Northern Territory National Emergency Response Act 2007*.
3. See volume 2 of the Cape York Justice Study (Fitzgerald 2001:50-51), in which Justice Fitzgerald noted the conflict of interest borne by community councils' profiteering from sales of alcohol at canteens for which the council was the licensee. Legislation passed by the Queensland Labor Government in 2008 prohibited any local community council from operating and profiting from canteens, resulting in the closure of most canteens, as they were unable to find alternative suitable private licensees. The legislation banned all councils from owning a licence, not just those in Indigenous communities (Dalley 2012; Moran 2013; Queensland Government 2002).
4. See, for example, 'Queensland police at odds with Premier Campbell Newman over lifting of alcohol ban in Aboriginal townships', *Courier Mail*, 21 June 2013; and in the Northern Territory, the new Chief Minister Terry Mills spoke about loosening alcohol restrictions: <http://www.sbs.com.au/news/article/2012/10/25/should-dry-indigenous-communities-lift-grog-bans>
5. Daly River, Port Keats, Pirlangimpi (then called Pularumpi), Bathurst Island, Milikapiti, and Gunbalanya (then called Oenpelli).
6. On-premises consumption at Daly River, Nguui and Wurankuwu (Bathurst Island), Milikapiti and Pirlangimpi (Melville Island), Gunbalanya, Kalkaringi and Peppimenarti. Off-premises sales only at Beswick and Barunga.
7. Beswick, Gunbalanya, Kalkaringi, Milikapiti, Nguui, Peppimenarti, Wurankuwu, Pirlangimpi.
8. As at June 2013.
9. Public referendums were held to decide on the retention or elimination of six o'clock closing, and it survived as long as it did because substantial majorities voted to keep it in place (Brady 2008; Lewis 1992).
10. Preferences also changed so that, although beer remained the predominant drink in Australia, by 1988 wine consumption had increased (Australian Government Department of Community Services and Health 1988). Sales of sweet white wine increased by 40% between 1970 and 1988 (Room 1988:418).

11. The passage of the constitutional referendum in 1967 (under prime minister Harold Holt) gave the Australian Government concurrent power with the states to legislate with regard to Indigenous people, and meant that Indigenous people had to be counted in official population statistics (Chesterman 2005).
12. In Victoria, restrictions had been lifted in 1957; in New South Wales, restrictions were lifted in 1963; in the Northern Territory (for non-reserve areas) in 1964; in Queensland, the ACT and South Australia (all non-reserve areas) in 1965; and in Western Australia in 1971.
13. In 1966, South Australia experienced 'sensational' increases in Aboriginal crime, including a steep rise in the imprisonment of Aboriginal women. The Opposition and rural voters attributed the rise to the previous year's removal of all restrictions on Aboriginal drinking ('Aboriginal crime blow to S.A. Labor's reform moves', *Canberra Times*, 18 August 1966:2). However, Jeff Stead's research, as well as Welfare Branch reports, suggested that moderate consumption persisted in the Borroloola region of the Northern Territory despite the lifting of restrictions (Stead 1980:42).
14. G.J. Symonds (Uniting Church), P. Albrecht (Lutheran Church) and J.P.M. Long (Welfare Branch).
15. Gary Stoll, Hermannsburg, said 'Nobody knew what was going to hit them, that it would be such a big problem and that the graves would open up' (Kieran Finnane, 'Wet canteens would "open up the graves"', *Alice Springs News*, 1997:5).
16. However, the report's authors were not in favour of relaxing the restrictions (1963:6).
17. GRS 6624/1/P, DAA520/68. South Australian State Records, D. Busbridge, A/Director DAA 6/1/69
18. GRS 6624/1/P, DAA520/68. South Australian State Records, D.A.C. Hope to Director DAA 25/10/68
19. Anthropologist Nancy Williams was present at this meeting and kindly provided me with her notes.
20. Following the death of prime minister Harold Holt in December 1967, and with John Gorton as prime minister and Bill Wentworth as minister in charge of Aboriginal affairs, the CAA was 'purged' and had great difficulty getting its proposals to parliament. Gorton supported entrepreneurship for Aboriginal people, but not special rights (B. Dexter, pers. comm., 25 November 2005).
21. The former Welfare Branch became the Welfare Division of the Northern Territory Administration in 1971, and it and 897 officers were incorporated into the new Department of Aboriginal Affairs in 1972. The patrol officer service arguably ended in 1974 with the conclusion of the last training course at the Australian School of Pacific Administration (Long 1992:164)
22. CMS = Church Missionary Society, associated with the Anglican Church.
23. This parallels the situation that existed in Papua New Guinea around the same time, when Baptist and Seventh Day Adventist missionaries identified the (Australian) patrol officers as being heavy drinkers (Poole 1982:199).
24. Thanks to Dr Mary Edmunds for this quotation.
25. Indeed, Mrs Phyllis Duguid, wife of Charles Duguid, the founder of Ernabella, was a teetotal and very active member of the Woman's Christian Temperance Union.
26. There were exceptions, such as Mornington Island, a Presbyterian mission that instigated a beer ration in 1973 and a canteen in 1976. This was because of a growing problem with alcohol and because the minister, the Reverend Doug Belcher, personally favoured some experimentation with canteens (B. Edwards, pers. comm., 10 August 2004; McKnight 2002). Galiwin'ku, Yirrkala and Ernabella have remained dry to this day.
27. Aboriginal reserves in the Northern Territory had remained automatically dry, although the right to drink was granted in 1964. In 1979, a new Liquor Act made dry areas a community option and a deliberate choice (Larkins & McDonald 1984).
28. The United Church in North Australia was a cooperative venture of the Presbyterian, Methodist and Congregational churches (with the Methodist Overseas Mission integrated with it in 1972). The Uniting Church in Australia was formed in 1977.
29. The House of Representatives enquiry into the Present Conditions of Yirrkala People (1974).
30. This was noted in correspondence to me from Bill Edwards (10 August 2004).
31. Port Keats is now known as Wadeye. Ordained Aboriginal priest Patrick Dodson was posted there as a curate for Father Leary (Keeffe 2003); Luke Bunduk was a member of the landowning clan for Port Keats.
32. Snake Bay was a government Aboriginal settlement, not a mission, but has close links with the Catholic Church. It is now known as Milikapiti.
33. Brother Andy Howley instigated beer rations at Nguuiu on Bathurst Island and at Wadeye (Port Keats) (Walsh 2005). He also travelled to the United States to investigate culturally relevant alcohol treatment approaches and instigated dry-out programs and Alcoholics Anonymous-style support groups in some communities.
34. This took place in the early 1900s.
35. Evidence given by Father Kevin McKelson to the House of Representatives Standing Committee on 1 October 1976:1626 (Commonwealth of Australia 1977a)
36. In 2009, amid discussion about 'growth towns' being provided with social clubs, Mavis Malbunka from Hermannsburg described an earlier 'wet mess' there as causing violence and damaged lives (ABC Online Indigenous News, 14 August 2009).

37. On Bathurst Island, there are clubs at Nguui and Wurankuwu (officially designated as an outstation). On Melville Island, there are clubs at Milikapiti and Pirlangimpi, despite alcohol being implicated in virtually all homicides, accidents and suicides on the islands in the 20 years between 1970 and 1990 (Venbrux 1993). At one of these clubs, Hoy et.al. (1997) documented that 62 per cent of male drinkers consumed 10 or more drinks each night; that beer and cigarettes accounted for more than half the total expenditure; and that drinking was associated with a 2.8-fold rate of elevated gamma glutamyl transferase (an indicator of liver disease), higher risk for insulin resistance and diabetes, and being overweight.
38. Northern Territory Associations Act (as at January 2012) Division 2, s. 13A.
39. For example, decisions about the distribution of benefits may be made by a club committee composed of drinkers rather than non-drinkers, and men rather than women; male sports such as football can be favoured over women's; airfares for funerals and ceremonies may be channelled to certain families; facilities such as swimming pools funded with club monies may be unavailable to the community as a whole.
40. ALPA is an organisation that runs the stores in most Aboriginal communities across the Arnhem Land region of the Northern Territory.
41. Powell, Police Commissioner to Symons DAA, Adelaide, 19/3/1979 [GRS 6624/1/P,DAA 520/68]
42. While A.P. Elkin and R.M. Berndt placed much emphasis on the role of elders in settling disputes (Berndt 1965:167, 175), Meggitt (1975:248) was more cautious. He noted the absence of 'individuals or groups ... with permanent and clearly defined legislative and judicial functions' and believed that ceremonial leaders had little authority in secular affairs.
43. Interview with Paul Albrecht, 20 April 2005.
44. Council members at Yalata, South Australia, for example, railed against 'the drinkers' while being grog-runners themselves; drinking camps (where there was no water, shade or access to help) were frequently suggested as solutions to noisy drinking in the community.
45. In the 1990s, staff from the Northern Territory Living with Alcohol program visited communities and social clubs to discuss safer drinking options, but there was no effort at more structured training programs.
46. 'Wine' in this case was fortified wine, purchased as takeaways from a highway roadhouse 60 km east of the community.
47. Indeed, while the intention was to moderate consumption, these mission or government authorities were providing people with a psychoactive substance with a known liability to produce dependence in humans (World Health Organization 2007).
48. These expressions are in common use by Aboriginal people to describe those who give up drinking, or who are non-drinkers (Brady 2004:115).
49. The Country Liberal Party lost power in 2001 and was back in government in 2012.
50. Previously known as the Liquor Commission, a restructure in 1998 placed it within the Department of Industries and Business, and another restructure in 2000 renamed it the Northern Territory Licensing Commission, and it was housed in Treasury (Allen 2002). Some years later, the Northern Territory Licensing Commission was relocated to the Department of Justice. In 2013 (following the election of a Country Liberal Party government), the organisation was moved again into a newly created Department of Business. In 2014, the Northern Territory Business Minister (Dave Tollner) announced the Northern Territory Licensing Commission would be scrapped and a new Licensing Authority created that would make decisions without the need for a hearing (*NT News*, 6 May 2014).
51. Comments such as these beg the question of whether the personal opinion of a Licensing Commissioner is a viable basis for positioning an organisation's policy.
52. In Queensland, however, the clubs were actively promoted as money-making exercises to generate revenue for community councils and shires in order to pay for local services (McKnight 2002; Martin 1993; Moran 2013)
53. Staff employed by the Living with Alcohol program at the time recall there was little actual use of the *Ideas for Sports and Social Clubs* material. However, program staff offered assistance to Port Keats (Wadeye) when that community was in the process of reforming its social club, and they also visited the Alice Springs Tyweretye Club to talk with staff and customers about standard drinks (Dr S. Hendy, ex-director of the Living with Alcohol Program, pers. comm., 8 May 2009)
54. Since that research was commissioned in 2012, there have been changes of government both federally and in the Northern Territory. As at mid 2014, the research into social clubs has not been released. This author was a consultant researcher in that study; however, this present Discussion Paper was part of a pre-existing ARC research project.
55. Both associated with the Lutheran Church and Finke River Mission.
56. Lickiss worked with Aboriginal people in Sydney in the late 1960s.

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