

# **A Custodial Ethic: an Aboriginal way of wholeness and reciprocity**

**Glenn Loughrey**

## **Introduction**

*Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination. ('What Are Human Rights?', un.org/en/sections/issues-depth/human-rights)*

Aboriginal people have suffered human rights abuses since the colonialists arrived here in leaky boats. These abuses are well documented by entities such as the Human Rights Commission and I will not reiterate them here. You can read them in the public sphere.

Within the Aboriginal way of seeing we do not speak of rights. As individuals or even communities we do not see ourselves entitled to rights, but as anchored to a custodial ethic, a responsibility to and for all where each is treated as equal and reciprocity is the way of being. We do not see human rights as defined earlier as an added extra, something we should aspire to. It is embedded in the essence of being Aboriginal. It is the basic framework of Aboriginal existence understood as being 'indigenous of the universe' (see my book *Living the Change*, 2019).

Nor are rights restricted only to humans. As we are indigenous of the whole, attached to all our cousins (human and non-human, animate and inanimate), we think in terms of reciprocity and responsibility in order to maintain balance and wholeness.

In Aboriginal languages, just as there is no clear word for spirituality as the Western mind understands, finding words that translate easily into the English concepts of justice, social justice or rights, human or otherwise, is also problematic. This is partly because Aboriginal languages are some of the most complex in the world for the reason R.W. Dixon suggests: cultures not committed to possessions and personal ownership have the time to spend in dialogue, hospitality and ritual, leading to a rich and complex language system (*Australia's Original Languages: An Introduction*, 2019).

Another reason is that it simply isn't relevant. In Aboriginal ways of being (what you may understand as spirituality but I refer to as our essence), the concept of rights is not needed as it is taken for granted; we will care for each other, in whatever shape and form the other comes in. This can be described as the custodial ethic and is the reason there are no owners of country, only custodians. I will return to this later.

The Aboriginal way of being is focused on wholeness, balance, reciprocity and relationship. All who live on and in country come into the world with this as their vocation and are required to live out their vocation between the two trees at the beginning and end of their existence. In other words, human rights are not another thing we do. They are embedded in who we are and how we live. They are about kinship relationships, which is just a way of saying they are about our relationships with all of creation: human and non-human, animate and inanimate. They are about understanding that we are born out of the Universe (Father) and our country (mother) under a tree.

From our birth we are introduced to our kinship relations, including the extended web of diverse connections with those within our family tree; with those we share the space with through ceremony, story and totems; and with the spirits of the Dreaming

who are present around us in the wind, water, air and fire. We are imbued with a custodial ethic defining how we care for all who share this universe with us.

### **A custodial ethic**

What is a custodial ethic and what does it look like in practice? This is a key question for the ongoing care of ourselves and all our cousins — those with whom we share this land, animate and inanimate, human and non-human.

For Aboriginal people, relationships between us and the universe in which we live are fixed and unchanging. We are defined by our primary relationship with the country on which we are born, live and die. It is a reciprocal relationship in which we understand the web of inter-relationships binding and holding us to one another and to the country itself.

A custodial relationship is not a choice we make. It is the way we understand who we are responsible for and who is responsible for us. This applies to personal and tribal relationships and on the universal level as well. The country cares for us and we care for the country (all who share this space, not just the dirt or environment). It is a reciprocal relationship and allows neither to take more than they need from each other.

This relationship requires us to be in open dialogue with all around us. Country is not only the ground beneath our feet, but includes the people, water, trees and rocks, creatures, stars and clouds and so on within our vision. We are to walk our land and to listen carefully. If we do so we will hear what it has to say to us, what we need to do and why we need to do it.

On a local level, Aboriginal law lays down the parameters for this open dialogue. Through ceremony, story and totems we are reminded of the relationships forged through the ongoing dreaming we live in, and we are expected to continue those relationships in the present and future.

For a custodial ethic to be lived out it requires us to give up our propensity to know better and to control nature, people and things. We are to sit with the holders of these stories and to listen, hear and reflect in order to find ways to be in a reciprocal relationship with the environment.

It is not enough to speak of a custodial ethic. We need to have the courage to live it, and for that we need the voices of the local people and land. This is a complex task, in many ways much more complex than Western social justice, just as Aboriginal languages are, for similar reasons, much more complex and nuanced than English.

At the centre of Aboriginal ways of seeing is the idea of balance and wholeness — if one person or element of creation is out of balance it means life is not experienced in its abundant wholeness. This requires actions to be taken to restore balance. This is why we share all things, as no-one owns anything at the expense of another, not even the land. This is why we attend to relationships that are broken by misdemeanours in the communal setting, where punishment is given and the perpetrator restored to the community so that once more the community is in balance.

Issues now named 'social justice' or 'human rights' have come about through the replacement of Aboriginal people and their culture by the colonial and neo-colonial need to reduce us to the exotic outsider and therefore take away our custodial relationship with our country and all that exists. The removal of people from country — 87 per cent of all Aboriginal people B.C. (before Cook) had been made to disappear by 1911, leaving less than 100,000 people out of 700,000 — meant that, not only was there almost no-one on country, there were few left to pass on the oral traditions of Aboriginal ways of seeing (see C. Kemp and G. Loughrey, *A Voice in the Wilderness*, 2018).

The replacement of culture, ritual, ceremony, totems and kinship responsibilities by colonial Christianity, through the work of missions and as a result of the Stolen Generations (amongst others), has resulted in a group of people out of balance and unable to attain wholeness, because the elements necessary to do so are no longer there. (As we heard the latest Anglican Archbishop of Sydney say in his synod address, this process is continuing — evangelisation often means replacement.) The traditions have gone, language — the vital holder of those traditions — has disappeared and the complexity of being indigenous of the universe has been replaced by consumer materialism and individualism, resulting in people dying, essentially, of a broken heart.

## **Voice**

People without a country are a people without a voice. You need a country and its language and relationships to be able to speak from a solid foundation based on countless generations of learnt and experienced wisdom. Without this you are lost and unable to find your place in the world. We read in Psalm 137:

*By the rivers of Babylon — there we sat down and there we wept when we remembered Zion.*

*On the willows there we hung up our harps.*

*For there our captors asked us for songs, and our tormentors asked for mirth, saying, "Sing us one of the songs of Zion!"*

*How could we sing the Lord's song in a foreign land?*

For many of us this has been and continues to be our experience. It takes time to find a way into some semblance of balance and wholeness, which will never be complete because the sacred text holding the custodial text no longer surrounds you.

The truth is that the dysfunction in our communities and peoples is not because of any moral or intellectual lack amongst us. It is not social dysfunction from within our own social structures. It is not of our doing. We find ourselves in this place because the protections of being Aboriginal have been taken away from us and replaced with an inadequate religion and social structure that are not ours. We don't need Christ or any other spiritual leader or system; those who stole our land and continue to benefit (those who came with the First Fleet and those who come today) need to live their faith.

## **Not ours**

The phrase 'not ours' is important here. These are to be your ethic; they are not to be ours. We already had our custodial and kinship ethic. It is from these that we maintained social cohesion and justice. Your ethic does not fit for us but it does hold you to a level of responsibility for those around you.

We do not need to practice human rights; we need to see you implement the ethic of love found in your religions recognising our rights. The ethic of love found in the great religions is similar in nature and intention as the custodial ethic at the centre of our Aboriginal kinship relationships.

*"You shall love the Lord your God with all your heart, and with all your soul, and with all your mind. "This is the greatest and first commandment. And a second is like it: "You shall love your neighbour as yourself." On these two commandments hang all the law and the prophets. (Matthew 22:36-40)*

*Worship Allah and associate nothing with Him, and to parents do good, and to relatives, orphans, the needy, the near neighbour, the neighbour farther away, the companion at your side... (Quran 4:36)*

*We are all visitors to this time, this place. We are just passing through. Our purpose here is to observe, to learn, to grow, to love ... and then we return home. (Aboriginal Proverb)*

## **Emus**

Tyson Yunkaporta, in his excellent book *Sandtalk* (2019), tells the story of the emu, which reminds us of the impact of an 'I am greater than you' or colonial/neo-colonial attitude. This is a

*Dreaming story of a meeting in which all the species sat down for a yarn to decide which one would be the custodial species for all of creation. Emu made a hell of a mess, running around showing off his speed and claiming his superiority, demanding to be boss and shouting over everyone. You can see the dark shape of the Emu in the Milky Way. Kangaroo (his head the Southern Cross) is holding him down, Echidna is grasping him from behind, and the great Serpent is coiled around his legs.*

*Containing the excesses of malignant narcissists is a team effort.*

Just as our aboriginality commits us to responsibility to and for the other, your faith may indeed involve human rights for others. If it does, how it does is up to you. It is your idea after all.

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