

Riotous or Righteous Behaviour? Representations of Subaltern Resistance in the Australian Mainstream Media

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Abstract

This article examines Australian domestic and international mainstream media coverage of subaltern resistance to police brutality. In particular, it analyses representations of subaltern resistance in Australian mainstream media with reference to riots in Palm Island, Queensland, Australia (November 2004) and in Ferguson, Missouri, United States (November 2014) and tests the appositeness of the theoretical concept of ‘moral panic’ to Australian media coverage of these respective events. In so doing, it exposes contradictions and anomalies in the Australian media’s coverage of Indigenous resistance and offers some hypotheses for any apparent discrepancies.

Keywords: moral panic – riots – protests – media – Indigenous Australians – Palm Island – Ferguson – folk devils

Introduction

In the wake of protests following the clearing of a police officer over the killing of Michael Brown, a media spotlight has once again been cast on resistance and civil unrest in Ferguson, Missouri. Michael Brown, an unarmed Black teenager, was fatally shot by White police officer Darren Wilson on 9 August 2014. Since then, riots and ‘die-ins’ (a form of protest where participants simulate having been shot) have been staged in response to the deaths of Eric Garner, Tamir Rice, Akai Gurley, Kajieme Powell, Antonio Martin and others — each of whom died in the United States (‘US’) in circumstances involving police brutality. Protests continued in November and December 2014 in response to grand jury decisions not to indict police officers Wilson and Daniel Pantaleo in relation to the events. In its coverage of these ongoing events, the Australian media has acknowledged ‘America’s burgeoning civil rights movement’ (Fallon 2014:16), the ‘racial divide’ (O’Malley and Fallon 2014:32) and ‘the US’s

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deeply ingrained cultures of exclusion, marginalisation and stereotyping' (Behrendt 2014). That the Australian press publishes in-depth investigative journalism covering such events may be seen as a positive. But what can be said about Australian media coverage of subaltern¹ resistance on its own shores?

Five days prior to Michael Brown's death in Ferguson, in Australia a 22-year-old Yamatji woman died in police custody after her pleas for medical attention were not taken seriously by police officers on duty. This was not an isolated incident. Earlier examples include the death of TJ Hickey, a 17-year-old Aboriginal boy who died after impaling himself on a fence during a police pursuit, and Mulrunji Doomadgee, a 36-year-old Palm Islander man who died from injuries sustained while in police custody.

Like the death in Ferguson, these deaths involve the deaths of (often young) persons of colour in circumstances involving police brutality. As in Ferguson, these incidents are met with resistance and outrage including (respectively), National Days of Action, the G20 protests in Brisbane (November 2014), and riots in Palm Island (November 2004) and Redfern (March 2004). A key difference, however, is the way these events are presented and spoken about in the mainstream media. Within the Australian mainstream media, protests in the US are constructed as civic expressions and are seen as justified responses to perceived injustice. For protesting much the same thing, Indigenous Australian protesters in Redfern and Palm Island are portrayed as 'folk devils' — violent rioters and anarchic 'others' against whom 'something must be done' immediately (Young 1971; Cohen 1972; Jupp 2006). What explanation is there for these apparent discrepancies in accounts of subaltern resistance?

This article compares and contrasts representations of riots in Ferguson and in Palm Island, focusing on coverage of these events by the Australian mainstream media. Specifically, it tests the appositeness of Stan Cohen's (1972) concept of 'moral panic' with respect to resistance both in Australia and overseas. The article begins with a textual analysis of the Australian media portrayal of events in Palm Island and Ferguson. It then reflects on the contrasting elements characterising the Australian media's portrayal of subaltern resistance in these locations and concludes by offering some reflections on potential reasons for these differences.

'Folk devils' and 'moral panic' as theoretical concepts

In a very general sense, 'moral panic' describes a state of outrage and social unsettling towards a particular group of social outsiders or outcasts. First used by Jock Young (1971), but developed as a concept by Cohen (1972) in his ethnographic study of mods and rockers in the 1960s, a 'moral panic' is said to emerge *not just* when there are 'folk devils', but when there is a sense of panic or outrage around them (Williams 2004:62). The 'moral entrepreneurs' — politicians, interest groups selected by the media to speak — propose solutions that reflect their political causes and that further ostracise the folk devils (Becker 1963; Cohen 1972; Goode and Ben-Yehuda 1994). The 'folk devils' become defined as a threat 'to dominant societal values and interests and the embodiment of what is wrong with society' (Jupp 2006:124).

¹ In postcolonial theory, 'subaltern' means a social group that is identified as in opposition to a colonial power structure or hegemony. In this article I use the term to refer *collectively* to non-White subjects in Australia and in the US (that is, Indigenous Australians, African Americans and Native Americans). I use the terms 'subaltern', 'Black' and 'persons of colour' interchangeably.

The concept recognises that the media plays an active role in both defining certain groups as 'folk devils' and presenting them in a stereotypical and sensational way that, in turn, serves to reiterate their status as deviant. In the words of Cohen (1972:16), 'the mass media have long operated as agents of moral indignation in their own right'. He continues:

The mass media, in fact, devote a great deal of space to deviance ... Such 'news' ... is a main source of information about the normative contours of society. It informs us about right and wrong, about the boundaries beyond which one should not venture and about the shapes that the devil can assume (Cohen 1972:17, footnotes omitted).

This article now considers the application and relevance of Cohen's (1972) concept of 'moral panic' with respect to Australian media coverage of the Palm Island riots in November 2004 and the riots in Ferguson, Missouri in November 2014. Before commencing this case study, it is first necessary to situate these events (albeit briefly) within a broader historical and political context.

Palm Island: A brief local history

Palm Island is located on the traditional lands of the Manbarra people, about 65 km north-east of Townsville in Queensland. The township has a population of around 2000 Indigenous residents. As well as being geographically remote, there is an extreme lack of housing, and unemployment is estimated to be at 95 per cent (Australian Bureau of Statistics 2008).

In 1918, the Manbarra people were removed from their land and Palm Island was established as an Aboriginal Settlement under the *Aboriginals Protection and Restriction of the Sale of Opium Act 1897* (Qld). Government records indicate that between 1918 and 1971, almost 4000 children of mixed race were forcibly removed from their families and country and were sent to Palm Island (Legislative Assembly of Queensland 2005; NISATSIC 1997). It is estimated that the process of removals brought together up to 57 different Indigenous groups, disrupting connection with country and bringing together diverse groups with incompatible language and kinship ties. Palm Island Reserve was run as an 'open prison' (Hunter 2005:16); detainees were not allowed to leave, and 'dancing or other native practice', including speaking Indigenous languages, required written permission of the superintendent (Hunter 2005:16). The wages of both women (who worked as domestic servants) and men (who worked as labourers) were controlled by the Queensland Department of Aboriginal Affairs under the now notorious 'trust fund' scheme. In a study of government and official data relating specifically to Palm Island from 1918 to the 1980s, historian Rosalind Kidd made extensive findings on the 'appalling living and working conditions', which included malnutrition, child mortality and over-crowding (Kidd 1997:152).

Alongside this history of colonialism and paternalism, Palm Island holds an equally rich history of resistance. The 1950s and 1970s were marked by a series of strikes and uprisings, including several famous strikes in 1957 and 1974 (Cavadini 1976; Wilson 1985). In 1985, after years of lobbying the Queensland Government for greater control over community management, land title for the island was handed over to the Land Council in the form of a 'Deed of Grant in Trust'.

Palm Island riots in the Australian mainstream media

On 19 November 2004, 36-year-old Palm Islander man Mulrunji Doomadgee died while in police custody. During the 40 minutes he spent in police custody, Mulrunji sustained injuries including four broken ribs, a burst portal vein and ruptured liver. In a later coronial inquiry it was concluded that 'these [punching] actions of Senior Sergeant Hurley caused the fatal injuries' (Clements 2006:27). A week later, the local police station and courthouse were set alight in events that brought Palm Island into the national and international spotlight. The ensuing riots were an expression of collective anger at the death of Mulrunji — father, uncle, nephew, friend — and the subsequent injustice before the mainstream criminal justice system. The Queensland Government responded by declaring a 'State of Emergency'; a group of more than 80 police (including 24 from the Special Emergency Response Team) was flown in, and 21 Palm Islanders were arrested for 'riotous behaviour'. A similar level of media attention followed the decision to charge and the subsequent trial of Sergeant Chris Hurley² (for the assault and manslaughter of Mulrunji) and the sentencing of those charged with riotous behaviour, including Lex Wotton, who was found guilty by a Brisbane jury and sentenced to six years imprisonment.

The initial portrayal of the Palm Island riots by the mainstream media in some ways provides a classic illustration of Cohen's (1972) thesis. Palm Island was described as a 'war zone', where 'rioting mobs' went on a 'violent rampage', setting fire to the local police station and court house, and threatening 'to kill police and media' (Connolly 2004:1). Typical front-page headlines included 'Police Run for Their Lives as Rioters Torch Buildings in a Tropical Island Rampage' (Koch and Fraser 2004:1), 'They Were Saying They Would Kill Us' (Anon 2004b:1), 'Police Fury over Fiery Attack' (Todd 2004c:5), and 'Burn, You Dogs: Alleged Taunt as Station Torched' (Viellaris 2004:1). The events were presented in a stereotypical, sensationalist and stylised manner (Cohen 1972).

This point marks the beginning of the construction of Palm Islanders as 'folk devils'. Linguistically, the event was labelled as a 'riot', and Palm Islanders 'rioters'. The group of so-called 'rioters' comes to represent *all* Palm Islanders (even though several Palm Islanders, including Chairperson of the Palm Island Council, Erykah Kyle, condoned aspects of the events), and Palm Islanders in turn may have been seen to represent *all* Indigenous Australians. Indigeneity was portrayed as itself being synonymous with criminality (see similarly Goodall 1993; Sercombe 1994). The police and media were constructed as victims, focusing on the fear and terror felt by these parties. One cameraman was reported as saying, 'I have never been so frightened in my life. They threatened to kill us' (Mancuso and Connolly 2004:1). Another story told of how the police and their families barricaded themselves in the hospital, including 'one wife of a policeman who was very heavily pregnant' (Koch and Fraser 2004:1). Yet it is not just police safety that was seen to be under threat. Via the symbolism inherent in images of a burnt-out courthouse, the 'rioters' were constructed as posing grave dangers for established law and order more generally (see, by analogy, Cunneen et al 1989).

The voices and opinions of 'moral entrepreneurs' were elevated, and they were quick to blame the 'folk devils'. For example, Police Commissioner Bob Atkinson, followed by other senior police spokespersons, emphasised that the riots were 'totally unacceptable' (Koch 2004b:10). The Queensland Police Union President Denis Fitzpatrick described the rioters as 'sheer criminal[s]', stating that those responsible should face charges of 'attempted murder'

² Hurley was the first Queensland police officer to be charged over an Indigenous death in custody, despite a long and well-documented history of Aboriginal deaths in police custody (RCIADIC 1991). Within the jurisdiction of Queensland, there had been previous civil cases, such as *Henry v Thompson*.

(Todd 2004c). Queensland Indigenous Policy Minister Liddy Clark, echoed by Queensland Police Minister Judy Spence, accused the Palm Island Council of a failure of leadership in response to the incident (Mancuso and Connolly 2004), and Premier Beattie called for the closure of Palm Island (Anon 2004a:1).

Notable was the lack of reference to the equivalent ‘holders of authority’ within the Palm Island community, including Elders and representatives of the Land Council. In the *few* instances where the voices of Palm Islanders were included, they were typically positioned towards end of articles (see similarly Gargett 2005) and overshadowed by the ‘authority’ of seemingly objective statistics. For example, Indigenous Affairs Minister Amanda Vanstone countered the claim of one Palm Islander by asserting that deaths in custody had fallen by 50 per cent compared with data from the 1980s (Koch and Karvelas 2004). Given that data from the Australian Institute of Criminology confirms Indigenous deaths in custody over that period were in fact *increasing* (Beacroft, Lyneham and Willis 2012), it comes as no surprise that Vanstone failed to specify the source of her statistics.

While media coverage of events on Palm Island appeared to loosely follow the theoretical framework of a moral panic, there are several limitations. First, *some* examples of investigative journalism sought to contextualise the events with reference to the earlier death in custody and broader socio-political issues. A good example is *The Australian’s* Tony Koch,³ who sought out opinions of the local Palm Islander community and questioned the appropriateness of the state response:

It is incredible to see tactical response police in full gear — riot shields, balaclavas and helmets with face-masks, Glock pistols at the hip and a shot gun or semi-automatic rifle in their right hand — walking the streets and arresting unarmed and unresisting Aborigines (Koch 2004).

Second and relatedly, while the ‘rioters’ on Palm Island were initially depicted as ‘folk devils’, as more information came to light, and as the findings of several inquiries were made public, the construction of Palm Islanders as ‘folk devils’ became untenable. This is particularly true regarding accounts of Palm Islander Lex Wotton, who in *some* mainstream accounts (which, regrettably, are not representative, but *do* exist) was depicted in a sympathetic, heroic light — a reminder of what we *should* be. In one article, ‘A Warrior Emerges, Arms Raised, Fists Clenched’, he is even described as ‘a powerful *folk hero*’ (Todd 2004a:7, emphasis added). It is uncanny that such an account emerged from the same paper that, just 15 days earlier, had vilified Wotton as ‘the ringleader’ of the ‘riots’ and the epitome of violence and lawlessness (see Koch and Fraser 2004:1). The actions of Palm Islanders were vindicated to a greater degree following the handing down of the Coroner’s report in September 2006, which made several damning findings against the police (see Clements 2006). In light of these findings, some ‘moral entrepreneurs’ began to see the ‘riots’ in a different light — even Prime Minister John Howard said he could ‘understand’ Palm Island anger (Anon 2006). The dichotomous approach adopted by moral entrepreneurs and the media is somewhat difficult to explain and is investigated in the analysis below.

These caveats aside, the above discussion of media coverage on Indigenous Australian resistance bears all the recognisable trademarks of a moral panic. Though written in a completely different context,⁴ the theoretical concept of ‘moral panic’ provides a useful aid in analysing media coverage of Indigenous resistance on Palm Island. In particular, it

³ Tony Koch was later awarded Australian Journalist of the Year (2006) and a Walkley Award (2007) for his journalistic efforts. See in particular, ‘One Death Too Many’ (Koch 2004) and ‘Bloody Disgrace: Saga is State’s Worst Injustice’ (Koch 2006).

⁴ ‘Folk devils’ and ‘moral panics’ are theoretical concepts that developed largely in England (Cohen 1972; Young 1971) and the US (Lemert 1967) in the 1960s and 1970s.

highlights the often-insidious politics of *who speaks* and *who is spoken about*. It exposes the role played by politicians and the mainstream media in actively constructing Palm Islanders as ‘folk devils’ and in provoking feelings of anxiety and moral indignation towards this group. Furthermore, it exposes how this construction fulfils dual and self-fulfilling purposes, in that it both creates suitable scapegoats and justifies the state’s heavy-handed response that follows. Relatedly, it draws attention to the ‘moral entrepreneurs’ (in this case, White authority under the guise of spokespeople from the police force, the Prime Minister and the Minister of Indigenous Affairs) who are given the loudest and most prominent voices in media coverage of the events. In so doing, it exposes both the power of the mainstream media in setting the moral parameters of the debate and the discrete politics in the construction of moral outrage.

The appositeness of this theoretical concept as it applies to media coverage of Indigenous resistance may explain the popularity of analyses on moral panic and Indigenous issues in Australian criminological and sociological commentary (see Wilson 1985; Cunneen 1987; Schissel 1997; Birch 2004; Gargett 2005; Owen 2006; Weatherburn 2006; Cunneen 2008; Owen 2007; Poynting et al 2007). Further detail on the relevance of Cohen’s moral panic can be found within the existing scholarship, and notable examples include Heather Goodall’s deconstruction of media coverage of riots in Brewarrina, New South Wales (Goodall 1993) and Chris Cunneen’s analysis of Aboriginal demonstrations in Redfern, New South Wales (Cunneen 2007). I do not wish to add to this literature except to now compare and contrast these analyses with respect to Black resistance in the US.

Ferguson riots in the Australian mainstream media

On 9 August 2014, Michael Brown, an 18-year-old African-American boy, was fatally shot by Darren Wilson, a 28-year-old White male police officer in Ferguson, Missouri. This was followed by the deaths of 12-year-old Tamir Rice, 28-year-old Akai Gurley, 25-year-old Kajieme Powell and 18-year-old Antonio Martin in the US. The events were met with large-scale protests — protests that lasted more than 100 days in Ferguson and across America. The paramilitary response to protests in Ferguson involved the use of surplus military equipment such as Humvees. Protests continued when, in November 2014, a grand jury decided not to indict Wilson on criminal charges in relation to the incident. A later decision in December 2014 not to indict a New York police officer over the death of Eric Garner — who died while in an illegal chokehold — added further fuel to ongoing nationwide protests.

In response to these events, *The Sydney Morning Herald* announced ‘the re-emergence of a civil rights movement’ in the US (Fallon 2014:16). *The Age* declared ‘the Ferguson Crisis is an American crisis — one rooted in racial slavery, Jim Crow, and institutional racism’ (Joseph 2014). Typical headlines included: ‘Fury as Ferguson Cop Escapes Charge over Michael Brown Death’ (Peters 2014); ‘Hope for Change in Eric Garner’s Death and America’s Burgeoning Civil Rights Movement’ (Fallon 2014:16); ‘Ferguson Riots, Race and Obama’s Nightmare Holiday’ (O’Malley 2014).

In terms of article structure, the first (contextualising) paragraph of several articles begins with the grand jury’s decision to decline to indict Wilson. Linguistically, a variety of terms are used to describe the events in Ferguson, including ‘riots’, ‘rallies’, ‘protests’, ‘demonstrations’, ‘civil disobedience’ and ‘civil rights movement’, while individuals are interchangeably referred to as ‘rioters’, ‘protestors’, ‘political agitators’, ‘residents’ and ‘the crowd’.

The initial portrayal of events by the Australian media was overwhelmingly action driven, reporting on the events as they unfolded in detail and without sensationalism. An article in *The Australian* stated:

On Monday, the crowd gathered at the Ferguson police station initially reacted quietly to the grand jury decision, but a small group attacked a police car and threw objects at the police. Police responded by firing crowd dispersal canisters, they said were smoke, not tear gas, and all but a few dozen protesters dispersed from streets outside the police station (Peters 2014).

The voices of family members and protesters were included alongside those of police officers, bureaucrats and criminologists. Many articles included reference to the chants of protestors: 'We are Mike Brown' (McFadden 2014); 'Black lives matter'; 'Hands up! Don't shoot!' A report in the ABC news reads as follows: "Murderers, you're nothing but murderers," one woman shouted through a megaphone at officers clad in riot gear after the grand jury decision was announced' (Australian Broadcasting Commission 2014).

A striking contrast appeared in the way events were contextualised with reference to both the teenager's death and the subsequent decision not to indict the police officer. Nearly every article discussed how the events exposed racial and class divisions. News articles displayed a tendency to link Brown's death to the treatment of young Black men by the police more broadly. The following excerpts are representative:

There is a long history of these tragedies [in the US]. That point was well made by protesters at one site in New York as they laid down silently in the middle of a street in cardboard coffins marked with the names of people killed by the police — they call it a 'die in'. The issues of racial profiling by police and [sic] way the US judicial system is handling incidents of police killings are hot topics — every person in St Louis is talking about them and rightfully so (Fallon 2014:16).

The racial divide in the US is perhaps most easily quantifiable in the criminal justice system. African Americans are incarcerated at six times the rate of whites and make up 1 million of the US's 2.3 million incarcerated. Obviously the factors that can lead a person into prison are myriad, but one thing is clear — blacks are far more likely than other citizens to come into contact with the police (O'Malley and Fallon 2014:32).

There were exceptions. Alongside opinion pieces examining racial profiling and race conflict, two conservative-leaning pieces appeared in *The Australian*: 'Denouncing the White Cops Shows Leftists' Analysis is Only Skin Deep' (Dalrymple 2014:14) and 'Romanticising Thug Behaviour is the Real Tragedy of Ferguson' (Riley 2014). These opinion pieces provide counter-arguments to and explore further angles of the debate. The political treatment of the issues aside, neither article reverts to sensationalism, nor to the formulaic conventions of a moral panic.

Whether conservative leaning or otherwise, Australian media coverage of Ferguson did not appear to conform with Cohen's (1972) thesis. Feelings of anxiety, fear or moral panic were *not* provoked in this case by sensationalist or stylised accounts. Rather, the complexities of the events were explored via in-depth investigative journalism, opinion and commentary from all sides of the political spectrum. The resulting effect is that the rioters did not appear as social outsiders or irrational trouble-seekers, but rather as humane actors reacting in response to perceived injustice. They were righteous. What is the explanation for this anomaly in Australian media accounts of subaltern riots at home and overseas? The following section reflects on the reasons for these discrepancies.

Analysis

There is no shortage of Black resistance in response to police brutality in Australia. Recent examples include the G20 protests against Black deaths in custody in Brisbane in November 2014 and National Days of Action for Julieka Dhu on 23 October 2014 and into 2015. Yet, in contrast, media coverage does not speak of Australia’s ‘racial divide’ (O’Malley and Fallon 2014:32), nor of ‘the unbroken line of police violence that takes up all the way back to the days of slavery’ (Jeffries 2014). Mainstream media coverage of the G20 instead focused on flag burning, with frontline headers including: ‘Flag-burning Ignites Tension on Final Day’ (Doorley, Vonow and Baskin 2014:7); ‘Anger over Flag Burning’ (Stigwood 2014:8); and ‘G20 Protesters Burn Australian Flag’ (Bochenski 2014:1). The mainstream media sought comment from ‘moral entrepreneurs’ (Premier Campbell Newman and police commissioners Katarina Carroll and Ross Barnett) at the expense of *the issue* that the ‘folk devils’ were protesting (Black deaths in custody).

Several potential factors warrant consideration. The first relates to the construct of moral panics. Perhaps the conditions necessary for the creation of a moral panic were not present in Ferguson. The ‘moral entrepreneurs’ — at least those that have most relevance to an Australian audience — did not speak in terms of ‘folk devils’ but rather of ‘an American problem’. For example, US President Barack Obama stated that ‘there are Americans who agree with it [the grand jury decision] and there are Americans who are deeply disappointed, even angry. It’s an understandable reaction’ (cited in Australian Broadcasting Commission 2014). Elsewhere, US Attorney General Eric Holder stated, ‘All lives must be valued. All lives. This is not a New York issue or a Ferguson issue alone’ (cited in Fallon 2014:16). Such language of inclusion and shared responsibility is not conducive to the fuelling of anxieties about ‘others’. Nevertheless, any analysis based on Cohen’s framework of moral panic must not overlook the fact that Indigenous Australians are *frequently* represented in the mainstream media — not only as ‘folk devils’, but also as colonial ‘others’.

A second hypothesis relates to issues of style, structure and colonial storytelling more generally. For many years, Aboriginal Australians have deplored the discriminatory and stereotypical representations of Aboriginality in the mainstream media (Langton 1993; Nugent 1993; Dodson 1994). In the 1990s, national reports such as the Royal Commission into Aboriginal Deaths in Custody (‘RCIADIC’) (Johnston 1991) and the National Inquiry into Racist Violence brought these issues to the attention of the wider public (Human Rights and Equal Opportunity Commission 1991). An analysis of the language used by the Australian mainstream media is particularly revealing.

Table 1: Language used by the Australian mainstream print media

	<i>Ferguson</i>	<i>Palm Island</i>
<i>The deceased</i>	Mike Brown, Michael Brown, unarmed, black, teenager, accused, killed, shot dead, Brown's father, his father, his mother, his family, dreams, young, future, proud, potential, gentle giant, good kid, tragedy, friendly, accused, allegedly, dreams, aspirations	Aborigine, Indigenous, 36-year-old, alcohol, drunk, drunken

	<i>Ferguson</i>	<i>Palm Island</i>
<i>The officer</i>	Darren Wilson, white cop, child-killer, police officer, policeman, police, racist police	Senior Sergeant Chris Hurley, police officer Chris Hurley, gentle giant
<i>The context</i>	death, shooting, the slaying, brutality, police brutality, racial profiling, death in custody	brawl, stairs, drunkenly, death in custody
<i>The events</i>	riots, rallies, protests, demonstrations, civil disobedience, civil rights, turning point, procession, anger, an unruly march, hostile, race relations, warzone, movement, crisis, die-ins, chaos, complex and violent crisis, peaceful	Palm Island riots, riots, unrest, warzone, violent, rampage, tropical rampage, rioting mobs, fiery attack, they threatened to kill us, danger, torched, taunt
<i>The individuals</i>	rioters, protestors, political agitators, frustrated, citizens of Ferguson, residents, volunteers, activists, a lady, community elders, the crowd, community, families	Aborigines, rioters, violent, drunken, ringleaders, rioting mobs, angry mob, offenders

Note, in particular, the relative diversity of synonyms used to describe the deceased, the events and the participating individuals in Ferguson compared to Palm Island. Note also the relative authority of ‘Senior Sergeant Chris Hurley’ compared with ‘white police officer’ and other adjectives used to describe the police officer. The choice of language is important: it evokes a certain response in the reader and shapes our understandings of events. In the case of Palm Island, the often-repeated meta-narrative of so-called ‘dysfunctional’ and ‘lawless’ Aboriginal communities served to justify further acts of colonial violence against the Palm Island community.

A third explanation to these discrepancies in the reporting of subaltern resistance relates to the corporate structure of the Australian mainstream media and the ‘newsworthiness’ of events. The majority of Australians would be forgiven for not knowing the names of or circumstances surrounding the three most recent Indigenous deaths in custody — namely Mr Wallam, Stanley Lord and Miss Dhu — for their deaths registered a mere blip on the radar of the mainstream media. Despite the importance of issues such as Indigenous deaths in custody (including peaceful protests about deaths in custody), such issues do not sell news; nor does investigative journalism that exposes Australia’s disproportionate Indigenous incarceration rates and that makes its (presumably largely) non-Indigenous readers feel uncomfortable. Simply put, moral panics ‘sell’. It is thus unsurprising that the mainstream media focused so heavily on flag burning (the *actions* of the protest), rather than the *issues* at the heart of the protest. Therein lies an explanation of anomalies in Australian media’s accounts of American and Australian subaltern resistance: reportage on subaltern resistance occurring overseas does not pose a direct threat to the readership or market share. Yet the ‘newsworthiness’ hypothesis cannot completely account for the Australian media’s differential treatment of deaths in custody.

A fourth and related explanation to these differences in accounts is that it may be easier to write about the historical dimensions underlying police brutality and racial conflict occurring overseas. The racial dimensions of events in Ferguson — the death of a Black teenager at the hands of a White police officer — may seem more obvious to the Australian press and easier for its readers to comprehend. Palm Island's local history is vital to understanding the events in Palm Island, yet was sorely lacking from Australian mainstream media accounts. While the Australian media made some reference to the historic origins of police brutality in the US, there is a dearth of articles exploring the deep colonial roots of police brutality in Australia. Yet Australian policing history goes to the heart of many issues regarding contemporary deaths in custody. In the colony of New South Wales, for example, the activities of the Mounted Police Force — which historian Henry Reynolds describes as 'the most violent organisation in Australian History' (1987:27) — included fighting frontier wars and extending the colonial frontier. From 1909 in New South Wales, state police officers were given broad powers in the policing of reserves and in the removal of Aboriginal children from their families. Neo-colonial violence continues today via deaths in custody, over-policing, harassment, heavy-handed policing and over-surveillance, as documented in the Royal Commission into Aboriginal Deaths in Custody (Johnston 1991) and the National Inquiry into Racist Violence (Human Rights and Equal Opportunity Commission 1991). The obviousness of racial politics and history go some way in explaining anomalies of media and political coverage, but is in some ways incomplete. First, though the Australian media did acknowledge some historical and social context to events in Ferguson (including some references to Jim Crow laws, police brutality, slavery, Trayvon Martin, Rodney King and other instances of police brutality), there was not much depth to these analyses. Second, the contemporaneous police killing of Mark Duggan in London in 2011 and the ensuing riots saw a degree of racialised demoning in coverage of the events by the Australian media. Media coverage in *The Sydney Morning Herald* (Kwek 2011; Millard 2011), *ABC News* (Williams 2011) and *The Daily Telegraph* (Anon 2011) tended to focus on the riots rather than the death in custody, echoing the sensationalism of the UK media. Hence, while it may be easier to condemn police brutality occurring elsewhere, this hypothesis ultimately falls short in explaining these discrepancies.

A fifth possibility relates to the emergence and growth of social media. Social media has been integral to both demonstrations and the building of the second civil rights movement in the US. Social media provides an important site for contesting and critiquing coverage of events within the mainstream media. In a post that went viral on social media, Murri activist Sam Watson asked the following (in response to media coverage of G20 protests in Brisbane): 'Four Aboriginal people died in custody in the last four weeks and not one headline. Our young people burn six flags at a protest and suddenly there is a national outrage. Why are six pieces of cloth worth more media attention than the four Aboriginal lives?' Since the time of Cohen's writing, the media of postmodern times has diversified (McRobbie and Thornton 1995). Because of this, moral panics now appear 'with greater regularity and in a more orchestrated fashion' than previously (Atmore 1999:19), and 'folk devils' are now able to 'fight back' and contest their label as 'deviants' (McRobbie and Thornton:73; see also Donson et al 2004). Social media outlets provide the potential for individuals to 'speak back' to sensationalist and stylised accounts in the mainstream media. The growth of social media also provides a significant boost to distribution and accessibility of alternative media (for example, *The Conversation*, *The Guardian*, *New Matilda*, *The Bush Telegraph*) and Indigenous media.

There have also been important developments in Australian Indigenous print, radio and television media over the past 20 years. For example, *Koori Mail*, in operation since 1991, is an Indigenous-owned and operated newspaper which currently has a readership of 90 000 per

fortnight. The *National Indigenous Times*, in operation since 2002, and *Tracker* were Indigenous-based newspapers with Australia-wide distribution. In addition to these two sizeable print media organisations, there are also several locally owned media organisations (for example, the Brisbane *Indigenous Media Organisation*) and locally owned newspapers (for example, *Yamaji News* in Geraldton). There are various Indigenous-owned radio stations (for example, *Koori Radio* in Sydney) and Indigenous-run televised media (for example, National Indigenous Television) and local stations (for example, *Imparja Television* in the Northern Territory), just to name a few. Indigenous media serves an essential function in providing an outlet for community-generated information as well as countering a generally negative and stereotypical coverage in mainstream media. Indigenous-owned and -controlled social media platform 'IndigenousX', for example, posts links to media articles by Indigenous and alternative to its Twitter followers (currently over 19 000). The events in Palm Island predated social media such as Twitter, which was launched in 2006, so it remains to be seen the potential impact of social media on future reporting by the mainstream press. Nevertheless, one striking contrast to mainstream media's response is the extensive reportage on complaints against police during the state's emergency response, including the mistreatment of children and the elderly (Nahrmanah 2004:1; Forde 2005:1). In an interview with *Koori Mail*, Auntie Mary Twaddle stated that 'the people who were allegedly involved in the Palm Island riot were immediately arrested and locked up without any opportunity to prove their innocence at the time, and none of these people had killed anyone' (Wilson 2006:1). Indigenous media was particularly critical of the labelling of all participants as 'rioters', and stressed the moral righteousness of Palm Islanders. For example, *Koori Mail* reported from a protest in Townsville that 'many marchers chanted his [Lex Wotton's] name and declared him a hero' (Wilson 2004:3). In these ways, Indigenous media provided a powerful source in questioning misinformation within the mainstream media portrayal.

A final possibility, then, and one that is the most difficult to accept, could exist at a broader societal level. Could it be that there is simply no 'burgeoning civil rights movement' in Australia to report on? Indigenous resistance against police brutality and deaths has a long, sustained and ongoing history in Australia though, unfortunately, these protests have failed to elicit the concern of a broader mass of non-Indigenous Australians. Subaltern protests in the US are larger in terms of raw numbers — in Ferguson there were more than 50 protests groups, loosely arranged into affiliate groups with rules of engagement. This may be due in part due to sheer population differences.⁵ Civil dissent in the US has also been more diverse — Congressional Walkouts, 'die ins', and other publicised acts of solidarity (the WuTang Clan released a video clip 'A Better Tomorrow' which included footage of protests; famous NBA basketball player LeBron James wore a shirt emblazoned with Eric Garner's final words, 'I can't breathe') have been staged in addition to traditional street protests. Yet, for all these differences, an earlier period saw US civil rights struggles become an inspiration for Black activism in Australia, including the Freedom Rides of 1965, and the establishment of the Aboriginal Tent Embassy in 1972, among many others. If there is a current 'burgeoning civil rights movement' in the US, could there be hope here, in Australia?

Perhaps the majority of Australians are unaware of the current statistics on Indigenous deaths in custody.⁶ Australians may be ignorant of the fact that the rate per 100 000 of

⁵ The current population of Indigenous Australians is 669 881, representing 3 per cent of the total Australian population of 22 million (ABS 2013) compared with 42 million African Americans and 3.7 million Native Americans (representing 13.2 and 1.2 per cent respectively of the total US population of 316 million) (United States Census Bureau 2011).

⁶ Current statistics indicate that Indigenous Australians comprise 2.3 per cent of the total Australian population, yet account for 24 per cent of the total prison population and 33 per cent of the total number of persons held in

Australian Indigenous imprisonment exceeds that of African Americans (Weatherburn 2014). Or perhaps there is apathy and indifference about how to remedy the reality of rising incarceration rates 20 years on from the publication of the Royal Commission into Aboriginal Deaths in Custody. Has Australia as a nation become desensitised to the tragedy of Black deaths in custody? Whatever the reason, a sad truth must be acknowledged: the response of Australians in the wake of recent Indigenous deaths in custody has been one of haunting silence.

Conclusion

What actions are cast as deviant, when and by whom are factors that significantly vary. Cohen's (1972) concept of moral panic exposes the ways in which the media and moral entrepreneurs actively constructed Palm Islanders as 'folk devils' and provoked feelings of moral indignation towards them. Curiously, the same elements of fear, anxiety and moral panic are surprisingly lacking from media accounts of subaltern resistance occurring in Ferguson. The portrayals of subaltern resistance in the Australian mainstream media can hence be described as contradictory and paradoxical. The Australian media's propensity for moral panic and sensationalist cliché in its reports on Indigenous resistance towards police brutality is apparent. Given that, in contemporary Australia, six out of 10 Australians have had little or no contact with Indigenous Australians (Sharkey and Weekley 2014), moral panic does little to help dispel stereotypes and misinformation about Indigenous affairs. This is disappointing, because if there is one issue that warrants a collective response of outrage and social unsettling, it is that of Indigenous deaths in custody.

Case

Henry v Thompson (1989) 2 Qd R 412

Legislation

Aboriginals Protection and Restriction of the Sale of Opium Act 1897 (Qld)

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police custody (Beacroft, Lyneham and Willis 2012). Indigenous young people make up 59 per cent of the population within juvenile detention centres at a national level (Richards 2011). The rates of Indigenous incarceration have *increased* since the publication of the RCIADIC (Beacroft, Lyneham and Willis 2012).

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