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# The Role Of Social Darwinism In Criminology Of Aboriginals

Across all professions that work with people, prejudices influence conduct and create considerable ethical dilemmas. One ethical issues for a criminologist working with Indigenous Australians is the overrepresentation of First Nations People in the criminal justice system. This can be attributed to over policing, discriminatory use of discernment and social influences (drugs, alcohol, parenting and poverty). However, we can address and minimise these issues by acknowledging our unconscious bias, understanding ideologies such as social Darwinism and how that affects power imbalances, both past and present, an understanding of history and intergenerational trauma, and the ability to distinguish between individual and social problems, all of which are skills taught in courses like SCS130.

A criminologist's role is to explore the strengths and weaknesses of the justice system, keep laws relevant, assess reasons behind criminal behaviour, crime prevention and reduction, and policing strategies and corrections (Good Universities Guide 2016). They work with individuals and wider communities, focussing on disadvantaged groups. One ethical issues criminologist face is the over representation of Indigenous Australians in the justice system. Between 2000 and 2008, the Indigenous incarceration rate had increased by 34.5% (Australian Institute of Criminology 2009). Indigenous people were 17.2 times more likely to be incarcerated than non-Indigenous people in 2008, with 1,6523 prisoners for every 100 000 Indigenous adults (Australian Institute of Criminology 2009).

One key contributor to higher Indigenous arrest rates is the issue of discriminatory police discernment, which this can be minimised through acknowledging and resisting unconscious biases. Police discernment is unavoidable (Egger and Findlay 1988) - individuals choose what offences are worth pursuing and organisational choices centre around resource allocation for offences and locations. However, Cuneen (1992) observed this being implemented in a way that negatively impacted Indigenous Australians. The studies of Eggleston (1976) found that Indigenous Australians were mostly charged for street crimes: public drunkenness or disorder, graffiti, vandalism, social incivilities and offensive language (Mazerolle 2015), which are not a significant threat to society. The over offending rate for low level crimes does not suggest that Indigenous people are more inclined towards criminal behaviour but that there is a flaw in our justice system that leads them to be more likely to be arrested and charged than non-Indigenous Australians and for less serious reasons (Clifford 1982). This can be attributed to our unconscious bias, which often goes unnoticed and uncontrolled (Equality Challenge Unit 2013). For example, racism is, in many people, an unconscious bias –discrimination or different treatment of people according to race (Anti-Defamation League 2019). It results in us treating individuals differently without just reason, such as arresting an Indigenous man for a reason the we would not necessarily arrest a 'white' man. However, a study by Devine (1989) found that the difference between prejudiced and not prejudiced people is not how many prejudices they held but rather their ability to resist them. Many of the biases individuals hold come from external factors, such as the views of peers or misinformed stereotypes perpetuated by media. Such myths and misconceptions are addressed and corrected in the week two content of SCS130, meaning that student can go into future professions with a more accurate, less prejudiced view of Indigenous Australians. Similarly, they are ingrained into the policies that

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govern our culture, as explored in the Week 3 content. By completing a course such as SCS130, students can address their unconscious biases and those in the society around us and develop the ability to resist them, which promotes a future where Indigenous people are treated more fairly in the justice system without facing discriminatory discernment.

Avoiding over policing is another ethical issue criminologists must face, however an understanding of social Darwinism and how that affects both past and present social structures and power dynamics can provide some clarity. Over policing is the use of unreasonable intervention relating to criminal issues, reflected in both the extent and nature of police involvement -this may look like increased police presence in Indigenous communities, racial profiling, unnecessary surveillance, and intervention (Williams-Mozley 2015). Palm Island, 2004 made this evident when after the death of an Indigenous man in police custody, excessive police officers were deployed to the island to respond to an 'uprising' in the community. The family reported feeling intimidated and harassed by policeman (Watson 2010), during a time of mourning, when sympathy and privacy would be expected from authorities. Since colonisation, European settlers have used a range of excuse to exercise unnecessary control over Indigenous lifestyle and enforce the 'white' way of life. Two of the most damaging examples of this are the removal of Indigenous children from their parents and the issue of stolen wages, which are explored in week 5 and 7 of SCS130. It is estimated that around 10% of Aboriginal children were removed from their parents between 1910 and 1970, or around 25000 children (Manne 2001), and that roughly FIND HOW MUCH MONEY IS OWED FROM NOTES. Social Darwinism is the idea that some cultures are superior and more evolved than others (Halliday 1971). It was a dominant ideology in the 19th and 20th centuries and influenced policies that sought to exert control over Indigenous Australians. It accepted that the European way of life was 'normal' and anything else was 'primitive' and inferior'. This ideology is still relevant today, and can be observed in the over policing of Indigenous Australians - the law can be used as an excuse to micromanage Indigenous communities, and exert control over everyday choices. It's another enforcer of social Darwinism and promotion of the 'white' way of life. SCS130 emphasises teaching both what Social Darwinism is and how it affected policies in the past, such as the removal of Indigenous children and the inability for Indigenous people to receive a fair wage. As a criminologist, it is important to recognise that the law favours 'white' ways of life, and using it to justify unnecessary involvement in Indigenous lives is merely an extension of the coloniser attitude of superiority. By understanding and being able to recognise this ideology, taught in classes like SCS 130, we can recognise similar power structures prevalent in the world today and as a criminologist, allocate resources in a way the promotes safety rather than scrutiny.

Possibly the most controversial issue of Aboriginal criminality is the higher rates of alcohol and drugs use, disconnected parenting and poverty in Indigenous communities. Dealing with this presents a considerable ethical dilemma for criminologists, however, an understanding of the sociological perspective and intergeneration trauma changes approaches to Aboriginal criminality. Of all clients in drug and alcohol services in 2015, 15% were Indigenous, which is an over representation of the population (Australian Institute of Health and Welfare 2018). Additionally, the Census 2001 found that the average Indigenous household income in Australia is only 62% of the average non-Indigenous household income, with the gap increasing even more in rural areas (Australian Human Rights Commission 2006). In 2015-16, 48% of young people under youth justice supervision were Indigenous, and children were 7 times more likely to have received child protection services than non-Indigenous (Australian Institute of Health and Welfare 2017). Therefore, children are not able to form significant bonds with their parents.

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Weak parent-child attachment, alcohol and drug abuse and economic stress all correlate positively with crime rates (Weatherburn 2001). Whilst it is easy to assume that the effects of these things on a person may be the result of individual choices or faults, Mills (1959) sociological imagination theory requires us to consider the distinction between an individual problem and larger social problems - the high drug and alcohol use amongst Indigenous communities is not because they lack self-control, or are more prone to any other negative character trait but rather, there is a social problem correlating with this. One relating social problem is the role of intergenerational trauma – trauma (an overwhelming response to a disastrous event rendering a person unable to cope) passed down from the original survivors to future generations through parenting styles, behaviours, substance abuse issues and mental health problems (Healing Foundation 2013). For First Nations people, this outlines how issues such as the frontier violence, removal of children, lack of recognition as custodians of the land, displacement and other effects of the colonisation of Australia affect day to day life. The shared history taught in SCS130 as well as the understanding of the sociological perspectives changes the approach of a criminologist to Indigenous people whose offences may be a result of social influences. Rather than condemnation for poor choices, better recognition of traumas and responsibility Australia holds to its first Nations people may be more effective.

The over representation of Indigenous people in the justice system is a significant ethical issue for a criminologist, attributed to over policing, discriminatory use of discretion and the influence of drugs, alcohol, disconnected parenting and poverty. However, an understanding of the Sociological Imagination, Social Darwinism unconscious bias and the shared history of Australia, as taught in courses like SCS130 can change the way we approach these issues. Discriminatory use of discretion can be attributed to our often unrecognised racist bias that is further perpetuated by politics and the media, however recognising this and resisting it leads to better and fairer implementation of policies. Over policing can be recognised as an extension of the power dynamics that stem from Social Darwinism and beliefs of European lifestyle as normality and the over representative use of drugs and alcohol, separation from parents and higher rates of poverty, which increase crime rates are not the result of individual choices but rather a larger social problem, particularly the intergenerational trauma from ongoing effects of colonisation. The curriculum of SCS130 has the potential to lead to a more sympathetic and equality based justice system, that addresses and recognises its own faults rather than condemning individuals.