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## *Jindabyne* and the Apology: Intercultural Relations, Violence, Ethics, and the Precarious State of Reconciliation in Australian Cinema

The Australian film *Jindabyne* (dir. Ray Lawrence, 2006) opens with a blurry shot of dry grasslands and a string of barbed wire in sharp focus horizontally across the screen (Fig. 1). The shot runs for 32 seconds before the camera tilts up, bringing into focus both the grassland and a cluster of huge boulders on a hill in the background – all in one take, no cut. Next the camera shows a pick-up truck, motor idling, with an older non-Aboriginal man behind the wheel hiding behind the rocks – the murderer of an Aboriginal woman, as we will learn later – followed by an extreme high angle long shot of the dry landscape below the hill where a car is approaching. Shots inside the car present a young Aboriginal woman, happily driving, while intercutting shows the man leaving his hide-out to intercept her.

With this strong beginning, Lawrence sets the tone for a film that explores the very complex cultural, psychological, emotional, and also political and economic relations in a neo-colonial Australia that struggles with its colonial past and future reconciliation. *Jindabyne*, based on the Raymond Carver short story “So much Water So Close to Home” (1981) and its other version “Where I’m Calling From” (1989), was released to much critical acclaim.<sup>1</sup> The film unrelentingly exposes the strained relationship between white and Aboriginal Australia two years before Prime Minister Kevin Rudd delivered a national apology to Aboriginal people.

This article will discuss the film *Jindabyne* and its presentation of

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<sup>1</sup> For a discussion of the adaptation, see Brosch 2012.

intercultural and intracultural relations and conflicts in Australia with a focus on racist and sexist violence against Aboriginal women. It will use as a background discussions of the film as adaptation, for example Renate Brosch's fine study of dynamics of adaptation and images increasing emotional effect (Brosch 2012). On the basis of Ian Buchanan's thorough analysis of the film's contextualization of the national apology to the Stolen Generations, it will further read the film as an allegory for the precarious and protracted process leading towards the apology to Aboriginal people in February 2008. These discussions are embedded in the theoretical ideas by Andrea Smith on the "rapability" of Indigenous women, Judith Butler on life existing through grievability and Julie McGonegal on postcolonial forgiveness and reconciliation. In order to show how films create meaning, and extending the illustrated review by Andrea Grunert, the article will connect the arguments to an analysis of cinematic employment of selected images and, to a lesser extent, camera work that produce plot narration and symbolic meanings, coupled with a look at the film's intermedial reference to Aboriginal painting.

## **Synopsis**

We do not see a crime committed but will learn later that the young woman Susan, who was driving, has been brutally raped and murdered. After the opening shots, the film takes us to the small town of Jindabyne and introduces four friends and their families, the men taking leave to their annual fly-fishing trip to a remote river. They park their car on a mountain road and hike with their gear to their fishing spot. In the river, Stewart Kane and his friends discover the dead body of Susan, which appears to seriously move them. Their mobile phones do not have reception, but instead of hiking out and getting the police, they tie her to a rock and start their fishing; they will not have their weekend spoiled by a dead Aboriginal woman, apparently. After their return, uproar breaks loose in the small town: the men are accused of having enjoyed their fishing beside the young woman's body. The local police officer berates them: "We don't step over bodies in order to enjoy our leisure activities. You're a pack of bloody idiots. I'm ashamed of you. The

whole town's ashamed of you." Claire Kane is shocked over her husband's heartless behaviour, emotionally removes herself from him, and their marriage slowly disintegrates. Claire attempts to make her husband, his friends, and the community aware of the men's callous failure in order to seek some sort of reconciliation and justice, while some of her friends and fellow townspeople urge her to abandon the matter; they seem to want to displace their guilt and responsibility. She tries to contact Susan's family and collects money for the funeral but meets disapproval and even hostility on both the Aboriginal and the non-Aboriginal sides. The four men, like many in town, do not think that they did anything wrong and are surprised by the reproaches they receive and angry reactions of Aboriginal people.

Understanding and reconciliation seem difficult to attain in this community. Susan's family and friends gather in a small valley outside town to mourn, telling stories and singing songs to Susan. On her way to the mourning ceremony, Claire in her car is pursued and stopped by the killer, as Susan did; he also attends the ceremony, nobody suspecting him. Claire is not really welcomed at the ceremony. The focus on the Kanes' dealing with this traumatic event reveals numbing marriage routine, failed expectations, past failures, tensions, and contradictions in their relationship and within the spouses themselves, performed brilliantly by Gabriel Byrne and Laura Linney.

With this film, director Ray Lawrence and script writer Beatrix Christian take issue with high levels of racist and sexist violence against Aboriginal women in Australia, and with the attitudes and ethics that influence interactions between the largely non-Aboriginal mainstream and marginalized Aboriginal people. The film is not framed as a murder mystery, as we see the perpetrator at the beginning and recognize him several times as one of the townsfolk; rather it stresses the psychological components of ethics and justice located in the *liminal zone* between two cultures and life worlds.



Fig. 1: Opening Shot of *Jindabyne* © April Films

### ***Jindabyne's* Intermediality**

Figure 1, the opening shot described above, speaks strongly to the Aboriginal painter Lin Onus's work "Twice Upon a Time" (1992). The piece presents serene lake scenery with a few trees and an abandoned simple wood shelter at sunset time in the Australian bush on a canvas with frilly edges, placed on top of an image of carved tree trunks with twigs and leaves, and a string of barbed wire across the image. Onus's work is a kind of postcolonial mimicry, *painting* back to the Empire in the sense of postcolonial 'writing back to the Empire', and this painting draws attention to the representational politics of the settler state that fortified the trope of Australian land as *terra nullius*, and the colonial notion of the Aboriginal Australian as either vanished or vanishing. The barbed wire pinpoints the historical dispossession, removal, and confinement of the Aboriginal population to certain places, as well as the violence of eradicating the Aboriginal presence from the national discourse and consciousness. In Onus's painting the colonial canvas seems to be literally ripped out of its frame, and figuratively out of the context of the settler museum. It is placed into the Australian landscape (onto carved tree trunks); in this sense the painting

symbolically re-configurates the landscape as Aboriginal, and the image of carved trees re-introduces Aboriginal presence into the national discourse. Bill Ashcroft sees a “meta-representational” aspect in the painting, with a tension between the tranquil mimicry of nineteenth-century Arcadian painting (Onus mimics H.J. Johnstone’s 1880 painting “Evening Shadows, Backwater of the Murray South Australia”) and the barbed wire’s “‘menace’ of disruption and subversiveness” that uncovers the ideology behind colonial practices of representation (Ashcroft 2014: 36).<sup>2</sup> Onus deliberately erases the Aboriginal family that was present around the shelter in Johnstone’s painting and in this way creates Aboriginal people as uncanny absence or haunting ghosts in the Australian landscape. He paints the barbed wire in the way that it throws a shadow across the complete width of his mimicked colonial canvas, symbolizing the long shadow of colonization. It thus also indicates that the carved wooden background and the barbed wire are a three-dimensional frame separated from the two-dimensional mimicking painting; the barbed wire marks both, the mimicked settler colonial and the Aboriginal landscape. While *Jindabyne*’s opening shot can be read as homage to the late Lin Onus and his anticolonial work, I argue that the shot has deeper meaning for the film itself and its self-reflexive scrutiny of settler Australia.

Figure 1 shows the still shot that presents the intermedial link between the painting and the film. Lawrence details only part of the landscape, long grass filmed in a blurry shot slightly moving in the wind; it becomes part of a more and more complete landscape with the following tilt, zoom in and next shots. Instead of Johnstone’s complete ‘pastoral’ scene with minimal Aboriginal presence and Onus’s gothic absence of Aboriginal people, Lawrence uses a blurry fragment of the Australian landscape for his opening shot, which is also marked by a barbed wire horizontally across the screen. It poses as a cinematographic response to Onus’s work, where the blurry image and the barbed wire frustrate a clear view of the landscape. Two later shots present the killer’s POV (point of view)

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<sup>2</sup> Ashcroft’s “Hybridity and Transformation” (2013) contains a full reprint of the painting.

shot, in a black frame that imitates the killer's binoculars and his view of Susan's car in the landscape, and shortly after Susan's POV shot, framed by her car interior imitating her view of the landscape from out of the car. Only after these shots do viewers get an undisturbed extreme long shot of Susan's car on the road embedded in the landscape. The road also marks the landscape with settler presence. This visual introduction of the land as framed, fenced in or sealed off by Western practices (the barbed wire, the binoculars, the car, the asphalt road) visually brings to mind settler colonial presence and control of the land, and in analogy to Onus's work sets a context of settler colonial geopolitics.<sup>3</sup> The land is visually marked by barbed wire, supported by the fact that, as Figure 1 shows, the wire is in sharp focus and the grass land is blurred: like Onus's piece, I believe that Lawrence's opening presents the Australian landscape and, by extension, the Aboriginal population, as dispossessed and fenced in; as property owned by settler culture; and as bodies controlled, disciplined, and made subject to violence by settler culture. In analogy to the barbed wire in Onus's painting, I suggest that the wire here symbolically unsettles the colonial transformation – physically and discursively – of Aboriginal land and space into settler colonial land and space, which, indeed, has come to be seen as 'naturalized' white Australian land and space.

In contrast to the extreme long shot that embeds the Aboriginal woman and her car into the land and visually make her part of it, the killer is shown in medium and close shots as the ugly evil face of an extremely violent part of settler culture; he is presented as distinguishable, therefore separable from the Australian landscape. Indeed, the opening shots avoid any essentialism, and do not romanticize Aboriginal culture and connection to the land – popular and effective strategies for box office success. Aboriginal culture and the Australian landscape are presented as hybrid, marked by Eurocentric influences and colonial interventions. And the opening expresses the director's concerns about *his* country's issues of land

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<sup>3</sup> Cf. Melissa Lucashenko's novel *Mullumbimby*, where the protagonist Jo muses about wires, fences, boundaries and bitumen the settlers use to "bind their gift of a continent to themselves" (Lucashenko 133).

and dispossession, sexual violence, cultural rifts, inequalities, injustices, and ethical failures.

### **Racist and Sexist Violence Against Aboriginal Women**

Aboriginal women in Australia experience unproportionately high levels of sexual violence committed by both Aboriginal and non-Aboriginal men. "White Ribbon," Australia's campaign to stop violence against women, reported in 2013 that

Aboriginal and Torres Strait Islander women experience higher rates of violence than other women: 20% of Indigenous women experienced physical violence in the last 12 months, compared to 7% of non-Indigenous women. Despite representing just over 2% of the total Australian population, Indigenous women accounted for 15% of homicide victims in Australia in 2002-03. Various state-based studies find that Aboriginal women experience rates of domestic violence between 5 and 45 times higher, and rates of sexual assault 16 to 25 times higher, than among non-Aboriginal women. (White Ribbon, 3; Mouzos/Segrave 2004; Lievore 2003)

Aboriginal women suffer from sexual violence committed by non-Aboriginal men when detained in police custody, for example, or in bars and public places (Thomas 141; Andrews 926). Violence perpetrated by Aboriginal men is also rampant in Aboriginal communities. Penelope Andrews explains its causes as a complex set of entangled factors, among them colonization and dispossession, the resultantly appalling socio-economic conditions of many Aboriginal people, cultural devastation as an effect of colonization and Western influences, alcohol and substance abuse and ensuing violence, the disruption of Aboriginal systems of kinship and law, the overturn of traditional gender structures, and the breakdown of traditional social control of younger men (922, 926-928).

While domestic violence against Aboriginal women within Aboriginal communities gained at least some academic attention, and triggered social action by governmental bodies, Aboriginal and non-Aboriginal

organizations, and Aboriginal women themselves,<sup>4</sup> external violence committed by non-Aboriginal men, specifically in a contemporary context (the type contextualized in *Jindabyne*), has received less attention. This social phenomenon of violence to a great extent originates in the dispossession of Aboriginal people, the sanctioned brutality of white settler practices, and the after effects of colonialism; and it involves conditions such as the minority status and social and economic disadvantages of women, unequal access to societal resources, and the fact that they are the group in Australia that is “least well served by the legal system,” as Andrews argues (918, 926). Carol Thomas makes clear that Aboriginal women often do not trust the police due to repeated cases of slow response and inaction, of racist and sexist views towards Aboriginal women, and even rape and other forms of sexual harassment perpetrated by police officers themselves (141). Likewise, the women might distrust the court system, on account of its history of legalizing colonial injustices and its equally low opinions of Aboriginal women, and are less likely to report sexual crimes (142).

Moreover, Victorian gender regimes, implicit in the legal system, coupled with the privileging of male Aboriginal views and voices in all community matters by settler officials (Andrews 923, 925), weakened Aboriginal women’s traditional status and contributed to them being placed at the bottom rung of the emerging settler society. Additionally, there is a historical legacy of racist and sexist violence generated during the colonial period, when it was customary at stations for many white males, from proprietor, to stockman, to cook, to sexually abuse the resident Aboriginal women on a regular basis, seeing this “availability” of sexual opportunity as

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<sup>4</sup> Cf. Australian Government, Department of Social Services, “The National Plan to Reduce Violence against Women and their Children 2010 – 2022” of 2011, 20-22; the activities of the New South Wales Women’s Aboriginal Corporation, the Women Out West, Mudgin-Gal Aboriginal Corporation in Redfern, and Willa-Goonji Aboriginal Corporation Women’s Crisis Centre outlined in Thomas 143-147; and local projects in Aboriginal communities in Australia with a holistic approach and heeding communitarian tendencies of traditional Aboriginal societies as described in Andrews, 939-940.

their right to take (Thomas 140). Such high levels of accepted sexual abuse within settler culture during the colonial period continue to this day to influence stigmatising attitudes towards Aboriginal women. Racist and sexist stereotypes – of Aboriginal women having lower moral standards, being sexually promiscuous or even enjoying sexual subordination – in turn nurture hegemonic and misogynist mindsets and frames of thought that do not perceive racist and sexist violence as violence in the general sense, and as the violence experienced by the concerned women.

In other settler nations, such as Canada and the USA, sexual violence against Indigenous and also Black women is rampant. In the US, rates of abuse of Native and African American women are among the highest of any other group; they are often causally connected to unemployment and substance abuse of the perpetrator (Taft-Dick 2013). Canada's epidemic cases of sexual violence against Indigenous women have called Amnesty International to action. In 2004 they released a report on the phenomenon of disproportionately high numbers of missing and murdered Indigenous women in Canada, sexual violence mostly committed by non-Indigenous males. The Native Women's Association of Canada estimated in 2004 that "over the past twenty years more than five hundred Indigenous women may have been murdered or gone missing under circumstances suggesting violence" (NWAC in Amnesty International 2004). This number has risen to 1181 by 2014 according to RCMP statistics and is still rising ("Missing and Murdered"). These women are called the "Stolen Sisters" of Canada. Like in Australia, this phenomenon appears to be the gruesome result of the confluence of many factors: colonialism and respective politics, cultural and gender power relations, economic, political, and social marginalization of Aboriginal people, hegemonic notions of the "colonial other," sexist views of women in a patriarchal society, classist ideas of extremely impoverished groups in a rich First World country, and misogynist and stereotypical perceptions of Aboriginal women.

Andrea Smith suggests that “sexual violence is a tool by which certain peoples become marked as inherently ‘rapable,’” and that the colonial self saw the Aboriginal other as tainted, embodying a “*pollution* of which the colonial body must constantly purify itself” (3, 9). Since Aboriginal bodies are deemed “impure” they become sexually violable and “rapable” in the colonialist mindset, resulting in the controversial deduction that Aboriginal lands are by extension also inherently violable (10, 12, 55). In this line of thought, Bill Ashcroft, Gareth Griffiths, and Helen Tiffin argue that “the idea of colonization itself is grounded in a sexualized discourse of rape, penetration and impregnation, whilst the subsequent relationship of the colonizer and colonized is often presented in a discourse that is redolent of a sexualized exoticism” (1998: 40-41). Aboriginal women are often caught in a paradoxical double bind: they are fetishized and craved as exotic lovers, and at the same time shunned and despised as belonging to a supposedly inferior culture. This is what Robert Young calls “the ambivalent double gesture of repulsion and attraction that seems to lie at the heart of racism” (115) and violence – a paradox that works quite well in the colonial logic.

Lawrence subtly embeds Susan’s rape and murder in these historical, social, and psychological determinants. We see many shots of the vast land, at one point superimposed on an image of the dead Susan in the water (Fig. 2). This might recall the prevalent colonizers’ trope of the “discovered” land as passive, female, motherly, and nurturing, or virgin and unknown as Annette Kolodny has argued in the context of American history. “The land as essentially feminine,” being probably “America’s oldest and most cherished fantasies” (Kolodny 4-9, 11-12). This unknown, dark, and female land could be scrutinized, invaded, conquered, dominated, raped, and impregnated through male agency – I suggest interpreting them in historical analogy as acts of European exploration, military violence, settlement, and cultivation of European seeds. The film’s imagery is a highly interpretative kaleidoscope which shows images of (Aboriginal) lands and traces of settler intrusion. Aerial shots of the river and surrounding forest display the beauty of the land, which is nevertheless disturbed by

power lines that represent the invasive settler culture. Similar high angle shots of the arid land reveal roads that cut through them.



Fig. 2: Susan's body in the water superimposed on Lake Jindabyne landscape

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Figure 2 shows one frame of the superimposition of a landscape shot on a shot of Susan's body in the water, face down, her torso and legs filling almost the complete frame from left to right. This visual connection of the assaulted Aboriginal body with the water and the land supports Kolodny's notion and stresses the entanglement of colonial bio- and geopolitics, i.e. appropriation and control of as well as violence committed against Aboriginal bodies and lands. It is difficult to see shapes of Susan's body in Figure 2, partly because it is dark and partly because this frame is taken fairly at the end of the transition from one shot to the next, where viewers can barely make out Susan's body, an island in the lake in the left centre, and a stand of trees at the right hand side of the image. The screen shot is taken fairly at the end of the transition simply because the author did not want to repeat and disseminate the voyeuristic camera gaze at a woman's half-naked body and further contribute toward its objectification.



Fig. 3: Susan's body tied to a log and showing cut marks on her left ankle

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While Figure 2 is a highly symbolic image, Figure 3, which shows the thin string and its cut marks in close-up, is a direct visual presentation of twice-committed male violence, or better, the consequences of violence committed – first by the killer, raping, murdering, and discarding Susan and second by Kane and his friends, tying her body to a log, withholding ethical treatment of the dead woman, and causing additional cut marks on her lower leg. The close-up on her lower legs, shown in Figure 3, somewhat disturbs the voyeuristic gaze at the woman's body because of its fragmented presentation of one body part. Nevertheless, it repeats a cinematic objectification of the Aboriginal body; but here, I argue, it is precisely the point of the shot to visually stress the traces of male, and symbolically, of colonial violence. This shot, specifically, stands in connection to the discussed opening shot where the barbed wire represents geopolitical colonial control and domination of Aboriginal lands (displacement and confinement of Aboriginal people to certain lands). In Figure 3 the string and the cut marks represent biopolitical control of and violence against Aboriginal bodies. Both shots and their context, the story of rape and murder of an Aboriginal woman and the following unwillingness of some non-

Aboriginal men to act responsibly, cinematically enforce the linkage between geopolitical and biopolitical regimes in settler societies.

In general, the film presents cultivated landscapes and inhabited man-made areas in turn with landscapes seemingly without settler influence (albeit to a much lesser extent); specifically the setting of Susan's mourning ceremony is such a landscape. This cinematic design makes viewers aware of the constructed character of much of Australia's space, as Renate Brosch argues (2012: 93). But the film also works with upsetting cinematic oppositions: shots of Susan's corpse in the water, accompanied by an eerie lamenting melody sung by a female voice, are juxtaposed with idyllic shots of the river and the men fishing, accompanied by cheerful music. Most importantly, the camera visualizes the objectification of Susan: it shows the murderer dumping her half-naked and violated body into the river like garbage, and it shows Stewart tethering her to a rock in the water lest she float downriver, presenting close-ups of the string marks on her leg. The camera itself, and subsequently the audience, become complicit in a voyeuristic gaze upon the Aboriginal woman's body. In Robert Young's sense Susan's body is turned into an object of sexual and sadistic gratification, coldblooded disposal, and insensitive disregard at the hands of non-Aboriginal men. In addition, Lawrence includes shots of a dead guinea pig and dead bird that Tom (the Kanes' son) and his friend Caylin-Calandria have killed, as well as a dying trout Stewart has fished, to create a visual analogy to Susan. Lawrence thus draws attention to the disproportionately high and seemingly accepted violence against Aboriginal women. Susan in a sense represents all other victims of violence and murder in a white Australia that is largely unconcerned about this issue.

On the metaphoric level, the film works through the psychological make-up of a society in which a large part of the population sanctions the (symbolic) death of Aboriginal populations and does not take responsibility for it. Lawrence chose Jindabyne, a small town in South-east New South Wales named for its man-made lake. The lake was generated when the Snowy River valley was flooded

for the Snowy Mountain Scheme, an enormous hydroelectric project covering an area of 5000 square kilometres. It includes several rivers, a number of dams, aqueducts, water tunnels and hydro power plants, completed in the 1970s to secure power and water supply for Canberra and many adjacent rural communities. The old town of Jindabyne was flooded as well, and residents were relocated to a new site. Lawrence might have purposely connected this location with the dramatic account of the abuse and brutal murder of a young woman and following human indifference and lack of responsibility. In this sense, the analogy might be read as 'critical review' of Australia's industrial development projects with consequences of ecological destruction, such as the Snowy Mountain Hydroelectric Scheme or planned mega coal ports right along the coastline of the Great Barrier Reef. Such hydroelectric schemes, similar to mega ports, severely interfere with local ecosystems, destroy wildlife habitats, deplete fish populations, change landscapes, and cause shore erosion and severe ecological and economic deterioration (farming, tourism) due to lacking water in the natural river flows beyond the dams. It can be said that this setting in a national recreation area for hiking, fishing, skiing etc. – predominantly non-Aboriginal forms of recreation – with a sunken town stands in for settler Australia. The film metaphorically narrates submerged and displaced suffering and evils in a society that pretends harmony in interhuman and human-land relations. Claire's son Tom is afraid of swimming, not least because Stewart tells him about the sunken town, its church bell still ringing. Caylin imagines old townspeople as zombies with green slimy tongues, who attack unsuspecting swimmers. Tom nearly drowns when Caylin lures him into the water and later has a creepy encounter with a stranger, who accosts him as he waits on the beach when Claire takes a swim in the lake. Both, the lake and the river with Susan's body, hold evil, suffering, and destruction of bodies and land that come to the surface and haunt the Australian consciousness.

In this way, Lawrence configures the lake and submerged town as a version of Sigmund Freud's *Uncanny*, "that species of the frightening that goes back to what was once well known and had long been

familiar,” and “applies to everything that was intended to remain secret, hidden away, and has come into the open” (124, 132). This ‘Uncanny’ metaphorically stands in for evil and suffering, the darker side of society or the human psyche, and for historical crimes and culpability that are known but displaced and covered from society’s view, and that resurface in the form of evil and ghosts haunting the town. Renate Brosch holds that Tom’s encounter with the stranger and near drowning suggests “that people are being ‘pulled down’ by the past which they are at pains to ignore” (2012:91). The murder of the Aboriginal woman triggers the eruption of simmering intercultural conflicts into open hostilities. Lawrence and Christian work race relations into the script that do not exist in the short stories, i.e. a non-Aboriginal man rapes and murders an Aboriginal woman and non-Aboriginal men act unethically. This could imply that director and script writer are very much concerned with Australia’s intercultural relations and see simmering conflicts, displaced colonial guilt, lacking intercultural human respect, and lacking efforts to come to terms with colonial history as haunting the national Australian consciousness. All these are expressed in the plot, the haunting setting, and the haunting presence of the murderer.

### ***Jindabyne’s* Take on the National Apology to Aboriginal People**

From the arrival of the First Fleet at Sydney Cove Australia’s dealing with the Aboriginal population is predominantly a history of colonial injustices, imperial appropriation of land, unilateral legal decisions, disenfranchising and brutal politics as well as military and representational violence. Australian settler history was not always violent and saw also collaboration and adaptation on the Aboriginal part. However, this does not change the overall picture of often violent colonial take-over and neo-colonial politics of assimilation and domination. These include the 1835 Proclamation of *Terra Nullius*, the Black wars on Tasmania and the mainland, relocation of so-called Tasmanian Natives to Flinders Island, the forceful removal of Aboriginal children from their families and homes, the assimilation

policies of the 1950s to 1960s, and the Northern Territory Intervention in 2007. While the 1992 Mabo decision supported the recognition of Aboriginal title to land, Aboriginal people still have no extensive access to, and control over, traditional territories and remain marginalized, underprivileged, and largely dominated in their affairs by the Australian government and society. The initial opposition of the Howard government to the United Nations Declaration on the Rights of Indigenous Peoples in 2007, which was finally ratified by the Labor Party government, headed by Kevin Rudd in 2009, and the long-time refusal of the Howard government to issue an apology to Aboriginal people speak to neo-colonial power relations. Like Gail Jones in her novel *Sorry* (2007), Lawrence and Christian create an allegory between fictional events and Australia's general inability to take responsibility for colonial atrocities.

Susan's murder (and the callous behaviour of the men who find her) represent Australia's laborious and fraught attempt to come to terms with its colonial past, and its apology to Aboriginal inhabitants. The cultural theorist Ian Buchanan argues that *Jindabyne* reflects the cultural politics and problems surrounding the overdue apology (2012). In 1997 the national inquiry into the "Stolen Generation" released its report, "Bringing Them Home," about the fate and trauma of generations of children, chiefly mixed-raced who, between roughly 1910 and 1970 were systematically and mostly forcibly removed from their Aboriginal mothers and families and placed in mission schools, government institutions, and with white "foster parents," often as housemaids or workers. The notion behind this scheme was to "educate" these children according to Eurocentric religion, values, morals, and knowledge, and thus to obliterate Aboriginal culture, knowledge and behaviour in them – not unlike the boarding and residential schools systems in the USA and Canada. Gail Jones writes: "assimilationist eugenics, derogation or disregard for indigenous culture, and outright racism, combined to construct a state intervention aimed at eradicating, above all, Aboriginality itself" (163). The report, based on, among other things, 535 testimonies of "stolen children" recommended restitution, financial compensation, and apologies from involved agencies of the

church and government (Jones, 163-164). Since the report release the idea of a national apology to these displaced people was widely debated. Prime Minister John Howard and others reasoned that the present generation could not be expected to take the blame and apologize for earlier colonial politics it did not commit, a rationale that still occurs, as reactions to the apology on, for example, the "Sorry" website of Creative Spirits show.

In the film, the four men fail to act appropriately since they do not call the police immediately, nor do they take the woman's body out of the water and cover it, or grieve for a lost life – in short, they are unable to meet their ethical obligations, for the sake of their leisure activity. This appalling disregard for a dead Aboriginal woman, the film suggests, is symptomatic of Australia's larger disregard for Aboriginal people. Susan's presence in death does not trigger the ethical response (Buchanan 49) that it probably would, had she not been Aboriginal. This thought is voiced directly by a female member of Susan's family, framed as an interview in the local media. "They're animals," she says. "I don't know how any civilized human being could do what they did. And I really wonder how differently they would've acted if she were white."

The statement implies that Aboriginal women do not exist in the fishermen's perception of valuable life, and therefore stand outside of the structural frame of culturally accepted morals, and ethics. Buchanan astutely argues that such notion calls up Judith Butler's idea that life only exists when it is "grievable" (Butler 2010; Buchanan 49-51). If grievability does not exist, the person is culturally or socially dead.<sup>5</sup> In *Frames of War: When is Life Grievable?*, Butler further develops her earlier argument in *Precarious Life* that lives have to be understood as living within the

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<sup>5</sup> Jared Sexton, who uses the term 'social death' to articulate "racial slavery as a matrix of social, political, and economic relations surviving the era of abolition in the nineteenth century" (22-23) argues in this line. The notion of the continuation of the slavery regime in North America may also be applied to the neo-colonial and neo-liberal settler states, where colonial geo- and biopolitics are continued in a modified way and thus may produce social death of their Indigenous populations.

frames of society's categories, conventions, and norms that render them recognizable subjects in order to be seen as precarious, injured, or lost (2010: 1, 5). "If certain lives do not qualify as lives or are, from the start, not conceivable as lives within certain epistemological frames," argues Butler, "then these lives are never lived nor lost in the full sense." The frames through which we recognize lives are politically charged, or better, are "operations of power" that produce life and its (dis)regard (2010: 1). Butler presupposes grievability for valuable life, or "life that matters" (2010: 14). "Without grievability," she concludes, "there is no life, or, rather, there is something living that is other than life [an exception that, she holds, normativity is bound to produce]. Instead, 'there is a life that will never have been lived,' sustained by no regard, no testimony, and ungrieved when lost" (2010: 8, 15). Susan's life is thus unregarded and ungrieved, and the film visually presents this disregard as seen in Figure 3 and fleshes it out from the perspectives of the rapist and murderer, the fishermen, and the townsfolk who want to sweep Susan's death and following non-recognition under the carpet; or, to use the film's gothic metaphor, underneath the lake's surface.

Politically, the American philosopher and theorist Judith Butler extends her observations to argue that

such frames [of (non)recognition] are operative in imprisonment and torture, but also in the politics of immigration, according to which certain lives are perceived as lives while others, though apparently living, fail to assume perceptual form as such. Forms of racism instituted and active at the level of perception tend to produce iconic versions of populations who are eminently grievable, and others whose loss is no loss, and who remain ungrievable [There] ought to be a more inclusive and egalitarian way of recognizing precariousness, and [...] this should take form as concrete social policy regarding such issues as shelter, work, food, medical care, and legal status. (24, 13)

The men's inability to accept that they behaved unethically and need to apologize to the bereaved family echoes a lack of culpability for colonial atrocities and neo-colonial injustices among descendants of settler colonists, as parts of the Australian society did not share Rudd's expressed feelings of remorse (Buchanan 46-49, 52-53). The

fishermen are not portrayed as exceptions of a well-functioning society, or as individuals who fall out of society's accepted values but, in compliance with Butler's arguments (2010: 1, 64), their disregard for Susan's life is shown as product of a society that does not engage properly with "naturalized" cultural hierarchies, with established power relations that influence all aspects that produce life, and with colonial atrocities and politics that render a large part of the population disadvantaged, traumatized, and even dysfunctional. This is what Judith Butler describes as normative frame that hinders recognition of Aboriginal people as coequal subjects. But the filmmakers know better than to simply victimize Susan as *unrecognized* life. Claire, Carmel (Rocco's girlfriend), and possibly some people in town (viewers are made to feel that the townspeople are divided about the ethics at issue), are concerned and outraged about the killing and the fishermen's behaviour, and ask inconvenient questions that also risk relationships. They thus *recognize* Susan's life as valuable and grievable; to them she is not invisible, nor socially dead. And of course, the film presents Susan's life, her life not lived, her *angst*, suffering, and pain as valuable from the Aboriginal perspective, testified through the mourning, hostility, and even outrage of the Aboriginal family and community.

And yet, Claire is the only character in the film's focus that insistently strives for reconciliation against all odds and disapproval of both the Aboriginal and non-Aboriginal community in town. The film translates such "failed exchanges" (Brosch 2012 : 91) and emerging hostilities into visual images of windows and doors intercepting the gaze of Claire and Susan's family at each other after they slammed the door in Claire's face (*ibid.*); of hate slurs on Stewart's petrol station windows; his bloody nose after his friend Rocco hits him in the face, defending his Aboriginal girlfriend against Stewart's talk of "Aboriginal superstition;" and Carmel's angry face when she yells at Rocco that she can stand on her own. Renate Brosch argues that Claire is the representative of the supporters of the national apology and that she unconsciously identifies with Susan through her swimming in the river (in the short story) and in the lake (in the film), that triggers visions of herself as drowned

body – which is realized more directly in the story (ibid.: 91, 88). In addition, she is forced to identify with Susan's situation by also being targeted by the killer (the story and film remain ambiguous about what his motives are, regarding Claire). It is her determined insistence to accomplish reconciliation that actually achieves the first very cautiously successful encounter between non-Aboriginal and Aboriginal people in the film, when women welcome Claire at the mourning ceremony or, rather, call back a young man who tells Claire to leave. And this determined insistence and her threat to leave Stewart makes him and the men finally apologize during the ceremony, which reflects larger Australia's issues with culpability and collective responsibility.

The apology to the "Stolen Generations" of Aboriginal people on 13 February 2008<sup>6</sup> almost brought Australia to a halt for the duration of Rudd's speech. Aboriginal people from all over the country travelled to Canberra to witness this inspiring and uplifting moment in history (McGrath 47). Many people were moved to tears and Australia in general might have felt as one nation as it did never before. Aboriginal people gained a sense of belonging, of hope, of inclusion – possibly for the first time (47). For many, symbolic justice was achieved, and many non-Aboriginal and Aboriginal Australians might have felt that finally acknowledgement of the colonial past and its traumatizing politics (Jones 165), i.e. symbolic amends and reconciliation, and recognition of Aboriginal people on equal footing was attained. Many Aboriginal responses posted on the "Sorry"-website of Creative Spirits attest to this general excitement throughout the nation:

I feel great. I'm on top of the world, I'm floating on air. It's a big weight off my shoulders... It's the closure I need. [...] [It's] an apology not just for me, but for my mother and for my father and for my children who carry the burden and carry the weight of what happened to us stolen kids. (Archie Roach, 52, Aboriginal singer and songwriter and member of the Stolen Generations)

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<sup>6</sup> For a comparison between Rudd's apology and Canadian Prime Minister "Stephen Harper's apology to former students of Indian Residential Schools" on 11 June 2008, see Mann (2014).

I fully welcome the apology to the Stolen Generation as a lot of people will now know what took place. (Alec Kruger, 83, member of the Stolen Generations)

I'm really encouraged and buoyed by the chance that has been taken here to really open the door to the process of healing. (Dr Alex Brown, Aboriginal doctor)

Non-Aboriginal responses go in the same direction:

When Prime Minister Kevin Rudd said the words 'I am sorry' a wave of emotion and a process of healing began across the nation. (Brett Solomon, executive director of community advocacy organisation GetUp)

Now I believe that the colour bar which I intuitively feel still operates and works against us, will start to fade away. (Deborah Ruiz Wall, Newtown, Sydney)

Not all Aboriginal people fully accepted the apology, however:

The apology will help to heal the scars but it will never heal my pain and hurt. (Mary Farrell-Hooker, 50, member of the Stolen Generations)

The word 'sorry' doesn't come near what [my father] went through. They can apologise in a thousand different ways without saying sorry. Actions speak louder than words. (Norman Stewart, son of a Stolen Generations member)

Non-Aboriginal people were also critical of the apology, and some expressed racist opinions:

The whole sorry thing is really to satisfy the white population, not the black population. Until whites give back to black their nationhood, they can never claim their own, no matter how many flags they fly. (John Pilger, expat Australian journalist)

If someone can prove to me that there were stolen generations, I could change my mind ... The children in most cases were given up by parents or guardians who were unable to look after them. (Barbara Witte)

This is a disgrace. There are plenty of people out there who do not agree with the apology, [...] Mr Rudd does not speak for me, my children or my ancestors. (Nicky, newspaper reader)

These statements illustrate the emotionality of the speech for many Australians, but also that this very sensitive and traumatic part of Australian history still meets with callous denial and displacement, similar to the reaction of the four fishermen in the film, and still triggers racist responses. As the apology seemingly united Australians as no other historical event did before, it also appeared to divide the nation as nothing did before (McGrath 48).

Much political criticism comes from non-Aboriginal thinkers, who believe the apology did not do enough for reconciliation. Buchanan argues that while the apology addressed the socio-psychological dimension, "the felt need to expiate guilt," it did not address the political dimension, "the acceptance of responsibility and the offer to make amends" (52). Furthermore, he holds that it avoided any question of financial reparations. The apology did not confront the foundational crime of dispossession, nor the removal of children from their families (46). Also the immediate response delivered by opposition leader Brendan Nelson marred Kevin Rudd's honest apology and was, in a sense, a slap in the face of the Aboriginal population. In Nelson's response he advocated recognition of the "good people" in Australian history – the pioneers, worthy white ancestors, and ANZACs – and continued to speak of Aboriginal men sexually abusing Aboriginal children – a quite unnecessary offense that, in analogy, would not be tolerated if on ANZAC Day someone spoke publicly about sexual war crimes committed by Australian war veterans (McGrath 50). Neither was this pathological consequence of colonial and neo-colonial bio- and geopolitics, which amongst others triggered the Northern Territory Intervention, put in its larger historical context that includes the traumatic and systematic child removal on a national scale. The fact that not only the nation was divided over the apology and historical guilt behind it, but also that Australia's most powerful politicians performed this divide in

parliament spoils the apology, the momentous moment, and possible reconciliation.

In her book *Imagining Justice: The Politics of Postcolonial Forgiveness and Reconciliation*, Julie McGonegal warns that settler nations' rhetoric of reconciliation might veil colonial crimes and responsibilities, serve predominantly to procure national consolidation and international sanction, and might deter "redistributive justice and redress" (2009: xiv, 32, 39). She pinpoints problems surrounding the concept of reconciliation as it etymologically presupposes a prior conciliation, and further that accepted reconciliation might conjure "the image of oppressed, marginalized communities capitulating to the violent and unjust conditions of contemporary life" (32). Furthermore, discourses and practices of justice and reconciliation are predominantly couched in Western understandings of these concepts (35); and complete recovery from colonial and neo-colonial traumas can only be worked toward but never achieved (36).

Some critics<sup>7</sup> argue that discourse and politics of reconciliation entail the loss of critical anti-colonialist thought and practice as well as the settler culture's relinquishment of responsibility for its colonial past (31). However, McGonegal proposes that structural inequalities of postcolonial societies cannot be overcome unless societies seriously engage an ethics of reconciliation and strive to realize a time and space beyond violence. In order to achieve this objective, she says, it is inevitable "to actively engage with the past, not in order to efface it from memory, of course, but for the sake of reprocessing it into something new, of recuperating it as a resource for superseding the injustices of the present" (31-32). Reconciliation, according to her, must establish new conditions of interactions "centered on the ideals of negotiation, collaboration, and reciprocity" and must battle relentlessly to create a state of justice that never existed before (33). Combining critical thought of Julia Kristeva, Jacques Derrida, Mahatma Gandhi, and Desmond Tutu, McGonegal suggests that potential reconciliation and forgiveness, if they can be achieved or

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<sup>7</sup> See Parry 1995 and During 1998.

granted, may also restore agency and social order to the oppressed and victims of state and other violence. In other words, the power to give or withhold conciliation or forgiveness may re-establish subjectivity, agency, and power to victims of former colonial politics (38).

In *Jindabyne*, the young men at Susan's burial ceremony do not accept Claire's attempt to mourn for Susan with them, while the women do, indirectly. However, when Stewart apologizes to Susan's father, the latter throws sand at him in a rejecting and contemptuous gesture. While we could read these cinematic events as a first step towards reconciliation between the female characters, the men do not achieve similar reconciliation and forgiveness. Instead, the cinematic analogy proposes that pre-apology Australia was still struggling with reconciliation, and that this process did not involve the necessary negotiation, collaboration, and reciprocity that McGonegal calls for. With this plot turn, I argue, Lawrence and Christian prefigure Rudd's apology as what it was according to Ian Buchanan: "too little too late." Buchanan makes the point that the film performs the pre-apology struggles:

first, there was a refusal to accept that a wrong has occurred; when the stolen generations report made that position untenable, there was a steadfast refusal to accept responsibility for the wrongs documented in that report (58).

The film suggests that such an apology, although it may be received, might not be accepted. Susan's father rejects the fictional apology as incomplete, and the film lends him and the other Aboriginal men the authority and agency to deny reconciliation and withhold forgiveness. Echoing Buchanan's and McGonegal's reservations, the film leaves behind unanswered questions: What if Aboriginal people do not accept Australia's national apology, as is expected of them, in full knowledge of all the political and individual controversies surrounding it? What if they reject an apology that is not issued to all Aboriginal Australians and does not address fundamental injustices such as dispossession and brutal colonial politics? What if they reject it unless financial compensation and

concrete social action accompanies it? I believe that the filmmakers on purpose close with open questions. They have portrayed in anticipating analogy various reactions toward the apology and have pinpointed that much more dialogue and understanding is necessary should reconciliation ever be achieved. This indecisive ending very well reflects the postcolonial Aboriginal society where unilateral interpretations and all-encompassing, clear-cut solutions of complex historical and contemporary problems are neither available nor advisable.

### **An Ending without Conclusion**

The ending of the film is especially disturbing. Not only is the perpetrator not brought to justice, the film shows no detective activity at all, which suggests that its focus is not only on the crime itself but on the ethics and issues of justice and reconciliation tied to it as reflection ground for Australia's national historical and political issues.<sup>8</sup> The last shot shows the killer seeking out his next victim, hiding behind the same boulders. He slaps a wasp, and with that image and sound the film ends abruptly – it is not a beautiful, romantic, dramatic, or at least hopeful ending, and it does not provide a satisfying sense of closure. This daring ending, which does not deliver the expected forgiveness, points to the fact that racist and sexist violence against Aboriginal women continues while not enough measures are taken to combat it. And as allegory for the apology, the ending implies that the basic “crime” at the heart of the nation, colonization itself, is not properly addressed and therefore continues to disturb and traumatize the nation.

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<sup>8</sup> In contrast the detective thriller *Mystery Road* (2013), directed by Ivan Sen (Gamilaroi), features Aboriginal detective Swan, who must solve the brutal murder of an Aboriginal girl in an outback town. This film is a classic murder mystery, involving more missing girls, drugs, and a final shoot-out.

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