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DISCUSSION PAPER NO. 9

ABORIGINAL RECONCILIATION

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ATTENTION: TEACHERS/STUDENTS

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## ABORIGINAL RECONCILIATION

by Frank Brennan

### WHO ARE WE TALKING ABOUT ?

Aborigines are Australia's indigenous peoples. "Indigenous" means native or belonging originally to a country before invasion or settlement. Here are some interesting statistics demonstrating the number and diversity of indigenous people in Australian society.

In the 1991 Census, 1.6% of the Australian population were indigenous, 238,575 people identified themselves as being Aboriginal and 26,884 as Torres Strait Islander. They are descended from those who inhabited this continent and its offshore islands long before colonisation commenced in 1788 and 23% of the people living in the Northern Territory are indigenous but in Victoria only 0.4% are.

Whereas 63% of all Australians live in towns or cities of more than 100,000 people, the vast majority of Aboriginal and Torres Strait Islander people still live in rural areas. The national average is only 15%. Due to higher birth and death rates, the median age of indigenous Australians is only 19.7% compared with the national median age of 32.4. years.

Only 17% of indigenous Australians speak an indigenous language. In the Census, only 1.6% claim to follow an Aboriginal religion.

The 1991 Census identified 82,300 households with Aboriginal and Torres Strait Islander residents. Over half of these households also had non-Aboriginal residents. It is likely that at least a third of the indigenous population lives in households with non-Aboriginal residents. While only 25% of all Australians live in a household of five or more people, 60% of Aborigines and Torres Strait Islanders do so .

Indigenous peoples' lifestyles are not all the same. There are 8,000 Aborigines and Torres Strait Islanders who live alone. While some Aborigines and Torres Strait Islanders still live on their traditional lands in communities where they form the majority, others live in the suburbs living a life very similar to that of their non-Aboriginal neighbours. There are a whole variety of Aboriginal lifestyles. There are also a whole variety of Aboriginal aspirations.

### WHAT DO ABORIGINES AND TORRES STRAIT ISLANDERS WANT?

In 1988, when many Australians celebrated the Bicentenary of British Settlement, there was a lot of talk about the need for reconciliation among Australians. The

Aboriginal peoples saw little cause for celebration, as 1788 symbolised their dispossession. **Aboriginal peoples have said there can be no reconciliation without justice and there can be no reconciliation without recognition of who they are**, their connection with Australia and what has occurred since settlement. Like people of all nations confident of their own identity, we need to own our history, be responsible for our present, and shape our future.

Human history in this land spans 60,000 years. Much of the history prior to 1788 is unknown and lost. There have been many splendid achievements in the years since 1788 but there have also been great failures. Many Aborigines have taken heart from the words of Justices Deane and Gaudron of the High Court of Australia who, in their decision in the Mabo case, spoke of the destruction and "oppression and conflict which was, over the 19th century, to spread across the continent to dispossess, degrade and devastate the Aboriginal peoples and leave a national legacy of unutterable shame". **They spoke of Aboriginal dispossession being the "darkest of the history of this nation"**. Looking to the future, they said, "The nation as a whole must remain diminished unless and until there is an acknowledgment of, and retreat from, those past injustices."

**We cannot undo or make right all the injustices of the past. But we can own our history. First we must know it.** The history of Aboriginal dispossession and of European settlement is not contained in legal declarations made by Governor Phillip when he landed at Sydney Cove. This history played itself out in many different ways across the length and breadth of the land. Every local community, every Shire, every Region, and every City has its story. Aborigines want us all to know those stories and to own them.

Prior to the 1960s, Australia's attitude to Aborigines was generally indifference or merely an endeavour to forget their identity and integrate them into the system inherited from the British. There had been a period also of annihilation of Aboriginal communities. It was not until 1967 that many Aborigines could vote. There were many restrictions on their civil liberties and much racial discrimination. People were taken away from their land; children were forcibly separated from their parents. White public servants controlled every aspect of social life on Aboriginal reserves. **In justice, Aborigines wanted to be treated the same as other Australians and offered the same opportunities in life.** They did not want to be discriminated against because of their skin colour or their race. **They wanted a "fair go"**.

Getting a "fair go" does not necessarily mean being treated the same as everybody else. But that is a good start. Being treated differently against their wishes is unacceptable. Aboriginal and Torres Strait Islanders peoples often say they are not the same as everyone else. They are indigenous people with their own cultures and views on their origins and spiritual beliefs. Australians of migrant stock can look to other countries from where their original cultures came. For example, someone of Irish descent can look back to the Republic of Ireland where the Irish can be as Irish as they like, as well or as badly, as selfishly or selflessly as they will. **They can do "their thing" on their land, on their terms.** Australia is the only continent on earth where an Aborigine or a Torres

Strait Islander can have that opportunity, even though they are only 1.6% of the population.

The Aboriginal and Torres Strait Islander peoples have a strong spiritual link with the land. You will be familiar with stories of the Dreamtime that emphasise and connect Aboriginal identity with nature. Where Aboriginal peoples have not already been dispossessed of their land, they want to have secure title to the land. They want some say in the access which mining companies and other developers might have to their lands. They want to be able to run their own community affairs and keep their culture strong in schools and in ceremonies. To preserve their own unique identity.

#### WHAT DO OTHER AUSTRALIANS WANT?

Many Australians of goodwill say they have never dispossessed any Aboriginal person of any land. They have never abused their human rights. They have never acted to take away Aboriginal culture. They do not want to feel guilty for the past. **We must learn the difference between guilt for the past and owning the past.**

Many Australians say the present predicament of Aboriginal peoples has nothing to do with them. But as members of the one society built upon Aboriginal dispossession, we all have a responsibility for each other. Given the large-scale dispossession which has occurred, many Australians wonder where claims for compensation will end. They want certainty so that mining companies and other developers might generate income, create new jobs, generate taxation, and provide more job opportunities and wealth for the benefit of all Australians, including Aboriginal peoples and Torres Strait Islanders.

Most Australians promote racial harmony where race does not matter in the playground or in the street. They want a situation of peace and security for all especially in country towns. They want to be able to live together in good harmony with Aboriginal and Torres Strait Islanders. This can be assured by the legitimacy of the nation state which provides equality of opportunity for all Australians.

#### WHAT IS THE COUNCIL FOR ABORIGINAL RECONCILIATION ?

After the Bicentenary, all major political parties at the national level reached agreement on the need to promote reconciliation between Aboriginal and non-Aboriginal Australians over the decade 1991-2001 including the fostering of a continuing national commitment from governments at all levels to address the problem Aboriginal and Torres Strait Islander created by colonisation and occupation of Australia.

In 1991, the Commonwealth Parliament established the **Council for Aboriginal Reconciliation**. This Council comprises 25 community leaders, 14 of whom are indigenous. **The Council has a vision: "a united Australia which**

**represents this land of ours: values the Aboriginal and Torres Strait Islander heritage: and provides justice and equity for all".** The Council has identified eight key issues which are critical to reconciliation and addressing the problems.

- a greater understanding of the importance of the land and sea in Aboriginal Torres Strait Islander society
- better relationships between Aboriginal and Torres Strait Islander peoples and the wider community
- recognition that Aboriginal and Torres Strait Islander culture and heritage are a valued part of the Australian heritage
- a sense for all Australians of a shared ownership of their history
- a greater awareness of the causes of disadvantage that prevent Aboriginal and Torres Strait Islander peoples from achieving fair and proper standards in health, housing, employment and education
- a greater community response to addressing the underlying causes of the unacceptable high levels of custody in police and jail cells for Aboriginal and Torres Strait Islanders
- greater opportunity for Aboriginal and Torres Strait Islander peoples to control their destinies
- agreement on whether the process of reconciliation would be advanced by a document of reconciliation.

The Council is in the process of talking and listening to all Australians about whether things would be made better for Aboriginal and Torres Strait Islander people and the wider community by formalising the relationship between them through a document, a change to the Constitution, or some other change in the law to be formulated by 2001 - the centenary of Federation.

#### IS THERE STILL DISPOSSESSION ?

Prior to the Mabo decision, Aboriginal and Torres Strait Islander Peoples were not recognised as having any traditional rights and interests in their lands. Since the 1960s, governments have been granting some land titles to Aboriginal groups. But by then, most people had been dispossessed.

In remoter parts of Australia, Aboriginal and Torres Strait Islander People now have title to large areas of land. But in the more closely settled areas such as the south-east corridor of the country, Aborigines have, long since been dispossessed. When Aborigines lost their lands prior to 1975, they had no legal entitlement to compensation.

It is only because the Commonwealth Parliament passed the Racial Discrimination Act in 1975 that Aborigines now have a right to compensation for loss of their traditional lands. On lands where other Australians have freehold ownership and leasehold interests, Aborigines have lost their native title. The Commonwealth Parliament is now setting up a Land Acquisition Fund of \$45 million per annum which will allow Aboriginal Peoples to buy back some land.

## DO ABORIGINAL PEOPLE STILL NEED CULTURAL RECOGNITION ?

Aborigines are still worse off than most Australians when it comes to social needs such as income, employment, education and housing. While 11.2% of all Australians over the age of 15 years have an annual income of more than \$35,000 only 2.2% of indigenous Australians do. While 71.6% of Australians live in owner-occupied housing, only 30.2% of Aborigines do.

Unemployment is high for all Australians. Presently it is 11.4%. But for Aboriginal and Torres Strait Islander Peoples, it is 30.8%. While 8.7% of all Australians have a degree, only 0.9% of Aboriginal and Torres Strait Islander people do. 31.2% of Australians over the age of 15 years have some post-school qualification yet. Only 9.3% of indigenous Australians do. 21.2% of Australians between the ages of 15 and 24 are receiving some form of tertiary education; only 8.6% of Aboriginal and Torres Strait Islander people are.

Education is the key to employment. Employment is the key to home ownership and income. There are now 52,000 Aboriginal and Torres Strait Islander peoples receiving Abstudy which provides financial assistance for secondary and tertiary education. Hopefully, this financial assistance and incentive can help to break the cycle of disadvantage.

## WHAT MORE DO WE NEED TO DO TO BE RECONCILED?

**The most important issue for indigenous people all over the world is survival of their culture. Australian indigenous peoples have seen destruction of their cultures.** They are trying to stop these processes of change and to retrieve their choices and opportunities to live as Aboriginal peoples. Justice and recognition for indigenous **Australians require recognition of Aboriginal history, relationships to land, culture, language and way of life.**

Aborigines and Torres Strait Islanders deserve guaranteed equal access to the opportunities for participating in mainstream Australian life. They need not only financial assistance but also changes to laws and policy.

Some Aborigines and Torres Strait Islanders see a need for the formal constitutional recognition of their place in Australian society. They say we cannot be reconciled until Aborigines and Torres Strait Islanders are represented in our Parliaments and have taken their places in all major levels of Government. They say the Australian nation will not be secure and legitimate until there has been agreement reached with the indigenous people forgiving the past

dispossession. By guaranteeing to overcome disadvantage, we can work together for a reconciled society.

Mandawuy Yunupingu, lead singer of "Yothu Yindi" , has explained that the name "Yothu Yindi", conjures up the idea of balance, a harmony we actively work at. As Australian of the Year in 1993, the International Year of the World's Indigenous Peoples, he said:

Together in the twenty-first century, we can construct a unique way of life here, inspired by the tradition of Aboriginal Australian and of Europe and Asia. Land rights for Aboriginal Australians are in the best interests of all Australians. Land rights must respect the contributions made by those people who have immigrated here over the past two hundred years, as well as recognising the place of those who have always belonged to this land. That's what Yothu Yindi balance means.

In July 1994, the Council for Aboriginal Reconciliation, the Aboriginal and Torres Strait Islander Social Justice Commissioner, and the Aboriginal and Torres Strait Islander Commission commenced a process of consultation setting out five long term goals for social justice:

- getting a fair share
- recognition and empowerment
- cultural integrity and heritage protection
- economic development
- increased cultural awareness training for public servants

It is to be hoped that these goals will be achieved by a variety of processes and strategies that will involve all Australians of good will coming together to actively bring about a more just and harmonious society for all Australians by the year 2001.

#### QUESTIONS FOR DISCUSSION:

1. How can Aboriginal disadvantage be overcome?
2. Why should Aborigines be treated differently?
3. Why should there be special land rights for Aborigines?
4. Why can't we just forget about the past and get on with living together?
5. Isn't it racist to give certain people special rights and to design special programs for people on the basis of race?
6. What do you think it would be like to be Aboriginal in Australia in 1994?

## Further Reading

*Aboriginal Reconciliation - An Historical Perspective*

*Addressing the Key Issues for Reconciliation - Overview of Key Issue Papers 1-8*

*Agreeing on a Document: Will the Process of Reconciliation be Advanced by a Document or Documents of Reconciliation ?* Key Issue Paper No.7

*Australians for Reconciliation* Study Circle Kit

*Australians for Reconciliation - Working Together* Kit

*Council for Aboriginal Reconciliation Act 1991* (Commonwealth)

Council for Aboriginal Reconciliation Bill 1991 - Second Reading Speech by the Minister Assisting the Prime Minister for Aboriginal Reconciliation - the Honourable Robert Tickner M.P.

Council for Aboriginal Reconciliation, *Annual Report* 1991-92, 1992-93,

Council for Aboriginal for Aboriginal Reconciliation, *Triennial Strategic Plan*, 1992-93, 1993-94, 1994-95

Council for Aboriginal Reconciliation, Newsletter - *Walking Together*

*Exploring for Common Ground: Aboriginal Reconciliation and the Australian Mining Industry*

Extract from the Royal Commission into Aboriginal Deaths in Custody, *National Report*, Volume 5 , Chapter 38. The Process of Reconciliation

*Making things Right: Reconciliation after the High Court's Decision on Native Title.*

*The Little Red, Yellow & Black (and green and blue and white) Book: A short guide to indigenous Australia.*

*Sharing History: A Sense For All Australians of a Shared Ownership Of Their History*, Key Issue Paper No. 4

Study Circles - Material for study groups, examining a range of Aboriginal and Torres Strait Islander Issues, including Reconciliation

*Understanding Country: The Importance Of Land, Sea in Aboriginal and Torres Strait Islander Societies*, Key Issue Papers No.1

*The Position of Indigenous People in National Constitutions*, Conference

## Report

### *Working as One* - Reconciliation in the Workplace

## Biography

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Frank Brennan is a Jesuit Priest and lawyer. He has a long-standing involvement in and commitment to, Aboriginal issues. He is the former Director of Uniya, a national centre for social research and action and was, for many years, Aboriginal Affairs Adviser to the Australian Catholic Bishops Conference. He is currently visiting fellow at the Law program in the Research School of Social Sciences at the Australian National University.