



National Australia Bank Address
National Press Club, Canberra
13 February 2008

AFTER THE APOLOGY

I acknowledge the Ngambri-Ngunnawal peoples and thank the National Press Club for their kind invitation.

It was raining in Darwin when I left a couple of days ago and the wet is settled on the land. The wet season will remain for several more weeks yet before the season gives way to the dry around Easter. The cycle continues.

Here in the south the persistent drought seems to be ending, as even those most concerned at the reality of climate change knew it must. The political cycle however is less regular. Today in our Parliament, a crippling long dry spell may have just ended.

Up north the Aboriginal people of the Kimberley and the Northern Territory will be completing their annual cycle of ceremony and renewal of their cultural responsibilities. They will participate in ceremony and ritual that goes back to what our Yawuru people know as the Bugarrigarra – the time of the Dreaming.

Young people will move from adolescence to adulthood in ceremony and come out from the bush with a different set of rights and responsibilities within their community.

Old people will sing the songs of the country and teach intricate verse and dance that are the story of the land, the rivers and the seas of our people.

Throughout Australia other Aboriginal people are using contemporary forms to illustrate the nature of our Aboriginal society and to share elements of our story and society with non Indigenous Australians.

As a part of the festival of Perth the Bunuba people of the Fitzroy Valley in the Kimberley are presenting the play "Jandamarra". It tells the story of the Bunuba warrior Jandamarra and his battle with the colonisers of the Fitzroy Valley. Aboriginal and non Aboriginal actors are working together to tell the tale of resistance and of the Bunuba's fight to be Aboriginal people in their own domain.

Aboriginal and non Aboriginal musicians, led by Paul Kelly and Archie Roach, have been travelling the country singing the songs of Aboriginal people in their Black Armband Tour.

Small groups of individuals and families have gathered in homes and community centres around the country to watch the DVD *Liyarn Ngarn* – Archie Roach and Pete Postlethwaite’s journey in search of Aboriginal Australia and the underlying racism of our society told in conversation and the haunting beauty of Archie’s songs.

The audiences at the Festival of Perth, the fans at the Black Arm Band Tour Concerts and the families and community groups watching *Liyarn Ngarn* are on their own Journeys of Healing and Reconciliation. They understand what Richard Flanagan meant when he said “what Black Australia offers to the nation is not guilt about our history but an invitation to our future”

Today our National Parliament has taken the first step to accepting that invitation to the future! It is a courageous and welcome step.

The Nation, through our Prime Minister, Kevin Rudd, has apologised to the thousands of Indigenous people over many generations who were stolen or forcibly removed from their families, countries, languages and culture. It takes courage to apologise. It takes courage to forgive. It takes courage to begin a journey when the destination is imagined but not known.

On behalf of the nation the Parliament has recognised the truth of my brother Mick’s words to Prime Minister Howard. He told the PM that the *Bringing Them Home Report* contained the “...saddest of all stories”. We know these stories are as true as they are sad.

The Parliament has now accepted the complicity of Australian Governments in a misguided attempt to destroy our people. We welcome the Prime Minister’s commitment that those “saddest of all stories” will not be repeated in the future.

I would like to acknowledge the members of the Stolen Generations, and their families who have been victims of these racially motivated policies. We owe them our debt.

To those who fought against assimilation and assaults on our unique existence as Aboriginal and Torres Strait people I humbly express our gratitude.

Those of you who challenged the Nation to say sorry to the Stolen Generations and refused to accept half hearted expressions of regret we give our thanks.

To those of you who had the courage to challenge the racism of the past and tell your stories in courts only to be denied justice I commend your bravery and wish you peace and contentment in your remaining years.

To the children of those who were removed I challenge you to find the courage to forgive but never to forget what was done to your families and to take from their stories the commitment and courage to prevail as proud Aboriginal people.

And to those who participated in the removal process and who have looked into their own hearts and found that their intent was good I thank you for the care and love that you showed to those in need.

But to those whose intent was malign and motivation racist your actions have now been exposed and repudiated. You need to find the strength to disavow your racist intent and seek forgiveness or may your like never darken the door of this nation again.

But this is the day for Stolen Generation people. I'll say no more other than to those within our society with a duty of care to children that they need to exercise that duty with the utmost care and regard to the rights of those children.

The violence prevalent in too many of our own communities and families affects children and women and has to stop. Fathers and uncles also have a duty of care in both Aboriginal and Australian law.

There has been far too much brutality by black and white upon our people. It has taken us nowhere and diminishes our humanity.

Our next large national task now is to fight back against the causes of crushing poverty and injustice. Having turned the corner with a national apology we can now recommit to that national task in true partnership.

The Parliament's statement highlights the need for a better way of dealing with nation building. An Australian way. This challenge to build a new Australia is vital to us as indigenous peoples. It is also vital to the integrity of the nation itself.

In modern Australia Aboriginal people are still unrecognised within the constitution and do not have a recognised role to play in the building of our nation. The concept of terra nullius persists. We can change this together.

I agree with the Prime Minister that we have turned a page on the book of our national journey. We have on the table before us a clean page on which great things may be written.

A page which future generations of Australians might read with pride and recognise the moment when hope re-emerged.

The moment when we confronted our past and embarked on a journey of social revival characterised by vision, wisdom, courage and nation building.

A watershed Renaissance moment.

After this moment, Australia can be imagined as a different place. A place where Aboriginal citizens no longer live in third world conditions. A place where our kids are safe. A place where community rights, of choice, consultation, participation and responsibility matter more than administrative procedures and public sector management guidelines.

A focus upon regional governance has much to offer for the better delivery of services and for the development of strategies to come to grips with the real issues facing our communities. An army of public servants is not needed as much as competent structures engaging the Aboriginal people.

The task ahead is not to be underestimated. The facts are well known. They stand as a testament to our failures to date and will remain as blemishes on our National landscape unless we embark upon a new dialogue.

These blemishes are not tattoos or birthmarks. They are removable stains on the fabric of our society and we must begin the task immediately. Here are some key areas of action:

- The overrepresentation of Aboriginal people in our prison systems means that our communities are losing their young men and women at a time when they are most needed and most productive
- The appalling health figures where the gap on life expectancy remains so great with life style diseases being the main causes of death and ill health.
- The tragic suicide, drug taking and despair among so many in our communities, especially the young. This cheats many people of the full potential that life within a reconciled Australia could be.
- The inability of Government service providers to deliver citizenship services that most other Australians take for granted. The continued desire for the control and management of Aboriginal peoples seems to have led us to this sorry state.
- The inability of education providers to provide and sustain education facilities and curriculum that will enable our young people to compete in the mainstream economy and to develop regional and culturally relevant industries for our communities. Even mundane profit generating ones would not be too bad!
- The housing needs for basic shelter and security. Without this much else is difficult. It is urgent, costly but necessary. This has got to be a major priority.
- The importance of sustaining our languages, and our cultural practices. Since colonisation this has not been given a real consideration except to undermine its values and principles.
- The importance of native title rights and other rights gained by way of land and cultural heritage legislation. This is the post colonial recognition of our survival as peoples belonging to specific areas of country and with systems of governance and laws that have survived the

assaults of history. Should we work to sustain this remnant of the ancient traditions and ways or work at continually undermining it because it exists?

- The place of Aboriginal people in the constitutional and institutional frameworks of our nation has to be approached from the point of understanding what our greatest fears are about such a discussion and its outcome. This should not daunt us. We saw in the ceremonial opening of the Parliament that change to institutions is possible.
 - I look forward to the Usher of the black rod one day carrying a woman's digging stick, a powerful symbol of sustenance and strength.
- The South African constitution has now recognised hereditary chiefs with a clear and transparent relationship to the parliament and their constitutional court. From apartheid to democracy with good will change can happen.

These issues have been highlighted by Royal Commissions and Coronial Inquiries in every jurisdiction in this country for more than a century. They continue to challenge us.

This is a good time to ask ourselves why we have had such limited success in genuinely confronting our failure to bring the quality of life that most Australians take for granted to the Indigenous people of our country and to reconcile our position in our country.

The recent debate that has raged in the lead up to the National Apology to the Stolen Generations has not been edifying.

There is an exaggerated anxiety that there will be an avalanche of demands for monetary compensation.

Even if the court said there was a case for compensation would the scale cripple our economic future? Any group of people who have been treated badly under legitimate laws of the crown deserve to pursue compensation, judicially, legally and politically. They deserve our support.

Is our fear of having our past Governments and its servants condemned for their failure to act to protect Indigenous Australians so great that we simply cannot countenance the notion of reviewing their actions and establishing processes for recompense, restitution or reconciliation ?

The whole issue of making good on the past, including compensation for the stolen generation should indeed be pursued. Let us do so in a considered and negotiated manner as part of a carefully constructed process aimed at building an Australian nation that recognises and respects Aboriginal history, culture, language and society.

Consensus making and consultation processes have delivered a national apology. Such skills will be necessary on all sides to draw up the vision we needed for the future.

In recent years we have been engulfed in a spurious discourse over symbolism versus practical outcomes, over rights versus responsibilities and the notion that the collective or community is somehow at odds with the rights and aspirations of individuals.

We as a nation should be capable of developing public policy that recognises the fact that Indigenous society - which draws on thousands of years of cultural and religious connection to Australian lands - has survived.

We are capable of creating a relationship where the imperatives of Indigenous life are understood and respected by governments and institutionalised as part of good governance.

Symbolism is a powerful means to forge new thinking and discourse. I see today's apology as an epic gesture on the part of the Australian settler state to find accommodation with the dispossessed and colonised.

Let us not pretend that the journey from this point will not be challenging. It must involve the capacity of our leaders and opinion makers to imagine a renewed nation and to be prepared to take and support the steps towards a true Renaissance.

I know from my past experience as Chairman of the Aboriginal Reconciliation Council that there is a reservoir of goodwill in the Australian population to reconcile our history and cement an honoured and respected place for Indigenous people within our polity.

What has been lacking has been the political leadership and the will to harness the public yearning for national transformation.

The new Australian government talks of building bridges of engagement and building a national consensus on the evolving relationship between the Australian nation state and Indigenous peoples.

The Dialogue must begin immediately. Its scope must be defined through negotiation. Let us set the timelines with enough room to achieve the outcomes but with clearly defined signposts of progress. The process needs to be public and transparent.

We know from global history that nations and societies have the capacity to break the shackles of paralysis and fear.

Who could have predicted in the late 1980s that the monolithic empire of the Soviet Union with its subjugated Eastern European states could have dissolved without bloodshed into a mosaic of democratic nations so rapidly?

Who could have dreamed in 1989 - at the height of the most repressive days of apartheid - that South Africa within five years would elect Nelson Mandela to lead a new democratic nation with a constitution enshrining the world's best practice on human rights and is now getting on with its challenges whilst recognising and respecting all its various traditions, languages and cultures.

We have at this point in Australian history an opportunity for a national renaissance based on modern settler Australia connecting with those who have occupied and managed these lands for countless millennia.

In this process we have the liberating potential to forge a unique national identity and purpose; one that rises above the tragedy of our colonial and racist history and enshrines respect for cultural diversity as a pivotal cornerstone of our nation's existence.

Recent commentators have pointed out that the accommodation of Indigenous Australia within our nation state has a strategic and economic imperative as well as a moral foundation.

As Australia integrates into the economic and social structures of our Asian region the vestiges of British colonialism and its racist hangover are unquestionably an impediment to our Asian future.

The creation of a new relationship with Indigenous Australia must be guided by a moral compass and philosophical framework.

There will be some key strategic leverage points that can get the nation to a new relationship. We need to recognise and celebrate the political and social moments that will leverage action in the national transformation of our relationship with Indigenous Australia. We have missed some key points in the past with the potential for transformation. I am thinking of Mabo and Wik in particular.

The apology today regains the momentum of moments lost in the past.

The recognition of Indigenous rights through the Mabo and Wik High Court judgements should have been seminal landmarks in our nation's history. Considered dialogue was needed but was overwhelmed by conflict, fear and solutions imposed by vested interests.

Tragically for our nation, the legal recognition that Indigenous people's ownership and connection to land had survived British invasion and two centuries of settler society occupation was not the cause of celebration and renewal as it may have been.

Instead the loud demands by industry and some state governments to extinguish or curtail Indigenous rights in the name of economic certainty prevailed. The moment was lost for a creative settlement where Indigenous rights co-existed concurrently with the rights and interests of others without having to yield to those rights.

Sadly, the translation of Wik into legislation required us to accept that our traditional custodial rights remained secondary and subservient.

So in 2008 what then could be the strategic leverage points that could promote serious dialogue about our nation's future relationship with Indigenous Australia?

The relationship between governments and Indigenous people must be rigorously transparent and be based on the highest principles of integrity.

After an appalling historic relationship which is at the heart of today's apology, the building of trust between the Australian nation represented by governments and Indigenous communities must be an urgent priority in the development of our relationship.

The Northern Territory intervention occurred in the context of an ideological crusade. It was promoted by conservative policy think tanks and influential media commentators about a neo liberal prescription for Indigenous policy.

It involved the privatisation of land and homes, dismantling of Indigenous decision making processes and the shock treatment of abolishing the indigenous economy in remote settlements based on the CDEP scheme.

This created a level of distrust, government and Indigenous relationships break down and policy that became dysfunctional and incoherent not only for the Northern Territory but nationally as well.

The reality of the apology I hope signals a far deeper intent to remedy this situation quickly with the participation of the Aboriginal leadership.

It was against this background that I previously proposed the notion of a structured national dialogue involving diverse Indigenous and other Australian leaders who would come together to address the legacy of our shared history, create pathways to reconstruct Indigenous communities and build a consensus for a lasting settlement between Indigenous people and the Australian nation state.

We, as Australians committed to a better future should seize this moment of hope:

- We cannot rely upon government leadership alone but seek out our fellow citizens and challenge the presuppositions and fears that block our dialogue.
- We can dare to imagine the Nation we will become. A nation respected by others for having achieved inclusiveness. A nation which respects our diversity constitutionally and celebrates our unity.
- We can work towards a bipartisan, multi-government commitment to narrow the gaps in social indicators. We can shape agreed solutions based on dynamic partnerships at national, regional and local levels.
- We do not need to reinvent solutions. There are many seminal reports and judgements that can guide our actions.
- The constitutional and institutional position of the Aboriginal people needs to be bolstered to achieve a better and inclusive Nation state. The constitutional power exists. It will be applied when the national will insists.
- We can imagine a nation where Aboriginal people can fully enjoy their rights, interests and responsibilities without the majority feeling threatened and fearful.

- We can look every other nation in the eye when we join a global consensus on the Declaration of Indigenous Peoples' Rights passed by the United Nations last year, ratifying it and adopting it into national legislation, policy and practice.
- We can translate these endeavours into practice
 - if we value consensus and sideline adversity;
 - If we encourage our leaders to lead firstly by listening; and
 - If we learn from organisations or individuals with experience and expertise in international processes of negotiation;

The saying of these few words in our national parliament does open the bridge to the future,

- a future we can share,
- a future we can shape,
- a future we shall achieve if we have the courage.

We the Indigenous people have a long history in this country. For a relatively short time we have been sharing it with others. Nevertheless our fates are intrinsically bound. We must use what is good out of our traditions to build our future.

We cannot continue on an endless journey of acrimony and unhappiness. The nation is capable of better. We have great resources both physical and human.

For the first time in many years the resolution of the Unfinished Business between us seems possible.

What greater achievement could we bequeath to our children than a nation united where its Indigenous people and their cultures, laws and languages are central to the foundations of the Nation State? We should look to achieve a best practice future, looking to others who have gone down similar roads for their help, advice and experience. But we also need to look within our own histories and our own resources to make things happen.

Today we have made a good start to a new way - to a new renaissance. With hope comes courage, with courage commitment, with commitment comes change.

Back in the bush, the sun is rising and the morning star is fading. The ceremony ground camp fires are not yet lit. The young leaders of tomorrow must finish off their learning in the bush before returning to this other world. Here they will carry on their responsibilities: to heal our broken hearts, to give life to our hope; to ensure that when our spirits return to our country we will all be truly free. The words of sorry echoing across the nation make it possible for us to now begin to talk together as one, Liyarn Ngarn.

I take heart today from the words of Jose Ramos Horta, a man who is, hopefully today, finding the courage to survive a vicious, violent attack on him and his nation:

Now you say this victory (against Indonesia) took courage, but I think more courage is required to be humble, to admit your mistakes, your sins, to be honest.

More courage is required to forgive than is required to take up arms.

Which means that I am not the most courageous person in the world. Because, after all, courage is easier said than done.