

In Search of Change – Robbed in Justice

Patrick Dodson

2008 City of Sydney Peace Prize Lecture

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2008 City of Sydney Peace Prize Lecture
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Speech delivered at the Sydney Opera House, 5 November, 2008

Introduction

by Professor Stuart Rees

Director, Sydney Peace Foundation

This 2008 City of Sydney Peace Prize Lecture by one of Australia's most significant Aboriginal leaders was given in the Concert Hall of the Sydney Opera House on the evening of November 5th. At the same time came the news that Senator Barack Obama would be the next American President. This convergence of news and Lecture was propitious. We enjoyed an optimism filled occasion.

Three themes in this Lecture characterize the aspirations of Patrick Dodson and the sentiments of significant poets. For example, Patrick's emphasis on dialogue was once captured by Aboriginal poet Jack Davis in his 'Eulogy for Peace by an Old Aboriginal'. Davis asked 'What white fella want to talk about fight for?' He concluded 'Should have sat down quiet and talked by fire.'

A second theme - Patrick's work for justice - is reflected in Bertolt Brecht's poem 'The Bread of the People'. Brecht told us 'Justice is the bread of the people.' He also wrote that just as daily bread is necessary so is daily justice. 'It is even necessary several times a day.'

A reassuring international perspective colours Patrick's life, his work and writing. Lines from Oodgeroo Nunucaal's poem 'All One Race' also convey Patrick's values and views.

I'm for all humankind not colour gibes;
I'm international never mind tribes

I'm international never mind place;
I'm for humanity all one race.

In Search of Change - Robbed in Justice

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Don't be surprised if you don't see change overnight, but try to change it.
Oodgeroo Noonuccal (1920 - 1993)

Ms Marie Bashir, Administrator of the Commonwealth, Governor of NSW and
Chancellor University of Sydney

Professor Stuart Rees and the members of the Sydney Peace Foundation.

I acknowledge the Aboriginal Traditional Owners of the land on which we stand tonight – the people of the Cadigal Tribe, The Eora people whose lands, rivers and seas are the foundations for this city that has welcomed me here tonight.

I also acknowledge the Indigenous people who have gone before us and who reside on their Aboriginal domains throughout this land who guide and inspire us in our duties to the land, the seas and the rivers of our country.

I acknowledge them and thank them for the sustaining of our laws, languages and cultures, often in great adversity and difficulties, from the time of the Bugarrigarra.

I acknowledge the Indigenous leaders of this country, who, since 1788 have negotiated and fought on our behalf so that our rights and responsibilities as the First Peoples of this land might be acknowledged and practised with dignity and respect.

I acknowledge the Aboriginal Australians who have gone from their country never to return and are buried in foreign lands. They went as soldiers and servants in armies fighting in defence of the nation, some were removed from their natural families and taken to live in the lands of their foster parents, some were exiles like Anthony Wayne Fernando, a Dharug man from this country who sought to expose the denial of our people to the world beyond our shores and died in poverty in London. He is buried with his countryman Yemmerrawanie in that city of the colonist so far away.

I acknowledge those Aboriginal people who died on their country only to have their earthly remains removed by scientists, missionaries and governments and locked away in museums and medical laboratories across the world. Peace will only come to them and their people when they are returned to their country.

I acknowledge them all.

Tonight I also acknowledge and thank those non Indigenous people who since 1788 and to this very day who have had the courage and understanding to stand alongside the First Peoples of Australia in support of our rights to our country, our laws, languages and cultures. Those of you who have given generously of their energy, talents and resources to work with us in our struggle for justice and recognition as this nation's First Peoples we thank and honour sincerely.

Freedom, Peace and Justice are values that are universally yearned for by all peoples. Their absence in the lives of individuals, communities and nations clearly diminishes us all if we stand by and do nothing about their painful absence in such lives and situations.

To witness powerlessness in the face of oppression and the senseless suffering and degradation of individuals and communities on a regular basis via our media brings home to us the sad indictment that as humans we are capable of the worst actions possible against our fellow human beings.

But when we see the often isolated courageous leadership of an individual, a community or nation standing up to the evil we cannot help but to be moved to praise and admiration.

To be awarded this prestigious award along side the previous international and national recipients is a humbling experience and I am honoured to have been selected. Such choices are not always easy to make and there are many deserving contenders.

Standing for Justice

All who stand for justice and peace I salute.

There are times in the life of struggle for justice and peace when one wonders if your voice is ever heard or your message understood by anyone. It gives me great satisfaction to know that tonight that the many voices of the Aboriginal leaders who have gone before me have in fact been heard and that their days of mourning are beginning to be responded to by a nation and world that has for so long appeared disinterested and deaf to our cries for, in the words of Archie Roach, "A Justice Done".

I wish to thank the Sydney Peace Prize Committee for honouring the struggle of the Aboriginal men and women who have stood for peace with justice from the very beginning of the colonial interaction to this very day. Tonight I dedicate this award to the memory of those men and women of courage from across the country who have maintained the fight for our Rights as first peoples and whose sacrifices on our behalf are often forgotten, denied or denigrated.

This honour tonight goes some way to restoring the rightful dignity of the past leaders of our people.

I acknowledge the sacred covenant that they have passed on to us to sustain and nurture our people, our culture and our country.

The struggle for Aboriginal justice in Australia has been concerned with the recognition of our claims to the sovereignty of the country, to its lands, resources and to enjoy a form of governance that allows for our values to impact the colonial institutional structures.

Structures that administer policies and create laws for our welfare and determine arbitrarily what rights we might enjoy without us barely having a say.

The struggle has been fought within the political framework of democracy. We have not resorted to arms except in the early colonial period when guns were used against boomerangs and spears or where poison, chains and imprisonment were used to clear us off the land and subjugate us to western ways.

Generally the freedom of speech has allowed us to put our case, but without numbers, resources or special measures we go unheard in the rule of the majority.

The philosophical framework for our Australian discourse about justice, peace and friendship has not been founded on any basis of fairness or equity. It has been carefully crafted upon the notion of assimilation by the founders of colonial Australia as the settlers and administrators moved forward to the creation of the modern nation state.

The White Australia Policy created so soon after federation attests to this fact. As do the policies of removing children from their mothers, from their birthright in most states began immediately following Federation and subjected our people to exclusive western education and its values.

With the National Apology the nation has been given a wonderful opportunity to begin to make justice possible not only for the Aboriginal people but for all the people of this nation. Justice denied one group within the nation is a diminishment of us all and the nation will remain diminished until the wrong is righted. In the short term we can only expect anti social behaviour and predictable increases in the incarcerations of our youth.

The simple act of apology and its acceptance by Indigenous Australia has gifted us an opportunity to begin a new dialogue about the future relationship between the Indigenous peoples and the modern settler state.

In the words of Prime Minister Rudd in his Apology Statement

“For the future we take heart; that this page in the history of our great continent can now be written”

We have the policy of Closing the Gap espoused by the current government with a new Australian Covenant emphasising the need for jobs for Aboriginal people. These are quintessential matters focussed upon the social domain and its need for serious reform.

In executing such initiatives it is equally essential that the inherent Aboriginal social and cultural values of the Indigenous society should not be sacrificed. The act of balancing both these imperatives is required as we go forward.

A need for dialogue

Let us remind ourselves that the constant destructive element in “the lets get things done” attitude dictating the nature of our relationship has been forcing upon us the new ways and values often to our detriment. The underlying philosophy is flawed and inadequate to equip us to today’s bigger challenges because the nation has not worked out its own future path to stabilisation of market driven economies or climate change.

The need for action in the social domain is undeniable but it must be informed and inclusive of indigenous peoples' intelligence.

This is why John Sanderson and I have called for a new Australian Dialogue.

It will be a dialogue that will require us to challenge the tired old philosophical framework of assimilation and through a process of engagement and negotiation craft a new underpinning philosophical framework for the nation. Not only to rejuvenate the relationship between the Indigenous and the settler peoples, but to go beyond, to craft a nation at peace with itself and equipped to face the global economic and ecological challenges with which we are being confronted.

Australians need to get back in touch with the sacredness of the country. The sacredness recognised by Sidney Nolan in his Ned Kelly paintings, of Albert Namijtura and his desert landscapes and encapsulated in the poetry of Oodgeroo Noonuccal, Judith Wright and others.

The spirituality and culture of the Aboriginal people offers some ways of doing that and highlighting the essential elements to be learnt for the climate changed environment. It is essential that we learn to care for country as we take from it what is needed to sustain us.

To date we have not been good stewards of the country and our human purpose within it.

As international citizens

Globalisation and our responsibilities as global citizens will require all nations to make adjustments to how we deal with our land, rivers and seas.

Today the challenge is not to get the market edge for ourselves alone but to ensure that other nations are not forced over the edge and into the abyss of further poverty, despair and disintegration.

How we respond to migrants fleeing oppression in their own lands is well documented. In the future how we respond to migration and adoption into our society is going to be an even greater challenge. The key to this will be how we resolve the relationship between ourselves – Aboriginals and Settlers.

We will all need to reappraise how we manage our climate and our environments. The way nations trade and the way they treat their citizens are no longer solely internal matters of individual nation states and their governments. The interconnectedness of us as global citizens is clearly confronting us in these challenging economic times.

The time has come for us to put forward our credentials as global citizens to the rest of the world as a nation proud of its democratic past and traditions. We need to demonstrate our capacity to be a mature global leader prepared and able to accept the truth of our past to bring to a conclusion a negotiation of the Unfinished Business between us. If we can advance the Treaty it will place us in good stead not only to

deliver us peace and justice for the future but to present credibly to other nation states a challenge of their own.

We must settle the colonial instruction to take possession of the land with the consent of the natives if our future is to be founded on more than words and good intentions.

Perhaps the challenge is not to be preoccupied with our status within the G20 of economic powers but to be within the G3 of Just and Peaceful powers!

It may have been a surprise to some of our nation's politicians that the Apology to the Stolen Generations was watched by hundreds of thousands of people across the world, but as someone who was present in the Australian Embassy in Pretoria when our Ambassador announced our Government's intention to issue an Apology and watched the prolonged applause by diplomats and guests, you can be assured that what we as Australians do within the nation is watched and appraised - we are no longer an isolated island continent.

In this global world we are obliged to think and operate universally. The sustaining of our planet and our environment cannot be separated from the way that we sustain our humanity nor will our economic security be sustained if we ignore our responsibilities to our globe and its most precious commodity – our natural resources and human capital.

We in Australia have the time, opportunity and resources to do something about all the challenges that confront us at this time in our history. However we should not be complacent but use the time well and undertake the reforms necessary to define the global Australia building on the best of both our traditions and moments when our intertwined history got some things right.

We have emerged from the darkness of our Kyoto denialism to confront the challenge of climate change. The Garnaut Review stands as testament to our capacity to confront this issue. It will require innovation in Industry, clarity from governments and resolution from citizens if we are to play our part.

Political courage has also to extend to those nation states outside the G20 whose needs we must recognise and incorporate into the solutions we develop for ourselves. Competitors who are polluters of the planet must be embraced in developing the new technologies that will enhance all our positions.

We are confronting the latest in our cycles of economic upheaval with all of the acumen and confidence that our business and industry sectors have at their disposal. These will be matters requiring patience and negotiation at every level to achieve the necessary outcomes. We will have to make changes and compromises that will draw on our tolerance and good will so that all will benefit not just a few.

The near collapse of the international capitalist system managed to achieve what 60 years of the United Nations was never able to do, to force all the nations of the world to think and act globally, to bring some semblance of stability to the Global economy. Good start but let us now see if we can avoid what French President Nicholas Sarkozy has warned about and “fail to take the opportunity to carry out the structural reform required to avoid repeat disasters in the future”.

The restructuring of our systems that to date have benefited 20% and denied the other 80% of humanity is clearly inadequate. These challenges require different moral drivers and standards so that there is not only more equality and security but also a greater potential for justice and peace in the world

A future for all Australians

The third of our great challenges is still to be properly confronted – our future as Australians. Australians in balance with our environment, living in peace and engaging in dialogue with our neighbouring sovereign states and going forward as a society where the worth and contribution to the nation of every citizen is recognised, encouraged and supported.

By this I don't mean just the future status of the Indigenous people and our recognition as first Australians – we must and will confront that issue and the Apology is a good first step in that process. Compensation must be delivered as part of the closure on that part of our history

What I am alluding to here is a complete consideration of how the citizens of this nation engage with one another and how we engage with the rest of humanity. The global forces are gradually eating away at our domestic security and advantages so we must settle our differences and begin the task of defining and constructing our global identity.

The President-elect of the United States Barack Obama has recognised that his nation's relationship with its first peoples has been found to be flawed in many respects and has committed his incoming administration to properly address the failures of his nation to address the issues of health, education, cultural preservation including making native language preservation and education a priority.

I will quote to you the commitment that he has given to his nation's first peoples.

“The American Indians I have met across this country will be on my mind each day that I am in the White House. You deserve a president who is committed to being a full partner with you; to respecting you, honouring you and working with you every day. That is the commitment I will make to you as president of the United States”.

The American President-elect has begun his dialogue, based on partnership and recognition of the flawed nature of past relationships, with his nation's first peoples and is prepared to work every day with them on fixing things. We must begin and complete the same journey.

The Australian challenge has been multi faceted. All too often we have thought in very narrow ways about our co existence - the Aboriginals and the Settlers. This paradigm has not allowed us to advance the position of the Aboriginals because of the resistance of the settlers.

The debates between us have been premised on

- Assertion v Defence

- Acknowledgement v Denial
- Recognition v Compliance
- Uniqueness v Status Quo
- Terra Nullius v Sovereignty

We have argued and disagreed on every basis from the outset.

The opportunity to begin in a practical manner is presented to us with the Australian Governments proposed Closing the Gap Policy, which is about achieving parity between the Aboriginal and Settler peoples in such domains as education, health, employment and life expectancy.

Resolving these issues at every level is absolutely essential if Aboriginal people are to play any relevant role in the future of this nation. And our commitment to meet the goals set out between short term ends and long term cultural sustainability in these policies is a matter of urgency. We need to achieve fundamental balances or no one should be in any doubt our Indigenous people are facing an apocalyptic disaster if both are not met.

This “for their own good” approach has failed us in the past and will continue to fail in the future if we do not change the basis of our thinking on who the Aboriginal people are.

Intervention and life chances

The review into the Commonwealth Intervention in the Northern Territory is but the most recent report which has highlighted the need for consultation, negotiation and partnership in dealing with any sector of the Australian community on whatever the issue.

In the case of the intervention the pre-emptive, non negotiated nature of the Commonwealth intervention into the lives of Aboriginal people was crude, racist and poorly considered public policy, initiated, on the admission of at least one former Federal Minister, for purely political electoral gain.

The legislative response to allow for the intervention was, in my view some of the worst legislation ever passed in any Australian Parliament and the racist and discriminatory elements of that legislation should be reviewed and removed from the statutes

No one denies the need to address the issues confronting the Aboriginal people all over Australia. But the failure by the Government to enter into a dialogue and negotiation over the nature of the engagement with the Aboriginal society of the Northern Territory will be seen by Australians in the future as a model for worst practice imposition of public policy and a further addition to the litany of administrative disasters that gave us the Stolen Generations.

Closing the Gap strategies in the health and education fields are being negotiated between the Commonwealth and the States but the Aboriginal Community must be incorporated not only into planning and implementation of the proposed strategies but

in the new form of governance delivery. Our Community Organisations and the families and individuals within our community know the issues. They are committed to the successful outcomes and are prepared and willing to participate in finding and delivering on the solutions.

I would encourage young Aboriginal people to look to where they might maximise their participation in the strategies being put together by Industry and Government for bringing more Aboriginal people into the nation's workforce.

Employment and participation in the broader economy may lead to better health and education outcomes for you and your families. The opportunity is there for you to enter the workforce but you should look to the possibilities in other fields apart from the traditional industries and aim to become creators as well as wealth consumers.

The notion that the social indicators might come closer together can only be premised on the recognition that the nation, its governments and its agencies, have to deal with resolving causes that have created the gap and are now sustaining its reality in the social indicators.

Aboriginal people must be allowed play their role in determining solutions and be resourced to do so.

We must begin to deal with the prevalence of illicit drugs and unrestrained abuse of alcohol within our communities where the impact of these scourges has now become intergenerational with foetal alcohol syndrome and schizophrenia competing with diabetes, coronary and renal disease as our greatest medical problems.

These are not medical conditions exclusive to the Aboriginal society but their prevalence will extinguish culture, language and social cohesion and we need enlightened policies to deal with them.

Governments and our own communities cannot hide behind the façade of allocating the causes of these problems solely to the individual responsibility of the people and families who are the excessive imbibers of alcohol, tobacco, drugs and rely on poor nutrition.

They are primarily outcomes of the exclusion of many Aboriginal people from access to services and resources related to health, education and substance abuse programmes over many years and several generations. Our education and health services have been ill equipped and resourced to deal with the scale of these issues.

The outcomes are obvious, as with all marginalised communities wherever they are in the world, the Aboriginal people of this Lucky Country have the worst education outcomes, the worst health outcomes, the worst imprisonment figures and the worst employment outcomes of any group within the nation.

The same outcome applies whether we live in the bush or the towns, in the regional centres or the suburbs of our cities. Closing the Gap has not only to deal with the physical manifestations of this but the spiritual and the psychological domain as well.

We do not have to travel to Africa or so called Third World countries to be concerned with peace and justice. The challenges are right here on our doorstep to confront us and demand resolution. We should never get lost in an argument about degrees of suffering; poverty and exclusion are as painful for Aboriginal children as they are for the children of Eritrea or Darfur.

At heart of much that confronts the Nation and all our societies is the nature of recognition, love and respect.

We must recognise that the relationship between the Settler Society and the First peoples to date has been dramatically and fatally flawed and that a new relationship between our two societies must be constructed through negotiation and dialogue.

The Aboriginal Community must come to terms with the reality of our contemporary situation and deal with whatever the causes of our alcohol and substance abuse issues, whatever the denial that has resulted in our dispossession, whatever the outcomes of poor Government policies on our communities the results are ours to confront.

Like the victims of a hit and run accident there is no point in bemoaning our fate; we must contribute to our own healing and rehabilitation. It is discriminatory that there is no special framework to deal with compensation. It is the health and well being of our Aboriginal society that is at stake and we must all contribute to the healing process.

It is incumbent upon all leaders of our people to work for the recognition, love and respect of people in this time of crisis within some of our communities.

Much that the Closing the Gap Policy is about is laudable but it is not compensation to the individuals who suffered under the child removal policies aimed at ridding Australia of its Indigenous peoples.

This singular matter stands out above all else in need of rectification.

A re-emphasis on dialogue

Some years ago I was impressed by the fact that the South African nation did not implode on transition from an apartheid regime to a democratic republic. The population imbalance, the trade embargoes plus the years of struggle of a people denied peace, freedom and equality all played a part in this.

The desire for justice and peace and a democratic interface that would recognise, love and respect all its citizens were powerful drivers in achieving this in South Africa.

I also learnt of the Mont Fleur Dialogues which helped with developing a dialogue that would help contribute to the formation of the new philosophical, institutional and constitutional framework for the Republic of South Africa.

It was this dialogue that interested me after six years of having chaired the Council for Aboriginal Reconciliation in Australia and witnessing the Howard years of denial and the removal of measures to advance Aboriginal people in the country.

The election of Mr. Rudd at the recent poll has not dissuaded me from the view that there is a need for an Australian Dialogue to enhance and build on this government's good intentions towards healing and establishing dignity for the total Australian nation.

The Australian Dialogue has as its focus the development of strategies for national and regional change.

Aboriginal people must be involved and the broader Australian population must accept that without such a Dialogue we will run the risk of repeating the worst aspects of policy and treatment of the Aboriginal peoples as was the case in the past. Further we as a nation will remain in a backwater of the colonial legacy.

The Australian Dialogue is about tomorrow and endeavouring to enable a greater connectedness of Australians to the country and the importance of our unique environment. It is about developing ways to appreciate the original peoples of this land and to change attitudes to the manner in which support and appreciation of their contributions to the new challenges may be made.

The Dialogue will help remove us from the concept of Terra Nullius, a land without people, to a land that we care for and where the values that Aboriginal people have developed will help to sustain the land and its people. We might mutually develop the trust, love and appreciation for this uniqueness and use it respectfully to confront the challenges of climate change and social cohesion.

If Australians think that there is enough vision around to lead us through the 21st century and we can continue to operate using the old ways of doing things we will not bequeath to our children a legacy that equips them for tomorrow.

If Australia does not overcome the hang ups that still surround our thinking and reject the values of the White Australia Policy we are going to be forced to that position by our needs for more immigration and the growth of nations like India and China or the demands from the small Pacific nations or island states of Asia. Humanity will demand our response and we now have to prepare diligently.

Australia is no longer a British colony with mother England to fall back on. We are an Asian Pacific nation by geography and quickly becoming one by social demographic. We can no longer have a schizoid approach, presenting one face to Asia and the Pacific as tolerant and accepting society while treating Aboriginals only as social welfare mendicants. The façade has been removed and it will be the lack of honesty that will haunt us if we do not act now.

The question asked by Michael Long of Prime Minister Howard "where is the love for my people" remains valid and still requires an answer.

How are Australians going to justify themselves as one of the oldest democracies but failed to sustain one of the oldest living continuous cultures which is now part of a National stewardship?

What has to be done if we are to have a nation that delivers justice and peace for its citizens?

The failure by Governor Philip to follow the instructions of the British Crown to take possession of the land with the consent of the natives must now be set right. The theft of the land and its resources and the destabilising of its people must be acknowledged and appropriate recognition be given to the Aboriginal peoples within the constitution.

The nation has to develop and commit resources to culturally sustainable policies for language and customary cultural matters. It has to recognise the covenant that we have with the spiritual and sacred substantiation of our existence.

The Closing of the Gap policy and Employment Covenant has to deal with misuses of alcohol, drugs and other substances. The State and Private education systems have to improve their delivery and provide workable, sustainable and viable education outcomes for our communities.

The enhancement of Aboriginal controlled organisations has to be revisited and their roles in the delivery of the communications, education and social revolution made sustainable.

The day I dream about is the day when justice with peace has arrived in Australia, when we have an almost zero incarceration rate, we are no longer over represented in the bottom end of all the social indicators of life and our nation has substantially recognised us in a new inclusive constitution.

We stand here tonight in this magnificent building on the banks of the Harbour where our journey together began 220 years on a point of land named after a man whose reputation was ultimately maligned by those who failed to comprehend the nature of his Aboriginal being and instead declared him a drunk.

Our nation, Australia, now has the chance to construct a new society built on equality and justice and in harmony with the land and its people. It is not an impossible task provided that we have the love and enthusiasm to begin the journey – the rest will follow.

KULIA