

Until the chains are broken:

2007 Vincent Lingiari Memorial Lecture by Patrick Dodson

"It's about not selling out on your principles. They tried to entice Vincent Lingiari with fresh meat so he would give up his fight for his land, but he wouldn't take it. He wouldn't be enticed by gestures that pretended to give him something. And that's what Indigenous Australians must do. We need to follow the example of this old man and not be enticed by empty gestures."

So said Patrick Dodson prior to his Vincent Lingiari Memorial Lecture in Darwin in 1999. In the light of John Howard flagging amendments to the Constitution preamble last week as an empty and opportunistic pretence at reconciliation with the Indigenous Australians, The Guardian reprints this edited version of Mr Dodson's lecture which is still relevant eight years on.

Vincent Lingiari was a leader of the Gurindji people in the Northern Territory. Pastoral workers, mostly Gurindji people, began their strike led by Vincent Lingiari at Wave Hill Station in 1966 for equal pay and conditions. The strike was the culmination of many years of struggle by the Aboriginal pastoral workers and by the whole people for recognition of their land rights in the Territory, dating back to the 1930s.

There have been many sunsets since Gough Whitlam trickled a handful of red soil into the hand of the old man whose name and story we remember tonight. Have we seen consistent progress since that symbolic moment? Have we continued to advance? Have we "gone forward together as mates" as the old man wished at the time?

Or do we still have to learn to follow his road; to learn to stand up for rights; learn to struggle for the achievement of real recognition; learn to go forward and to do it together? Do we still have to learn the meaning of mateship? Are we still chained to the past?

Would the old Gurindji leader look with pleasure and pride on the Northern Territory Land Rights Act, but wonder why the National Land Rights were never achieved?

Would the old Gurindji man be proud to see the schools of his grandchildren that for 20 years have taught the languages of his father and mother, and wonder why the same bilingual education program was now being silenced?

For the past nine years or so we as a nation have been considering the reconciliation process. We have had many decent Australians work hard to help a national mind shift. There is still much to do.

In the middle of that we have had the National Human Rights Commission Inquiry into the practice of removing the children from their mothers, their peoples, their country, their culture, to the extent that the Inquiry described this activity as genocide.

The nation still has not come to terms with this reality. There has not been an official apology from the Parliament despite recent events. The Federal Parliament ... has not said sorry to the stolen generations or offered to deal with the issue of restitution in any other way than to suggest that the

stolen generations try their luck in the courts where the same sincerely regretful government will continue to oppose them.

Those individual Aboriginal people who were taken away now have to prove that the act of genocide was real, and that they were lucky to have survived.

Perhaps this inability to seize the moment highlights just how entrenched the assimilation mind-set is when agencies of the government are confronted with the realities of how the Aboriginal people were treated by governments.

Reconciliation is a matter that takes place at different levels, if it takes place at all. The quality of our reconciliation will be dependent upon our capacity to embrace all its aspects however difficult each may be.

First, there is the personal level. If there is ignorance, hostility, discrimination or racism experienced then reconciliation will mean very little, but if there is concern, solidarity, inclusiveness and some respect, then reconciliation will have some positive responses.

Then there is reconciliation at the social level. These are the social policy matters that have to do with health, housing, education and employment, welfare and an economic base. Reconciliation here is about whether the particular government or the Aboriginal peoples themselves have done enough, or anything, to relieve the concerns that hit Aboriginal people so hard day after day.

It is about shared responsibilities and obligations we have in society. Then there is the reconciliation of governance.

This about governments making laws that remove rights or enhance them. Fundamentally it is about the content of the legislative enactments that effect or impact upon the Aboriginal people.

Finally, there is the reconciliation of recognition. The sovereign position that Aboriginal people assert has never been ceded. Recognition starts from the premise that terra nullius and its consequences were imposed upon the Aboriginal peoples, and certainly there was never any choice given to the Aboriginal peoples concerning the Constitution or the rule of law.

To have any substantial reconciliation we must encompass all these aspects, no matter how challenging they may seem. These foundations cannot be made on concrete that lacks the binding mortar of truth.

Vincent Lingiari would not have taken such a cumbersome path. He and his people went on strike not only for the wages and conditions, but also for their right to be Gurindji and to have their own land back under their responsibility and the capacity restored to enjoy the benefits flowing from the ancient law and custom of the Gurindji.

Millions of non-indigenous Australians have joined with us in the search for a better relationship based on equity and justice.

Australians at every level of society have put up their hands to be counted as supporters of a nation that holds as its core value a society based on mutual respect, tolerance and justice.

This has been the approach many Aboriginal people have been prepared to adopt in seeking to achieve reconciliation between our peoples. I have seen at first hand the benefits that the Australian community derives from the achievement of local acts of reconciliation with communities throughout Australia.

I for one believe that the voters of 1967 [referendum] and their children are prepared to defend the values of tolerance, acceptance and respect. But rest assured that the spirit of the 10 per cent that rejected the basic decency of the YES vote in 1967 have not been swallowed up in the pit of their intolerance.

It may be a harsh thing to say, but many actions of Australian governments have given Aboriginal people little faith in the promises governments make in relation to protecting and defending the rights of Indigenous Australians. That is why we need a formal agreement that recognises and guarantees the rights of Indigenous Australians within the Australian Constitution

Such an agreement would be to put the matters of unfinished business that underlies the causes of discord and division that are between us into a framework agreement. This framework agreement could be made formal by an Act of the Parliament and ultimately enshrined in our Constitution.

This is needed otherwise it will be no more than that of a gesture, a matter of government expediency. If there is no agreement to be bound in this manner then we can be sure that the hard-won gains of the past will be placed at serious risk, if not certain loss.

The assimilation process will have won out. Aboriginal people can then stop considering themselves as unique to Australia.

It would have been like telling the Gurindji that they were just a class of stockman without any other rights than those that the Arbitration Commission was prepared to give them.

The Gurindji decided in the course of the strike that their relationship to [employer] Vesty and the government must be founded upon their right to determine their own priorities, the direction of their lives and their own affairs.

As a nation we must be prepared to recognise that there is unfinished business between us and that the only way that this can be resolved is through a formalised agreement between peoples; an agreement that decent Australians have to help to build in a fair, respectful and just manner. We can do it together if we are willing to have a serious try at achieving something worthwhile for our country. If we are not willing, or decide that it is all too hard, then to our children we will bequeath a nation without pride or dignity, unfulfilled and diminished.

The achievement will call for courage and persistence. Because it is about principle and not short-term expediency, there is no room for fear or appeasement in this quest.

Too often we are told that Constitutional change is very difficult and that the best we can hope for is two lines in a preamble negotiated by a prime minister, a poet and a minor party in Parliament.

Surely as Australians we deserve better

All Australians should reject outright any preamble to our national Constitution that rejects the true status of Indigenous Australians as the custodians and owners of the land, and suggests that we are nothing more than gardeners at the station homestead.

It is not about words, it is not about getting into step with the thinking of a new government. It is not about making sure that Australia has a piece of paper to show off at the Olympics.

It is purely and simply about a recognition of Aboriginal people as a unique people within the nation of Australia with rights and responsibilities.

There is no right more fundamental to Aboriginal peoples than the right to self-determination and the big man Vincent knew if it was not exercised then it would be taken away by government.