Aboriginal Reconciliation An Historical Perspective*

oday if someone mentions the word 'treaty' in the Aboriginal context, the usual next question is 'Why a treaty?' The educated English reader of the 19th Century press would have been more likely to ask the opposite question 'Why not a treaty?' Treaties with the indigenous people were a normal part of the colonising process. Treaties were concluded by the British in New Zealand, and with many Indian tribes in Canada and the United States.

Treaties were signs of respect for indigenous people. They recognised they had previous rights. Treaties also attempted to formulate and clarify some of the most fundamental issues in the relationship between colonies and colonised. They represented some form of settlement.

This is not to say that treaties were a panacea for the American Indians and the Maoris. Treaties tended to favour the coloniser, treaties were sometimes broken with impunity and they did not prevent the American Indians from becoming the most disadvantaged group in the United States or the Maoris from becoming the most disadvantaged group in New Zealand.

On balance, however, both Aboriginal and non-Aboriginal Australians have been disadvantaged by the lack of a proper settlement between them. Many Aboriginal people, through the last two hundred years, have felt the contempt and indifference of other Australians – a contempt compounded and legitimised by the conviction of the colonisers that the Aborigines were not worth entering into a settlement with. This has made it doubly difficult for Aboriginal people in trying to lift their status and well-being in Australian society. The lack of a proper settlement has also worked against non-Aboriginal Australians. It has left a residue of guilt in many. It has made it easier for foreign countries to embarrass Australia. The lack of a settlement has also fed the myth that nothing significant happened in Australia prior to European settlement, a myth epitomised in the statement repeated by generations of school children that Captain Cook 'discovered' Australia in 1770. Rejecting and belittling Aboriginal culture and antiquity has deprived Australians of a rich source of meaning in defining what it is to be Australian spiritually and culturally. Most Australians are indeed the poorer for being aliens to an indigenous culture uniquely shaped by this continent and for being ignorant of the greater part of Australia's 40,000 year history.

Two basic reasons have motivated the various calls for a settlement in modern Australia, whether in terms of a treaty, a compact, a makarrata, or an instrument of reconciliation. The first is to right the wrongs of the past and to reexamine the assumptions such as 'terra nullius' (land belonging to no one) in the light of our present historical and anthropological knowledge. The second relates to the present: a proper settlement or some form of reconciliation is necessary to work through the lingering sense of injustice to Aboriginal people which mars the relationship between them and other Australians and inhibits attempts to address their disadvantage effectively.

The Movement Towards Reconciliation

Most people see the movement towards reconciliation in terms of the past twenty years and, indeed, that is when the major efforts have been made. However, efforts were made early in our history. In a submission to the Select Committee of the House of Commons on Aborigines in 1837, Saxe Bannister, the first Attorney-General of NSW, argued that treaties should immediately be entered into with Aborigines, that efforts be made to recognise their customary law and that the rights of Aborigines to their land be respected. In a letter to the same Committee, the retired Governor Arthur of Tasmania wrote that the abiding sense of injustice felt by Aborigines was due to the failure to conclude treaties with them and to provide them with adequate compensation.

Over the next 100 years little was heard of the idea of a treaty.

Treaties were signs of respect for indigenous people. They recognised they had previous rights.

The situation has changed significantly since 1788. It is not now a question of how to settle with the original inhabitants, but of how to settle with the descendants of the original inhabitants, many of whom are now of mixed descent. While a treaty was the most obvious way of establishing a relationship in 1788, it is not so apparent that it is the most appropriate way of settling differences or remedying injustices nearly two hundred years later.

In early 1972, the Larrakia tribe in the Northern Territory sent a petition to the then Prime Minister, asking that treaties be signed with each tribe. The Government declined to proceed on the basis that it was inappropriate to negotiate with British subjects as though they were foreign powers and because of the difficulties of identifying the Aboriginal people or groups to negotiate with.

^{*} Originally published as:

ABORIGINAL RECONCILIATION An Historical Perspective. Department of Prime Minister and Cabinet, AGPS: Canberra 1992. Commonwealth of Australia copyright reproduced by permission

The real push for reconciliation came with the formation of the Aboriginal Treaty Committee and the National Aboriginal Conference's call for a treaty in 1979. This grew out of a growing political consciousness by Aboriginal people on such matters as sovereignty, land rights and compensation. It also flowed naturally from a change in Australians' attitude to Aborigines.

In the 1967 referendum an unprecedented 92% of Australians agreed to remove discriminatory provisions against Aborigines from the Constitution. They agreed to give the Commonwealth power to make laws for Aborigines and to include Aborigines in the Census. The Whitlam Government (1972-75) reflected this change in attitude. It appointed Mr Justice Woodward as Commissioner to report on how land rights should be granted, created the first Commonwealth Department of Aboriginal Affairs, negotiated to assume administrative responsibility from the States, established a new National Aboriginal Consultative Committee and in its first budget almost doubled the allocation for Aboriginal Affairs.

The Whitlam Government introduced, and the Fraser Government saw through, the landmark Northern Territory land rights legislation.

The mood was exemplified by the unanimous passing by the Senate in 1975 of a resolution of Senator Bonner urging the Australian Government to acknowledge prior ownership of Australia by Aboriginal and Torres Strait Islanders and to introduce legislation to compensate them for the dispossession of their land.

There were also other factors which gave impetus to the formation of the Treaty Committee and helped gain support for, and awareness of, the issues.

First, Aboriginal people had tested their claim to sovereignty and their ownership of land in the courts, in 1971 in Milirrpum and Others v Nabalco Pty Ltd and the Commonwealth of Australia and in 1979 in Coe v Commonwealth of Australia and Another. These claims were rejected. As Stewart Harris comments in Its Coming Yet: The Aboriginal people exhausted for themselves the possibilities of the law in Australia'.

Second, indigenous people around the world were beginning to work together to bring their disputes and their position to the attention of international forums. In 1971, the UN Sub-commission on the Prevention of Discrimination and the Protection of the Minorities instituted a study of the question of discrimination against indigenous minorities. In 1977, Mr Mick Miller attended the meeting of the World Council of Indigenous People in Stockholm which now had status at the UN and whose next meeting was to be held in Australia in 1981. Australia's treatment of Aborigines could no longer be regarded as a purely domestic matter and its statements on human rights would be more severely tested by other countries.



Third, in Australia itself, there was a growing appreciation of the richness and diversity of the nations immigrant heritage - another hidden culture that dated back to nineteenth century Afghans and Chinese, among others. Attitudes were changing from assimilation to welcoming and enjoying many of the traditional customs and cuisines of non-British migrants. Australians were not as fearful of losing the Anglo-Celtic dominance and felt Australia could be cohesive at the same time as allowing cultural diversity. The rubric advanced from cultural expression to issues of equality of rights and opportunity.

This change in attitude also extended to non-Europeans as Australians began to come more to terms with the implications of their geographical position in Asia and the Pacific. The White Australia policy was abandoned and the trade focus began to shift from Europe to Asia.

To some extent, Aboriginal people benefited from this more open and appreciative attitude and the easing of prejudice against non-white races.

In 1978 Dr H C Coombs initiated a movement towards a treaty. He had a distinguished career in public administration and banking which earned him the respect of many Australians. He also had a keen and lively interest in the rights and welfare of Aboriginal people and from 1967 to 1971 had been the Chairman of the Council of Aboriginal Affairs.

On 28 November 1978, he wrote to a group of friends in Canberra that public opinion was now probably more willing to work through the principles and general issues that follow from European occupation of Australia. This group also felt some disillusionment with what had been achieved at the Commonwealth level following the 1967 referendum. They saw a treaty as a way of ensuring a greater guarantee of Aboriginal rights and of Commonwealth commitment to Aboriginal advancement.

Judith Wright, in her book *We Call* for a Treaty, gives a detailed history of the Aboriginal Treaty Committee, which forms the basis of the following account. She herself was a member of the Committee.

In April 1979, the Aboriginal Treaty Committee held its first meeting. Its inaugural members consisted of Dr Coombs, the first Chairman, Stewart Harris, Professor Charles Rowley and Professor W.E.H. Stanner. It saw its role as educating and persuading non-Aboriginal Australians to the idea of a treaty. It endeavoured to do this over 5 years through advertisements, the publication of a book *Its Coming Yet*, by Stewart Harris, by radio speeches, by the formation of local Aboriginal Treaty Committees and by holding seminars.

Following publication of *Its Coming Yet, The Age* of 3 April 1980 argued in a leading article for nationwide support of the treaty proposal. The book sold over 4000 copies. More than 2500 individuals, families and groups contributed to the Committee's campaign funds, and it won support from many prominent Australians who put their names to public advertisements calling for a treaty.

The Committee confined its mission to non-Aboriginal Australians and did not purport to speak on behalf of Aboriginal people. This it left to Aboriginal people to do for themselves. The main spokesbody for the Aboriginal people at that time was Government's elected advisory body, the National Aboriginal Conference (NAC). It had the twofold role of expressing Aboriginal opinion through elected representatives and of providing formal advice to the Minister for Aboriginal Affairs when requested.

In June 1979, the NAC called for a treaty between the Commonwealth and Aborigines. In November 1979, the Hon Senator Chaney, the then Minister for Aboriginal Affairs, welcomed the initiative and the Government funded the NAC to consult Aboriginals around Australia on the idea, not of a treaty, but of a 'Makarrata'. This is an Aboriginal word signifying an end of a dispute between communities and the resumption of normal relations. The NAC's interim report on July 1980 reported doubts in the minds of Aborigines about what benefits a 'Makarrata' might bring.

Nonetheless, in April 1981, the NAC presented a Position Paper to the Assembly of the World Council of Indigenous Peoples asserting their demand for a treaty with the Aboriginal nation, or at least, recognition as a domestic nation similar to that accorded to American Indians a century ago. In August 1981, the NAC issued a draft Makarrata document, subsequently referred to as 'The 24 Demands'.

Towards the end of 1982, and through to 1984, the treaty movement began to wane. The end of this phase came with the winding up of the Aboriginal Treaty Committee in February 1984 and the NAC in June 1985.

Several conclusions can be drawn from this period and the first was summed up very well by the Senate Standing Committee on Constitutional and Legal Affairs in September 1983.:

there will need to be a continuing and extended education program occurring in the non-Aboriginal community so that, by the time a compact is ready to be concluded, a valuable process of healing and understanding between both communities will have taken place. Perhaps the fundamental task in this process will be to create an attitudinal change, generated by discussion, consultation and negoti-ation. The attitudes held by non-Aboriginal Australians towards Aboriginal and Torres Strait Island people and vice-versa lie at the heart of the situation and, until they can be properly oriented, a compact, no matter what its form and context, will at best only create superficial improvement.

Dr Coombs, in his letter of 21 February 1984 to the Prime Minister, announcing the end of the Aboriginal Treaty Committee, put the similar point of view.

The second conclusion is one drawn by Judith Wright in her book *We Call* for a Treaty:

Aboriginal attitudes to the idea of a treaty have been varied but are far from unanimous or enthusiastic.

In part, the decline of this phase of the treaty campaign was due to the divisions in the Aboriginal community and, in particular, to the condemnation of the initiatives for a Makarrata as a 'confidence trick' by the newly formed Federation of Aboriginal Land Councils on 27 November 1982. This repudiation was a severe blow, both to the Aboriginal Treaty Committee and to the credibility of the NAC's attempts to progress the Makarrata.

The division was not only about the details of the agreement but also about the priorities for the Aboriginal movement. Many Aborigines believed that their resources would be better put into addressing directly the issue of land rights and thereby achieving tangible concessions rather than fight-ing to get recognition of a framework within which all Aboriginal issues could be more appropriately addressed.

The bitter dispute with the Queensland Government over Aurukun and the Western Australian Government over Noonkanbah dominated the late seventies and early eighties and made land rights the urgent issue to settle with non-Aboriginal Australians. Judith Wright makes the more fundamental point about the Aboriginal response to the treaty proposal, that the whole exercise presupposes a European framework for the concluding of a settlement - a framework that traditional Aboriginal people do not understand or feel comfortable with. Furthermore, it assumes a unity among Aboriginal people that has never existed and tends, in the quest to get a single Aboriginal representative view within a European time frame, to gloss over the separateness and autonomy of individual tribes that still persist.

...any process of reconciliation needs to have inbuilt an appreciation of Aboriginal history, social structures and ways of settling issues.

Aboriginal groups, with their own language and culture (there is estimated to have been more than 250 distinct languages), had tended to conduct their affairs without reference to other groups and decisions were not dictated by tradition or authority but made by consensus arrived at by prolonged and extensive discussions. In other words, any process of reconciliation needs to have inbuilt an appreciation of Aboriginal history, social structures and ways of settling issues.

The Bicentenary

As the Bicentenary of European settlement approached and people began to reconstruct the history of pioneer settlement and its meaning for Australia, there was an unease among both Aborigines and non-Aborigines. Aborigines did not look forward to celebrating the dispossession of their lands and the breaking up of their tribes, culture and way of life. Other Australians felt somewhat guilty about their ancestors' way of treating the Aborigines but also uneasy about the implication that might follow from any legal or constitutional re-evaluation of the history of European settlement.

Others again felt that the past should be forgotten and forgiven and that we should all concentrate on fixing problems from where we stand now.

At Alice Springs on 29 November 1986, the Pope said there was a need for 'just and proper settlement that still lies unachieved' in Australia. He went on to say:

The establishment of a new society for Aboriginal people cannot go forward without just and mutually recognised agreements with regards to these human problems, even though their causes lie in the past.

On 2 September 1987, in an interview on the Central Australian Aboriginal Media Association at Alice Springs, the Prime Minister, Mr Bob Hawke, said he would like to see the Bicentenary produce some sort of understanding – 'compact, if you like' – with Aboriginal people whereby the Australian community recognises its obligations to rectify some of the injustices that have occurred over the past 200 years.

The Prime Minister did not have in mind a treaty in the international sense but a general statement that could be agreed on in 1988 that would clarify how people should be thinking in terms of the history of, and obligations to, Aborigines. He suggested that this statement of understanding could be in the form of a preamble to the Aboriginal and Torres Strait Islander Commission legislation, but whatever format was agreed would have to be subject to consultation with both Aboriginal and non-Aboriginal people.

From the time he initiated this discussion, the Prime Minister emphasised the importance of the attitudes and the understanding of people rather than the final outcome:

it is the attitude that in many senses is going to be more important than what is contained in the compact or call it what you will.

(3 September 1987 Joint Press Conference with Minister for Aboriginal Affairs at Katherine Gorge, NT)

On 10 December 1987, the then Minister for Aboriginal Affairs, the Hon. Gerry Hand, presented the statement 'Foundations for the Future' to the Parliament. He emphasised that:

the task should not be rushed and that consultation would be conducted at a

regional level with Aboriginal people on whether they wanted the concept of a compact to proceed and how it should be developed.

He also envisaged a group of people of high standing to reflect the views of non-Aboriginal Australians.

As the year progressed, the question of a compact or understanding began to suffer the same fate as it did in the late seventies and early eighties – it began to take second place to a much more pressing controversy. This time it was not land rights but the concept and establishment of the Aboriginal and Torres Strait Islander Commission (ATSIC). Whereas both the Prime Minister and Mr Hand hoped ATSIC would be established in 1988 and could help in progressing consultations on a compact, this was not to be.

'if there is a sense of reconciliation... whether you say there's a treaty or a compact is not important, but it is important that we do it.'

The Prime Minister responded with his Barunga statement of 12 June 1988 which revived interest by mainly referring to a 'treaty' and by giving a sense of greater immediacy and structure to the task. This statement put the matter back onto the forefront of the Aboriginal political agenda and reinforced the Prime Minister's serious commitment to it.

There was to be thorough consultation with the Aboriginal people. The form of the first agreement was open -'treaty, compact - call it as we decide'. It was assumed that there would be a final written outcome -'there shall be a treaty negotiated between the Aboriginal people and the Government of Australia'. A time was suggested - 'we would expect and hope and work for the conclusion of such a treaty before the end of the life of this Parliament'. The timetable, however, was expressed in terms of a hope and was clearly subject to the wishes and progress of the Aboriginal elders in consulting with their people.

On July 1988, the Prime Minister re-

affirmed his priorities in this debate, in an interview with Haydn Sargent on Brisbane Radio 4BC. He reminded the interviewer that he had originally said in September 1987 that he was not 'hung up on the word treaty'. He went on to say:

'compact, treaty, it's not the word that's important, it's the attitudes of the peoples, attitudes of the non-Aboriginal Australians and of the Aboriginal Australians.

if there is a sense of reconciliation... whether you say there's a treaty or a compact is not important, but it is important that we do it.

Throughout the first half of 1988, the Churches had also addressed the problem of how to face up morally to the Aboriginal question after 200 years of European settlement. On 7 January 1988, the Australian Heads of Churches issued a statement Towards Reconciliation in Australian Society - Reconciliation and Aboriginal Australians. It argued for a just and proper settlement, for a healing of division and called on the Parliament to make a formal acknowledgement of the nation's Aboriginal pre-history and the enduring place of Aboriginal heritage, through a unanimous resolution of Parliament at the opening of the new Parliament House. It emphasised the importance of education 'We Australians ..., cannot be reconciled until we know each other and appreciate each others cultures and perspectives on life'.

The statement was significant because of the unity shown by the Australian churches, including several ethnic based churches such as the Armenian Apostolic Church and the Greek Orthodox Church, whose members could argue that they had no need for reconciliation as most of them had arrived in Australia well after the greatest injustices had been done. Their signing was an indication that many recently arrived non-English speaking background Australians believed they had a role to play in a reconciliation process.

That same January, Father Frank Brennan SJ, the adviser to the Australian Catholic Bishops on Aboriginal Affairs, floated a draft resolution for consideration by all political parties by which the Parliament would 'consider it desirable that the Commonwealth negotiate the terms of a compact with Aboriginal and Torres Strait Islander citizens providing recognition of their special place in the Commonwealth of Australia'. After discussion with the Opposition parties, the reference to a compact was substituted by a reference to reconciliation.

The Prime Minister's speech to this Resolution explored the concept of reconciliation and, in particular, analysed its relationship with other Government economic and welfare policies for Aborigines. He rejected the idea that such resolutions were merely symbolic or essentially irrelevant to indigenous people:

For many years, governments of both political affiliations have endeavoured to provide what could be termed physical or technical solutions to the needs of Aboriginal and Islander people. They have provided special assistance to help them in education, housing, employment, health and other fields.

Yet we recognise that the true remedy does not lie purely in the allocation of resources. For if we provide budgetary assistance but not hope, not confidence, not effective consultation, not reconciliation, then that assistance will fail to lift Aboriginal and Islander people from their disadvantaged state.

In the Prime Minister's mind, reconciliation was an essential component of the overall strategy to address Aboriginal disadvantage. He gave notice to those who saw the reconciliation initiative as a Bicentennial optional extra that they were mistaken. This analysis also emphasised that reconciliation was not only about changing attitudes to each other but also about changing our perceptions of ourselves.

Throughout the latter part of 1988 and through 1989 there was little evidence of the bipartisanship in Aboriginal affairs that had characterised earlier years. The Opposition made serious allegations about the administration of Aboriginal affairs and differences about the establishment of ATSIC were debated at length.

During this time, when the Opposition was publicly distancing itself further from the concept of a treaty or formal document, reconciliation remained part of the Coalition's Aboriginal policy. The Opposition Party statement on Aboriginal Affairs issued in October 1988 declared:

Only as Aborigines and other Australians seek a continuing reconciliation will we share a sense of dignity, selfesteem and mutual trust which are essential for the development of a cooperative citizenship

and:

The Coalition is open to consideration of proposals which will improve relationships between Aboriginal and other Australians.

Opponents rejected the idea of a treaty on the basis that it would threaten the unity of Australia by creating two nations. The differences were exaggerated, for successive Labor Ministers for Aboriginal Affairs had rejected the idea of a separate Aboriginal sovereign nation and this stance had been maintained through-out the eighties in Australia's statements to United Nations forums on indigenous people.



After the Bicentenary and in the light of the partisan debate surrounding any suggestion of a formal treaty, the Government reviewed its approach to the concept of reconciliation.

The new Minister for Aboriginal Affairs, the Hon. Robert Tickner, announced the Government's intention of seeking greater cross-party agreement on Aboriginal affairs in 1990. This was reflected in the Governor-General's speech of 15 May 1990 and a week prior to that in letters from the Prime Minister to the Leader of the Opposition, the leader of the Australian Democrats, the State Premiers, Chief Ministers and State Opposition party leaders asking them to consider supporting the reconciliation initiative. In the following months, mainly favourable responses were received.

On 13 December 1990, the Prime Minister and Mr Tickner in a joint news release announced the Government's in-principle support for a way of advancing the reconciliation initiative. The proposals drew heavily on the experience of the past and also developed previous ideas and proposals.

In January 1990, Mr Tickner released a discussion paper outlining these proposals and called for public comment.

The initial focus would be on the process of reconciliation which was considered to be as important as the outcome. The process would consist of an education campaign about the history and culture of Aboriginal and Torres Strait Islander people and the historic causes of their present disadvantage. People who opposed a treaty or had misgivings about it, could participate in this process fully without being in any way committed to the option of a final document. The Government, however, expressed the hope that a final document could be agreed on by the centenary of Federation, 1 January 2001.

The ten year time frame would not lead to reconciliation drifting into the background. A Council of Aboriginal Reconciliation of about 25 prominent Australians, with about half the members being Aboriginal and Torres Strait Islanders and the other half non-Aboriginal, would be established to be the focus and principal vehicle for advancing the process. Whereas previously separate groups of leading and eminent Aborigines and non-Aborigines had been suggested, a combined Council would carry out the task of consulting with Australians and undertaking initiatives leading to reconciliation.

To indicate the importance the Government placed on this initiative it was also proposed that the secretariat to the Council would be located in the Department of the Prime Minister and Cabinet. To emphasise further this importance, on 20 February 1991, the Prime Minister appointed Mr Tickner as Minister Assisting the Prime Minister for Aboriginal Reconciliation.

The Government said consultation would be a key feature of the process and the Council would consult widely with Aboriginal and Torres Strait islander people to ascertain how the process of reconciliation should be carried forward and whether they believed reconciliation would be advanced by a formal document. Only after consultation with both Aboriginal and non-Aboriginal Australians would the Council, at some time in the future, be in a position to recommend either way on the appropriateness of proceeding to a final document and on the form and processes for concluding such a document. Parameters would not be set because they would pre-empt Aboriginal and wider community consultation. ATSIC would be the principal vehicle of communication between the Council and Aboriginal people, which would also involve Aboriginal community-based organisations

Reconciliation initiatives would be accompanied by a renewed national commitment by all Governments to address Aboriginal disadvantage through Government programs. Reconciliation without such a commitment was considered to be hollow, just as the Prime Minister had pointed out that programs without reconciliation were only addressing part of the problem. Both would be regarded as an essential part of the overall strategy to improve the well-being of the majority of Aboriginal people and to heal the divisions.

Following many expressions of support from Aborigines and others for the proposals canvasses in the Discussion Paper, the Prime Minister and Mr Tickner announced on 18 April 1991 the Government's intention to proceed to legislate on the basis of the proposals.

On 9 May 1991, the Minister for Aboriginal Affairs tabled the Report of the Royal Commission into Aboriginal Deaths in Custody. After having inquired for over three years into the deaths of 99 Aboriginal and Torres Strait Islanders in custody and having examined many of the issues underlying these deaths, the Commission concluded with a final recommendation that 'political leaders use their best endeavours to ensure bipartisan public support for the process of reconciliation and that the urgency and necessity of the reconciliation process be acknowledged'. The Commission also endorsed the view that the process should be accompanied by concrete measures to tackle disadvantage and that neither side should set preconditions in advance.

Mr Tickner continued to concentrate his energies on ensuring that the legislation to establish the Council of Aboriginal Reconciliation would get cross-party support and held quite lengthy discussions with the Shadow Minister for Aboriginal Affairs, Dr Michael Wooldridge.

Arising from these discussions, adjustments were made to the Bill to give greater emphasis to the assessment of the Council's performance in producing tangible and additional information practical results and to focus more on local community initiatives.

The Council for Aboriginal Reconciliation Bill 1991 was introduced into the House on 31 May 1991 by Mr Tickner and debated on 5 June when it was passed with unanimous support. The achievement of bipartisanship on the Bill was aptly expressed by Mr Tickner and Dr Wooldridge shaking hands on the floor of the House following the vote. The same cross party support was demonstrated in the Senate where the Bill was passed without amendment on Friday, 16 August, 1991.

The Bill received Royal Assent on Monday 2 September 1991. That was an appropriate date as it also marked the beginning of the National Aboriginal and Islander Day of Observance Committee (NAIDOC) Week, a week in which Aboriginal history and aspirations are publicised through a variety of celebrations, educational events and exhibitions.

The new proposals for reconciliation implicitly take up the conclusion of the bipartisan Senate Standing Committee on Constitutional and Legal Affairs which concluded that attitudes lay at the heart of the situation and that no piece of paper can provide significant improvement until these are changed through a continuing and extended education program.

Underlying all the Prime Minister's statements is the same conviction that attitudes are the key and that what is of paramount importance is that reconciliation occurs rather than what we call it. Discussions on such sensitive matters as sovereignty, land rights, customary law, and compensation will be fruitless unless both sides approach each other with greater knowledge and understanding and free from a false and superficial stereotyping of each other. What is needed is what the Coalition parties have referred to as a process of 'continuing reconciliation' and what Mr Tickner has described as 'a transformation of Aboriginal and non-Aboriginal community relations in this country'. \blacklozenge

References

- Attwood, Bain (1989) The Making of the Aborigines. Sydney : Allen & Unwin.
- Baker, Ken (ed) (1988) A Treaty with the Aborigines. Melbourne Institute of Public Affairs Ltd. 1988.
- Brennan, Frank SJ & Crawford, James (1990) Aboriginality, Recognition, and Australian Law : Where to from Here? Public Law Review 1(1) April.
- Coombs H. C. (1978) Kulinma: Listening to Aboriginal Australians. Canberra: Australian National University Press.
- Gilbert, Kevin (1977) Living Black Blacks talk to Kevin Gilbert. Ringwood, Vic: Penguin.
- Harris, Stewart (1979) 'Its Coming Yet': An Aboriginal Treaty within Australia between Australians. Canberra: Aboriginal Treaty Committee Publications.
- Mattingley, Christobel & Hampton, Ken (eds) (1988) Survival in Our Own Land Aboriginal Experiences in South Australia since 1936, Told by Nungas and Others. Adelaide: Aboriginal Literature Development Assistance Association in association with Hodder & Stoughton.
- Pollard, David (1988) Give and Take: The Losing Partnership in Aboriginal Poverty. Marrickville: Hale & Iremonger
- Reynolds, Henry (1987) Law of the Land. Ringwood, Vic: Penguin
- Wright, Judith (1985) We call for a Treaty. Sydney: Collins/Fontana.
- Report of the Royal Commission into Deaths in Custody, v. 2. Canberra: AGPS, 1991.
- Senate Standing Committee on Constitution al and Legal Affairs (1983) Two Hundred Years Later.