National Aboriginal Conference Secretariat

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TO ALL ABORIGINAL ORGANIZATIONS

I am writing to you as Chairman of the National Aboriginal Conference. As you know we have formed a Sub-Committee on the Makarrata to find out what Aboriginal people think about the whole idea of a treaty between Aboriginal people and other Australians.

We want to know your ideas about the Makarrata.

- Has your organization formed a committee on the Makarrata?
- Have you had any meetings on the Makarrata?
- What are your people saying?
- Do you have any suggestions for the next stage of the Makarrata Sub-Committee's work?

I am enclosing some information which may be useful in your discussions.

The first paper is a few common questions people ask about Treaties and some answers to them.

Secondly we have set out some of the views of the Aboriginal Treaty Committee, a white committee headed by Dr Coombs, on why there needs to be a Treaty between Australians.

Thirdly there are some comments on the Makarrata from two Aboriginal Organizations, the Central Australian Aboriginal Congress, and the Tasmanian Aboriginal Centre.

Please let us know what you are thinking.

Yours faithfully,

J.P. Hagan
CHAIRMAN

What is a treaty?

A treaty is a negotiated settlement between two parties in dispute. It sets down in writing what both parties agree to.

A treaty can be made law in Australia either through Parliament or through a change in the Constitution. If it is made law through Parliament, it can go through as soon as both sides agree. If a treaty is made law through changing the Constitution then all people in Australia have to vote on it in a referendum. This takes longer but makes the agreement very safe.

In daily politics governments change their minds but they cannot break a treaty that has been properly made. Once an agreement is made and a treaty is signed both parties are bound to obey the treaty. The Courts of Australia will back up a properly made treaty.

What is the difference between a Makarrata and a treaty?

Makarrata is an Aboriginal word adopted by the N.A.C. instead of the term 'Treaty' or 'Treaty of Commitment". It is a Northern Territory Yolnu work which means 'things are alright again after a conflict'.

Using the word Makarrata makes it clear this is intended to be an agreement within Australia, between Australians. If the agreement is called a treaty it could also be seen as an international agreement between two sovereign nations.

A treaty between two separate nations can be registered with the United Nations and protected by international public opinion. The Federal Government has indicated it does not see the agreement in this way.

Why do we need a treaty?

Many Australians still believe that justice for Aboriginals is best achieved by special government programs aimed at bringing about equality with other citizens. Many of them still argue that expanding government welfare, health care and employment programs is the only realistic form of compensation for past injustice to Aboriginals.

This ignores the rights of Aboriginals based on prior Aboriginal occupation of this country. Aboriginals want justice not charity.

Aboriginal people are entitled to compensation for the loss of land. Aboriginals want recognition of their right to establish and to control their own organizations and run their own affairs.

It will be hard to negotiate a Treaty

To get the Federal Government to agree to what Aboriginal people all over Australia are saying will take a long time. To get the Federal Government to agree to make the State Governments go along with the agreement will take longer.

Maybe Aboriginal people in different areas will want different agreements. How can all Aboriginal people speak together? There are many questions still to be answered.

Have any Treaties like this been negotiated overseas?

Yes. In North America there is a long history of negotiated settlements between governments and indigenous peoples. It is important to look carefully at these agreements to see what we can learn about

making treaties.

The North American treaties have all been formal, written agreements signed at public meetings of the tribes after long negotiations with the government. Few Indian tribes, however, could have forseen the long term consequences of giving up their land.

The treaties of the past were made with great seriousness and both parties spoke of the necessity for honour and good faith in maintaining treaty promises. The tribes and their descendents understand the treaties as being legal arrangements binding on the government for all time.

Overall, the treaties have been considered morally and legally binding agreements by the governments of Canada and the United States. But some treaty promises were broken by nineteenth and twentieth century administrators. And, as Indians now point out, there was always some pressure in making land surrender treaties. Indians had to give up the land wanted for development. They could only bargain with the government negotiators for the best possible terms. Yet the treaties are still important to Canadian Indians. The treaties represent a recognition of their historic identity and an acknowledgement of their prior ownership.

The settlement of land claims today in North America

Four methods of settling native claims have been used in North America. Indians have found that going through the courts is the least satisfactory. It is slow, expensive and full of technical difficulties. Decisions must rest on legal definitions and case law drawn from European legal history, which does not understand the land tenure systems of hunters and gatherers. But Indians have found that taking legal action can be a useful way of forcing governments to change laws and policy: Only very insensitive political leaders will ignore grievances that the courts uphold.

A second way of settling claims in the United States is the Indian Claims Commission. It has considered hundreds of cases brought by Indian groups who claimed they had been unjustly treated by the government. Money compensation is paid for land losses, and as damages for unfair and dishonourable dealings by the United States, but alienated land is not restored to tribal ownership.

A third method of settling Indian cliams has been by laws of parliament. How just these settlements are depends on the power relations between government and the indigenous minority. Legislation provides governments with a quick political solution when land cliams delay resource development.

These government solutions can be fair or unfair.

In Australia we have seen many examples of this. (Mapoon, Aurukun and Mornington Island, and Noonkanbah).

In the United States following a court decision in 1959 that native title had never been removed, there was a 'land freeze' preventing the sale of land subject to native claims. This involved 90 per cent of Alaska. The American government then passed a settlement law. As compensation for giving up the ownership of most of their land, the native people received 40 million acres of land (11 per cent of the state) plus cash compensation and royalties totalling U.A. $962.5 million to be controlled by native-managed development corporations.

The native people of Alaska gave up all their land to the government, but got some of it back with a lot of money to make up for the loss of most of their land.

A fourth way of settling land claims is by negotiating an agreement. This is happending in Canada. Governments and native groups have bargained for agreements politically acceptable to both sides. It is in a sense a continuation of the treaty making process, but the Canadian government and its Indian subjects still have unequal powers and somewhat different goals. Aboriginal title has never been extinguished in the north of Canada, where there is now much pressure for development of natural resources. But the native people will no longer settle for total extinguisment of their rights. The north is their homeland and they wish to preserve their way of life for their children's children. Negotiators have concluded that a just settlement is only possible if other Canadians recognise that the native claims rest on 'spiritual and cultural bases which are simply not negotiable'.

The way negotiations have developed in Canada can be a useful lesson for us in Australia.

An Indian Claims Commissioner was appointed to examine claims and grievances in 1969. In 1973 the Canadian government announced that it would negotiate settlements of all 'comprehensive claims', covering every area where aboriginal title had not been extinguisted. In 1970 the government began to give native associations money to conduct their own research on historic rights and grievances and to prepare land cliams for submission to the government.

By early 1979 the government had given various native associations almost $16 million for cliams research plus another $23 million as loans to groups negotiating accepted claims. A 'Treaties and Historical Research Centre' provides expert assistance and access to records in government archives. A separate Office of Native Claims handles the government's negotiating tasks.

As well as funds for claims negotiation the government has, since 1970, provided massive funding for native political associations at local, regional and national levels. This has done much to overcome the long-standing isolation caused by poverty and cultural and language differences. Co-ordination between native associations is difficult because each community has different problems, and priorities. Without this special funding native people would not be able to prepare claims or have the orgnaizations to negotiate them.

The first modern land settlement 'treaty' prepared with the help of this funding was the 1975 'James Bay and Northern Quebec Agreement'. In 1971 the Quebec provincial government planned an enormous hydro-electric scheme. Planned dams threatened the econimic subsistence of Inuit (Eskimo) communities and bands of Cree and Naskapis Indians. They outnumbered the European population in this area and had never signed treaties surrendering their land. Their rights were ignored, but they sought a court injunction halting development until their claims were settled. Sypathisers helped the Cree and Inuit in their campaign to force the privincial and federal governments to acknowledge their rights. Negotiations were extremely difficult. Finally the Agreement was approved by both Parliaments in 1977.

This is the most comprehensive Canadian treaty, covering such matters as education, health, royalties, resource planning and so on. The Agreement was much more than a land surrender. It was intended to provide a basis for Indian and Inuit economic development and to safeguard their historic culture. But there has been much con-

troversy about this first treaty of recent times. Many feel it was a 'rip-off'. The protection given for political equality and subsistence and development needs may not be good enough.

Some fo the more recent claims in Canada demand real protection for the continuation of native societies but no such settlement has yet been reached. There are many differences between the government and native communities.

Inuit (Eskimo) Claims:

A claim proposal on behalf of the Inuit of the central and eastern Arctic was presented in 1977. The claim called for political self-determination (by means of a Nunuvat government within the Canadian confederation, based on Inuit political institutions); ownership of traditional areas (including sub-surface rights); and detailed provisions for protection of Inuit culture, language and the traditional economy. They asked for amendment of the Canadian constitution to provide for 'the constitutional recognition and continued assurance of the right of the Inuit to exist as an independent culture within Canada'.

As yet no final agreement - in - principal has been prepared.

Inuvialuit Claim:

In October 1978, after months of meetings and the circulation of joint position papers, another native group, the Inuvialuit, and the federal government signed an 180-page 'Inuvialuit Land Rights Settlement Agreement-in-Principle'. The Inuvialuit will receive surface and mineral rights to 37,000 square miles of land plus harvest rights throughout the western Artic. Participation in a land use planning commission will give them a major say in the management of land and wildlife. Cash compensation of $45 million for their surrender title, plus further funds to develop new businesses, will be controlled by native-owned corporations. Native people will also control the management of a 5,000 square mile Wilderness Park in this area. The government will provide $3.5 million for a Social Development Program, to be managed by Inuvialuit, which will develop special education programs and other projects for the preservation of their language and culture.

This is the kind of compromise agreement which can be negotiated between indigenous peoples and governments.

The Future Negotiations:

The Canadian government is committed to maintaining its treaty obligations and settling outstanding native cliams. The government acknowledges that 'the claims are not only for money and land, but involve the loss of a way of life'. But they want a 'just and final' settlement - as soon as possible. The decisions required are not easy for native people. As Mary Bearskin of Fort George says, 'We are not thinking only of ourselves but of all those young kids who are just starting to hunt, and those that have yet to be born'.

The government genuinely wants the native claims settlements to provide a lasting solution to the cultural, social and economic problems of the Indians and Inuit. But it insists the settlements must also take into account the interests of all residents in the area covered. This of course is the political responsibility of a national government. Some claims which demand 'outright and exclusive control over the lands and resources in the entire area

of traditional use', will not be easily negotiated.

The recent Canadian experience in negotiating 'comprehensive claim' settlement shows - that negotiation is very difficult. But Indians will no longer allow other people to decide their future of them. They will negotiate the future for themselves.

The negotiation process, if it is not hurried by pressure for resource development, potentially allows government representatives and native people to learn about each other. In the comprehensive claims, Indians and Inuit are seeking settlements which change their position in Canadian society. The changes in law, political institutions and government programs which are necessary can come only from direct debate with the government.

The earlier North American treaties, and the Treaty of Waitangi in New Zealand also show the lasting value of negotiation. Long ago, in the Queen's name, honourable men pledged themselves, their people and their heirs to uphold the treaty agreements. They bound themselves to share territory and live in peace, to deal justly with one another for all time. The written promises endure, to reproach generations of greedy men. The treaties have outlasted changes in law, changes in policy, and changes in government. The courts uphold the pledged word of men long dead, insisting that their promises be redeemed, asserting that the tribes who gave up their heritage in return for the sovereign's protection will forever be entitled to justice. The treaties remind Maoris and Indians that their ancestors met the Queen's representatives as equals, offering property of great value in exchange for the promised rights. The treaties remind other citizens that these lands once belonged to others. Today, in the Queen's name, these national governments are making up for past injustices, are binding themselves and their successors to honour new agreements with the original owners of their territory.

What about Australia?

Some white Australians believe there should be a Treaty in Australia.

In June 1979 a committee of well known Australians was formed to press for a Treaty. It is called the Aboriginal Treaty Committee and its members are:

Dr H.C. Coombs (Chairman)
Dr Diane Barwick
Mrs Dymphna Clark
Mrs Eva Hancock
Mr Stewart Harris
Mr Hugh Littlewood
Professor C.D. Rowley
Mrs Judith Wright McKinney

In addition to these people more than 1000 sponsors are helping the work of the Aboriginal Treaty Committee.

The Aboriginal Treaty Committee is made up of Australians of European descent. They are not a part of the National Aboriginal Conference, but like the N.A.C., they also believe there should be a treaty between Aboriginals and other Australians. This is why they are calling for a treaty.

They believe that experience since 1788 has demonstrated the need for the status and rights of Aboriginal Australians and Torres Strait Islanders to be established in a treaty, Covenant or Convention freely negotiated with the Commonwealth Government by Aboriginal representatives. Australia is the only former British colony not to recognise indigenous title to land. From this first wrong, two centuries of injustice have followed. It is time to wipe the slate clean & make a just settlement together. We believe this would be a signal to the world that we are indeed one Australian people, at least.

In New Zealand, Papua New Guinea, Canada and the United States of America settlements were made which recognised indigenous title to land. They were harsh and they were broken, but they were negotiated, as between peoples who respected each other, and they provided a legal basis upon which the conquered peoples of New Zealand, Canada and the USA can continue to fight for their rights in the courts. In Australia, however, on 5 April 1979, the High Court by a 3/2 majority found that the Aboriginal people had been lawfully dispossessed of their lands and the annexation of Australia could not be challenged. Mr Justice Gibbs said: 'It is fundamental to our legal system that the Australian colonies became British possessions by settlement and not by conquest'. The action had been brought by Paul Coe, president of the Aboriginal Legal Service (NSW). (Three of his uncles were shot and killed by white Australians.)

Now what happened in New Zealand, Papua New Guinea, Canada and the USA? In New Zealand, at the Treaty of Waitangi on 6 February 1840, the Queen's representative, Captain Hobson RN, promised the Maori chiefs 'full, exclusive and undisturbed possession of their land... so long as it is their wish and desire to retain the same'. (The principle of Maori ownership had been accepted even before 1840, when the privately owned New Zealand Company had bought land from Maoris.) But soon there were bitter disputes over land and open warfare into the 1860's. Land belonging to rebel tribes was confiscated and yet, because of the principle established in 1840, much of it was later paid for or returned. (In 1926 a royal commission found that compensation would have to be paid to the tribes whose lands had been confiscated.)

From the 1860's, Maoris were encouraged to sell their land privately and the result was European ownership of most of it. Today only 4% of New Zealand is Maori land, but the Maori concept of group ownership is recognised and there is special provision for raising mortgages on this land. (Today, in a total New Zealand population of 3.2 million there are 270,000 Maoris.)

In 1884 what is now Papua was taken over by the British government and New Guinea by the Germans. The British authority, Commodore Erskine RN, promised then that 'your lands will be secured to you'. Land wanted for settlement or business purposes was bought by the administration and then leased to the colonists. The bulk of the land remained with the native people.

In North America, it was the usual practice, started by British and continued by Canada and the United States, to make treaties with the Indian tribes who, in return for their acknowledged ownership rights, would retain parts of their territories as reservations in perpetuity

for their own use and also receive compensation in money, gifts, services and perpetual annual payments. The practice was given royal sanction in 1763, when King George III issued a proclamation (which had the forct of a statute in the colonies) saying in effect that the Indians were not to be dispossessed of their lands without their consent and then they were to be ceded only to the government. No private person was to buy directly any Indian land.

There was no such proclamation by the King on behalf of the Aboriginal tribes in Australia. Indeed, the House of Commons select committee on Aborigines (British Settlements) noted in 1837 the inconsistency with which Britain had acted in its various colonies. The House of Commons select committee found that although general principles of fairness had been laid down, in fact lands had been settled 'without any references to the possessors and actual occupants'.

In simple words Aboriginal peoples rights were completely ignored.

In Canada it was different.

Acting on the royal proclamation, Canada made 15 treaties with the Indians between 1850 and 1923. The land reserved for each Indian tribe was divided up for each family, which received either 160 acres or 1 square mile, depending on its size. Meanwhile in British Columbia, which did not join Canada until 1871, Governor James Douglas made 14 treaties, which gave the government absolute title to the tribes' land, but acknowledged their original ownership by paying them compensation.

There are now about 300,000 Indians and 18,000 Inuit (Eskimo) people in Canada. Together, they comprise about 2% of the total population. They own today more than 6 million acres. In 1974 the Federal government set up an Office of Native Claims to negotiate new settlements. By 1976 six claims had been heard and settled, 15 had been rejected, 25 more were being considered. By 1977 almost $3 million a year was being given to Indian groups for research and negotiation of land claims.

Recently the historic Canadian respect for native land rights was confirmed quite remarkably when the government accepted the recommendation of Mr Justice Berger, of the Supreme Court of British Columbia, that work should not begin for at least ten years on the 2,000 mile natural gas pipeline through the North-West Territories between the Arctic Ocean and the United States. This decision will allow the land claims of 30,000 Indian, Metis (people of French Canadian and Indian mixed descent) and Inuit (Eskimo) people to be heard before the pipeline issue is again considered. Berger's report, released on 9 May 1977, and the government's endorsement of it were firm rejections of the pressure from oil companies and from the US government. The inquiry, which started in 1974, followed the discovery of oil and gas in Prudhoe Bay, Alaska, in 1968, and of oil in the Mackenzie River delta in 1970.

On 15 April 1977, Justice Berger explained that the indigenous people wanted a settlement which would 'entrench their rights to the land and... lay the foundations of self-determination under the Constitution of Canada... Their claims must be seen as the means to extablishing a social contract based on a clear understanding that they are distinct peoples in history... Special status for native people is an element of our constitutional tradition... The native people insist that the settlement of native claims should be a

beginning rather than an end of the recognition of native rights and native aspirations'.

It would be dishonest, wrote Berger, to try to impose an immediate settlement. 'They will soon realise - just as the native people on the prairies relaised a century ago as the settlers poured in - that the actual course of events on the ground will deny the promises that appear on paper. The advance of the industrial system would determine the course of events, no matter what Parliament, the courts, this Inquiry or anyone else may say! The social consequences of the pipeline would be devastating. Judge Berger concluded: 'Native society is not static. The things the native people have said to this inquiry should not be regarded as a lament for a lost way of life, but as a plea for an opportunity to shape their own future, out of their own past. They are not seeking to entrench the past, but to build on it.'

Berger's words would also speak for Aboriginal Australians.

Like Canada, the United States has a long history of Treaties between indigenous peoples and the Government. In the United States, the American Indian Policy Review Commission submitted its final, historic report to Congress on 17 May 1977. In its introduction the Commission firmly founded its recommendations on the premise that 'the government's relationship with the Indian people and their sovereign rights are of the highest legal standing, established through solemn treaties, and by layers of judicial and legislative actions... The relationship of the American Indian tribes to the United States is founded on principles of international law'.

In 1831 a significant decision of the Supreme Court upheld the Cherokees' reading of the Constitution and Chief Justice John Marshall declared that the tribes had shown themselves capable in law and fact of self-government within the borders guaranteed them by treaty, and that they should be acknowledged as 'domestic dependent nations', with full powers over their internal policy, subject to no States' jurisdiction.

The American Indian Policy Review Commission declared:'The fundamental concepts which must guide future policy determinations are:

1. That Indian tribes are sovereign political bodies, having the power to determine their own membership and power to enact laws and enforce them within the boundaries of their reservations, and
2.. That the relationship which exists between the tribes and the United States is premised on a special trust that must govern the conduct of the stronger towards the weaker'.

The Commission recommended that 'the long-term objective of Federal-Indian policy be the development of tribal governments into fully functional governments exercising the same powers and shouldering the same responsibilities as other local governments'. It went on to assert that 'tribes have an inherent right to form their own political organisations in the form which they desire'.

This Commissions report represents the latest of several changes of U.S. Indian policy. It could still change because the

American Congress can change its legislation. But the constant factor has always been the treaty relationship, which the Supreme Court consistently upholds. The Commission reported that as late as 1975 the Supreme Court found that 'Indian tribes are unique aggregations possessing attributes of sovereignty over both their territories'. The Commission also quoted with approval the classic definition of tribal sovereignty by Felix Cohen, the leading authority on Federal Indian law, who laid down three principles:

1. The Indian tribe possesses all the powers of any sovereign state.
2. Conquest renders the tribe subject to the legislative power of the United States and, in substance, terminates the external powers of sovereignty of the tribe, but does not by itself affect the internal sovereignty of the tribe, i.e. its powers of local self-government.
3. These powers are subject to qualification by treaties and by express legislation of Congress, but, save as thus expressly qualified, full powers of internal sovereignty are vested in the Indian tribes and in their duly constituted organ of government.

The Supreme Court has also obliged the Federal government to honour its trust to the tribes, who have recourse to the courts if the trust responsibility is not honoured, especially with regard to land. Between 1946,when a special Indian Claims Commission was set up, and 1973, there were more than 600 claims for compensation, and awards totalled $431 million. (The ICC is not empowered to restore land) The treaties are regarded as superior to all State laws and have the same dignity as any Federal Statute. No Supreme Court in the last 50 years has failed to uphold an Indian treaty.

The Indian Policy Review Commission concluded its passage on treaties by emphasising their symbolic and moral significance to the Indian people. They are seen as the word of the nation. It is precisely this kind of permanent protection, lying beyond the reach of constantly changing executive and legislative policy, which Aboriginal Australian have always been denied. A Treaty would give them this permanent protection. It would be'the word of the nation'.

The Aboriginal Treaty Committee believes that the High Court would ensure that no government reneged on its Treaty obligation and that no Parliament legislated against its interpretation of the Treaty.

They believe Aboriginal people have the right to a Treaty.

During the last decade there has been a transformation in the morale of Aboriginal Australians; from a people plunged in hopelessness and despair they have become vigorous, socially and politically active, determined to find a way of life which is a mixture of their own traditional way and selected elements of the lifestyle of white Australians. To achieve this they need land, they need resources, they need knowledge, and experience: above all they need a status which can confer again the dignity of a people in command of their own destiny. They need thes things, not by the charity of their conquerors but as a matter of right as an expression of justice.

Those are the views of the Aboriginal Treaty Committee. They are talking about this in the white community through meetings, books, radio, television and newspapers.

They say that Australians of European descent must respect Aboriginal decision making processes in talking about a Treaty. It takes time to have proper discussions and make decisions. They feel there must be no rush or hurry in negotiating this Treaty.

So that Aboriginal people can participate effectively in negotiations and so feel bound by the outcome. They are calling for the Government of Australia to negotiate a just Settlement with Aboriginal people when Aboriginals are ready.

OTHER VIEWS ON THE TREATY

The Tasmanian Aboriginal Centre has an alternative view on the treaty to that taken by the National Aboriginal Conference. Their views are as follows:

1. That the idea of a treaty is a good one.

We do not question such an idea, and the basic advantages are seen as being:

(i) That the terms of the treaty could be enforced against the Australian Government by using the legal process and, if necessary, the International Court of Justice.

(ii) The treaty would represent recognition of past and present injustices committed by whites against Blacks.

2. Treaty by legislation or referendum?

The National Aboriginal Conference delegation spoke of a treaty via legislation. Legislation can be altered or completely recinded by different Governments and therefore, we submit, a treaty by legislation is not the most secure method.

A treaty via a referendum can only be changed by a referendum. The benefits of using this method are:

(1) A "Yes" from white Australians to a treaty would be more meaningful than a vote of politicians.

(ii) A decision by referendum, historically speaking, is pretty well entrenched and a decision would by far more secure, in terms of possibilities of being changed, than any legislation.

3. The contents of the treaty.

We see this an a non-issue. The real issue of concern is whether or not a treaty netween whites and Blacks ought to be followed through. The contents need only be discussed after there has been consensus on the broader issue of a treaty. Content is a completely separate issue and ought not be confused with the broader issue.

4. The time is not ripe for a treaty.

We agree with the broader concept of a treaty but not for the present. The reasons are:

(i) That the Aboriginal consciousness in this country is only beginning to surface and that a treaty may lead to a "nipping in the bud" of such developing consciousness. The success of the political struggle of any people, particularly minorities, depends totally upon the political consciousness of the people themselves. It cannot be said that Aborigines are currently at a stage where all our people are aware of what has been done to us, and what the solution is. This will eventually happen, but it has not yet happened.

(ii) Any agreement at this point in time will be seen as a charitable one. The Government holds all the strings at the moment in terms of power over us. Therefore the weak are asking the strong to make an agreement.

Only when we represent such a threat to the stability and power of white Australia that they are forced to negotiate a treaty with us, will a treaty not be viewed as charitable.

5. The National Aboriginal Conference to review its Sub Committee's attitude and conduct at meetings concerning the treaty issue.

(i) The Sub Committee was seeking support for the treaty although in the Chairmans opening address it was stated that communities views were being sought on the idea of a treaty.

(ii) The delegation has not examined all the issues pertaining to a treaty and did not give alternative views on a treaty for meetings to consider.

Those are the views of the Tasmanian Aboriginal Centre.

The Central Australian Aboriginal Congress from Alice Springs is also thinking carefully about the Makarrata. This is what they say:

"We believe that this matter of a treaty is so important that every care should be taken to ensure that it is done properly. The N.A.C. does not possess a mandate from the people to decide on this matter. It must be thoroughly understood and agreed upon by all the people. The current round of meetings are only a start, there is an enormous amount of work to be done before everybody understands this "Makarrata". Only when everybody understands it can they really get into the next stage of deciding on the form it should take. We cannot see how all this can be done in less than five years of hard persistant work. We will be forced to resist any attempts to push through concepts, even if we agree with them, if we believe they have not been fully ratified by the people".

That is what the Central Australian Aboriginal Congress feels about the work of talking about the Makarrata.