

**Support a
treaty between
aboriginal
Australians
and white
Australians**

MS 1867/20

/item 200



What is a treaty?

A Treaty is a formally signed contract or agreement between peoples, negotiated by their accredited representatives.

A Treaty signifies the acknowledgment rights based on a recognition of prior ownership of the land by an indigenous population.

A Treaty lays down agreed conditions between the signatories, ratifies peace and mutual respect so long as those conditions are observed, and provides a basis for legislation to safeguard the rights of the parties to the Treaty.

Why has there been no such treaty with aborigines and Torres Strait islanders?

Australia is alone, among British colonies, in having never negotiated or concluded any agreement over the occupation of tribal land or compensation for the deprivation and destruction of the Aborigines' means of living and their way of life.

Explanations for this fact vary, but they depend upon the British view that *only the practice of some form of agriculture or other management of land and fixed dwellings entitled possession of land.*

The British occupiers were mistaken in thinking that Aborigines did no more than harvest the natural produce of the land. Their use of fire as a management tool is now being recognized as both skilled and sufficient to ensure pasture for the marsupials which supplied their main harvest of large meat and to control the growth of unpalatable plants. They had no animals which could be domesticated, except the hunting dingo, and no need to supplement their diet by planting crops. Yet they have lived in balance with their food-supplies for more than 40,000 years on this continent, and developed all the skills, tools and weapons necessary to support a probably fairly stable population.

The British also believed that *Aborigines had no forms of law, no government, and hence no leaders with whom negotiations might be conducted.* We now know that Aborigines have indeed strict sets of laws, government by consensus, and a society in which religion is deeply bound up with the whole of their culture and rights in land.

Why should we try to negotiate a treaty now?

Both in Australia and overseas there is deep disquiet over the present situation of Aborigines.

In 1967 a referendum clearly gave responsibility for legislating for Aborigines to the Commonwealth. Except in the Northern Territory, the situation of Aborigines has changed little as a result of that directive. In Queensland, Aborigines and Islanders can own no land; their affairs are controlled by white-imposed structures and laws, especially on the reserves where so many live. In Western Australia Aboriginal wishes and demands in respect to mining and exploitation of their sacred areas, even on land bought for them by the Commonwealth as in the case of Noonkanbah, are overridden by the State government with the help of the State police. Many other anomalies exist between States. The Commonwealth has never asserted its clear rights and responsibilities over State laws.

Aborigines in Australia today are

- the most economically depressed
- the most unemployed
- the most imprisoned
- the most neglected in health services
- the most powerless
- the most discriminated against

of all groups in Australian society. In this situation we cannot expect them to lift themselves out of poverty and ill-health largely caused by deprivation of land, culture, rights and even hope for the future. They will continue to feel themselves despised and unrecognized. Even the level of funding which supplies the social services on which they must depend is subject to the whim of successive governments, both State and Federal.

Can we look forward to the celebration of the end of our second century of occupation of Australia, while such a reproach lies on us?

The Aboriginal Treaty Committee

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

PO Box 1242
Canberra City 2601

I/We agree that until a Treaty, Covenant or Convention of Peace and Friendship has been negotiated between Aboriginal Australians and Torres Strait Islanders, and the Commonwealth of Australia there should be a moratorium of not less than 5 years on mining exploration and development in areas predominantly occupied by Aboriginal Australians.

I/We enclose a donation of _____ to the costs incurred by the Aboriginal Treaty Committee, PO Box 1242, Canberra City, ACT, 2601. (Donors will be sent copies of such publications the Committee from time to time produces.)

The Fund will be administered by Dymphna Clark, Eva Hancock and Steward Harris, as Trustees. (Solicitors for the Aboriginal Treaty Committee are Pamela Coward and Associates.)

Signed

Name

Address

Post Code

I would (not) be interested in joining/starting a regional support group.

Why should we feel responsible for the past?

Our prosperity is based on the exploitation of Australia's resources, both in the past and in the present. This included the exploitation of cheap — sometimes even unpaid — Aboriginal labour; and the exploitation of land which to Aborigines was 'hearth, home, and the source and meaning of life and everlastingness of spirit'. Aboriginal resistance to the occupation of the land was answered, at best, by driving them into infertile country, at worst, by massacre. To us the profit, to them the deprivation and misery.

Not only in the past, but today, the process continues and its results are obvious.

What you can do

Recognize the need for a Treaty by signing the form and sending a donation to help the work of the Aboriginal Treaty Committee. Write to your State and Federal members supporting the negotiation of a just Treaty.

HC Coombs (Chairman)

Aboriginal Treaty Committee Papers

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“Support a Treaty with Aboriginal Australians”,
Aboriginal Treaty Committee. c. 12 November 1980
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