

The ATC: should we continue?

Even some of our most active supporters have been discouraged by recent, profound Aboriginal criticism of the whole Treaty idea. They have been particularly discouraged by the statement made by the new Federation of Aboriginal Land Councils (FALC) at its first meeting near Alice Springs on November 27 last year (reported in *Aboriginal Treaty News*, No. 3, November 1981). So the questions arise: Is the Aboriginal Treaty Committee right to go on with its work? Should our supporters go on with their work? Are we all being useful? Or are we even being a collective nuisance?

After almost three years in action, it is high time our work was assessed by Aboriginal Australians. We welcome that assessment.

Father Pat Dodson, one of the organisers of the FALC meeting, said afterwards that there would be no agreement between Aborigines and white Australians until the Federal Government "comes to terms with the fact that we are a sovereign people, not a subjugated people". The FALC statement declared that Federal Government initiatives for a Makarrata were a "confidence trick" and that the National Aboriginal Conference had no "authority or mandate" from the Aboriginal people to negotiate a Makarrata. It added: "The idea of a Treaty is also rejected because of insufficient consultation with Aborigines, doubts of its significance and/or consequences, and because it would legalise occupation and use of Aboriginal lands by the Australian settler State". Aborigines were a nation in their own right, having never ceded sovereignty over Australia by way of a Treaty.

We believe that there are several points to be made about these statements by Father Dodson and the FALC. They seem to suggest that a Treaty may *become* a possibility, if Aboriginal sovereignty is recognised before any negotiations start and if the Aboriginal negotiators are properly constituted, with an acceptable mandate to negotiate.

We believe, and we always said from the beginning, that the Treaty idea may not be the right way ahead. But it still seems to be *one* way ahead. As such, it remains a useful focus of thought and action, certainly for Australians who are not Aboriginal. As for Aboriginal Australians, we refuse as usual to speak in any way for them. They speak

powerfully for themselves.

But we do still notice Aboriginal support for the Treaty idea. It comes not only from the NAC (which has started to reflect some opinion from the Land Councils, with the recent election of Frank Chulung and Peter Yu, from the Kimberley Land Council in Western Australia). It comes even from radical sources within the Aboriginal movement. For example, the Victorian Aboriginal Health Service Co-operative's November, 1981 newsletter contains an article by Bruce McGuinness, the editor, who is also chairman of the service. He and Gary Foley set up the Aboriginal Information Centre in London, and both have a long and honourable record of radical action within the Aboriginal movement.

The article is headed "A Treaty for Whom?" and it ruthlessly analyses the Federal Government's record. It expresses cautious interest in "the announcement that Mr Fraser has offered to discuss the proposals for a Treaty", and it adds: "*We are fully supportive of the concept of a Treaty and the implication thereby of land restoration and compensation*" (our italics). For the ATC and its supporters, that is an encouraging statement.

However Bruce McGuinness continues, "our experience as a community survival program (and that is what Health/Legal Services are) leads us to sound a warning, which is backed by the experience of double-dealing in the Ranger agreement and in other land and mineral rights agreements. We should be particularly wary of a Government which does not give sufficient support to survival programs such as Health and Legal Services to enable them to meet their people's needs, let alone trust such a Government to give due and just compensation and land restoration

"Naturally we recognise that the Aboriginal struggle, our struggle for liberation, will be won by us, here in this country, but all liberation struggles need an external front to pressure and to lobby. Hence we applaud efforts to liaise and make links with supportive peoples and groups in other countries, *just as we welcome support from sincere whites in this our land*, but our experience and our history in this past two hundred years points up the necessity for distrust" (our italics).

The ATC agrees with this analysis by the chairman of the Victorian Aboriginal Health Service Co-operative, 229 Gertrude St, Fitzroy 3065 (phone 03-4191124).

Aboriginal Treaty Committee Papers

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