

## Reconciliation needs more than a gesture

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### **Canada has said sorry to its aboriginal population, but what constitutes a meaningful apology?**

THE Canadian Government's formal, parliamentary apology to Canada's more than one million indigenous peoples -Indians, Inuits and Metis -will produce further pressure for the disputed government-level apology to the Aboriginal and Torres Strait Islander communities.

The American/Canadian experience is longer and more widely documented than our own and this important Canadian apology thus comes as a chapter in an older policy history. It suggests both another perspective in which to view the withholding so far of the apology sought in Australia, and a sober outlook: there is far to travel on the policy road. We should both take our time and try harder.

No matter how much desired, an Australian apology offered without adequate policy and political back-up runs the risk of being not just a symbol but an empty one. If offered and accepted in good faith, the apology is soon shrouded in new failures or frustrations over policy. The political atmosphere for reconciliation will be prejudiced anew and the net result could possibly become a national minus.

At the very minimum an apology must be one in which the government making it and community receiving it have confidence. In this light an apology might be immediately gratifying but it would also be pretty groundless. The Howard Government is undertaking many of the practical measures to promote indigenous welfare, especially physical welfare. But it has not otherwise revealed a business list of creative policy to move the nation into a situation of reconciliation.

Its attitude is more cautious than constructive. It hesitates to apologise to the Stolen Generation (and for the policy itself), concerned at advice that one outcome could be to generate national liability for enormous compensation payments, and because it hesitates to make amends for another's honest mistakes.

At the same time the Aboriginal and Torres Strait Islander Commission is displaying an understandable lack of confidence in what the February Constitutional Convention and the prospective republic hold for indigenous people. So ATSIC Chairman Gatjil Djerrkura announced last weekend the indigenous peoples will organise their own "Indigenous Constitutional Convention" in March. In today's circumstances therefore an apology could come deprived of either sincerity or substance. In any event, are Australians more interested in the handshake or the deal?

RECONCILIATION cannot be a single act. It must be a continuing and effective process that solves and settles an otherwise interminable series of indigenous issues as it operates.

One arbitrarily chosen apology after another is unlikely to provide the solution.

Who, for instance, might have formulated an apology for the long sway of the doctrine of terra nullius, or the ignoring of land rights, before Mabo and Wik? How far have we proceeded towards the realisation that the restoration of rights in these areas serves only to open up the incontestable need to recognise a number of other basic and indivisible human rights hitherto denied to Aborigines?

These considerations should come together as we contemplate parliamentary debate of the draft Wik legislation without there being a single elected Aboriginal representative to argue the indigenous case. Nor are any of Canada's aboriginal peoples represented in the Canadian Parliament in Ottawa on a dedicated basis.

There are no seats reserved for them in either the upper or lower houses. They have their own Assembly of First Nations.

But it is not a parliament. Its express role over the past 20 years has largely been to inform and seek to influence Canada's actual legislators.

On the threshold of constitutional review and probable evolution into a republic, Australia is in fact poised to take some of those possible actions that could give fundamental significance to an apology and start us working together in a way that could render much less likely the future need for further apologies.

ATSIC is beginning to open an important new agenda of claims and the best apology the Australian Government could make would be to give them serious acknowledgment. In last weekend's announcement, Djerrkura singled out constitutional recognition of the status of the First Australians and the creation of "dedicated" seats for them in Parliament.

Some will argue that the indigenous communities have no special claim to representation, and that would be a fine point of departure for a deserving national debate. The outcome would almost certainly be a narrowing of issues to not whether, but how, to guarantee to Aborigines a voice as permanent in Parliament as their presence has been in this country.

The best setting for an apology in Parliament in Canberra, to match and even outreach Canada's, would be one coming from the government of the day to the first indigenous legislators elected to represent their own peoples. This is perhaps the sort of objective about which our present legislators could be bipartisan and for which they could abstain from further point-scoring over the political mirage of a really meaningless apology.