

JOURNEY FROM THE HEART

Fostering a Discussion

Providing the context for
upholding the big ideas

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JOURNEY FROM THE HEART

Sharing the Australian achievement

Australia is a good country. Something remarkable has been achieved here, and not simply by happy accident. There is prosperity, stability, safety and security, a wide compass of political, economic and personal freedom, opportunities in abundance for ourselves and our children, a record of building on hard work and success to extend the fruits of that success to more and more people. It has been made possible by the creative energies of some diverse and powerful cultures, by some particularly strong and effective institutions—including a Constitution which works well—and by a spirit of decency and generosity which is captured in the idea of a “fair go”. Quite rightly, most Australians are proud of this achievement.

The place of Indigenous peoples in the Australian achievement remains significantly under-appreciated. Geoffrey Blainey observed in 1993 that at the time of European settlement “the Aborigines probably enjoyed a very high standard of living”. “They were a highly successful society in the economic sphere” and “the typical Aborigines in 1788 had a more varied and more secure diet than the typical Europeans”. European settlers encountered a culture “startlingly different” to their own, with “countless economic and social differences, and an amazing variety of languages”. Unsurprisingly, there was incomprehension on both sides. There was goodwill and co-operation, but as Blainey says, there was also “frequent contempt” for Indigenous culture, and sometimes for “the colour of their skin”. That this has changed so radically over the last two hundred years, and particularly over the last half-century, is also part of the Australian achievement.

Paul Kelly has commented that “for most, Australia’s purpose is to create a nation that works for its people and gives them a decent life”. We have had astonishing success in bringing this about, but Indigenous peoples remain unequal sharers in this achievement. Some of the worst disadvantage and deprivation in our country is borne by Indigenous communities, and not always in remote areas. There have been many efforts made by generations of non-Indigenous people to address this problem, beginning with Governor Arthur Phillip. As one of his more recent successors, Dame Marie Bashir, observes, he was determined “to ensure the fair treatment of the Aboriginal people—he actively fostered harmonious relations with them”. Although some of these efforts are now seen as misplaced or misconceived or worse, they often involved good people who were genuinely concerned and who believed, by their lights and the lights of their time, that what they were doing might help. Racism was indisputably part of the story at different times and places, but as Jeremy Sammut has argued, what needs explaining in Australian history is not the continuity of racism, but how the society of the White Australia Policy became a successful multi-racial society by gradually “extending the ‘fair go’ ethos on a colour-blind basis to all comers regardless of origins”.

Indigenous Australians are the first to whom this extension of the fair go is owed, because unlike the British and the Irish who gave Australia the institutions and the patterns of commerce and civility which made a modern society possible, and unlike the migrants from across the world who have immeasurably enriched the country before and especially after the Second World War, it was the First Peoples who received all these comers, often at immense cost to themselves and their cultures. It is Indigenous Australians who have the most ancient connection to this land, and have suffered the most losses, while the nation built its prosperity. This connection and history is unique to them and makes them unique among Australia's minorities. The Indigenous peoples are the unrecognised and omitted parties to the historical compact which created 21st-century Australia. In justice to history and to Indigenous peoples, their place in the Australian achievement merits particular recognition.

Recognition does not just go one way. It is reciprocal. Recognition for Indigenous people completes a virtuous circle of recognition, whereby each of the three great generative forces of our country recognises the rightful place that the others hold in our shared past, present and future, and receives recognition of its own rightful place in return. In 2007, John Howard spoke of "recognising that while ever our Indigenous citizens are left out or marginalised or feel their identity is challenged we are all diminished. . . . that their long struggle for a fair place in the country is our struggle too". Recognition is not about division or separatism. It is about completing the compact that has been left unfinished for too long, and bringing the country together so that our First Peoples can become more equal sharers in the Australian achievement.

The options set out in these pamphlets show what recognition might mean practically and the difference it could make to local communities. They are options that seek to achieve this whilst at the same time upholding the Constitution that has served Australia so well for over a century.

The torment of powerlessness

The starting point is listening to what Indigenous people themselves tell us about their situation and how they envisage a way forward. At Uluru, in May 2017, representatives of Australia's Aboriginal and Torres Strait Islander peoples declared, "Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future."

Their statement then draws on a phrase coined by W. E. H. Stanner when it declares: "These dimensions of our crisis tell plainly the structural nature of our problem. This is the *torment of our powerlessness*."

The Indigenous leaders' call for constitutional recognition is presented directly as a means of addressing their torment of powerlessness: "We seek constitutional reforms to empower our people and take a *rightful place* in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country."

In the Mabo Lecture at the National Native Title Conference on 6 June 2017, June Oscar reflected on what happened at Uluru the previous week. She explained, "So many Aboriginal and Torres Strait Islander people have given their support to this process because they are tired of their powerlessness; because they seek to have a greater say on matters that affect their daily lives, so that our children might thrive. We have an opportunity to begin to address that powerlessness, to render ourselves visible amongst a national population that engulfs us. If we are so committed to Closing the Gap between Aboriginal and Torres Strait Islander peoples and our fellow Australians, then I do not know how we cannot honour the calls for a process that allow us to do that."

Decades ago, this powerlessness was identified by Stanner, a pre-eminent anthropologist of his age. He writes in the language of the era of "Durmugam, a Nangiomeri" and evokes the image of a Nangiomeri man from the Daly River whom he clearly admired: "an Aboriginal of striking physique and superb carriage". Stanner witnessed Durmugam engage in tribal warfare in 1932 with "savage, vital splendour". He introduces us to the idea of the torment of powerlessness in relating Durmugam's story.

Stanner writes that, "To the older generations of Australians it seemed an impossible idea that there could be anything in the Aborigines or in their tradition to admire. The contempt has perhaps almost gone. In its place one finds, surprisingly widely, both interest and solicitude. But old contempt and new solicitude have a common element: a kind of sightlessness towards the cultural problems of what it is to be a blackfellow in the here-and-now of Australian life. For this reason hundreds of natives have gone through, and will go through, the torment of powerlessness which Durmugam suffered." Although the circumstances of the Indigenous leaders at Uluru are strikingly different from those of Durmugam, they still feel compelled to call out the sightlessness that results in their feeling tormented by a sense of powerlessness in so many aspects of their daily lives.

If we are to appreciate fully the ways in which Uluru's big ideas can help Indigenous Australians to overcome the torment of their powerlessness then we must pause to listen and understand. In *A Rightful Place*, Megan Davis observes that there is an ethical dimension to the torment of powerlessness. It lies in the sense of isolation that comes from the feeling that one is never heard; a feeling of being "abandoned by humanity" that others have dubbed "ethical loneliness". Professor Davis reminds us that "thinking ethically about reform for the First Nations requires thinking about the truth of our history, and this can be emotionally and psychologically hard. It can be easier to close our ears. But the Uluru Statement issues this moral challenge to all Australians: hear our voices, and pause to listen and understand."

Referendum Council and the Uluru Statement

The Indigenous leaders who assembled at Uluru called for “the establishment of a First Nations Voice enshrined in the Constitution” and “a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.” This builds on a long history of Indigenous advocates calling for greater empowerment, and asking for their voices to be heard. In his petition to King George V, William Cooper called for fairer representation of Indigenous people; the Yolngu Bark Petitions asked for fairer consultation and a fair hearing before decisions about them were made, and the Barunga Statement asked for an Indigenous body to oversee Indigenous affairs. Many reports of the past have called for increased Indigenous empowerment and responsibility in decision-making that affects them.

The conference of Indigenous leaders at Uluru in May 2017 was the culmination of a series of thirteen geographically diverse consultations, which were convened by the Referendum Council. The Prime Minister and Leader of the Opposition established the Referendum Council in a bipartisan effort to resolve what question should be put to the Australian people at a referendum about constitutional recognition of Indigenous peoples.

In addition to recommending a referendum to establish a First Nations Voice within the Constitution, the Referendum Council also recommended that “an extra-constitutional Declaration of Recognition be enacted by legislation passed by all Australian Parliaments ... as an expression of national unity and reconciliation.”

Providing the detail for recognition’s big ideas

Neither the recommendations made at Uluru nor the Referendum Council’s final report provide the detail for a First Nations Voice to Parliament, a Makarrata Commission, or a Declaration of Recognition.

The following three monographs in this series consider these proposals in turn and provide a set of options for different ways these issues could be addressed. These are intended as starting points for discussion. The final form of these big ideas should be developed by Indigenous peoples in consultation with the Australian government.

Hearing Indigenous Voices presents two distinct options for how the Constitution might be amended to ensure the Commonwealth Parliament hears Indigenous voices when making laws with respect to Indigenous affairs. Draft legislation and explanatory memoranda are provided for each option to help us imagine and discuss how the new constitutional guarantee could be implemented.

Makarrata unpacks the process of truth-telling and agreement-making that can allow Australians to “come together after a struggle”; a central aspiration of the leaders who gathered at Uluru. It presents two options for how formal makarrata processes might be established to facilitate reconciliation. It also considers how the process might operate in the absence of a formal commission. Examples of a draft Bill and draft Letters Patent are provided to help provoke discussion and imagination about how this might work.

A Fuller Declaration of Australia’s Nationhood presents two options for how the Australian people, together with the Commonwealth and State parliaments, might adopt a declaration of recognition. The Declaration would capture the significance of our Indigenous heritage and culture, our British institutions, and our multicultural society for a more complete expression of the modern Australian nation and the values that we share as Australians.

Although these proposals are discussed discretely, it is important to bear in mind how they interlock:

- once a mechanism is in place for ensuring that the Parliament hears Indigenous voices, this could then become a principal vehicle for achieving some form of makarrata;
- the symbolic recognition of the Declaration is only meaningful when it is the culmination of practical recognition achieved by guaranteeing the Parliament will hear Indigenous voices and the establishment of makarrata in some form.

The purpose of this introductory pamphlet is to demonstrate how the proposals in the following three pamphlets can help overcome the Indigenous torment of powerlessness which persists in Australia today.

How recognition will help Indigenous communities

Everyone concerned about the problems confronting Indigenous communities is entitled to ask how the options set out in these pamphlets will help make a practical difference on the ground.

Indigenous life in Australia today is not a story of universal despair, and there are many indicators of progress and hope. At the same time, still too many communities live in the shadow of disadvantage, suicide and violence, especially against women and children. The abuse of alcohol, solvents and other drugs continues to take a terrible toll. In part because of these problems, rates of adult imprisonment and juvenile detention among Indigenous people are much higher than those for the non-Indigenous population, and among the highest in the world. Outcomes for Indigenous children in health, mortality and education are significantly lower, whilst Indigenous Australians generally experience significantly lower life expectancy, rates of employment and household income.

The causes and drivers of these problems are multifaceted, but it is clear that the historic dispossession and discrimination which Indigenous Australians have suffered has had consequences which have been traumatic and intergenerational. The experience of our shared humanity teaches us that those who have suffered serious injustice or trauma need to be:

- recognised as equals, not simply seen as victims;
- given a chance to tell their stories in their own voices; and
- like other members of society, to be heard with respect when they speak about the solutions to their predicaments.

The recommendations made at Uluru and presented by the Referendum Council meet these requirements. The recommendations reset the parameters of what is possible. Hope grows from a strong sense that the past is not a destiny, and that the future is open; that by working together, it is in our power to make things different.

In practice, seeing Indigenous Australians as equals and allowing them to speak from their own experiences are intertwined with generating practical outcomes. For example, while the attitudes of non-Indigenous Australians towards Indigenous people today are very different from what they were in earlier times, the history of interaction has been dogged by failures to listen, communicate effectively, collaborate and appreciate cultural differences. Despite greater sensitivity and a much stronger willingness to listen today, there continues to be a significant lack of genuine consultation and Indigenous empowerment in the design and delivery of government services and policies in Indigenous affairs.

It is increasingly accepted that making a real difference in local communities requires the collaboration and agency of the local Indigenous people who live in them. These people are already taking responsibility for addressing unacceptable levels of disadvantage through initiatives such as the Empowered Communities framework, which works to replace top-down government intervention based on income transfers and passive service delivery, with Indigenous-led agendas for development at the local level.

Empowering Aboriginal and Torres Strait Islander people to take responsibility for their communities marks a paradigm shift from the approaches of the past and resets the balance in favour of their own leadership of their own affairs. Commercial opportunities for Indigenous peoples that harness the creativity and knowledge of ancient cultures will enrich modern Australia. A 2018 PwC Indigenous Consulting report estimates that in 2016, Indigenous businesses contributed between \$2.2 billion and \$6.6 billion to the Australian economy. There is the potential, however, for this contribution to grow. The Aboriginal and Torres Strait Islander economy would need to triple to be on-par with the contribution of Maori businesses to the New Zealand economy, on a per capita basis.

Increasingly, Indigenous people understand the importance of greater economic participation and growing businesses to provide jobs and services in their communities.

The Indigenous Business Sector Strategy announced by the Federal Government in February 2018 is intended to support Indigenous people in establishing businesses, including a particular focus on remote communities, young people and women.

This shift to empowering Indigenous peoples:

- acknowledges them as equals, with the capacity and the agency to address the problems facing their communities;
- gives them the space to explain and advocate for the different needs of different places; and
- shifts the relationship between Indigenous and other Australians from a top-down dynamic, to one of greater listening, mutual respect and reciprocity.

Australians should be encouraged and excited about these initiatives for making Indigenous communities more equal sharers in the success that belongs to all of us. The focus on empowerment is significant and promising but Indigenous people need to know that an empowerment approach will not be cast aside when governments, policies and priorities change.

Like other Australians, Indigenous people need certainty so they can build their lives and strengthen their communities. The biggest idea—a constitutionally enshrined Indigenous voice—is intended to provide this certainty. It offers us the prospect of a settled foundation for the future of the country, based on reciprocity and mutual respect, which will help to transform the present in local communities.

Hearing Indigenous voices

Having the confidence that your voice counts is an important part of empowerment. In light of our history, it should be no surprise that Indigenous Australians now ask for a guarantee that they will always be heard in political and policy decisions made about them. Other Australians take it for granted that they can have a say in the laws and policies that affect their communities. Indigenous Australians would like to take this for granted too—to be certain that governments will consult locals on matters affecting them, and that locals can raise concerns with governments and be heard. Indigenous people need to know they will always be listened to when decisions are made about Indigenous affairs. Providing this certainty will make Australia a different and better place.

In addition to the principles of justice which underlie the recommendation for an Indigenous Voice to Parliament, there are important practical reasons for it as well. The Productivity Commission estimated total direct government expenditure in 2017 for Aboriginal and Torres Strait Islander Australians at \$33.4 billion. Despite this expenditure, the gap is not closing. There is a sense of ever-increasing spending with diminishing returns on investment, and real problems in achieving effective evaluation of money spent.

The default structure of government funding and service delivery is part of the problem. Top-down service design and delivery drives a culture of Indigenous dependency and passivity, rather than fostering responsibility, choice and empowerment. Welfare dependency demoralises communities and works against the willingness of local people to self-manage, self-determine and self-motivate. Centrally-designed policy can be blind to important differences on the ground, not only between rural, regional and urban Indigenous communities, but also between different peoples. At the same time, there are problems with differential levels of service delivery in different parts of the country.

Lack of effective Indigenous engagement results in poorly targeted services, duplication and wasted funding. It is compounded by persistent communication failures, which a 2016 report by the Commonwealth Ombudsman found are, in part, a result of the lack of Indigenous interpreters and Aboriginal and Torres Strait Islander languages available through the government-funded Translating and Interpreting Service. Unsurprisingly, this results in significant disengagement between Indigenous peoples and government, despite genuine efforts at engagement.

Current models of consultation do not address this. They are limited to public submissions on pre-determined policy design, interviews with stakeholders in relevant sectors, regional roundtables, consultation with service providers and expert committees. It is not easy for local people to have a say, and this has affected both the quality of consultation and the practical impact it has. This is despite there being a strong link between effective and genuine consultation and improved policy outcomes, supported by both empirical economic data and academic literature*. Unfortunately, effective and genuine consultation is not the usual experience of local communities.

There are some instances which point to how much more could be done with effective local consultation. One example is the Indigenous women from Fitzroy Crossing and Halls Creek in Western Australia who raised their concerns about the impact of alcohol on their communities with the Director of Liquor Licensing. This initiated a consultation process involving local councils, the Aboriginal Corporations that owned the hotels and other government and local stakeholders, resulting in the successful introduction of restrictions on the sale of full-strength alcohol in 2007. The Centre for Independent Studies' 2015 *Dry Communities Report* found that the fact that the restrictions arose from within the communities themselves, rather than being imposed by the government (as they were during the Northern Territory Intervention), was a significant factor in their success. The problem is, this kind of genuine Indigenous-led action is rare and not structurally guaranteed.

* See, for example, BHP Billiton's 'Respecting communities and cultures to foster and grow potential' (Media release, 12 June 2014); BHP Billiton, 'Indigenous Peoples Policy Statement' (14 April 2015); Brereton, David, *The role of self-regulation in improving corporate social performance: the case of the mining industry* (Paper presented at the 2002 Australian Institute of Criminology Conference, Brisbane 2002); World Conservation Union, 'Report of the Roundtable on Mining and Indigenous Peoples Issues' (Gland, Switzerland, 8-9 November 2005); International Association for Public Participation, *IAP2 Engagement Spectrum* (2006); ICMM, *Sustainable Development Principles* (2003); Minerals Council of Australia, *Principles* (2005); International Finance Corporation, *Good Practise Handbook* (2007); Extractive Industry Transparency Initiative (2012); Mahood, Kim, 'Kartiya are like Toyotas' (2012) *Griffith Review* 36.

Another example concerns the Widjabul Early Childhood Strategy in Lismore, which was developed in consultation with elders and Aboriginal families under the federal government's Communities for Children program. The strategy had the aim of closing the gap between Indigenous children's health, well-being and educational outcomes and those of local non-Indigenous children. The 2009 final strategy evaluation report prepared for the YWCA found that, as a result of the strategy, Aboriginal families reported a higher sense of their needs being met in areas such as family day-care, occasional day-care, early intervention and speech therapy services, compared to their perception of the gap between themselves and non-Aboriginal families initially.

These are indications that genuine consultation, when it happens, can have a good effect, and Indigenous-led solutions can produce good outcomes. The options provided in these monographs for hearing Indigenous voices build on this by providing possible mechanisms which allow the government to test a policy proposal with local communities, and local communities to approach the government with a policy proposal.

These options allow local Indigenous communities to speak for themselves and to be heard by Parliament. It is essential to have more Indigenous Members of Parliament, but their first responsibility is to speak for the electorates they represent, not only for Indigenous people in their electorates. A constitutionally guaranteed Voice to Parliament would complement the work of all MPs and help to ensure prospects of greater social policy success by ensuring that local Indigenous voices are heard on matters that affect them. This is how a real improvement in outcomes can be achieved.

Makarrata

In the Yolngu language, makarrata means “coming together after a struggle”. The word is a gift of the Yolngu elders to this process of national healing and reconciliation. It allows people to acknowledge the dispute between them, to talk it over and resolve it, and to move forward together.

Makarrata is a coming to terms with the past as the foundation for a different future. The different elements that have been proposed for a makarrata reflect these two aspects of looking to the past and the future. The recording of the history of Indigenous peoples—and facing the truth about their experiences of dispossession, discrimination and injustice—gathers in their stories to enlarge the history of our country. The preservation of Indigenous cultures and languages makes the riches of the past available for all Australians, and especially for young Indigenous people.

Makarrata is not necessarily about land claims and compensation. The native title processes have already established our capacity and willingness to make agreements on these matters.

Makarrata can add the element of truth-telling about the past, and looking to the future as something shared. These are the pieces that are still missing. Other countries have done this well and offer us models. Truth-telling and recording history has been a critical part of the work of the Waitangi Tribunal in New Zealand. Similar processes have been undertaken by Canada's Truth and Reconciliation Commission.

In New Zealand, the Tribunal provides a forum for Maori people to tell their history in their own way and in their own words. This process is assisted by professional historians who provide research and assessments to clarify events. It is a cathartic process which allows the country to appreciate the depth and genuineness of Maori suffering, to resolve disputes, to bring about a sense of closure and strengthen national cohesion.

In Canada, lack of historical knowledge about the experience of the Inuit and Metis peoples produced poor public policy decisions, ignorance which reinforced racist attitudes, and distrust between Aboriginal and non-Aboriginal people. In being heard by the Truth and Reconciliation Commission, participants feel that the voices of their ancestors are being carried forward. Their stories also form part of a new oral history record that satisfies Indigenous legal traditions and practices of witnessing. In addition to being a healing experience for Indigenous people, the process fulfils an obligation to the country as a whole to record history accurately, including the experiences and knowledge of its Aboriginal community.

A different example of how makarrata might bring people together through agreement-making over cultural redress concerns the repatriation of ancestral remains. The bodily remains of ancestors have great spiritual significance for all of us. In the case of Indigenous Australians, the display of their ancestors' remains is a deeply felt injury to descendants. Repatriation is an opportunity to right past wrongs. It brings ancestors' remains back to country where they can be honoured and rest in peace. Repatriation of remains also helps Aboriginal people to navigate their country by knowing the dead are in the right and proper place.

The Commonwealth's Advisory Committee for Indigenous Repatriation observes in its 2014 report, *National Resting Place Consultation*, that "community consultation is crucial to determine a way forward that is culturally sensitive, encompasses a range of diverse cultures and beliefs and, is inclusive of Aboriginal and Torres Strait Islander aspirations". In 2016, the Advisory Committee organised the successful repatriation of thirteen ancestral remains from the United Kingdom to the Ngarrinjeri people in South Australia and the Whadjuk community in Western Australia. Makarrata would empower Indigenous people to lead agreement-making in this highly sensitive and important area, and provide a stronger and more enduring basis for collaboration to achieve cultural healing.

Makarrata would also include making agreements with the government and other people about Aboriginal and Torres Strait Islander cultural heritage and sacred sites—including where appropriate the dual naming of places, such as Uluru, which was previously known

as Ayers Rock, but which was renamed Uluru/Ayers Rock. The decision to close Uluru to climbers from 2019 is an example of agreement-making about an important place which strikes a balance between the cultural value and tourism value of significant sites. The Uluru-Kata Tjuta National Park Board, comprising eight traditional owners and two National Parks representatives, made the decision unanimously after consultation with the wider Anangu community and the development of a new Park Management Plan to enhance the experience of visitors in different ways.

As the Prime Minister's 2018 *Closing the Gap* report observed, agreement-making has also helped to empower communities and Indigenous entrepreneurs to increase business and employment opportunities, and is a critical part of initiatives such as the Indigenous Business Sector Strategy. Agreement-making is at the centre of the Empowered Communities program, with First Priority Agreements directed to tackling child education, child and aged healthcare, training and work, public housing support, domestic violence, drug abuse and community safety. The Cashless Welfare Card programs in Kununurra, Western Australia and Ceduna, South Australia are the results of this process of agreement-making.

Makarrata may also be a means of healing divisions within Indigenous communities themselves, especially when they have been afflicted with violence or the breakdown of trust and care for each other which the problems of disadvantage so often cause.

Makarrata is not only a way to address the past, but a way of making agreements to heal and strengthen relationships for the present and future. It extends not only to history and truth-telling, but to culture, commercial life, the well-being of communities, and governance. It is a way of ensuring that the future is unified and reconciled.

Declaration of recognition

A Declaration of Recognition outside the Constitution will unite Australians around our shared history and its foundations in Indigenous heritage and culture, British institutions, and the diverse legacy of migration. At first glance, however, this recommendation of the Referendum Council, like the recommendations made at Uluru, may seem remote from the task of tackling the destructive levels of disadvantage which are the lived experience of so many ordinary Indigenous Australians.

But as with the other recommendations, a Declaration of Recognition will have a real-life practical impact for First Peoples, and Australia as a whole. The key word is 'recognition'. What kind of recognition could such a declaration provide?

First, it will recognise Indigenous Australians as the First Peoples of our country and the traditional custodians of the land and waterways. Most Australians have already recognised this fact. We should complete this informal recognition with a formal declaration as a

nation. Even though the relationship between Indigenous and non-Indigenous Australia is different from fifty years ago, we have been slow to take this step. The Royal Australian and New Zealand College of Psychiatrists observes in its 2015 position paper that this slowness or reluctance has worked to undermine Indigenous well-being and mental health. This happens to any group of human beings when the questions of their identity and where they belong are left in doubt. We should ensure that Indigenous people know they are at home in Australia by recognising that Australia was, and is, first of all their home.

Secondly, a declaration would recognise Indigenous peoples as full members of the political community. Most Australians take it for granted that Aboriginal and Torres Strait Islander people are full citizens, as they most certainly according to the law. What is in doubt for some Indigenous Australians is how much their full participation in civic and public life is genuinely welcomed and valued, and how willing others are to empower them to take their rightful place as equals. A Declaration of Recognition would solemnly re-affirm their status as equal citizens and demonstrate the country's respect for the knowledge and leadership they bring to our life in common. It would show how much Australians value Indigenous traditions and cultures as an essential part of who we are.

Thirdly, a declaration would recognise again the human dignity of Indigenous peoples and recommit Australia to the proposition that the surest way to safeguard and promote human dignity is as a community, and one genuinely concerned to address disadvantage and to bring people in from the margins. Reflecting on the history of Indigenous dispossession and mistreatment provides not only a recognition of the crimes and failures of the past, but a warning for the future, marking out for us what can happen when our commitment to human dignity is forgotten or cast aside. Recognising the courage and resilience of the First Peoples in overcoming this legacy should provide an inspiration for this future too. This inspiration can be deepened and broadened by also recognising the institutions and habits of a life in common which have made Australia so successful, and the contribution of waves of migration, which have diversified and enriched our society.

We live in a time of deep division, at a moment when we seem to have forgotten how to come together as one. A Declaration of Recognition is an opportunity to open our eyes wide and set our gaze afar. It is chance to write a new story about ourselves for a new era, by addressing what has divided Indigenous and settler populations in the past, and setting down what we want to be—together—in the future. As Tim Wilson writes in *The Forgotten People*, a declaration “can sit at the heart of civic life and become a formal statement of national unity about our common aspirations for our nation.”

Wilson argues that a declaration would do this by fulfilling three discrete tasks. First, it can affirm for newcomers the shared values of the country to which they now belong: “It is important to ensure those who identify as part of Australia's migrant legacy feel ownership of—and consequently support—the process of recognition. Establishing common agreement for a statement that reflects the nature of our past, present and future aspirations is particularly important in such a strong migrant nation.”

Secondly, Wilson notes the low rate of support for our democratic system among younger Australians, as revealed in the annual Lowy Institute Poll. In the 2017 poll, only 52 percent of younger Australians agreed that democracy is preferable to any other kind of government, with 33 per cent agreeing that a non-democratic government could be preferable in some circumstances. The 2014 poll revealed only 42 per cent support for democracy among younger voters, which led Wilson to highlight the “need to engage Australians with the importance of the institutions that underpin our democratic way of life. A declaration may be designed to address recognition of Indigenous Australians, but it can also improve understanding of the value of democracy in Australian life.”

Thirdly, Wilson believes we should be inspired by the way a declaration would speak to shared values to bring diverse people, cultures and traditions together as one. He quotes Rachel Perkins, who put this point concisely and beautifully in the speech she delivered at the 2014 Recognise dinner: “It is for you to share, and acknowledging us in the Constitution will acknowledge that as part of your heritage too. It’s a two-way mirror, we acknowledge you, you acknowledge us, we become one. As we say in Arrernte country, one land, one mob.”

“One land, one mob”. It is a way of saying that a Declaration of Recognition is an expression of friendship, which is the surest foundation of a good society.

Providing the context for upholding the big ideas

This pamphlet explains how ensuring Indigenous voices are heard by Australia's legislators, establishing a process for makarrata, and adopting a declaration of recognition can help Indigenous Australians take responsibility for their destiny and bring the country together.

It is intended to provide the context for considering options which could serve as the basis for further discussion with Australia's Indigenous peoples and for subsequent consideration by parliamentarians.

Uphold & Recognise has collaborated with the PM Glynn Institute, Australian Catholic University's public policy think-tank, under the strategic guidance of Professor Megan Davis, Sean Gordon, and Noel Pearson, to develop these proposals with in-kind support from Allens and seed funding from Westpac Banking Corporation and the Commonwealth Bank of Australia.

UPHOLD & RECOGNISE is a non-profit organisation committed to its charter for upholding the Australian Constitution and recognising Indigenous Australians.

This pamphlet forms part of the Uphold & Recognise Monograph Series:

- 1 *The Australian Declaration of Recognition*
- 2 *Practical Recognition from the Mobs' Perspective*
- 3 *Claiming the Common Ground for Recognition*
- 4 *This Whispering in Our Hearts*
- 5 *Journey from the Heart*
- 6 *Hearing Indigenous Voices*
- 7 *Makarrata*
- 8 *A Fuller Declaration of Australia's Nationhood*

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