

## **SYDNEY FESTIVAL**

Friends: this evening I want to talk about the hopes we have long harboured for Australia's future: the renewal and affirmation of our national foundations through the achievement of Reconciliation and an Australian Republic.

As to Reconciliation:

I hope for the day when Aboriginal children will have the same expectations of life as their fellow Australians – to develop their unique cultural, social and economic capital – secured by a new framework of Aboriginal rights and responsibilities, embraced in a national settlement.

As to an Australian Republic:

I hope for the day when an Australian Republic affirms that our country is built upon two foundation stones: the indigenous heritage, and the British heritage. An Australian Republic affirming our British heritage and the great migration success story that followed, would recognise that which was long denied: this continent was possessed of an ancient civilisation and still is.

These two big ideas are usually talked about separately.

Let my view be clear: we can have reconciliation without a republic, but we can't have a republic without reconciliation. Reconciliation is either a condition precedent, or a complement, to an Australian republic. An Australian republic not grounded in reconciliation between indigenous and non-indigenous Australians would be both mean and meaningless.

Our attempt a decade ago to move to an Australian Republic without Reconciliation was wrong. What a thin achievement such a Republic would have been had the Referendum succeeded. Not long after sweeping the confetti of national celebrations into the dustbins of constitutional history, and we had duly installed our own native-born Head of State, the realization of how utterly un-profound and un-fulfilling such a Republic was, would have become apparent. Instead of the House of Windsor it would now be an Australian Head of State presiding over what has for too long been called the "Aboriginal Problem".

It is impossible for contemporary Australians to imagine how callously White Australians regarded the natives of this land at the time of Federation. That on the eve of its centenary we would seek to renovate the national compact and still leave the question of the blackfellas in the too-hard basket, may well have been worse.

I was not dismayed to see the 1999 Referendum defeated. It is not my purpose to recriminate about these events: I just want to say that the opportunity for true renewal and reaffirmation of our national compact still lies before us.

But first, we need to get our thinking clear about Reconciliation and the Republic and the relationship that I contend between them. I will first turn to Reconciliation.

The answer to the question “What is reconciliation and when will we know we have achieved it?” is still elusive.

Reconciliation is often seen in one of three different senses:

- an ultimate destination;
- a symbolic moment in time; and
- an ongoing process and relationship

There is an *ultimate destination* to which Reconciliation aspires: for indigenous peoples to rise out of their chronic disadvantage and state of despair to a state of social, cultural, economic and spiritual wellbeing, while retaining our cultural distinctness. Closing the gap is a multi-generational challenge: the life expectancy deficit of 20 years will not close in short order. The end destination cannot therefore be, at least by itself, the meaning of reconciliation.

What, then, of the *symbolic moment in time*, when momentous acknowledgements are made and commitments given? The great weakness of the ‘moment in time’ view is that, without more, such a moment is sure to rapidly turn out to be a false dawn.

The idea that reconciliation is an *ongoing process* is also, by itself insufficient, a bit like asking “how long is a piece of string?”

The truth is that Reconciliation must be a combination of a symbolic moment in time, a commitment to an ultimate destination and an ongoing process and relationship.

The ultimate destination might be: *For Aboriginal children to have the same expectations of life as their fellow Australians – to develop their unique cultural, social and economic capital...*

In order to get to that destination there needs to be a commitment made at a symbolic moment in time – *a national agreement*– which establishes the means necessary for progress – *a new framework of Aboriginal rights and responsibilities*.

I propose a two stage process:

Firstly, that the Commonwealth of Australia treats with Indigenous Australians about the form of a national agreement setting out an agreed framework of Aboriginal rights and responsibilities, and the means by which the intended goals of Reconciliation would be achieved.

Secondly, this national agreement would only become operative when authorised by an amendment to the Australian Constitution to be put to a Referendum of the Australian people.

I therefore suggest constitutional amendments in two areas, one symbolic and the other substantive:

- Firstly an appropriate preamble along the lines that have been previously proposed
- Secondly a new head of power which provides constitutional authority for the proposed national agreement along the lines previously proposed by the Makarrata Report of the Senate Legal and Constitutional Affairs Committee in 1983

Why do I think a national agreement authorised by constitutional amendment is essential to Reconciliation?

It is because the principal structural problem faced by indigenous people concerns our power relationship with the rest of Australian society through its structures of government. Australian democracy does not work to enable the solution of our problems and the security of our well-being.

This is the problem of the 3 per cent Mouse versus the 97 per cent Elephant.

The existing mechanisms of democratic participation by such a small minority, whose socio-economic circumstances are so out of step with the rest of the country, do not work to ensure that indigenous Australians enjoy the same expectations of life as their fellow citizens. This is more a function of the numbers than ill will: our extreme minority status as Indigenous Australians means that our plight receives temporary and highly fluctuating governmental attention, often of an inadequate and perfunctory nature.

We must focus on the *interface* between the Mouse and the Elephant to level the playing field so that accountability is a two-way street between governments and indigenous people, rather than the existing one-way street. It would require governments to be bound, not just by policy commitment, but by law.

The key to reform is for governments to be obliged to help rebuild indigenous responsibility and to honour indigenous rights.

Let me now turn to an Australian Republic. The Republic is a natural and inevitable development, but it should not preserve divisions or create new ones. An Australian Republic should unite our nation around a common understanding of our identity.

I said that a meaningful Republic must be grounded in reconciliation. The true meaning of symbolic reconciliation is not to repudiate our British heritage but to bring the two foundation stones of our country – our Indigenous heritage and our British heritage – together.

A principled, and inclusive argument for a Republic must win over many of those who have opposed a Republic that has been perceived as a break with our heritage.

This is the kind of argument I would make to those who harbour reservations about an Australian Republic.

I believe that a stable majority of Australians would support the idea that our country should not repudiate her British heritage but affirm it, not only as a historical fact but as the basis for the continued development of our nation. The republican half of the electorate probably comprises a large number of people who oppose a repudiation of

Australia's British heritage, but see themselves as republicans because an Australian head of state is of great importance to them.

There are not just two options: the existing situation versus a repudiational republic. In reality there are three models: the one in the middle is the affirmational republic which does not repudiate the country's British heritage and indeed affirms the special place of the Crown in our country.

The reality that monarchists must face is this: the republican cause will regroup until a narrow majority carries a Referendum. If the majority of people who have common ground in relation to the substantial issue – affirmation of our heritage – do not unite to define an affirmational republic, a tepid repudiational republic will eventuate at some point.

It is not a long-term solution that the monarchists narrowly defeat the republicans in referenda. And yet it appears that the monarchists have no strategy other than to repel the barbarians the next time they assault the citadel.

So how do we do this?

The 1967 Referendum on Aboriginal Citizenship was passed by 92 per cent of the Australian electorate. Our Constitution is one of the hardest in the world to change, because you need "a majority of voters in a majority of the states".

In other words you need 80-90 per cent of the country to support the Referendum.

To get this kind of support you need to convince rural, conservative and regional Australia of the need for change. Plainly you need to convince those people who usually vote for the National Party.

It took 10 years of outstanding advocacy by leaders like Faith Bandler and the late Pastor Doug Nichols and countless others, to build the groundswell of support across the political spectrum for the 1967 Referendum.

Those who think that Reconciliation and the Republic are exclusively a progressive cause, need to think again. If you want Reconciliation and an Australian Republic then conservative and regional Australia must first be convinced.

The difference between a 51 per cent and an 80–90 per cent strategy must be understood.

Simple majority strategies start from the progressive side and move to the Right. But it doesn't work with constitutional reform because you need a "majority of voters in a majority of the states".

This is why I seek common ground for progressive change with conservatives, because without them we cannot get the necessary consensus around the progress that we seek.

I say to you tonight, in the spirit of hope and progress, that an Australian Republic that gives equal weight to Australia's past, present and future is within our potential: a Republic that respects its British traditions through retention of the foundation stones of the Westminster political and legal system; a Republic that honours and recognizes in law the rightful place of my people through a National Agreement on Indigenous Rights and Responsibilities; a Republic that can proudly turn its face to the modern world and show we are become a beacon of Reconciliation in a world that sorely needs us to be.