



CCJP

CATHOLICS IN COALITION FOR JUSTICE AND PEACE

Catholics in Coalition for Justice and Peace
2013 Occasional Paper Series

The Intervention and Constitutional Change: What does this really mean for Reconciliation?

Edited Transcript of Address given by

Jeff Mc Mullen 16th June 2013.

Introduction



In working for justice for Aboriginal people, Jeff's involvements and include: being honorary CEO of the Ian Thorpe Fountain for Youth, you can look that up, about all the things they do; Director of both AIME, which is the Australian Indigenous Mentoring Experience; and of Engineering Aid Australia who's primary initiative is the indigenous Australian engineering summer school in NSW and also at Curtin University in Western Australia. He is trustee of the Jimmy Little Foundation and patron of University of Canberra's Healthpact Centre working for improved health and nutrition for indigenous people and developing health promotion and social equality, especially for Aboriginal children.

Jeff's been awarded three honorary degrees: Doctorates of Journalism and Letters from Central Queensland University, Newcastle and Macquarie Universities. He was awarded the Order of Australia in 2006 for service to journalism and efforts to raise awareness of economic, social and human rights issues in Australia and overseas. And in the same year declared Humanitarian of the Year by Variety, the children's charity.

We are both honoured and privileged to have Jeff with us today and to share his insights into the invention and the constitutional change.

Jeff McMullen Address

Good morning, everyone. It's good to be with you on this blue sky day, and thank you, Anne, for the invitation and for those warm words.

"The Yothu Yindi song is just heaven sent for what I would like to talk to you about today. It's to honour that man and understand and recognise what he was singing to us about is really the essence of what it is to be Australian."

What he is saying to us, is for us to taste the spirituality that is here for all people and to understand, in the Aboriginal sense, that when you are of the country, you are in balance with all living creatures, with other peoples, with those that come and go –

it's an openness of heart to just being here and recognising what a beautiful land it is to share.

That message is also where the welcome to country and the acknowledgement of country is grounded. We're on the walking paths where people for tens of thousands of years, 60,000 years some say, it may be 80,000 years, longer than anyone knows, people have lived here, gathered here.

That inclusiveness of tasting the spirituality of the country, understanding collectively the strength we have as peoples – in all of our differences, in all of our languages, in all of the different ways that we sing and celebrate – that was what Yothu Yindi and that great man worked so hard to share with the country all of his life.

I was saying to Anne that my memory of this special man was, at the first public screening of that story of the Yolngu elders spoke out against the Northern Territory intervention. And people cried and they paced up and down the dirt talking and saying to the visitors who had come from other parts of Australia, *do you understand what is happening to our people? Do you understand what the government is doing to us?*

And it was this sense of being corralled once more, that we were still going back to those patterns of the failure of our history to understand the damage that was done by policies that were planned thousands of kilometres away in Canberra or in the state capital and then inflicted on people without any real appreciation of how much pain they were going through. And that's why the tears flowed freely on that night.

This man was sick but he was there to support that film and he supported the musicians who sang on that night because he wanted the country to understand and be connected to it. And in that film Djiniyini Gondarra, another Yolngu elder says,

'It's not enough to have solidarity with us.' What Djiniyini and the Yunupingus were saying is *we want you to work with us, we want you to understand the pain that's being inflicted on us and then we want you to work with us because you can say you have solidarity and you can watch us fall down.*

So the message in that film is that, *no one asked these Aboriginal people to have this policy inflicted on them.* No one asked their approval to lift the racial discrimination act from their communities from the protection of their families.

That shames us all as citizens to know that in this country the only times that we have trammelled our racial discrimination act three times, it was aimed at Aboriginal people – the first peoples of this land. Those who are of this land still today. Why is it that?

When the UN Human Rights Commissioner Dr Navi Pillay makes it very clear that this is a breach of our international covenants; when the special rapporteur from the United Nations – a very eminent international rights lawyer James Anaya, Professor James Anaya – says explicitly that that loss of control and that trampling of the racial discrimination act in 2007 remains in force under the stronger futures legislation., the extension of that original intervention in 2007.

In other words, today, I am sorry to say, that this nation officially continues to discriminate against one large group of its first peoples. In those 73 remote communities and now with various trial communities around the country, things are being done to people, without their prior informed consent, against our own laws and all of the international covenants that we have signed on to declaring that we are opposed to racial discrimination. And that we believe in the rights of peoples and that we understand the rights of children.

So today really I ask you to make it personal, on your part, when you try to work out in this season of politics *what is true?* And what is a hollow promise by government where on the one hand we have all the rhetoric that government, state, territory and federal is doing all of these things to benefit the wellbeing of Aboriginal people and yet in the same breathe they are crushing the human rights of those people – families and children – in an extremely damaging ways.

There are so many words, righteous words, used whenever Aboriginal policy is discussed. ‘Reconciliation’, a word that that good Jesuit Frank Brennan would tell you was not the original word that those working on this issue had considered before the reconciliation movement was formalised. Going back in history what the group was looking at was ‘respect’ and ‘recognition’ bound up in understanding the deep damage that had been done by the abuse of rights for centuries.

Some nations like South Africa have had truth and reconciliation processes. Here our process, if we are honest, has been to constantly raise the expectation of our society that we are moving towards healing but then very quickly to dash those hopes.

So in my view there’s a pattern: raise the hope and then soon after betray that trust with political treachery.

I choose those words carefully because I think it's, very difficult to take the spin out of what is said to us. If you go back to the hopefulness that was in the air, leading up to that 1967 referendum. That this was a vote for equality, it simplified to give us a way of reaching into what was in our hearts and saying of course in Australia we want to get this right and we want to recognise our brothers and sisters. I felt, as a young man, in the street that's what most Australians wanted.

And yet if you look at the impact of that 1967 referendum the words, the legislative change is so hollow – we did betray the trust with treachery – because that change which gave the commonwealth the power to make laws about Aboriginal people is the very destructive power that has been used to take away their rights down the track.

And you can go through almost every significant moment of hope and find that politically, very shortly afterwards there is an enormous let down.

Prime Minister Kevin Rudd's apology was a magnificent moment of expectation, hope and certainly Aboriginal people cried with joy on that day. It felt like at last that day was come. That sense that one day we would be unified to the point that we would push away the separation and the discrimination and we would open our eyes recognising that we are one. And yet soon after, when the very same government persisted with the policy of crushing those remote communities, their ability to be able to really manage their lives, I saw that hope trickle away, leaving that hollow feeling of betrayal.

So constitutionally the discussion we're having now about law is very important to Aboriginal people. The election is very important to Aboriginal people. But they are themselves so cautious about hollow promises and even about legal changes or constitutional changes that do not align with what we think or what we have in our hearts. What are our personal intentions at this hour? Do we really believe in equality or are we prepared to live with the injustice that is there today?

What I see in my work is a very cruel unfairness if you walk in the shoes of an Aboriginal or Torres Strait Islander person and you look across to the bounty that comes out of their land, that comes from the wellbeing of this country where we have a big island so far from the strife of many other parts of the world; and yet it seems that we can't share what was always there for the first peoples.

We have not really overcome those crippling differences. We have refused to celebrate the differences that are creative and beautiful, and in a fearful way we've

held back and allowed Aboriginal people to be the victims, the problem, that oldest phrase in Aboriginal policy is about the *Aboriginal problem*.

So by victimising the first peoples we constantly shift all of the expectation and the burden of getting it right, to the first peoples themselves.

This predicament partly goes to the very essence of the constitution, it certainly goes to the essence of our legal process; it tells you a lot about our democracy.

If you are an Aboriginal family living in the Northern Territory remote communities that I work very closely with, there is no sense of genuine democracy. Many feel unheard. They feel that there is some other game that is going on that leaves them constantly marginalised. Trapped in their poverty. And most cruelly for any mother or father to watch your children and know that they do not walk on the same path to opportunity as our children is very cutting.

“As a father of a boy and girl who have travelled with Kim, my wife, and I on most of our work in Aboriginal Australia, I see through the eyes of my children constantly this disappointment that they have for our nation because the unfairness of what they are seeing, it is much the same as in my mother and father’s day.

One day I was standing in the Northern Territory with Will, who’s now 17 and six foot two, and he was a very liberal boy, and he said it is wrong that these children don’t have a school. We were in Manyallaluk, there was no school. There had been a bus that used to carry the kids 60 kms to a small school at Burunga but the bus had been broken down for two and a half years – and those children didn’t go to school. And I didn’t find the chief minister who was even aware of that situation.

But Will was also seeing homes of the kids that he ran with that had nothing for the children to eat, nothing for them to read and very little even for them to play with if they went looking for a basketball hoop or something for them to do. It was this cruel difference.

Will didn’t see the skin, the religious difference. The child was simply seeing what another child would expect – a healthy little boy looking around thinking, ‘*What are we doing?*’ Why are Aboriginal children having to live this way.

And he said aloud, ‘*It is wrong.*’

And I heard my mother's voice come back, because when she was about Will's age, living near an Aboriginal shanty at Redbournbury Mill outside of Singleton, she was four years old when she said to her father, mum had died, a big country family, and she walked barefoot to the little school on the highway into Singleton – it's still there, a little historic one-teacher school – she said to her father, '*Why can't my friends go to school?*' Because her friends were the Aboriginal kids in the shanty. And her father said, '*That's the way it is.*'

And my mother said, '*It is wrong.*'

I heard the innocence of a child looking at the obvious injustice but trying to wake us up because we have lived with this throughout our life. That is the truth. No matter how many films and articles I have contributed to, the silence that Will was speaking out against is still there throughout this nation.

I don't want to crush hope, I do believe myself that Aboriginal people will insist, will ensure that they have the strength and cultural resilience to endure what we are as a nation inflicting on them. But I wish I could tell you that those phoney speeches from the government were even partly true about things getting better, about gaps closing. That is a lie.

So after this policy of control was launched in 2007, John Howard said over and over and over in speeches *it's about the children*. He said, '*I don't care about the constitutional niceties when there are children at stake.*'

Now in our democracy the danger of a prime minister to say *I don't care about the constitutional niceties* tells you that you are getting into a very dangerous situation because it is life-threatening for these children. The mistakes of policy are leading to the loss of lives of children. Our neglect and the destruction that we are bringing with this oppressive policy.

So the control, the disempowerment, the dispossession that is bound up in that policy of the intervention is now, in an insidious way, spreading into other states, into trial communities – not far from us, at Bankstown, where the welfare management system is now being trialled in urban Australia.

Why are they doing this? is the question all Aboriginal elders always ask me. *Why are they doing this to us, old man?* they say. *Why are they still trying to round us up like*

goats and put us in the paddock? Why do they treat us like a billy goat – do they really think we are that unthinking, uncaring that we do not love our children?

It's exasperating for Aboriginal families to try to understand why the government and our system can do to their families what none of us would stand for to happen to our own families.

Then the disempowerment goes to the whole reason for constitutional change.

Sadly there is nothing in that constitution to protect any of us from discrimination – no bill of rights, no charter of rights. But for Indigenous people pointedly, the constitution excludes them, it has always excluded them.

Now we have to come to grips with the answers. If you look at the constitution, it will disturb you – it's a racist tone, it is founded on the old turn of the century, 1900's thinking of white supremacist thinking. It's disturbing though, that we have one of the few democratic constitutions still around that even has the concept of race in it, a concept that is scientifically discredited.

We in fact enshrine a discriminatory potential by giving governments the right, if they choose to exercise it, to discriminate.

There is one section that will disturb you that even the state government like ours could take away the right to vote by a group of people. It's a race power. But would they use it? Perhaps not because it would change the balance of things politically in the system, but it exists. And the disturbing thing is that stain of racial thinking, of discrimination, in fact infects the rest of the document. Because you can look past Section 25 and the right for a state to remove our voting rights, to the section that was meant to empower governments to make laws on behalf of Aboriginal people and you will see that in the wording, in fact, it allows them to do what happened with the Northern Territory intervention.

That the race power to make a law about one particular race allowed them, officially, to discriminate. This is what they hide behind.

So the concept of race is deeply problematic. The stain of discrimination is insidious and the language and tone itself, when applied to Aboriginal people, remains to exclude them from the body of the constitution, the rights of citizens and there is no recognition of their fundamental rights as first peoples of this land.

In the past we know that various politicians have flirted with the idea of a preamble. State governments in Australia have, in several cases, altered their preambles to recognise that Aboriginal and Torres Strait Islander peoples historically were the first peoples of this land. In all cases, you will see the impact is completely neutralised because those preambles are non-judicial. Which means in law they cannot be used to enforce anything.

So it's back to the pattern of we'll have a whole lot of noise to raise the expectation that we are going to recognise, that we might reconcile, that we might be truthful, we might even start to celebrate the longer timelines of Australian history – because that's what's at stake here. What is here in our midst is the oldest unbroken story on earth. And yet we are still disputing that, denying that. We still will resort to the old doctrines of conquest, terra nullius, yes, has been thrown out by the courts but now you'll hear the lawyers come around and say, *well, if terra nullius doesn't stand the truth is Aboriginal people and Torres Strait Islanders were conquered.*

Well, in the lands where the Yothu Yindi song came from and they raised the call for treaty, Aboriginal people don't think they were conquered. They say we never surrendered our sovereignty. How dare you say that we of our land, we don't *own* the land, we are *of* this land – your pieces of paper, the words of this song said if you think about it you can haul up the Union Jack but our law was always there. That law is saying it's honest, it is eternal because it's not about ownership or commodities or mineral extraction of that kind of wealth, it's the wealth of balance and reason and common good – of all of the decent parts of the human story in there in the Aboriginal intellectual knowledge system. And that's what they share with us.

People have come and gone from these shores centuries before the Europeans. The coming and going is part of the human story and the Aboriginal way was to say that if you live in balance with this, with respect, with recognition, with an understanding of your responsibility; if you find your way to taste the spirituality of what it is to be here, it will make sense to you.

So, where do we get to work on the government to actually affect the change that might be meaningful for Aboriginal people?

I think it's important to understand that the national congress polling of what Aboriginal people want is very revealing. The expert committee appointed to get a balance of two-thirds majority and also have Aboriginal people on board.

The polling by the national congress says that what is upmost on the minds of Aboriginal people and Torres Strait Islanders is in fact control over their destiny. Some people use the word 'sovereignty', others would call it managing their family life and their community life. 'Sovereignty' itself means different things in different places. But the expert committee's final report pointedly says that kind of sovereignty and control is not being discussed in this referendum.

So it might be offering us choices that may not really be in full accord with what Aboriginal people are seeking.

There is no doubt that Aboriginal people want to end the discrimination, they would like to see the health and education of their children in particular, the polling of Aboriginal people tells us that ranks with sovereign control as their biggest concerns.

The mechanisms for a referendum are very challenging. The history of having 46 referendums and only eight of them successfully passed, tells all of those constitutional lawyers if you get the offer wrong, then you will not succeed.

So Patrick Dodson and that expert committee have had a very challenging task.

I think the value of custodianship that Aboriginal people have is not about owning but it is about being *of* this land. It is a mutual balancing intellectual commodity that gives people – every man, woman and child – a value system, a responsibility also to contribute to the wellbeing of the collective. And that is beyond people – it is about the land and all of the living systems that are part of it. It is a very beautifully expressed earth science that I think sits very comfortably with 21st century western science at its best.

This is not romanticising the past, it's in fact trying to find words that might move us to an opportunity to find the common ground. Because if we don't find that, it is true, we will not have a successful referendum and we will remain trapped with this space between us. So we need the common ground.

The constitutional change also must speak to Djiniyini Gondarra's advice to us about *don't just stand there and watch us fall down, we want you to work with us*. Because the urgency that I feel deeply in talking with Aboriginal people every working day, is they are frightened about the rapid collapse of so much family and community life. The truth is that we're having this lofty discussion about the constitutional change while policy-wise on the ground we are trampling the lives of their children.

Since the Northern Territory intervention was launched in 2007 ostensibly to benefit the wellbeing of these children, all of the indicators of the wellbeing of those children have deteriorated so alarmingly that the children's commissioner, Dr Howard Bath, has testified to the senate about this very serious situation.

The government services have simply collapsed. By taking away the ability of Aboriginal organisations at a local level to work with their family and community, we have in fact damaged what the evidence tells us is the most effective way to ease the pain that these families are going through.

The proof of that is hundreds of positions that work with the most vulnerable children have been removed from the frontline of this work. Several hundred in Queensland.

Yarrabah, a large community near Cairns has an excellent suicide prevention programme and the evidence of indigenous and non-indigenous people who have great experience and expertise for almost 15 years they preventing Aboriginal suicides, particularly youth suicides, in that community. But in the Northern Territory and in Queensland we see those programmes now having their funds slashed because we're in this era of fiscal austerity; it's at a point then where it overwhelms the systems we have put in place. That is what Dr Howard Bath is now trying to tell us.

What are the measurements of that child removal? We are watching now in our lifetime the gathering of a new stolen generation. We are literally creating a new stolen generation.

Of the 40,000 Australian children who had been officially, by state sanction, removal taken away from their mothers and fathers, over 13,000 of them are indigenous children.

Alongside that, in this same zone of distress, is Youth suicide is the other terrifying indicator of this disempowerment and disposition. When I was a young reporter I cannot recall ever going into a community after a suicide. I know it happened and statistically I've gone back to see, well, why didn't I hear about it? But in the sixties and seventies it was so rare, whether I was in the desert up north or in an urban community, and statistically the government knows this is the truth.

So if you go back even to around the end of Hawke and Keating and you pull up the figures you'll find that for all age suicide in Australia, indigenous suicide was perhaps

5% of the total, of the total suicide. So that's slightly higher than the percentage of indigenous people but it was rare, and particularly with younger indigenous people, it was virtually unheard of. Something, and it is disturbing to ask why, something has happened so rapidly and yet we have remained silent about it.

From 1991 to 2010 you can have a look at the figures on the government's own website for the Close the Gaps project, it's called the Closing the Gaps Clearing House, and you'll see that in 1991 indigenous youth suicide again was very, very small. By 2010 it was 80% of the youth suicide of the 14 year old to 24 year olds.

Those figures are not telling the whole story. Very young Aboriginal children who take their lives are not counted in those official statistics. They are so often reported as accidents. It is complex and there are many disturbing factors that are feeding this. What I want to confront our governments with is the truth – that while they are focussed on the mantra of closing the gaps, the gaps are worse.

Even infant mortality, which they constantly come forward and say, *see, the babies are not dieing as rapidly as they were!* So, the change that they now tell us is rapid improvement was rapid in the seventies and in my view, which is based on what the Aboriginal medical services that I work with say, it has not really changed since the late 1970s.

The malnutrition of a young mother having those babies is so glaring that all we have done with policies like the intervention is corral them into the growth towns, closer to the bad diet, take away their ability to choose anyway because half of their income now quarantined and you must make your purchases on a plastic card called the Basics Card, we further take away the right and the ability of any man or woman in a family to run their own family and you end up with a bewilderment.

So the drinking, the marijuana, the atrocious nutrition, the card playing with the Basics Card – I mean, prohibition hasn't stopped any of the socially damaging practices, it hasn't changed that behaviour anywhere else in humanity – all we've done is further confuse, confine, control and ultimately bewilder people, who are left with a collective depression.

But the depression that I'm observing I have only seen elsewhere in a war zone or a refugee camp. It is communal, it is so pervasive that children are grieving from such a young age because of the loss of life around them; and the collapse of the middle age

generation of care and responsibility leaves an impossible burden for the grandparents.

What we should be looking at is why some communities, even in that same region, have strength and balance and a reasonableness about life. Where my boy and girl always remark in one of these places, Minyari, that the kids have a gleam in the eye – that there's something about their poise and their confidence and their healthiness – they radiate a sense of knowing who they are. They speak their language. The children go there knowing it's not a gubbah school, it's not to indoctrinate them, it knows their language but it works with them in learning everything that a child needs to know now.

They know who they are, they are of this place. They are working together. The human family opens up and the things that would have divided people in fact melt away.

And so I say the way forward is to look at where Aboriginal people are finding the strength, despite the horrific policy, why are those places so strong? Why can they tap into that resilience that's been there for thousands of years?

The answer is to work *with* them, as Djiniyini Gondarra was saying, as Rosalie Kunoth-Monks says out at Utopia. These wise, older Aboriginal people are trying to guide us as a country and say, *don't think that you, me, we always are the ones with the answers* – we're not. We don't have the answer. Those elders will clean up all of the mess after the intervention or all of this other social engineering that we're inflicting on the communities. They have the responsibility, ultimately, to do that.

What I'm suggesting is, by working with them, by supporting them, by getting them what they say they need to get the job done; by building up the capacity of their Aboriginal community controlled organisations. Government policy is positively funding competing agencies in government and even NGOs that undermine the strengths of those community organisations.

If you're on the street or living rough, in a remote community, you don't have that sense of control. And when you know that you are being constantly denied the very things that in your heart and mind you know you need for your children, it is so destructive. It's the very nature of trauma. It's why I compare it to what I saw in those 30 odd war zones or in a refugee camp – trauma mixes everything up to that point that people can't respond.

The answer, yes, is to work on the injustice that is taking away their sense of control and part of the constitutional recognition process could be, if we have it in our heads and in our hearts, if we make it personal, if we act on it, so that it isn't something that's on paper but we bring to our daily thoughts some consideration of these fellow citizens – then it could bring a season of hope and change.

So of the important recommendations that the expert committee has made, the first one is just scrap section 25 – take it out of there.

Secondly go to the section that gives the federal government the right to make laws about Aboriginal people without defining whether it's a positive or a negative. Take that out of there as well because clearly at the moment the change we made in 1967 is being used against the rights of Aboriginal and Torres Strait Islander people.

How we then empower them through constitutional change is very challenging. Whether anything you write in that document will be meaningful in the sense of something we will act on personally is really up to each one of us, as to whether we choose to act that way.

But the third recommendation that the expert committee has made is to introduce a positive, affirmative third provision – a new section – that would give the government the responsibility to make laws that positively affect the development of Aboriginal and Torres Strait Islander people. Instead of the phoney preamble, there would be implicit in this new section a recognition that Aboriginal and Torres Strait Islander peoples were here, have always had – the word the expert committee uses – is ownership of the land.

Also in that section there is the potential for the government accepting that it has a responsibility to work for the improvement of the wellbeing. A lot of the Aboriginal doctors and people who work in indigenous health would have liked an explicit recommendation in the constitution that literally empowers the government to have this responsibility for carrying through the work of health and wellbeing.

The fourth recommendation goes to the issue of recognising that Aboriginal people have their own language – languages – Aboriginal and Torres Strait Islander languages, but disappointingly it's quite clumsily worded, this principle.

It talks about that English is the first, is the language of the Australian nation but then, in a fairly patronising kind of addendum, says but Aboriginal and Torres Strait Islander languages always existed.

It's a belated recognition that there were hundreds of different Aboriginal and Torres Strait Islander nations with unique languages but it's not expressed with any of that openness that I talked about of trying to find indigenous intellectual concepts that would make it inclusive. Give us the common ground and the common good in the sense that to hear people sing in their own language from anywhere on Earth is a very beautiful thing.

I don't see that it's going to soothe the Aboriginal qualms about the constitution because Aboriginal people want a recognition of country. They want something in the language and in the act of recognition and respect that goes to the heart of that they were always here of country.

The current fixation is on controlling, managing and changing the way Aboriginal and Torres Strait Islander people are, is based on a very dangerous view that they must modernise. But the modernisation does not recognise the grog, the marijuana, and any of the insidious things that have undermined the wellbeing of communities, was brought by modernisation to Aboriginal life.

I think it's being reduced to a new version of the old assimilation. It is still an assumption that Aboriginal people can be controlled, saved, improved by ultimately being assimilated, integrated, brought into growth towns, put into the mainstream of life, without any recognition that that goes against the global evidence of empowerment of their communities, of the control in a sovereign sense of their lands and of their community organisations, of their language, their education, their health. Anywhere on Earth that I've seen indigenous life improve significantly and rapidly has come through that empowerment; through self-management.

Both political parties, the major political parties, have endorsed the dispossession of the Northern Territory intervention; they voted en masse for the ten year extension of the intervention. It tells you that both major parties are quite prepared to control and assimilate while the extraction of wealth from Aboriginal lands continues and the herding of people from their lands to the growth towns continues and the steady disempowerment, the lack of funding for Aboriginal organisations – urban and regional – continues.

Since the demise of ATSIC there has been no significant support for any version of self-determination. Any Aboriginal organisation that's getting federal or state funding, have a look at their real power – the government has them by the throat.

So the truth is, going into this election, the major parties have not offered a policy that allows indigenous people their legal and international right to self-determination. The Greens did raise a protest vote against the intervention originally and they railed against stronger futures. But in their minority party status even that statement of principle has not affected the change and it has not protected Aboriginal people.

Conclusion:

So the likely outcome is whomever you cast your vote for, it will move slowly towards the referendum possibility. It will be minimalist, it will not be in full accord with what most Aboriginal people yearn for. Can we still influence the choice and the process of the referendum? Can we inform the society at large and see that it's not only about what we write on our document, most Australians have probably never read the constitution, it is what we have and what we act on – the values that we bring to this issue of why I say to make it personal. That is the bit that we can control.

But if we remain silent about this we will get the damaging pattern that is so very clear before us today.

Sitting in Penrith the other day with someone who had lost their child to suicide is the reason that I come here on a Sunday morning. I didn't really have any choice and I know we have to work harder and I know there is so much good that we can do together; I am convinced it is to work *with* Aboriginal people; they will survive the onslaught but they do need our support to enable them to empower their communities and to take control of their lives.

As Kevin Gilbert, that wonderful writer said many decades ago, a title of his book, '*Of course The White Man Wont Do It*', I hate to say it but I don't think our government will make the responsible moves. But I believe that Aboriginal people nonetheless have the capacity to move forward and we can together create something better.

CCJP wishes to thank Jeff for a very personal and passionate address. Please see our website www.ccjpoz.org for other Sunday Seminar summaries and reports.