

Sally Fitzpatrick, Deputy Chairperson, NSW Reconciliation Council
Bicentenary of First Reconciliation Commemoration
Gipps Road Sporting Complex, Greystaynes, 3 May 2005.

Good morning. I would like first respectfully acknowledge the Darug ancestors, the traditional owners of this land and their descendents ... for being, just being ... I would also like to acknowledge the elders present and thank Aunty Mavis for welcoming us so warmly to this country. I also acknowledge the members of Holroyd City Council and other dignitaries present ...

I would also like to apologise for the chairperson of the NSW Reconciliation Council, Mr Paul Newman, who is unable to attend. Paul's position with Indigenous Programs at the Department of Corrective Services now totally occupies his time. I know that he would very much like to be here and has sent his best wishes.

We are here to consider the process of reconciliation and in a minute I would like to get to the really 'big picture'. But, firstly I would like to respectfully note the events that took place here two hundred years ago.

In 1801, Governor King gave a General Order to settlers in the outer districts that the Aborigines should be driven back from the settlers' habitations by firing at them. Pemulwuy, who had been outlawed in 1801, continued to burn large areas of the invaders' croplands. The order was not revoked until Pemulwuy was beheaded in 1802. In a further General Order to the Hawkesbury settlements published in the *Sydney Gazette* on 28 April 1805, King sets out that:

...it is hereby required and ordered that no Natives be suffered to approach the grounds or dwellings of any Settler until the Murderers are given up and that this order may be carried into full effect, the Settlers are required to assist each other in repelling those visits. And if any Settler, contrary to the purport and intent of this Order, harbours any

Natives, he will be prosecuted for the breach of a Public Order intended for the security of the Settlers.

On 3 May 1805, the first reconciliation in this area, Prospect Hill, took place about which my colleague Chris Tobin will tell you more. What is interesting is that it was reportedly conditional upon the Kooris agreeing to help capture the offenders involved in earlier attacks, in return for allowing the rest of the tribe to again access the settlements.

Soon afterwards, as reported in the *Sydney Gazette* on 19 May, Tedbury, Pemulwuy's son, was captured by a posse consisting of police constables and settlers and became prisoner of war for three months before being released and continuing to make attacks on farmers and travellers. Musquito was also captured during this time. To give you an idea of the odds, by June, Governor King wrote to Earl Camden that the ringleaders in attacks around the Hawkesbury and South Creek had been handed over and that since more 'blacks' than 'whites' had been killed, he had decided to forgo further punishment.

In this same year, Judge Advocate Richard Atkins opined that Kooris were too ignorant of moral and religious ties to be permitted to enter a plea or testify in the courts, and concluded that the settlers should pursue or punish Kooris perceived to be harassing farms.

Meanwhile around here at Prospect Hill as well as along *Dyirabun*, the Hawkesbury River, the hostilities continued until around 1816.

Another locally negotiated reconciliation allegedly occurred several years earlier. Historians have noted that the coming in by the coastal Eora to Sydney town during the first half of 1790 as a reconciliation devised by Governor Arthur Phillip and Woollaraware Bennelong. Phillip distributed gifts of iron hatchets and other goods. Bennelong was assured that his people would not be forcibly captured, manacled or held against their will, but could come and go from the settlement without restraint. They would be provided with plenty of fish, bread and meat, blankets, hatches and other

European goods. Bennelong was promised a tin shield and asked Governor Phillip to build him a house.

Meanwhile to the south west, Pemulwuy had come to prominence. The spearing of gamekeeper McEntire was attributed to him and Governor Phillip sent out a punitive expedition with orders to make a 'severe example' of these people whenever any man is wounded by them.

Thus, we see how short lived these notional agreements between individuals and the Aboriginal peoples have been. More importantly, the logic that a crime against a settler should be revenged on the tribe as a whole because of the difficulty in identifying offenders and a general disdain for those unlike themselves pervaded for over the settled areas:

- > The Pallewa of Tasmania who actively resisted invaders from 1804 until the 1830s.
- > The Carnanbigal War, Appin in 1816 which was commemorated just two weeks ago by the 'Winga Myamly' Minto Reconciliation Group.
- > Martial Law against the Wiradjuri and Wonnahrua, 1824
- > Ningy Ningy and Turrbal resistance at Moreton Bay in 1824
- > Minang resistance at Albany, WA, in 1826
- > Iwaidja at Raffles Bay, NT, 1827
- > Jagera at Ipswich, Qld, in 1828
- > The Nyoongahs of the Swan River Colony through the 1830s
- > The Wallamba on the Manning River, NSW, 1833
- > The Battle of Pinjarra, WA, in 1834
- > Resistance by the Gunditjmarra, around Portland, 1834
- > Resistance by the Wuywurong, Thagawurung, and Bunwurung of Port Phillip in 1835
- > The Worimi around Gloucester NSW in 1835
- > Kamilaroi resistance along the Gwydir, Barwon and McIntyre Rivers, 1836

- > Kaurna resistance, Adelaide, SA, 1836
- > The western districts of Victoria generally 1836
- > Kamilaroi along the Namoi River and the Liverpool Plains, 1837
- > Anaiwan on the New England, 1838
- > Taoungurong and Pangerang resistance, Broken River Victoria, 1838

It was not until the Myall & Waterloo Creeks 1838 that any white man was brought to justice in the colony's courts.

I acknowledge here the ongoing grief and trauma suffered by Aboriginal peoples at which stems from this this initial violent dislocation from their lands the loss of their loved ones ... I also acknowledge that the Warlpiri ancestors of my friend Nancy Napangardi who is with us today suffered similarly ... only 60 years ago.

So what has changed. At this turbulent time with the recent process of reconciliation stalled and with the destruction of ATSIC as well as a growing undercurrent of hostility towards communal land rights, it is timely to review our approach to the reconciliation process.

Reconciliation stems from the Latin word *conciliatus*, which means to come together or to assemble a council. Thus to reconcile means to reunite the council, to restore broken relations to friendship and harmony, to walk together. I owe this definition and much of what follows to international peace activist, Dr Paula Green, 'Reconciliation, reunion, reuniting, all require more than one, community rather than singularity'.

The commemoration today for which I congratulate the Koori elders and community members involved, the members of Holroyd City Council, Reconciliation for Western Sydney and all who have contributed, is a fantastic example of community.

However, the constant hurdle we must overcome in this country is that there was no state of harmony between the English invader and the Eora or any other of the nations invaded. So, what other aspects of the process of reconciliation can we draw upon.

As Dr Green writes:

‘The surrender of hatreds passed on through the generations, the releasing of chosen narratives, the willingness to re-establish normal relations, the capacity to relinquish fantasies of vengeance, these are excruciatingly difficult.’

She suggests, as others have in this country, that reconciliation is both a spiritual and a political process. For national and intercommunal political reconciliation, she refers to four principals recommended by Amnesty International:

- > Establishing the truth
- > Strengthening the rule of law
- > Building on a foundation of maximum participation and transparency
- > Including to moral right to compensation and reparation

At a spiritual level: ‘Under church law, one who has sinned is required to examine his/her conscience, acknowledge wrong-doing, express a firm resolve not to commit future offence, and do penance for the harm done. Only then, with reparation for evil and compensation for injustice, can reconciliation or restoration of community be considered.’

Dr Green notes that for both reconciliation, and forgiveness, to take place takes courage and compassion and I know that the many members of the Stolen Generations who are with us today will attest to this.

So, I ask you to consider how far has Australia come to establishing the truth?

Why has our government, which I believe we must now call the Australian Government, not legislated to protect the achievements to date in reconciliation, as per the Bill put forward by Democrat Senator Aden Ridgeway five years ago is still sitting on some table in the Senate.

Where is the humanity in our community who fails to take our government to task for the gutting of the only nationally elected body; what of a people's right to be represented? Restorative justice aims to restore the humanity of offenders, and to repair rather than punish. What processes must we as the settlers and now beneficiaries of the dispossession undertake to make amends; to learn what is substantive equality and protect and uphold the rights of the First Peoples of this land.

We must re-look at the steps Australia has taken towards reconciliation. How widespread is acknowledgement, from both governments and the community as perpetrators, to the survivors that a great wrong has been done?

What follows acknowledgement is apology. Some governments and many faith groups have apologised; but how has that apology been carried forward? How have these acknowledgments been conveyed to individual survivors who need to hear acknowledgment of their genocide and suffering.

For the perpetrators, admission of their role is very hard. We have seen this in the disagreements over the Australian Government's failure to say sorry and reluctance by many of the general public to engage with the word. It evokes pain, shame and guilt. We blame our forebears; but do not want to shoulder the burden ourselves. Some survivors of the Stolen Generations have now chosen to enjoin the whole community in a day of healing, shifting the emphasis from Sorry Day. But, there is a lot of pain remaining amongst Stolen Generations and their families that we must not forget. The pressing need for a national apology will not go away.

After the apology, then what? There must be a commitment that the injustice does not continue. Survivors of aggression need their aggressors to wrestle with the causes of the genocide, the forced removals and dispossession, the subjugation of rights. Survivors need to be actively engaged in this process or achieving restoration. There needs to be a visible commitment within a legislated framework to protect a healing process that may take generations.

A study in Croatia has demonstrated that for social renewal to occur, there needs to be four levels of social reconstruction:

- a. Individual: recuperation and healing of individual trauma
- b. Community: re-establishment of communal networks and renewal of trust
- c. Society: development of new civic initiatives and economic cooperation
- d. Political: a functional state with rules of law and guaranteed protection

Another critical step in the healing of societies is the issue of reparations or compensation, economic or symbolic. Victims have rights of compensation. How governments and individuals deal with this step gives an understanding of their level of remorse and regret.

In Rwanda, reparations take the form of community service; schools, health clinics and other services as well as houses destroyed in the genocide are being rebuilt. In Germany, Holocaust victims receive financial compensation. The US has finally paid Japanese families compensation for the loss of their homes.

No form of compensation ever repairs the loss and betrayal, yet they offer a token of care and connection, or economic or psychological help. It is not a pay off or a silencing, but a step along the way in the process of healing. So too are symbols. Symbols, just as the symbolic commemoration today does, play an important role in re-humanisation and national healing.

The final stage of the process is when the two parties are able to walk side by side toward a new future in a new, just, safe and mutually satisfying relationship. As Dr Green describes:

‘For the survivors, being able to do this acknowledges that the apologies and atonement, the reparations and commitments, have been genuine and trustworthy. The survivors, or their descendants, for this often takes many generations, are ready to re-engage with the perpetrator group or their descendants. For the aggressor group, this re-engagement shows their intention to build mutual relationships, to uphold their commitments, to be trustworthy to those whose groups they have harmed.’

I owe much to Dr Green for this summary, and I hope it provides a framework to examine just how far Australia has progressed. In my view we have achieved a little of each of the processes mentioned here but our present impasse may in fact be due to a flawed and incoherent approach and that we perhaps should revisit the early stages of acknowledgement and apology, in order to make good the latter stages and so reach in generations to come a true ‘walking together’.

Thank you for allowing me to speak.

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