

Committee Secretary
Senate Legal and Constitutional Affairs Committee
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Canberra ACT 2600

Inquiry into Nationhood, National Identity and Democracy

This is my submission to the Parliamentary Inquiry into Nationhood, National Identity and Democracy. The particular focus of my submission is term of reference c: social cohesion and cultural identity in the nation state.

I make this submission as an individual concerned that we as a nation have thus far failed to deal effectively with one of the foundational issues of our existence, i.e. the fact that we established ourselves in this country by conquest. Whatever the social, military and economic realities of the times in which Australia was established by dispossessing the Indigenous peoples, social mores now demand that it is time to rethink our cultural identity by formally recognising the realities of our past and putting in place structures and processes which recognise the special place of Indigenous peoples in Australia.

We have apologised for our past child-stealing and we have recognised in our legal system limited Indigenous rights to some land. Otherwise we have done little to address the fundamental problem with our identity and the way we have treated Indigenous rights and expectations. Certainly we have funded health, housing, education and labour market programs which attempt to deal with the gross economic and social disadvantages under which most Indigenous people have laboured. These programs, however, have been designed and delivered from within an essentially paternalistic framework which treats Indigenous people as mendicant in their own land.

As a nation we have never had the courage to approach Australia's Indigenous people as equals, to acknowledge the wrongs of the past and present and seek to negotiate, in an adult way, a mutually agreeable set of structures and processes for the future government of this country. This is not about taking personal responsibility for the wrongs committed by our ancestors, but it is about acknowledging that those wrongs were done; without that acknowledgment, every colonial and post-colonial citizen of Australia rightly shares in the shame of this country's past.

To their very great credit, Australia's Indigenous peoples have recently taken the initiative to demonstrate that such a process of recognition and negotiation can in fact

be progressed, in spite of past failure by the non-Indigenous peoples of the nation to find a way forward.

The Uluru Statement from the Heart provides the template for progress. It offers us (all of us) the chance to build a nation based on truth and mutual respect. It offers non-Indigenous Australians, including governments, the chance to demonstrate that we can in fact listen. It offers an extraordinary opportunity for us to show that we are capable of dealing in a mature way with the legacy of colonialism.

It is crucial that this opportunity is not wasted by quibbling over the terms of the Statement. Whether well-meaning or cynical, bogging the Statement down in bureaucratic and political interpretation and elucidation will destroy the brilliant initiative behind it and its potential to help this country grow in internal and international stature.

The Uluru Statement should be accepted.

Even if there were things in the Statement for non-Indigenous people to fear, it should still be accepted; but there is in fact nothing in it to fear. Australia's Indigenous peoples have every right to demand recognition in the Constitution; they have every right to make it clear that past representative bodies have existed at the whim of successive governments and that this is a recipe for repeated failure; they have every right to point out that Australia is conspicuously, shamefully without treaties between the invaded and the invaders; they have every right to demand that a truth commission be established to help us all work through the realities of our nation's past. To recognise this by simply accepting the Statement as offered – as an opportunity for us all to make progress towards a more honest, mature and better Australia – would be a major step in the right direction for all of us.

Is it asking too much that we take the opportunity offered by the Uluru Statement to create at least the opportunity for social cohesion and a proudly shared cultural identity which genuinely incorporates the longest-lived, successful civilisation in history? I hope not.

Yours sincerely,

Peter Duffy

17 September 2019