

# There are lots of ways to say sorry, but Indigenous Australians need a treaty now



[Paul Daley](#)

Sorry Day is an important if not yet sufficient moment of symbolism. Australia has a lot more to do to. And that means a treaty first, recognition second



*An Indigenous woman in Canberra in February 2008, watching Kevin Rudd deliver an apology to Australia's first peoples. It was 'underwritten with deliberate legal caution to avoid reparation'. Photograph: Lisa Maree Williams/Getty Images*

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For the 18th year in a row Australia is commemorating [National Sorry Day](#).

It has grown from the May 1997 Bringing Them Home report to federal parliament about the stolen generations of Indigenous children often forcibly removed from their parents.

For Indigenous people, Sorry Day remains an important moment of public mourning, an acknowledgment of the profound wrong of one policy of assimilationism – a malignant British colonial ideology that assumed black Australians were lower than Caucasians on some arbitrary human scale.

Assimilationism was freighted with the worst evils of eugenics, Darwin's racial scaling and the voodoo science of phrenology.

Despite [the insistence of some reactionaries that the stolen generations is a "myth"](#), the trauma of the taken children reverberates today (along with so much other colonial and post-federation violence against Aboriginal and Torres Strait Islander people) through families and individuals who lost their kin, land and their identities.

It's why so many black and non-Indigenous Australians mark Sorry Day. It's why Kevin Rudd's apology (underwritten with deliberate legal caution to avoid reparation) in 2008 has come to be regarded as such a moment in a continent that's barely made baby steps towards a reckoning between the wrongs of invasion and "settlement", and the present inequity in Indigenous Australia.



*Paul Keating in Redfern, Sydney, in 1992: 'We took the traditional lands and smashed the traditional way of life.'* Photograph: The Sydney Morning Herald/Fairfax Media via Getty Images

The stolen generations make up just one of innumerable malevolent consequences for Indigenous Australians of British colonial assimilationism – underpinned, as it was, [by the intent to breed colour from this continent's Indigenes](#).

The others include the murders of tens of thousands of Indigenous people and often the simultaneous theft of those children not slaughtered at the massacre sites (the first of the stolen generations, really). The crime scenes are, like brush daubs on a western desert painting, dotted all over this continent, the traditional lands having been stolen and renamed – Butcher's Creek, Skull Hole, Skeleton Creek, Convincing Ground, Murdering Island, Poison Waterhole Creek, Massacre Bay – not to commemorate the dead, but the very acts of slaughtering them.

The theft of [unknown thousands of Indigenous ancestral remains](#) for anthropological, museum and medical collections, adds to the lingering trauma.

Any reckoning between this historical truth and a mainstream cultural and political acknowledgment of it, is long overdue.

An apology for all of that might be a starting point.

The only politician who's come close to that was [Paul Keating at Redfern in 1992](#): "It begins, I think, with that act of recognition ... that it was we who did the dispossessing. We took the traditional lands and smashed the traditional way of life. We brought the diseases. The alcohol. We committed the murders. We took the children from their mothers. We practised discrimination and exclusion."

There's always a lot of talk by white politicians about "reconciliation" at times like Sorry Day. But it's hard to reconcile without an initial conciliation that, in Australia's case, has never been.

The basis of genuine conciliation is disarming truth – historical, current. And that comes back to land; who owned it, who stole it – and the way forward when it comes to reparation.

Commonwealth and state government politics has long obfuscated on these historical truths.

And now bipartisanship has delivered us [Recognise](#). It is a multimillion-dollar campaign to positively acknowledge (precisely how remains unformulated) Aboriginal and Torres Strait Islander people in the constitution.

Recognition is supposedly going to referendum in 2017 – an absurd proposition in my view, not least because the Australian Electoral Commission estimates only 58% of [Indigenous Australians](#) are on the electoral roll (compared with 94% of the population).

Informal voting – both intentional and due to far higher illiteracy rates, especially in remote Indigenous communities – is also believed to be more pronounced among Aboriginal and Torres Strait Islander people.

In remote Indigenous Australia, indeed within urban Aboriginal communities, you don't hear talk of Recognise.

Megan Davis, a member of the panel appointed to consult Australia on Recognise, candidly summed up the problem with Recognise and mainstream media's failure to grasp it, [in a recent Griffith Review essay](#).

“Social media captured the overwhelming rejection of the campaign for recognition, and the growing resistance to being ‘recognised’ by the settler state. Oblivious to this or not, the mainstream media, by and large, uncritically report on referendum momentum and mostly obsess over any chinks in the bipartisan order of things. The subjects of recognition are all but erased from the process.”

Little wonder, then, that the word being spoken is “treaty”. Treaties between First Nations and governments – [as recognised by the Andrews government in its current negotiations with Victorian Aboriginal groups](#) – are a fundamental priority for Indigenous Australia.

Symbolism and gesture are important in conciliation and reconciliation. Genuine sympathy – or better, empathy – is part of that.

Given the apparent Indigenous ambivalence about (or hostility to) the prospect of being recognised in the founding document of the “settler state” and their disenfranchisement from an electoral process that will decide the fate of Recognise, a couple of things stand out for me.

Treaties represent the horse.

Recognition is an optional cart.

Obviously one comes before the other.

Ponder that this Sorry Day.