

What Good Condition?

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Aufidius, the enemy of Rome, asks what use a treaty could possibly be to those at the mercy of the Roman oppressor.

Such a sentiment may seem a pessimistic way to begin a monograph on the proposal for a treaty between Aboriginal and non-Aboriginal Australians, a proposal which has been discussed and dissected for nearly thirty years. But such a sentiment broadly reflects the feelings of many of the writers in the volume, particularly the Indigenous writers. It is not so much that everyone has lost hope, but expectations are lower, hopes are diminished. Perhaps a negotiated settlement may come about – but it won't be called a treaty. Perhaps ratified agreements may occur – but they won't be national agreements. Perhaps there may be a practical settlement – but it won't follow the principles of international law.

These papers in raw form were delivered at a conference held at Murdoch University in 2002. Later they were rewritten, expanded and updated to account for changing conditions within Indigenous Australia. Since then the Aboriginal and Torres Strait Islander Commission has been abolished. The Council for Aboriginal Reconciliation has served out its term.

The papers are arranged in three parts. In the first, authors consider the context and legacy of the residue of treaty proposals and negotiations in past decades. In the second they consider the implications of treaty in an Indigenous, national and international context. The third section concerns some reflections on regional aspirations and achievements. These indeed may be the way forward.

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