AN APOLOGY TO ABORIGINAL AUSTRALIA FOR THE ‘STOLEN GENERATION’ (1997)

On 17 October 1997, I was invited to deliver a graduation address at the University of Tasmania in which I decided to give a public apology to Aboriginal people for the evils of the ‘Stolen Generations’—10 years before the then Australian Prime Minister did the same thing in the Australian Parliament.

First, congratulations to the new graduates. You have good awards from this university and I congratulate you on your successful negotiation of difficult courses. To your families, to the significant others in your lives, go congratulations too. These special people have sacrificed for your success and today belongs to them as it does to you.

Your city and your state need your skills now. You have so much to contribute and your society will be richer when you are giving to it the benefits of the expertise and training you have on board. You are now members of the worldwide community of scholars and will be so from now on. It is a good community, often under attack in an anti-intellectual country like Australia, and one of your new obligations is to defend that community from mindless attacks, such as those that occur from time to time, not least in the outer states of Australia.

You now have the duty, a duty you will keep for the rest of your lives, to speak out, to say what you think, to express values you hold, to weigh difficult issues, to formulate views, and to lead your communities. You should be brave and fear nothing—your leadership will then be that more effective.
You are all voters. This is your society. Not only do you belong to it, but also you participate in it, and must help, for the rest of your lives, to shape the views that it expresses.

Pericles, standing over the bodies of those who had fallen in the defence of Athens, is supposed to have said, ‘We do not think those who take no part in politics are minding their own business. We think they have no business here at all.’

One of your duties is to speak out on issues—for if you do not, it is possible that no-one will. And a healthy society is one in which many points of view are presented, so that citizens can listen to several arguments and make up their own minds on the basis of reasoned argument—can choose from among many points of view much as one does in a cafeteria.

It is usual for the speaker at graduations to choose some subject of current importance or interest. It is important that a speaker does raise a topical matter and sets out views and in view of what you have just had to listen to, it is important that this speaker puts his money where his mouth is, so to speak. So let us talk about Aboriginal reconciliation. It is topical, and it is important.

Let us start with Mabo and Wik. These were just two decisions of the High Court of Australia. That court exists to tell us what our laws mean, what our Constitution says. The judges of that court do not necessarily get every decision right but they work to interpret the law as they see it. They act as referees or umpires when people disagree about words, or the meaning of laws. To attack a decision of the court seems to me to be something we can accept, something contemplated, something proper. To attack the judges seems to me to be unfair, wrong and dangerous. Those politicians who have attacked the justices have done the society no good and have weakened the concept of the rule of law to which I hold, as you no doubt do too. Let us take care in appointing justices, but let us confine our criticism to judgments and avoid directing our comments to persons who are doing what they have been asked by society to do, and are doing it with diligence and care and to the best of their ability.

In any event, any fair reading of the judgments reveals that leasehold land in Australia continues to be safe enough, that Aboriginal claims are likely to fail unless claimants have the particular combination of characteristics exhibited by Eddie Mabo. Wik says only that pastoral leases do not extinguish all native rights except where there is conflict between rights.

Eddie Mabo lived on a Torres Strait Island with his family. They had unbroken occupation going back centuries. They had unbroken cultural traditions going back into antiquity. The court held that the older concept of Australia as an
empty land, as *terra nullius*, was wrong, that Eddie Mabo’s people had always been on Murray Island and that their continuous occupation and cultural links established their rights to that land.

Very few groups or communities can establish a case like that. So I think the 10-point plan, currently being debated in Parliament, is not necessary and is a move by pastoralists to gain more secure title to 42 per cent of Australia—to vast amounts of land. Nothing more. And passing it to the states and territories to determine is like asking the early Christians to pass matters to the lions to determine. About as much justice is likely to emerge from some state and territory governments.

Now let me tell you a story and develop another theme. Many years ago, a senate committee travelled from Adelaide to Oodnadatta by light aircraft. It was accompanied by the then acting director for South Australia of the Department of Aboriginal Affairs. Her name was Lois (now Lowitja) O’Donoghue. Just before the plane took off, fresh fruit and vegetables in a box were loaded into the plane and were delivered later to Lois’s mother, an Aboriginal woman in Oodnadatta.

In September of this year, Lois O’Donoghue, former Australian of the Year, recently retired as chair of the Aboriginal and Torres Strait Islander Commission, addressed a crowded meeting in Mosman in Sydney. She told that audience how she, along with her siblings, had been taken from her mother and brought up in an orphanage outside Adelaide. Her dignity was impressive, her account was tragic. No-one should have to endure what she did. And it was not only her. Thousands—no, tens of thousands—of people were taken from their parents under misguided policies which held sway over decades, beliefs which arose from the view that Aboriginality is deficit, that Aboriginal culture and heritage are worthless.

If my children were taken in similar circumstances, I do not know what I would do. Grief, anger, hopelessness, bitterness, consternation, despair, alcoholism—who can guess, who can begin to understand. Just think of your children or your parents and ask how you would have coped had it been you.

Lois lost her mother for a quarter of a century or more. Her father was long dead; he never saw his children again nor did they see him. Lois became a nursing sister and had, in her own words, to be just that bit better, because she was black.

She later managed to re-establish contact with her mother and promised to return to visit. Her mother waited by the roadside to welcome the daughter taken from her as a child. She waited each day for three months at the edge of the highway and then, when her daughter arrived, they had to converse with non-verbal language because Lois had been forced to forget her native tongue.
when she learned English. Given that circumstance, given those realities, given that history, it is impossible not to be ashamed, not to want to apologise. That our national leaders will not do so is their judgment and their business. But Tasmania has apologised. And we are different. We have no constituencies to worry about. We have no opinion polls to dominate and guide us. We have only ourselves to live with and a future to leave to our children.

So may I say now, as a former minister for Aboriginal affairs, on behalf of all such of my generation as may wish to join me, that in respect of the Stolen Generations we are sorry for what was done, sorry for the hurt, sorry for the tragedies we caused, sorry for the unhappiness we inflicted, sorry for the lives we ruined, sorry for the families we parted. That it was done by people like us, for the best of reasons, using the theories of the times, is understood, but we, with our present understanding, are ashamed of what went on while we looked away. If we can do anything to make it better, please tell us.

So there you are. I have spoken out for what I believe. It may be all wrong, of course, and may be a message you do not want to hear anyway. For this is really your day, your celebration, the beginning of your journey as graduates of this university. Congratulations to each of you. Enjoy the day.
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