

UTOPIA — Tuesday 18 April 1989

PUBLIC MEETING

PRESENT: -

Committee:

Mr S. Hatton (Chairman)

Mr B. Ede (Deputy Chairman)

Mr R. Setter

Officers assisting the committee:

Mr R. Gray (Executive Officer)

Mr G. Nicholson (Legal Adviser)

Appearing before the committee:

Mr Ray PULA

Mr Harold NELSON

Ms Lena PULA

NOTE: This is a verbatim transcript which has been tape-checked. However, due to poor recording or many people speaking at the same time, some of the recordings were inaudible and unable to be transcribed.

ISSUED: 1 August 1989.

Mr Ray PULA: Rernem angkeyel rernem mwerrantyrirrew anerlayntew. Anenhantherrenhe apekarl rernem pushem-eleyelewety. Rernem apek angkep aperyarralpeyenh anewantherrewarl. Arelhernem nhakenh arrentherran angkeyel wayleparlernemew. Rernem angkeyel anewantherrew mentye. Amer anewantherrewenh. Aleyanyem anenantherr pushem-eleyew. Amer anewantherrenhethey rernem anenantherr pushem-eleyel. Angkep rernem apeyalperlanewerr ikwerernem anantherre angke anyentengerlanem angkey.

Aweth rernem angkep petyalpelanekerr anantherr ikwerernem angke anyentengelanem.

They are saying that they want to be careful because they are pushing us. They might come back to us. Well, we have got to be strong. Come on ladies. They are saying to us no for our land. They are also trying to push us away from our land. We don't want to listen to them.

Mr HATTON: Thank you all for coming in here today to give us a chance to talk with you about the job that our committee has to do. If I could introduce myself, my name is Steve Hatton. I am in the Northern Territory parliament. You know Brian Ede here. He is your local member. He is also in the Northern Territory parliament, and this is Mr Rick Setter, the member for Jingili in the Northern Territory parliament. There are the 3 of us and another 3 people. You can see our photos in the back of this book here. We are the members of this committee of the parliament. There are 6 people in this committee, 3 from the government side, the CLP side, and 3 from the opposition side, the Labor Party side. There are equal numbers from the Labor Party and the CLP. You know, lots of times, we two groups argue about lots of things. The CLP and the Labor Party argue about a lot of things, all the time, in politics.

Sometimes though something comes up and it is really important, so it is more important than the politics. It is something

that is for all the people of the Territory and on which, no matter whether we are Labor or CLP or whatever, we say that this is something that we have to work together on, all the people have to work together on. That is the sort of job that we are doing now and that is why we are here together talking to you and talking to other mobs all over the Northern Territory about this job.

I think you have heard lots of talk about whether or not the Northern Territory should be a state. Some people think that the Northern Territory being a state is a good thing, other people are frightened of it. They are not sure or they do not want it. They say we are not ready. I am not asking you today whether you think the Territory should be a state or should not be a state. That is not our job. Because, before you can even think about that question, you have to say: what sort of place do you want this Northern Territory to be? How do you want this place to run? How should the government run? How should the courts run? How should we get Aboriginal law and white man's law to work together? What do we want this place to be like for our children and for our grandchildren? How do we make a place like that? How can we make a law that is not going to be mucked around by the governments and that will make this place go in that direction? You know white man's law. You get one government in and it is going that way, and then there is a change of government and she is going back over this way. It goes backwards and forwards all the time.

That is very different to Aboriginal law, your law, which goes straight all the time, always the same, in the one direction and you know where you are. That is very different to white man's law, except for this sort of law which is what we call a constitution. This constitution is a law that is the boss over the government. It is a law that is made by the people and a law that the government cannot muck around with. It is a law that can only be changed if the people say it can be changed. It is a strong law. It becomes the boss over the top of the government and says what the government can do and what the government cannot do. It is how the people set the rules, set the law, for the government.

Governments all over Australia, in Queensland, Western Australia, South Australia, New South Wales, Victoria and Tasmania, even the Canberra government, they each have a constitution over the top of them. In the Northern Territory, we have not got that. The people here have not got that law over the top of the government, and that means that the government can do what it likes. You have not got this law to control it and the government can do what it likes. We say, all of us, that it is about time the people of the Northern Territory - and that is all the people, the Aboriginal people, the white people, the lot - sit down and talk and make a law like this, make this law to stand over the top of the government so that, for once, the people can say: 'We want this Northern Territory to go that way and to grow that way, and we are going to put this law in place so the government must go that way'. That is what this job is.

It is not a job that can be done quickly. You don't just get a couple of politicians or a couple of lawyers in Darwin to sit down and write it down and say that that's it: this one has to come from the people. This one you have to think about, you have to have a say on, and you have to agree to. It has to be your law and my law, and the law of the people in Alice Springs and in Darwin, a law for the city people and the bush people, a law for everyone. We have all got to agree on that law and the really important things. One important thing might be how to elect a government or your right to vote. It might be protection for land rights, so that the government cannot muck around with it or take it away from you. It might be protection for sacred sites, or protection for Aboriginal law, or language. There might be all sorts of things that are really important, and about which you say: 'It is too important. I am not going to let those governments muck around with this thing. It has to stay'. That sort of law you can write into here. It has to be a law too that means that the white people and the Aboriginal people say, together: 'That is where we want to go'.

Now we have had a lot of fighting in the Northern Territory between people. I think all the people in the Northern Territory would like to find a way where we do not have to fight in the future, where we can learn to live together with respect, as equals. Maybe, if we all get together and talk about this thing, we can find a way to do that. Let's hope so. We have to work for that because, if we can do this properly and we get this right, then we will leave behind something good for our children, for our grandchildren and for their children and for people in 100 years time. They will look back and say: 'They made this a good place for us, where people can live together with respect'. If we do not do this job, if we say that it is too hard and put it aside, they will look back at us and say: 'Why didn't they fix it up? Why did they let us keep fighting all time? Why didn't they sit down and try and fix up the problems and make this place good?' It is a responsibility you have and I have, it is a responsibility we all have, and an opportunity, if we are all prepared to work for that and try to get this one right.

As I said, this has to come from the people. Our committee is not going to write this for you. Our job is to talk to you about the sort of things that might go in that law. Our job is to encourage you, to say to you: 'You must think about this and talk about it amongst yourselves. Get your ideas together. Have your say about what goes in this law, and then you tell us later,

maybe later this year or early next year, when you have had a good chance to think about it'. Then ...

Mr Harold NELSON: Ones like you need that. We got to tell our Aboriginal people and other Aboriginal people have to talk. We got to talk quietly about what you tell us. That is what you need when European and Aboriginal people are (inaudible). Do you get that? Do you understand what I speak?

Mr HATTON: I'm trying to. Say it again.

Mr NELSON: White people need - you've got to tell Aboriginal people what you want that way, and we will come together, black and white. You have to keep us knowing what you want from us.

Mr HATTON: I agree with you. That is right.

(Can't hear properly). Arratyey. Yaw Yaw yanh renharlap re ilinepineme. Ran ayerneyel irrpwerlernemar. Mpwelewenh atherrewenh inngarte yanhey amer. Athe apayutnheme renhenemar. ahtan amenterlar. apayutnhetyeke nhenhareye.

Yes, that's true, that's what they talking about. He is asking Aboriginal people. It's really your country over there isn't it? I'll ask them about it myself.

Mr NELSON: Well, what is the point? You are going to tell us.

Mr HATTON: And also ...

Mr NELSON: We don't want a problem.

Mr HATTON: Also the Aboriginal people have got to tell the white people what they want properly. I will tell you how we want to go about doing that, okay?

Mr NELSON: We like to approve what white people want from us. This outside law brings all sorts of problems. (inaudible) You got to tell them and we might say 'No, we don't let you come in'. We have to say it that way.

Mr HATTON: That's right, sure.

Mr NELSON: That is what is my mind

Mr HATTON: Yes, now let me tell you how we might go about doing what you are saying.

Now I come here now and I say: 'Look, we want to talk about this. You think about that'. I am going to Alice Springs and I am going to Tennant Creek, and Darwin and Katherine and all over the Territory. We go to 59 places saying the same thing - to the white people and to the Aboriginal people. You think about this and you tell us what you're thinking, right? All different people are going to say different things, aren't they?

Mr NELSON: Yes.

Mr HATTON: That is all right. We get all those things together, we have a look through and we come out with what we think is what people are saying overall.

But then we have another question. We say: 'Look, we are not going to write this job for you. What we are going to do is give some ideas about what we think might be what the people are saying after you talk to us, but then we are going to want to get a big committee of representatives of people from all over the Northern Territory, right? And we want to make sure that they are people that can really represent the people in the Territory, all the people. They must come from different people all over to come together in one meeting, or many meetings, to talk about what we have done, have a look at it and say: 'I think that is good. I would like to change this' or whatever. Then we need to get the representatives of all of the people to start to write up this law that has all those things in it. And they will talk backwards and forwards about what they think they want, and you say what you want and that will go backwards and forwards and you start to talk about it, and see if you can find a way to work together.

When they finish their job, and they have this law written as they think it should be, then it will go out to all of the people to vote 'yes' or 'no'. All the people in the Northern Territory will vote yes or no. If they vote 'no', we go back and we start

working again to fix up what they did not like. We will keep working, and working, and working until we get a law that the people vote 'yes' for. That way, through the meetings and discussions, you will hear what the white people are saying and the white people will hear what you are saying and, together, we will find a way to go forward together. We will find a track.

That is what we have to do. That is why I cannot come here today and say that I think it should be this way or that way. I have come here to say to you that you have got to start thinking about which way you think it should go. I can give you some ideas. We have done a lot of homework about this. In this book there are some ideas. This one that is going around. There are some around here and more are coming. We can show you that that has some ideas in it for you to have a look at. We have some books here, and I think that some are going around the communities too, To be circulated in the different ...

A lady: In the store and everywhere there are.

Mr HATTON: In the stores they are all around there, so have a look at those.

Then, there is this big one. That has a lot more ideas in it. We looked in America, the West Indies, New Zealand, New Guinea, in Africa and all around Australia at the different things they have put into this law, this constitution. I think some things in here are good and some things I think are bad. You will look here and say of some things: 'I like that', or 'I don't like that'. That is all right. It doesn't matter. It is there so you can have a look at all sorts of different things and make up your mind about what you like and what you don't like. So these we leave behind too, so you have more stuff, more information to work with.

But, I will ask this of all of you. It is very easy to say: 'I don't want to do this. It is too hard. I am happy. I have got my land. I have my alsatian. I am building my home. I have got to get water and I have to get a job, and all that'. Well, they are important things to do. They really are, and you have to work, and we have all got to work at those problems. But also, you have to think about some things you have that you want to protect, some rights you want to protect so the government can't muck around with them.

You know that lots of arguments come up about what you would do with sacred sites. This way, you make some sort of law on the important things that says the government cannot touch that, it may be - your religion, your law or your language. Now maybe they are things you will put in here, but you have also got to explain to the white men, in Darwin and in Alice Springs, why that is important to you, so they understand, because with understanding comes respect, and with respect we grow together.

Maybe, this way, we can start to work down that road for all of us, for you for everybody, but we have got to work hard and I bet you there will be lots of arguments on the way. But, if you really want to do this job and you really want to do something for the future, for your grandchildren and for people in 100 years time, you will help make a law that, no matter which way the government goes, there is a law that is going one way over the top. If you want that, you must work at it. You must be involved in it. You must have your say on this law, so that it is your law as it is the law of the all the other people, and your grandchildren will look back and say: 'You did a good job for us. You made a good place for us to live in'.

If you can do that, then you have met your responsibilities to the future generations, and if I can do that too, I too have met my responsibility, and we must work to do that. I have said enough now. Brian, do you want to say a few words?

Mr EDE: I just want to say a few things from my side because people say to me: 'You are the deputy Labor Party boss so what are you doing wandering around with all this Country Party mob?' Well, why I am doing it is because I think we have got to try and find some way that we can really hold on and get really strong things for the things that we believe in for the Northern Territory.

One of the things that everybody is always talking to me about, when I am travelling around and I am talking about some new law or something, or something coming up for changing the Sacred Sites Act or everybody is talking, like you mob do, about getting up and going down to Canberra because the land rights laws are changing or might be changing or something, and everybody says: 'We don't like it that way. Our law goes straight'. People tell me: 'Aboriginal law goes straight. It came up from thousands of years before and goes on straight forever. One straight line all the way. It ...'

A person: It stays there too.

Mr EDE: It stays there. It goes straight like that.

'White fellow law', they say, 'it is going over this way. It comes up and goes around and comes back, from side to side, all over the place. And, sometimes, one is going straight that way, and this one comes up and they bump. And you have trouble. You have to try and go up again'.

Now, they can say that, yes, we have that land rights legislation that we got down in Canberra, the Labor Party down there. It is holding strong. We have got sacred sites up in Darwin, sacred sites legislation there. Maybe that might hold them strong - but, maybe, it will not. We might have another election and the Labor Party might get chucked out in Canberra. A new mob might come in and they might say they do not believe in land rights, and go and change that act. They can do it. It is just one little law down there. There are lots of laws that they put in, and they pull them out. You know that. How many times have white fellows been changing their law?

A person: 100 times.

Mr EDE: 100 times.

But, if we put them in a constitution, that makes it a lot harder to change them. Because governments cannot change a constitution. The people have to change it. People have to vote to change it. That way what we have is that, even if they change their government down in Canberra and another mob comes in, they cannot turn around and change this constitution if we have it written up and we have put it into the law here in the Northern Territory. Only the people can change it. So, this is one way of trying to tie things like that in, the really important things like land, like (indecipherable). It is a most important thing. It is something you stand on, like the ground. We are trying to make them so that everybody knows: that is that land; that one has got to stay there all the time. We cannot have some mob coming along and saying: 'No, we will cut it up. We will break it up into 3 different ways. You mob keep that little matchbox over there. We will give this piece back to that company there'. We will lock them in, that is what we are trying to do, and lock them in for sacred sites.

But I cannot go and put that in the constitution. I am just one fellow. It has got to be you mob. It has got to be Aboriginal people all around the Northern Territory. They have got to talk up and say: 'These are the things we want. These things are important for Aboriginal people'. You have got to stand up and really talk out for them. Because some mob in another part, from Tennant Creek or Alice Springs or somewhere, might say: 'No'. So you will have to come in and explain to those fellows why it is so important. You will have to explain why land rights is really important and has to be in there and stay there for a thousand years, and why sacred sites have to be there and stay there and be strong for a thousand years. You will have to make them understand, so they can agree and we can put them in that constitution.

If we get all those things in the constitution, and we have those powerful things in there, that makes this law be the same as Aboriginal law.

A person: Going one way.

Mr EDE: It will go one way, and then you will have Aboriginal law going one way and this white fellow law going the same way too, and we will not have this bumping all the time. That is what we are looking for.

Mr Nelson: What about (indecipherable) ...?

Mr EDE: Just to finish off, I will say one last thing. This one might take a long time. The first time we go around, we are going to put it together and we are going to find that everybody is talking in all different directions. It will be like a mob of puppy dogs with one going that way, one going that way and one going that way. It will be like a mob of brumbies or something. What we are going to have to do then is talk together and work it out. We will have to keep coming and pulling them closer and closer until we are all going the one way. That might take 5 years and it might take 10 years. That does not matter. How many thousand years have Aboriginal people been on this land? How many thousand years more will people be staying here? If it take 5 years or 10 years, it does not matter. If you do not like it, you say 'no'. Then we will go back and start again, and we will work it up until we get it right - but, we cannot go and stand outside and walk away from them.

That is because, if we walk away from this job and let all the other mob work it out, when they come up with it and we

say: 'Oh, we don't like it'. They will say: 'Hey, where were you when we were talking about it? You wanted to go outside and go for walkabout, walk somewhere down the creek or something. You were not here when we talked, and you would not be strong to have a strong voice in there'. That is why we have to be all together in this one: talking out on it, talking at meetings and working out our positions. That way we will try and get as many things as we can agree on through first. When you all agree and agree, that is okay and, when we have an argument, we will come back together again after that and we will talk about it and talk about it until we fix it up. It may take 5 years, or it may take 10 years - that does not matter.

If, at the end, when we have finished, we have got this one all fixed up, then we will know that we are grown up. We will know this Northern Territory is a good place. We know the land is good. We know we all want to work together. Everybody wants a good life for themselves. They want a good life for their kids and for their grandchildren. They do not want to be arguing all the time. They want to put all that argument behind them and go forward. Let us get this one worked out. I reckon that will give us a really good start, if we do it properly. Thank you.

Mr HATTON: Rick, do you want to say a few words?

Mr SETTER: Yes, I will just say a few words, Steve, thank you.

I think it is very important that you all read this book because this book talks to you about a new law, a very strong law. It is just like Aboriginal law, a law that goes straight all the time. We call that the constitution.

In the Northern Territory, we do not have a constitution. We do not have that strong law, but we want it and we need it. You know, over there in Queensland, in Bulya, Bedourie, you know Urandangie and Cloncurry and Camooweal, they have got that law. They have got a constitution over there. You go over this way to Western Australia, and that mob has a constitution, and this mob down here in South Australia, they have a constitution. The Australian government, in Canberra, has a big constitution. There is a very strong law everywhere but not here. That means that the government in Canberra can come to the Northern Territory and tell us to do things. They can tell us to do this thing or that thing, and we have to do it. We cannot stop them, because we do not have that strong law, the constitution. We do not have that. And that is why we say we must have a constitution like this one. It is very important.

In that constitution we need to put certain things. For example, we need to make sure that land rights are protected. That is very important, and we heard Brian talk about sacred sites. But there are many other things that need to be protected that are important to all people, including white people, because we need to learn to live to live together as one community in the Northern Territory.

One of these days, at some time in the future, we are going to become a state. There is no doubt about that. We will become a state just the same as Queensland, New South Wales, Victoria and Western Australia and the others. Let there be no mistake about that. How long that will take we do not know, but the first step and the most important step in protecting our own rights is writing this new law, this constitution law, and we want you to understand what it is all about and to tell us what you would like in that new law. That is very important, because Steve and Brian and me, we could sit down in Darwin and we could write that law. That would be easy. But, unless we have come and asked you what you want, you will not support it. You will say: 'I did not help write that law. I had no part in that. Why should I support it?' That is what you would say to me.

So we say to you, we want you to become involved and discuss with us, and to tell us what you would like in the new law, and that is why we are here today. We are here to explain to you what it is all about. We will come back later, maybe in 6 months time, after you have had plenty of time to talk about it and we will discuss it with you again. Thank you, Steve.

Mr HATTON: Thank you, Rick.

As we have said before, the Queensland mob have got a constitution. Still the Aboriginal people over there are fighting with the Queensland government all the time, aren't they? But, you see, their constitution was written over 100 years ago and, when they wrote that, they did not go and ask the Aboriginal people whether they thought it was good or bad. The Aboriginal people were not asked at all. But they have still that constitution. The trouble is that the needs of the Aboriginal people are not in there. It is the same in Western Australia.

This is the first time, the first time ever, even for the Canberra government, that we are going out saying to Aboriginal people: 'You have got to be in this too. It is for you too. So we have got to hear what you say'. Now, if you do not want to

have your say and you want things to go on like they do elsewhere in Australia, and let that white mob write it, well it is not going to be good, is it?

People: No.

Mr HATTON: No. You have got to have your say. You have got to make sure you are strong and you say what you believe, and protect the future for your children and your grandchildren too. You cannot just walk away. They did not ask people when they wrote the Canberra constitution and they did not ask them when they wrote the Queensland one but, this time, we are asking you. For the first time ever in Australia, we are asking you: 'What do you think?' You put your things in there too, because you are part of this Northern Territory. You are the first people in this Northern Territory, and you should have your say in that constitution.

Mr PULA: That is why the people, they know what they think about, our people. When they think about the tribal law, (inaudible) and, all right, these government people they come and ask the people, they say: 'We want to try to change the law'. People, the Aboriginal people, they cannot do it with changing the law.

Mr NELSON: Never.

Mr PULA: Well, that is why the people won't trust you anyway, Aboriginal people.

Mr HATTON: Yes. The Aboriginals, their law is always the same. It does not change.

Mr NELSON: It never changes.

Mr HATTON: That is right. I understand that. What is important is that you make sure that you write into this law something that says they cannot try to change it. All right? This constitution is the white man's way, if you like, of protecting the Aboriginal law. It is our way of doing that sort of thing. It is not a way to take off your law. Maybe it is a way of making your law stronger, in the white man's way.

Mr NELSON: Yes, look at that white man talking to us now. (indecipherable) ... that government in Darwin. That is what spoils everything. Too many governments in the Northern Territory. That is what spoils everything. Too many bosses, arguing, pulling one another. That is the problem now.

Mr HATTON: Yes, that is right.

Mr NELSON: That is for sure. We never change. Aboriginal law never changes, never. We are going to keep this law, all the time.

Mr HATTON: We are saying that this is part of how the Northern Territory gets up above all our problems. This is how it gets up there. This is when the Northern Territory people, you, the people in Darwin, everyone, you all stand up together and say: 'This is our home. This is the way we want this place to go'.

Mr PULA: That is the way like people was brought up. Never change, never go any way. (inaudible). Same same, you and me. (inaudible).

Mr HATTON: Yes. And we have got to have something that stands up there and says to the government: 'You stop mucking around with that. You leave that alone'.

This man gives a good example of that. He says that if you have a crazy dog and he is biting everyone, you put a rope around his neck, and you say: 'Okay, you can go that far but after that you cannot go because the rope will stop you'. That is like this constitution. This constitution is a rope around the neck of the government. It says the government can go out there, but it cannot go past that line. Do you want to give the government a long rope or a short rope?

Mr NELSON: (indecipherable) like there are so many people. There are a lot of government people who promise that. We have nothing come good. We never did, none. Only housing, that is all.

Mr HATTON: There have been all sorts of ...

Mr NELSON: The government people never do any good for Aboriginal people, none.

Mr HATTON: No, I do not agree with that. I am not going to fight now. There are lots of things that they do that are good for Aboriginal people, but they might not be all the things that you want them to do. I will agree with that. There is a lot more things that have got to be done.

Mrs PULA: Speaking own language.

Mr NELSON: Speaking own language.

People discussing together.

Mr HATTON: You know there is lots of fighting. You ask the European people, they know that you have sacred sites, your dreaming and your law, but they might not understand it. They sort of know that something like that is out there but that is Aboriginal business. That is your law. Many white people do not really understand. Then what happens? A mining company comes along and they say: 'We want to go in that area'. And then they get into a big argument about whether they can go there or there or where, and they do not understand. And you get ...

Mr PULA: They don't listen.

Mr HATTON: That is true too, they do not listen.

Mr PULA: They have got to listen.

Mr HATTON: I agree with that.

Mr PULA: That is why (inaudible) agreement about the law ...

Mr HATTON: And we have different laws in the white man's things, and the laws are fighting each other, even the white man's way, aren't they? There is a sacred sites law there, a land rights law there and a mining law over there, and they are all fighting each other.

But sometimes you write a law that says: 'Forget all that stuff. This one is the top one'. That is the most important one, and that is this constitution law. Right? So, if you say: 'We are going to go that way, and everything has got to be OK with that. You cannot break this one'. Then, you put it in here. Then the government cannot muck around with that. Right?

It is up to all the people then. Only the people can do that. Do you remember that last year you had to vote in a referendum. You had to say 'yes' or 'no', for the federal constitution. Do you remember that last year? Well, that was to change the constitution. The government wanted to do some things, and the people looked at it, and they said 'no'. And the government could not do it. It is the same thing with this sort of law.

Mr PULA: Artwernem arem Government nhakenh rntw ingwereleyangenh law anewantherrewenh. Amer nhenhan ilekarl. Amer yanhan Utopis ngay. Rntw tyeng ile.

When the people look at it the government can't do it, same hting this little law. What is this place called? Utopis indeed. You tell me what it is.

Mr HATTON: Yes, you tell me what it is.

Mr PULA: Utopia. What do you call it?

Mr HATTON: We call this Utopia. What do you call it?

Mr PULA: The government has been keeping from the community, the Aboriginal people, why no mining men, oil company or any other European people can't come through.

Mr HATTON: That is right

Mr PULA: That is Aboriginal land. That is why we can keep this one way. We have got to live like that. It never change. Nothing change anything. You come and ask me: we change this way. We get oil or anything, mining, anything like that, minerals or something ...

Mr HATTON: I have got to come and ask you.

Mr PULA: ... you can ask me (inaudible) still say no for an answer. Never. This is Aboriginal land and no white men come through here, like mining companies or whatever. They can't get through. But the government will give them (inaudible) for Aboriginal people. (inaudible).

Mr HATTON: Yes. Do understand this - and I am not saying it is going to happen. I do not believe it will happen, no matter what happens, but it is a question of understanding how our law works.

What the government gives you, the government can take away from you. Do you know that? What the people give you, the government cannot take away from you. Now, I do not think this will happen. I think it is there and it will stay there forever, no matter who is in government. That is the land rights. I believe that but, if those people in Sydney and Melbourne decide to change their mind and think that they do not like this land rights, and they have a big election and they vote people in who are against the land rights, the federal government has the power to say: 'Get rid of that law'. If that happens, all the land rights have gone. They can do that. I do not think they will. I do not believe they will, but they have the power to do that in the parliament. If it is in a constitution, the government cannot touch it. That is the difference in our law. Do you understand that?

A person: Yes.

People discussing together.

Mr EDE: Let me just explain this. This one here, it is a microphone. If anybody feels a bit shy and does not want to come right up inside to talk about it, you can talk from this one too. And they can take it down. They can put it down. It does not matter if it is in language, or someone being interpreter or what. Just talk into this one. It will all go down there. We can write it all up and we will have a full record of what everybody is saying. Or, we can try and answer the questions.

Mrs PULA: Ayern renh nhakenh arrentherr ikwer angkeyew. Re ayerneyel ingkerr law anewantherrewenh Government angkwarr aneyew. Anewantherrewenh Labor nyent anerlaynteyew. Ingwerernem apek apateyel. Rntw apek renh awayal ngay.

Re arw apeyalhew irrpwerl ayerneyew. Ran nhanken ngenh amer rekeyangenh arwarl re ngkweng ayerneyel. Amer anewantherrenh anantherr rlterkerl arntwerrkaynteyew. And don't chuckem away Labor government.

Ask him what it that he is saying to you men. He is asking us to put all of our law together with the government law. They want us to be with one government, with Labor. The others don't know what's going on. The Labor party want us to be strong for our land. Some of you don't understand what he's saying to you people. He didn't come here to take all of your land. He is trying to make you understand. Another white man might come in and take your land away from you people. That man is giving us the idea to be strong and stuff. That is the Labor party now. He's not CLP, he's ALP. He's not asking you to give your land away. He wants us to hold our land and be strong. This man came to ask us what we want. To stay in one area and don't throw away the Labor Government. You've got to keep going and keep right on.

Mr NELSON: Speaking in language.

Mr PULA: Speaking in language.

Mr NELSON: Speaking in language.

People discussing together and with committee members.

Mr EDE: I am not going to say: 'You have to put this one in your constitution'. That is for you mob to work on. And we do not want to come in and say: 'Now, righto, what do you want in the constitution?', and have everybody try to put up their hands, and they might forget something. What we want everybody to do is, go back in the community, talk about it and think what are those important things. How are we going to put those strongest things that we want in there, because you have lots of things you want to think about.

Okay, we were talking before about sacred sites, land rights and those things. You may want other things in there too, about human rights, about people's right to have good education, their right to be healthy and their right to look after their religion. They are all really important things. People want to see how much of those things we can put in the constitution - or do we want to put them underneath and leave them the same way and let the the government change them? You have got to decide on those things.

Some countries put them in their constitution, some people leave them out. We have got to decide what things we want to put in.

We want to try and get some tape recordings and get them done in language so we send them out and the people can use a tape recorder.

Ms LENA PULA: They can talk about language.

Mr EDE: Yes, language.

Mr Ray PULA: (inaudible).

Mr HATTON: Yes, everyone can talk. If you are looking at this and you think that you are not sure what is meant by something and you want to get more information, well you can ring us up on a telephone number in here. It will cost you nothing. Or you can write a letter ...

Mr EDE: There is no telephone.

Mr HATTON: He said there is no telephone. Well, you write a letter. Or, when this man comes around, as he should do, you say: 'you get that mob to come back and have a talk to us about this thing and or that thing'. Okay? 'So we can learn a bit more and go away and think about that'. When you have really talked it through properly, then we will come back and you can tell us what you think, and then we tell you also what that Arnhem Land mob are saying and maybe what that Pitjantjatjara mob are saying and maybe what the Darwin mob are saying. We will tell them what you are saying. Then we can see what you think of what they are thinking and see what they think of what you are thinking. That way we will start to get all the ideas together, all over the place. Bit by bit, we will find lots of things we agree on and we will start writing them up. Then we will see the things we do not agree on and we will sit down and start talking about them. Over a period of time, we will get it right.

Mr NELSON: Nhakenh arrentherr iterrereyel angenharey amer arrewantherrewenh. Amer nhanyeman ngkwengarl anthew. Anantherrarl pwathan aneyel amer nhenhew. Waylpalan arrangwarl arwant rerneman angkeyel not ngenh amer rakeyel. Government-warl rernem Culture ngkwenh pwiteleyew. Two of them in Canberra, Aboriginal government and whiteman government, they should be there together.

What are you people thinking about your country? Come on old man, this is your land; they gave you this land. We are the bosses of this land - not whitefellas. Whitefellas are just asking, not coming to steal your land. What are they asking us for this land? This is black people's land. White man government, they would be with the government. Aboriginal government and whitemans' government, they should be there together. Two of them together in Canberra.

Canberra - Aboriginal government and white man government, they should be there together. Aboriginal people, probably as they go to school and, if they learn properly, they could work together in Canberra or somewhere. We should have one government in Canberra, not everywhere. They are in too many places.

Mr EDE: Maybe, some day, that might happen, it might be just one government, in Canberra, and then just local governments looking after each place. A lot of different people think that way but a lot of people say no to it. I think we will probably end up with the Northern Territory government being around in Darwin - Labor Party government or CLP government or National government or whatever - for quite a number of years yet. It will probably be a long time before all of Australia changes and says: no more state governments.

Mr NELSON: What for 4 different governments?

Mr EDE: Actually, 7.

Mr NELSON: 7 different governments.

Mr EDE: We have 1 for Queensland ... Oh, you mean 4 for different levels?

Mr NELSON: Yes - or 3.

Mr EDE: There are 3. We have the federal government on top, state or territory government underneath, and then local government down close to the people. It is true that some people say we should get rid of that state level in the middle and we should just have the federal one on top and then this other one down around close, but I think that, if we hang around and say: 'We are not going to do anything because we are waiting for that day to come when those state governments get thrown away', we might be waiting for 100 years or something.

Mr SETTER: It will not happen in our lifetime.

Mr EDE: It might be a long time.

All I am saying is that we know at the moment people are going towards this other road of having a state the same as everybody else. We know that road is there. I think maybe we have to see that we have a strong constitution so that we can be a bit safe when we go along that road and have protection for all the things that we want to put in that constitution. If, later on, they decide to finish off all the states, we will be part of that too.

Mr NELSON: Rernem ilkelheyel anantherr ikwerernem apeny anerlaynteyew. Anantherran waylpalewenh law-wety arlkarrerreyel. Waylepamal amer irrpwerlewenhewarl aylpenheyalhew. Kel anantherr ingkerranem anerlayntey warrkerlayntey anyanterlanem.

They want us to be like them. We don't want whitefella's law. White men come into blackfella's law and country. Well, they'll be in one law with us. We can work together. We can work together as one.

What about the Aboriginal law, our law? White man come to that law and we will work together or anything that we can do.

Mr EDE: It is probably pretty hard for us to get - because we are Northern Territory mob, we have not got the power to go to Canberra and say to Canberra mob: 'You have to put Aboriginal law in your constitution'. You see, I am not a member of parliament for up there. You can talk to members of parliament for Canberra about whether they should change that one and put that in that constitution and ask all the people all around Australia if they will agree. You can talk about that one, but that might be really hard.

If we put them in for the Northern Territory first, into our constitution, then we will show that other mob that you can do it. By putting them in the Northern Territory constitution, we can show them that people can work these things out.

Mr PULA: What to put in our law for the Northern Territory, a lot of the people of the community might think about a lot of things too themselves.

Mr HATTON: That is right. That is what we are going to talk about.

Mr PULA: Probably the Aboriginal people might want to carry on their law and I think that might be right. I say probably that is right.

Mr EDE: Yes.

Mr PULA: If the government of the Northern Territory ... speaking in language ... in Canberra. Too hard for black community.

Mr EDE: Lots of people are really frightened of the Northern Territory government. That is true. People do not believe them and they do not trust them.

What this one does, if we got them in the constitution, the Northern Territory government cannot touch them. We will be putting up a fence and saying: 'Here we are. Here is the fence. Northern Territory government, you can make your acts and things and change around on this side, but you cannot come over this side of the fence. These things are in there, where

Aboriginal law goes on straight all the way'. But, you have to find out where you want to put that fence and what things you want to put inside that yard that they cannot touch.

A lady: That is the law now.

Mr HATTON: Can I say this too, because it is important to say. I know these things are important. I know Aboriginal people are going to want to put these things in, to protect their law, their land, their sacred sites, language and culture and so on. It is important. But you have to know too, and I would not be honest with you if I did not say, that there are some white people that would say something different.

They do not understand, and so part of this job is the Aboriginal people explaining to other people why this is important. That is why you must be there to talk about it. You have to explain to those people in Darwin and Alice Springs why this is important to you. It is not good enough just to tell me here. You have to tell them down there and up there, at this constitution meeting, so they understand what you are talking about and why it is important to you. They must understand that it will not hurt them if you have this. That is part of doing this job. So you think: 'Okay, now I have to make sure these people understand'.

I said before, when you understand things, you get respect. If people do not understand, they do not have respect. So part of the job is to make sure you teach the white people why this is important to you so that they understand more and that way they have respect more. Then we do not get so many fights and we can set this thing properly. That is why it is going to take a long time to talk, but we have to take that first step. We must take that first step and start working in this way and get it done so that all the people come together and work together for the future.

Person speaking: Kelanem angkelayntenharey waylpal yanhew. Arw re angkeyel. Nge apek iterreyew alakenh rerneman angkeyel anewantherrew antherr. Government anyentel anerlaynteyew. Culture then anantherr lterrkkel antwerrkaynteyew. NT State mpwareyew rernem angkeyel. Rernem angkeyel State mpwareyew. Kelepenh anantherr amer anewantherrewenh rakeyewaney Labor Government-el arntarntareyel anenhantherrenh.

Anenhantherrenh. Store arrantherr inepinem, motor car arrantherr inepinem, Labor government, money rick mpwarelhek arrantherr, don't wrong angkerrel. They never talking for apwers, mining company, they never looking for mining company. Don't chuckem away. That's true I'm telling you mob.

You lot talk now to that white man. He's just talking. What he is saying is that they just want us to give them ideas so that we can be one government and one law. We've got to keep hanging on to our culture strongly. The Labor Government have been helping us for our land. They are talking about making this Northern Territory into a state. They are not saying we should change our law. They are just telling us to be strong. They are not telling us they want to take our land away from us.

You've got stores and motor cars. The Labor government has made you mob rich. They're not talking about mining companies. Don't chuck them away. I'm telling you mob the truth.

Mr HATTON: This book has been made by our committee. It is just to help people, to give some ideas, that is all.

Persons speaking together in language.

A lady: ... or they change religion or they change the law.

Persons speaking together in language.

Mr EDE: Now, people can change them. If we can lock them into this constitution, that will bolt them down. That is like putting a leg rope on them to stop them from going all over the place.. This one will tie them up. This way, the Northern Territory government or Canberra government cannot go and change them around.

Mr PULA: Brian, what about ...?

A person: You know, governments, they change them all the time.

Mr HATTON: These are things you do not want them to change.

Mr NELSON: ... altogether, any way we can get it ... that is what people want (indecipherable).

If you call them Aboriginal people, and white people and black people, we will put it that way and it might be all right.

Mr EDE: What we are saying is that we do not want one up the top here and one down the bottom. We do not want to change them around like that. We want to make them square. So everybody has an equal way of going ahead, equal for kids for getting education and chances for going ahead and having a good life.

Your law is a little bit different in this way than this one, but they can both still be side by side, going on like that to hold them strong.

Mr PULA: That is why the people want it now. We had better ask them.

Mr HATTON: We have got to work out how to do that.

Mr PULA: Alakenh ikwerarlap anantherr ayerneyel arrenantherr. Anantherr anyentel aneyew. Arrangkwarl rernem anenhantherr iweyewan. Irrpwerlan law alkenhakerl. Nthakenanem anantherr irreyenh.

That's what we are asking you; for all of us to be together. They are not trying to throw us away. No, they want to make the Northern Territory into a state. Black law is a big thing.

Yes. Same as government people, you know, they got all the different stories about (inaudible).

Mr EDE: Aboriginal law is a really big thing. It has lots of different things in there from lots of dreaming places, lots of things. The thing is, what things we can pull from there and write them down so we can say: 'That is a thing that is not going to change'. We have to find out how to write them down. We have to write them down in a way that holds all your things that you need to hold strong, very strong. At the same time, we do not want to frighten everybody else, all the white fellows.

A lot of white fellows in town, they think: 'Oh, all that Aboriginal mob are going to want to take all the Northern Territory. They want to push us out from our house and take everything over'. Now, that is silly talk, but they get frightened. So, we have to tell them: 'Look don't be frightened. We just want to be square. We just want to share so everybody has a fair go'. We have got to stop them from being frightened like that, and then they can agree.

Mr PULA: Treat Aboriginal children properly and they work together, the government law. That is why they have to get that law. Aboriginal kids have got to learn properly and they can work together and run that law, how we have got to use it, so we can carry on that one all the time.

Mr EDE: It might be good.

Mr PULA: We don't want to change. With one going this side and one going this side it is no good. We have got a lot of problems now in the Northern Territory, all over.

Mr EDE: But we can pull them back together again, if we can find those things that we agree on and put them so they do not change.

Mr PULA: And we find the right track and we can work.

Mr EDE: Like he said, finding that track. We have to find that straight track going through, that keeps on going and going like that. But we have got to look, and show everybody where it is.

Persons speaking: Mpe showem-eley ampwal. Nat anantherr ayerneyel arrenhantherr. Arwarl rerneman ayerneyel law anewantherrewenh pwiteleyew Governemntewarl law anantherr aley lterrkarl anyeneyel.

We've got to show everything. They are not asking us to take our land. Tell them two. We've got to look after everything. They are just asking us to put our law with the government law. We put our law in and we can still keep it strong.

Person Speaking: Ingketyapenh rntw amerlareyew. Anantherrap ikwerernemew ingkerrew rnerneyew waylpalerl law

anewantherrewenh lockem-elewerr intemantey. Rerneman arrkernelheyel law anewantherrewenh Governemntewarlarl akwerneyew. Waylpal yanhatherr ayernenharey.

Find the track so that we can see and show everybody where it is. You people think these white men will lock up our law for ever. But they are trying to put our law in through government. So we'll ask those two whitefellas.

Mr EDE: This one here, that is made to look like parliament at work, federal parliament down in Canberra. That is what that picture there is. And this is saying that all the different people of the Northern Territory - Aboriginal people, white fellows, Chinese, Filipino, everyone, even that bloke with spiky hair like that, I don't know what you call him - will be coming together as one Territory, one Northern Territory, and getting to agree on those things that we want for our constitution. Then they are taking that to the federal parliament down in Canberra. That is because, after we have all agreed on those things, we have to take them down there and they have to make a constitution for the Northern Territory. But we have all got to agree first. If we all agree, then we can ask them to agree to put it through their parliament.

If they see that we are all fighting and we can't agree, they will not pass it. That is why we have to have everything through first.

Mr NELSON: That is why people have to talk about it now. That is why they want it. They can't change Aboriginal law.

Mr EDE: Yes. Just put it in there. But we have all got to agree to it first.

People talking in language and with committee members.

Mr HATTON: I will explain it. It is because, in the federal constitution itself, there are some laws that say you can make a new state. You can make a new state like that. If they make it, the constitution locks it up, and then the federal constitution locks it up, so it gets accepted up into that federal mob and it gets away from the federal government too. The federal parliament passes it, but it comes up and gets locked in as part of the Australian Constitution. That is where it gets that extra protection. That is why, later on, the federal government can't come back and change it. There is a clause in the federal constitution that says that, if this constitution is here before we become a state, then the federal government can't touch it. It says that in the Australian Constitution is the boss over the federal government, and that is where this is protected.

Mr EDE: That is why the constitution has to come first. Don't let anyone come and try to tell you that we will have a state next month, or next year or sometime or something. Say: 'Look don't talk to me about that'. The constitution is what we have to develop up.

Mr HATTON: We have to do this job first.

Mr EDE: If we all agree on a constitution, we might say that, okay, we will go on on to statehood or we might say: 'No, we will just hold onto that constitution and go the way we are'. We will make that decision later on. The first thing we have to do is work together to get the constitution, because that is what will pull us all together.

Person speaking: Rernem anewantherr angkeyel law anantherr rlterrk anyenaynteyew law anewantherrewenh intemarl aynteley. Kel lengk lengkan law rntw ngkweny akwerneyew Government-angkwarre. Alakenh rernem ngenh ayerneyel. Irrpwerl anyent ikwerernem warckerreyel. Milingimbi-areny. Mwerrang alakenh ngay anewantherr. Inpe yekwe nhakenharlap rerneman iterreyel law anewantherrewenhew. Arw anenhantherren rernem akaltyantheyel.

They want us to be strong for our law. But our law has been with us from way back. Well this time put our law through government. They are jut asking us to put our law with the government. They've got one black from the Top End, one man working with them from Melville Island. He is with the white man. Do you people think that it's a good idea? We don't know yet. What will they do if they put our law through. Don't say yes to them. no, we'll just ask them to make us understand.

Mr EDE: What does everyone reckon? Do you want to talk more about it now, or do you want us to close up now so that you can all go away and talk amongst yourselves? What do you think?

Person speaking: Nthankenh anantherran angkeyenh ikwerernemew. Yaw Yaw apek anatherr ikwerernemew angkeyenh

ngay. Rernem alkwenteyel law anewantherrenh Government-warl ingkerr aneyew. Arrentherr apek ilkelheyel alakenhanyemew ngay. Irrpwerle alepe waylpalethenew anyentantey anerlaynteyew.

What are we going to say to them? We've got to say one way for them. Why can't we say yes or no? They want us to keep our culture. They want us to put our culture through the government. Some of you don't understand. Do you want it that way? No, you mob understand what he means. Whitefellas and blackfellas to be one, to be together.

Mr EDE: Does anybody want to talk more about this thing now, or do you want to close it off now? We have just opened this one up really. That is just to start off. Everything will keep on going. Do you want us to say that that is enough for this meeting and then everybody can go back to your community or where ever and talk about it? People can talk about it when the council meets, or talk about it at different times again.

Mr NELSON: No, Brian,

Mr EDE: Do you want to go on, or what?

Mr NELSON: White people in the community will say (indecipherable) and carry on that one. This is all right and that is nothing to do with this. Come back again and go back again, too many minds, too many talking and we can't (inaudible) the people and we can't see them.

Mrs PULA: Now we have got to talk about it, once.

People speaking together in language.