

**HERMANNSBURG — Friday 7 April 1989**

**PUBLIC MEETING**

PRESENT: -

**Committee:**

Mr S. Hatton (Chairman)

Mr B. Ede (Deputy Chairman)

Mr C. Firmin

Mr W. Lanhupuy

Mr D. Leo

Mr R. Setter

**Officers assisting the committee:**

Mr R. Gray (Executive Officer)

Mr G. Nicholson (Legal Adviser)

**Appearing before the committee:**

Mr Gus WILLIAMS

Mr Alan KEELING

Mr David CAMERON

Mr Helmut PARAROELTJA

Unidentified Aboriginals

NOTE: This is a verbatim transcript that 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.

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Mr WILLIAMS: I welcome members of the committee of the constitutional development mob. I will introduce one person first, the former Chief Minister, Steve Hatton. I welcome him and the other members of the committee.

Mr HATTON: Thanks very much, Gus. It is a great pleasure to come back here again. I am sorry that I was not able to attend the opening of the historical precinct late last year. I lost my job in the meantime and I could not get back. I have had a chance to look around this afternoon and it is looking good although there is obviously still a lot of work to do. I am sure it will come on.

Our committee is called the Select Committee on Constitutional Development. There is a fly leaf at the back of the book which has pictures of all committee members. There are 6 members, 3 of whom are here today. As well as myself as chairman, Mr Rick Setter, the member for Jingili, and Mr Wesley Lanhupuy, the member for Arnhem, are attending.

The committee is a committee of the Northern Territory Legislative Assembly. It is not a government committee but a parliamentary committee. It has 3 members of the CLP, including myself, and 3 members of the ALP. This is one of the times when we are not fighting each other about something. Both of the political parties are in agreement about the work

of this committee. We will not be fighting elections over it. We are simply working on a task which both parties believe in.

When I came here as Chief Minister in 1986, together with Terry Smith the Leader of the Opposition, we were talking about statehood and what statehood means. Some people think that statehood is a good idea and others are a bit nervous about it. We are not here today to talk to you about statehood. We are here to talk about something different, something which will happen long before statehood. We have come here to talk about writing a constitution for the Northern Territory.

You cannot really think about becoming a state until you have a constitution. It is like when you formed the community government here. Before you took a decision to form community government, you had to sit down and work out the constitution or the rules which would determine how the council worked. It is the same for the whole of Australia. It has its own constitution and all the rules had to be written before it could become a nation.

Each state - Queensland, South Australia, Western Australia, New South Wales, Victoria and Tasmania - has its own constitution which says what its parliament and its government can and cannot do. The only place that does not have a constitution is the Northern Territory, because we are only a territory. As I said, we cannot even think about becoming a state until we write a constitution.

For the benefit of the people who have just come in, I will say again that we are not asking you whether you support or oppose statehood. That is not the question before us. We are saying that, one day, whether it is next year or in 5, 10 or 20 years, the Northern Territory will become a state. However, before it can even think about making that decision, the people have to look at what sort of state they want. They have to set the rules. It is the constitution which does that. It is the most important law. It is the law that the people make, not the law which the government makes. It is a law which stays in place all the time. It does not chop and change. It is fixed. Some people say that it is a bit like God's law. You make the law and it is there all the time and other things come underneath it. It is there as a constant all the time.

This way, with a constitution, you say how the government works, how big it is, how it is elected and how the judges and the courts work. You say who has the right to vote. You say who has a right to become a member of parliament or to stand for election. You say which rights must be protected so that the government cannot fiddle around with them. They might include the right to vote or, as some people suggest, an entrenchment in the constitution of the protection of Aboriginal land rights. They might include a guarantee of Aboriginal culture and Aboriginal law, so that the government cannot muck around with them. Those are the sorts of things that a constitution can do. You set the laws and you tell the politicians what they can do and cannot do.

As you can see, there is a lot of work to write that law. We are just starting today. We have come here to ask you to start to think about it. We have some information which is a result of the the research or the homework which we have done. That is to give you some ideas to think about. I want to get your community to start thinking and talking about this so that we can come back later this year and hear what you think. We want you to tell us then what you think should go into this constitution. All we are doing today is letting you know that we are starting this job. We want you, in your own interest, to take the time to look at the issues and have your say in this very important job that we have to do.

I will briefly explain how we are approaching the task. This book is simple and, we hope, easy to read. Its aim is to set out some of the bits and pieces that you have to think about. It is bright and colourful, with cartoons and all that sort of thing to encourage people to pick it up and read about some of the issues. Its ideas come from this other book, which took 3 years to research and write and is a lot thicker. It was also prepared by our committee. We looked at constitutions in Australia. We have looked at the Self-Government Act, the Australian Constitution, and constitutions in America, Canada, Africa, the West Indies, Papua New Guinea and so forth. We looked at the sort of things they do in those constitutions, what sort of laws they have and how they go about things. We have put all the different ideas together in the books so that people can read them and say that they like this or that or do not like particular things. In fact, people might think of some things that we have not thought of. We want you to start to think and talk about these things.

You may not have some of the answers now but if you think about the issues you will have them. For example, we have a single House of Parliament, the Legislative Assembly. Some states have 2 Houses, the Upper House and the Lower House. Should we have that? Do you think that, in a constitution, you should say that politicians cannot call an election whenever they want to - in other words, that parliaments should have a fixed term? You can make those sorts of rules in a constitution. Do you think that the constitution should mention human rights or contain something like a bill of rights? Some people think that it is good to write them down whilst others believe that it is better not to, and that such matters

should be covered by what we call the common law. There are lots of questions and, whilst I do not expect you to have answers now, you might have some ideas. What I want you to do and what we all want you to do is, please, to start thinking about these things and to start talking about them amongst yourselves so that, later on, when we come back, you can tell us what sort of things you believe should be included in the constitution.

We are going to take all of this information from all over the Northern Territory and our committee will sit down and prepare the first draft of the constitution. We will prepare it, based on what we think the people are saying. That will not be the end of it. It will just be the start.

In the following step, we are going to form a committee which will be called a constitutional convention. It will be a big committee of representatives of people from all over the Northern Territory. Its job will be to take our work, all of the things that we have been told and all the research we have done, plus what we have suggested, and to go through it. The convention will say that it agrees with things, wants to change them or throw them out and start again. It will work through the material. It will be like a big committee to draft the law and it is very important that its members are the right people, that they represent all the different people in the Northern Territory. The question we are going to ask you later this year is: what sort of people do you think should be members of that convention?

We do not trust ourselves to guess it right. We are asking the people how they believe that convention should be put together. It is a very important question. How do you make sure that the views of people from Hermannsburg will be taken into account at that convention? After everyone has given us their views about how the convention should be put together, it will form and do its work. It will produce a book, the constitution, and that will then be put to a vote of the people of the Northern Territory.

The people will vote yes or no on whether or not they like the constitution. If they say no, it will go back to the convention for further work. You can see that this will not happen quickly. It must involve all the people. If it does not come from the people and if it does not bring together the people of the Northern Territory, black and white, to form the rules for all of us, it will not be good and it will not work. That is very important.

We must work very hard to get this law right, not just for ourselves but for our children, our children's children and their children. It is the little ones who, in the end, will benefit most from our work on this, and we must make sure that what we put into the constitution will make this a good place for them. That is why you must get involved. You must think, talk, and have your say about this.

When you think about it, do not just think for yourselves. Think about all the other people in the Northern Territory and how we can bring it all together. We can do that. We can do something really worthwhile that our grandchildren will proud of. If we do not do it, if we walk away from this job, they will say: 'Why didn't they help us when they had the chance? Why didn't they do the job that needed to be done to help us?' That is what our job is today.

I am going to ask Mr Lanhupuy if he would like to have a few words too.

Mr LANHUPUY: Thank you for coming to meet this committee this afternoon. Steve has explained the work of this committee and how we are going about it. One of my reasons for getting involved in the committee's work is because I believe that, if the Northern Territory constitution is going to work, it is important that the Aboriginal people, 25% of the Territory's population, have their say.

We have a good opportunity now to do that. There has not been a new constitution in Australia for 100 years. The Territory is a young community which is starting to understand things. It has grown up after having been looked after by the federal government. The question we now face is whether we can look after our own interests. I want to make it clear that we should not confuse statehood and the constitution. Statehood might come at a later time for us but, as Steve said, the constitution will be like a book for the people of the Northern Territory, both black and white.

We are travelling around talking to people about the book that we have put together and asking people to read it, to think about the ideas it contains, and to talk about them, so that they can give us their ideas. This committee has no set timetable. We do not want it by next year, the year after or in 4 years time. We would like to come back to you and talk to you more about it, when you are ready. That way, we will be satisfied that the people of the Territory have made an input to the constitution that we hope to have one of these days.

I stress the importance of this. We may have a lot of arguments and disagreements with the government that we live under

now and we may have certain arguments with a lot of other people. It is up to us, though, to make sure that we get valuable things like land rights put into this constitution, so that we can protect our culture and beliefs. Only the people in the Northern Territory will be able to change that law. The parliament, the people that you elect, will not be able to change the constitution. That is why it is important for us mob to make sure that we put our views to this committee. If anyone wants the constitution to be changed, it will have to go back to the people of the Northern Territory to vote on.

All the other states have their own constitutions. The federal government has a constitution for the whole lot of us. The people in the Northern Territory parliament, the Labor Party and the Country Liberal Party, believe that we have to work together to create a constitution. It is no use us fighting amongst each other. If the two major parties in the Territory can do that, it should be easy for anyone else to work things out among themselves.

I stress again that this is important for us now because it is going to affect our children and our children's children. If we miss out, we might be blamed for not putting our people's interest into this constitution. It is a good opportunity for us to be able to talk to the committee. The committee can always come back. If you want information, ring up the executive officer in Darwin. He will send you more information or organise visits by committee members. It is important that we raise you mob's awareness about this whole thing. If we do not, it will not be a good thing for us. If one group of people argues with the other, it will not be a good constitution for us.

Hopefully, when this is finished, you will have a book made by the people of the Northern Territory for the people of the Northern Territory, that can only be changed by the people of the Northern Territory, not the politicians that you elect. Steve has already explained the 3 stages including the big conference and the referendum at which people can vote to chuck the constitution out or to accept it. I just want to stress again that it is important that people in the community here start talking about it and asking questions. During the next 4 or 5 months, we will be visiting as many communities as we can, to gather their views. We want you to tell us your views. Even if you do not like it, tell us. If you do not like what this constitution is going to do to you or if you have any arguments for or against it, we want to hear them. That is why we have come: to listen and to talk.

Mr SETTER: One of the questions that a lot of people will ask is: why do we need a constitution? Most of us are pretty happy in the service now. The Territory is running along quite well so why do we need a constitution?

I think it is important to understand the history of this place. I am talking about settlement in the Northern Territory. The Northern Territory first came under the control of New South Wales in about the middle of last century, the mid-1800s. New South Wales had authority over this area and several settlements were established. Some failed and others did not. Because it was so difficult to administer from Sydney, it was passed over to South Australia, which administered the Northern Territory for years. In fact, it was the Northern Territory of South Australia. After a period, South Australia found it too difficult to administer and passed it back to the Commonwealth. Since early this century, the Northern Territory has been administered by the Commonwealth government. That was the situation for many years.

In 1974, we had the first fully elected parliament in the Northern Territory. Prior to that, some members were appointed and some were elected. In 1978, we achieved a major step in our constitutional development, if I could put it that way, when we became a self-governing territory of the Commonwealth. We are only partially self-governing because there are still some state-type functions over which we do not have control. We have now been a self-governing territory since 1978. That is a period of nearly 11 years and I think we have made leaps and bounds in that time. As everybody would agree, the next major step will be to become a state, to achieve statehood. We do not have a time frame for that. It might be, as Steve said, 5, 10 or 20 years. Who knows? That is a matter for the Northern Territory people to decide.

In order to move further down that road, we need a constitution. The constitution will lay down a set of guidelines, a set of basic rules. As I have said in earlier discussions, it can be likened to a bible by which the Northern Territory will be governed. That constitution will lock in place certain parameters within which the elected government of the day must operate.

If you look at all of the states and the federal government, the Commonwealth, you will find that they have all had constitutions for 100 years or more. In fact, the last constitution written in Australia was that of the Commonwealth, when federation was achieved in 1901. There has been no new constitution since that time. It would be simple enough for our committee, or indeed the government of the day, to write a constitution based on the constitutions of the other states and the Commonwealth and other experience around the world such as that of Papua New Guinea, which achieved independence 10 or 15 years ago. There are also other places whose constitutions would be relevant. We could write one.

However, for a start, times have changed since 1901. This is an entirely different country with a different set of attitudes, community needs and so on and we believe that it is inappropriate to write a constitution along the lines of those which already exist.

That is why we are going out and talking to the people of the Northern Territory, Aboriginal and non-Aboriginal. In this first round of discussions, we are explaining what we are doing and what the whole process is all about. As Steve said, we will come back at a later time after you have had the opportunity to look at these documents and consider the various options. We will talk to you again because we are very interested in obtaining your views. At the end of that exercise, we will sit down and sift through all the information and draft a constitution which, of course, will at some stage come back to the Territory people to vote upon. Ultimately, we will end up with a constitution. So that is what we are about.

Mr HATTON: We have done a lot of talking. The basic message today is that this job is starting. I hope we can encourage you to get involved and to have your say. It is a job we must do. It does not matter whether this job takes 1 year, 2 years, 3 years or 4 years. It is a job we must do. We must do it for ourselves and for our children. When we have finished it, we can talk about other things like statehood but we cannot do that until we get this job done properly. This is a way of making rules for a Northern Territory which will be a place where everybody can live together with respect for each other. If we can achieve that, if we can make a law which will do that, then we will have done something really good for everybody. Are you prepared to have a go at that?

I have talked enough. If there is anything you are not sure about or if you would like to ask us anything, please speak up. It is like throwing a bomb in the middle of a room, isn't it?

A few weeks ago, our executive officer Rick Gray and our lawyer Graham Nicholson sat down with the book and listed out all the questions. They typed out 11 pages, so there are plenty of things to think about. One of the issues relates to the terms of parliament and whether the constitution should include a provision which limits them to a specified time period, such as 3 years or 4 years.

Mr KEELING: I have a question, Steve. It concerns the law courts in the Northern Territory. There is a sort of magistrates court, an Alice Springs court and, I think, a Supreme court. I am not sure about that. How does the Northern Territory compare with the rest of Australia and each state in terms of our rights of appeal?

Mr HATTON: We also have our own appeal court in the Northern Territory now. Correct me if I am wrong Graham but, as I understand it, our court structure now is exactly the same - or basically the same - as in all of the states.

Mr NICHOLSON: It is similar, not exactly the same.

Mr HATTON: It is on the same basis though. It has all the different elements of court structure.

Mr SETTER: The different levels of courts.

Mr NICHOLSON: Most states have a district court or a community court, which we don't have.

Mr KEELING: There is a lot of debate between the parties about some of the criminal laws which come before the Legislative Assembly. Some people like them and some people do not. How would the constitution stop laws that are not generally acceptable to the public from becoming law?

Mr HATTON: There are some procedures that can be written into the constitution. A couple of people have raised this matter and I think it will be one of the things that will be argued about. It is possible to have legislation initiated by the people. It works like the petition system, where a percentage of the population instructs parliament to make a particular law or to repeal a particular law. That sort of system is used elsewhere in the world. In California, if you can get a certain percentage of the people to support a proposal, it has to be put to the vote of the people and, if the people vote yes, it has to become law. The government does not have a choice. That is what happened when the people ordered the Californian government to reduce all taxes by 10%, which meant that it had to cut government spending by the same percentage. So there are ways of doing it in a constitution. It is unusual in our system but it is possible. Providing that we stay within the framework of the federal Constitution and do not do things like declaring ourselves a republic, we can write our own rules.

Mr CAMERON: The Northern Territory and Queensland are the only 2 places in Australia where you only have one government.

Mr SETTER: Yes

Mr CAMERON: No backup government.

Mr SETTER: That is right. No second house.

Mr HATTON: The closest thing we have to a constitution is the Self-Government Act, which is a federal act of parliament.

Mr CAMERON: Is the ACT in a similar situation?

Mr HATTON: It is now moving into the same situation as we are in. It applies to any Territory. As Australians, you lose quite a number of constitutional rights simply because you live here. For example - and I am not saying that it will or will not do this - the federal government can come into the Northern Territory and acquire any property it wants without having to pay for it. It can acquire without compensation. It cannot do that in the states because the Constitution protects the people in the states from that sort of acquisition. There are a lot of things like that in the Constitution which do not apply to us because we are not a state. The Australian Constitution refers to a federation of states. There is only one clause that deals with territories and that says that the federal government can do what it likes with the Territory. That is exactly what the federal government does. This is a way of starting to build in your own rights so that they can be protected from governments and politicians.

Mr KEELING: Is Western Australia the only state which has control of its own land rights, with the rest of Australia under Canberra?

Mr HATTON: Every state has its own land rights arrangement. The Northern Territory is the only place where land rights is under the federal government.

Mr LANHUPUY: (inaudible).

Mr HATTON: Wesley is explaining that the Northern Territory Land Rights Act is a federal act. In South Australia it is the South Australian government, in Queensland it is the Queensland government, in Western Australia it is the Western Australian government. The same applies in New South Wales and Victoria. Each state deals with land rights in its own way. Some Northern Territory government laws are associated with the Land Rights Act but we must follow the Land Rights Act in making those laws. We do not have the right to do things there. We have to get the approval of the federal government, even in relation to our own laws on Aboriginal land rights. In that respect, we are different to the rest of Australia.

Mr KEELING: If statehood came, the Land Rights Act would automatically have to be repealed because it would not be ...

Mr HATTON: Not necessarily. This is why I said that the constitution is one thing and statehood is another. There are a lot of questions about statehood. It is like sailing into uncharted waters. You are walking into a place that no one has ever gone to before because it has never been done before. Those parts of the Australian constitution that talk about it have never been tested. There is a clause, and it is mentioned in this book, which states that the Commonwealth government can make a new state under such terms and conditions as it sees fit. It can write the rules in terms of such things as the powers a new state can have, its level of representation, number of senators and so forth. It has the power to do that.

There is another suggestion that the Commonwealth does not quite have that much power. That is why we will be in and out of the High Court frequently. That is why statehood has to be thought of separately from creating our constitution. We are going have to work all those things out and as a community we will have to negotiate with the federal government about becoming a state. But you cannot even think about starting that until you know what you want your state to do. You cannot even start to think about whether the Land Rights Act should become a Northern Territory act of parliament, whether we should have a separate industrial relations system, what the financial arrangements should be and so on, until we have developed our constitution.

Mr SETTER: One of the things that people will possibly find difficult to understand is the difference between those matters which should appropriately be defined in the constitution as opposed to those matters which would normally be in laws passed by the Legislative Assembly. Sometimes those matters become confused. For example, when you made reference earlier to police powers, you were talking about the Police Administration Act which is an act of parliament as opposed to a matter that would normally be dealt with by a constitution. You can talk about such matters in broad terms

within a constitution but you do not tend to go into a lot of specific detail about them because that is appropriately picked up in legislation.

Mr HATTON: There is a distinct difference between going for statehood and writing a constitution. Although writing a constitution is a necessary first stage in terms of eventual statehood, it does not mean that statehood will automatically happen. They are separate decisions.

Mr CAMERON: Would the constitution need a major revision after statehood?

Mr HATTON: No. That is why we need to spend time on it now. What is important is that we have our constitution in place before statehood so that the federal government cannot impose a constitution on us. If the constitution is developed after statehood, one legal argument suggests that the the federal government may have the power to change our constitution. Therefore, if we want to protect it and make it the Northern Territory people's constitution, we have to get it done first.

Mr SETTER: Otherwise we will end up with a constitution that somebody in Canberra has written on our behalf.

Mr HATTON: Possibly.

Mr CAMERON: The Northern Territory people can write it before statehood but what happens if it needs major additions after statehood?

Mr HATTON: It should not if we do it properly.

Mr LANHUPUY: It cannot be changed without going back to the people. The parliamentarians cannot do it.

Mr HATTON: The people have to do it. One of the rules in the constitution will determine how the constitution can be changed. You can make the rules on what has to be done to change the constitution to protect it from people. Different parts of the constitution can have different levels of what is called entrenchment. Some constitutions allow parliaments to have the power to change some provisions whilst others require a majority vote of the people for everything. You might need a 75% majority. All of those rules can be written. We are just starting from the very beginning and it is all there for people to be able to pick up and work with. What a tremendous opportunity it gives us!

Mr PARAROELTJA: Can I just ask how you are going to gather the information? Say you come back here in 4 months. How are you going to gather up all the information and how are you going to see all the people?

Mr HATTON: Firstly, you will notice all this sound equipment around the place. We are recording every meeting we have and that will form part of the Hansard, the permanent public record. We will take that information and analyse it. We will do a matrix and group all of the points made. That in itself will be a major research project. When we have summarised that information, we have to work through it. All of the documentation, including the summary work that we do and the technical research, will go forward to that convention. If we have it wrong, presumably the convention will sort it out and fix it up.

Mr PARAROELTJA: So it can be done through voice recording?

Mr HATTON: Yes, it will become part of the permanent public record.

Mr PARAROELTJA: You are not asking us to write this down.

Mr HATTON: We will take written or verbal submissions. We will take them, however they come. You can write us a letter if you like.

Mr SETTER: We have already received a lot of written submissions.

Mr PARAROELTJA: You have, have you?

Mr SETTER: Yes, because we have had a number of other meetings in the major urban areas during the past 12 months. We advertised for written submissions more than 12 months ago and various individuals and organisations presented written submissions and followed them up verbally before the committee. That does not mean to say that there cannot be

further written submissions.

Mr HATTON: If people would like copies of Hansard they can be made available on an ongoing basis. If your community wants a full record of all the transcripts, you will need to ask for it. We want to encourage you talk about it and think about it and to get involved. If you have posters, put them up around the place. There is one simple message: have your say. That is what we want you to do.

Mr LANHUPUY: Just start to think about it and talk about it. We can always come back.

THE COMMITTEE THEN MOVED OUTSIDE AND SPOKE TO UNIDENTIFIED PERSONS NEAR THE HERMANNSBURG SCHOOL.

Mr HATTON: It might happen in 5, 10 or 20 years but, one day, the Northern Territory will be a state. I do not know when. What we do need to talk about is what we call a constitution, which sets the people's law, a law that is going to last all of the time, no matter who is in government. It is rules that you give to the government. It says what the government can and cannot do. It is what you write to protect your rights so that the government cannot muck around with them, whether they apply to your land, your culture or your religion.

Mr PAREROULTJA: Do you think that it is going to change? Do you think the law will be the same? I think it will be. The other bloke said it has been done since 1901.

Mr HATTON: That is the Constitution of Australia. As well as that, each state has its own constitution - Western Australia, South Australia, Queensland, New South Wales and so on. But the Northern Territory does not.

Mr PAREROULTJA: We have nothing?

Mr HATTON: We haven't.

Mr PAREROULTJA: I didn't know that.

Mr HATTON: They can do what they like with us.

Mr LANHUPUY: Other states have their own acts of parliament to give land rights or to give recognition for Aboriginal people to have land. If we argue for this constitution, and we make sure that it says that balanda people recognise our rights and recognise that we were the first people living here, the parliament cannot change it.

Mr HATTON: It is even stronger than the federal lands right act.

Mr LANHUPUY: It will be even stronger.

Mr PAREROULTJA: I just came up and started talking to you. I am sorry about that.

Mr HATTON: It is all right. Don't worry about it.

Mr PAREROULTJA: We were just talking about this and that, about the things we need to have in the Northern Territory.

Mr LANHUPUY: If we want our rights to be recognised, together with our ownership of land, that has to go in the constitution.

Mr HATTON: We have to do it. I always say that it is like a person growing up. When you are a child, your parents guide and teach and help you. When you become a teenager, you have learnt more and you want to try things for yourself. Your parents, though, are still ready to support you if you need help. One day, however, we all have to stand up as men, as adults, and make our own decisions for our own lives.

Mr PAREROULTJA: That is right.

Mr HATTON: It is the same with the Northern Territory. Once upon a time, Canberra did everything. It told us what we could do and what we couldn't do. Then we got self-government. We started to try a few things out but Canberra is still there to help us out or to change a direction if it does not like the way we are going, just as a parent does with a teenager.

One day, however, we will have to stand up and say that this is our home and we want to run our own lives like a grown man or an adult.

Mr LANHUPUY: That is why it is important to put that story in there.

UNIDENTIFIED PERSON: We are older people and we just want order. I worry about causing strife.

Pasta Traugott MALBURKA: Awe lanhe kwele rertaye, nhangе under the Commonwealth Government, under the federal government nhanhe renhe ilwerenge kwenhe nhangе nwerne netyeke. We gonna have whole statehood ..

(Another speaker) ..changed...

(First speaker continues) Northern Territory Government ...ingkarnentye lanhe renhe ingkarnentyeke relhele, kngkarnentye.

**Yes, that's it under the Commonwealth Government, under the federal government under that one, we should stay. We are going to have whole statehood, the Northern Territory government. We Aboriginal people have got to put that law.**

Mr HATTON: You can write the laws now. That is what this book is about. It is to write the law so that it is strong and so that it says what the government can and cannot do.

Pasta TRAUGOTT: That is what we want.

Mr HATTON: Yes, and that is what we have to write. We have got to be very careful to make sure that it is a good law for everyone. It is a hard job but we have to start. You men are very important because you are the leaders. You have to go out to your people and talk to them and get them to make sure that they have their say, to make sure their rights are protected.

Mr LANHUPUY: Because this law, once it becomes law, will be for our children and our children's children.

Pasta TRAUGOTT: We could say something about what is our law.

Mr HATTON: That is right.

Mr LANHUPUY: If we want our law put in this constitution, we have to talk to this mob.

Pasta TRAUGOTT: That is right.

Mr LANHUPUY: And if we want our culture, law, and land ownership recognised, we have got to put it in the constitution.

Mr HATTON: It is really important that you make sure your people are doing that.

Pasta TRAUGOTT: What do you reckon if all the people say something to you. If they all say it is that way ...

Mr HATTON: It is the law.

UNIDENTIFIED: It is the law?

Mr HATTON: Yes, I understand that.

Mr PAREROULTJA: Law nhanhe renhe ingkarnentyeke, ingkarnentye nhanhe ire irtnatyеke.

**We can put this law so we can have law in this land.**

UNIDENTIFIED: That is that. Everybody sees this law.

Mr HATTON: Yes, you draw the difference. It is the Aboriginal law.

Mr PAREROULTJA: Nwerneke, government salpe nteme netyenhe nhangе itelaraye iwenhenhe nteme statehood they call

em no more Northern Territory, just like Western Australia, Queensland itneke, ingkarnentye itne kenhele itne ingkarnekele ingkarnentye kwenhe nhanhe neme, relhe nwerne nhanhele neme or white and black.

Lanhe thewe neme government ingkarnentye ire neme, ingkarnentye ire Canberra pele ingkarneke. When ver they been, before we born, before our father been born, or before our grandparents been born itne ingkarneke Canberranhe government, arrkwele nthurre imanke government. Constitution itne ingkarneke or ingkarnentye we callem in Arrernte Language ingkarnentye mparengarengge itne ingkarneke, arne nhanhe irrkwetyeke relhe ntyarrele relhe tywelkere ntyarrele right nhanhe nteme lyate nteme nwernekelile ire urrkapeme kethirretyeke that was the first one only the white man bin making this law constitution ingkarneke Canberrake kenhe today now we all this is new for us Aboriginal people nwerne nteme irrpeme lyate. Constitution nhanhe ingkarnetyeke. Nhanhe ingkarnentye nwerneke ingkarnetyeke nwerne Northern Territory nwerne itnatyeke. Irrkwetyenhe mparengerege nwernekenhe ikerlte irrkwetyeke, nwerne itnamele. Nwerneke itne kangkweretyeke, nwerne mparetyeke, not itne mparetyeke nwernekenhe, nwerne mparetyeke. Northern Territory people ingkarnentye nwernekenhe, mparengerege nwernekenhe ingkarnetyeke ikerlte irtnatyeke, bit of clear understanding nhanhe unte weme.

Nhanhe kwenhe, that's what he come out, them mob come up and explain it. I keep on explaining, I shouldn't explain this because I don'e get paid from the government. It's different story if I'm interpreting going around the country side, because everybody go for money you know.

That's the way we can stand now. Nhanhe mparetyeke Northern Territory into statehood. Northern Territory were just like wild Indians, Territory's just must be just like wild animals. Well we gotta bring this back state werne nteme ngetyeke and we get recognised we are people.

We are white and black people, the same people, not wild people. Well savage what they call Indian savages itne ilemenge, without that sort of thing we are people.

We got to make this rule nwerne ingkerrekele.

(inaudible: people all talking at once.)

A proper job yeah people talk to people, lakenhe.

**So we can have our own government and think about what is will be, this statehood. They call them no more Northern Territory, just like Western Australia, Queensland, and their law after they put that law it stays. We Aboriginal people stay here white and black. That's how it is, that law stays. This law has been made in Canberra whenever they been before we were born before our father been born or before our grandparents were born. They made this law in Canberra long time ago, government constitution they made. We call them in Arrernte language.**

**We got to make this law, all of us people. A proper job, yes people talk to people like that.**

UNIDENTIFIED: That one that came from Canberra, that was white man's law. Now, this is all new for us, for the Aboriginal people. I am talking about the Northern Territory constitution. (Speaks at length in an Aboriginal language). We are getting a clearer understanding now. That is why we asked you to come out and explain it. I should not be explaining this because I do not get anything back from the government. It is a different story if I am interpreting around the countryside because everybody goes for money, you know.

That is the way it stands now. In the Northern Territory we are just like wild Indians, just like wild animals. With all this, with statehood, we have to get recognised as people.

Mr HATTON: That is right.

Mr PAREROULTJA: In the Northern Territory, we are black people and we are white people. We are all people. We are not savages, as some people call us. We are people.

Mr HATTON: Of course you are

Mr PAREROULTJA: We got to make this rule.

Mr HATTON: We need you to go to your people and talk. If you need other people to come and explain what some of these things mean, we will come down and we will talk. All right? It is important that we talk and that people understand the issues and think about them in the community, so that they can come back and say: 'This is what we think'. We must start to think and to talk. We have time. There is no rush. It has to be done properly.

Mr PAREROULTJA: A proper job.

Mr HATTON: Yes.

Mr PAREROULTJA: People talking to people.

Mr HATTON: Yes, that is right. We are just saying that now is the time for you to start talking to people.

UNIDENTIFIED PERSON: Ingkerreke nwerne lyate itelaremele ngketye nhanhe ingkerrenyeke nthurre ntekelhiletyeke lakenhe kwenhe nwerne ingkerreke ilerrewel-ilerirtnetyeke, that's rights. They reckon from us, ourkids are otherwise they call them from this generation, that generation and so on. Wale, nchange nwerne ileme, rame rame lyate nwernekengetyele rame rame nwernekenhe mapewerne nteme nhanheye kwetante ingkarnetyeke. Tywerrenge pele nwerneke irtnake, tywerrenge, Tywerrenge nwerneke itnake arrengele.

(This next part is in Pitjantjatjara) (Miri watawanatjangku tjana ngaratjunu nyangatja)

Lyatale irtname nhanhengirre ngketye renhe thewe institution renhe ileme ingkarnentey that one ingkarneme irrerlkngalperle. Or nthanhe lyate nwerne nteme ingkerreke lyatenye mapele nteme nhanhe renhe irrkweme. Lakenhengirre thewe, mpangarengge, lakenhe renhe tehwe nhanhe antye neme ingkarnetyeke. Mght be ingwenthengirre nwerne ngkerreme, might be nwerne kwete peke ngkerretyene, he gotta be petyele arlte nyentele irtnatyeye law nhanhe ire. Gotta be mean one day might be ten years time, might be 15 year time or 12 year time. Maybe everybody thinks it's might be good idea, well new law we might come in tomorrow.

**Today we can all think and talk about this, and tell them that is what we want like that., that's right. They reckon from us, our kids are otherwise they call them from this generation and that generation and so on. Well. Like that we start today from our generation to their generation, we always got to have that law, our sacred things, objects have been on this land from the beginning. We have got to have our say now, about this land, about this institution. These laws we are talking about are here forever, so we can this law here. Might be in the morning we can make it or maybe we'll have it always, it's got to be made one day this law. Got to be made one day might be 10 years time, might be 15 years time or 12 years time. Maybe everybody thinks it might be a good idea. Well, new law it might come in tomorrow.**

We have to start with our kids ... from this generation to that generation and so on ... Maybe it will be in 10 or 15 years time or, if everybody thinks it is a good idea, it might come in tomorrow.

Pasta TRAUGOTT: We are old men.

Mr PAREROULTJA: We are old men. We people from Northern Territory should make a law. We stay, we bin born here, we stay here, we gonna die nwerne, some of the white people they're coming in from the states, they've a good life to go back. But we from the Northern Territory, nwerne ingkarnetyeke nhanhe renhe kwetante renhe one for all.

(another speaker) forever.

(another speaker) not for you and me, that's for everybody.

**We are old men. We people from Northern Territory should make a law. We stay. We've been born here, we stay here, we are going to die here.**

**Some of the white people just come in from states they've a good life to go back to. But we from the Northern Territory should make this law, one for all and every, not for you and me. That's for everybody.**

Pasta TRAUGOTT: Not just for you and me. This law is for everybody.

Mr HATTON: That is right.

Mr PAREROULTJA: Awe, nwerne, nhanhe Northern Territoryele neme ingkirreke nthurrele nhanhele law nhanhele nwerne irnatyeke, I reckon, I was just think you know, that gonna be pretty good, because we gonna put our favourite Northern Territory.

Unte kaltye neme, according to my private life, I had really big battle with them Commonwealth government and federal government and not only me all this Northern Territory, black and white, they have been controlled by Canberra. Commonwealth, federal government, control all the time, and we don't know who they are, we got Northern Territory, we Northern Territory people, we got to have government in the Northern Territory and we can work together.

**We are the people who live in the Northern Territory who should make this law. I reckon I was just thinking you know that's going to be good because we are going to put our favourite Northern Territory.**

**You know according to my private life I had a really big battle with them Commonwealth government, not only me, all this Northern Territory, black and white, they have been controlled by Canberra, Commonwealth, federal government all the time, and we don't know who they are. We Northern Territory people, we got to have government in the Northern Territory and we can work together.**

Mr HATTON: That is right.

UNIDENTIFIED: And we do not know who they are. We are Northern Territory people. We have to have a government in the Northern Territory.

Mr HATTON: That is right.

UNIDENTIFIED: And we can work together.

Mr SETTER: You know you can come and talk to us anytime.

Mr PAREROULTJA: We can go and talk to the bloke, anytime we want. We can't talk to them mob there. It is a little thing not only just only that one and that few little thing that's gonna come in mparengareng ingkarnentye nhanhe ikwerele, all this little thing gonna come in.

**We can go and talk to the bloke, anytime we want, we can't talk to them mob there, few is little thing that's going to come in. We can make this law, all this little thing gonna come in.**

Mr HATTON: You remember all the talks we had to try and sort out the problems with Watarrka.

UNIDENTIFIED PERSONS laugh.

Mr HATTON: I think we fixed up all the problems you fellers had. The only problems were with the lawyers. But it was a long fight, wasn't it?

Mr PAREROULTJA: It is a long fight but it's mostly coming pretty good. I don't know.

Mr HATTON: It is coming good now. Everyone knows the truth now and that is what is important.

Mr PAREROULTJA: That's right.

Mr HATTON: You bring the truth out and then everything starts to work.

Pasta TRAUGOTT: Lanhe ire kwele ingkarnentye nhanhe ikwere kwenhe they gott come back, when they come back, we can tell them the, we'll be waiting ready the, allright we want do that we want do this, go ahead, we want that and this, we gotta tell him and they gotta push that Commonwealth government, federal government Canberra renhe itne nteme

push-em-ilettyeke nhanhe itne, what Northern Territory people here, want this and that, this gotta be what they call nchange mparengarenghe they call this biggest word you know. Nhanhe neme kngerrtey nthurre no body understand, well in our language we call em mparengarenghe relheke, arne nhanheke mparengarenghe.

**This is this law now. They've got to come back and when they come back, we can tell them then. We'll be waiting ready then all right we know what to do. We want to do this, go ahead, we want that and this. We've got to tell them, and they've got to push that Commonwealth Government, federal government in Canberra, what Northern Territory people here want. This is very important to us. We've got to think and talk about this law, this law on our land.**

I am quite happy about this one. Black and white together.

Mr PAREROULTJA: They got to come back.

UNIDENTIFIED: Then we say: we want to do this, we don't want to do that. We can tell them. Then they have to push that Commonwealth government in Canberra - the Northern Territory people want this and that and so on. There are big words that nobody understands - we have a name for that in our language. (Speaks in an Aboriginal language).

Mr LANHUPUY: It will be like a bible for Territory people.

UNIDENTIFIED PEOPLE converse in an Aboriginal language.

Mr PAREROULTJA: Nhanhe thewe neme well this a bit tricky word this one nhanhe mparengarenghe arne nhanheke, this the statehood they call em, Northern Territory statehood, mparengarenghe arne nhanheke, so everbodyele know, well all the languages they probably know's anyway, well far as I know all these other people they are battling for this sort of a government now.

**This is how it is. Well this is a bit tricky this word. This law is for this land. This the statehood they call them, Northern Territory statehood, law for this land, so everybody will know. Well all the languages they probably know anyway. Well as far as I know all of these other people they are all battling for this sort of a government now.**

Mr HATTON: You go and talk to your people. Ring us up, write to us or just send us a message if you want us to come and talk to you. We will come and talk to you after you have talked with your people.