

Chapter 2

THE DEVELOPMENT OF THE IDEA OF A TREATY OF COMMITMENT

Origins and rationale

2.1 In recent times there has been an increasing awareness among some Australians that traditional perceptions of the historical relationship between Aboriginal and non-Aboriginal people from the time of European settlement in this country require reappraisal. On the one hand is the legal concept¹ that this country was not conquered or ceded but peacefully settled, a concept that has served as the basis for the settled colony principle, whereby the law has regarded Australia at the time of white settlement as terra nullius or land belonging to no one (see discussion in Chapter 3). On the strength of this view, Britain's original claim to sovereignty had been upheld at law - and therefore Aboriginal claims to then-existing and now-continuing sovereign rights have been consistently denied by the courts.

2.2 On the other hand is the growing appreciation of evidence that there were in existence at the time of white settlement Aboriginal people with complex systems of social, cultural and religious networks and of land tenure. Furthermore, Aboriginal people set out to defend their lands and their society against the superior force of those Europeans dispossessing them of those lands which were the basis of their identity. Professor Henry Reynolds, Associate Professor of History at James Cook University, writes of the Aboriginal response in the Introduction to his important book, The Other Side of the Frontier:

The black response to the invaders was more complex and more varied than anyone has hitherto suggested ... In the past European writers depicted a rigid and unchanging Aboriginal society unable to cope with new challenges and which consequently collapsed suddenly and completely under the pressure of alien intrusion. The evidence marshalled below discredits that view. The Aborigines were curious about white society and endeavoured to incorporate new experiences within the resilient bonds of traditional culture. They reacted creatively to European ideas, techniques, language and commodities. Nor were the blacks a particularly peaceful or passive people as conventional studies often suggest. Frontier conflict was apparent in almost every part of Australia though it varied in duration and intensity. While suffering disproportionately Aboriginal clans levied a considerable toll on pioneer communities - not just in death and injury but in property loss and prolonged anxiety as well. The costs of colonisation were much higher than traditional historical accounts have suggested.²

2.3 Reynolds' book goes on to examine Australian history from the Aboriginal viewpoint, 'the other side of the frontier'. He traces the history of European colonial beginnings insofar as they relate to relations between the newly-arrived Europeans and the long-time Aboriginal inhabitants.

In Aboriginal eyes the whites were invaders who came preaching the virtues of private property; people who talked much of British justice while unleashing a reign of terror and behaving like an ill-disciplined army of occupation once the invasion was effected; fornicators who pursued black women in every fringe camp on the continent but in daylight disowned both lovers and resulting offspring.³

Reynolds suggests that much of Aboriginal history since 1788 is political history. Recent events, such as those at Aurukun and Noonkanbah, are, in his view, no more than highlights in a long

range of political experience dating from the start of European settlement. He says that the Aboriginal Tent Embassy in 1972 was not the beginning of Aboriginal involvement in Australian politics; rather it '... reminded white Australians of old truths temporarily forgotten'. Reynolds continues:

The questions at stake - land, ownership development, progress - arrived with Governor Phillip and have been at the pivot of white-Aboriginal relations ever since. They are surely the most enduring issues of Australian politics and will in the long run prove to have been of much greater consequence than many questions which since the middle of last century claimed the attention of parliaments and public for a season or two.⁴

2.4 Referring to this matter, Dr H.C. Coombs, Chairman of the Aboriginal Treaty Committee, stated to us in evidence:

I think it is important to undermine the respectability of the view that this country was peacefully settled. I think it has changed already. Of course it is a very important thing from the legal point of view because it is built into the whole concept of Australian law that Australia was peacefully settled.⁵

On the same matter Mr Bryan Keon-Cohen writes:

As a matter of historical fact, the absurdity of this account has now been recognised. Australia was colonised by a slow process of occupation often in the face of armed resistance from Aborigines - yet the constitutional doctrines denying Aboriginal sovereignty and title to land remain.⁶

2.5 The significance of these issues was, indeed, borne out frequently in the course of our inquiry. Time and again witnesses spoke of the need for recognition of Aboriginal rights to traditional lands and to compensation for land lost. Issues

of Aboriginal rights to self-determination, to control of their own development and to recognition of their culture were constantly put before the Committee as pressing Aboriginal demands. These were often seen as taking priority over any treaty negotiating processes or indeed, as pre-conditions of a treaty.

2.6 The submission of the Central Australian Aboriginal organisations reflects in very strong terms the points made by Reynolds:

Since 1788 our nation has been invaded by ever-increasing numbers of Europeans who, with superior weapons, have attempted to defeat our people and destroy our law and culture and seize, without compensation, our land. We have never conceded defeat and will continue to resist this ongoing attempt to subjugate us. The crimes against our nation have been carefully hidden from those who now make up the constituency of the settler state ... The Aboriginal people have never surrendered to the European invasion and assert that sovereignty over all of Australia lies with them. The settler state has been illegally set up on Aboriginal land. The settler state has never recognised the prior ownership of this land belonging to the Aboriginal nation. We demand that the colonial settlers who have seized the land recognise this sovereignty and on that basis negotiate their right to be there.⁷

2.7 At Mornington island, Mr Nelson Gavenor, a witness before the Committee, put a similar view. He said that:

... as 200 years had passed since the white man came to Australia it was time that he recognised the Aborigine. The younger white generation should know that the Aboriginal people were in Australia before the white men came. Land rights mean a lot to the Aboriginal people because they are the basis of Aboriginal customary law. The Aborigines are very close to mother earth. When they die they go down to the earth and their bones rot

away ... They do not talk about land rights just because they want to get some thing back. They were in Australia generations before the white man and lived off the land for many thousands of years. They did it the hard way ... The Aboriginal people should not be afraid to say what they think about land rights and customs.⁸

2.8 In Reynolds' view 'frontier violence was political violence'.⁹ He estimates that in the 70 years between the first settlement in north Queensland in 1861 and the early 1930s as many as 10 000 blacks were killed in skirmishes with the Europeans in north Australia. He compares this with about 5000 Europeans from Australia, north of the Tropic of Capricorn, who died in the five wars between the start of the Boer War and the end of Australia's involvement in the Vietnam war - a similar period of years.

2.9 Reynolds concludes by asking a question, the answer to which he sees as vital to the future of this nation:

How, then, do we deal with the Aboriginal dead? White Australians frequently say 'all that' should be forgotten. But it will not be. It cannot be. Black memories are too deeply, too recently scarred. And forgetfulness is a strange prescription coming from a community which has revered the fallen warrior and emblazoned the phrase 'Lest We Forget' on monuments throughout the land ... If we are to continue to celebrate the sacrifice of men and women who died for their country can we deny admission to fallen tribesmen? ... If they did not die for Australia as such they fell defending their homelands, their sacred sites, their way of life.¹⁰

Without necessarily endorsing every element of the above thesis, the Committee found Reynolds' analysis of great value in coming to an understanding of Aboriginal peoples' claims to be bearers of sovereign rights in relation to their land and culture, peoples whose forebears were dispossessed, in many cases

violently, of their tribal lands by an occupying power which saw no need to negotiate or come to agreement over the terms of its occupation.

2.10 These, then, are the sorts of considerations which have increasingly become the subject of discussion and concern, not only among Aboriginal community leaders but also among many non-Aboriginal Australians. This has in turn resulted in calls for some form of agreement with significant legal status, however expressed, between the Commonwealth Government, representing the descendants of European settlers in Australia, and the Aboriginal people.

2.11 Demands for some form of treaty have their conceptual basis in the absence of any negotiated agreement by Aboriginal people to the British occupation and settlement of Australia and the subsequent dispossession and ill-treatment of the Aboriginal people by the new settlers and their descendants. Some formal recognition of this situation was accorded by the Senate on 20 February 1975 when it unanimously adopted the following motion of Senator Bonner:

That the Senate accepts the fact that the indigenous people of Australia, now known as Aborigines and Torres Strait Islanders, were in possession of this entire nation prior to the 1788 First Fleet landing at Botany Bay, urges the Australian Government to admit prior ownership by the said indigenous people, and introduce legislation to compensate the people now known as Aborigines and Torres Strait Islanders for dispossession of their land.¹¹

This resolution was referred to on numerous occasions in our meetings with Aboriginal people, being seen by some as a starting point for negotiations towards a treaty.¹²

2.12 Stewart Harris, a member of the Aboriginal Treaty Committee, wrote about a treaty in an article for a special report on Australia by The Times of London in July 1976. The Aboriginal Treaty Committee (ATC), formed in 1979 with the aim of influencing and mobilising non-Aboriginal opinion in favour of a treaty, and disbanded in 1983^{12A} publicly launched its campaign with a 'Guest of Honour' talk by its Chairman, Dr H.C. Coombs, on ABC radio on 2 June 1979. The ATC proposed that a treaty with the Aboriginal people should include:

- (i) The protection of Aboriginal identity, languages, law and culture;
- (ii) the recognition and restoration of rights to land by applying, throughout Australia, the recommendations of the Woodward Commission;
- (iii) the conditions governing mining and exploitation of other natural resources on Aboriginal land;
- (iv) compensation to Aboriginal Australians for the loss of traditional lands and for damage to those lands and to their traditional way of life;
- (v) the right of Aboriginal Australians to control their own affairs and to establish their own associations for this purpose.¹⁴

2.13 In January 1980, the ATC published a book by Stewart Harris, called It's Coming Yet...An Aboriginal Treaty Within Australia Between Australians.¹⁵ The book traces the historical and legal background to the treatment of the people of the United States, Canada, New Zealand and Papua New Guinea and notes that, although they were often broken, agreements recognising indigenous land title were made in those countries.

This situation is contrasted with the absence of any such agreements in Australia and Harris then develops the case, as he sees it, for a comprehensive treaty to be negotiated.

2.14 While these developments were occurring among non-Aboriginal Australians, some Aboriginal people and Torres Strait Islanders were also looking at the idea. In April 1979 the National Aboriginal Conference passed the following resolution:

That we, as representatives of the Aboriginal Nation (NAC) request that a Treaty of Commitment be executed between the Aboriginal Nation and the Australian Government. The NAC request, as representatives of the Aboriginal people, that the Treaty should be negotiated by the National Aboriginal Conference. Accordingly resolved that we immediately convey our moral, legal and traditional rights to the Australian Government and that we immediately proceed to carry from our people the suggested areas to which the Treaty should be relevant and that we proceed also to draft a Treaty and copies of the Motion to be sent to the Prime Minister and to all members of the Australian Parliament.^{15A}

In support of demands for a treaty and an Aboriginal Bill of Rights embracing such concepts as sovereignty and land rights, Aboriginal people erected tents on Capital Hill, Canberra, on 7 August 1979.

Evolution of the concept

2.15 In response to the NAC resolution of April 1979 (see para. 2.14), the Prime Minister indicated on 21 August 1979 that the Minister for Aboriginal Affairs was examining the NAC proposal and would be bringing the matter to the Government for its consideration. He also indicated his preparedness to discuss the concept of a treaty with the NAC at a mutually convenient time.¹⁶

2.16 At a meeting on 12 November 1979, the NAC Executive formed a sub-committee to consult Aboriginal people and organisations on the proposal and expressed the view that this process would take about 18 months.¹⁷ At the same meeting the term 'Makarrata' was adopted in place of the term 'Treaty of Commitment' used in the resolution of April 1979. 'Makarrata' is a Yolnu word from North-East Arnhem Land. The NAC has attached several meanings to the word 'Makarrata', the most common being 'a coming together after a struggle'.¹⁸ (The question of terminology used to describe the agreement is of some significance, and not a little sensitivity, and is discussed in more detail below at paras. 2.31 - 2.35).

2.17 The following day the Minister for Aboriginal Affairs, Senator the Hon. F.M. Chaney, issued a press statement on behalf of the Government welcoming the NAC initiatives with respect to the Makarrata proposal and stating the Government's willingness to '... join any discussions as the proposal moves forward.' The statement went on to note that '... the Prime Minister has agreed to meet the NAC Executive as the proposal develops.' Subsequently, on 25 March 1980, at a dinner for NAC members, the Prime Minister, Mr J.M. Fraser C.H., welcomed the NAC's Makarrata initiatives.¹⁹

2.18 In July 1980, the Makarrata sub-committee of the NAC issued, in pamphlet form, a 'Makarrata Report', following the conclusion of the sub-committee's first journey of investigation around Australia. The Makarrata Report contains a 'faithful expression of the expectations of the Aboriginal and Torres Strait Island people' to whom the sub-committee had listened up to that time. This report states that the Makarrata

recognises that the Aboriginal people were the prior owners of the Australian continent, and the Aboriginal people enter this agreement and negotiate with the Australian

Government as an equal party. The Makarrata seeks compensation for the losses of the Aboriginal people.

2.19 The losses of the Aboriginal people are said to be primarily of land and culture. The report then states that the loss of culture is to be compensated by the compulsory teaching of Aboriginal culture in Australian schools. As compensation for loss of land, it is stated that the Makarrata seeks the return of specific lands, namely: (a) Aboriginal sacred sites; (b) existing land occupied by the tribal people; and (c) freehold title of all that land upon which Aboriginal people presently live, including inviolate rights to the fishing and hunting associated with such lands.

2.20 Furthermore, the Makarrata would seek cash compensation for those losses which cannot be recovered in kind at the annual rate of one to one-and-one-half percent of GNP or at that percentage represented by the Aboriginal population of Australia, whichever is the greater. This cash compensation is to be used by Aboriginal people for the improvement of housing, education, health, employment opportunities and in any other areas of concern to the Aboriginal people.

2.21 Other matters listed as objectives of the Makarrata at that time were abolition of statutes in any part of the Commonwealth which make Aboriginal status in any way different from that of other citizens; the reservation of several seats for Aboriginal people in the Commonwealth and State Parliaments and local governments; recognition of National Aborigines Day as a public holiday; the identification of places of significant Aboriginal happenings or struggles and the honouring of Aboriginal heroes; the compulsory employment in government and quasi-government agencies of a fixed proportion of Aboriginal people, irrespective of their established skills; and the

immediate return of Aboriginal skeletons and artefacts from government museums to enable Aboriginal people to have full control of them.

2.22 On 17 February 1981, the Minister for Aboriginal Affairs met the NAC Executive to inform them of the Government's response to the Makarrata proposals. This response was subsequently conveyed in writing on 3 March 1981.²⁰ The Minister's reply included an attachment setting out in detail the Government's response to each of the demands listed by the NAC in its Makarrata pamphlet.

2.23 In his letter, the Minister stated the 'general basis upon which the Government is prepared to pursue the Makarrata concept'. First, he noted that the Government is prepared to acknowledge prior Aboriginal occupation of Australia. However, in pursuing the development of the Makarrata concept the Government wished it to be clear that any agreement '... must reflect the special place of Aboriginal and Torres Strait Island people within Australian society as part of one Australian nation.' Accordingly, the Minister pointed out, the Government '... cannot legitimately negotiate anything which might be regarded as a "treaty", implying as it does an internationally recognised agreement between two nations.' This touches upon the very sensitive question of the terminology used to describe the agreement, a matter which we discuss later in this chapter (see paras 2.31 - 2.35). In the Minister's view, by choosing the word 'Makarrata' the NAC has helped to settle this question.

2.24 The Minister then reminded the NAC that in any discussions on the Makarrata the Commonwealth Government was not prepared to act unilaterally in areas where the States have an interest. By way of example, the Minister suggested that the question of land rights would have to be negotiated directly with the States as well as with the Commonwealth.

2.25 In the Attachment to the Minister's letter the Government's response to the various demands made in the Makarrata pamphlet is discussed. Among the more important of these, the following can be listed:

- . return of tribal lands including sacred sites and freehold title - should be taken up by NAC with the States separately;
- . compensation in cash as percentage of GNP or percentage equivalent to Aboriginal proportion of total Australian population - Government cannot agree to such a fixed percentage nor to any fixed financial commitment into the future;
- . reserved seats for Aboriginal people in Commonwealth Parliament - Government cannot agree for such reasons as doubt about 'necessary public support' and questioning of the merits of such systems in other countries; special representation in State parliaments and local government bodies is a matter for the States;
- . compulsory employment of a fixed proportion of Aboriginal people in government bodies - Government will continue to promote existing schemes designed to stimulate employment and promotion opportunities for Aboriginal people in the Commonwealth sphere, but does not believe a system whereby Aboriginal employment is subject to a rigidly fixed formula is appropriate.

2.26 In response to a question in the Senate on 25 March 1981, the Minister summarised the contents of his correspondence with the NAC and also reported that NAC representatives had attended the recent meeting of the Australian Aboriginal Affairs Council (consisting of State and Commonwealth Ministers for

Aboriginal Affairs) and, as a result, had '... opened up the matter (of the Makarrata) further with the State governments.'²¹

2.27 On 26 March 1981, the Chairman of the NAC Makarrata sub-committee, Rev. Cedric Jacobs, issued a press release stating that the Government's failure to accept some of the specific proposals put forward by the NAC for inclusion in the Makarrata would not deter the NAC from establishing its own priorities. The NAC would continue to pursue these proposals as well as the 'concept ... of Aboriginal ownership of the Australian continent prior to white settlement'.²²

2.28 Subsequently, on 29 September 1981, the NAC Executive sent to the Government a list of 21 'items' to be added to the Makarrata proposal. Three further 'demands' were made two days later.²³ These items and demands, which are listed in Appendix 3 of this Report, are wide-ranging. Among the matters sought are:

- . substantial land and resources rights, including land 'vested in freehold title to the Aboriginal people and ... given in perpetuity';
- . extensive self-government in 'tribal territories' with the right for Aboriginals to 'freely determine their political status and freely pursue their economic, social and cultural development';
- . five percent of GNP for 195 years;
- . freehold title in perpetuity to all houses currently occupied by Aboriginal people;
- . extensive welfare services such as Aboriginal medical services, legal aid, schools;
- . extensive tax exemptions.

2.29 Following NAC elections in October 1981, the Makarrata Sub-committee was re-constituted. In May 1982 the NAC appointed consultants to the Makarrata Sub-committee in the fields of law, economics and politics. It was proposed to appoint additional consultants to advise in the fields of education and international affairs.²⁴ On 17 June 1982 the NAC Executive resolved that Makarrata proposals would be a top priority for the NAC's future activities.²⁵

2.30 The Australian Labor Party, in its policy statement on Aboriginal affairs given before the 1983 elections, supported continued investigation of the concept of a treaty of commitment between Aboriginal and non-Aboriginal and Australians. It also indicated that the concept had been supported for some years by both groups. However, the ALP expected that many years of consultation would precede the development of consensus on this matter among Aboriginal people. No public statement specifically relating to the Makarrata proposal has been made by the Minister for Aboriginal Affairs since the ALP took office in March 1983.

Terminology

2.31 It is appropriate at this point to refer to the terminology by which the proposed agreement should be described. We have already alluded to the sensitivity which surrounds this matter. The early preferred term was 'treaty'. It was used consistently by the Aboriginal Treaty Committee and was initially the term used by the National Aboriginal Conference. In fact, in discussions of the subject, 'treaty' is probably the word with the widest currency. The Commonwealth Government, however, notified the NAC through the Minister for Aboriginal Affairs in March 1981 that 'the Government cannot legitimately

negotiate anything which might be regarded as a "treaty", implying as it does an internationally recognised agreement between two nations.'²⁶

2.32 This view was based on advice from the Attorney-General's Department to the effect that, as the word 'treaty' was ordinarily used to refer to a kind of international agreement, it was '... clearly inapplicable to any form of agreement between the Commonwealth and Aborigines since the latter are not a "nation"', quoting in support Coe v. The Commonwealth (1978) 52 ALJR 334 at pp. 335-336 per Mason J; (1979) 53 ALJR 403 at p. 408 per Gibbs J with whom Aickin J agreed at p. 412.²⁷ The Government wished to make it quite clear, the Minister for Aboriginal Affairs stated, '... that any agreement must reflect the special place of Aboriginal and Torres Strait Islander people within Australian society as part of one Australian nation.'

2.33 Largely in response to the Government's opposition to the use of the word 'treaty', which it asserted carries an implication of some form of internationally recognised sovereignty residing in an 'Aboriginal nation', the NAC adopted instead the word 'Makarrata' to describe the proposed agreement. As mentioned earlier, the NAC in its Makarrata pamphlet described Makarrata as meaning 'a coming together after a struggle', and this has been the meaning usually attributed to it in the context of a binding agreement between the Commonwealth Government and Aboriginal people. In his letter of March 1981, the Minister for Aboriginal Affairs expressed the view that, in choosing the word 'Makarrata', '... the NAC has itself helped to settle this important area of concern.'²⁸

2.34 In our experience, however, there is some confusion about the meaning of 'Makarrata' and, therefore, about its appropriateness to describe such an agreement. During the course of its inquiry, the Committee visited Yirrkala in North-East

Arnhem Land, from where the word originates, and held discussions with the elders of communities in that area. It was put quite strongly at that meeting that 'Makarrata' was not the appropriate word; rather the word 'garma' should be used, as it means, among other things, the bringing of everybody together as one.²⁹ One Yirrkala witness expressed it this way: 'Makarrata relates to taking sides whereas garma stands in the middle. It brings peace between two groups.'³⁰ In Aboriginal communities we visited in other parts of Australia, we found that 'Makarrata' was not understood. Usually it was regarded as a foreign word, rooted geographically and linguistically in a place with which there was no contact. The difficulty was clearly expressed by Father Pat Dodson, speaking to the Committee in Alice Springs on behalf of Central Australian Aboriginal organisations:

I think it is better to use a white man's word in this regard. The translation of the word in the respective languages may approximate the white man's understanding of it but I think it is a futile exercise to get one word from one linguistic group, cultural group or law group that is acceptable to other linguistic and cultural law groups ... It is as foreign as if you used a German or French word.³¹

2.35 Quite clearly, the label which ultimately attaches to any agreement is a matter for decision between the parties. And the question of whether any Aboriginal word is appropriate must take into account the difficulties encountered with 'Makarrata'. We do not regard it as part of our function to make recommendations on that matter. Nevertheless, for purposes of discussing the concept during the rest of this report it is useful, given the considerable sensitivity and, indeed, confusion, which exists as to the use of terminology, for us to adopt some neutral descriptive word. We have decided to use 'compact', the word which appears in our terms of reference, for this purpose. It adequately covers the concept with which this

report is concerned, without giving rise to any of the difficulties caused by adopting throughout the report either 'treaty' or 'Makarrata', each of which has been considered to be inappropriate to cover the varying notions encompassed within the concept under discussion.

Endnotes

1. Recently described by Murphy J. in Coe v. The Commonwealth (1979) 53 ALJR 403 at 412 as a 'convenient falsehood'.
2. Henry Reynolds, The Other Side of the Frontier, Melbourne, 1982, p. 2.
3. *ibid*, p. 199.
4. *ibid*, p. 200.
5. Evidence, p. 1114.
6. B. Keon-Cohen, The Makarrata, A Treaty Within Australia Between Australians, Current Affairs Bulletin, February 1981, p. 5.
7. Evidence, p. 248.
8. Evidence, p. 115.
9. Reynolds *op. cit.*, p. 200.
10. *ibid*, p. 201
11. Australia, Senate, Journals, p. 367.
12. See e.g. Evidence, pp. 172, 174-5, 262-264, 333, 373.
- 12A. In the Committee's newspaper 'Aboriginal Treaty News' no. 8 March-June 1983, it was stated that the Committee was disbanding because its work in influencing non-Aboriginal attitudes had been significant, political parties now gave greater weight to Aboriginal issues and it had mobilised greater support for independent Aboriginal initiatives. The Committee had also found that resources were limited and members were unable to sustain the effort they had devoted to the Committee in the past.
13. Stewart Harris, 'A Treaty of Commitment' in Proceedings of the Symposium on the Impact of Environment and Lifestyle on Human Health, Australian National University, Canberra, 2-4 September 1976, published by Society for Social Responsibility in Science, Canberra, 1977, pp. 187-194.
14. Aboriginal News, Vol. 3, No. 8, 1980, p. 8.
15. The Aboriginal Treaty Committee, Canberra, 1979.
- 15A. Brochure 'Makarrata Report', issued by NAC, July 1980.
16. In a letter to Kevin Gilbert - information provided in submission from Department of Aboriginal Affairs, No. 16, p. 3.

17. NAC Press Statement, 12 November 1979.
18. See e.g. brochure issued by NAC describing Makarrata concept. Another meaning, contained in the document 'Interim analysis of a survey of Aboriginal Demands as related to the formulation of a Makarrata conducted by the National Aboriginal Conference April 1979 - October 1981' written by Michael Anderson, NAC Research Officer, is as follows: 'To start a fight and to keep up the fight in order to settle a dispute'.
19. See Submission No. 16 (Department of Aboriginal Affairs), p. 4.
20. A copy of the letter and an attached document form Attachment C to the submission from the Department of Aboriginal Affairs.
21. Australia, Senate, Hansard 25 March 1981, pp. 712-13.
22. NAC Secretariat Press Statment, Canberra, 26 March 1981.
23. Both the 'items' and 'demands' were contained in telexes dated 29 September and 1 October, respectively.
24. Evidence, p. 660.
25. *ibid.*
26. Attachment to letter of 3 March 1981 from Minister for Aboriginal Affairs to National Chairman, NAC.
27. Memorandum of 28 July 1980 from Secretary, Attorney-General's Department to Secretary, Department of Aboriginal Affairs.
28. Attachment to Minister's letter of 3 March 1981.
29. Evidence, p. 106.
30. *ibid.*
31. Evidence, pp. 313-14.