

**Response by Mark Leibler AC, Co-Chair of Reconciliation Australia  
at the VII International Abraham Conference**

Sunday 19 October 2008  
Australian Catholic University Central Hall  
22-24 Brunswick St, Fitzroy VIC

I acknowledge the Wurundjeri peoples of the Kulin nation, the traditional owners of the land on which we are standing and pay my respects to those peoples whose age-old, continuing culture adds a unique vitality to Melbourne, and its inhabitants and visitors of all backgrounds and faiths.

My thanks to the organizers of this conference for inviting me to take part this evening in the seventh International Abraham Conference and, in particular, to provide a response to a keynote speaker of such standing in the Australian community as Patrick Dodson. Pat is widely regarded as the "Father of Reconciliation" for the role he played through the 1990s in placing this defining issue squarely on the national agenda.

A number of the people I work alongside at Reconciliation Australia were first inspired into the movement by Patrick and speak of his wisdom and his magnetism. These qualities make for great leadership and we welcome Patrick's significant, ongoing role in advancing reconciliation.

Before responding to Patrick's speech this evening, I'd like to spend a couple of minutes speaking about my sense of the synergies between a commitment to reconciliation and my own Jewish belief system.

Indifference to the problems that confront society is, in Jewish teaching, an unforgivable sin. Jewish tradition teaches us: "Do not separate yourself from the community." (*Pirke Avot* 2:5).

According to the Talmud, "Whoever has the ability to prevent his household (from committing a sin) and does not is accountable for the sins of his household; if he could do so with his fellow citizens (and does not), he is accountable for his fellow citizens; if the whole world, he is accountable for the whole world." (*Shabbat* 54b).

The late Ron Castan who fought with great conviction to see the land rights of Aboriginal and Torres Strait Islander peoples recognised in Australian law, was motivated by his understanding of essential Jewish ethical responsibilities. The same was true of so many Jewish Australians who became engaged in the campaign towards the 1967 Referendum.

It was through Ron Castan that in 1993 my firm, Arnold Bloch Leibler, was given the opportunity to act as lawyers and advisers to the Yorta Yorta peoples during their monumental struggle for land justice. A strong bond has been forged between us over the years, built on mutual respect and solidarity. The benefits it brings are very much two-way.

What I understand of the aspirations of Indigenous Australians is that apart from securing their just recognition as the First Peoples of this country, what they seek is to be full participants in and contributors to Australian society while maintaining their cultural traditions and status.

I feel that this is what the Jewish community has been able to accomplish in this country, and it should be seen by all Australians as an absolutely reasonable and absolutely achievable objective for Indigenous Australians.

I've said before that my own sense of responsibility in reconciliation is accentuated by being Jewish and able to empathise with a persecuted minority, blamed for their own suffering. And my own reconciliation journey has been enriched by learning from Indigenous Australians about their struggles for justice.

Take the story of William Cooper. He was 20 when a petition was put to the Governor of NSW in 1881 by a group of Yorta Yorta peoples – one of them William’s brother - seeking land to cultivate and raise stock. The request was made as compensation for the lands within Yorta Yorta tribal boundaries that had been taken without consent by the Government and white settlers.

In rejecting the native title claim of the Yorta Yorta in 1998, Justice Olney interpreted the petition as “positive evidence from the claimants themselves” that their ancestors had abandoned their connections to country well prior to the end of the 19<sup>th</sup> century.

Nothing could be further from the truth.

Much of William Cooper’s life was spent passionately and tirelessly agitating for land justice. Some years after the petition was sent, in yet another unanswered plea for return of usurped Yorta Yorta lands, William Cooper described his peoples’ country as “a vast territory, which is ours by Divine Right”. His descendents did much the same for that matter, and again in vain, over a century later in their powerful testimony before Justice Olney.

Through his efforts, William Cooper made people’s lives better and became a national icon on the basis of a quintessentially Australian story about refusing to buckle under pressure and of speaking out in defence of the truth upon which a reconciled nation may be forged.

On 6 December 1938, in a galvanizing moment of empathy, William Cooper led a deputation from the Australian Aborigines League as they marched on the German consulate in Melbourne to protest against Jewish persecution by the Nazis.

The delegation was refused entry but such acts of defiance, solidarity and courage are never forgotten.

It is not only that Jewish Australians identify with Indigenous Australians as members of a small minority, subjected in many lands, over many periods in history, to racism, discrimination and persecution. The equality of humanity and the responsibility to challenge injustice are at the heart of Jewish teaching and learning.

In the Jewish tradition, the understanding is that we are not alone in the universe but linked to each other. There is much to learn from our respective experiences and spirituality.

Martin Buber in *The Knowledge of Man* argues that true understanding is “perceiving and thinking in the mind and body of another individual”. This explains how we, as Australian Jews, explain and encourage the work of reconciliation. We are taught to listen and by listening to learn. Knowledge is not acquired for its own sake, but as the foundation of a better society.

Patrick Dodson has spoken in recent months, and again in his speech this evening, of the need for a new, national dialogue about the points of disagreement between Indigenous Australians and those of us who have come to this country from elsewhere. A dialogue that seeks, through talking and, importantly, through listening, to create a new relationship based on an agreed philosophical framework.

Patrick says, and it is hard to see it any other way, that our relationship has been built historically on the premise that the values, customs and laws of this country’s Indigenous peoples are inferior. There has almost been a sense that this culture is not to be believed, let alone respected.

Our work at Reconciliation Australia is closely aligned to Patrick’s approach on the national dialogue. We see our role as falling into three essential areas:

- The first of these is in building an evidence base on which informed dialogue can be founded. And the evidence we look for is around what kind of partnerships, what kind of

engagement actually works in generating good outcomes for Indigenous people, and thus for the nation overall.

- Our second main function is then to educate and engage the Australian community in reconciliation on the basis of these stories of success.
- And finally, we work hard to influence government and industry to develop evidence-based policy, rather than rehashing mistakes of the past or grasping for silver bullets.

Patrick speaks of the significance of the national apology to the stolen generations.

It was never going to work for everyone, but my strong sense is that the majority of Australians feel better knowing that this necessary apology has been made. And they are motivated to build on this corner piece of the reconciliation puzzle that is now in place.

The apology has been a transformative experience for Australia and a fundamental step in building a respectful relationship between Indigenous and non-Indigenous citizens. Without that kind of relationship, we have never been in a position to work together in the way we've needed to.

I agree with Patrick that constitutional recognition is an essential next step in making government accountable to Indigenous Australians. My fellow Co-Chair at Reconciliation Australia is Patrick's brother Mick Dodson who is at the forefront of arguing the case for constitutional change.

In a speech at the National Archives Australia in Canberra recently, Mick said that unlike other countries with Indigenous populations, Australia has never had a moment of recognition of its first peoples. There has been no recognition of the organised societies that existed here before white settlers.

There is no form of agreement on which we can build a relationship based on recognition and respect.

The acceptance of other members of humanity as people of God, as partners in a greater scheme, involves total recognition of people as equals. The spirituality of mutuality, as Rabbi Leon Klenicki put it, is a prerequisite of spiritual healing which is so much a part of meaningful reconciliation.

Jacob Bronowski, author of *The Ascent of Man*, emphasised the importance in Judaism of each generation leaving the world a more just place than the world they inherited.

The current generations of Australians must not bequeath to our children a country which has not reconciled with its first peoples, a country that must face unprecedented global challenges without having addressed the most fundamental social justice issue in its own backyard.

In the words of Proverbs 29:18: "Where there is no vision, the people perish."

Tonight let us not only promote but live the vision of a reconciled Australia "that provides equal life chances for all, recognising and respecting the special place, culture and contribution of Aboriginal and Torres Strait Islander peoples as the First Australians."