

INDIAN COUNTRY

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By Jerry Reynolds

Apology Day in Australia coincides with Brownback resolution

WASHINGTON - While the United States and Canada weighed the prospects for an apology to Native people, Australia actually delivered one.

Feb. 13, Apology Day in Australia, proved an occasion for powerful emotions throughout the continent, according to an assortment of eyewitness accounts and media outlets. In the first official act of the newly installed Labor (or in American terms, liberal) government, Prime Minister Kevin Rudd apologized for the "Stolen Generations" of Aboriginal children, a period in Aboriginal history roughly comparable to the boarding school generations among the Native peoples of the United States. (The Aboriginal experience, once hidden and denied, has become more familiar internationally through the film "Rabbit-Proof Fence.")

In the Great Hall of Parliament House in Canberra, Rudd said Parliament had assembled "to remove a great stain from the nation's soul and in the true spirit of reconciliation to open a new chapter in the history of this great land, Australia."

Rudd said he was sorry on his behalf, on behalf of the government, and on behalf of Parliament.

Tens of thousands gathered at once in places throughout the country. The truth as Aborigines see it met with strong emotion among them, though some leading voices also called for reparations - something the government has sworn off.

But reconciliation, at least, appeared to get a start Feb. 12, a day in advance of the apology. Parliament opened its session not with European trappings of state, as always in the past, reported various eyewitnesses, newspapers and online sources, but with indigenous dance and dress, ochre body paint and the music of the didgeridoo, clapsticks and conch shells.

Ngambri elder Matilda House-Williams, clad in a fur cape, joined her grandchildren in offering Rudd a message stick, "a means of communication used by our people for thousands of years, that tell the story of our coming together," she told the gathering in an online account at theage.com.au. The first-time opening should become a new tradition of Parliament, Rudd said, joined in the sentiment by conservative opposition leader Brendan Nelson.

In Canada, activists followed up on Australia's Apology Day with several calls for an apology long under discussion there.

In the United States at about the same time, the Senate accepted an amendment to the Indian Health Care Improvement Act reauthorization from Sen. Sam Brownback, R-Kan. On Feb. 26, the Senate passed the larger bill with Brownback's amendment intact.

In a lengthier, seemingly more substantively detailed version than in the previous years Brownback has pushed the measure, it issues an apology from the United States, acting through Congress, to "all Native peoples for the many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States"; urges the president to acknowledge historic wrongs "in order to bring healing to this land"; and commends and encourages state governments "similarly to work toward reconciling relationships with Indian tribes within their boundaries."

The United States, Australia, Canada and New Zealand are the only national governments within the United Nations that declined to sign the 2006 U.N. Declaration on the Rights of Indigenous Peoples. Tim Coulter, founding executive director of the Indian Law Resource Center and one of the declaration's original authors, said the comparative spate of apologies may not necessarily add up to momentum toward the declaration among the non-signing nations. "I don't know," Coulter said. "I don't think that's clear."

He said it's encouraging that nations are bringing up apologies to their indigenous populations. But the real need is for nations to view their actions in light of the declaration's provisions, he added. "Congress goes right on doing the things they apologize for," Coulter said, and with insufficient awareness of its misconduct. As examples he gave the recent uncompensated takings of Yurok and Western Shoshone territory. "I think it's a fact of life on Capitol Hill that Congress thinks it has plenary power," and so it violates treaty law and the Constitution at the expense of Indians and tribes in ways it wouldn't even consider toward others. "That's discrimination based on ancestry and race ... in violation of the Constitution."

More appropriate than an apology, Coulter said, would be for Congress to hold hearings "to inform itself about what has been going on, and to renounce any such future actions."