

AUSTRALIAN SOVEREIGNTY PAST, PRESENT AND FUTURE

The concept of sovereignty is based on the history of all-powerful monarchs who ruled by edict. The trek to modern democracy began in medieval England in 1215, when King John signed the Magna Carta to share power with an Assembly of Lords. In modern democracies, sovereignty therefore now rests with parliamentary assemblies elected by citizens of adult age.

Sovereignty is also now often used to describe traditional Aboriginal society, but it is never accompanied by any examination of the form and nature of this sovereignty.

If we begin with Australia today, sovereignty is shared between three levels of government, federal, state and local. Then on top of that we have various international diplomatic and trade relationships. These four modern levels of government had their parallels in traditional Aboriginal Australia.

The first level of traditional Aboriginal government, equivalent to the municipality, was the clan or tribe. Each clan was based on a water catchment area and the clan commonly derived its name either from the major river of their area, or the mountains from which it originated.

Clans usually had triple-banger names and the best local example of this was the Gunung Willam Balluk of the Maribyrnong River. This essentially translates as 'The Maribyrnong River (Gunung) is the home country (Willam) of the people in this catchment (Balluk).

All clans were governed by male and female Councils of Elders, with their own inviolate spheres of authority. Qualification for Eldership was in no way related to age, family, or line of descent. Religious and secular authority was fused and memory was the most prized of all abilities. Eldership was therefore based solely on merit and the twin tests of knowledge and character.

Each Elder's Council had equal representation from each of the four 'Skin Groups' which were ritual lodges. Children could not be in the same lodge as either parent or their marital partner, so this meant that in practical reality, no individual, group or family could ever arbitrarily seize power.

The second level of government, equivalent to the State, was the language group. It consisted of a handful of clans who shared the same language. A language was referred to as a 'lip' rather than a 'tongue' and each language, no matter how similar to its neighbours, usually defined itself by having a different word for 'no'. So in Woiwurrung, the language of the Melbourne area, woi meant 'no' and wurrung meant 'lip'.

The third level of government equivalent to the nation, or more accurately a federation, was a handful of groups with similar languages and a shared cultural identity. To show their

sense of commonality, each of the language groups had the same word for 'human beings' or 'the civilized people'. In the five language groups of the Central Victorian area, this word was 'Kulin' and they would have referred to themselves collectively as 'Kunditchkulin', meaning 'members of the civilized people'.

Although each federation had a shared sense of cultural identity, they nonetheless often had joke names for each other, like 'bog dwellers', 'snail eaters', 'salt water drinkers' or seaweed speakers. However the tribes outside their cultural federation were dismissively referred to as 'uncivilised people' or 'wild blackfellahs'.

Despite such nominally pejorative references to other cultural federations, there was however a fourth level of ritually established protocols of trade, pilgrimage and diplomacy. Goods were traded over the length and breadth of Australia by delegated agents and people followed defined 'Songline' routes to visit sacred sites.

Emissaries, Diplomats and Doctors were however exempt from the protocols that governed traders and pilgrims. These dignitaries, identified by red and white stripes across their nose and cheeks, had complete freedom of movement. It was therefore not surprising when the First Fleet arrived in Sydney in 1788, that Aboriginal people were quite impressed with the red and white striped uniforms of the British Marines.

The point is however, that the concept of Australian sovereignty was irrevocably changed at that point and we must now reach a new accommodation between past and present.

Sovereignty in both traditional and contemporary Australia therefore has many parallels. Both societies could be defined as plural democratic societies with citizen equality under the rule of law, but what of the future? Our future cannot possibly exist within some framework like Apartheid. We are one society with a common destiny as Australians, but with a rich indigenous heritage we must embrace.

The Australian constitution is a sterile document that is just a mechanical scheme of arrangement between the States. It says nothing about who we are as a people. Our Constitution should instead be a living social contract. So why not achieve this by embedding two basic principles in our Constitution?

First, it should proclaim that we are a plural democracy with citizen equality under the rule of law, and second, it should enshrine our Aboriginal heritage as a fundamental aspect of our national identity.