



Statement from the Heart

STUDY GUIDE

ACKNOWLEDGEMENT

The Uniting Church in Victoria and Tasmania acknowledges the Australian Aboriginal and Torres Strait Islander peoples of this homeland. We acknowledge the traditional custodianship of the First Nations in which our Congregations, Presbyteries, Synod and communities are located, and every place where we conduct our work, worship and fellowship. We pay our respects to elders past and present, and to all descendants who have cared for this place since creation.

RECOGNISING ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES

Respect can be shown by acknowledging and identifying specific clan and naming their community. In Victoria for example: Bangarang and the Yorta Yorta from along the Murray River, Ladji Ladji near Mildura. Gunditjmara, and Kerrupjmara from the Western Districts. Gunai Kurnai from the Gippsland way. Watha Wurrung from Geelong. Widjbaluk from the desert country around the Dimboola area. Wemba Wemba from south of Swan Hill. Daung Wurrung from the Seymour area, and Dja Dja Wurrung from Bendigo. The traditional sovereignty of Melbourne belongs to the Wurundjeri and the Bunurong, the clans of

ON RECONCILIATION

Reconciliation between First and Second Peoples in Australia is a widely understood and accepted aspiration. Following the 1991 Royal Commission report into Aboriginal Deaths in Custody, a formal reconciliation process was established in the form of the Reconciliation Advancement Council (CAR).

In 2001, Reconciliation Australia was established as the national Reconciliation body following the disbandment of CAR. The five inter-related dimensions of national Reconciliation are: race relations, equality and equity, unity, institutional integrity and historical acceptance.² Reconciliation is a movement the Uniting Church embraces widely within its membership, polity and ethos.

In reading the *Statement from the Heart* you will notice the word

The Uniting Church in Victoria and Tasmania is committed to honouring the sovereignty of Aboriginal and Torres Strait Islander peoples which has never been ceded, their ancestral and spiritual relationship with the land, waters and seas, and celebrates the richness of their presence and cultural contribution to the world. On this sacred land, and within the diverse communities it sustains, we ask God's blessing on those who continue to work for reconciliation and renewal of the whole of creation.

the Kulin Nation. More generally, across Victoria and New South Wales, Aboriginal people are known as Koori, and from Tasmania they are generally known as Palawa, however some language groups may use different names.¹

Out of respect for the Anangu People, the Sovereign People of Uluru, and at their request, the *Statement* is referred to as the '*Statement from the Heart*' instead of the '*Uluru Statement from the Heart*' in this study guide.

'reconciliation' is absent. This is because dialogues leading up to the formation of the *Statement* looked towards exploring other ways of articulating what is being sought. The dialogues challenged underpinning assumption that parties engaged in a reconciling process are known to each other, and the ultimate aim of a successful reconciliation is the return to a state of mutuality and co-existence. A truthful examination of the colonial history between First and Second Peoples invites us to also question this assumption. It is within this spirit that this study guide does not refer to 'reconciliation' as the aspiration of the *Statement*. Where concepts of reconciliation are mentioned in this study guide, this relates to a theologically informed position on the subject matter, in which through Jesus Christ "God was reconciling the world to himself" (2 Corinthians 5:19).

1 [Victoria Gov - Aboriginal Culture](#) and [Tasmania Gov - Aboriginal Culture](#)
2 [Reconciliation Australia](#)



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Statement from the Heart³

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this Statement from the Heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago.

This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown. How could it be otherwise?

That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood.

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates.

This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness.

We seek constitutional reforms to empower our people and take a rightful place in our own country.

When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

Makarrata is the culmination of our agenda: the coming together after a struggle. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.

We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.

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HOW TO USE THIS AS A STUDY

PREPARATION

Prior to commencing either the **one day workshop** or **six session format** for this study on the *Statement from the Heart*, encourage all participants to read **Luke 4:16-19**, and either **Luke 10:25-37**, or **Matthew 25:31-46**. Doing so will help provide a theological lens while working through this study guide and as you engage with the *Statement*. These readings are also used for the theological conversation in Part 4 of this document.

Consider allocating people to the following roles;

- **Facilitator:** someone to make the day run smoothly and keep everyone on time, ideally this person is not presenting content during a session.
- **Projection Coordinator:** someone to collect and display any digital content.
- **Hospitality:** Volunteers to organise refreshments and to coordinate the meal break.
- **Speakers:** Present content for each session to the main group in whatever way best suits your community.

References are included in this study guide to help resource speakers if they desire to go deeper into the content of this study guide and expand upon it. You may need to increase the time allocated to speakers if more content is added.

Where possible, please send digital copies of this study guide to all participations instead of printing physical copies.

Facilitator's Companion

The *Statement from the Heart* Study Guide has been designed to be explored in two formats: a Six Session Format, or the One Day Workshop Format.

A separate resource for facilitators running either of the two formats for the *Statement from the Heart* Study Guide is available, please visit:

► <https://justact.org.au/first-people/actions/>

For participants working through the study guide, you will find a session summary for either of the two formats as they correlate to each part of this

Six Session Study Group Format

Following this format will provide enough content for six separate study group sessions. You are encouraged to amend the format to best suit the needs of your community. For example: 6 nightly sessions within a week, or 6 sessions over 6 or more weeks. A group of up to 36 people is recommended. Each session is between 1.5 and 2 hours long.

One Day Workshop Format

(with an additional follow-up theological reflection session)

The One Day Workshop Format can be used with a group of up to 36 people. Following this format should take five and a half hours, but the format can be amended to suit the needs of your community. After completing the One Day Workshop, there is an optional 1hr 55min session to be held separately at a later time. Aim to hold this additional session within one week from the time you held the One Day Workshop, perhaps before or after a church service.

Questions for Reflection

At the end of each part to this study guide you will find 'Questions for Reflection'. These questions are to be engaged with at the relevant time during either the Six Session Format, or the One Day Workshop Format.

Activity

Throughout the Study Guide you will also find suggestions for an 'Activity for later'. These are optional activities for individual participants to deepen their engagement with the *Statement from the Heart*.

Part 1

Introducing *The Statement from the Heart*

The *Statement from the Heart* emerged from The First Nations National Constitutional Convention at Uluru in May 2017. The Convention was a three day gathering facilitated by the Referendum Council, and was the culmination of a process that included an extensive dialogue across Australia with Indigenous Peoples. The federally appointed Referendum Council's purpose was to lead national consultations across Australia, and advise parliament on a pathway toward a successful referendum to recognise Aboriginal and Torres Strait Islander peoples in the Constitution.

The First Nations National Constitutional Convention was the coming together of 250 Aboriginal and Torres Strait Islander leaders to articulate the nature of reforms desired by First Nations. This gathering consolidated their views into a document that is now known as the *Statement from the Heart*. The creation of the *Statement* is an important moment for Australia, and might yet herald significant advancements in the journey together between First and Second Peoples.

This study guide on the *Statement from the Heart* was written by and for Second Peoples seeking to explore and pursue a truthful, just and meaningful relationship with First Peoples.

In creating this study guide, the Uniting Church in Victoria and Tasmania is seeking to further its commitment towards First and Second Peoples walking jointly together in an intentional relationship it calls 'Covenanting'. The UCA recognises and affirms the guidance and leadership of Uniting Aboriginal and Islander Christian Congress, and seeks to hear and understand the voice of First Nations People speaking through the intent and wording of the *Statement from the Heart*.

The *Statement from the Heart* called for two reforms. They are:

1. The establishment of a First Nations **Voice** enshrined in the Australian Constitution to empower First Peoples to have a greater say in policy and legislation which governs their affairs and, in so doing, improve their autonomy and prosperity.
2. The establishment of a Makarrata Commission to;
 - a) Supervise a process of agreement-making, or **treaty**, between governments and First Nations, and
 - b) Provide a means for **truth**-telling about the history of Australia's First Peoples.

Six Session Format

FIRST SESSION

25 minutes	Open and Introduction
5 minutes	Welcome and Acknowledgement of Country ⁴
10 minutes	Facilitator outlines the 6 session study format
5 minutes	Introduce all speakers and state which parts of the study they will be covering
5 minutes	Everyone reads the <i>Statement from the Heart</i> aloud together
1hr 10 minutes	Introducing the <i>Statement from the Heart</i>
10 minutes	Speaker for this topic presents content
30 minutes	Questions for reflection in groups of up to 4
5 minutes	Conclude discussion and everyone regathers
20 minutes	Open discussion, or invite one person from each group to report back
5 minutes	Closing Prayer ⁵

4

[Uniting Church Acknowledgement of Country](#)

5

[Prayer Resources](#)

Through these proposed reforms, First Peoples are telling Second Peoples that they have carefully and purposefully chosen their preferred way towards addressing Australia's unfinished business. Within the two reforms, the sequence of **'Voice. Treaty. Truth'**⁷ is intentional, as it denotes the order in which the steps toward reform will create the necessary standing and political legitimacy for First Peoples.

The process that produced the suggested reforms was the result of an extensive consultation process endorsed and resourced by the Australian Federal Government through the work of the Referendum Council. The *Statement* also aligns with Indigenous self-determination principles contained within the *United Nations Declaration of Indigenous Peoples*⁸, which the Australian

Government and the Uniting Church in Australia⁹ have both formally supported since 2009¹⁰. The *Statement* itself, and the process leading to its formation, is an act of collective self-determination by First Peoples.

The purpose of this study guide is to assist in understanding the message of the *Statement from the Heart*, while offering opportunities for reflection, and to help the UCA members to go deeper in exploring the reforms First Peoples are seeking.

While engaging with this study guide, please take the time to go back and read the *Statement* aloud carefully from time to time. In returning to the *Statement*, remember that its purpose is to invite all Australians to listen, learn, hope and work together for a better future.

One Day Workshop Format

INTRODUCTION TO THE STATEMENT

20 minutes	Open and Introduction
5 minutes	Acknowledgement of Country ⁶
5 minutes	Facilitator outlines the day's format
5 minutes	Introduce all speakers and state which parts of the study they will be covering
5 minutes	Everyone reads the <i>Statement from the Heart</i> aloud together
30 minutes	Introducing the <i>Statement from the Heart</i>
10 minutes	First speaker presenting content
15 minutes	Questions for reflection in pairs
5 minutes	Conclude discussion and everyone regathers

Questions for Reflection

With one other person, spend 15 minutes discussing the following questions after reading the *Statement*:

1. If this is your first time reading the *Statement*, what are some thoughts or questions you were left with?
2. Did you notice the phrase "two worlds" in the *Statement*? What might this mean to you in reference to where the children of First Peoples walk?
3. Can you articulate a time where you've experienced a sense of belonging to more than one culture, and how did that experience make you feel?

7. [Voice.Treaty.Truth](#)

8. [United Nations Declaration of Indigenous Peoples](#), Article 3, Article 18, Article 19, and Article 37

9. [The Twelfth Assembly Resolution 09.37.05](#) noted with strong endorsement that the Commonwealth Government recognised the United National Declaration of Indigenous Peoples.

10. [Australia Supports UNDRIP 2009](#)

Notes

[illegible][illegible]

Activity for now

Keep an ongoing list of any questions you have now, and add new questions that are raised for you as you work through this study guide. Your list will be useful for later reflection.

Activity for now

Keep an ongoing list of any questions you have now, and add new questions that are raised for you as you work through this study guide. Your list will be useful for later reflection.

Part 2

The Call for a First Nations Voice

“We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country. We call for the establishment of a First Nations Voice enshrined in the Constitution.”

- *Statement from the Heart*

A First Nations Voice to Parliament is a direct way to address the “torment of powerlessness” of First Peoples. A previous example of an Indigenous representative body in Australia is the Aboriginal and Torres Strait Islander Commission (ATSIC). However, this body was not protected by the Australian Constitution and was disbanded through legislation in March 2005.

Gaining a First Nations Voice to Parliament that is constitutionally entrenched is a way in which self-determination for First Peoples could be achieved. It would provide a means in which lawmakers hear the views of First Peoples on the issues impacting them, and thereby

allow Parliament to enact more effective laws through informed decision making practices. While a single widely accepted model of what this would look like does not yet exist, the establishment of a First Nations Voice would require a successful referendum before any change to the constitution could be made. It is not intended for any proposed Voice to interfere with Parliamentary supremacy¹¹, but to be effective it would need to function in more than an advisory capacity to reflect the substantive changes sought by First Peoples. It is important to understand the distinction between a Voice ‘to’ parliament and a Voice ‘in’ Parliament, because a Voice ‘to’ is not seeking to be a third chamber of Parliament.

Six Session Format

SECOND SESSION

1hr 25 minutes First Nations Voice

5 minutes	Welcome and Acknowledgement of Country
10 minutes	Speaker for this topic presents content
10 minutes	Facilitator recaps previous session, and gives space for people to share any personal reflections since the group last gathered
30 minutes	Questions for reflection in groups of up to 4
5 minutes	Conclude discussion and everyone regathers
20 minutes	Open discussion, or invite one person from each group to report back
5 minutes	Closing Prayer

One Day Workshop Format

FIRST NATION VOICE

30 minutes First Nations Voice

10 minutes	Chosen speaker presents content
15 minutes	Questions for reflection in pairs
5 minutes	Conclude discussion and everyone regathers

20 Minutes Refreshment Break

A body that could become a First Nation's Voice to Parliament would likely have the following functions:

- ▶ have authority from, be representative of, and have legitimacy in First Peoples' communities across Australia
- ▶ represent communities in remote, rural and urban areas
- ▶ not be composed of leaders handpicked by Government
- ▶ be structured in a way that respects culture
- ▶ be resourced with a budget
- ▶ be independent
- ▶ have the potential to represent First Peoples internationally

A First Nations Voice to Parliament would also have the capacity to play a part in supporting and promoting a treaty-making process.

Several options for enshrining a First Nations Voice to Parliament were suggested in the 2018 final report of the *Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Islander Peoples*.¹² However, until mutual agreement regarding the need for a First Nations Voice to Parliament is achieved, it is too soon to present a final model of exactly what such a Voice would look like. As a nation, we are still in the early steps of forming a meaningful response to the *Statement*.

Ultimately, the purpose of establishing some form of a constitutionally enshrined First Peoples Voice is to allow a greater say in policy and legislation that governs their affairs and, in so doing, improve autonomy and prosperity of First Peoples. It would be constitutionally enshrined instead of legislated; which means that it would demonstrate an intentional commitment towards political empowerment in a way that cannot be easily struck down by Parliament through legislation when political priorities and governments change. If any future government led response to establishing a Voice fails to propose constitutional reform as a key feature, this would be seen by many First Nations communities as not going far enough. Similarly, a Voice to Government, as opposed to the preferred Voice to Parliament, would be not in keeping with the spirit of the *Statement*.

Aboriginal and Torres Strait Islander Peoples need to be involved in the design of the First Nations Voice, and in October 2019 the Minister for Indigenous Affairs, Ken Wyatt, announced the first stage of a co-design opportunity to develop a Voice to Parliament for First Nations Peoples¹³.

In January 2021, the second stage to an Indigenous Voice co-design model was announced, and invited all Australians to participate in the conversation.¹⁴

Questions for Reflection

The *Statement* uses the 1967 Referendum¹⁵ as an example of substantive change for First Peoples, and a turning point in Australia's relationship between First and Second Peoples. While the *Statement* does not give us an exact structure of what a Voice to Parliament would look like, the first step is to consider if you would be open to the prospect of voting in favour of changing the Constitution in a referendum.

With one other person, spend 15 minutes discussing the following questions:

- 1.** How open are you to the idea of a First Nations Voice to Parliament, even if that means a change to the Australian Constitution? What are your hopes and concerns?
- 2.** What is your understanding of a Voice 'to' parliament enshrined in the constitution compared to a Voice 'in' Parliament?
- 3.** Discuss what is meant by substantive change, and what would be a meaningful response to what has been asked for in the *Statement from the Heart*.

Activity for later

A good book to begin learning more about First People's history is *Dark Emu* by Bruce Pascoe. Commit to reading this book with others as a book club.

¹² [Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Islander Peoples 2018](#)

¹³ [Co-deigned Voice announcement, 2019](#)

¹⁴ [Indigenous Voice Co-designed Process](#)

¹⁵

The 1967 referendum sought to give the Commonwealth Parliament power to make laws with respect to Aboriginal people wherever they lived in Australia. The amendment deleted part of section 51 (xxvi) of the Australian Constitution and repealed section 127 which excluded Aboriginal people from being counted in the national censuses.

Notes

[illegible][illegible]

Activity for later

Do you remember the 1967 referendum? If you don't, try to find someone who did, or if you do, find someone who didn't and discuss the experience and why you think that referendum passed. If possible, try to include a younger person who wasn't born then, or someone who immigrated to Australia after 1967. Share a walk or a coffee as you engage in this discussion.

Activity for later

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Part 3

Exploring the call for a *Makarrata* Commission

“Makarrata is the culmination of our agenda: the coming together after a struggle. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination. We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.”

- *Statement from the Heart*

Makarrata is a Yolngu word from the people in Arnhem Land that speaks of treaty or agreement-making, and reflects an intention to heal or reconcile conflict and division by making things right between two sides. In order for healing to take place there must first be truth and honesty.

Makarrata has increasingly been used as a word to replace ‘treaty’ since the 1980s in national politics.¹⁶ A *Makarrata* Commission would not need any constitutional change to exist, and could be effected through legislation.¹⁷

The Makarrata Commission would have two main purposes:

1. Propose and supervise a treaty-making or agreement-making process between the Federal Government and First Peoples, and
2. Propose and facilitate a means for truth-telling about the lived experiences of First Peoples to be articulated and heard.

Six Session Format

THIRD SESSION PART 1

25 minutes	Makarrata Commission Introduction
5 minutes	Welcome and Acknowledgement of Country
10 minutes	Facilitator recaps previous session, and gives space for people to share any personal reflections since the group last gathered
5 minutes	Facilitator reads the <i>Statement from the Heart</i> aloud, or try having one person read one paragraph each.
5 minutes	Explain the Makarrata Commission and introduce the two sessions; 1. Treaty or Agreement Making and 2. Truth Telling, leaving most of the content to be introduced by the following two speakers.

Third session continues on page 14 with Part 3a

One Day Workshop Format

MAKARRATA COMMISSION INTRODUCTION

These sessions before the meal break are the most content intensive. They involve organising small groups of up to four people each.

15 minutes	Makarrata Commission Introduction
5 minutes	Facilitator reads the <i>Statement from the Heart</i> aloud, or try having one person read one paragraph each.
5 minutes	Explain the Makarrata Commission and introduce the two sessions; 1. Treaty or Agreement Making and 2. Truth Telling, leaving most of the content to be introduced by the following two speakers
5 minutes	Get into small groups of up to four people

Part 3a)

I. Treaty or Agreement Making

Establishing a treaty or an agreement-making process is an aspiration for many First Nations Peoples, and also for many Second Peoples.¹⁸

One of the major findings of the Referendum Council's report was that First Peoples prefer agreement-making, or some kind of treaty, over mere recognition in the Constitution that would only go so far as to acknowledge their existence on the Australian continent prior to European colonisation.

Some Australian States have taken their own steps toward treaty. South Australia began a treaty process in 2016 but paused the process in 2018 due to a change of government.¹⁹ Victoria is actively pursuing treaty conversations after establishing the First Peoples' Assembly of Victoria in 2019.²⁰ Also in 2019, the Northern Territory begun a process towards establishing a treaty or multiple treaties.²¹ In August 2020, the Queensland Government released a Statement of Commitment toward Treaty.²²

Discussions on treaty lead directly to the issue of Sovereignty. Understandings of Sovereignty are diverse and conversation can become quite difficult as a result of this diversity, as applied in different contexts. British claims to its Sovereignty over Australia have consistently been upheld by its own courts, while systematically denying First Nations claim to sovereignty existing prior to colonisation through to the present day. The closest the Australian government and judicial system have come to recognising any Indigenous expression of Sovereignty was through Native Title.²³ Native Title recognises a degree of management and control of land according to Indigenous customs and laws, but falls short of reconciling the unfinished business of Sovereignty.

A treaty, or treaties, between the Australian Government and the First Peoples of this land is an opportunity to address the unfinished business of Sovereignty, and allow for a fuller expression of Australian nationhood to shine through.

Six Session Format

THIRD SESSION PART 2

1hr 25 minutes Treaty or Agreement Making

10 minutes	Speaker for this topic presents content
45 minutes	Questions for reflection in groups of up to 4
5 minutes	Conclude discussion and everyone regathers
20 minutes	Open discussion, or invite one person from each group to report back
5 minutes	Closing Prayer

One Day Workshop Format

TREATY OR AGREEMENT MAKING

60 minutes Treaty or Agreement Making

10 minutes	Speaker for this topic presents content
45 minutes	Questions for reflection in groups of up to 4
5 minutes	Conclude discussion and everyone regathers

¹⁸ [Indigenous Affairs in Australia, New Zealand, Canada, United States, Norway and Sweden, 1998](#)

¹⁹ [South Australian Treaty Negotiations](#)

²⁰ [Victorian Treaty Process](#)

²¹ [Northern Territory Treaty Process](#)

²² [Queensland Treaty Process](#)

²³ [Mabo v. Queensland \(No. 2\)](#)

Questions for Reflection

In groups of up to four people, explore the following three sections and spend 15 minutes on each:

1. Sovereignty has different meanings. There are some definitions of sovereignty in the glossary which may help you for this discussion. Discuss what these different interpretations of Sovereignty could be while being guided by a few of the following prompting questions.

- ▶ What do you understand Sovereignty to be?
- ▶ How did you respond to the way Sovereignty was described in the *Statement*?
- ▶ Look back over the *Statement* and reflect on what sovereignty means to First Nations Peoples in the context it was presented in.
- ▶ How comfortable are you with the idea of there being different understandings of Sovereignty?

2. Self-determination also has different meanings depending on context, and some examples can be found in the glossary. In essence, self-determination is about the power to make choice. Self-determination does not mean secession or forming an independent state, and international law also prevents this from occurring.²⁴ Discuss self-determination while being guided by the following prompting questions.

- ▶ What do each of you personally understand self-determination?
- ▶ How might concepts of justice relate to self-determination for First Peoples in an Australian context?
- ▶ What are some things you think Indigenous Peoples would like more of say over for their communities?

3. To begin any process of agreement making between two parties there needs to be a special emphasis on the process and the overall journey, and for it to not be solely premised achieving a desired outcome. Within Uniting Church polity we might call this practice 'discernment'. To strengthen any relationship by intentionally journeying together must include mutual listening.

- ▶ What are your hopes and concerns of a treaty or an agreement-making process between First and Second Peoples?
- ▶ What might be some highs and lows of such a journey?
- ▶ How could we start the process of building the necessary trust to begin a journey toward treaty or agreement-making?

Notes

Activity for later

Join the Uniting Church's Assembly of Interest 'Walking Together as First and Second Peoples'.²⁵ Assembly Circles are an online social media platform for learning and sharing. It is a space for deepening faith and listening to where God is leading us in our relationships between First and Second Peoples.

²⁴

See Article 46 of the [UN Declaration on the Rights of Indigenous Peoples](#)

²⁵

[Uniting Church Circles of Interest](#)

Part 3b)

II. Truth-Telling

Truth and justice are important aspects of healing. It is important for Australia to address historical and contemporary injustices in truthful ways that acknowledge community narratives of local history from the perspective of First Peoples.

Between 1788 and 1930 there were at least 311 evidence based massacres with 8271 Aboriginal people and 176 colonists being killed.²⁶ Research is still underway to uncover this history, but the full extent may never be fully revealed. Other truths could be named in the history of this country such as slavery, deaths in custody, the stolen generation, the Northern Territory Intervention, and the impact of Institutional Missions resulting in intentional forced assimilation.

This is not an exhaustive list, and if the truth of these events continue to be unrecognised and remain unaddressed it will prevent Australia as a country from reconciling itself with its past, and forsake a better future. These experiences and the trans-generational trauma they have caused is what is collectively known as the 'unfinished businesses' of Australia.

Two international examples truth-telling in pursuit of justice are:

► The *Truth and Reconciliation Commission* in post-apartheid South Africa²⁷ was established in 1995 and was a restorative justice body that functioned similar to a court. Victims and witnesses who had suffered gross violations of human rights abuse were invited to give an account of their experience. The purpose of the Commission was to promote national unity and reconciliation in a spirit of understanding which transcended the conflicts and divisions of the past.

► The *Truth and Reconciliation Commission* of Canada²⁸ was established in 2008 and worked to reveal the complex truth about the history and ongoing legacy of church-run residential schools on Aboriginal peoples. It fully documents the individual and collective harms perpetrated against Aboriginal peoples, and honours the resilience and courage of former students, their families, and communities. It also sought to guide and inspire a process of truth and healing, leading toward reconciliation within Aboriginal families, and between Aboriginal peoples and

Six Session Format

FOURTH SESSION

1hr 45 minutes Truth-Telling

5 minutes	Welcome and Acknowledgement of Country
10 minutes	Facilitator recaps previous session, and gives space for people to share any personal reflections since the group last gathered Speaker for this topic presents content
50 minutes	Questions for reflection in groups of up to 4
5 minutes	Conclude discussion and everyone regathers
20 minutes	Open discussion, or invite one person from each group to report back
5 minutes	Closing Prayer

One Day Workshop Format

TREATY OR AGREEMENT MAKING

65 minutes Truth-Telling

10 minutes	Speaker for this topic presents content
50 minutes	Questions for reflection in groups of up to 4
5 minutes	Conclude discussion and everyone regathers

45 minute meal break

²⁶ [Colonial Frontier Massacres in Australia, 1788-1930](#)

²⁷ [South African Truth and Reconciliation Commission](#)

²⁸ [Canadian Truth and Reconciliation Commission](#)

non-Aboriginal communities, churches, governments, and Canadians generally. The process worked towards renewing relationships on a basis of inclusion, mutual understanding, and respect.

The incorporation of intentional truth-telling into the relationship between First and Second Peoples would mark a profound shift in race relations in Australia.

It would signal an acknowledgement of the historical exclusion of Aboriginal and Torres Strait Islanders politically, and provide for a political restructuring and the deliberate inclusion of Aboriginal and Torres Strait Islander peoples moving forward.

However, truth-telling should not just be limited to stories of trauma. Truth-telling should also reflect narratives of resilience and resistance against historically unjust government actions and policies.

Questions for Reflection

History is told by those who hold the power to narrate history, often creating a one sided story of events. One of the first steps toward discussing the *Statement* from the Heart is to recognise there is more than one account of Australia's history beyond a European settlement narrative. First Peoples are seeking fairness, truth and justice in the complete telling of Australia's story.

In the spirit of truth-telling, individuals are not simply victims, but also heroes.²⁹

By working to truthfully acknowledge this history, and its continuing impact, will allow all Australians to hear and understand the rich and complex story of this country.

In groups of up to four people, explore the following two sections and spend 25 minutes on each.

1. Discuss your understanding of Australia's history while being guided by a few of the following prompting questions.

- ▶ What is your understanding of the European Colonisation of Australia?
- ▶ What is your understanding of the impact of European Colonisation of Australia on First Nations Peoples?
- ▶ How will we make space for First Nations' truths in the shared history of Australia, as opposed to a colonised version?
- ▶ Australia's colonial impact on First Nations People is widely held to be unfinished business. What might a fuller expression of Australian nationhood look like if this unfinished business was addressed?
- ▶ How might truth have the power to heal?

2. There is more than one history of Australia, and First Peoples have stated truth is missing from the commonly held version of peaceful settlement. With greater awareness, our understanding of history can change. Discuss where we are as a country in this process of truth telling, and where you are located yourself within that process according to your own understanding of history.

- ▶ Which do you feel you are more informed about; First People's history beginning at European Colonisation to the present day, or the history of First Peoples prior to Colonisation?
- ▶ Where did you learn your history about Australia, and who did you learn it from? How much of that history was directly informed by a First Persons point of view?
- ▶ In what ways have you been challenged by the pursuit of justice and truth-telling between First and Second Peoples? Are there any profound moments you would like to share?
- ▶ What truths have you heard, seen or read that you found confronting?
- ▶ How do you see your role in speaking truth to power, and the telling of Australia's complete history?

Notes

[illegible][illegible]

Activity for later

What do you know about the First Nations People of the land where you live?
Make a list of the places you can visit, or people and organisations you can speak to, in order to learn more.

Activity for later

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Part 4 Exploring the *Statement from the Heart*

THE REFERENDUM COUNCIL AND ITS REPORT

“In 1967 we were counted, in 2017 we seek to be heard. We leave basecamp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.”

- *Statement from the Heart*

The Referendum Council was the body responsible for facilitating the process that produced the *Statement from the Heart*. The Council was a bipartisan appointment by the Turnbull Coalition Government and the Labor opposition, led by Bill Shorten, on 7 December 2015. It was made up of Indigenous and non-Indigenous peoples from a range of expert fields and backgrounds. The Council's purpose was to lead national consultations across Australia, and advise parliament on a pathway toward a successful referendum to recognise Aboriginal and Torres Strait Islander peoples in the Constitution.

The Referendum Council initially sought to explore the following key proposals:³⁰

- ▶ Drafting a *statement* acknowledging Aboriginal and Torres Strait Islander peoples as the First Australians, and inserting it either in the Constitution or outside the Constitution, either as a preamble in a new head of power³¹ or in a statutory Declaration of Recognition
- ▶ Amending or deleting the 'race power', section 51 (xxvi) and replacing it with a new head of power (which might contain a *statement* of acknowledgement as a preamble to that power) to enable the continuation of necessary laws with respect to Indigenous issues
- ▶ Inserting a constitutional prohibition against racial discrimination into the Constitution

Six Session Format

FIFTH SESSION

1hr 40 minutes Referendum Council and its Report

5 minutes	Welcome and Acknowledgement of Country
10 minutes	Facilitator recaps previous session, and gives space for people to share any personal reflections since the group last gathered
10 minutes	Speaker for this topic presents content
50 minutes	Questions for reflection while staying in the main group
20 minutes	Open discussion, or invite one person from each group to report back
5 minutes	Closing Prayer

One Day Workshop Format

REFERENDUM COUNCIL AND ITS REPORT

30 minutes Referendum Council and its Report

10 minutes	Speaker for this topic presents content
20 minutes	Questions for reflection while staying in the main group

Skip part 5 as it is intended as a follow up session, continue with part 6 on page 25

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[Referendum Council Discussion Paper on Constitutional Recognition](#)

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'A new head of power' refers to changes to the structure of Australian democracy, for example, if Australia were to become a Republic it would require replacing the British Monarchy as the head of state with something else.

- ▶ Providing for an Indigenous voice to be heard by Parliament, and the right to be consulted on legislation and policy that affect Aboriginal and Torres Strait Islander people
- ▶ Deleting section 25, which contemplates the possibility of a State government excluding some Australians from voting in State elections on the basis of their race.

On 30th June 2017, the Council submitted its final report, and its findings were very different from the initial key proposals it sought to explore. The Government had expected that a way forward would be limited to recognising Aboriginal and Torres Strait Islander peoples through a proposal to change the preamble of the Australian constitution in a way that would acknowledge First Peoples. However, the Report advocated that a future pathway towards reform should instead be guided by the principles embodied in the *Statement from the Heart*, which itself was an act of collective self-determination by First Peoples.

The Federal Government did not anticipate the position taken by the Referendum Council. In contrast, the consultation process revealed that First Peoples had named the Government's expectation

of a process limited to constitutional recognition as tokenistic, and was not the substantive changes the majority of First Peoples sought. In October 2017, the Government chose not to accept the Referendum Council's findings.³² Since that decision, pressure from First Nations community across Australia encouraging the federal government to revisit the *Statement* has increased. In response, the government has softened from its initial response to the Council's findings and the *Statement*.

Alongside the separate document now known as the *Statement from the Heart*, the two primary findings of the Referendum Council reported to the Federal Government were:³³

- ▶ Any reform must involve substantive change to the Australian Constitution. It must lay the foundation for the fair treatment of Aboriginal and Torres Strait Islander peoples into the future.
- ▶ A minimalist approach, that provides preamble recognition, removes section 25 and moderates the races power [section 51(xxvi)], does not go far enough and would not be acceptable to Aboriginal and Torres Strait Islander peoples.

Questions for Reflection

Some examples of past substantive change for First Peoples in Australia are the 1967 referendum and the incorporation of Native Title into common law. Discuss the follow in your larger group that includes everyone:

1. What other times of substantive change in the history of First Nations Peoples can you identify?
2. What do you think First Nations Peoples mean by making it clear that tokenistic change is not enough?
3. What do you think substantive change would look like for someone who is an Aboriginal or Torres Strait Islander person?

Reflect back on your group discussions around a Voice to Parliament and a Makarrata Commission and how they capture the spirit of the *Statement of the Heart* in its pursuit of 'Voice. Treaty. Truth'.
4. The changes asked for are substantive, and meaningful enough to move Australia into a more truthful and just relationship between its First and Second Peoples. How do you respond to this aspiration?
5. What do you hope an Australia with a truthful and just future between First and Second Peoples would look like?

³² [Government response to the Referendum Council's Report](#)

³³ [Final Report of the Referendum Council 2017](#), p.5

Notes

[illegible][illegible]

Activity for later

Try writing your own acknowledgement of country that incorporates the three tenants of the Statement; Voice, Treaty and Truth.

Activity for later

Try writing your own acknowledgement of country that incorporates the three tenants of the Statement; Voice, Treaty and Truth.

Part 5

Connecting the *Statement to Theological Conversation*

He has shown you, O mortal, what is good.
And what does the Lord require of you?
To act justly and to love mercy and to walk
humbly with your God.

- Micah 6:8

In 2018, the UCA further expressed its commitment to honour the Covenant relationship between First and Second Peoples through the 15th UCA Assembly ³⁴ consensus resolution to affirm that First Peoples of Australia are sovereign peoples in this land. Subsequently, the Uniting Church has worked extensively to understand the ongoing practical and theological implications of recognising the sovereignty of First Nations People. ³⁵ Jointly considered alongside the Uniting Church's Preamble to its Constitution, the UCA celebrates First Peoples' sovereignty to be "a spiritual notion, reflecting the ancestral tie between the land and the First Peoples". Our understanding of sovereignty discerned at the 15th Assembly was informed by the expression of sovereignty as defined by First Nations People in the *Statement from the Heart*.

The *Statement from the Heart* is a call to action, and the Uniting Church is being asked, along with the whole of Australia, to begin a journey towards substantive change and healing in a way that has been intentionally chosen by First Peoples. It is up to us to decide how we as individuals, and as a Christian community, will respond.

Justice and truth telling for First Peoples in the UCA's is called Covenanting, and is a journey that has included advocating for land rights, ³⁶ supporting the implementation of institutional structures that empower ³⁷, constitutional recognition ³⁸ and achieving economic independence, rights, and directly address disadvantage. ³⁹ At the 1991 Sixth Assembly of the UCA, the church resolved to listen to First Peoples, and in doing so build relationships that reflect the church's solidarity between First and Second Peoples. ⁴⁰ Congregations, Presbyteries, Synods and church affiliated entities are encouraged to engage with the *Statement from the Heart* as a step towards understanding what was said at Uluru.

³⁴ [2018 Uniting Church Assembly Resolution on Sovereignty 18.09](#)

³⁵ Idib

³⁶ Uniting Church 1982 Third Assembly [Resolution 82.50](#), 1985 Fourth Assembly Resolution [85.106](#), 1986 Assembly Standing Committee Resolution [86.25](#), 1988 Fifth Assembly Resolution [88.22.22](#), 1991 Sixth Assembly Resolution [91.14.15](#) and [91.14.16](#), and Assembly Standing Committee Resolution 91.55

³⁷ Assembly Standing Committee Resolution 89.14

³⁸ Thirteenth Assembly Resolution 12.16.11 and Fourteenth Assembly Resolution 15.22.02

³⁹ Assembly Standing Committee Resolution 99.114.02

⁴⁰ Sixth Assembly Resolution 91.14.12

Six Session Format

SIXTH SESSION PART 1

1hr 25 minutes Theological Conversation

5 minutes	Welcome and Acknowledgement of Country
10 minutes	Facilitator recaps previous session, and gives space for people to share any personal reflections since the group last gathered
10 minutes	Speaker for this topic presents content
40 minutes	Theological questions for reflection in groups of up to 4
20 minutes	Open discussion, or invite one person from each group to report back

Sixth session continues on page 25

In so doing, we demonstrate an intention to listen to what First Peoples are saying about how we can achieve truth-telling and justice.

The following has been taken and adapted from Chris Budden and John Rickard's paper on '*Theological Foundations for a Covenant as an Expression of the relationship between the UAICC and Other Parts of the Uniting Church*'.⁴¹

"All our knowing – of each other and of God – is conditioned by the context in which we exist, by the time and place (geographical and social) in which we live. Context alters meaning.

We are a people who are shaped by our age, gender, ethnicity, language, social class, and place in time and country. Where we are located will shape the way in which we see, interpret and value the world, it involves who we are and what we bring to our understanding of faith.

One of those locations is our theological location. By theological location we mean the sense of where God is in the world, who God sits with, and has a special care for. Jesus sat with outcasts and sinners, he looked at the world through the eyes of those who were given no place in society.

When he was confronted by the sick he saw their need for healing, and ignored the view of those who thought the issue was protection of the law. He saw through the eyes of the woman caught in adultery, and the Good Samaritan.

The Uniting Church has seen the call to solidarity and justice, to a sense of theological location that places us alongside those who struggle most, as an outworking of our vision of God, salvation and the call of the church within the Mission of God.

The challenge in this conversation is for non-Indigenous people to share, as far as that is possible (and it is never completely possible), the location of Indigenous people and the way in which they see and experience this issue of Covenant.⁴²

There is a commitment to sit with Indigenous people, to try to see through their eyes, to understand the world and God through their experiences. It is about sympathetic hearing, and effort to walk where others walk, and remain open to other ways of living in this world."⁴³

One Day Workshop Format

FOLLOW-UP SESSION – THEOLOGICAL CONVERSATION

If you are holding the theological conversation as a follow-up session as part of the one day workshop format, begin by re-reading the *Statement from the Heart* aloud to one another. Report back to the group what people took from the bible readings and begin to engage with questions below, while reflecting on message of 'Voice, Treaty and Truth' in the *Statement from the Heart*. This session is especially relevant if you are left with any questions unanswered after working through this study guide and will give you an opportunity to raise them in a safe and exploratory context.

After one week from the main study session hold a 1 hour session at a convenient time, perhaps before or after a church service.

1hr 55 minutes Follow-up Session

5 minutes	Welcome and Acknowledgement of Country
5 minutes	Read the <i>Statement from the Heart</i> aloud
20 Minutes	Discuss bible readings in general and how they related to the <i>Statement's</i> call for 'Voice, Treaty and Truth'
50 minutes	Questions for reflection in groups of up to 4
20 minutes	Open Discussion sharing any comments or questions
10 minutes	Discuss following up on any of the activities listed throughout the document
5 minutes	Closing Prayer

41 [Theological Foundations for a Covenant Between UAICC and UCA](#)

42 See the Glossary for the use of Covenant and Covenanting in this context

43 For further reading on the subject, see: '[Following Jesus in Invaded Spaces](#)' 2009, Pickwick Publications: chapter 7 Reconciliation, Covenant, and Treaty. The Theological Foundations for Covenant p162-164

Questions

The following questions aim to help you connect the *Statement* with your discipleship as a follower of Christ.

In groups of up to four people, spend 40 minutes exploring the following:

Read **Luke 4:16-19**, and either **Luke 10:25-37**, or **Matthew 25:31-46**. ⁴⁴

- 1.** In what ways might First Peoples be our Neighbour (Luke 10), or those to whom Christ calls us to respond (Matthew 25)?
- 2.** Identify what in the *Statement* is 'the torment of our powerlessness'. Try to articulate what you are being asked to understand from a First Person's perspective and why it is described as a crisis.
- 3.** How relevant are the readings to your theological engagement with the *Statement*? What alternative readings might have been used and why?
- 4.** The *Statement from the Heart* ends by addressing the reader directly. How might you personally respond to the invitation to be part of a movement for First and Second Peoples walking together for truthful and just future? What are your hopes? What are your concerns?
- 5.** The Uniting Church has a strong voice in social justice. How can we collectively lend our voice to support the *Statement from the Heart* as a faith based community?

Notes

[illegible]

Activity for later

Try writing an acknowledgement of country as if it were a prayer and use it next gathering of your community of faith.

Part 6 Closing Circle and Prayer

The closing Circle is an opportunity for people to add closure to what they have experienced after their engagement with this study. If possible, try to have everyone stand or sit in a circle.

The facilitator should recap the day in summary and celebrate the journey everyone has participated in. Going around the circle, people are invited to share:

- ▶ One word that represents how you feel.
- ▶ One thing that resonated with you while engaging with this study.
- ▶ Something they will commit to doing as an action in response to the invitation from the *Statement*

Conclude with a prayer that is appropriate for your community. You are welcome to use the following:

An affirmation for Second Peoples

We are formed by our stories.

We are shaped by our heritage.

We dwell in this place
carrying connections from beyond.

We seek the learning and the sacred story
that will attune us to the Spirit revealed in this Land.

We sorrow for the loss of Law and connectedness,
loss that has come
from dispossession and displacement.

We grieve the loss of potential.

We long for restoration and fullness of life.

We affirm the First Peoples as the hosts in this Land.

We look to them and ask
how can we respectfully relate in this place?

We commit ourselves to learning
what it might mean
for us to be Second Peoples in this place,
and to honour God and respect First Peoples
in our learning and Practice.⁴⁵

Six Session Format

SIXTH SESSION PART 2

30 minutes **Closing Circle and Prayer***

**See below for session format*

One Day Workshop Format

CLOSING CIRCLE AND PRAYER

30 minutes **Closing Circle and Prayer**

5 minutes Facilitator explains personal theological reflection activity as a separate follow up session and when it will be

20 minutes Closing Circle

5 minutes Closing Prayer⁴⁶

Activity for later

Explore how your congregation or faith community recognises the sovereignty of First Nations People. For example, does your community have a regular practice of doing an Acknowledgement of Country at gatherings, or is there a plaque on the premises naming the sovereign First Nations People of the land where you meet.

This study guide and additional resources are available online at:

▶ <https://justact.org.au/first-people/actions/>

Glossary

First People's Sovereignty (*Statement from the Heart*) - A spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.⁴⁷

Sovereignty of God (Uniting Church in Australia, Basis of Union) - Jesus of Nazareth announced the sovereign grace of God whereby the poor in spirit could receive God's love. Jesus himself, in his life and death, made the response of humility, obedience and trust which God had long sought in vain. In raising him to live and reign, God confirmed and completed the witness which Jesus bore to God on earth, reasserted claim over the whole of creation, pardoned sinners, and made in Jesus a representative beginning of a new order of righteousness and love. To God in Christ all people are called to respond in faith. To this end God has sent forth the Spirit that people may trust God as their Father, and acknowledge Jesus as Lord. The whole work of salvation is effected by the sovereign grace of God alone.⁴⁸

Legal Sovereignty - The ultimate political and legal authority of a nation-state.

Self-Determination (United Nations) - All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.⁴⁹ It is also a collective right belonging to a group of 'peoples' as a community.

Self-Determination (Australian Context) - Self-determination is an ongoing process of empowerment to overcome the legacy of colonisation and disposition to First Nations People's, and ensuring social, cultural and economic needs are met. It is not about creating a separate Indigenous State.⁵⁰ Self-management and self-empowerment are also words that can also be used describe self-determination.

The Covenant (Uniting Church) - While a covenant broadly means an agreement, the Covenant when applied to the Uniting Church context with First Peoples specifically refers to an agreement entered into in 1994 between the Uniting Church in Australia and the Uniting Aboriginal and Island Christian Congress.⁵¹

Covenanting - Covenanting is the unique call to reconciliation within the Uniting Church of Australia, and is the coming together of First and Second Peoples to form meaningful and respectful relationship as an act of faith.⁵²

Uniting Aboriginal and Islander Christian Congress or UAICC- Aboriginal and Torres Strait Islander members of the Uniting Church in Australia, and members in fellowship who may also be members of any other denomination, seeking to fulfil their calling as Christians among their own people.⁵³

47 [Sovereignty and its Relevance to Treaty Making](#)

48 [Basis of Union](#), Uniting Church in Australia

49 [International Covenant on Civil and Political Rights](#) (Article 1)

50 [Self-Determination](#)

51 [Covenanting Statement and Response](#), 1994

52 [Building Partnerships](#)

53 [Uniting Aboriginal and Islander Christian Congress \(UAICC\)](#)