



“My name is Edward Mabo, but my island name is Koiki. My family has occupied the land here for hundreds of years before Captain Cook was born. They are now trying to say I cannot own it.” Quote from a manifesto prepared for the Mabo Court Case.

As we honour the life and work of Mr Edward Mabo, let's consider the prosperity of many of us, and the dispossession, poverty, homelessness, hunger and early deaths of many Aboriginal and Torres Strait Islander (First Nations) people across Australia. First Nations People held the sovereign rights and cared for our country for thousands of years before colonisation. In the name of the British government Captain James Cook took the east coast of Australia in 1770, and for the next hundred years the entire country became crown land and was either leased, sold or granted to colonists.

As I wrote this reflection, I became aware of an open wound in Australia, and across the world, and all of us, as one body, holding the wounded one. Together birthing a love, we have longed for, but have never expressed in our social, legal and political systems. When I saw this beautiful icon by Mary Southard I was moved to deep compassion. Eddie Mabo spent many years of his life longing for and working for justice for his people. Let's honour his life work today by caring deeply for what he cared for - simple justice, compassion and humanity for his people.

"Black Virgin of Le Puy"
(c) Mary Southard CSJ,
www.marysouthardart.org.

There is evidence in the Letters Patent promulgated by the British Parliament (1834), a situation in Port Philip Bay in Victoria (1835) and in the words of Julian Tenison Woods (1880) that us newcomers knew the country belonged to the first inhabitants and it was absolutely wrong, and to our shame, that we stole their land without fair compensation.

King William IV Letters Patent read on Proclamation Day in South Australia guaranteed that *“nothing in the Letters Patent contained shall affect or be construed to affect the rights of any Natives of the said Province to the actual occupation or enjoyment in their own Persons or in the Persons of their Descendants of any Lands therein now actually occupied or enjoyed by such Natives.”*

Letters Patent promulgated in the British Parliament in 1834

In 1835 a pioneer grazier and explorer, John Batman used a treaty to buy land around Port Phillip Bay (present-day Melbourne) directly from the First Nation inhabitants.

Julian Tenison Woods, co-Founder of our Congregation, wrote to the Sunday Mail in 1880, *Some will say that we ought not to have come to a country which was not ours, and molest the peaceful inhabitants and rightful owners.*

Sydney Mail 17 July 1880 p 102

Many of us, including my own family, have prospered and been part of the story of dispossession of First Nation's people across our country. On December the 28th, 1836 my 3rd generation Great Grandfather, John Hill (the Bosun on the Buffalo) erected an English flag on Proclamation Day in South Australia. John Hill initially worked as a thatcher and by 1899 his son had the means to take over the pastoral lease of Wilpena Pound Station in the Flinders Ranges.

I wonder if my Grandfather was alive today would he feel the same pride he had when he raised the flag as Colonel Light and Governor Hindmarsh declared South Australia a British Colony. I think not! His three times great granddaughter feels shame when she sees the uninhabitable housing and pitiful living conditions of First Nation's People living in many remote communities.

Some attempts, detailed above, to be honest and just were stymied by Governor Bourke's Proclamation on the 10 October 1835. This legislation reinforced the falsehood that the land belonged to no one prior to British settlement and outlined that anyone found dwelling on land without the authority of the government would be considered trespassers. This position continued in our country until the High Court's decision in the Eddie Mabo Case in 1992.

On 3 June 1992 the High Court determined that First Nation's People held the sovereign title of Australia which was taken illegally by the British Crown from 1770 onwards.

The highest court in our country set a powerful precedence determining that Terra Nullius (nobody's land) was a lie. The decision led to the passing of the *Native Title Act 1993*, providing the framework for all First Nation's People to make claims of native title.

The ruling and subsequent legislation acknowledged the sacred bonds and relationships with land, identity and continuity of family and community over a millennium as a reality for First Nation's People.

It is an opportunity now, as we remember Eddie Mabo, to set right the wrongs of the past, and support the First Peoples of our Nation to a just settlement of their sovereign land rights. We could take heed of Julian Tenison Woods when he advocated for First Nation's people 140 years ago.

Some adequate provision should be made for the natives, that is to say, which would put them out of reach of hunger. It is objected that the ex- pense of this would be too great, but we are bound by every interest of justice and humanity to make even great sacrifices for the purpose. We have no right to leave these people to starvation and death, when we have taken their country. If ten times the amount be spent upon the blacks which they now cost us, it would be no more than simple justice.

The Sydney Morning Herald 30 October 1880 p 7

We could transform our country if we, like the image of the "Black Madonna of Le Puy" tenderly held our open wound and the divinity in ourselves and in all our relationships. In this time of COVID-19 let's use this time to appeal to those of us relative "newcomers" with power, privilege and influence to transform our country. Let's provide dignity and ultimately simple justice, compassion and humanity for Australia's First People who are some of the most vulnerable people in our great country - a country that was taken from them.