

Noel Pearson's eulogy for Gough Whitlam in full

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*Noel Pearson delivers his tribute to Gough Whitlam at the memorial service at Sydney Town Hall.
Photo: Peter Rae*

Paul Keating said the reward for public life is public progress.

For one born estranged from the nation's citizenship, into a humble family of a marginal people striving in the teeth of poverty and discrimination, today it is assuredly no longer the case.

This because of the equalities of opportunities afforded by the Whitlam program.

Raised next to the wood heap of the nation's democracy, bequeathed no allegiance to any political party, I speak to this old man's legacy with no partisan brief.

Rather, my signal honour today on behalf of more people than I could ever know, is to express our immense gratitude for the public service of this old man.

I once took him on a tour to my village and we spoke about the history of the mission and my youth under the government of his nemesis, Queensland Premier Joh Bjelke-Petersen.

My home was an Aboriginal reserve under a succession of Queensland laws

commencing in 1897.

These laws were notoriously discriminatory and the bureaucratic apparatus controlling the reserves maintained vigil over the smallest details concerning its charges.

Superintendents held vast powers and a cold and capricious bureaucracy presided over this system for too long in the 20th century.

In June 1975, the Whitlam government enacted the Aboriginal and Torres Strait Islanders Queensland Discriminatory Laws Act.

The law put to purpose the power conferred upon the Commonwealth Parliament by the 1967 referendum, finally outlawing the discrimination my father and his father lived under since my grandfather was removed to the mission as a boy and to which I was subject [for] the first 10 years of my life.

Powers regulating residency on reserves without a permit, the power of reserve managers to enter private premises without the consent of the householder, legal representation and appeal from court decisions, the power of reserve managers to arbitrarily direct people to work, and the terms and conditions of employment, were now required to treat Aboriginal Queenslanders on the same footing as other Australians.

We were at last free from those discriminations that humiliated and degraded our people.

The companion to this enactment, which would form the architecture of indigenous human rights akin to the Civil Rights Act 1965 in the United States, was the Racial Discrimination Act.

It was in Queensland under Bjelke-Petersen that its importance became clear.

In 1976, a Wik man from Aurukun on the western Cape York Peninsula, John Koowarta, sought to purchase the Archer Bend pastoral lease from its white owner.

The Queensland government refused the sale. The High Court's decision in Koowarta versus Bjelke-Petersen upheld the Racial Discrimination Act as a valid exercise of the external affairs powers of the Commonwealth.

However, in an act of spite, the Queensland Government converted the lease into the Acher Bend National Park.

Old man Koowarta died a broken man, the winner of a landmark High Court precedent but the victim of an appalling discrimination.

The Racial Discrimination Act was again crucial in 1982 when a group of Murray Islanders led by Eddie Mabo claimed title under the common law to their traditional homelands in the Torres Strait.

In 1985 Bjelke-Petersen sought to kill the Murray Islanders' case by enacting a retrospective extinguishment of any such title.

There was no political or media uproar against Bjelke-Petersen's law. There was no public condemnation of the state's manouevre. There was no redress anywhere in the democratic forums or procedures of the state or the nation.

If there were no Racial Discrimination Act that would have been the end of it. Land rights would have been dead, there would never have been a Mabo case in 1992, there would have been no Native Title Act under Prime Minister Keating in 1993.

Without this old man the land and human rights of our people would never have seen the light of day.

There would never have been Mabo and its importance to the history of Australia would have been lost without the Whitlam program.

Only those who have known discrimination truly know its evil.

Only those who have never experienced prejudice can discount the importance of the Racial Discrimination Act.

This old man was one of those rare people who never suffered discrimination but understood the importance of protection from its malice.

On this day we will recall the repossession of the Gurindji of Wave Hill, when the Prime Minister said, "Vincent Lingiari, I solemnly hand to you these deeds as proof in Australian law that these lands belong to the Gurindji people and I put into your hands this piece of earth itself as a sign that we restore them to you and your children forever."

It was this old man's initiative with the Woodward Royal Commission that led to Prime Minister Fraser's enactment of the Aboriginal Land Rights Northern Territory Act, legislation that would see more than half of the territory restored to its traditional owners.

Of course recalling the Whitlam Government's legacy has been, for the past four decades since the dismissal, a fraught and partisan business.

Assessments of those three highly charged years and their aftermath divide between the nostalgia and fierce pride of the faithful, and the equally vociferous opinion that the Whitlam years represented the nadir of national government in Australia. Let me venture a perspective.

The Whitlam government is the textbook case of reform trumping management.

In less than three years an astonishing reform agenda leapt off the policy platform and into legislation and the machinery and programs of government.

The country would change forever. The modern cosmopolitan Australia finally

emerged like a technicolour butterfly from its long dormant chrysalis.

And 38 years later we are like John Cleese, Eric Idle and Michael Palin's Jewish insurgents ranting against the despotic rule of Rome, defiantly demanding "and what did the Romans ever do for us anyway?"

Apart from Medibank and the Trade Practices Act, cutting tariff protections and no-fault divorce in the Family Law Act, the Australia Council, the Federal Court, the Order of Australia, federal legal aid, the Racial Discrimination Act, needs-based schools funding, the recognition of China, the abolition of conscription, the law reform commission, student financial assistance, the Heritage Commission, non-discriminatory immigration rules, community health clinics, Aboriginal land rights, paid maternity leave for public servants, lowering the minimum voting age to 18 years and fair electoral boundaries and Senate representation for the territories.

Apart from all of this, what did this Roman ever do for us?

And the Prime Minister with that classical Roman mien, one who would have been as naturally garbed in a toga as a safari suit, stands imperiously with twinkling eyes and that slight self-mocking smile playing around his mouth, in turn infuriating his enemies and delighting his followers.

There is no need for nostalgia and yearning for what might have been.

The achievements of this old man are present in the institutions we today take for granted and played no small part in the progress of modern Australia.

There is no need to regret three years was too short. Was any more time needed? The breadth and depth of the reforms secured in that short and tumultuous period were unprecedented, and will likely never again be repeated.

The devil-may-care attitude to management as opposed to reform is unlikely to be seen again by governments whose priorities are to retain power rather than reform.

The Whitlam program as laid out in the 1972 election platform consisted three objectives: to promote equality, to involve the people of Australia in the decision-making processes of our land, and to liberate the talents and uplift the horizons of the Australian people.

This program is as fresh as it was when first conceived. It scarcely could be better articulated today.

Who would not say the vitality of our democracy is a proper mission of government and should not be renewed and invigorated.

Who can say that liberating the talents and uplifting the horizons of Australians is not a worthy charter for national leadership?

It remains to mention the idea of promoting equality. My chances in this nation were a result of the Whitlam program. My grandparents and parents could never have

imagined the doors that opened to me which were closed to them.

I share this consciousness with millions of my fellow Australians whose experiences speak in some way or another to the great power of distributed opportunity.

I don't know why someone with this old man's upper middle class background could carry such a burning conviction that the barriers of class and race of the Australia of his upbringing and maturation should be torn down and replaced with the unapologetic principle of equality.

I can scarcely point to any white Australian political leader of his vintage and of generations following of whom it could be said without a shadow of doubt, he harboured not a bone of racial, ethnic or gender prejudice in his body.

This was more than urbane liberalism disguising human equivocation and private failings; it was a modernity that was so before its time as to be utterly anachronistic.

For people like me who had no chance if left to the means of our families we could not be more indebted to this old man's foresight and moral vision for universal opportunity.

Only those born bereft truly know the power of opportunity. Only those accustomed to its consolations can deprecate a public life dedicated to its furtherance and renewal. This old man never wanted opportunity himself but he possessed the keenest conviction in its importance.

For it behoves the good society through its government to ensure everyone has chance and opportunity.

This is where the policy convictions of Prime Minister Whitlam were so germane to the uplift of many millions of Australians.

We salute this old man for his great love and dedication to his country and to the Australian people.

When he breathed he truly was Australia's greatest white elder and friend without peer of the original Australians.

Noel Pearson is an Aboriginal Australian lawyer, land rights activist and founder of the Cape York Institute. This is the full text of the speech he gave at Gough Whitlam's memorial.