

# The Process of Negotiation

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One of the most significant events which took place in my time working with Pitjantjatjara Council was in 1980 when the process of drafting the new AP Lands legislation was being negotiated with the Tonkin government in Adelaide.

In 1976, Pitjantjatjara Council meetings established clearly the need to ratify a land title for Pitjantjatjara and Yankunytjatjara people. The government of the day in South Australia was Labor, led by the premier, Don Dunstan. Initially he was encouraging Pitjantjatjara and Yankunytjatjara people to vest their land in the South Australian Aboriginal Lands Trust. However everybody living on the lands wanted to retain the right to manage their own land and not give it over to another organisation. The premier conceded and agreed with Anangu that they should have their own land title.

In 1979, the government in South Australia changed hands and hopes for an AP land title were put on hold. Then, in February 1980, Anangu decided to convene a Pitjantjatjara Council meeting in Adelaide. They hired two buses from Alice Springs to transport them 1500 kilometres to Adelaide to put their case forward for Land Rights. It was an amazing trip over unsealed roads and everybody was confident about getting their land and yet shy about travelling so far out of their own territory. Aboriginal people living in Adelaide had organised for the convoy to camp on the lawns at Victoria Park race course in the eastern park lands where the Council meeting was held. The premier came and listened and it was agreed for the executive of the Council to meet with him the next day at government offices in the city to map out how a land title could be drafted.

The premier and his colleagues outlined a process which gave the crown law office the responsibility of drafting the necessary legislation. It would be submitted to the Pitjantjatjara Council for consideration and after the necessary adjustments, the bill would be submitted to the Parliament. The executive thought about the premier's suggestion, then responded with an alternative for preparing the legislation. They outlined to the premier how Anangu wished to negotiate in a traditional manner with his government. I found it a delight to sit in the meeting and see both groups of people use their own style of negotiation. The executive told the premier they had an agenda for land rights which they wanted to see in the legislation. They made it very clear that if there was to be a title, then the people back on the lands had to be involved in the process.

The style of negotiation outlined to the premier was full of wisdom and a process which had evolved over many generations. The executive members at the meeting knew they couldn't decide about important issues for their families and relatives back on the lands. They also knew that they could only speak for them after decisions had been made at Pitjantjatjara Council meetings. These bush meetings would decide on what the executive would say to the government about each facet that was to be included in the legislation.

The executive met regularly with the premier and his team and the legislation began to take shape. After each meeting they would report back to the people on the lands and receive new instructions for the next round of talks with the government. The result was a title which included the negotiation process of Pitjantjatjara and Yankunytjatjara people.