

Australian government moves to abolish Aboriginal “land rights”

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Over the past year the Howard government has sent a series of signals indicating its intention to dismantle Aboriginal “land rights”, a policy framework introduced by the Whitlam Labor government in the 1970s, and continued in one form or another by successive governments over the past three decades.

Under the new proposals (which have been backed by the Labor Party) land, which is in theory communally owned by indigenous people, will be permitted to be sold off to individuals and businesses, supposedly as a means of “boosting indigenous home ownership” and encouraging individual “self-reliance” among Aboriginal people.

In February last year, Indigenous Affairs Minister Amanda Vanstone seized upon a comment made by the current Labor Party national president, Warren Mundine, an Aborigine, that communal land ownership was “retarding our economic development”. She claimed that the existing land rights policy had left many Aborigines “land rich and dirt poor”.

Two months later, Prime Minister Howard told journalists, while visiting the remote Aboriginal community of Wadeye, 270 km from Darwin in the Northern Territory: “I believe there is a case for reviewing the whole issue of Aboriginal land title, in the sense of looking towards more private recognition ... all Australians should aspire to owning their own home and having their own business.”

In October, Vanstone announced a plan, worked out in collaboration with the Labor government in the Northern Territory (NT), to allow Aboriginal communities to transfer land to individuals, businesses or governments.

While the final details have yet to be revealed, Vanstone told the media that the government would change the Aboriginal Land Rights Act to allow traditional owners to lease out Aboriginal land for 99 years, a form of title which effectively cedes ownership.

Under the scheme, new local councils, to be set up by the NT government, will negotiate leases with traditional owners and Aboriginal land councils. Entire townships will be able to be leased to indigenous or non-indigenous people or to commercial partnerships in exchange for annual rental payments, to be capped at 5 percent of the land’s value.

While the measures will initially affect land in the NT—over which the federal government retains ultimate control—Howard has indicated he wants the system adopted nationally.

This shift has broad symbolic and political significance. Over the past four decades, the political establishment has promoted “land rights” as the solution to the terrible injustices suffered by the Aboriginal people, from the early days of British colonization in the eighteenth century, to the present.

The perspective of “land rights” emerged in the 1960s in response to

a powerful movement of Aboriginal workers demanding equal wages and basic rights. This struggle culminated in a strike in 1967 by Gurindji stockmen against the British agribusiness, Vestey’s. The workers’ demands won significant support throughout the rest of the working class, creating the conditions for a unified struggle against the employers, and against the profit system itself—responsible for the two centuries of oppression of the Aboriginal people.

Instead, however, the movement was diverted into a demand for Aboriginal land rights, with a leading role played by author Frank Hardy and other members of the Stalinist Communist Party of Australia. Amid growing working class militancy in the late 1960s and early 1970s, this orientation served to separate Aboriginal workers from other workers and to channel the progressive struggle for their fundamental class interests—decent jobs and working conditions, better living standards—into an orientation to the past, stressing their “Aboriginality” and their former way of life. The myth was promoted that the ownership of tracts of land in generally remote areas would somehow resolve their problems.

The divisive nature of the policy was not its only value to the Australian ruling class. It also served as a vehicle for the promotion of an Aboriginal leadership with definite capitalist aspirations, looking to use land claims as a bargaining chip to enter into partnerships with mining and pastoral companies or to set up business enterprises for themselves.

In 1972 the policy of “land rights” became the official program of the Whitlam Labor government, which initiated the Northern Territory Land Rights Act, ultimately passed by the Fraser Liberal government in 1976. The Act provided for a transfer of ownership of all Aboriginal reserves and missions in the Northern Territory to Aboriginal land trusts, while allowing claims to be made to vacant Crown land already in Aboriginal hands.

A second wave of opposition to the conditions confronting Aboriginal people emerged around the time of the 1988 bicentenary of British colonization. The anniversary became the occasion for large demonstrations, involving Aboriginal and non-Aboriginal people, demanding justice and equality for Australia’s indigenous population.

Again, sections of the ruling class turned to an initiative based on land acquisition to buy off Aboriginal leaders and block the development of a unified class movement. A series of land claims led to the 1992 High Court decision in the Mabo case, which invented a new legal category known as “native title”. This allowed Aboriginal and Torres Strait Islander people to lodge claims over vacant Crown land, provided they could prove they had continuously occupied it. Their “native title” was then recognised and regulated by legislation passed under the Keating Labor government in 1993 and the Howard

Coalition government in 1998.

Whether called “land rights” or “native title”, these concepts of land tenure were completely alien to the way land was regarded in traditional Aboriginal society, which was based on communal occupation of the land. Instead, the new legislation created a capitalist property form, private property, on the basis of which the owners could carry out commercial negotiations. The purpose was not to provide the vast majority of Aborigines with economic security, but to channel wealth into the hands of a layer of indigenous businessmen, bureaucrats and lawyers.

After thirty years of “land rights”, with approximately 20 percent of land in Australia now owned or controlled by indigenous people, at least half still live below the poverty line, with a life expectancy almost 20 years lower than that of the non-indigenous population. If the number of Aborigines employed in low-wage work-for-the-dole schemes is subtracted, the unemployment rate in the indigenous population stands at around 40 percent.

While most Aborigines live in towns or cities, approximately a third, or about 100,000, reside in remote townships, on pastoral stations or at outstations with either inadequate or non-existent housing, education and health facilities. With a jobless rate as high as 85 percent, most are reliant on work-for-the-dole schemes or welfare payments. Since income of around \$10,000 per year per individual does not cover even essential items such as food, many households are obliged to rely on sharing their resources and to engage in subsistence activities such as hunting and gathering.

The Howard government has hypocritically seized upon the appalling situation its own policies have exacerbated to push ahead with plans to scrap “land rights”. The communal ownership of land, once touted as the key to improving Aboriginal socio-economic conditions, is now being held responsible, together with welfare payments, for indigenous poverty and social problems.

The shift in Aboriginal policy dovetails with a broader agenda of scrapping welfare and cutting social spending in order to lower high-income tax rates, push the poor into low-wage jobs and hand over lucrative assets and services to profit-making corporations.

Spearheading this line, along with right-wing thinktanks such as the Centre for Independent Studies (CIS), is a new grasping layer of Aboriginal leaders. Labor’s Warren Mundine, who until recently served on the Howard government’s indigenous advisory council is one. Another is Noel Pearson, the director of the Cape York Institute for Policy and Leadership, who has condemned “passive welfare” as the underlying cause of Aboriginal impoverishment.

In a recent speech to a CIS audience, Pearson declared that Aboriginal “failure to take responsibility” in the area of home ownership “seriously undermines legitimate expressions of concern about over-crowding and insufficient housing funds”. In other words, Aborigines themselves are to be held accountable for the crisis in housing—and every other social indicator—and expected to resolve it as individuals. This provides the government with the justification it needs to repudiate any responsibility for addressing the underlying social and economic problems facing Aboriginal people.

Sharing common ground with this outlook is the Northern Territory Labor government. In 2004, John Ah Kit, its community development minister, pointed to the public housing crisis in the territory. He estimated a backlog of unmet housing need of up to \$1.5 billion. According to Ah Kit, even if population levels remained the same—they are in fact expanding—it would “take something like 22 years to meet that need” at current levels of spending.

Ah Kit called for a “serious rethinking of land tenure arrangements on Aboriginal land in the Northern Territory”. After making a ritual reference to decades of federal government under-funding of housing, he proposed “rapid and substantial injections of private capital,” “public-private partnerships” and “the establishment of a private residential market with concomitant private investment by Indigenous and non-Indigenous interests.”

Backing away from earlier calls to force Aborigines to surrender their land under a compulsory acquisition plan, the Howard government is now making much of the “voluntary” nature of its proposals. It is cynically counting on severe economic deprivation to push people into the scheme. This perspective was spelt out in an article in the *Australian*, which hailed the plan as a “philosophical leap” and a “black revolution”.

The article dismissed claims that the take-up rate would be zero, chillingly pointing out, “[T]his seems unlikely in an environment where communities are so poor that seven years ago the Jawoyn people, who own Katherine Gorge, traded native title rights for two renal dialysis machines and land for a commonwealth funded alcohol rehabilitation centre.”

In a move designed to increase pressure on remote Aboriginal communities, Vanstone recently issued a thinly veiled threat to cut off services to rural outstations, saying they were economically unviable. According to Australians for Native Title and Reconciliation national director David Cooper, removing infrastructure funding from communities with populations of less than 100 people, would force around 30,000 Aborigines off the land.

The last three decades of “land rights” has taken the Aboriginal people into a political and social dead end. The new agenda of more directly exposing Aborigines to the capitalist free market will only accelerate their oppression. What is required is a mass political movement of the working class, uniting Aboriginal and non-Aboriginal people, which challenges the very foundations of the profit system, and advances a socialist program committed to providing the resources for decent jobs, living standards and social facilities—including education, health, recreational and housing—for all, regardless of ethnic or national origin.



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