

# Australian government sets new precedent in Aboriginal land grab

Robert Morgan  
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On February 1, the Rudd government acquired freehold ownership of the Aboriginal town camp of Ilpeye Ilpeye, located on the outskirts of Alice Springs, in Australia's Northern Territory.

The *Australian* newspaper hailed the acquisition as a “landmark deal” between the residents of the Ilpeye Ilpeye community and the Commonwealth, in which the former “agreed to pass the title of their land” to the latter in return for access to federally-funded infrastructure and the opportunity to own their homes.

In reality, there was no “deal”. Instead, the Labor government compulsorily acquired the Ilpeye Ilpeye land, establishing a new benchmark in its aggressive agenda of opening up areas presently owned and controlled by Aboriginal communities for unrestrained capitalist exploitation—particularly by the resource and tourism industries—under the auspices of the Northern Territory “emergency intervention”.

The “intervention” was launched in June 2007. Under the pretext of protecting Aboriginal children in the Northern Territory from child abuse, the former Howard government despatched troops and federal police to enforce “emergency” federal legislative measures contained in the *Northern Territory National Emergency Response Act 2007* (Cth) (“NTNER”). These included bans on alcohol and pornography, “welfare quarantining” for Aboriginal communities—and the compulsory acquisition of land. The legislation was so openly discriminatory against indigenous people that its operation required the suspension of the *Racial Discrimination Act 1975* (Cth).

Labor supported these measures while in opposition. Since taking office in November 2007, the Rudd government has claimed that it will lessen their discriminatory operation. Instead, Labor has relied on the NTNER's repressive powers to establish two related mechanisms for taking over

land previously held by Aboriginal communities.

The first used the threat of withholding funds for basic services and infrastructure—which should be available as a basic right to all—unless Aboriginal-owned land was transferred to the Commonwealth. Accordingly, in 2008, 17 out of 18 of Alice Springs' Aboriginal camps granted 40-year leases over their land to the Commonwealth, in exchange for a share in \$100 million of infrastructure projects and upgrades allocated through the Commonwealth Strategic Indigenous Housing and Infrastructure Program (SIHIP).

While formally these “deals” were voluntary, the Labor government effectively made the Aboriginal communities an offer they couldn't refuse. Residents of Aboriginal camps live in some of the most socially deprived and squalid conditions in Australia and are in desperate need of resources. If it failed to “persuade” the communities to grant the 40-year leases, the Labor government explicitly threatened to compulsorily acquire the land anyway.

Underscoring the indifference of governments to the plight of these communities, SIHIP has thus far “failed to construct a single house” despite promises it would build 750, according to the *National Indigenous Times* on February 5. Three days later, the ABC reported the NT housing minister as denying his government was moving too slowly and saying that two houses were complete.

In Ilpeye Ilpeye, the government has to a certain extent dispensed with even the formalities of a “deal” with the Aboriginal community, and established a more direct mechanism for obtaining Aboriginal-owned land—the utilisation of its compulsory acquisition powers under the NTNER.

Supposedly the Ilpeye Ilpeye community will receive “just terms compensation” for the land, but this amount is yet to

be determined. Indigenous Affairs Minister Jenny Macklin has indicated that like the other 17 Alice Springs camps, Ilpeye Ilpeye will receive SIHIP funds. But the government is not obligated to provide similar funds to other Aboriginal communities if it compulsorily acquires them in the future.

In compulsorily acquiring Ilpeye Ilpeye, the Rudd Labor government has signalled its preparedness to remove any restraints imposed by “native title” on the operations of the capitalist market.

“Native title” is a form of Aboriginal communal land ownership that has been developed by Australian governments and the Australian High Court over the last four decades. Its essential function was political—to promote the myth that “land rights”, based on ethnic identity, can provide an answer to the extreme social deprivation and impoverishment of the Aboriginal population. The chief beneficiaries of “native title” have not been the majority of Aboriginal people—whose social conditions remain dire—but a narrow layer of carefully cultivated indigenous businessmen, bureaucrats and lawyers.

While “native title” can be easily extinguished by the passage of legislation, its existence nevertheless imposes restrictions on the use, division and sale of land that do not arise when it is owned privately. In a January 29 media release Macklin stated that any “underlying native title” in Ilpeye Ilpeye would be “preserved”. She provided no clear explanation, however, what the content of that title would be.

Government claims that individual home ownership in these communities will benefit Aboriginal people are a sham. While “native title” has done nothing to improve the lot of most Aboriginals, the introduction of freehold title in land will only exacerbate class divisions in these communities, undermine their already tenuous social solidarity and open them up for corporate interests.

According to Eric Tlozek of ABC news on February 2, Macklin has said the government will work with Ilpeye Ilpeye residents to establish “safeguards” to prevent non-Aboriginal people from buying the land. However, there is no guarantee once the land can be bought and sold by individual owners. Tellingly, Karl Hampton, minister for Central Australia in the Northern Territory Government, conceded that land could be sold off to the “wider Alice Springs community”.

The involvement of Lhere Artepe Aboriginal

Corporation—the native title representative body for Alice Springs—highlights the acquisition’s commercial impetus. According to the web site *digedi*, the “Indigenous Business Services Directory”, Lhere Artepe facilitates “meetings and engagement between Central Arrente people” and a “cross-section of industry, including mining and construction”. Macklin decided to compulsorily acquire the land after meeting with Lhere Artepe and the directors of the Ilpeye Ilpeye Housing Association.

Darryl Pearce, CEO of Lhere Artepe, has already indicated his support for the acquisition of land from Aboriginal communities through the operation of the capitalist market. Speaking to ABC Darwin on February 3, Pearce said that Aboriginal residents “have a right to sell of [sic] their country, they are the traditional owners, and it’s going to be a choice for them to make in the future.”

Most importantly, the compulsory acquisition of Ilpeye Ilpeye establishes a new paradigm for the opening up of land held by Aboriginal communities more broadly. According to the *Australian* on January 30, Macklin stated she saw the deal as a “fundamental shift” and a precedent for other communities. Federal Opposition leader Tony Abbott supported the acquisition at Ilpeye Ilpeye, and was quoted in the same article saying that he was “happy this was going ahead” and regretted it had “taken so long”. In the aftermath of the acquisition, NT Labor Senator Trish Crossin has said the federal government will be investigating whether similar arrangements can be reached in Aboriginal town camps in Darwin.

The essential underpinning of the Labor government’s compulsory acquisition of Ilpeye Ilpeye is clear. Under the pretext of enabling Aboriginal people to own their own homes, some of the most oppressed members of the Australian working class are being coerced, or directly forced, to hand to the Commonwealth ownership of their land. This will directly serve the interests of business. In orchestrating these acquisitions, the Labor government is carrying through even more systematically the brutal pro-market agenda of the previous Howard government.



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