



Land Rights and the Aborigines

by PAUL KNIGHT

"Starvation and malnutrition were general amongst both children and adults."

DURING the last nine years Australian Aborigines have lost through confiscation, over two million acres of "Reserve Land." In the majority of cases this loss of land has taken place without even consultation with the occupants and without their involvement in any plans for their own future.

A documentation of what is described as a continuing theft of aboriginal land is given in a report by the Armidale Association for Aborigines, written under the joint authorship of three members of the Association*.

The Australian Aborigines who live on Reserves have no tenure or legal title to the land which they occupy. Aboriginal Reserves are set aside only *temporarily* for occupancy by the Aborigines. The land is Crown land, owned by either the local or Federal Government. Says the report: "The Crown retains all rights pertaining to that land. These include timber and mineral rights and the right to sell or lease the land without the knowledge or consent of the Aboriginal occupants. In this way much reserve land has passed from Aboriginal to white occupancy over the years, and the process continues to the present day.

"This means that Aborigines live on Reserves entirely at the grace of the Government; they may be evicted at any time and the land may be leased or sold without their knowledge or consent and without any form of compensation. They have no security of tenure, no right of appeal and no say in the administration of the land.

"The distressingly few exceptions to the above situation only serve to underline the dismal plight of the Aborigine and his land rights."

An argument used to justify the annexation of land from the Aborigines is that settlers occupied only empty land, but the fact is that the Aborigines led a type of nomadic life necessitated by the prevailing conditions, and their groups moved in a well-defined pattern over their territory. Their movements were regulated by the seasons and the rains. It was important that they did not stay too long in any one place so as to preserve the natural food supply. The groups were bound together into tribes but without any authoritarian leader or political organisation and this independence made them particularly vulnerable.

"Thus, the Aborigines were unable to present a united front to the invaders, and had no machinery to formulate a policy to deal with the problem. Living in small groups and without national leadership, the Aborigines were

easily evicted . . . The Government, when it claimed all land by proclamation, made no treaties with the Aborigines nor recognised their rights to any land. Thus the Aborigines were left without title or right to any part of Australia, and without any form of compensation for the land confiscated from them."

With the progress and expansion of the Australian economy, land that was regarded as poor and undesirable is now looked upon differently because of its value as a potential source of minerals and timber.

Various schemes of "compensation" have been devised and "welfare funds" have been set up. But no fixed amounts have been specified, nor regular payments. "Aborigines can expect little more than peanuts, especially if the present Government is defeated at the next election," comment the authors. "In summary, it seems that some of the States are paying covert recognition to the Aborigines' right of occupancy on the Reserves by making token payment out of royalties. But this token payment cannot be regarded as adequate compensation for the large areas of Reserve land progressively being confiscated to allow further mineral exploitation."

Among examples of recent "land grabbing" given in the report is that of the evictions that followed the setting up of the Woomera rocket range in the late 1940s. All Aborigines in the vicinity were removed, traditional hunting grounds were lost and extreme hardship followed. The report of a select committee set up by the Western Australian Government confirmed unanimously that as a result of eviction from the testing area, "starvation and malnutrition were general amongst both children and adults. The reduced amount of land they were now permitted to occupy was insufficient as a hunting area to adequately provide food for the people."

The construction of the Giles meteorological station in a fertile area of a reserve made an essential water hole inaccessible, which seriously reduced food supplies. The report continues:

"At Cape York, in 1957, the Queensland Government granted to Comalco Co. a mining lease with 2,500 square miles of Reserve land. Aborigines occupying the area were evicted, often without prior knowledge or consultation . . .

"In 1963, several Aboriginal families were forcefully moved from Mapoon Mission to Bamaga and Weipa, despite earlier promises made by the Queensland Department of Native Affairs that nobody would be moved against their will. In this case it was reported that after families were forcefully removed, Departmental employees re-

*Mrs. M. I. Eberle, J. T. Smith, A. B. Lloyd. Published in *Tharunka*, journal of the University of New South Wales Students Union.

mained behind and destroyed and burnt the cottages of the evicted people . . .

"An area of 140 square miles in the Yirrkala Mission on the Arnhem Land Reserve was leased for mining bauxite in 1963. The Aborigines living in the area had their tribal hunting grounds confiscated without consultation. These Aborigines, however, petitioned Parliament and as a result a Select Committee was set up to investigate. The Committee concluded from their findings that the Aborigines had a moral right to the ground of their ancestors. The outcome, however, remains in doubt and local Aborigines state that they doubt that the Balande (white people) can safely be trusted."

Apart from the serious loss of land for hunting and food supplies, says the report, the results of this alienation are that "those who are forced to leave their people and live isolated lives in the white community often have few or no skills and little knowledge of how to adapt to this alien way of life."

"In few cases is any attempt made to prepare the receiving community or to educate or train the adult Aborigines had a moral right to the grounds of their ancestors. In consequence, they become a frustrated, apathetic and dispirited people, who have lost their identity. While they remain thus, they are incapable of providing the springboard into modern life that their children's future demands."

Among other things the report calls for the creation of an Aboriginal Land Trust administered by a board of Aboriginal trustees who would take over all titles to Reserve land including those now leased to whites. The Trust would have no right of sale or permanent lease.

The report concludes: "Land dispossession is not past history, but is continuing unabated today. We repeat that Aborigines have lost over two million acres of land since 1959, and it appears they will continue to lose their land to pastoral, mining and oil companies, unless something is done . . .

"The Reserve, by providing both a training ground and the security of a homeland, could provide the basis for a sense of group recognition and group pride. Out of this could come the self-confidence and independence so necessary if the Aborigine is to take his rightful place among the respected communities of our Australian nation."

BOOK REVIEWS BY ROY DOUGLAS



Dark Satanic Mills

THE TOWN LABOURER 1760-1832 by J. L. and Barbara Hammond is a classic work, first published in 1917 and often reprinted. A new edition, in paperback form (Longmans, 14s.) has recently appeared. The book

RUSSIAN ABORIGINES

THE KORYAKS, aborigines of North-East Siberia have staged a new choreographic suite *Hololo* ("Holiday"). This is a series of scenes showing the life of this small nation of seven thousand.

The Koryaks live in the north of the Kamchatka peninsula. Their local council has an area of nearly 116,000 square miles under its jurisdiction. Their main occupations are reindeer-breeding, hunting and fishing, which bring them annual incomes running into 45 million roubles.

The way of life of the Koryaks has completely changed over the past fifty years. They used to live in mud huts but they now have houses wired for radio and electricity and have cinemas and libraries, and eighteen hospitals with free medical services. Many Koryaks have become teachers, engineers, doctors and veterinary surgeons.

Formerly, they were almost wholly illiterate and had no written language of their own. Now there are Koryak writers educated in Moscow and Leningrad.—Novosti Information Service, Moscow.

is a famous and harrowing story of the misery and degradation of the early years of the industrial revolution.

Whether we accept or reject the contention of Hayek and others that the conditions of the poor were actually improved rather than reduced during this period, there is no gainsaying that the story which the Hammonds tell, and which they document with such impressive scholarship, is a horrible one indeed.

What is the moral? An earlier generation tended to draw from this and other similar works the conclusion that the evil thing, the *causa in esse* of this suffering, was economic *laissez faire*. Yet a similar tale could be told of almost any society in recorded history. Some of us may see common features in these societies, notably as far as land tenure is concerned, and may conclude that the primary cause of this exploitation and misery lay in these common features.

But there are other lessons to be drawn as well. In spite of the last few chapters, where the protests and grumbles of the poor and their defenders are examined, the palatable fact is that for most of the time, most people, rich and poor alike, accepted the prevailing order of things without serious question. Even when we do find them protesting, we often find the grounds of their protest intensely conservative. A wealthy *parvenu* is arraigned by the poverty-stricken workers as much for presuming to the state of his social betters as for acquiring his wealth unjustly. Workmen were sometimes angry about bosses who had risen from the ranks—but they were dazzled by lords.

It is instructive to examine the arguments advanced in defence of the social inequalities of the time. Some of these arguments were very impressive, and it is hard to pick out the fallacy. There is much more to be said for Malthus (*pace* Henry George) than some of us care to