



PAPERS PRESENTED BY
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NATIONAL ABORIGINAL CONFERENCE
AT THE
INTERNATIONAL NGO CONFERENCE ON INDIGENOUS PEOPLES AND THE LAND

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THE NATIONAL ABORIGINAL CONFERENCE
- TOPIC ONE - LAND RIGHTS AND TREATIES

Anthropologists have for years sought to understand the link between Indigenous peoples and their land. They have discovered that, in a traditional sense, land is the incubator of life itself and that this relationship is observed, with religious significance, in myths, legends and laws. Land, to traditional Aboriginals the world over, is the cathedral of life and it provides all that is necessary to sustain the body and the spirit.

Traditional Aboriginals of Australia hold to this truth, and it is the basis on which contemporary Aboriginal society has launched an offensive on bureaucracy aimed at securing title to at least part of the land that for countless generations was theirs and theirs alone.

In 1971, a noted Anthropologist said, as result of his studies into this vexed question:

"In Aboriginal Australia generally, land was traditionally inalienable. Throughout most

of Aboriginal Australia there were basically two kinds of small social groups, each related to the land in different ways. One through descent, directly or otherwise, the other through occupancy and use. The first was an exogamous unit, such as a clan, associated with a site or combination of sites. This was a landowning group and its focus was on these sites and the areas immediately adjacent to them. Their ownership was not a personal or individual affair, and territorial claims were not transferable. The land was held in trust collectively in a time perspective which extended indefinitely back into the past and forward into the future. The other type of unit was what has usually been called a horde. This was a land-occupying and utilising group concerned predominately with uniting and food-collecting.

"These two kinds of units reflected the two basic views in social life - the religious and economic, viewed as interdependent. All Aboriginals, male and female, were simultaneously members of both kinds of unit, but adult males had two distinct roles. In one, as land-owners, they were land-renewing or land-sustaining in the

sense of keeping basic machinery going. In the other, with their women-folk, they were land exploiting. To appreciate the question of land tenure in Aboriginal Australia these two facts must be taken into account."

Professor Berndts observations now form part of the awareness of the people, and the Governments, of Australia of the importance of the Land Rights struggle, and they have assisted in winning limited Land Rights for Aboriginals in three States - South Australia, New South Wales and the Northern Territory. Other States have yet to follow this lead.

Since colonisation, of course, Aboriginal right to land has been a contentious issue, despite quite clear instructions issued to the first settlers by London.

Captain Cook was told: "You are also, with the consent of the natives, to take possession of the country in the name of the King of Great Britain". It is historical fact that such consent was never sought or received.

As the colony expanded, Aborigines were dispossessed of traditional lands and made to feel as refugees in their own country. Only one new settler gave recognition to Aboriginal title. John Batman entered into a treaty with Aborigines of the area of Melbourne, but this was declared null and void by official proclamation. The proclamation warned that settlers claiming title to land by virtue of such treaties would be regarded as trespassers on land belonging to the Crown.

It has taken 200 years for these attitudes to soften, and there is still a measure of resistance born largely of ignorance. However, the Federal Government, in April 1979, agreed to discuss the signing of an agreement

with the Aboriginal people, negotiated through the National Aboriginal Conference.

The Conference expects that Land Rights, along with the issues of health, education, housing, employment and so on, will form a basis for these negotiations.

THE NATIONAL ABORIGINAL CONFERENCE
- TOPIC TWO - IDEOLOGY AND PHILOSOPHY

The land, for traditional and tribal
Aboriginals, is a spiritual landscape peopled in spirit
form by ancestors who originated in the creative past.
These ancestors traversed the continent engaging in
adventures that created the people, natural land features,
and the code of life called the Dreaming or the Law. This
law has passed through countless generations and is
manifested in artistic, linguistic and religious forms.

Aboriginals, traditional and tribal, related to
each other through the land. Before colonisation there
were an estimated 300,000 Aboriginals in Australia speaking
500 languages, and yet they shared a blanket philosophy
related to the influence of the Dreaming.

The traditional Aboriginal economic mode was
one based on hunting and gathering according to a seasonal
calendar and within defined clan territories. Such clans
interlocked through marriage and religious beliefs and
each consisted of descendants of a common ancestor.

Today this ancient and enduring philosophy is facing the challenge of western confrontation. The difference between such dissimilar ideologies is that one, the western, is materially based, while traditional Aboriginal society is spiritually based.

The indigenous people of Australia, therefore, find themselves in the same situation as other fourth world groups. They are embedded in a society composed largely of those who have come to live in their land and, as such, are determined that they will not surrender individuality of identity.

It is this identity which has created an ideology for living and surviving throughout a period which has seen inevitable destruction of traditional ways. Few now, even if they wanted to, could embrace those ways again.

Aboriginals, of course, have the right to be what they want, what they are. They have the right to independence, self determination and their own destiny. While they must accept the inevitability of co-existence with others they must also be allowed to maintain dignity and integrity through personal and communal development.

Fortunately, their rights to independence and self-determination are being increasingly acknowledged and promoted.

Today, Aboriginals have the choice of traditional values, or the pursuit of those of contemporary Australia. Many are choosing the latter and this initiative is being encouraged by Government which, however, must bear the criticism for acting too late and too slowly.

But valuable progress has been made, and many Aboriginal people have availed themselves of the benefits. Education is now more widely available, at all levels, and the slow trickle of professional and commercial graduates could swell to a flood in years to come. In this lies the secret of facilitating improvements in the areas of health, employment and the like.

The Government was responsible for establishing the National Aboriginal Conference, which I represent before you today, to ensure that Aboriginal views are strongly represented in the policy making that affects them.

It has established the Aboriginal Development Commission to assist self-determination through the provision of funds for enterprise and endeavour.

These improvements in Aboriginal status are real and cannot be ignored. Yet of course there remains

much to be done, and the frustration of Aboriginals at the slow pace of progress is to be understood.

A greater commitment by Governments to the urgent provision of adequate housing and health services would do much to ease the agony of transition that blights their entry into the 21st century.

THE NATIONAL ABORIGINAL CONFERENCE
- TOPIC THREE - MINING AND MULTINATIONALS

Mining companies aim for profit, and to ensure that this occurs they must be ruthless in pursuing economic interests. Because of their size, multinational mining companies can draw on considerable economic, political and industrial power to aid this pursuit. Since the 1950s, western consumption of minerals has risen well beyond the domestic base resources of these companies and so they have embarked on a world-wide hunt for cheap, easily accessible deposits.

In this search they have encountered traditional tribal peoples living a self-sufficient way of life. Though the land on which they live is rich in minerals they have little need of same and therefore no need to mine. They have no way, however, of protecting their lands since political and economic power is in the hands of the colonisers, and title has generally been usurped.

The multinationals generally negotiate with Governments on the basis that development will improve the lot of the original land occupiers, though it has been proven that the reverse is often the case.

Unfortunately for Australia's Aborigines, the multi-nationals are enjoying much success in their quest throughout the continent and the resultant activity has a significant impact on daily life of traditional tribal people.

Traditional culture focuses on this people-land relationship and any threat to the land confronts directly the integrity and social fabric of threatened communities.

Violation of certain Sacred Sites has already occurred. Iron Ore miners in the north of Western Australia have literally levelled a mountain which was of the deepest spiritual significance to its traditional owners. In

another area, a Sacred Site known as Mt Brockman, uranium will be mined despite consistent and articulate Aboriginal opposition. Again in Western Australia, the Amax Corporation of the USA, aided by the West Australian Government, drilled an oil well in the centre of a Sacred Site at Noonkanbah. To supply water to these developments, the same Government is considering a plan which endangers Sacred Sites through flooding which will result with the damming of the Fortescue River. This river is Sacred from its source to the sea. At the Argyle diamond mine, the mining giant CRA has begun working on areas known to contain Sacred Sites.

And in addition to this direct assault, mineral exploration activities bring more insidious threats to Aboriginal people in the area. With large numbers of single itinerant male workers being imported, the Aboriginal communities suffer the degeneracies of prostitution, alcohol abuse, family breakdown, health problems, neglect of children and marginalisation.

Yet for Multinationals the mine which devastates an Aboriginal community is quite possibly just one of a number of global options through which it can meet its economic goals. The inequality of power between the companies and the Aborigines whose land they invade is stark. Without legislative recognition of Aboriginal's rights it is inevitable that what remains of their traditional culture will be destroyed by the pursuit of company profits.

The National Aboriginal Conference accepts that the land possessed by Aborigines 200 years ago can never be regained in full. All Australians, whether of Aboriginal or European descent, are there and have the right to be there and so an equitable system of land sharing must be devised.

Such is possible only with renewed and continuous negotiations between Government and Aboriginal representatives, based on tolerance, goodwill and understanding.

THE NATIONAL ABORIGINAL CONFERENCE

RESOLUTIONS ARISING FROM

PAPERS GIVEN AT GENEVA CONFERENCE

ON

INDIGENOUS PEOPLES AND THE LAND

RESOLUTION 1

That the Federal Government reconfirm its commitment to negotiate an agreement, called a Makarrata, with the National Aboriginal Conference on behalf of all Aboriginal Australians.

RESOLUTION 2

That Aboriginal Studies be mandatorily included in Educational Curriculums at all levels to facilitate greater understanding and respect between all Australians.

RESOLUTION 3.

That the Federal government establish a tribunal consisting of representatives of Federal and State Governments, Mining interests and the National Aboriginal Conference to meet as necessary with Traditional Aboriginal Communities affected by existing or potential Mining activity in an effort to resolve conflicts for the common good.

National Aboriginal Conference Documents

AIATSIS Library, PMS 4159

"Papers presented at the International NGO Conference..",

Cedric Jacobs.

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