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ABORIGINAL AUTONOMY: THE FUTURE OF INDIGENOUS  
DEVELOPMENT IN WESTERN AUSTRALIA

by

Matthew B. Eugster

A Thesis  
Submitted to the  
Faculty of The Graduate College  
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Matthew B. Eugster

# ABORIGINAL AUTONOMY: THE FUTURE OF INDIGENOUS DEVELOPMENT IN WESTERN AUSTRALIA

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Western Michigan University, 1997

The prospects for development within the Aboriginal society of Western Australia were the focus of this study. The Primary intent of the study was to examine the causes behind an apparent lack of development within Aboriginal society. Next, the study examined possible remedies for the situation.

The study determined that the lack of development in Aboriginal society can be attributed primarily to social dysfunction (or social dislocation). Furthermore, social dislocation could be attributed to cultural deprivation or the inability to practice one's culture. It was proposed and established that cultural and political autonomy would provide an environment more suitable for Aboriginal development. Last, the study addressed the feasibility to proposals for autonomy and possible outcomes resulting from the enactment of such a proposal.

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## CHAPTER I

### THE ABORIGINAL DILEMMA

The plight of the Australian Aborigines has, for years, been a well document and highly publicized issue. Aboriginal society has been placed under a microscope in an attempt to explain the lack of indigenous development within the Australian society. Aborigines have been the subject of countless studies, books, reports and documentaries. Increased attention, however, has not resulted in improved conditions for Aborigines. On the contrary, there remain some very serious social and economic obstacles for Aboriginal society to overcome.

Most notably, Aborigines exhibit high rates, of alcoholism, suicide, unemployment and substance abuse. And, much like African-American males, Aboriginal men are statistically much more likely to spend time in prison than their white counterparts. In a related concern, Aborigines experience an unparalleled rate of deaths in custody. Taken as whole, these problems represent a widespread social dysfunction within Aboriginal society.

*The Report of The Task Force on Aboriginal Social Justice* (1994) found that Aboriginal men suffered health risk from alcoholism at a rate more than twice that of the white male population. They also determined that "Hospitalization rates for



conditions associated with alcohol abuse are much higher for Aboriginal people than for non-Aboriginal people. In remote areas 80-90% of all assault arrests are related to alcohol" (Government of Western Australia 1994: 7).

Aboriginal health is proportionately much worse than that of the general population. Lack of access to medical facilities, poverty, and poor nutrition all contribute to this situation.

The health of Aboriginal people is significantly worse than that of non-Aboriginal people. This is reflected across many problems and indicators, the most obvious being expectation of life. An Aboriginal child at birth can expect a life span nearly twenty years less than that of a non-Aboriginal child and infant deaths are twice as high for Aboriginal people (Government of Western Australia 1994: 6).

From an educational standpoint we can also observe correspondingly low retention rates. Only 20% of the Aboriginal population completes secondary school compared to 80% of the total population. (Government of Western Australia, 1994: 7). "The Royal Commission Into Aboriginal Deaths in Custody observed that generally Aboriginal education was characterized by lower levels of access, lower levels of achievement, lower retention rates and inadequate and inappropriate education" (Government of Western Australia 1994: 7).

In economic terms Aborigines are not much better off.

The Aboriginal unemployment rate is three times higher than that for the total population. 53% of employed Aboriginal people are in the private sector compared with 72% for the total population. Aboriginal participation in economic development initiatives is also disproportionately low (Government of Western Australia 1994: 8).

Unemployment rates begin to demonstrate the economic predicament of the

Aboriginal population, but they do not reflect the differences in pay scale and position between Aboriginal and non-Aboriginal people in Western Australia. Possibly even more significant is the difference in housing conditions. Only 20% of Aboriginal households are owned compared with 70% of the total population, and "13% of Aboriginal dwellings are improvised homes such as sheds and tents" (Government of Western Australia 1994: 8).

There is a wealth of documentation which provides evidence of the detrimental economic and social conditions which plague Aboriginal society (i.e. high rates, of suicide, teen pregnancy, incarceration, and substance abuse). What I seek to demonstrate, however, is the widespread social dysfunction which permeates Aboriginal society. It is this social affliction which presents the Aboriginal dilemma. This begs the question . . . "What is the cause of Aboriginal social dysfunction?"

I shall argue that the primary cause is cultural conflict rather than some sort of predisposition toward social illness or unrest. Aborigines suffer social dysfunction because they are blocked from fulfilling their culture. "The denial of cultural and spiritual heritage and the lack of recognition of relationship to the land are the root cause of loss of identity, loss of health, and subsequent degradation" (Mudrooroo 1995: 197). For tens of thousands of years, Aborigines have practiced a culture which is founded upon deep beliefs in tradition and tribal interdependence. But since colonization, Aborigines have been subjected to a foreign culture which is founded upon entirely different principles. Aborigines have been and continue to be subject to Western cultural norms, Western laws, and a Western economic system. The

imposition of Western culture by British settlers has, in effect, prohibited the continued practice of Aboriginal culture.

This failure of Aboriginal culture to maintain a sense of identity and cohesion in the face of Western domination has created an environment in which social dysfunction is the norm. Aborigines remain unable to dictate their own future; they are unable to choose the path of their development or even their culture.

In Australia today, Aboriginal people are still held hostage, in the main, to images created by non-Aboriginal Australians. The power of a people to say who they are, to define their own identity and to relate their own history is fundamental to their own existence and the perpetuation of their cultures. To deny a people their law, languages and the use of their land is a basic denial of human rights. These fundamentals and other trappings of civilization were systematically stripped away from most of the indigenous people of Australia (Bourke, Bourke, and Edwards 1994: 4).

Aborigines today remain a nation within a state; an indigenous group that has chosen not to assimilate into the greater Australian population. Aborigines have consistently chosen to retain Aboriginal culture while disregarding the possible economic and social benefits of assimilation. Dean Howard Smith has made similar observations about Native American Tribes and their attitudes toward Western lifestyles . . . “Only when the individual tribe controls both its own resources and sustains its identity as a distinct civilization does economic development make sense; otherwise, the tribe must choose between cultural integrity and economic development” (Smith 1994: 177).

The breakdown of Aboriginal culture is responsible for Aboriginal social dysfunction. To comprehend the significance of Aboriginal culture within tribal society is central to understanding the more basic causation of this social dysfunction.

Aboriginal culture is unique and the understanding of ways in which Aboriginal culture differs from Western culture is vital to establishing the incompatibility of Western and Aboriginal cultures.

While my central argument is built upon the assumption that there is a link between cultural obstruction and social dysfunction, there are a number of underlying propositions which also merit consideration. In Chapter II-Aboriginal Culture I have attempted to give an overview of the cultural elements of Aboriginal society that have driven the cultural conflicts between Aboriginal and non-Aboriginal Australians. My argument then progresses from the assertion that Aborigines are blocked from fulfilling their culture: in Chapter III-Aboriginal Policy, I suggest that there is an inherent clash of cultures within the Australian social context which make it difficult for Aborigines to participate as members of the greater Australian society. Aborigines are not only blocked from fulfilling their own culture; they are also continually encouraged to adopt Western cultural values and norms. It is this cultural conflict, stemming from Western cultural dominance, that is the basic cause of the Aboriginal social dysfunction.

Western society, through the modernization and industrialization of Australia, has inadvertently placed Aborigines in the path of progress. However, we cannot address the issue of cultural integrity without examining the role of the Australian government in and on Aboriginal society. There are some very significant policy considerations regarding the direction and intent of the Commonwealth government's regulation of Aboriginal society. In Chapter IV-The Issue of Aboriginal Development,

after examining both present and historical Aboriginal policies, I will argue that Aboriginal policy was not malicious in its intent. While there may have been and may currently be discriminatory or disruptive policies, the Australian government would seem to have the best interests of the Aborigines in mind. Policy, has been misdirected rather than intentionally damaging. Though Aborigines have a unique value system, they have been subject to Western development principles: development principles which have been essentially unsuccessful in promoting development. Aborigines are unique, and having established that Aborigines have a unique value system, we can justify the need for development policy based on Aboriginal values as opposed to Western values. The chapter also explores non-traditional definitions of development which are more in line with Aboriginal philosophy (David Korten's People Centered Development). Korten addresses development from a quality of life perspective which does not necessitate economic development as a requirement for development.

Chapter V-Evidence of Policy Misdirection presents a more empirical argument than previous chapters, illustrating through the results of various studies and surveys, the poor conditions and lack of development within Aboriginal society. In this chapter I have also noted the failure of various Aboriginal-sponsored land reform campaigns. The inference that the denial of Aboriginal lands rights has provided another barrier to Aboriginal development relates once again to the idea that Aborigines are blocked from fulfilling their culture.

This leads into Chapter VI-The General Case for Autonomy which concludes that, because Aboriginal development has been obstructed by the imposition of

Western cultural values and norms, autonomy would be in the best interests of the Aboriginal population of Australia. The assertion is made that autonomy provides an environment more suitable to Aboriginal development than the present structure allows. There is deep conflict of interests that confronts the Australian government in its regulation of Aboriginal society, forcing the government to choose between Aboriginal interests and economic development. These conflicting interests make it difficult for Australian officials to objectively legislate in the best interests of Aborigines.

Citing three different examples from Western Australia and Canada, Chapter VII-Case Studies relates, on a micro level, the results of misdirected government policy. The case studies deal primarily with confrontations over land rights between Aborigines and the Western Australian government; these case studies help to demonstrate both the importance of land in Aboriginal society and the need for autonomy at the tribal level. Chapter VII also contains a comparative case study in which the Canadian Nuwanut nation is considered as precedent for indigenous autonomy.

Having already established a general case for autonomy, Chapter VIII-Autonomy Defined seeks to provide a much more detailed explanation of what autonomy would entail in the Aboriginal situation. Much more specific, this chapter outlines the various components necessary for autonomy, and justifies these components on an individual level. Chapter VIII seeks to rectify the proposals of various Aboriginal groups with social and political realities. In an effort to play devil's

advocate, Chapter IX-Barriers to Autonomy in Western Australia addresses the various obstacles to Aboriginal autonomy that accompany such an argument. This chapter examines, on an issue by issue basis, the factors that could serve to complicate or impede the Aboriginal autonomy movement.

Chapter X-Autonomy Implemented considers what results could be expected were a proposal for Aboriginal autonomy implemented in Australia. This chapter suggests that social dysfunction would be gradually alleviated with the realization of autonomy. Expectations regarding economic and political direction are also mentioned. Finally, Chapter XI-Final Conclusions contains a summary of the various argument presented.

## CHAPTER II

### ABORIGINAL CULTURE

Aboriginal society is founded in tradition and history. Therefore Aboriginal culture and Aboriginal history are, at times, indistinguishable. Aborigines are known to have lived in Australia for the last 40,000 years, a period in which they developed in relative isolation.

That isolation was increased by the sheer size of the continent and the unchanging constancy of its environment. Because of these and other factors, the inhabitants of Australia made very different use of their basic human gifts and abilities compared with the people of Europe and elsewhere (Griffiths 1995: 18).

In other words, Aboriginal society and culture developed independent of outside influence. It developed a unique culture which had adapted to live in a unique environment. Aboriginal culture is intrinsically very traditional and spiritual.

The importance of spirituality and tradition in Aboriginal society cannot be overemphasized. Aboriginal world view is heavily influenced by past experience, tradition, and spiritual beliefs.

To the Aborigines both the physical and social environments derived from and were sanctioned by the more fundamental spiritual environment. Both originated in the Dreamtime, when spiritual ancestors traveled through the land creating its physical features and the creatures, including people, who were to live within it, and establishing patterns of behavior governing their relationship with one



another, and above all with the spirit ancestors themselves (Coombs 1990: 114).

The spiritual aspect of Aboriginal society which provided Aborigines with ties to the past was central to the social structure. In his work, *Land of Promises* (1989), Coombs states that Aboriginal philosophy is governed by:

. . . a set of beliefs which carries the authority of religion and ancestral law (which emphasizes) the continuity of their present experience with that of the past and seeks meaning for the present in terms of that past (Coombs in Young 1995: 3).

So the link between Aboriginal culture, history, and tradition helped to provide the Aborigines with a sense of worth and identity. The imposition of Western culture has diminished the strength of these ties as Aboriginal culture is obscured by the encroachment of Western values and ideas.

The traditional system by which stories and values were passed from generation to generation began to erode as Western culture forced its way into Aboriginal life. Mandatory attendance at Western schools and (in some states) the removal of Aboriginal children from their homes further diminished the strength of traditional Aboriginal society. Aboriginal socialization occurred in the home and through the family where storytelling and tradition helped to provide Aboriginal children with a sense of identity.

Notwithstanding the absence of a written language, Aboriginal societies were intricately organized with culture and knowledge being passed on through a system of education with a strong spiritual base. Through ancient oral tradition, the intricacies of social organization and elaboration of stories and rituals which expressed understandings about the origins and purpose of existence were maintained. Aboriginal people ensured the maintenance of social structures and the passing on

of the values through each generation. This was accomplished through a deep spiritual relationship with the environment which included a wide range of rights and obligations to guide their daily interaction (Bourke, Bourke, and Edwards 1994: 35-36).

In other words, Aboriginal socialization helped to provide Aborigines with a sense of purpose as well as a place within the society. Within Aboriginal culture status was determined by age, sex, and ability, and individual behavior was regulated by the group and through tribal laws and taboos. The emergence of a dominant Western culture destroyed the communal and tribal legal systems as well as the social control over individual behavior. The collapse of this social structure has left many Aboriginal groups without the ability to regulate socially destructive behavior (i.e., alcoholism, substance abuse, child neglect, etc.).

### Tribal or Customary Law

The foundation of Aboriginal society was undermined by the imposition of Western culture. Aborigines were no longer the masters of their own destiny. European settlers imposed Western laws and regulated Aboriginal behavior. The suspension of Aboriginal law left tribal leaders without the ability to punish Aboriginal offenders or to dispense justice within their society. Western law took precedence and claimed jurisdiction in all disputes and in the governing of Aboriginal society. Aboriginal law (also called customary law) is "difficult to define in non-Aboriginal terms because it covers the rules for living and is backed by religious sanctions. It also prescribes daily behavior" (Bourke, Bourke, and Edwards 1994: 49-50).

It was through customary law that Aboriginal society maintained order and also enforced traditional and social norms upon its population. The law was passed down from generation to generation in the form of stories and in this way Aboriginal children were taught to conform.

Aboriginal government was very decentralized and it was largely informal and loosely organized. This had a direct bearing on the maintenance of law and order. Within each group there were recognized forms of behavior with which its members were in fundamental agreement. Children were enculturated into the correct forms of behavior by their own families (Bourke, Bourke, and Edwards 1994: 50).

For those who committed offenses against Aboriginal customary laws, justice was dispensed within the tribal group.

In Aboriginal Australia there were no formal courts of law with specially designated persons vested with authority and power to deal with cases, to judge and to punish. Instead most problems were handled informally within the group by a council of elders (Bourke, Bourke, and Edwards 1994: 50).

Aboriginal justice was often severe, and the social controls provided tribal elders with the opportunity to punish violators and to regulate the behavior of the tribe. When the western legal system became the only recognized legal power in Australia, Aboriginal elders lost that power. Aborigines were no longer able to punish those members who engaged in activities outside of Aboriginal law.

### The Aboriginal Kinship System

Within the greater social system there was an underlying kinship system which also provided Aborigines with social order. Aborigines practice a kinship system in

which each person identifies with an extended family. At birth a child is not only the child of his biological parents, but will refer to any of his father's brothers as "father" and any of his mother's sisters as "mother." Cousins are considered brothers and so on. "Thus a person has several fathers, several mothers, and many brothers and sisters" (Bourke, Bourke, and Edwards 1994: 88). These groups share material wealth and responsibility for the welfare of the younger offspring.

Within the kinship system there are a number of inherent relationships between different family members. Within the family each individual played a specific role:

Mothers, aunts and grandmothers had special roles in educating young children. In societies that did not have chiefs or designated leaders with wide powers, kinship was important in resolving conflict and restoring harmony. If a member of a group did something wrong, certain members of the group, according to relationships, were responsible for punishing the offender (Bourke, Bourke, and Edwards 1994: 89).

So, along with Aboriginal law, the kinship system served to socialize and control the social behavior of individual Aborigines.

Since colonization, the Australian government has continually attempted to form tribal governments in which some members of the community were appointed as representatives to tribal councils. This met criticism and little success:

Majoritarian institutions do not work well in tribal societies. The politics of consensus maintained a balance of power among families and clans. Each social or kinship unit was equal, and retained an absolute right of dissent. Introducing a parliamentary system makes it possible for a coalition of families to oppress everyone else (Barsh 1988: 102).

The Aboriginal kinship system is not as effective as it once was, but remnants still remain which help to regulate Aboriginal society.

### Communal/Tribal Society

The Aboriginal worldview is one which places a great deal of emphasis on the relationship between man and the environment, and between the people themselves.

For this reason Aboriginal culture is very communal in nature. Aboriginal possessions are seen as goods to be shared within the family (or kinship system). There is a distinct division of labor by gender, but within the tribe Aborigines hunt, fish, and gather in groups. Food is shared, and land is not owned but occupied on a tribal level.

This level of collaboration contrasts directly within Western culture which places more importance on the individual achievements of its members.

Societies can place emphasis on either the individual or the social identity of a person. Western society places an emphasis on the individual . . . while . . . Aboriginal society places greater emphasis on social identity membership of a group and the obligations and responsibilities of individuals to conform to the expectations of others. It is a communal society where, even though the autonomy of each individual is respected, the individuality of each member receives less emphasis than their cooperative contribution (Bourke, Bourke, and Edwards 1994: 87).

For Aborigines the social structure provides both a means of group association and individual identity. In such a society individuals or leaders do not make decisions regarding group welfare. Rather, it is through a process of group consensus that decisions are made at the tribal level. Aborigines may be motivated to some degree by self-interest, but there is evidence to suggest that Aborigines, like many other tribal societies, engage in a more group oriented decision-making process.

For tribal people, who see the world as a whole, the essence of our

work is in its entirety. In a society where all are related, where everybody is someone else's mother, father, brother, sister, aunt, or cousin, and where you cannot leave without eventually coming home, simple decisions require the approval of nearly everyone in that society. It is a society as a whole, not merely a part of it, that must survive (From the *First Nations Report* in Smith 1994: 188).

The communal or group-oriented nature of Aboriginal society has implications within the greater Australian economy. The securing of employment usually means that Aboriginal men and women must leave the confines of their community and work within the White community, thus abandoning both their communal and kinship groups. Those Aborigines who do work outside of the Aboriginal community are expected to share their earnings with their family or tribe according to Aboriginal tradition. This practice makes it difficult for individual Aborigines to acquire personal wealth. Simply stated, Aboriginal philosophy and tradition conflict with Western ideas and practices regarding wealth and capital accumulation, making it difficult for Aborigines to fully participate within the Australian economic system.

### Aborigines and the Land

Possibly the most compelling reason to suggest that Aboriginal culture is in conflict with Western society stems from an unusual view of land; in Aboriginal philosophy the land is not something to be owned or manipulated. Rather, Aborigines view the land as a spiritual and living entity which must be respected and nurtured. It is difficult, in Western terms, to fully describe the Aboriginal relationship to the land. In *From Time Immemorial* Richard J. Perry attempts to define the Aboriginal concept

of land:

For many, social identity, in addition to the bonds of marriage and descent, derived from the spiritual essence people shared with the supernatural beings associated with sacred sites and features of the country. The intimacy of the inhabitants' relations to the land far exceeded European concepts of property ownership. They rested on a sense of intensely personal resonances with the focal points of sacred landscape where the activities of ancestral beings, timeless, in being both ancient and immediate, transcended European concepts of past and present. Rather than defining land as the property of humans as an aspect of the land, or more properly, of the entire multidimensional reality of the place, including its water and air (Perry 1996: 164).

In traditional society Aborigines did not "own" land in the classic sense.

Aborigines were territorial and were very protective of sacred sites, but, "The concept of ownership at other than the tribal or group level was quite irrelevant, because land was to be used by individuals and not owned in the common sense" (Bodley 1982: 84). In essence, land was communal at the tribal level, and while not "owned," land was protected from outsiders because of its spiritual implications for Aboriginal society.

To truly understand the Aboriginal view of land, or for that matter Aboriginal culture, one must have some understanding of the period which Aborigines refer to as "The Dreaming" or "The Dreamtime." In *Us Mob* the Aboriginal author, Mudrooroo, argues that:

No one can have an appreciation of Aboriginal culture together with the importance of the relationship of the land to that culture without understanding the history and beliefs of Aboriginal Australia . . . For this reason, in examining the question of the place of art and its relationship to the land in Aboriginal culture, it is essential to begin with the Aboriginal Dreamtime . . . The Aboriginal Dreamtime is the explanation of our existence; indeed, of the existence of all creation

(Mudrooroo 1995: 197-198).

The Dreamtime was and is for Aborigines, a source of identity and spiritual enlightenment. The stories of the Dreamtime are passed from generation to generation to pass Aboriginal values. In the following excerpt from *Us Mob* Mudrooroo explains the concept of the Dreamtime:

According to Aboriginal belief, all life as it is known today; human, animal, bird, fish, is all a part of one unchanging, interconnecting system, one vast network of relationships, which can be traced to the great spirit ancestors of the Dreamtime. The Dreamtime is our understanding of the World and its creation. It is the beginning of knowledge from which the laws of existence were derived.

In the beginning the earth was flat and featureless. There were no mountains, no rivers, no plants or animals; not one living thing existed. Unknown life forms slept below the surface of the land. Then these great spirits, in both human and animal form, made their dramatic entrance onto the barren landscape

The ancestors of the Dreamtime lived on the land in much the same way as us; they differ in that wherever, they stopped, wherever any event took place in their lives, they left behind them features of the landscape which remain today.

Wearied from their activities, the Ancestral spirits sank back into the earth. The points where they reentered the earth are described as sacred sites. It is from these places that we Aboriginal people of today derive our existence. They are the foci of our personal identity and they lie at the heart of our religious beliefs and our attachment to the land.

We Aboriginal people believe that in the Dreamtime our traditional way of life was established by these ancestral spirits; this way is still followed by those of us still following the old ways. We believe that our ancestors were taught about our tribal lands by the spirits, and were told how they should behave.

For us Aboriginal people, the land has special meaning, for all over the land, rivers, gorges, rocks and mountains are reminders of the great Spirit Ancestors of our Dreamtime creation.

When the Dreamtime ended, we were left with a social and cultural heritage which came from our Ancestors. Our Ancestors of the Dreamtime also gave us possession of tribal lands, and hence tribal land and all forms of life contained within it are regarded as a sacred



trust.

Land to us Aborigines is not a possession in material terms, as the white man looks upon land, but a responsibility held in sacred trust (Mudrooroo 1995: 199-200).

This passage demonstrates, to some degree, the affinity that Aborigines hold for the land. Moreover, it gives us a great deal of insight into the Aboriginal quest for land that is currently raging throughout Australia. Aborigines hold an uncompromising position regarding the return of traditional tribal lands and the protection of spiritual sites because their religious and spiritual life dictates that they must. Mudrooroo called this relationship a "sacred trust" symbolizing the spiritual attachment to the land.

Once again, I would put forth that one should not underestimate the importance of land within Aboriginal society.

The physical environment which surrounded the Aboriginal hunter-gatherers was not only the source of air, water, the food and the shelter necessary to survival. It provided also a physical context of which Aborigines were deeply aware, of which their knowledge was profound and with which they experienced an intimate relationship. No one who has had more than a passing contact with Aboriginal Australians within their traditional territory will fail to be conscious of the depth and significance of this relationship (Coombs 1990: 113).

This passage demonstrates to some degree, the magnitude of the Aboriginal relationship with the land. Aboriginal culture and Aboriginal land are almost inseparable concepts.

For this reason, I argue that land rights and land reform are central to Aboriginal development. Furthermore, any greater understanding of the causes of the Aboriginal social dysfunction requires a knowledge of Aboriginal culture and Aboriginal beliefs about the land and the environment. The Aboriginal understanding

of the Dreamtime influences almost every aspect of Aboriginal culture. Western culture has transcended the time when economic and political decisions were influenced by spiritual beliefs, but Aborigines have not. And, not surprisingly, land rights have been the principal cause of conflicts between Aborigines and the government.

### Conclusion

There remains a very basic explanation for the Aborigines inability or unwillingness to adapt to Western society and social norms. Aboriginal society existed in isolation for almost 40,000 years, and yet Aborigines were subject to radical and unforeseen social changes within the course of a few generations. Aboriginal culture could not adapt quickly enough to meet the needs imposed upon it by Western society. It is not my contention that Aborigines cannot or should not adapt. All cultures adapt and change to meet the needs of their environment. At the very least, Aborigines must learn to adapt to coexistence. It is the rate at which a culture is able to adapt that is in question. Western society imposed drastic and sweeping social changes upon Aboriginal society over a very short period of time, and we were disappointed when Aborigines did not immediately respond to efforts at 'civilization'.

Aborigines can therefore be seen as having been compelled to adapt, within a few generations, to material and social changes which elsewhere have spread over 10,000 years. These changes were achieved by destructive aggression and forced them out of their habitat . . . The physical changes may well have been less damaging to Aboriginal lifestyle and therefore to Aboriginal health than the enormously different social, economic and spiritual character of the

total environment which Aborigines had to confront after white colonization. To them and their forebears, periods of acute scarcity must have been an ever-present threat to their existence through the dramatic climatic changes of 40,000 years, but their cultural and spiritual ambience had, through these periods, served as a source of security (Coombs 1994, 58).

What I have sought to demonstrate in this chapter is an overriding clash of cultures which makes it difficult for Aborigines to function and participate as members of the greater Australian society. Further, I suggest that it is this cultural conflict that is the basic cause of the Aboriginal social dysfunction. I believe that this excerpt from H.C. Coomb's *Aboriginal Autonomy* helps to illustrate the problems at the heart of the Aboriginal dilemma:

Every aspect of the life of an Aboriginal child confronts him or her with this conflict of values-between the assimilationist objectives of White Australian policies and the deeply ingrained attitudes and patterns of behavior of Aborigines. In my view this conflict is so fundamental and is internalized so deeply in the minds of Aborigines that it induces in many a state of mental confusion and emotional stress amounting often to psychiatric disorder: a disorder that lies at the heart of many of the issues which underlie the more immediate causes of incarceration and deaths in custody (Coombs, 1994: 21-22).

Coombs goes on to say that there is a link between the collapse of the Aboriginal social structure and the social dysfunction that Aboriginal society is currently enduring. It has been noted that:

... older men and women frequently emphasize the link they believe exists between the failure of contemporary Aborigines to fulfill the obligations and observances of Aboriginal law and the marked increase in these behavioral problems. Aboriginal patterns of socialization are subjected to enormous pressures by current assimilationist objectives of government policies (Coombs 1994: 68).

Aborigines are not only blocked from fulfilling their own culture; they are continually

encouraged to adopt different facets of foreign Western culture. Meanwhile, Aborigines are left without a sense of place or identity, resulting in widespread social dysfunction.

### CHAPTER III

#### ABORIGINAL POLICY

Aborigines have not integrated with the greater Australian society. Historically Aborigines had little success either in dealing with European settlers or in integrating with the European culture. The pre-colonial Aboriginal political environment did not prepare Aboriginal leaders for dealings with a Western culture. "Because of the degree to which power and authority were diffused in traditional Aboriginal society, Aborigines were in a particularly weak position to withstand European encroachment" (Howard 1981: 39).

Rather than act as a cohesive group, Aborigines were apt to buckle under pressure from White society. Aboriginal leadership was unable to affect change; Australian officials often managed to co-opt Aboriginal leaders or instate puppet representatives to positions of authority within Aboriginal society.

Since the adoption of a policy of assimilation by the Western Australian government after the Second World War, there has been a strong tendency on the part of Whites, especially those in government departments, to recognize as legitimate leaders only those Aborigines who act and live in a manner deemed to be normal for middle-class Whites. This has often meant that an aspiring leader has had to renounce or minimize his relationship with other Aborigines (Howard 1981: 39).

Aborigines were actively encouraged to become Westernized and ridiculed or

punished for practicing Aboriginal culture. The assimilationist policies began soon after colonization as the need for an increased workforce became apparent.

Aborigines were cheap labor and could be easily controlled. Aborigines in and around urban or settled areas were recruited as shepherds or farm hands. They received poor wages for hard work. Even Australian convicts received better treatment at the hands of their jailers. Aborigines who left their jobs were often hunted or imprisoned.

Today, Aborigines remain an underprivileged group living within a thriving, advanced industrial nation. In this century, there has not been a concerted effort on the part of the government to persecute Aboriginal groups. On the contrary, the Commonwealth government enacted a policy of assimilation, meaning that Aborigines should be treated just as any other Australian in hopes that they would adopt Western ways. At the 1961 Native Welfare Conference the Commonwealth announced that:

The policy of assimilation means in the view of all Australian governments that all Aborigines and part-Aborigines are expected eventually to attain the same manner of living as other Australians and to live as members of a single Australian community enjoying the same responsibilities, observing the same customs and influenced by the same beliefs, hopes and loyalties as other Australians. Thus, any special measures taken for Aborigines and part-Aborigines are regarded as temporary measures not based on color but intended to meet their need for special care and assistance to protect them from any ill effects of sudden change and to assist them to make the transition from one stage to another in such a way as will be favorable to their future social, economic and political advancement (Bennett 1989:23).

Clearly, Aborigines were given an opportunity and even encouraged to assimilate into the “melting pot” culture of Australia, and yet Aborigines have chosen to retain their cultural identity rather than adopt Western lifestyles. Aborigines were not, however,

given an opportunity to retain their culture, on the contrary:

The proponents of the assimilation policy went to considerable trouble to describe the objective: a future in which the Aborigines would conform to the middle-class values of other Australians . . . The aim having been defined, officialdom got busy to change the Aboriginal psyche. The extraordinary administrative and educational operation appeared sound enough to justify enormous expenditure and much Aboriginal suffering. But it was very bad social science. It begged the question of what was to happen to Aborigines. It left out of account or simply assumed, on no evidence, their motives and their reactions. It presumed that a seemingly humane transition to a 'final solution', where it was promoted in a managed programme could be managed by a bureaucracy. It gave jobs to the officials and made matters worse for the Aborigines (Rowley 1986: 147-148).

The assimilation policies were, as Rowley points out, destructive to Aboriginal society. It placed them under the influence of Western officials and eroded the traditional authority of tribal elders. In fact, within Aboriginal society . . .

"Assimilationist aims to introduce European modes of living was seen as an attack on Aboriginal culture, with its distinctive relationship to the country and community" (Grimshaw et al. 1994: 299).

While the Commonwealth government may not have had malicious intentions, it would be inaccurate to propose that the assimilation policy was enacted merely to provide Aborigines with equal rights. Assimilation policies were developed in response to what John Bodley refers to as the "wardship principle" (Bodley 1982: 11).

The wardship principle:

. . . defines the relationship between tribal societies and the state to be that of a benevolent parent-guardian to a ward who must be protected from his or her own degrading culture and gradually reformed or corrected (Bodley 1982: 12-13).

Bodley is suggesting that Western cultures have a tendency to protect or shepherd what they consider to be less advanced cultures rather than to deal with them on an equal basis. From the onset of European settlement in Australia this attitude has persisted. Max Griffiths also argues that Aborigines have long been seen as a less advanced people: "Regarded initially as a people encapsulated in a Stone Age culture, Aborigines were treated with kindness and sympathy in the early days by a British government which felt it had an obligation to bring them the 'blessings of civilization'" (Griffiths 1995: 7).

Officially, the Australian government has abandoned the assimilation policies of the 1960's. That is not to say that there is no longer a tendency on the part of white Australia to push assimilationist views on the Aboriginal community. There has long been a conception within the Australian government and white society as a whole that Aborigines wanted to be like their white neighbors, but were not advanced enough to participate in white society. In fact, "the assimilation policy was based on the assumption that most Aborigines, especially those of mixed blood, would choose to embrace the Western lifestyle and should be assisted to achieve it" (Griffiths 1995: 8-9).

Similar notions exist today. Though few Australians still believe that Aborigines are savages, or need to be "civilized," there is still a pervasive idea within Australian society that Aborigines should willingly blend into the greater society. The push toward assimilation is no longer overt, and may not even be a conscious act for most Australians, yet the drive toward a modern and industrial Australia remains a



common theme in the public eye of the Australian public.

In other words, there is still a tendency toward assimilationist policies. While somewhat less obvious, Government policy toward Aboriginal groups still serves to push Aborigines into the White domain. In *Assimilation by Any Other Name* . . . Ralph Folds supports this idea. He argues that, "One of the latest theories to emerge camouflaging the intrinsically assimilationist direction of development is 'two-wayness', the idea that Aboriginal people can selectively adopt mainstream material benefits while holding on to their own culture" (Folds 1993: 31). The whole process of mainstreaming the Aboriginal population is what Richard J. Perry called "assimilation through equality." By giving Aborigines equal rights and treating them as other Australians, the government only furthered the Western socialization of Aboriginal groups.

Although this shift to inclusion rather than marginalization as an ideal had much in its favor, in some respects the shift was merely a matter of placing a more benign face on an old position. (In Australia) as in Canada, the U.S., and Mexico, the philosophy of equality under the law converted easily into an argument against special or distinct status for indigenous peoples within the state. In its extreme version, it would eliminate indigenous populations as interest groups altogether (Perry 1996: 192).

Current policies establish a strong incentive to participate in Western society. After all, Australia is an advanced industrial nation. Who wouldn't want to take advantage of the economic opportunities that exist in such a country? So government policy was and is aimed at incorporating Aborigines into the economy, the educational system, and the government. Typical Aboriginal programs are: education and training

programs, bridging courses (designed to teach Aborigines to cope in a White society), and economic development programs (which established Aboriginally owned and operated corporations or businesses). These programs are designed to allow Aborigines to better function in a White world, not to develop within Aboriginal boundaries.

Over the course of time there has been ample reason to question the intent of the Australian government's Aboriginal policies, which have ranged from extermination to protectionism to assimilation. Currently, however, it would seem that there is a genuine interest in Aboriginal welfare on the part of the Commonwealth government. State governments (especially Western Australia) seem less committed. Still, one could argue that, as a whole, Australia has the best interest of the Aborigines in mind. I shall assume, in any case, that government policy has been misdirected due to misinterpretation of Aboriginal interests, and not to malicious intents.

The problem stems from a difference in expectations, or in what should be considered the ultimate goal of development policy. In other words, Aborigines desire different policy outcomes than the Commonwealth and State governments of Australia. Policy-makers within the government have designed programs around the idea that economic development was the ultimate goal of Aboriginal policy. Aborigines, however, have different goals. The Aborigines of Australia are primarily concerned with the integrity of their environment and continuity of traditional Aboriginal lifestyles and values within their society.

In *Third World in the First* Elspeth Young attacks this mode of thinking,

calling into question the values of tribal society. She argues that indigenous groups often place greater significance on cultural integrity and environmental quality than on economic development:

People from other worlds, those of the . . . 'fourth world', the indigenous minorities who have survived the industrial onslaught on their homelands, may well perceive development rather differently. They clearly recognize that, in its conventional form, the development process can bring benefits, such as redressing socioeconomic disadvantage, providing better access to opportunities arising through technological advancement and enhancing both political and economic power. But they also recognize its negative implications. These include not only environmental degradation but also cultural and social destruction and the rupturing of the intimate relationships between human beings and their natural environment (Young 1995: 1-2).

Young here, alludes to a difference in goals, or a difference in cultural values which I have previously suggested. A difference in goals would seem to indicate that Commonwealth policy toward Aborigines has been misdirected. The goal of Australian policy-makers has been economic development for Aboriginal groups. It would seem that little consideration was given as what type of development should be pursued for Aboriginal people, or even whether or not Aboriginal people desired economic development.

In the 'equal rights' era the commonwealth government has accepted Aborigines as citizens. This equal rights stance is enlightened from a civil rights perspective. However, an equal rights stance implies that Aborigines should be treated like any other Australian. And, as Elspeth Young and others have pointed out, Aborigines are not like other Australians. Aborigines have different goals and different policy objectives.

This is the basis of the Commonwealth government's policy misdirection toward Aboriginal groups. Government policy is based on standard Western assumptions. Aborigines, however, do not act according to standard Western assumptions. Aboriginal culture developed outside the sphere of Western influence, in virtual isolation from foreign ideas and concepts. It stands to reason that Aboriginal culture would simultaneously develop a unique value system.

This idea is more than conjecture. There is evidence to support the assertion that Aborigines have a distinct value system. In 1994, Gerald Fogarty and Colin White conducted a study entitled the *Differences Between Values Of Australian Aboriginal And Non-Aboriginal Students*.

In this study, the Values Questionnaire developed by Schwartz and Bilsky was used to examine differences in the values held by a group of Aboriginal university students and a group of non-Aboriginal students studying at an Australian University. Results indicated that the Aboriginal group placed greater emphasis on values associated with tradition, conformity, security, and significantly less emphasis on values associated with achievement, self-direction, stimulation, hedonism, and benevolence. These data, in conjunction with a separate analysis of the ten highest ranked values for each group, support the view that the main differences between the groups lie in values serving collective (Aboriginal) as opposed to individual (non-Aboriginal) interests. These findings are consistent with previous research on the worldview of traditional Aboriginal people, and they suggest that even among younger, more Westernized representatives of this culture, collective values are likely to be strong determinants of behavior (Fogarty and White 1994: 394).

This research demonstrates that Aborigines have retained some tenets of traditional culture and that a divergent value system exists which places more emphasis on the group or upon communal living. Fogarty and White refer to the sum of a society's

values and beliefs as its "worldview." Worldview is, in turn, shaped by the culture.

The authors noted that:

In examining traditional Aboriginal culture, the concept of worldview often emerges. Although different definitions exist, a worldview can be considered a set of ideas and beliefs that a group of people hold about the world and the things in it (Christie, 1987). In examining differences between Aboriginal and White Australian society, researchers are often struck by the large differences and contrasts in the worldviews held by the two societies. Christie (1985) noted in particular the emphasis placed in Aboriginal culture on qualities and personal relationships and responsiveness to the environment (Fogarty and White 1994: 395).

The study goes on to argue further the specific areas of dissention between Aboriginal and non-Aboriginal value systems, however, it should suffice to say that this study clearly illustrates that the "worldview" or value system employed by Aborigines is significantly different from that employed by White Australians. This has serious implications for development policy. If Aborigines have a divergent value system, it follows that development policies must be grounded in Aboriginal values and beliefs.

Yet, Aboriginal policy remains a field dominated by white Australians and Western thinking. What Bodley defined as the "wardship principal" remains an inherent component of the Commonwealth and state government's Aboriginal policy.

There is the psychological inability of whites to stop talking about blacks rather than with them, to cease being their protectors and curators, to allow them to act on their own behalf. White society unilaterally defines the problems, prescribes the policy dicta, enacts the laws, creates the administrative machinery and determines the nature, content, personnel and flavor of remedial programs. Innumerable examples show that Aboriginal affairs have always been, and still remain, a white activity (Tatz 1979: 1).

Aboriginal groups and action committees are actively seeking to contribute their input

regarding Aboriginal policy. H.C. Coombs and several other leading social scientists are strong advocates for the idea that Aboriginal policy should be based on self-help and not grounded in a welfare mentality.

I believe the most important aspect of the problem of the advancement of the Aboriginal people is that of effectively involving them in the solutions to their problems. It is no exaggeration to say that I know of no Aboriginal community in which this is at present effectively done (Coombs 1978: 41-42).

Coombs goes on to argue against Western-imposed policy-making. He states that the idea that Western officials believe that they know:

... what is good for Aborigines, leads to policies which are paternalistic and basically authoritarian, even though these policies are generously motivated and imply an acceptance of genuine trusteeship for the Aborigines' welfare.

I believe that a continuance of policies based on these attitudes offers no significant hope for the future of Aborigines. It will ensure the continued disintegration of Aboriginal society which has marked our association with it for the last two hundred years. If Aborigines are to become an effective and integral part of Australian society, we must permit them to organize themselves for social action in their own way, making use of their own traditional sources of authority, and do our best to make their organization effective (Coombs 1978: 45).

In order to summarize the argument I have made in this chapter I must once again draw attention to the Western development model, which, if we examine its basic tenets, is very ethnocentric. Aboriginal policy has been and continues to be contrived by Western officials and based upon Western values and ideals. Aborigines are unique and having established that Aborigines have a distinct value system we can justify the need for development policy based on Aboriginal values as opposed to Western values. Current policy and the policies of the past have served only to further

the deterioration of Aboriginal culture and society. Policies of oppression and even assimilation have created an environment in which Aborigines are experiencing massive social dysfunction. Future development in Aboriginal society will be highly dependent on the ability of Aborigines to practice traditional culture while learning to adapt to Western society at their own pace.

## CHAPTER IV

### THE ISSUE OF ABORIGINAL DEVELOPMENT

It should be clear at this point that Aboriginal Australian society is, in many ways, very dissimilar from the typical Western society. In fact, there is great deal of evidence to suggest that Aborigines do not function well within Western society because of the cultural constraints which serve as barriers to Aboriginal participation with the economy and the greater Australian culture. Still, the Commonwealth government has based its Aboriginal development policies upon Western assumptions. I would go one step further and say that Australian development policy toward Aborigines has been very ethnocentric. Western society has developed in certain manner, and we therefore assume that all societies should develop along similar lines.

It may well be that the Western development model can be very effective in given situations. It would be inaccurate, however, to suggest that Western development models can be transferred (without alteration) to any situation, especially those instances which involve tribal societies. Truly one could not expect similar outcomes from tribal societies as one might expect from other less developed countries. Elspeth Young criticizes this view of development in which Western models are summarily imposed upon less advanced societies:



Development has commonly been described as a process leading to modernization, whereby societies disadvantaged in terms of living standards and material wealth reach socioeconomic levels perceived to be acceptable to society as a whole. As this implies, modernization is a relative term and one which, like development, is too loosely used. (Mabogunge, 1989: 35). Conventionally, however, it is interpreted primarily within an economic context, measured by advances such as increases in income, participation in wage labor and growth in material wealth. This view of development and modernization reflects the perceptions of those belonging to rich sections of the industrial world, people who themselves have adopted such an approach in the pursuit of a better life. This has led them to label other societies whose members exhibit different priorities as 'primitive', 'backward' and 'archaic' (Young 1995: 4).

Young goes on to argue that:

Cultural attributes and behavioral norms influence how people perceive the changes which they are being encouraged to adopt. Industrialization, with its emphasis on regular work, regimentation and, at least at managerial levels, striving to beat one's fellow humans in the game of life, may well conflict with modes of behavior which stress flexibility, choice, sharing and reciprocity and place a high value on community rather than personal advantage. Failure to acknowledge such a conflict may lead to enormous expenditure of human and economic resources on projects of little long-term benefit to those in need (Young 1995: 5).

In the preceding excerpt, Young argues as I argue throughout my thesis, that economic development, as identified by Western society, is not acceptable to some societies which place more importance on cultural integrity and environmental quality.

This philosophy is mirrored by A.H. Somjee who argues that traditional development theory is not applicable to all situations, particularly to non-Western societies:

Since the social sciences were developed, by and large, to explain the historical and social experiences of a few industrialized societies of the West, the corpus of theoretical knowledge developed

by them has shown insensitivity to the different kinds of experiences which developing countries have gone through. Consequently . . . we often miss out on some of the peculiar, and often crucial, problems of non-Western societies . . . Later on we shall have occasion to point out that while economic growth in Western societies may have attained its independence from cultural and social forces . . . that is not true of non-Western societies. And to the extent that we ignore such basic differences between them, we are likely to distort what we see, analyze, or report (Somjee 1991: x-xi).

In other words, Somjee makes a similar argument to the one that Young has previously put forth; Western policy-makers have often ignored the cultural and social forces that differentiate non-Western societies.

Traditional development policies inherently contain elements of economic development. H.C. Coombs argues that Aborigines are misrepresented as desiring the types of economic benefits that Western society can provide.

There is an assumption continuously propagated by white Australian authorities to Aboriginal people that there are 'jobs' available and that those jobs alone can offer the rewards of the lifestyle Aborigines seek. It is an assumption certainly not proven and its reiteration by whites is designed to persuade Aborigines to accept assimilation into the Australian and international economic systems. It also ignores the probable consequences of such assimilation which often carries with it the social and personal relationships that those systems establish between employer and employee and which, at least tacitly, demands patterns of behavior and values appropriate to their relative status within it. There is substantial evidence (Altman 1987; Coombs et al. 1989) that Aborigines often make substantial sacrifices to avoid accepting these relationships and their implications (Coombs 1994: 76).

Like Coombs, many Aboriginal activists argue against adopting the Western tenets of development.

Faith Bandler, when vice-president of the Federal Council for the Advancement of Aborigines and Torres Strait Islanders in the late 1960's, questioned the use of the term 'advancement'. "I am rather

sorry', she said, 'that it has been used in various committees established to assist the Aboriginal people. I am not convinced that it is advancement for the indigenous Australians to become like European Australians (Grimshaw et al. 1994: 299).

I have attempted to demonstrate, up to this point, that Western development policies were ill-conceived, misdirected, and based on uninformed assumptions. The Western focus of these development policies rendered them ineffective in the Aboriginal context. It is unproductive though, to criticize current policy measures without an alternative direction.

The Aboriginal situation requires a definition of development which allows for "development" without economic development. More specifically, Aborigines require development which does not conflict with traditional Aboriginal culture or beliefs. I will argue that indigenous development models must be based on quality of life standards and not on economic indicators.

In *People-Centered Development* (1984) and *Getting Into the 21st Century* (1990) David Korten addresses the issue of development. Korten argues, as I do, that traditional development models are based too heavily on economic indicators and do not adequately consider social or ecological benefits. Korten argues for a quality of life definition of development which would allow for less dependence on economic measures of success.

The social techniques of people centered development . . . feature forms of self organization that highlight the role of the individual in the decision making process and call for the application of human values in decision making. Its knowledge building processes are based on social learning concepts and methods. The territorial rather than the functional perspective dominates the planning and management of its

production-consumption systems. And its use of frameworks of human ecology in analysis of production and performance not only internalizes people and the environment but makes them the very foundation of the analytical process (Korten 1984: 300-301).

Korten defines People-Centered Development as:

... a process by which the members of a society increase their personal and institutional capacities to mobilize and manage resources to produce sustainable and justly distributed improvements in their quality of life consistent with their own aspirations (Korten 1990: 67).

Within the context of People-Centered Development the indigenous population can develop economic activities which are acceptable according to traditional Aboriginal culture. It does not require that they advance technologically or economically but instead focuses on the quality of life and the environmental quality within Aboriginal society. My argument, therefore, will assume that Aboriginal development will be in terms of quality-of-life. In others words, the argument I will make is based on People-Centered Development as opposed to economic development. I would qualify my use of Korten's definition of People-Centered Development with one provision: Korten implies that development entails the "just distribution" of resources, while I do not see this as a necessary criterion or prerequisite for development. Aboriginal society may choose to distribute resources according to tribal or cultural norms without. There is little evidence to suggest that this would provide a barrier to social or cultural development. It should also be noted that Korten implies that sustainable development is necessary for long term development. While traditional Aboriginal society engaged in sustainable economic practices, we cannot make the assertion that this is a requirement for development.

However, considering the Aborigines strong cultural and spiritual ties with the environment, it could be inferred that Aborigines will most likely opt for sustainable economic practices.

Korten's definition of People-Centered Development is however, much more in line with Aboriginal lifestyle and Aboriginal philosophy than western definitions of development. People-Centered Development places an emphasis on sustainable environmental practices, and the improvement of a society's quality of life based upon "their own aspirations." (see Korten above). This definition of development focuses on social development as well as economic development. It is important that we take care not to overlook the social development, as many problems faced by indigenous groups have their basis in the social realm and have little to do with economic or political systems.

Examination of Aboriginal hunter-gatherer lifestyle suggests a framework by which different lifestyles may be analyzed and compared. The environment can be seen as a variety of settings for human activities. These settings will not be merely physical locations but will also have social and cultural components often including rules or conventions governing the activities performed within them. These activities should provide not merely the material means to survival but also satisfy important psychic needs such as security, challenge, identity, and sense of purpose. They call for knowledge and skills which have to be learned and for a capacity to adapt the learned behavior to deal with problems. Competence based in such capacity will be reflected in a confidence that the problems set by the environment can be coped with (Coombs 1990: 116).

## CHAPTER V

### EVIDENCE OF POLICY MISDIRECTION

Australian leaders view Aboriginal development within a Western social context. It would seem that Australian officials have not been able to empathize with Aboriginal leaders. Similarly, Aboriginal society has gone to great lengths to avoid assimilation, and therefore, can scarcely hope to identify with the Australian position. Still it can be argued that both groups are ultimately concerned with a common goal, the general welfare and development of Aboriginal people. And yet, Aboriginal groups have seen little advancement in either their economic or social conditions as a result of the Australian government's Aboriginal development policies. It seems to beg the question which I intend to address: "Why have Aboriginal development policies been so unsuccessful in promoting Aboriginal welfare?" Aborigines suffer serious social dysfunction, and they have not progressed in economic status

As I have previously noted, Aboriginal development is obstructed by policies which are based upon Western social, cultural and economic values. Aborigines have a distinct and divergent value system which does not allow Aborigines to fully participate in Western society. Aborigines suffer social dysfunction and struggle within the economic system because they cannot practice their culture. The Aboriginal

value system dictates behavior that is not in line with Western social norms. (I have provided evidence to support this assertion both in Chapter II (Aboriginal Culture) and in Chapter III (Aboriginal Policy)).

However, there is no evidence more compelling than the conditions which exist in Aboriginal society itself. The social dysfunction within Aboriginal society is extensive. As I have outlined in Chapter I, there is an Aboriginal tendency toward high rates of alcoholism, suicide, male incarceration, substance abuse, and unemployment in Aboriginal society. Aboriginal health is also a matter of great concern; Aborigines experience extremely high rates of infant mortality, and life expectancy is significantly lower than that of white Australians. These social and economic conditions speak for themselves. Aborigines have not blended into the general population, nor have they acquired standards of living or social attitudes comparable to those of Western society. Assimilation policy was not effective; Aborigines remain ethnically and culturally distinct. The very existence of the Dept. of Aboriginal Affairs and ATSIC (Aboriginal and Torres Strait Islander Commission) demonstrate the continued struggle for autonomy from Western society.

### Policy and Land Rights

Still, apart from this more general social argument we see more specific evidence of policy misdirection. Nowhere is the failure of the Commonwealth's Aboriginal policy more evident than in the land rights debate which has raged now for almost two centuries.

The special problems of hunter-gatherers within the Fourth World have been the subject of much commentary in recent years. Several of their difficulties merit attention here. Perhaps most important, a historical negative Western assessment of hunter-gatherer economies is rooted in the very liberal state that evaluates indigenous claims to traditional lands (Povinelli 1993: 24).

From the onset of colonization, Western officials failed to recognize the importance of land in Aboriginal culture. Aborigines were seen as a violent or barbarous race when they slayed cattle or forced white settlers from their land, when in reality they were only protecting land which they considered to be sacred. Settlers slowly deprived Aboriginal groups of land rights. The British government empowered settlers to appropriate what land they desired without consideration of Aboriginal ownership. "The doctrine underlying the traditional view of settlement was that before 1788 Australia was *terra nullius*, a land belonging to no one" (Reynolds 1987: 12). This effectively meant that in the eyes of the British government Australia was uninhabited prior to colonization. The land rights of the Aboriginal people were not recognized because Aborigines had no concept of individual ownership and were considered to be "uncivilized."

The policy of *terra nullius* was not officially overturned until 1992, when the High Court of Australia passed the famous *Mabo* decision. In the *Mabo* decision "the judges . . . rejected the doctrine of *terra nullius* and declared that a form of native title existed which was recognizable in the 'contemporary' common law of Australia" (Griffiths 1995: 245). The ruling was a landmark case in the Aboriginal rights movement. The case was major victory for the Aboriginal community, however, the



Mabo decision did not provide for the universal return of tribal lands.

Instead, the Mabo decision and the subsequent Native Title Act legislated the return of tribal lands provided that Aboriginal groups could prove "traditional native title." In this sense the Aboriginal victory was a hollow one. The High Court ruled that:

Where a clan or group has continued to acknowledge the laws and (so far as practicable) to observe the customs based on the traditions of the clan or group, whereby their traditional connection with the land had been substantially maintained, the traditional community title of that clan or group can be said to remain in existence . . . . However, when the tide of history has washed away any real acknowledgment of traditional law and any real observance of traditional customs, the foundation of native title has disappeared (opinion by Justice Brennan in Stephenson & Ratnapala 1993: 189).

Very few Aboriginal groups were able to prove traditional ownership of tribal lands because they had been moved by white settlers or had not continuously lived in one specific area because of their nomadic lifestyle. The lack of written records in Aboriginal communities also contributed the problem. State governments and state courts ignored the spirit of the ruling and were able to deny native title based on the lack of evidence which could prove native title.

Though very few groups gained native title to their tribal lands as a result of the Mabo decision, a significant number of Aboriginal groups live on Aboriginal reserves. Aboriginal reserves, however, are not owned by the Aborigines, but are held in trust by the Commonwealth or State governments. And, while Aborigines have some surface rights over the land within Aboriginal reserves, they do not have sub-surface rights. Meaning that the government has the right to grant mining licenses

within Aboriginal reserves. Mining licences generate a great deal of revenue for some state governments and therefore are often granted with little consideration of Aboriginal interests (as will be demonstrated in case studies to follow).

Aboriginal views about the environment and about the sacred nature of land often bring them into direct opposition with mining companies and the government mining officials. It should also be noted that Aborigines have little control over the reserves. The government is able to regulate Aboriginal behavior within the reserves and can dictate policy and law within reserves. Therefore, Aborigines have no true homeland where they can practice their traditional culture, they are bound by government regulation and must rely on government officials.

In recent years, the land rights issue has been brought to the forefront of Australian-Aboriginal race relations. The Mabo case and the Native Title Act served as catalyst for the Aboriginal autonomy movement. The denial of native and tribal lands has brought about a new push for freedom from government regulation. The failure or unwillingness of the Commonwealth government to recognize the overriding significance of land rights is at the heart of the development issue. Aborigines view land on a spiritual basis. "This focus on a spiritual/cultural definition of land instead of a material/resource-driven approach emerged as something that white Australians fail to comprehend, regardless of their level of sympathy for Aboriginal land rights" (Hill 1995: 314).

Once again we can see that the Australian government's total reliance on Western concepts has left them unable to understand the cultural aspects of Aboriginal

society, particularly regarding the relationship with the land. "The basic importance of the spiritual and cultural ties to the land are at best ignored, and at worst dismissed by the European" (Mudrooroo 1995: 197). Aboriginal society has strong ties to the land and the inability to retain those ties or to protect sacred or traditional lands has provided an obstacle to Aboriginal development.

The extremely large number of Aboriginal people who have been forcibly removed from their homes, relocated to missions and cattle stations, and often relocated a second time, have little recourse under a ruling which requires a continual relationship with the land in order to establish native title. This alienation has led to serious social problems (Hill 1995: 321).

The social problem which Hill speaks of, in addition to the social problems which I have enumerated in Chapter I, are the end result of a policy direction which has left the indigenous people of Australia without an Aboriginal homeland, an Aboriginal identity, or an Aboriginal way of life.

## CHAPTER VI

### THE GENERAL CASE FOR AUTONOMY

The issue of Aboriginal autonomy is a complex one, which cannot be discussed without considering the various implications for both Aboriginal and Australian society. I intend to discuss both shortcomings and obstacles of a proposal for autonomy in chapters to follow. In this chapter, however, I make the case for autonomy and highlight the various benefits that such an arrangement might entail.

I argue that Aboriginal autonomy would be in the best interests of Aboriginal society. In the preceding chapters I have presented significant evidence to suggest that Aboriginal development is obstructed by the imposition of Western cultural values and norms. Therefore, in order for Aborigines to achieve development (or People-Centered Development) they must achieve political and social autonomy from the Australian population.

The Aboriginal people, with the long history of passive resistance cannot be 'developed' by governments. They can, however, at last be given back adequate resources to find their own solutions. Until they gain equality of opportunity, the vicious cycle of causation will persist, pauperized communities living from day to day with nothing in which to invest money or effort, a reckless throwing away of life in alcohol for the older and petrol sniffing for the young, shocking general health among the less sophisticated, which in a kind of revenge is keeping for the rest of us our special and amazing disgrace, which many of us when abroad have had reason to remember (Rowley 1986:

7).

Aboriginal society suffers most from a lack of cultural identity. "Virtually all southern Aborigines have lost the high religious culture of their ancestors, yet they still have a world view and code of ethics that is distinctively Aboriginal" (Broome 1994: 197). Because they have been forcibly exposed to Western culture, Aborigines no longer have a strong sense of who they are. Some aspects of Aboriginal culture have been lost to progress, yet Aborigines still have not integrated with Western society.

Paul Coe, the Director of the Aboriginal Legal Service in Sydney has argued . . . 'We've never been a part of the white Australian mainstream of life. Every time we've tried to join it, we've been shunted off. The only way we could join it is by becoming imitation white men. And I think that if a man has to prostitute himself in order to join something, he's better off without joining and by maintaining his own separate identity. The people should be in a position to make and implement their own laws and live by them, rather than have other laws enforced upon them (Broome 1994: 197).

Aborigines have been forced to make a series of choices between acceptance in white society and a Western economic system and their own cultural integrity. More often than not they have opted to retain traditional elements of their culture. This has provided a basic obstruction to Western development.

As I have previously noted in my chapter on Aboriginal Development, this study assumes that the ultimate goal of development policy is People-Centered Development in which the basic measure of development is the quality-of-life status enjoyed by a society. I suggest at this point once again that autonomy would alleviate, to some degree, the foreign social pressures that are a part of everyday life for Aborigines living within Western society. I argue that the establishment of an

autonomous Aboriginal state would provide for the further reestablishment of an Aboriginal social system, which, in turn, would enable Aborigines to deal with their social problems on their own terms.

During their recorded history since Western contact Aborigines have exhibited strong ties to the land and to their traditional way of life. They have long been denied the opportunity to practice a way of life which corresponds with these beliefs.

The two most essential elements in safeguarding the survival and identity of indigenous peoples is respect for their land and their law. Possession of a land base permits the preservation of culture language, values, lifestyle and law. It further assures the retention of powers of self-government and the right of Self-Determination (Hill 1995: 304).

By allowing Aborigines to fulfill their culture (through the establishment of land rights) we can provide an opportunity for Aboriginal social development on Aboriginal terms.

Throughout this paper I have noted a number of social problems within Aboriginal society which I have often referred to as the Aboriginal social dysfunction. As the majority of problems which face Aboriginal society are social and not economic, it stands to reason that the solution must be an improved environment in which social growth can occur.

I have become increasingly convinced that these nonmaterial considerations, rather than the apparently measurable economic qualities, are embodied more effectively and persistently in Aboriginal decision-making processes than those of white society, and that despite its relative poverty in material terms, Aboriginal society may well be capable of providing a superior quality of life. Aboriginal people have continued to pursue an autonomous lifestyle compatible with their diverse physical and intellectual activities and rich cultural experience. By contrast, contemporary industrial society seems to contribute little to these nonmaterial needs and indeed tends to eliminate alternative

lifestyles and the reality of choice (Coombs 1994: 222).

Coombs here relates the different attitudes in Western and Aboriginal society regarding the importance of cultural factors. Aboriginal society is more concerned with fulfilling the spiritual and psychological needs of its members. I do not mean to romanticize the Aboriginal culture or portray Aborigines as 'noble savages', or suggest Aboriginal society is some form of utopian model. However, it is my contention that the advancement of the Aboriginal social system will promote an improved quality of life for Aboriginal groups through the acceptance of Aboriginal culture, tradition, and history.

My argument relies heavily upon the fact that Aboriginal society has historically employed a system of social controls imposed by the group which served to regulate individual behavior. These social controls (i.e., the kinship system, tribal culture) were effective in curbing socially destructive behavior. The disintegration of the Aboriginal social system has left Aborigines without direction and without the social controls necessary to regulate their society. The Aboriginal social dysfunction is a result. Afflictions such as alcoholism, substance abuse, unemployment, and high suicide rates have been attributed to a loss of Aboriginal identity and ethnic pride.

Autonomy would make Aboriginal groups the masters of their own destiny and go a long way toward dissociating Aborigines from the welfare mentality to which they have been subjected. Autonomy would allow Aboriginal groups to pursue economic interests which are more in line with traditional Aboriginal beliefs. Autonomy would allow Aborigines to socialize their children within schools that teach

- Aboriginal values, Aboriginal history, and Aboriginal religion. Autonomy would provide Aborigines with a sense of identity and place. Moreover, the development of an autonomous Aboriginal state would allow Aborigines to adapt to Western culture and modern technology at their own pace. It would remove many of the barriers which serve to keep Aborigines a minor ethnic group in an advanced industrial state.

It is not enough merely to note that autonomy would be beneficial to Aboriginal development. It is just as important to note that Aboriginal groups themselves are advocating self-determination and autonomy. Groups like ATSIC (the Aboriginal and Torres Strait Islander Commission) and the APG (Aboriginal Provisional Government) support and inspire the autonomy movement. Led by Aboriginal lawyer and activist, Mike Mansell, the APG has run a longstanding campaign for Aboriginal autonomy. He argued that:

Under self-government, Aboriginal communities can negotiate an arrangement whereby they control themselves in a particular situation . . . Each community has the right to be different but, as the process of negotiation progresses, Aboriginal people will want to exercise their right to make their own laws, police themselves, negotiate economic arrangements on their land and develop their own form of political autonomy through broad arrangements with other governments (Council for Aboriginal Reconciliation 1994: 29).

Mansell, and other Aborigines make the case for autonomous Aboriginal communities with a central Aboriginal government which can deal on their behalf at a national level.

Pastor Bill Hollingsworth, an Aboriginal leader and a member of the Council for Aboriginal Reconciliation, echoes the argument made by Mansell. He states that:

The right to self-determination is best viewed as entitling people to choose political allegiance to influence the political order under



which it thrives and to preserve its cultural, ethnic, historical and territorial identity. The process of getting to this meaning has long been convoluted because the word self-determination in diplomatic and legal language means the granting of sovereignty and independence to colonized people. This has created unease in some states in terms of agreeing to grant the right of self-determination to their indigenous population.

Some see it as an invitation to secede. But then again, at a domestic level, self-determination does have a hard edge but it is one that I think the majority of Australians would agree with. To quote Professor Daes: 'Once an independent state has been established and recognized, its constituent people must express their aspirations through the national political system and not through the creation of new states. That is unless the national political system becomes so exclusive and non-democratic that it no longer can be said to represent the whole of the population. At that point and if all international and diplomatic measures fail to protect the people concerned from the state, they may perhaps be justified in creating a new state for their safety and security'. In other words the right of self-determination is more fundamental than the right of a state to assert its sovereignty over people (Council for Aboriginal Reconciliation 1994: 25).

Hollingsworth and Mansell argue from a standpoint of social justice. They believe it an inherent political right of the Aboriginal people to create an autonomous Aboriginal state. Though I support this argument it is not mine to make. I point out that Aborigines seek autonomy only to lend credence to my argument that Aborigines are best served by autonomy. I argue that autonomy provides an ideal environment for Aboriginal development. I will not pursue the theoretical implications of the social justice argument.

Once again I will suggest that we not look at the issue of autonomy from an idealistic or unrealistic standpoint. Autonomy is not a black and white issue; it is complex. There are many factors which come to play in the development of an autonomous state which must be considered. I will examine several of these factors in

chapters to follow. I also realize that I have presented a vague picture of what autonomy might look like or entail, this to shall be considered in chapters to follow. In this chapter I have merely sought to make a very general case as to benefits of an autonomous Aboriginal state.

## CHAPTER VII

### CASE STUDIES

In recent years, land rights have become the focus of the Aboriginal movement. I have alluded to the overriding importance of land to the Aboriginal people in Chapter II and Chapter III. As land has a much celebrated place within Aboriginal culture, it seems that land rights policy is a primary concern of the Aboriginal population. The case studies to follow address Western Australia's Aboriginal policy from a land rights perspective.

#### Noonkanbah

During my studies in Australia I had a chance to visit Noonkanbah, a cattle station and Aboriginal reserve, situated along the Fitzroy river in the West Kimberley of Western Australia. The tribal community there, the Yangngara (also Yangura or Yungngora), have traditional ties with this area dating back to time immemorial. The tribal lands here are quite extensive and contain several sites of great spiritual importance to the Yangngara people.

Noonkanbah has long been a site of dispute between Aborigines, settlers, and government officials. Aboriginal conflicts with white settlers in the area date back to

1882 when Tony Kornish, a settler who came to establish a settlement along the Fitzroy river “was found speared to death” (Hawke and Gallagher 1989: 41). The first permanent white settlement was founded in 1886 by Isadore Emmanuel who developed a profitable pastoral station. Historically, the treatment of Aborigines on and around the Noonkanbah station parallels that of other Aboriginal outposts and missions. Aborigines worked long hours for little pay. Those who chose not to work for pastoral or cattle stations were considered barbarians. While all this plays a part in the foundation of the relationship between Aborigines and Western settlers, it has only anecdotal significance to my study.

I am concerned with the events which occurred upon the Noonkanbah station between 1971 and the present. The real story begins in 1971 when the Aboriginal community walked off of the Noonkanbah station citing low wages and ill treatment by station officials as the primary reasons. The walk-off was in reaction to the introduction of a standard wage for pastoral stockmen. Prior to the introduction of a standard wage many Aborigines were not paid at all.

The award was set to commence on 1 December 1968 (Rowley, 1972b: 346). It only applied to members of the Australian Workers Union. Yet, while the ‘tyranny of distance’ made enforcement of the award impossible (Rowley, 1978: 97), management reacted throughout the north by ousting Aboriginal people from their homes on the stations. Forced removal was not, however, the case on Noonkanbah and its outstation, Millijiddee. There disputes developed over wages and management’s attitudes (McMahon 1988: 41).

Upon leaving Noonkanbah station, the Noonkanbah community (the Yangngara) moved to Fitzroy crossing, a small rural town, and “Although only about 100

kilometers from Noonkanbah, the area was seen by the community as totally alien and inherently hostile” (Tonkinson and Howard 1990: 242-243). Even though Aborigines were finally free from the restrictions of cattle station management:

... The move to Noonkanbah did not bring relief to the people. Indeed, the time that followed in Fitzroy Crossing is remembered, especially by the older people, as the low point in their lives. Fitzroy Crossing was not their country; the spirits of the land and of the river’s waterholes were unfamiliar, and a source of fear (Hawke and Gallagher, 1989: 76).

“Living conditions in the new camp were abysmal, and owing to the proximity of the town’s public bar, drinking and fighting became grave problems” (Tonkinson and Howard 1990: 243). The level of the problem is well illustrated by this excerpt from Hawke and Gallagher:

Drinking and alcoholism became an enormous problem very quickly. The younger people were the worst affected, but not the only ones. Some people succumbed completely, whilst others drifted in and out of the degradation centered around the pub. With the drinking came the associated social problems. Rules and conventions that had governed the communities all their lives were flouted in the camps by the drunks, much to the consternation of the Elders and traditionalists. The worst aspect of cowboy and pub culture, such as drunken brawling, began to emerge. Young men and women began to ignore the traditional laws governing sex and marriage (Hawke and Gallagher 1989: 77).

In essence the tribal leaders lost control of the community and younger Aborigines were corrupted by a foreign culture. The breakdown of Aboriginal culture led to a coinciding increase in social dysfunction, particularly concerning Aboriginal taboos regarding alcohol. This demonstrates at a micro level how the loss of land can result in a corresponding loss of identity and ethnic pride in Aboriginal culture.

The voluntary exile of the Yangngara community did not end the struggle for tribal lands. The Aborigines actively pursued the return of their land through the political system and the media. A letter writing campaign and pressure through Aboriginal advocacy groups brought some response from Aboriginal administrators.

In general, land claims of Aborigines became more and more articulate and at the same time dissatisfaction with administration's inefficiency and slowness to comply with Aboriginal wishes increases. In the present case, there can be little doubt that the group may eventually undertake more drastic steps if their repeated efforts to regain their land, or part of it, are continually frustrated (Kolig in Hawke and Gallagher 1989: 80).

Eventually, the Yangngara got their wish . . . In 1976 the station was bought for the Yangngara community by the Aboriginal Land Fund Commission. "The commitment to this goal of a return to their land is the hallmark of the exile of the Noonkanbah people. The campaign had in fact begun before they ever walked off Noonkanbah, and continued until they returned triumphant in 1976" (Hawke and Gallagher 1989: 78). It should be noted that ownership of the Noonkanbah station was not granted to the Aborigines outright, but was instead placed under the control of the Aboriginal Lands Trust of Western Australia.

The Yangngara, wanted tribal ownership rather than a lease through the Aboriginal Lands Trust, but they accepted the government's offer because:

The purchase of the station by the ALFC (Aboriginal Land Fund Commission) under the auspices of the State Aboriginal Lands Trust was accordingly seen by the Yungngara as a means of grasping a last chance for their very survival; free from the perceived pernicious influence of Europeans both in Fitzroy Crossing and on the station (Peterson and Langston 1983: 327).

The Aborigines had finally regained the tribal lands where they had once labored as cattle and pastoral hands. This was seen as a major victory for the group.

Once returned to their land at Noonkanbah, the Community quickly proved to have a formidable combination of determination and capacity for hard work. The station, which had been badly run down and left derelict over a number of years by its previous European owners, was nurtured by the Yangngara to a viable stage. In this regard, recent cattle figures have been impressive in indicating how well the community has transformed the station into a successful enterprise (Peterson and Langston 1983: 327).

Under Aboriginal control, "The running of Noonkanbah cattle station was so successful that the Aboriginal owners now made more profit than the white owners did in the last five years of their control" (Lippmann 1981: 184). So, Provided with an acceptable level of autonomy, the Yangngara were both socially and economically successful. The social problems encountered at Fitzroy crossing were largely remedied, and the cattle station had become a self-sustaining economic enterprise. The reestablishment of traditional culture provided a basis for this development:

A primary aim of the group has been to maintain its own culture, free from European influence. The result (was that) morale (was) high in the community, teetotalism has been established on the station, and a school, operating in the station's woolshed (became) a model community-run school in which traditional culture, taught by members of community, has featured prominently in the curriculum (Peterson and Langston 1983: 327).

I note the establishment of a school and a ban against alcohol consumption as evidence of a revival of culture in the community. Within a well-defined social structure Aboriginal leaders were able to regulate the behavior of other Aborigines and control to some degree the socially destructive behaviors that had occurred prior to the

establishment of a community at Noonkanbah. Given a little autonomy and the opportunity for self-direction, Aborigines were successful at Noonkanbah.

This peaceful period of development was short-lived, however:

The Yungngaras' understanding that quiet possession of their land had been returned to them was shattered by the incursion of personnel from various mining companies during the diamond exploration boom of 1977-78. The miners' presence was significant and imposing, evidenced as it was by trucks, helicopters, bulldozers, white-tipped pegs, trenches and camps of what the Aborigines saw as loudmouthed, alcohol imbibing, uncouth Europeans.

Between 1977 and 1978 some 500 mineral claims were physically pegged on the station area by various companies. Little if any consultation with the community occurred. The Yungngara viewed this invasion of their territory with increasing concern (Peterson and Langston 1983: 327-328).

The events of this period became more controversial as exploration moved throughout Noonkanbah station. At one point there was a physical altercation between the operator of a bulldozer and several Aborigines. The fight arose when the bulldozer attempted to clear a road through an area that comprised a sacred site in the eyes of the Aboriginal community.

Alarmed by this incident and in the knowledge that mining companies on the station ultimately threatened the social cohesion of their people and also, and more immediately, sacred areas on the station, the Yungngara instructed the Aboriginal Legal Service of Western Australia to take legal action in an endeavor to stop further exploration on the station.

Pursuant to those instructions, on 16 June 1978 the Aboriginal Legal Service filed objections in the Broome Mining Wardens Court to the mineral claims which had been lodged by various mining companies including the CRA (Peterson and Langston 1983: 328).

In spite of the Yungngara opposition all of the mining leases (with two exceptions) were subsequently ruled valid and mining exploration on the Noonkanbah station



continued.

Mining and exploration continued within the confines of Noonkanbah station, much to the dismay of the Aboriginal community. The Yangngara had established a thriving Aboriginal commune which they felt was being threatened by the presence of the mining companies. Kingsley Palmer, an anthropologist who had worked with the Noonkanbah community, described the situation saying:

Noonkanbah has emerged as a distinct Aboriginal community, which has attempted to solve some of the problems confronting Aborigines in the Kimberley today. The community is independent and progressive, providing a safe, quiet camping place, a home without violence and social disintegration that so often accompanies alcohol in urban settlements. It is an expression of Aboriginal determination to do something to ameliorate the situation. This aspect of the community is obviously of the utmost importance. The establishment of mining close to the Noonkanbah community would undoubtedly present the Aborigines with many serious problems, and would be a direct threat to the peace and continued existence on Noonkanbah as it exists today (Hawke and Gallagher 1989: 90).

The Yangngara were further alarmed to learn that while they had been told that they owned the land, they had only surface rights and could not prevent mining on their own land. And, aided by the Aboriginal legal service, the Noonkanbah community continued its legal battle to gain control over mining operations on the station.

The worst was yet to come, however, as large oil discoveries were made in the Kimberley. In 1978 the Amax corporation, a colossal mining concern, purchased a mining license to begin oil exploration on the Noonkanbah station.

After twelve months of friction between the community and the Amax Iron Ore Corporation (joint holders of a petroleum exploration permit) the latter, in a letter dated 23 May 1979, announced its intention to start an oil drilling program at Pea Hill, a goanna Dreaming

place (sacred site) only five kilometers from where the community live. Within the previous year two burial places and a ceremonial ground had been damaged by contractors' bulldozers, roads were made unusable for long periods and fences broken were unrepaired.

For five weeks nonstop negotiations continued between the mining company and the 200 strong community, supported by kin and friends from surrounding areas. Although the chances of finding oil on the property were assessed to be as low as fifty to one, the Mining Dept., on behalf of the Western Australian government, told the people at a meeting on 28 May that they were insisting that Amax go ahead immediately with drilling in order to fulfill the terms of their option.

The Western Australian Museum recommended that a large portion of Pea Hill, including the proposed drilling area, be declared protected under the Aboriginal Heritage Act, but this was countermanded by their acting Minister, who directed the Museum to raise no objections to drilling (Lippmann 1981: 181-182).

In other words the Government of Western Australia insisted that Amax drill at Noonkanbah under threat of losing its mineral exploration license for the region. In this case the government was intent on drilling in order to make a point.

The government now saw Noonkanbah as a test case, symbolic not only of its commitment to development, but of the challenge by the growing tide of Aboriginal activism centered in the Kimberley. Perth's *Daily News* has described it as 'the first time in WA an organized group of Aborigines is determined to keep outsiders off what they consider is their land'. And the Melbourne Age has said: 'It is seen by many as a crucial test case in the Aboriginal land rights issue, until now an insignificant political factor in Western Australia, Noonkanbah is the first place where a group of Aborigines has banded together in a concerted effort to resist white settlement since the days of early settlement'. The Court Government was determined not to be seen as the loser in such a showdown (Hawke and Gallagher 1989: 164-165).

Charles Court, the Premier of Western Australia, did not want to set a precedent by which Aborigines could reject mining claims within Aboriginal reserves. The sale of mining licenses and the jobs which the mining industries produced created a great deal of revenue for the Court government. Therefore, the government of Western

Australia established early on that the mining would take place, even though the chances of finding oil on the station were statistically very slim.

So mining was slated to continue. However:

On 15 June, forty people were waiting at the locked gate when two Amax employees arrived accompanied by a Mines Department representative. The officials were firmly requested to leave, which they eventually did and, the following day the community applied for and was granted an injunction restraining Amax from drilling (Lippmann 1981: 182).

It was then announced that Amax would postpone drilling until the next season pending the decision of the Mines Dept. regarding the injunction. However, in 1980 the Government of Western Australia renewed its pressure on Amax to begin drilling at Pea Hill. "The Premier, Charles Court, had stated on 11 March that there would be no drilling on Noonkanbah without Aboriginal consent" (Lippmann 1981:186). In spite of Court's announcement, and fearing the worst, the Aboriginal community began to camp at the gates to the drilling site, obstructing mining officials. A survey of sacred sites at Noonkanbah was released by the Museum of Western Australia, "which proclaimed that the whole area was sacred and that 'any interference with the country is not merely to meddle with another man's property. It is an attack and a threat to the fabric of social living itself which constructs their religious belief'" (Lippmann 1981: 186).

Only one month later and "Despite the Premier's assurances, the mining officials moved in, accompanied by thirty-four police and ten vehicles, and announced their intention to drill at Pea Hill, unless the community gave permission to drill at a

second site (also sacred)" (Lippmann 1981: 186). The decision to continue drilling was met with a great deal of opposition, both within the Aboriginal and non-Aboriginal communities. A trade union ban was instated which prevented union employees from working at the drilling site. The Yangngara continued to resist drilling, and the Aboriginal legal service was able to attain a Supreme Court writ to prevent drilling for seven days. (Lippmann 1981: 186).

"The Court Government, however, was not to be moved. It ordered the Museum trustees to reverse their earlier ban on mining under the Aboriginal Heritage Act, thus removing the grounds for Supreme Court injunction" (Lippmann 1981: 186).

Amax then stated its desire to cease drilling at Noonkanbah, but its request was denied by the Western Australian government.

Then, in August 1980, the West Australian government decided to move against Noonkanbah. They organized a massive police escort to bring the rig two-thousand miles onto Noonkanbah station. Aborigines, clergy, unionists and other supporters who tried to block its path were arrested. When unionists refused to work the rig, the State Government took control of the rig and began drilling in sight of the Aboriginal camp.

The drilling rig was to find no gas worth testing and only a trace of oil in a formation too tight to permit any flow. The well was abandoned in November 1980. However, companies participating in the drilling consortium with Amax said that they remained interested in further drill holes in the area (Roberts 1981: 143).

The drilling at Pea Hill was a major blow to the Aboriginal community. They had spent four years and invested considerable legal and economic resources to defend their land. The drilling at Pea Hill, a sacred Aboriginal site, had profound impact on the community. Some families from the Noonkanbah station moved to live with family

on other reserves. And, immediately after the drilling:

There was a prolonged battle with the government bureaucracy over the provision of housing to the Community. The Community's preference for establishing its own cooperative to plan, supervise, and run the housing project was refused. This was the first major blow to the autonomy the Community had enjoyed up until then in the management of its internal affairs (Hawke and Gallagher 1989: 319)

The Aboriginal community no longer enjoyed the success it had prior to the invasion of the mining companies. Several families moved to remote areas of Noonkanbah to avoid the intrusion of government officials that had begun in increasing numbers. The community began to dissolve.

The mining fight and all that had gone with it had brought the realization that retreat into an insular world was no longer possible. As the possibility of turning the vision into reality faded, so did the incentive to fight for and work on issues big and small that together make a community what it is. The community began to flounder.

Clearly another factor which caused the Community to flounder was the decreasing prestige of the Law. The mining dispute itself had ultimately been a defeat for the Law and the Lawmen (tribal elders). The heroic battle to go one step further beyond recognition, even parity of some kind, for the aboriginal Law had floundered . . . There was no rejection per se of the Law, but something had been lost.

A whitefeller moved in to supervise the housing program. The number of white staff in the community increased. Eventually another whitefeller arrived to manage the store. The cattle mustering failed one year, and outside contractors were brought in. One of them stripped the place of much of its breeding stock, and the cattle enterprise was in dire straits. The confusion and apathy that afflict so many Aboriginal communities became more and more apparent at Noonkanbah (Hawke and Gallagher 1989: 320).

An Aboriginal community still exists at Noonkanbah today, though it is not what it once was. The cattle station is no longer the prosperous enterprise that existed before the tumultuous events of the mining crisis. It is no longer completely run by

Aborigines. When I had the chance to visit Noonkanbah in 1996 I was struck by the levels of inadequate housing and the low incomes of the Aboriginal residents. In discussions with many of the Aborigines at Noonkanbah, there were frequent references to the "boon time" or what we would call "the good old days." It leads me to ask the question: what was responsible for the downturn in events at Noonkanbah?

In the controversy at Noonkanbah it appears that a few major factors were responsible for the final outcome that is now known as the "Crisis at Noonkanbah." First, there was a clear effort by the Court government to set precedent by establishing that Aborigines did not have traditional land rights. (This relates to policy misdirection). Charles Court, the Western Australian Premier, was, in particular, quick to dismiss Aboriginal view points or Aboriginality as valid justification for policy alterations.

The State Premier saw that it was because the Aborigines saw that it was because the Aborigines saw Noonkanbah as their own by ancestral title that they were fighting so hard to protect it. For Court, such an assertion had to be discredited. Recognition of it would have led to an opening for recognition of Aboriginal land rights in Western Australia. Thus, he had to force the drilling to go ahead at Noonkanbah.

In addition, he appointed himself an expert on Aboriginal religious beliefs and denied the drill site was on 'genuine' sacred ground. This was despite a report from his own official advisory body, the WA Museum, stating . . . 'the whole area within which any drill hole could be located by the company falls under the influence of the special sacred sites shown to me by the Aborigines of the clan descent group for that area (Roberts 1981: 144).

Court gave little consideration to the cultural, spiritual, or economic effects of the drilling. The Western Australian government was concerned with setting a precedent

for future mining ventures.

Since all along it was doubtful whether oil would be found at Noonkanbah and the oil company concerned would have been happy to settle for an alternative site, Court's action could be seen as political rather than economic. He was determined to the small community for daring to oppose him and make it clear to them and other Aboriginal groups that there was no possibility of their obtaining land rights or a veto on mining anywhere in western Australia (Lippmann 1981: 190).

So, at the very worst we can say that the Western Australian government had no concern for Aboriginal culture or welfare, and at best we can say that the government placed a higher priority on economic and political gain than on the welfare and the rights of the Aboriginal population. Either way, there is reason here to suggest that Aborigines are better served by a system in which they have the autonomy to further their own interests. At the very least we can say that there is evidence which supports freedom from the influence of the Western Australian government. The policy misdirection here is evident if we consider Aboriginal welfare to be the ultimate objective of Aboriginal policy. Clearly this is not always the case.

Then in a report called *Noonkanbah: the Facts* Government of Western Australia has stated its position that:

... the cause of the confrontation at Noonkanbah was the interference of outside influences, partly Aboriginal but mainly European. They persuaded some of the leaders of the Yungngora Community that they could gain far more for themselves if they declared total control of the property and banned all exploration (Government of Western Australia 1980: 5).

The report goes on to say that ... "The Aboriginal citizens of this state do not need land rights. They need the sort of assistance they are getting now, and they need it for

as long as it takes for each of them to establish his self-respect, self-reliance, and dignity" (Government of Western Australia 1980: 10). Clearly, the WA government has either misinterpreted the Aboriginal land rights issue, or they have chosen to ignore the greater implications of the Aborigines' relationship with the land. It may well be that Western Australian officials are unwilling to accept the importance of Aboriginal land rights because such a recognition would entail greater autonomy or control of Aboriginal lands.

The second major factor that we can observe in this case study deals with autonomy directly. This case study illustrates that Aboriginal communities can be successful without the guidance or support of Western society. The Noonkanbah station was very successful from its outset, providing both cultural and social support for its members and a viable economic enterprise for their employment. Initially subsidized, the station eventually became self-sufficient. During the period of this success the Noonkanbah station was relatively free from outside influence and operated under the auspices of tribal leadership. After the infusion of a Western presence in the community there was a marked downturn in both cultural and economic productivity and welfare. This could be looked at as a sort of natural experiment; Aborigines, under autonomous control were relatively successful, but when autonomy was suspended the results were somewhat less desirable. This suggests, on a community level, that autonomy can be beneficial to Aboriginal society.



## The Argyle Diamond Mine

At approximately the same time that Noonkanbah pushed the Aboriginal land rights movement into the national spotlight, there raged another heated debate over Aboriginal lands in the East Kimberley of Western Australia. The conflict between the Argyle Diamond Mines company and the Miriwung people has a long history predating the actual conflict by more than two decades.

The Argyle project is located about 80 Km south of the town of Kununurra, in the East Kimberley region of Western Australia. Kununurra, a relatively new town, was established in the 1960's to service the Ord River Irrigation Scheme. The Ord scheme involved the building of a major dam creating Lake Argyle, the largest manmade water body in Australia covering 2072 square Km at full flood level.

Although the Ord River scheme was the center of a national debate in the 1960's over the feasibility of 'developing the North', there was virtually no cognizance given to the impact of the scheme on the local Miriwung Aboriginal people, a riverine group based on the lower Ord Basin. The scheme inundated or radically transformed the major portion of Miriwung land, at once dispossessing them without compensation and marginalizing many of them in camps on the outskirts of Kununurra (Connell and Howitt 1991: 140).

With the completion of the Ord River Dam, the Aboriginal community had been scattered throughout the area. Some Aborigines adopted fringe-dweller lifestyles, living on the outskirts of Kununurra or other local towns, while others set up camps near the river. By the 1970's many Aboriginal communities had begun to recover from the loss of their homeland, and were adapting to the increased white population that had occurred simultaneously. However, the discovery of a large diamond deposit in the Fall of 1979 dramatically changed the Aboriginal stance on Western occupation there.

The discovery of the diamond resource had immediate ramifications for the nearby Aboriginal communities of Warmun, Doon Doon, and Mandagala (Dillon, 1990a, 1990b; Christensen, 1990a, 1990b; Coombs et al., 1989). The Kimberley Land Council, a newly established political organization for Kimberley Aboriginal communities, immediately made contact with the West Australian Museum, which was then responsible for the administration of the 1972 Aboriginal Heritage Act. This legislation provided, in the absence of land rights legislation, the only statutory recognition in Western Australia of Aboriginal rights in land, albeit rights limited to particular sights . . .

At the instigation of the museum, a broad scale site survey of the CRA mining tenements was undertaken, which identified fifty-eight Aboriginal sites. Of these it was subsequently discovered that three sites were located on or adjacent to the diamond deposit itself. As a result of this survey and a later intensive survey by two anthropologists, the museum informed CRA that it should not undertake work on the identified sites without permission . . . In May 1980 members of the Warmun community discovered that exploration work had been undertaken on the three identified sites, notwithstanding that permission from the museum had not yet been given (Connell and Howitt 1991: 141).

In response to the illegal exploratory work, John Toby, a local Aboriginal leader from the Mandagala community outstation, filed a lawsuit accusing the Argyle Diamond Mine Company and its parent company, CRA, "alleging a breach of the Aboriginal Heritage Act" (Connell and Howitt 1991: 141). Toby was unable to sufficiently prove any wrongdoing because of a lack of evidence.

Finally, in an effort to smooth over the final implementation of mining rights at the proposed sights, the CRA and the Argyle Diamond Mine Co. managed to co-opt several families in the Mandagala outstation.

CRA entered into an agreement (known as the Glen Hill agreement) with members of the Mandagala outstation. In return for certain financial payments during the life of the mine, the aboriginal signatories agreed not oppose further exploration and mining of the

Argyle deposits. While the CRA characterized the financial agreements as a 'good neighbor policy', the agreement was bitterly criticized by both the Warmun community and Sir Charles Court, Liberal Premier of Western Australia. The Warmun community's concerns related to the fact that the agreement had been made with a select group of traditional owners for the Argyle area and had not involved all the relevant persons identified in a report undertaken by the Australian Institute of Aboriginal Studies. Although the group had been provided with legal advisors, the financial benefits under the agreement were minuscule in the context of the potential value of the resource . . .

Sir Charles Court's concerns were quite different. In a revealing telex to CRA chairman Sir Roderick Carnegie, Sir Charles indicated his annoyance at the agreement because the financial agreements were 'so specific that it must be interpreted as compensation and payments in lieu of royalty'. In other words he saw the agreement as implicitly recognizing Aboriginal rights in land and thus creating a precedent for the eventual establishment of a land rights regime in Western Australia (Connell and Howitt 1991: 142).

The mining continued despite the objection of Court and the Aboriginal groups. The Mandagala outstation did receive their settlement but other Aboriginal groups were not compensated. It is difficult to imagine how these groups could be adequately compensated for the desecration of their sacred sites.

This case study goes directly to the heart of the policy debate over land rights in Australia. The Aboriginal groups were not able to protect their land or sacred sites from mining companies because they have no recognized title to the land on which they live. Outside of Australia's Northern Territory, almost all Aboriginal lands are leased to tribal groups. Often several tribal groups inhabit one Aboriginal reserve. This was the case at Argyle. Because no one group holds legal title over the land, one tribal group was able to enter into an agreement which adversely affected a much larger Aboriginal population.

Still, the government remains adamantly opposed to Aboriginal land rights. Court was not concerned that CRA had violated guidelines regarding mining practices. On the contrary he was concerned that CRA would establish a precedent for further Aboriginal land rights claims. Court and the Western Australian Government once again showed a severe insensitivity to the Aboriginal attachment to tribal lands. The policy misdirection here is once again evident. While publicly the Western Australian government expresses deep concern for the Aboriginal population, it should be stipulated that this concern is only valid when Aboriginal interests do not interfere with economic progress. Meaning that the state was interested in Aboriginal development only when Aborigines did not espouse development interests which obstructed the economic development of the state. One might question whether Aboriginal policy is truly misdirected. Instead, it might be more accurate to say that Aboriginal policy has been insincere in that it was generated, to a large extent, to deflect criticism and Aboriginal efforts.

In Western Australia, mining and resource development are the primary industries. The harvesting of natural resources provides the state with a great deal of revenue. For obvious reasons the state is concerned with the continued prosperity of these industries. Yet, while the state is concerned with economic progress, it is also responsible for Aboriginal welfare. In this there is an inherent conflict of interests. While the state holds Aboriginal lands in trust, and has the power to grant mining licenses on Aboriginal lands. It also considers economic progress a high priority, so when Aboriginal interests interfere with economic interests the state encounters a

policy dilemma. At the Argyle diamond mine project:

This dilemma arose because the statutory protection for sites of significance to Aborigines set out in Western Australia's 1972 Aboriginal Heritage Act was in direct conflict with the political and economic imperative for the state government (at least in its own perception) of pursuing policies of vigorous resource development (Connell and Howitt 1991: 145).

When confronted with a choice between Aboriginal interest and economic or industrial development the Government of Western Australia has more often than not opted to support the latter. This conflict of interests suggests that land rights are necessary for Aboriginal development. Notwithstanding the Aboriginal attachment to the land, it is difficult to establish that the state government can be expected to act in the best interest of Aboriginal groups when it must weigh competing policy considerations.

Only when Aborigines can control their own land and resources can we be ensured that the better interests of Aboriginal groups will be served. This argument, once again, suggests that autonomy would be beneficial to Aboriginal development. A sovereign Aboriginal state could actively prevent undesired economic ventures on tribal lands and pursue economic interests which are desirable to the Aboriginal community.

#### Canada's Nuvanut

While the previous case studies demonstrate both the inefficiency and misdirection of government Aboriginal policies as well as the impairment caused by outside interference in Aboriginal affairs, they only address what is wrong with

Australian policy, and do not directly suggest policy alternatives. There is a great deal to learn from states with more progressive indigenous policies. This case study directs our attention to the Nuvanut community of Northern Canada; a society of indigenous Canadians who have attained some degree of autonomy from the Canadian government.

Nuwanut, a region one-fifth the size of Canada, is the eastern and northern portion of the present Northwest Territories. The approximately 20,000 Inuit (Eskimo) people who live there have, in nearly twenty years, negotiated a land claims settlement and creation of a new territorial government under their control. This has been accomplished despite many setbacks, blind alleys and frustrations, and has been accepted by Canadians as an appropriate recognition of the rights and needs of the country's Aboriginal or indigenous peoples. Nuwanut provides many lessons for Australia and other countries where indigenous peoples and governments are struggling to resolve longstanding grievances and social problems (Jull 1992: i)

Nuwanut is a self-determined and semi-sovereign state. It has developed as a result of ongoing negotiations between Nuwanut government and the Canadian government. The Nuwanut government is protected by the Canadian Constitution and has authority over a wide range of affairs within Nuwanut. In addition to local control, "Land, marine, freshwater, and other resources throughout this territory (the Northwest Territory) will be managed by statutory authorities to which Inuit bodies will appoint half the members" (Jull 1992: 35) This, in effect, grants Nuwanut a veto over any unwanted mining or industrial ventures within their borders. Most importantly, the Nuwanut have regained control of their lands which comprise one-fifth of Canada. "Once they held it by traditional occupation and the absence of others. Now they will hold it through binding legal arrangements especially protected by the

Canadian Constitution and through control of a new government" (Jull 1992: 35).

What implications does this have for the Aboriginal autonomy movement?.....Nunavut provides us with an excellent example of an autonomous or semi-autonomous indigenous state. It also suggests that the establishment of a semi-autonomous state within a larger federal system is a feasible prospect. It does receive funding in the forms of subsidies from the Canadian government. It also shares control in some areas with the Canadian government. But for all practical purposes the Nunavut region is locally self-governed, and indigenous Inuit tribes have control over their own lands. In general, Nunavut mirrors the aspirations of the Australian Aborigines for a self-governed homeland, though it does not provide the complete autonomy which Aborigines have indicated as necessary for their cultural integrity and continued existence. And, while Aborigines seek full autonomy, political realities might dictate the necessity of a semi-autonomous state such as Nunavut. In any case, Nunavut has wider implications for comparison and application within the Australian context.

To further this comparison it is useful that we consider many of the similarities between Nunavut and the Aboriginal communities of Australia. Both the Inuit (at Nunavut) and the Aborigines of Australia live in harsh rural environments in which they are a population majority despite their small populations. Both populations live in advanced industrial states with federal political systems. Both have cultural, social, and economic practices which differentiate them from the greater society; both populations are tribal societies; both societies have a strong attachment to tribal lands;

and both societies have developed political resistance primarily in response to the incursion of mining and other economic ventures.

While these two indigenous groups have a great deal in common, the political realities present different scenarios in each case. Nuwanut has been established in a remote region of Canada in which they constitute a majority. The Aborigines of Australia may constitute a majority in some remote locales, but are an obvious regional minority. It should also be noted that the Australian government is heavily dependent on mining revenues and employment generated from the use of Aboriginal lands. In other words, the Australian government has a direct economic interest in Aboriginal land. Nuwanut, however, occupies land of little economic or strategic value to the Canadian government. So, Canada did not stand to lose a great deal in granting autonomy to Nuwanut, while Australia might suffer as a result of Aboriginal autonomy.

The Nuwanut situation may still serve as a model for Aboriginal autonomy proposals. However, Nuwanut is only in the infant stages of organization, and has only recently achieved its autonomy (in 1991). The Nuwanut government and economy are still developing. So it is, at present, too early to determine how successfully Nuwanut will deal with the social and economic problems that are apparent in that society and therefore we cannot use this case to demonstrate that indigenous development is aided by the acquisition of self-government or autonomy. However, the success of the Inuit in achieving self-government lends a precedent to the Aboriginal struggle for self-determination. It points to the feasibility of the struggle for Aboriginal autonomy and it suggests that:



A modern nation-state, even one like Canada obsessed with fears of fragmentation, can be persuaded to recognize significant indigenous autonomy. And one of the world's most remote hunter-gather peoples can, in a single generation, overcome barriers of physical isolation, distance, lack of economic development, alien language and culture, discreet racism, neglect, and sullen derailments by well-placed officials to gain political recognition and self-government in their ancient homeland (Jull 1992: 1).

The following passage from Peter Jull's *An Aboriginal Northern Territory: Creating Canada's Nuvanut*, lends credence to my argument that autonomy is necessary for development because it allows for the furthering of indigenous interests rather than allowing the state to make decisions for indigenous groups.

Both land rights and self-government are essential for indigenous people today, the one to provide basic socio-cultural, environmental, and economic security for the group, and the latter to enable them to make real choices about their future. Outsiders have not met, and cannot meet, the social and cultural needs of indigenous peoples (Jull 1992: 35).

## CHAPTER VIII

### AUTONOMY DEFINED

Having established my case for Aboriginal autonomy; and having providing supporting case studies, it is important that we define more precisely what is inferred by the word 'autonomy'. Autonomy is generally defined as the power or right of self-government. In the case of the Aboriginal rights movement, we could also assert that there is an inherent appeal for some degree of freedom from outside intervention in Aboriginal affairs: cultural, political or social. Therefore we could say that the Aboriginal autonomy movement is pursuing a state with the power of self-government as well as a significant level of freedom from outside forces or governments.

This is a somewhat idealistic or impractical definition for the situation in question. The Aboriginal population of Australia currently has only loosely defined political organization and remains heavily dependent on government welfare subsidies for the support of its communities. Clearly, the move toward Aboriginal autonomy will not and probably could not occur overnight. The formation of an autonomous Aboriginal state would require a gradual process through which the Aboriginal population could attain political, social and economic freedom or autonomy from the Australian state.

As the Aboriginal community learns once again to stand on its own, it will surely require the assistance of the Australian government. I wish to dispel any utopian notions that the Aboriginal population would immediately function as a unified state which could provide the basic goods and services that its people require. Nor should we expect a total return to the hunter-gatherer society that predated colonization; an idea often propagated by those who support the idea of Aborigines as 'noble savages'. I argue instead, that the realization of autonomy will occur gradually as Aboriginal groups establish a system of self-government and become self-sufficient entities.

This established, there is a need to discuss what autonomy would entail for both the Aboriginal population and the Australian government, or more directly stated, what are necessary elements for Aboriginal autonomy. I should note that, while there is assuredly an ideal situation for Aboriginal autonomy, the economic and political realities suggest some form of compromise must occur, especially when we consider that aboriginal lands are scattered throughout an existing state. So I argue that, at a minimum, Aboriginal autonomy must entail:

1. The return of all significant tribal lands, and ownership and sovereignty over the aforementioned lands. (Including surface and sub-surface land rights.)
2. The recognition of Aboriginal Law (or Customary Law) as having jurisdiction within the confines of Aboriginal land.
3. Control over the curriculum and scope of the Aboriginal education system.
4. Economic and financial autonomy and eventual self-sufficiency (assumes the choice of economic system as well as the regulation of economic enterprises on

Aboriginal land).

5. Social and cultural freedom (assumes choice of limiting outside influence upon Aboriginal society).

There is strong basis for each of these requirements. While some may seem self-evident, I feel it necessary to justify each of these requirements or components on an individual basis.

1. The return of all significant tribal lands, and ownership and sovereignty over the aforementioned lands (Including surface and sub-surface land rights). I have gone to great lengths to establish the importance of land to Aboriginal society in both my chapter on Aboriginal culture (Chapter II) as well as in the various case studies (Chapter VII). Land has spiritual as well as social and economic significance to Aboriginal society. The formation of an Aboriginal homeland (or homelands) is of unequalled importance to the establishment of an autonomous Aboriginal state.

2. The recognition of Aboriginal Law (or Customary Law) as having jurisdiction within the confines of Aboriginal land. The recognition of Aboriginal Law, or Customary Law, is central to the function and regulation of Aboriginal society. Traditional social controls are highly dependent on the authority of Aboriginal tribal law. In addition, the recognition of the jurisdiction of tribal law allows Aborigines to regulate the use of their land without interference from, or the need to adhere to the rules and regulations of, the Australian state.

3. Control over the curriculum and scope of the Aboriginal education system.

Currently Aboriginal children are taught and socialized within an Australian-run school system. They are subjected to a great deal of influence from Western cultural values which may conflict with more traditional Aboriginal values. The establishment of an Aboriginally-run school system would allow Aborigines to instruct their children according to traditional values and beliefs, socializing them into Aboriginal culture. Aboriginally-run schools could also vary curriculum to include instruction in traditional Aboriginal language, history and culture.

4. Economic and financial autonomy and eventual self-sufficiency (assumes the choice of economic system as well as the regulation of economic enterprises on Aboriginal land). Economic autonomy could not be attained overnight. However, the eventual move toward economic self-sufficiency would end Aboriginal dependence on the Australian government and the ties that go with it. This goes to further free Aboriginal society from the influence of outside forces and the welfare mentality that has pervaded Aboriginal society in recent years. More importantly, economic autonomy allows the Aboriginal population to pursue economic ventures which are more in line with Aboriginal beliefs. It also provides an opportunity to practice the communal economic system that was once prevalent in Aboriginal society, if they so choose.

5. Social and cultural freedom (assumes choice of limiting outside influence upon Aboriginal society). Currently, Aboriginal culture is bombarded with Western influence through the media and contact with Westerners and government officials. The ability to regulate the flow outside influence upon Aboriginal society is important

to the continued practice of traditional Aboriginal culture. The ability to practice traditional rites and rituals, as well as privacy from outsiders allows Aborigines to adapt to modern Western society at its own pace.

In conclusion, these are the principal elements necessary for the establishment of a truly autonomous Aboriginal state. These components for autonomy are echoed by Aboriginal leaders such as Mike Mansell of the Aboriginal Provisional Government, and Lois O'Donahue of ATSIC, each of whom have proposed similar plans for autonomy.

Of the Aboriginal proposals for autonomy, the most prominent was the *Burunga Statement*. The Burunga Statement was developed by the Northern and Central Aboriginal Land Councils and presented to the Prime Minister in 1988:

We, the indigenous owners and occupiers of Australia, call on the Australian government and people to recognize our rights.

- to self-determination and self management, including the freedom to pursue our economic, social, religious and cultural development;
- to permanent control and enjoyment of our ancestral lands;
- to compensation for the loss of our lands, there having been no extinction of original title;
- to protection of and control of access to our sacred sites, sacred objects, artifacts, designs, knowledge and works of art;
- to the return of the remains of our ancestors for burial in accordance with our traditions;
- to respect for and promotion of our Aboriginal identity, including the cultural, linguistic, religious and historical aspects, and including the right to be educated in our own languages and in our own culture and history;

- in accordance with the universal declaration of human rights, the international covenant on economic, social, and cultural rights, the international covenant on civil and political rights, and the international convention on the elimination of all forms of racial discrimination, rights to life, liberty, security of person, food, clothing, housing, medical care, education and employment opportunities, necessary social services and other basic rights (the Burunga statement in: Council for Aboriginal Reconciliation 1994: 23).

While this proposal for Aboriginal autonomy is somewhat more vague than the proposal which I have put forth they contain the same basic elements. These elements are consistent with those put forth in proposals by ATSIC and the APG as well. Furthermore, they demonstrate the universality of support in Aboriginal society for what I have labeled necessary elements for autonomy. On this basis I have defined autonomy to reflect the situation in Aboriginal Australia.

## CHAPTER IX

### BARRIERS TO AUTONOMY IN WESTERN AUSTRALIA

#### The Federal System

Like the United States, Australian government employs a federal system under which the federal government and the state governments have distinct rights laid out in the Constitution. The federal government has, on the whole, proven much more sympathetic to the plight of Aborigines than have individual states. Queensland and Western Australia in particular, are notorious for implementing discriminatory Aboriginal policies. Under a system of uniform federal Aboriginal policies this would be a matter of little concern. Unfortunately, Aboriginal legislation is within the jurisdiction of both the state and Commonwealth governments. Therefore, in areas of state jurisdiction, the Commonwealth government has no authority to dictate policy to the States.

In a federation like the Australian, power is divided between central and regional governments in such a way as to give each a set of worthwhile powers, with the regional governments guaranteed protection from central government incursion (Duchacek, 1970: 242-244 in Bennett, 1989:65) . . . and . . . although the years since Federation have increasingly seen formal advantages lying with the Commonwealth, the States are not powerless to withstand centralist pressures, and not least of the weapons they employ is the whipping-up of the strong loyalties held by people for their own State (Bennett



1989: 65).

Queensland and Western Australia, in particular, have a higher concentration of Aboriginals than do other states. This means that Commonwealth regulation of Aboriginal affairs has greater implications for these states. Therefore, Queensland and Western Australia have been much more apt to proclaim 'State rights' when the Commonwealth's Aboriginal policy measures were seen as threats to state economic or social interests.

At times, States seem intent on frustrating the Commonwealth on the slightest of pretexts, and it is possible to point to a number of examples in the case of Aboriginal affairs . . . Cases have included the Northern Territory government's attempt to frustrate the Land Rights Act by its gazettal of Darwin city boundaries so as to make that city four times the area of London; Queensland's refusal to deal with the Commissioner for Community Relations; and the last minute campaign by the Northern Territory against the handing over of Uluru (Bennett 1989: 67).

This refusal to cooperate with Commonwealth Aboriginal initiatives remains a controversial point in Australia's federal politics, and has made the establishment of a universal Australian Aboriginal policy difficult. The overlapping of Commonwealth and state jurisdiction has meant that Aborigines must deal with Western officials on two fronts.

Throughout the last century Australia's federal system has served as a significant barrier to Aboriginal interests and would most likely continue to obstruct any Aboriginal autonomy movement. Aborigines are not without recourse, however, to the legislation of antagonistic State governments. Aboriginal groups (or the Commonwealth) can appeal policy decisions of state governments in the states' high

courts or in the High Court of Australia (as in the landmark Mabo decision).

Aborigines may also seek to remedy state regulation through a referendum.

It should also be noted that, while the Commonwealth government cannot directly dictate state policies, the commonwealth can assert a great deal of pressure on state governments. Section 96 of the Australia Constitution "gives the Commonwealth the power to grant financial assistance 'to any State on such terms and conditions as the Parliament thinks fit', thus enabling the Commonwealth to make conditional grants covering a wide range of policy matters" (Bennett 1989: 70). State governments receive a significant portion of their revenue from Federal tax dollars in the form of grants. By cutting off federal funds the Commonwealth can, at times, coerce the State governments to follow federal policy guidelines. So, while hostile State governments may continue to present a barrier to Aboriginal autonomy, State governments, in and of themselves, cannot summarily dismiss Aboriginal claims. State governments themselves are subject to a great deal of federal influence, and are highly dependent on federal funding.

### Western Australian Policy

Western Australia has a long history of violence, discrimination, and apathy in its dealings with the Aboriginal population. From the onset of colonization in Western Australia, Aborigines have been treated poorly. Official state policies have ranged from extinction to protectionism.

Successive colonial and state governments of Western Australia adopted similar approaches to Aboriginal matters, primarily facilitating settler land acquisition and the procurement of cheap labor. Legislation and 'settler laws' defined and controlled many Aboriginal lives. Extreme positions were sometimes tempered by humanitarian concerns but rarely were Aborigines consulted (McGrath 1995: 240).

While Aborigines no longer need live in fear for their lives, the historical treatment of Aborigines in Western Australia remains a cause for concern and mistrust in Aboriginal society. Aboriginal society is still recovering from the 1905 Aborigines Protection Act "which legalized the removal of Aboriginal children from their natural families" (Curtin University Aboriginal Affairs Dept. 1995: 2). In the years that followed hundreds of aboriginal children were forcibly removed from their homes and placed in missions where they could 'learn to be white'

In Western Australia, the priorities of the white population "have always taken precedence over Aboriginal socio-cultural interests or economic and political justice. This has generated a race relations history that will not easily fade from the state's social and political memory" (McGrath 1995: 263). There remains within the Western Australian government, a predisposition to dismiss Aboriginal interests.

As evidenced through the case studies presented in this paper, the Western Australian government is particularly opposed to the establishment of strictly 'Aboriginal rights', and more specifically the establishment of Aboriginal land rights. This is apparent in the following excerpt:

The former premier, Sir Charles Court, had made his view clear in a letter to Ken Colbung, chairman of the Aboriginal Lands Trust: 'The Aboriginal people, whether as a race, or as tribes, or as individuals, do not have by reason of their Aboriginality, any legal claim

to the territorial land of Western Australia. Nor have the Aboriginal people any moral claim of the exclusive right to their possession of the lands of this state (Maddock 1983: 125).

The Court government has since retired from office, but the government of Western Australia continues to resist federal and legal efforts to provide Aboriginal rights.

In 1993 Australia's High Court passed the Mabo decision, which provided for Aboriginal land claims on the basis of native title. The Western Australian Parliament quickly passed the *Western Australian Act*. The Western Australian Act "validated all grants of title to land in Western Australia . . . and . . . extinguished all native title in WA existing immediately before the Act and to create substitute 'rights of traditional usage'" (Tarrant 1994: 8). In essence, the Parliament of Western Australia reversed the decision of the High Court citing state's rights as a precedent. While the WA Act is currently being appealed within the Australian legal system, it points to a Western Australian policy trend which favors economic progress and subordinates Aboriginal interests.

Based on past policy direction and a current disposition toward the advancement of economic interest, I find it unlikely that the Western Australian government will be receptive to the idea of an autonomous Aboriginal state. On the contrary I would expect that the Western Australia government would be inclined to resist any such movement. While Court no longer holds the Premiership, the Conservative Party still has a stronghold in Western Australia. The Aborigines have found an ally in the ALP (Australian Labour Party), however, it still seems unlikely that they would be able to achieve any level of success with the state government.

Aboriginal affairs, however, are within the domain of the Commonwealth government as well as the state government. So, any hopes for success in achieving Aboriginal autonomy in Western Australia are pinned on the support of Commonwealth government. The Commonwealth government is much more supportive of Aboriginal initiatives than Western Australia. A national referendum might also has a significant chance of success, as the majority of the Australian population is centered in New South Wales and South Australia. New South Wales and South Australia have much less significant Aboriginal populations than Western Australia, and are much more likely to support Aboriginal autonomy. The Western Australian government presents a significant barrier to the Aboriginal autonomy, but one that could be overcome through federal initiatives.

### The Legal System

Having established the limits of both the State and Commonwealth power, it is important to discuss the role of the Australian legal system in the development of an autonomous Aboriginal state. It would seem that one can no longer address Aboriginal affairs without mention of the Mabo decision passed down by the High Court of Australia in 1992:

The High Court of Australia decided in *Mabo V. Queensland* that the Meriam people were entitled as against the whole of the world to the possession, occupation, use and enjoyment of (most of) the land of the Murray Islands in the Torres Strait. In reaching this conclusion a majority of the court held that the common law of Australia recognizes a form of native land title. Such a native land title exists in accordance with the laws and customs of indigenous people: where those people

have maintained their connection with the land; and where there title has not been extinguished by acts of Imperial, Colonial, State, Territory, or Commonwealth governments.

The Court rejected the traditional doctrine that Australia was *terra nullius* (land belonging to no one) at the time of European settlement, with the implication that absolute ownership of land vested at that time in the Crown, but rather accepted that native land title rights survived settlement, though subject to the sovereignty of the crown (Commonwealth Government 1993: 14-15).

At the time this was considered a major victory for Aboriginal rights and Aboriginal land rights movements around Australia. Mabo recognized the existence of native title and set down a precedent which had implications for the acknowledgment of Aboriginal Law. Mabo set a precedent for land rights claims across Australia. The Mabo decision was later laid down as government policy in the 1993 Native Title Act which established a process for the recognition of Native Title and the return of tribal lands.

The Mabo decision, however, was a hollow victory. State interpretations of the High Court decision made the Mabo case more a symbolic gesture than a basis for the return of land rights. It was determined that in order to prove native title Aborigines had to prove that they had traditional ties to any land in question as laid out in the following clause from the Mabo decision (also noted above): "Such a native land title exists in accordance with the laws and customs of indigenous people: where those people have maintained their connection with the land" (Commonwealth Government 1993: 14).

Australia's Attorney General noted that "Native title will be extinguished where the traditional title holders lose their connection with the land" (Goot and Rowse

1994: 265). Thus Aborigines who could not prove traditional ties to the land were not eligible to pursue native title to tribal lands. This was the case for the majority of Aboriginal people. Aborigines keep no written records and have been moved frequently and extensively by the Australian government. Aboriginal evidence of ownership exists primarily in the form of legends, stories and associations with sacred sites. This form of evidence was rejected as insufficient.

So, what was seen as a major Aboriginal victory has been largely an ineffectual development. Only a small percentage of the Aboriginal population were actually able to regain tribal lands under the Mabo decision or the Native Title Act. Aboriginal groups do not have sufficient resources to engage in protracted legal battles for traditional tribal lands, and the legal system often serves as a barrier to Aboriginal groups who do not fully understand the Australian legal process.

In addition we can note the difficulties establishing a universal interpretation of High Court decisions. Western Australia was able to further diminish the impact of the Mabo decision and Native title Act by challenging it within the State's courts.

Western Australia subsequently passed an alternative judgement called the *Western Australian Land Titles and Traditional Usage Act*. Western Australia argued that:

The Commonwealth's Native Title Act targets and seeks to override the State's legislation. Confronted with this Commonwealth assault on the most fundamental and essential powers and responsibilities of the State, and the commonwealth's attempt to impose, in Western Australia, an inefficient, uneconomical and unworkable regime of land and resource management, the Government (of WA) decided to take the appropriate means of legal redress by challenging the constitutional validity of the Commonwealth Native Title Act in the High Court (Bartlett and Meyers 1994: 1).

Western Australia has claimed that the Native Title Act is "unconstitutional and is therefore, of no legal effect or significance" (Bartlett and Meyers 1994: 1). The Native Title Act was replaced in Western Australia by the passing of the Land Titles and Traditional Usage Act. The Land Titles and Traditional Usage Act:

. . . provides for the replacement of native title in Common Law with 'rights of traditional usage' of subordinate and inferior status (to those implied by the Native Title Act and the Mabo decision) . . . The cumulative effect of the (Western Australian) regime is to repeal Mabo in the sense of denying any substance to the rights of Aboriginal people with respect to their traditional relationship to the land (Bartlett 1993: 7).

This is but one more example of the way in which the legal system has been used to prohibit Aboriginal land rights or to water down the decisions of the high court in regard to land rights. The complex Australian legal structure serves as a barrier to Aboriginal autonomy because the establishment of any such system would require legislation on several different levels. It also provides an obstacle to the recognition of Aboriginal customary or tribal laws through its own bureaucratic initiative.

### Land Rights/Land Reform

Throughout this paper, I have made reference to the deep ties between Aborigines and the environment, particularly the relationship between Aborigines and the land. Understanding this relationship is central to understanding the drive for land rights and autonomy. Lorna Lippmann has said that "it is almost impossible to



exaggerate the importance of land to Aborigines, either in traditional society or in the circumstances today" (Lippmann 1991: 34). The quest for land rights is intrinsic to, and has, to a large degree, fueled the Aboriginal autonomy movement.

The concept of Aboriginal land rights is virtually inseparable from the Aboriginal autonomy movement. Therefore, any viable proposal for Aboriginal autonomy must address land rights and the return of Aboriginal lands. This entails land reform, and land reform is a complex political issue. Land reform entails that the legal ownership of land must change hands. It also raises issues about existing land titles and proper compensation for present owners.

Most traditional and tribal lands are situated in remote areas and legal ownership of these lands resides in the state governments of Australia. However, some of the land in question is located in or near urban areas or within the confines of pastoral stations. In some cases, development has been so extensive that the prospect of reclamation is unlikely at best. By this I mean some areas that comprise part of large cities such as Sydney, Perth, or Melbourne are now highly developed and of inestimable value to the Australian society.

Within the countryside as well, pastoralists and farmers have been reluctant to leave their land at the bequest of the government. In some areas, pastoral and cattle stations are responsible for large contributions to the economy, and any attempts to retrieve these lands would most likely be met with serious political resistance. It should also be noted that the return of any tribal land that is privately owned will require compensation. The Aboriginal communities do not have sufficient capital to

purchase tribal lands and would be heavily dependent on the Australian government for the compensation of private owners.

Suffice it to say that land reform would not be successful without full government support and funding. I would expect a great deal of political opposition from the pastoralists and cattle ranchers as well as the mining contingent. However, the government does have the power to legislate for land reform and in the past the government has established 'land funds' to provide funding for the purchase of Aboriginal reserves. Land reform itself is a barrier as well as a goal for the Aboriginal autonomy movement, and is likely to be bargaining process rather than a universal return of tribal lands.

### Pastoral and Mining Industries

There is a long and highly documented history of conflict between Aboriginal groups and large scale mining companies (i.e., Noonkanbah, Argyle Diamond Mines). This can be attributed to a fundamental difference between these two groups. Mining companies are primarily interested in the development and exploitation of natural resources (oil, minerals, etc.), while Aboriginal groups have cultural and spiritual beliefs which prohibit mining within their society. There is a spiritual value vested in the land. Therefore, when the paths of Aboriginal groups and mining companies cross, there is likely to be disagreement or conflict over the use of land.

It has been implicit in government policy at both national and state levels that mining in remote areas represented 'development' and should be encouraged. Investment in infrastructure has diverted some

wealth into remote areas (O'Faircheallaigh 1987), but wealth produced in mining regions has more generally been channeled into the wider economy; a geographical transfer of value within Australia, and between Australia and her trading partners (Gibson, 1981). Implicit in these policies is the notion that the dominant mechanisms for distribution and redistribution of wealth would produce an adequate distributional income. Wages, royalties, rents, taxes, and public infrastructure investments were assumed to flow into the public coffers and the general population, including those in producing regions (Cant, Overton, and Pawson 1993: 147).

In other words, the mining companies and the government have engaged in a mutually beneficial relationship in which each gains. Government gains through taxes, licensing fees, and the mining companies contributions to the local economies. Mining companies benefits through the exploitation and sale of natural resources. It is symbiotic. And, as mining remains the dominant industry in Australia, the mining companies enjoy the support of the government as well as a great deal of influence within the government. "In this setting, the mining companies, as principle beneficiaries of this regime of structural power, were often identified (by Aborigines) as a major problem and identified as 'the enemy'" (Cant, Overton, and Pawson 1993: 147). Aborigines struggled against the intrusion of mining companies on their lands.

This presents a barrier to Aboriginal autonomy, however, as any Aboriginal land rights movement would threaten the unchecked position of the mining companies. Aboriginal lands comprise a significant portion of Western Australia. And, should Aborigines ban mining upon Aboriginal lands, the mining companies would suffer from a decreased resource pool. For this reason, the mining consortiums are likely to oppose any Aboriginal autonomy initiatives. And, since mining companies are in a

position to exert a great deal of influence on state governments, they hold a great deal of power within Australia. Therefore, any Aboriginal autonomy movement must be conscious of the mining industry and attempt to alleviate any major concerns that miners might have.

### Aboriginal Factionalization

Aside from foreign or outside influence, Aboriginal society itself will present quite an obstacle for autonomy. Aboriginal society currently has no nationally recognized governing body, making intertribal politics a difficult proposition. Because, while there is a distinct Aboriginal population and culture when compared with Western society, there is a great deal of diversity within the Aboriginal population.

The indigenous population of Australia is very heterogeneous. Four broad categories of indigenous communities have been identified in Australia, although care needs to be taken in their use as any more than general descriptors. No two communities are identical. Each reflects its own unique cultural background, historical experiences and local conditions. Communities differ in the degree to which they have been subjected to dispossession, dispersal and the destruction of their economies and law during the colonization process.

The diversity of situations, the varying impact of colonialism on communities and differential access to resources make for different political agendas. Such differences render it difficult for any Aboriginal organization to speak on behalf of the Aboriginal movement generally and can lead to apparent competing interests and priorities, a situation exacerbated by government imposed structures (Bourke, Bourke, and Edwards 1994: 214).

This factionalization, or lack of continuity within the Aboriginal movement has served as a major obstacle to Aboriginal efforts at united political action. Aboriginal

organizations and advocacy groups often engage in political infighting within the Aboriginal community. Groups like ATSIC are seen as having a weak stance against the Australian government, while the APG has been labeled as a radical group. While most of these groups have similar agendas, their leaders often compete for limited Aboriginal support and resources.

To the further detriment of the Aboriginal movement, individual political efforts opposed by the majority of the Aboriginal population, have reflected upon the whole society. For instance:

The Aboriginal frustration over this development could be seen in the actions in 1987 of Michael Mansell of the Tasmanian Aboriginal Center (TAC). Mansell traveled to Libya with a group of Australians for a conference of 'revolutionary forces,' and he earned much publicity with threats to seek Libyan money for Aboriginal causes if various demands were not met (*Age* (Melbourne) 28 April 1987). Mansell's actions, while understandable as an indication of Aboriginal frustration, probably did nothing other than hurt then Aboriginal cause in the eyes of white Australia (Bennett 1989:19).

Many Aboriginal groups reacted negatively to Mansell's "cowboy politics."

Many Aboriginal groups denounced Mansell's actions, further driving a wedge into inter-Aboriginal political efforts. In order to present a united front, and to achieve a unified Aboriginal government, the infighting and partisanism must end. In order to effectively apply political pressure on the Australian government the Aboriginal population might bargain more effectively as a more cohesive unit.

## CHAPTER X

### AUTONOMY IMPLEMENTED

Having made the case for and against autonomy it is important to determine what circumstances we could expect under an autonomous Aboriginal system. While it is difficult to predict future social conditions, it is vital that we consider if the social problems that currently plague Aboriginal Australian society are likely to lessen under an autonomous Aboriginal state. Throughout this paper I have pointed to a variety of detrimental social conditions which I have generally referred to as the Aboriginal social dysfunction. It is highly unlikely that the vast social dysfunction could be remedied immediately by the institution of an autonomous state; it would be foolish to think otherwise. Two hundred years of oppression and cultural deprivation cannot be wiped clean in one day. While we cannot expect that Aboriginal social dysfunction would be quickly remedied, it is reasonable to expect that these problems would decline over time as Aborigines learn to maintain an autonomous government and rebuild an Aboriginal identity.

We should also quickly dispel romantic notions that Aborigines should or would return to the pre-colonial Aboriginal lifestyle or that a hunter-gather economy would be adopted. Aborigines have been exposed to Western technology and Western

culture for a long period of time, and it can be expected that this will influence the new Aboriginal culture. It is likely that Aborigines will incorporate elements from both the Australian and Aboriginal traditions into a new hybrid social structure. Autonomy would provide an opportunity for unconstrained cultural development and chance for Aborigines to adapt to Western society on their own terms and at their own pace. I must stress that I am not implying that an autonomous Aboriginal community would result in some form of a primitive utopian society. Rather, I am suggesting that autonomy provides an atmosphere more conducive to Aboriginal development.

Therefore, the potential benefits from the establishment of autonomous Aboriginal communities would primarily be social benefits; meaning that the direct benefits would come as a result of improved quality-of-life. Aboriginal development has mainly been obstructed by the inability of Aborigines to practice their traditional culture. The removal of this obstacle should provide a basis for unfettered social development.

Specifically, one would expect that autonomy would alleviate, to some degree, the Aboriginal social dysfunction. I refer to the various social disorders discussed in Chapter I: high rates of alcoholism, suicide, unemployment, teen pregnancy, and incarceration as well as generally poor health and education standards for Aboriginal society. These social disorders have been ascribed to cultural deprivation, or the inability to fulfill one's culture by a number of prominent social scientists and Aboriginal researchers (i.e., H.C. Coombs, Colin Bourke, Elspeth Young, John Bodley).

Through the implementation of traditional Aboriginal institutions such as customary (or tribal) law, the kinship system, group (or communal) living, and the tribal social order, Aboriginal groups could gradually alleviate social dysfunction by removing the primary cause (Western interference). Therefore, it is reasonable to expect that under a system of Aboriginal autonomy we should see a slow decrease in alcoholism, suicide, unemployment, teen pregnancy, and incarceration within Aboriginal society. In the long run it also seems reasonable to expect increased levels of Aboriginal education and health care as Aborigines have the opportunity to cultivate their cultural traditions.

As education has been of fundamental concern to Aboriginal groups, we could expect that, over a period of time, Aboriginal control of the education system would also alleviate some of the aforementioned social problems. By socializing Aboriginal youth in aboriginal schools, and instilling a sense of identity and cultural pride, further decreases in social dysfunction (especially Aboriginal suicide rates) could be expected. Many social scientists have credited a lack of identity and a fear of white discrimination as primary causes of the Aboriginal males' tendency toward social dysfunction.

It is much more difficult to speculate about the structure of Aboriginal society. Because Aboriginal lands and Aboriginal communities are scattered throughout Australia, an autonomous Aboriginal state would have an inherent need for some form of federal government structure. Aboriginal society as a whole is very heterogeneous, while Aboriginal communities tend to be very homogenous. Each



tribe practices its own form of tribal law based on its history and spiritual beliefs. As each tribe is unique and nationalistic there will most likely be a high level of local autonomy. A unified Aboriginal government would perhaps function only to deal with the Commonwealth and state governments of Australia.

Economic systems are equally difficult to predict. Traditionally, Aborigines practiced a communal economy in which labor was divided based on age and sex. Exposure to Western culture and Western ideas has eroded this tradition significantly; particularly in the case of Aboriginal women who have been much more successful in Western society than Aboriginal males. It is unlikely that Aboriginal women would be willing to accept the subservient position to which they were subjected in traditional Aboriginal culture. Aboriginal communities, however, remain highly communal. There is still a tendency to share one's earnings or possessions with an extended family group. Many Aboriginal communities (such as Noonkanbah) have initiated tribally run business ventures with some degree of success as well. This may suggest that Aborigines would tend to practice communal economies at a tribal level. Still, once again, this argument is not driven by the evidence but is based only on observations.

There is also reason to anticipate some level of economic development or, at the very least, changes in economic direction. Traditional Aboriginal customs and practices suggest that most Aboriginal reserves would move their economies away from the mining and traditional agriculture that pervade the economy of rural Australia as these are contrary to Aboriginal law and cultural and spiritual beliefs. Instead, Aboriginal economies would most likely be heavily dependent on the pastoral industry

as well as tourism as major sources of income. Some hunting-gathering activities might be implemented as a supplement to the Aboriginal income. It should be noted though, that traditional economic development is not to be expected. Aboriginal groups have not integrated into the Australian economic system, and have often resisted Western economic practices. Therefore, it might be inferred that Aborigines are more likely to adopt more traditional or quality-of-life centered economic practices.

On the whole, autonomy presents significant opportunities for growth and development to the Aboriginal people. Autonomy has many proponents and a large number of detractors as well. However, I believe that I provided sufficient evidence and analysis to suggest that autonomy would further Aboriginal development. Autonomy should induce a gradual alleviation of the various symptoms of social dysfunction that have plagued Aboriginal society. The imposition of a foreign culture has provided barriers to the implementation of traditional Aboriginal culture. Aborigines have long suffered from a corresponding lack of social and ethnic identity, but also show an unwillingness to assimilate. Up to this point, Aboriginal efforts have been directed at resisting assimilation and at asserting Aboriginal rights. There has been little social or economic progress. The establishment of an autonomous Aboriginal state would provide Aborigines with the social and political foundation for further development in years to come.

## CHAPTER XI

### FINAL CONCLUSIONS

On what grounds can I finally assert that autonomy is in the best interests of the Aboriginal people or that autonomy would stimulate development? First and foremost among the reasons for proposing autonomy is the failure of traditional Western development policy. Aborigines have refused to assimilate even though they are experiencing economic deprivation and widespread social disorder. This is because Australia's Aboriginal policy has been misdirected; Aboriginal people were subject to policies based on Western cultural values. Aborigines have a unique value system which prohibited them from fully participating in Western society. In essence, Aborigines were obstructed from fulfilling their own culture, and were unable or unwilling to adopt a foreign culture. The Australian government, through its interference and regulation of Aboriginal society provided a barrier to the practice of traditional Aboriginal culture, ultimately resulting in social dysfunction.

Therefore the fundamental barrier to Aboriginal development, was government interference.

While the Aborigines constitute a problem for the government, defined in terms of a set of economic, social, and health issues, the government constitutes a problem for Aborigines defined in terms of oppression, discrimination, and exploitation (Howard 1982: 219).

If the Australian government is the problem, the answer is Aboriginal government.

The Australian government cannot act in the best interest of Aborigines because it must choose between competing priorities: economic development and Aboriginal interests. While the government may be concerned with Aboriginal development and Aboriginal interests, the government must also pursue economic development. If economic development conflicts with Aboriginal interests, the government encounters a distinct conflict of interests. The only guarantee that Aboriginal interests will be served is the establishment of Aboriginal self-government or autonomy.

Autonomy provides an opportunity for Aborigines to practice their traditional culture; and it allows Aborigines to make their own decisions, to be masters of their own destiny. By allowing for the practice of traditional culture, autonomy would serve to alleviate social dysfunction. The lessening of social disorder would, in turn provide a basis for further development: social, political, and economic.

Once again, I will restate my conclusion: there is a great deal of evidence to suggest that autonomy is in the best interests of the Aboriginal people. Obviously, there would be a great deal of opposition and many barriers to overcome for any proposals for autonomy to be successful. Land reform specifically, would be a hard sell to the state governments. However, in light of recent favorable legal decisions and the success of various Aboriginal land rights initiatives, it seems as though Aboriginal autonomy is a distinct possibility in the near future.

### THE OLD AUSTRALIANS

You are the New Australians, but we are the Old Australians. We have in our arteries the blood of the Original Australians, who have lived in this land for many thousands of years. You came here only recently, and you took our land away from us by force. You have almost exterminated our people, but there are enough of us remaining to expose the humbug of your claim, as white Australians, to be a civilized, progressive, kindly, and humane nation. By your cruelty and callousness toward the Aborigines you stand condemned in the eyes of the civilized world (Bennett 1989: 5)

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